

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1699

IN THE MATTER OF:

Served May 23, 1977

McMICHAEL SCHOOL BUS SERVICE, INC.)

Formal Complaint No. 77-1

v.)

Docket No. 367

OMNIBUS CORPORATION)

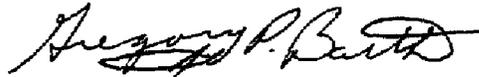
Order No. 1686, served May 13, 1977, directed respondent Omnibus Corporation (Omnibus) to cease and desist from the transportation for hire of persons between any points in the Metropolitan District, unless and until an appropriate certificate of public convenience and necessity is in effect therefor. 1/

By motion filed May 16, 1977, Omnibus requests that the effective date (May 13, 1977) of said order be stayed pending the determination of respondent's contemporaneously filed Application No. 999 for temporary authority. 2/ Omnibus apparently has five contracts for transportation which it desires to continue. Assertedly, disruption of the service provided by Omnibus would cause some hardship to the contracting parties. There is, however, no allegation that other service is not available.

In essence, respondent's motion asks the Commission to sanction unlawful operations. This we cannot do. Moreover, even if the effective date of Order No. 1686 were stayed, such stay would not change the fact that Omnibus' operations would still be conducted without appropriate authority in continuing violation of the terms of the Compact.

THEREFORE, IT IS ORDERED that the above-referenced motion be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:



GREGORY P. BARTH
Acting Executive Director

1/ Order No. 1686 is incorporated by reference herein.

2/ Corresponding permanent authority is sought in Application No. 996, scheduled for public hearing on June 28, 1977.