

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1770

IN THE MATTER OF:

Served November 25, 1977

Application of EDWARDS TRUCKING)
COMPANY, INC., for Temporary)
Authority and Certificate of)
Public Convenience and Necessity)
to Perform Charter Operations)
Pursuant to Contract - Nuclear)
Regulatory Commission)

Application No. 1016

Docket No. 394

By application No. 1016, filed October 27, 1977, Edwards Trucking Company, Inc. (Edwards), seeks temporary authority and a certificate of public convenience and necessity pursuant to Title II, Article XII, Sections 4(d)(3) and 4(b), respectively, to transport passengers, in charter operations between the Nuclear Regulatory Commission office at 1717 H Street, N. W., Washington, D. C., on the one hand, and, on the other, the Nuclear Regulatory Commission office, 7915 Eastern Avenue, Silver Spring, Md., on the other. Edwards has entered into a bilateral contract extension with the Nuclear Regulatory Commission, under which it is to provide regularly scheduled shuttle bus service between the above-mentioned Nuclear Regulatory Commission offices.

Edwards presently holds WMATC Certificate of Public Convenience and Necessity No. 40. This certificate authorizes in part the following operations:

CHARTER OPERATIONS, PURSUANT TO CONTRACT to transport employees of the United States Government and persons traveling on official government business, together with mail, pursuant to a contract or contracts with United States Nuclear Regulatory Commission:

Between the facilities of Nuclear Regulatory Commission at 1717 H Street, N. W., Washington, D. C., and the facilities of Nuclear Regulatory Commission at 7290 Norfolk Avenue Bethesda, Md.

Edwards asserts that it has been providing the service requested herein since January 10, 1977, and was unaware that it needed additional authority other than that set out above.

Edwards asserts that it transports 25 to 35 passengers daily, as well as mail, between the points for which authority is sought herein. Edwards alleges that there is an immediate and urgent need for this service.

Title II, Article XII, Section 4(d)(3) of the Compact authorizes the Commission to grant temporary authority, in its discretion, to enable the provision of service for which there is an immediate and urgent need, and where there is no carrier capable of meeting such need. Title II, Article XII, Section 4(b) of the Compact provides that an application for a certificate of public convenience and necessity may be granted "after hearing held upon reasonable notice". The Commission shall, therefore, schedule a public hearing on Edwards application for temporary authority and a certificate of public convenience and necessity.

Because an immediate need has been alleged, we hereby waive the 25-day notice requirement of Rule 6-01 of the Commission's Rules of Practice and Procedure and hereby schedule a hearing on an expedited basis. Edwards shall be assessed an amount preliminarily estimated to cover the expenses which Title II, Article XII, Section 19 of the Compact requires an applicant to bear.

THEREFORE, IT IS ORDERED:

1. That application No. 1016 of Edwards Trucking Company, Inc., for temporary Authority and a certificate of public convenience and necessity be, and it is hereby, scheduled for public hearing to commence Monday, December 19, 1977, at 1 p.m. in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That Edwards Trucking Company, Inc., be, and it is hereby, directed to publish once, in a newspaper of general circulation in the Metropolitan District, notice of said application and the hearing thereon, in the form prescribed by the staff of the Commission, no later than Friday, December 2, 1977.

3. That Edwards Trucking Company, Inc., be, and it is hereby, directed to post in each of its vehicles, continuously through the date of the public hearing, notice of said application and hearing in the form prescribed by the staff of the Commission, no later than Friday, December 2, 1977.

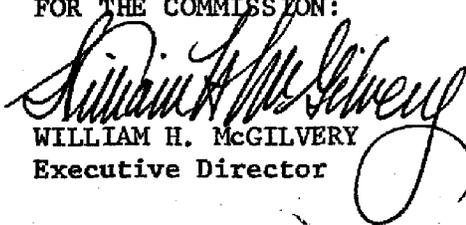
4. That Edwards Trucking Company, Inc., be, and it is hereby, directed to produce at said hearing affidavits of said publication and posting.

5. That any person desiring to protest shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard in this matter shall so notify the Commission, in writing, no later than Monday, December 12, 1977, and shall mail a copy of said protest or notice to counsel of record for applicant, Donald L. Noble, Esquire, Giordano, Alexander, Haas, Mahoney & Bush, 9401 Indian Head Highway, Oxon Hill, Md. 20022.

6. That Edwards Trucking Company, Inc., be, and it is hereby, directed to file with the Commission six copies of a projected revenue and revenue deductions statement for the proposed service, the original to be produced at the above-scheduled public hearing, no later than 12 noon, Tuesday, December 13, 1977, and to serve a copy thereof on each party of record as of December 12, 1977.

7. That Edwards Trucking Company, Inc., be, and it is hereby, assessed \$250 pursuant to Title II, Article XII, Section 19 of the Compact, and directed to deliver said amount to the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than 12 noon, Tuesday, December 13, 1977.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director

