

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1753

IN THE MATTER OF:

Served September 29, 1977

Application of EDWARDS TRUCKING	)	Application No. 1012
COMPANY, INC., for Temporary	)	
Authority and a Certificate of	)	Docket No. 393
Public Convenience and Necessity	)	
to Perform Charter Operations -	)	
Laurel, Maryland	)	

By Application No. 1012, filed September 8, 1977, Edwards Trucking Company, Inc. (Edwards), sought temporary authority and a certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(d)(3) and 4(b) of the Compact, respectively, to transport passengers, in charter operations between the facilities of Laurel Dialysis Clinic, Inc., at or near Laurel, Md., on the one hand, and, on the other, Greater Southeast Community Hospital and Howard University Hospital, Washington, D. C. Edwards had entered into a bilateral contract with Laurel Dialysis Clinic, Inc. (L.D.C.), under which it was to provide one round trip each Monday, Wednesday and Friday for a 90-day period to commence September 12, 1977. By Order No. 1750, served September 19, 1977, and incorporated herein by reference, Edwards application for temporary authority was denied and a public hearing was scheduled for Tuesday, October 11, 1977.

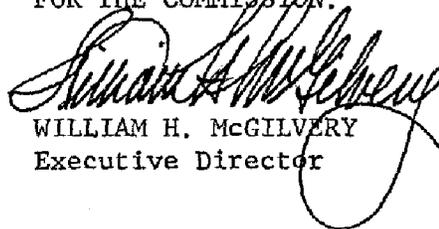
By motion filed September 22, 1977, Edwards requests leave to amend its application to seek a certificate for the transportation of passengers, in charter operations, between the facilities of Laurel Dialysis Center, Inc., at or near Laurel, Md., on the one hand, and, on the other, points in the Metropolitan District at the rate of \$85 per day. Edwards also seeks a postponement of the hearing on Application No. 1012 and an extension of the time heretofore set for compliance with the procedural requirements of Order No. 1750 concerning the publication of notice, the filing of certain documents, and the payment of the assessment for hearing costs. In support of this motion, Edwards states that the amendment was requested by L.D.C., due to the inconvenience and physical difficulty which passengers purportedly would encounter in moving between their homes and the hospital facilities named in the original contract.

Edwards motion insofar as it seeks leave to amend its Application No. 1012 shall be granted inasmuch as no prejudice to parties or the public would result therefrom. Inasmuch as this amendment significantly expands Edwards' application, however, Edwards will be required to publish notice of this amended application. This will, of course, result in the postponement of the public hearing scheduled by Order No. 1750. Except to the extent set forth herein, Edwards motion is denied.

THEREFORE, IT IS ORDERED:

1. That the said Motion of Edwards Trucking Company, Inc., except to the extent granted herein, be and it is hereby, denied.
2. That the public hearing originally scheduled to commence Tuesday, October 11, 1977, be, and it is hereby rescheduled to commence at 9:30 a.m., on Thursday, November 3, 1977, in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.
3. That Edwards Trucking Company, Inc., post in its vehicles, continuously through the date of the public hearing, notice of said amended application and the hearing thereon, in the form prescribed by the staff of the Commission, no later than Friday, October 7, 1977, and present at the hearing a certificate of such posting.
4. That Edwards Trucking Company, Inc., publish once, in a newspaper of general circulation in the Metropolitan District, notice of this application and the hearing thereon, in the form prescribed by the staff of the Commission, no later than Friday, October 7, 1977, and present at the hearing a certificate of publication from the selected newspaper.
5. That any person desiring to protest the amended application 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 not later than 12 noon, Friday, October 21, 1977, and shall mail a copy of such protest or notice to Donald L. Noble, Esquire, Giordano, Alexander, Haas, Mahoney and Bush, 9401 Indian Head Highway, Oxon Hill, Maryland 20022.
6. That, except to the extent modified herein, the terms and directives of Order No. 1750 shall continue in full force and effect.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director