

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1644

IN THE MATTER OF:

Application of HIGHVIEW BUS)	Served January 26, 1977
SERVICE, INC., for a Certificate)	
of Public Convenience and)	Application No. 977
Necessity - Regular Routes)	Docket No. 362

By Application No. 977, filed January 5, 1977, Highview Bus Service, Inc., of Capitol Heights, Md., seeks a certificate of public convenience and necessity to transport passengers, over four regular routes, see Order No. 1683, between the Government Printing Office (GPO), H Street, N. E., Washington, D. C., on the one hand, and, on the other, Penn-Mar Shopping Center, District Heights, Md.; Woolco Department Store, New Carrollton, Md.; Greenbelt Shopping Center, Greenbelt, Md.; and Capitol Plaza, Bladensburg, Md. Buses would depart from the Maryland points at approximately 7:00 A. M. each weekday morning (except holidays) for arrival at GPO at 7:30 A. M., and return service would depart GPO at 4:35 P. M. Applicant proposes to charge each rider \$24 for a monthly commuter pass which would entitle the bearer to transportation at any time during the month shown thereon. Service would be performed in school-type buses, each seating 40 passengers.

Highview has been providing this service for approximately three years, and asserts that it did not know until December 9, 1976, that it required authority therefor from this Commission. When so informed, applicant ceased operations and sought temporary authority, granted by Order No. 1638, served December 22, 1976.

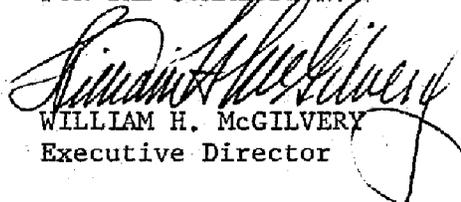
Title II, Article XII, Section 4(b) of the Compact mandates that, whenever an application is made for a certificate of public convenience and necessity, the Commission shall issue a certificate to any qualified applicant therefor, "if it finds, after hearing held upon reasonable notice, that the applicant 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." Pursuant to this mandate, the Commission shall schedule a public hearing to develop an appropriate record. Highview 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.

The Commission shall require Highview to submit and be prepared to support with a competent witness a statement projecting revenues and revenue deductions for a one-year period. Highview 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 Wednesday, March 23, 1977. Highview shall be prepared to present evidence that public convenience and necessity require the proposed service.

THEREFORE, IT IS ORDERED:

1. That Application No. 977 of Highview Bus Service, Inc., be and it is hereby, scheduled for public hearing to commence Thursday, March 31, 1977, at 9:30 A. M., in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C.
2. That Highview Bus Service, Inc., be, and it is hereby, required to publish once in a newspaper of general circulation in the Metropolitan District notice of the application and hearing in the form prescribed by the staff of the Commission no later than Friday, February 25, 1977, and present at the hearing a certificate of publication from the selected newspaper.
3. That Highview Bus Service, Inc., be, and it is hereby, required to post notice of this application and hearing thereon, in the form prescribed by the staff, in each of its vehicles operating in the proposed service, such posting to be continuous from February 25, 1977 through the date of hearing, and present at the hearing a certification of posting.
4. That six (6) copies, the original to be submitted at the hearing, of the statement required hereinbefore be filed by Highview Bus Service, Inc., with the Commission and one copy served on each party of record on or before Wednesday, March 23, 1977.
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 Friday, March 18, 1977, and shall mail a copy of such protest or such notice to counsel of record for Highview Bus Service, Inc., Lawrence E. Lindeman, Esquire, 425-13th Street, N. W., Washington, D. C. 20004.
6. That Highview 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 Commission, Room 316, 1625 I Street, N. W., Washington, D. C., on or before Wednesday, March 23, 1977.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director