

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1561

IN THE MATTER OF:

Application of BANNISTER CAR)	
RENTAL & CHAUFFEUR SERVICE, INC.,)	Served May 28, 1976
for a Certificate of Public)	
Convenience and Necessity to)	Application No. 936
Perform Special Operations)	
)	
Application of BANNISTER'S, INC.,)	
for a Certificate of Public)	
Convenience and Necessity to)	Application No. 942
Perform Charter Operations)	
Pursuant to Contract - Kennedy)	
Center)	
)	
Application of BANNISTER)	Application No. 944
ENTERPRISES, INC., for a)	
Certificate of Public)	Consolidated
Convenience and Necessity)	
to Perform Charter Operations)	Docket No. 327
Pursuant to Contract - Amtrak)	

By Order No. 1556, served May 20, 1976, the Commission consolidated Application No. 936 of Bannister Car Rental & Chauffeur Service, Inc., with Application No. 942 of Bannister's, Inc. The Commission also scheduled the consolidated applications for public hearing to commence on June 15, 1976.

By Application No. 944, filed May 26, 1976, Bannister Enterprises, Inc. (BEI) seeks a certificate of public convenience and necessity, pursuant to Title II, Article XII, Section 4(b) of the Compact, to perform charter operations

pursuant to contract. BEI seeks authority to transport passengers, together with their baggage, over irregular routes, between a point or points at or near the Colonial Parking Garage on the southeast corner of the intersection of North Capitol and E Streets, N. W., in the District of Columbia, and a point or points at or near the railroad station now known as the Washington Union Station, located in the District of Columbia, serving no intermediate points. The proposed transportation service would be performed pursuant to an agreement between BEI and Amtrak dated December 12, 1975.

By Order No. 1493, served February 3, 1976, the Commission granted BEI temporary authority to perform the transportation service which is the subject of Application No. 944. That order describes the shuttle bus service, the rates applicable to the service, and the equipment used in rendering the transportation of passengers.

Pursuant to the provisions of Commission Rule of Practice 20-02, Application No. 949 shall be consolidated with Applications No. 936 and 942. The applications were filed by related corporations. The applications involve common questions of law and fact.

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, Application No. 944 shall be scheduled for public hearing at the same time and place as Applications No. 936 and 942.

The reason for the hearing with respect to BEI is to fully develop the basis for any findings as to its fitness to perform the proposed transportation services and the existing requirements of the public convenience and necessity for the Amtrak shuttle bus service. BEI shall be required to submit and be prepared to support with a competent witness a projection statement for the shuttle bus service. The projections should indicate the revenues and revenue deductions, including taxes, for a one year period, together with supporting details, including the ratio between revenue deductions and revenues. BEI shall be directed to file six (6) copies of the statement with the Commission and serve one copy on each party of record on or before June 8, 1976. BEI shall be prepared to present evidence that public convenience and necessity require the Amtrak shuttle bus service.

THEREFORE, IT IS ORDERED:

1. That Application No. 944 of Bannister Enterprises, Inc., be, and it is hereby, consolidated with Application No. 936 of Bannister Car Rental & Chauffeur Service, Inc., and Application No. 942 of Bannister's, Inc.

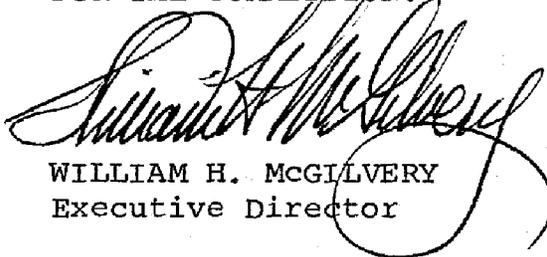
2. That Application No. 944 of Bannister Enterprises, Inc., as consolidated hereinbefore, be, and it is hereby, scheduled for public hearing to commence Tuesday, June 15, 1976, at 9:30 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

3. That Bannister Enterprises, Inc., publish in a newspaper of general circulation in the Metropolitan District and post in each vehicle operating over the affected route a notice in the form prescribed by the staff of the Commission of such application and hearing no later than Thursday, June 3, 1976, and present at the hearing a certificate of publication from the selected newspaper and a certification of posting.

4. That six (6) copies, the original to be submitted at the hearing, of the statements required hereinbefore be filed by Bannister's Enterprises, Inc., with the Commission and one copy served on each party of record on or before Tuesday, June 8, 1976.

5. 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, June 7, 1976, and shall mail a copy of such protest or notice to Ernest H. Bannister, Bannister's, Inc., 635 F Street, N. W., Suite 406, Washington, D. C. 20004.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director