

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1516

IN THE MATTER OF:

Served March 12, 1976

Application of McMICHAEL SCHOOL BUS )  
SERVICE, INC., for Certificate of )  
Public Convenience and Necessity to )  
Perform Charter Operations )

Application No. 923

Docket No. 318

By Application No. 923, filed March 5, 1976, McMichael School Bus Service, Inc. (McMichael) seeks a certificate of public convenience and necessity, pursuant to Title II, Article XII, Section 4(b) of the Compact, to transport passengers, over irregular routes, in charter operations, between points within the Metropolitan District.

McMichael proposes to perform the charter operations in school bus type vehicles. As part of its application, McMichael submitted a proposed tariff. McMichael would have a \$70 minimum charge representing one hour garage time and four hours of actual use and an additional \$16 per hour charge for each hour in excess of five hours. McMichael also would charge \$45 for a one-way transfer.

McMichael currently holds Certificate of Public Convenience and Necessity No. 24. That Certificate authorizes the performance of charter operations pursuant to contract, over irregular routes, for members of the Parklawn Commuters Club from the Eastover Shopping Center and Penn Mar Shopping Center in Prince George's County, Maryland, to the Parklawn Building, 5600 Fishers Lane, Rockville, Maryland, and return.

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. McMichael 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 McMichael'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 McMichael to submit and be prepared to support with competent witnesses the following exhibits.

- (A) A detailed balance sheet of McMichael 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 charter operations.

McMichael 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 March 31, 1976. McMichael shall be prepared to present evidence that public convenience and necessity require the proposed charter service. Should McMichael 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.

THEREFORE, IT IS ORDERED:

1. That Application No. 923 of McMichael School Bus Service, Inc., be, and it is hereby, scheduled for public hearing to commence Monday, April 5, 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 McMichael School Bus Service, 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 Friday, March 19, 1976, and present at the hearing a certificate of publication from the selected newspaper and a certification of posting.

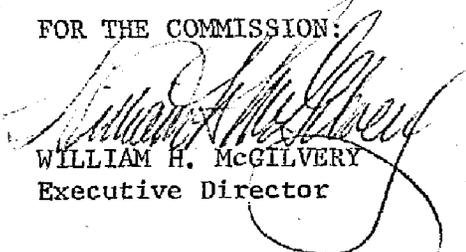
3. That six (6) copies, the original to be submitted at the hearing, of the statements required hereinbefore and any prepared testimony be

submitted by McMichael School Bus Service, Inc., to the Commission and one copy 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 Monday, March 29, 1976, and shall mail a copy of such protest or notice to counsel of record for McMichael School Bus Service, Inc., Philip N. Margolius, Esquire, 1120 Connecticut Avenue, N. W., Washington, D. C. 20036.

5. That McMichael School Bus Service, 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 Washington Metropolitan Area Transit Commission, Room 316, 1625 I Street, N. W., Washington, D. C., on or before Wednesday, March 31, 1976.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director