

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1513

IN THE MATTER OF:

Served March 11, 1976

Application of THE GRAY LINE, INC., )  
for Certificate of Public Conven- )  
ience and Necessity to Perform )  
Regular Route Operations -- )  
Montgomery Village )

Application No. 922

Docket No. 315

By Application No. 922, filed March 1, 1976, The Gray Line, Inc. (Gray Line) seeks a certificate of public convenience and necessity pursuant to the provisions of Title II, Article XII, Section 4(b) of the Compact. Gray Line seeks authority to transport passengers, together with their baggage, express and newspapers, over the following described regular route.

Between points in Washington, D. C., and Montgomery Village, Maryland, restricted to the boarding and alighting of passengers along Maryland Route 124, Quince Orchard Road, Montgomery Village Avenue, and within the Community of Montgomery Village, Maryland, further restricted to discharge only at the National Institutes of Health in Bethesda, Maryland, and points in Washington, D. C., southbound; and boarding only from points in Washington, D. C., and the National Institutes of Health in Bethesda, Maryland, northbound.

From Washington, D. C., over City Streets to the Maryland-D. C. Line, thence over Wisconsin Avenue (U. S. Highway 240) to junction Interstate Highway 270, thence over Interstate Highway 270 to junction Montgomery Village Road, thence over Montgomery Village Road to junction Centerway Road, thence over Centerway Road to Montgomery Village Shopping Center Roadways, thence over Montgomery Village Shopping Center Roadways to junction Stedwick Road, thence over Stedwick Road to junction Montgomery Village Road to junction Maryland Highway 355; thence over Quince Orchard Road to junction Maryland Highway 124 to junction Maryland Highway 28, and return over the same route.

Gray Line proposes to render the regular route service in 53-passenger and 44-passenger motor coaches. As part of its application,

Gray Line submitted the following proposed fares: \$15 for a ten trip commutation ticket and \$2 for a one-way trip. Gray Line also submitted a proposed schedule of service as follows:

MONTGOMERY VILLAGE-WASHINGTON, D. C., AND RETURN

Run No.	<u>1</u> AM	<u>2</u> AM	<u>3</u> AM	<u>4</u> PM	<u>5</u> PM	<u>6</u> PM	<u>7</u> PM
Quince Orchard		6:45		6:55	6:20	6:35	6:50
Diamond Farms		6:50		7:00	6:15	6:30	6:45
Montgomery Village	6:50	7:05	7:30	7:15	6:10	6:25	6:40
N. I. H.	7:15	7:35	8:00	↑ ↓	5:45	6:00	6:16
GEICO	7:25	7:45	8:10		5:35	5:50	6:05
Wisc. & Mass., N. W.	7:32	7:52	8:17		5:23	5:40	5:59
21st & Mass., N. W.	7:40	8:00	8:25		---	---	---
20th & Mass., N. W.	---	---	---		---	---	---
22nd & Mass., N. W.	---	---	---	5:20	5:35	5:51	
22nd & M St., N. W.	---	---	---	5:17	5:32	5:47	
21st & Penn., N. W.	7:47	8:07	8:32	8:00	5:15	5:30	5:45
18th & Penn., N. W.	7:50	8:10	8:35	8:03	5:12	5:27	5:40
13th & H St., N. W.	7:53	8:13	8:38	8:05	5:09	5:24	5:37
12th & Penn., N. W.	8:00	8:20	8:45	8:10	5:00	5:15	5:30
Bellevue Hotel	8:10	8:30	8:55		4:50	5:05	5:20

The schedule would be operated five days a week, Monday through Friday, except on holidays and special occasions.

Gray Line currently holds Certificate of Public Convenience and Necessity No. 12. That Certificate authorizes the performance of regular route service between Washington, D. C., and the race track in Marlboro, Maryland, serving no intermediate points; between Washington, D. C., and the race track in Bowie, Maryland, serving no intermediate points; and between Washington, D. C., and the Rosecroft Raceway, near Oxon Hill, Maryland, serving no intermediate points. The Certificate also authorizes charter operations, over irregular routes, round-trip or one-way, from points in the Metropolitan District, not including Alexandria, Virginia, to points in the Metropolitan District and one-way from Alexandria, Virginia, to the District of Columbia. The Certificate also authorizes special operations, over irregular routes, in round-trip sightseeing or pleasure tours, from points within the Metropolitan District, except the Dulles International Airport and Alexandria, Virginia, to points in the Metropolitan District; from Alexandria, Virginia, to the District of Columbia, points and places in that part of the State of Maryland in the Washington Metropolitan Transit District, and points and places in that part of the Commonwealth of Virginia in the Washington Metropolitan Transit District, via the District of Columbia, and return; and in one-way

sightseeing or pleasure tours, from points within the Metropolitan District, except the Dulles International Airport and Alexandria, Virginia, to points in the District of Columbia.

Title II, Article XII, Section 4(b) of the Compact provides as follows:

When an application is made under this section for a certificate, . . . , the Commission shall issue a certificate to any qualified applicant therefor, . . . , if it finds, after hearing held upon reasonable notice, that the applicant is fit, willing and able to perform such transportation properly and to conform to the provisions of this Act and the rules, regulations, and requirements of the Commission thereunder, and that such transportation is or will be required by the public convenience and necessity; otherwise such application shall be denied. (Emphasis added.)

Pursuant to this mandate, the Commission shall schedule a hearing to develop an appropriate record. Gray Line shall be assessed an amount preliminarily estimated to be sufficient to cover the expenses which the Compact, Title II, Article XII, Section 19(a) requires the carrier to bear.

In order to fully develop the basis for any finding as to Gray Line's fitness to perform the proposed transportation service and the requirements of the public convenience and necessity for the proposed transportation service, the Commission shall require Gray Line to submit and be prepared to support with competent witnesses the following exhibits.

- (a) A detailed balance sheet of Gray Line as of December 31, 1975.
- (b) A detailed income statement for the 12-month period ended December 31, 1975.
- (c) A statement projecting revenues and revenue deductions including taxes, for a one-year period, together with supporting details, including the ratio between revenue deductions and revenues, for the proposed operations.

Gray Line shall be directed to file six (6) copies of the statements required hereinbefore with the Commission and serve one copy on each party of record on or before Wednesday March 31, 1976. Gray Line shall be prepared to present evidence that the public convenience and necessity require the proposed service. Should Gray Line elect to submit prepared

testimony at the hearing, then six (6) copies of said testimony also should be filed with the Commission and one copy served on each party of record on or before March 31, 1976.

Gray Line also requested temporary authority solely as a precautionary measure, should the Commission consider it necessary to issue temporary authority. The basis for Gray Line's concern is a pending abandonment application filed by the Blue Lines, Inc. Gray Line indicates that Montgomery Village residents are concerned about continuation of commuter service to and from Washington, D. C., should the Blue Lines' application be granted. Gray Line has requested temporary authority in order that the passengers residing in the Montgomery Village area will not suffer from any break in, or be without, required commuter bus service between Montgomery Village and Washington, D. C., on the date of any abandonment of service by Blue Lines.

Application No. 913 of Blue Lines currently is scheduled for public hearing commencing March 15, 1976. See Order No. 1505, served February 19, 1976. The Commission does not believe that the public interest requires disposition of Gray Line's request for temporary authority prior to the hearing on Blue Lines' abandonment application.

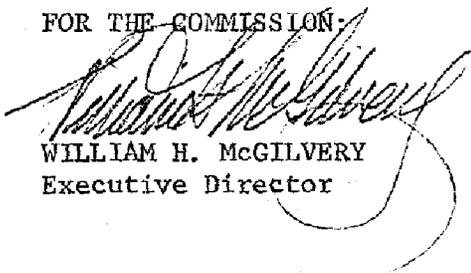
THEREFORE, IT IS ORDERED:

1. That Application No. 922 of The Gray Line, Inc., be, and it is hereby, scheduled for public hearing to commence Tuesday, April 6, 1976, at 10:00 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
2. That The Gray Line, Inc., publish in a newspaper of general circulation in the Metropolitan District and post in each vehicle that it operates a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Wednesday, March 17, 1976, and present at the hearing a certificate of publication from the selected newspaper and a certification of posting.
3. That six (6) copies, the original to be submitted at the hearing, of the exhibits required hereinbefore and any prepared testimony be filed by The Gray Line, Inc., with the Commission together with a certificate indicating that one copy was served on each party of record on or before Wednesday, March 31, 1976.
4. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, on or before Friday, March 26, 1976, and shall mail a copy of such protest or notice to counsel

of record for The Gray Line, Inc., L. C. Major, Esquire, Suite 400 Overlook Office Building, 6121 Lincolnia Road, Alexandria, Virginia 22312.

5. That The Gray Line, Inc., be, and it is hereby, assessed \$200 pursuant to the provisions of the Compact, Title II, Article XII, Section 19 and directed to deliver said amount to the office of the Commission, Room 316, 1625 I Street, N. W., Washington, D. C. 20006, on or before Wednesday, March 31, 1976.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director

