

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1825

IN THE MATTER OF:

Served March 30, 1978

Application of TRANSEMANTICS, INC.,)
for Certificate of Public Conve-)
nience and Necessity to Perform)
Special Operations)

Application No. 1033

Docket No. 404

By Application No. 1033, filed December 27, 1977, Transemantics, Inc., seeks a certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(b) of the Compact to perform special operations. Transemantics seeks authority to transport passengers, over irregular routes, in per capita sightseeing or pleasure tours, in 15-passenger vehicles, between points within the Metropolitan District. 1/

Pursuant to Order No. 1795, served January 10, 1978, a public hearing was held on February 16, 1978. The Gray Line, Inc., filed a protest to the application, but such protest was withdrawn, and no evidence was received in opposition to the application.

Transemantics is a District of Columbia corporation. It was formed in 1970 for the primary purpose of engaging in general linguistic and cultural training, general education in the field of languages and cultural activity. It is comprised of seven separate divisions.

With respect to the application being considered herein, Transemantics has a division referred to as Omni-Tour Guides. That division offers sightseeing tours, multilingual escort guide services and taped tours in English and foreign languages. In addition, Omni-Tour guides have been used by certificated carriers when rendering charter service for foreign language oriented groups. Transemantics currently holds Certificate No. 34, authorizing charter operations for sightseeing or pleasure tours between points within the Metropolitan District, restricted to vehicles with a designed capacity of not more than 15 passengers excluding the driver.

Transemantics submitted balance sheets as of June 30, 1976, and 1977, and a statement of income for the 12-month periods ended June 30,

1/ The Compact, Title II, Article XII, Section 1(b) provides that the Commission does not have regulatory jurisdiction over transportation for hire of persons between points solely within the Commonwealth of Virginia. The Commission thus will restrict the authority granted below against the performance of operations solely between two points in Virginia.

1976, and 1977. The balance sheet and operating statement for the latter period reflect total assets of \$179,221, current assets of \$163,531, current liabilities of \$51,796, revenues of \$848,281 and expenses of \$819,541. The reported net income after taxes was \$28,740 for the 12-month period ended June 30, 1977. Transemantics submitted a statement projecting revenues and revenue deductions for the period April 1, 1978, through March 31, 1979. The statement was based upon the use of a 15-passenger van. Transemantics projected a daily average of two special operations movements by van at an average of \$90 per tour. The statement projects revenues of \$65,700 and revenue deductions of \$48,900. The result would be \$16,800 income after taxes.

Transemantics would provide three tours. The Grand Tour of the Nation's Capital would cover such attractions as the White House, the United States Capitol Building, the Jefferson Memorial, the Lincoln Memorial, Arlington National Cemetery, the new FBI Building, the Kennedy Center for the Performing Arts, and the Iwo Jima Memorial. The Georgetown and Embassy Row Tour would cover Georgetown and the embassies along Massachusetts Avenue, the National Observatory, the National Cathedral, and Dumbarton Oaks. The third tour would cover Old Alexandria and Mount Vernon, Va., including a stop at Christ Church.

Transemantics would render the proposed tour service in a mini-bus. The following table summarizes the approximate time and applicable fare for each tour. 2/

<u>Tour</u>	<u>Time</u>	<u>Fare</u>
Grand Tour	4 hours	\$12 per adult
Georgetown and Embassy Row	4 hours	\$12 per adult
Alexandria and Mount Vernon	4 hours	\$12 per adult

Transemantics would originate the tour service at any point in the Metropolitan District, including private residences. The sightseeing or pleasure tour narration would be performed by a licensed guide assigned to the vehicle on request, who would explain the historical significance of the separate attractions and respond to individual questions.

Transemantics supported its application with several witnesses. These persons indicated that an increase in the visitor influx to the Metropolitan District was expected during calendar year 1978. The number of tourists from foreign countries is projected to increase, also. The witnesses indicated that additional services were needed, particularly

2/ The fare for children ages 12 years and under would be one half the corresponding adult fare, according to proposed WMATC Tariff No. 2.

with respect to foreign language tour services. The record reflects a definite need for a tour organization capable of providing per-capita sightseeing or pleasure tours on a multilingual basis or on a high quality educational or historical basis. In addition, the language barrier encountered by foreign visitors necessitates a flexible service capable of providing transportation services for individuals round trip from residences as well as hotels and motels, including servicing the hotels and motels in the suburban areas. Inquiry records maintained by Transemantics in the regular course of business indicate a demand and need for the proposed special operations service coming from persons all over the country. Additionally, Mr. Robert Johnson, President of the National Heritage Theater, testified to the need for the proposed special operations service and to special arrangements his theater has made with Transemantics to render such service.

The findings to be made by the Commission, after hearing, with respect to applications for certificates of public convenience and necessity are set forth in Title II, Article XII, Section 4(b) of the Compact. The Commission must make two separate findings. First, the applicant must be "fit, willing and able" to perform the proposed transportation properly and to conform to the provisions of the Compact and the rules, regulations and requirements of the Commission thereunder. Second, the proposed transportation "must be or will be required" by the public convenience and necessity.

The Commission finds that Transemantics is fit, willing and able to perform special operations limited to sightseeing and pleasure tours. The Commission also finds that Transemantics would conform to the rules, regulations and requirements of the Commission thereunder. With respect to the public convenience and necessity, the Commission finds that members of the public need, and the public interest would be served by, Transemantics' operation of special operation sightseeing and pleasure tours between points within the Metropolitan District. Accordingly, the Commission shall grant, subject to the conditions hereinafter imposed, Transemantics' Application No. 1033.

The Commission also finds that the projected special operations revenues would be compensatory. The Commission also finds that the proposed rate structure is just, reasonable and not unduly preferential or unduly discriminatory either between riders or sections of the Metropolitan District.

THEREFORE, IT IS ORDERED:

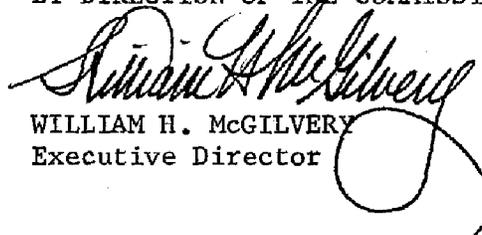
1. That Application No. 1033 of Transemantics, Inc., be, and it is hereby, granted.

2. That Transemantics, Inc., be, and it is hereby, directed to file two copies of its Tariff No. 2 and a notarized statement of compliance with Commission Regulation 68 within 30 days from the date of service hereof.

3. That upon compliance with the requirements of the next preceding paragraph, an appropriately revised Certificate of Public Convenience and Necessity No. 34 shall be reissued to Transemantics, Inc.

4. That unless such compliance is effected within said 30 days, or such additional time as may be authorized by the Commission, the grant of authority made herein shall be considered null and void and Application No. 1033 shall stand denied effective upon the expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director