

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1703

IN THE MATTER OF:

June 1, 1977

Application of NATIONAL BUS LEASING,)	
INC., for Certificate of Public)	Application No. 963
Convenience and Necessity to Perform)	
Charter Operations Pursuant to Contract)	Docket No. 348

By Order No. 1671, served April 13, 1977, the above-captioned application was denied. * On May 13, 1977, National Bus Leasing, Inc., filed an application for reconsideration of said order. On May 23, 1977, protestant Atwood's Transport Lines, Inc., and The Gray Line, Inc., filed a joint reply to the application for reconsideration.

On May 26, 1977, Applicant filed its motion to strike that portion of the above-referenced joint reply relating to the appearance of The Gray Line, Inc., and all reference to its operations and argument based thereon. As of this date, no reply to said motion has been filed. Although The Gray Line, Inc., is not a party to this proceeding and has not sought leave to intervene herein, the Commission is officially aware of that carrier's existence and authority. We are not officially aware of the other matters alleged on said carrier's behalf. Moreover, the assailed matters are hearsay and relate to new evidence which Applicant would have no opportunity to rebut. The motion to strike, therefore, shall be granted.

Upon consideration of the record in this proceeding, the application for reconsideration, and the non-stricken portion of the reply thereto, the Commission finds that the application for reconsideration raises no issues of fact or arguments of law not heretofore considered and properly disposed of. Accordingly, said application must be denied.

* Order No. 1671 is incorporated by reference herein.

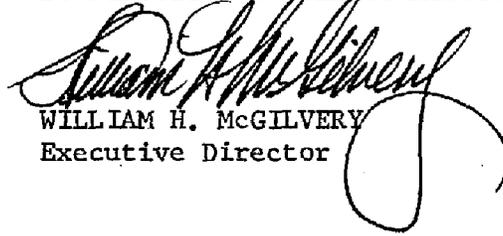
THEREFORE, IT IS ORDERED:

1. That the above-referenced motion of National Bus Leasing, Inc., be, and it is hereby, granted.

2. That the application of National Bus Leasing, Inc., for reconsideration of Order No. 1671 be, and it is hereby, denied.

3. That Order No. 1671 be, and it is hereby, affirmed.

BY DIRECTION OF THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director