

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1549

IN THE MATTER OF:

Served April 30, 1976

Application of SUBURBAN TRANSIT)
COMPANY for Certificate of Public)
Convenience and Necessity to)
Perform Contract Operations)

Application No. 931

Docket No. 321

By Order No. 1528, served March 31, 1976, the Commission, inter alia, scheduled a public hearing to commence May 3, 1976, concerning Application No. 931 and granted Suburban Transit Company (Suburban) temporary authority. Suburban was authorized to transport government employees, together with mail, express, and baggage in the same vehicle with passengers, between the Parklawn Building, Rockville, Maryland, and the HEW North Building, Washington, D. C., pursuant to contract with the Department of Health, Education and Welfare (HEW). The temporary authority was to be effective April 1, 1976, and would remain in effect through September 27, 1976, unless otherwise provided by order.

On April 28, 1976, the Commission received formal written notification from HEW that the contract with Suburban had been terminated on April 20, 1976, for default. HEW filed with the Commission a copy of the termination letter issued to Suburban. That letter generally recounts the reasons for the default. The letter sets forth allegations that Suburban did not operate according to the schedule on six separate trips between April 2, 1976, and April 20, 1976, and that the equipment used to perform the transportation for hire was unsatisfactory and inadequate. On the basis of HEW's belief that these matters constituted poor service, the contract was terminated for default.

The temporary authority was based on a finding that government employees have an immediate and urgent need for transportation between the Parklawn Building, Rockville, Maryland, and the HEW North Building, Washington, D. C. Apparently, HEW has arranged other suitable and adequate transportation for government employees. Accordingly, the Commission finds that there is no longer an immediate and urgent need for the transportation services. The Commission thus will terminate the temporary authority granted to Suburban.

The application of Suburban sought a certificate of public convenience and necessity to perform contract operations. The HEW contract

supporting the requested authority has been terminated. The Commission thus will dismiss without prejudice Application No. 931 and cancel the public hearing scheduled to commence May 3, 1976.

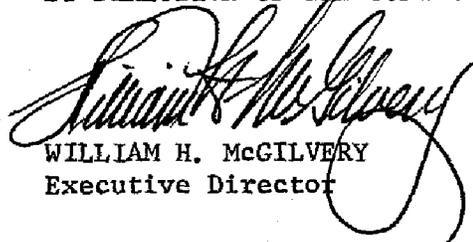
THEREFORE IT IS ORDERED:

1. That the temporary authority to transport government employees, together with mail, express, and baggage in the same vehicle with passengers, between the Parklawn Building, Rockville, Maryland, and the HEW North Building, Washington, D. C., pursuant to contract with the Department of Health, Education and Welfare granted to Suburban Transit Company by Order No. 1528, served March 31, 1976, be, and it is hereby, terminated.

2. That Application No. 931 of Suburban Transit Company for a certificate of public convenience and necessity to perform contract operations be, and it is hereby, dismissed without prejudice.

3. That the public hearing scheduled to commence May 3, 1976, by Order No. 1528, served March 31, 1976, be, and it is hereby, cancelled.

BY DIRECTION OF THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director