

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1774

IN THE MATTER OF:

Served December 2, 1977

Application of NIA-UMOJA, INC., )	Application No. 1020
T/A THE MALIK ALI BUSING TO )	
PRISON PROGRAM for Temporary )	
Authority to Perform Special )	
Operations - Lorton Reformatory )	
)	
Application of NIA-UMOJA, INC., )	Application No. 1021
T/A THE MALIK ALI BUSING TO )	
PRISON PROGRAM for a Certificate )	Docket No. 395
of Public Convenience and )	
Necessity to Perform Special )	
Operations - Lorton Reformatory )	

By Application Nos. 1020 and 1021, filed November 4, 1977, NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program (NIA-UMOJA), seeks temporary authority and a certificate of public convenience and necessity, pursuant to the Compact, Title II, Article XII, Sections 4(d)(3) and 4(b), respectively, to transport passengers, in special operations, between 2108 - 16th Street, N. W., Washington, D. C., and Lorton Reformatory, Lorton, Va.

NIA-UMOJA proposes to provide service daily in a 1962 bus, for a round-trip charge of \$3 per adult and \$1 per child. NIA-UMOJA asserts that there is an immediate and urgent need to transport members of the Washington, D. C., community to and from the Lorton Reformatory so that they may visit their incarcerated friends and relatives. NIA-UMOJA asserts that there is presently no public transportation to the Lorton Reformatory, and the records of the Commission show that no carrier is certificated to perform the proposed service.

The Compact, Title II, Article XII, Section 4(b) provides that an application for a certificate of public convenience and necessity may be granted "after hearing held upon reasonable notice". Accordingly, a public hearing will be scheduled, and NIA-UMOJA shall be assessed an amount preliminarily estimated to cover the expense which Title II, Article XII, Section 19 of the Compact requires an applicant to bear.



Title II, Article XII, Section 4(d)(3) of the Compact authorizes the Commission to grant temporary authority, in its discretion and without hearings or other proceedings, to enable the provision of service for which there is an immediate and urgent need where there is no carrier service capable of meeting such need. The Commission finds that these statutory criteria have been met. Accordingly, temporary authority shall be granted. The granting of temporary authority, however, raises no presumption that permanent authority will be granted.

THEREFORE, IT IS ORDERED:

1. That Application No. 1021 of NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program be, and it is hereby, scheduled for public hearing to commence Monday, December 19, 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 NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program be, and it is hereby, directed to publish once in a newspaper of general circulation in the Metropolitan District, notice of said application and hearing thereon, in the form prescribed by the staff of the Commission, no later than Wednesday, December 7, 1977.

3. That NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program be, and it is hereby, directed to produce at said hearing an affidavit of newspaper publication.

4. That any person desiring to protest Application No. 1021 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 12 noon Wednesday, December 14, 1977, and shall mail a copy of said protest or notice to Ms. Brenda Anderson, Assistant Coordinator, NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program, 2108 - 16th Street, N. W., Washington, D. C. 20009.

5. That NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program be, and it is hereby, directed to file with the Commission six copies of a statement of projected revenues and revenue deductions for the proposed service for a one-year period, and six copies of its current detailed financial statement, the originals to be produced at the above-scheduled public hearing, no later than 12 noon, Wednesday, December 14, 1977, and to serve a copy thereof on each party of record as of that time.

6. That NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program be, and it is hereby, assessed \$200 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, Wednesday, December 14, 1977.

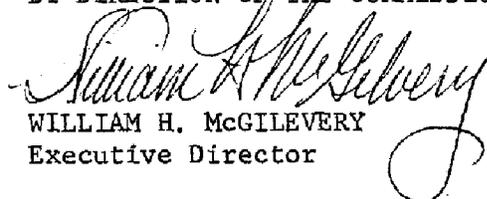
7. That NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program be, and it is hereby, granted temporary authority to transport passengers in special operations, over irregular routes, between 2108 - 16th Street, N. W., Washington, D. C., and the facilities of the Department of Corrections, Lorton, Va.

8. That NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program be, and it is hereby, directed to file with the Commission within 10 days from the date of service hereof (a) two copies of its WMATC Temporary Authority Tariff No. 1, to be effective upon acceptance by the Executive Director, and (b) a notarized statement of compliance with Commission Regulation 68.

9. That the temporary authority granted herein shall, upon full compliance by NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program, become effective December 5, 1977, and shall remain in effect through June 2, 1978, unless otherwise ordered by the Commission.

10. That unless compliance is made by NIA-UMOJA, Inc., trading as The Malik Ali Busing to Prison Program as set forth in the second preceding paragraph the grant of temporary authority made herein shall be considered as null and void and Application No. 1020 shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION:

  
WILLIAM H. MCGILEVERY  
Executive Director