

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1654

IN THE MATTER OF:

Served March 1, 1977

Application of ATWOOD'S TRANSPORT)
 LINES, INC., for Certificate of Public)
 Convenience and Necessity - Charter)
 Operations Pursuant to Contract with)
 National Geographic Society)

Application No. 983

Application of ATWOOD'S TRANSPORT)
 LINES, INC., for Certificate of Public)
 Convenience and Necessity - Charter)
 Operations from and to Dulles Inter-)
 national Airport)

Application No. 984

Consolidated Docket No. 364

By Application Nos. 983 and 984, each filed February 28, 1977, Atwood's Transport Lines, Inc. (Atwood's) seeks certificates of public convenience and necessity, pursuant to Title II, Article XII, Section 4(b) of the Compact, to transport passengers, and mail, express and baggage, in the same vehicle with passengers, in No. 983, in charter operations pursuant to contract with National Geographic Society (NGS) from points within the Metropolitan District to points within the Metropolitan District, and in No. 984, in charter operations, between Dulles International Airport and points in the Metropolitan District. Service in both operations would be performed in over-the-road motor coaches equipped with air conditioning and reclining seats, and with seating capacity ranging from 38 passengers to 49 passengers.

Essentially, the operation proposed in No. 983 is a rush-hour commuter service for employees of NGS travelling to and from their place of work at Gaithersburg, Maryland. No per capita charges are involved, and applicant's contract with NGS provides that round-trip, per-bus charges over each of eight routes shall be as follows:

<u>Route No.</u>	<u>Price</u>	<u>Route No.</u>	<u>Price</u>
1	\$157	5	\$136
2	117	7	87
3	108	8	100
4	124	10	106

From April 1, 1971, until February 27, 1977, applicant provided such service, transporting approximately 280 to 300 NGS employees a day, without

appropriate authority. Temporary authority to conduct the operations specified in the above-referenced contract was granted by Order No. 1653, served February 28, 1977.

The service proposed in Application No. 984 is for one-way transfers from or to Dulles International Airport at a per-bus rate of \$80. Applicant had been performing such service without authority, but ceased such operations as of February 11, 1977, on the advice of counsel. Its request for corresponding temporary authority, Application No. 982, is pending before the Commission.

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 public hearing to develop an appropriate record. Atwood's 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 Atwood's to submit and be prepared to support with a competent witness statements projecting revenues and revenue deductions for a one-year period for each proposed operation. Atwood's shall be directed to file six copies of each statement with the Commission and serve one copy on each party of record on or before Monday, April 11, 1977. Atwood's shall be prepared to present evidence that public convenience and necessity require the proposed services, and that it is fit properly to perform such services.

THEREFORE, IT IS ORDERED:

1. That Application Nos. 983 and 984 of Atwood's Transport Lines, Inc., be and they are hereby, scheduled for public hearing to commence Monday, April 18, 1977, at 9:30 A. M. in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

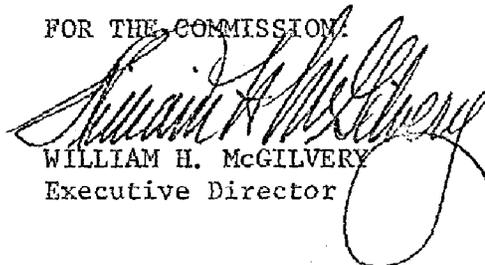
2. That Atwood's Transport Lines, Inc., publish in a newspaper of general circulation in the Metropolitan District and post in each of its vehicles notice of the applications and hearing in the form prescribed by the staff of the Commission no later than Wednesday, March 16, 1977, and present at the hearing a certificate of publication from the selected newspaper and a certificate of posting.

3. That six (6) copies, the originals to be submitted at the hearing, of the statements required hereinbefore be filed by Atwood's Transport Lines, Inc., with the Commission and one copy served on each party of record on or before Monday, April 11, 1977.

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 these matters shall notify the Commission, in writing, on or before Friday, April 8, 1977, and shall mail a copy of such protest or such notice to counsel for applicant, L. C. Major, Jr., Esquire, Major, Sage and King, Suite 400, Overlook Building, 6121 Lincolnia Road, Alexandria, Virginia 22312.

5. That Atwood's Transport Lines, Inc., be and it is hereby, assessed \$350 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 Monday, April 11, 1977.

FOR THE COMMISSION



WILLIAM H. MCGILVERY
Executive Director

11