

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1911

IN THE MATTER OF:

Served October 24, 1978

Petition of HIGHVIEW BUS SERVICE, )  
INC., for Temporary Suspension of )  
Certificate No. 42 )

Case No. MP-78-14

On September 22, 1978, Highview Bus Service, Inc. (Highview), filed the above-captioned petition for temporary suspension of its Certificate No. 42 which authorizes four separate regular routes. That petition was held in abeyance at the request of Highview's counsel while sale of the company was being negotiated. When these negotiations failed, Highview's counsel wrote the Commission on October 13, 1978, asking that the petition for temporary suspension be acted upon.

On October 20, 1978, the Commission issued Order No. 1908 which, inter alia, scheduled the matter for public hearing on November 17, 1978. Since that order was issued, telephone calls have been received at the office of the Commission from Highview's riders indicating that Highview has advised its riders that it does not intend to provide service after October 31, 1978, and that they should make other arrangements. While these telephone calls cannot constitute evidence in this proceeding, such warning signals should not be ignored.

The purpose of this order is to remind Highview of the service obligation it acquired along with its operating rights, and to direct Highview to meet its responsibilities to the public.

The Washington Metropolitan Area Transit Regulation Compact provides that it "shall be the duty of every carrier to furnish transportation subject to this Act as authorized by its certificate . . ."<sup>1/</sup> It also provides that "[c]ertificates shall be effective from the date specified therein and shall remain in effect until suspended or terminated as herein

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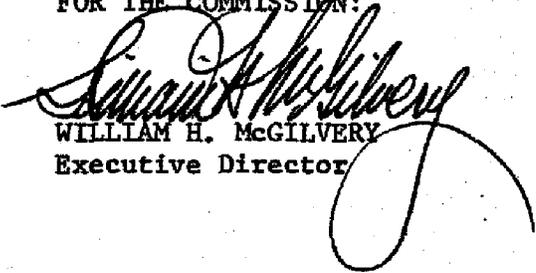
<sup>1/</sup> Compact, Title II, Article XII, Section 3.

provided."<sup>2/</sup> And it further states that "[n]o carrier shall abandon any route specified in a certificate issued to such carrier under this section, unless such carrier is authorized to do so by an order issued by the Commission."<sup>3/</sup>

The Commission may "attach to the issuance of a certificate . . . such reasonable terms and conditions as the public convenience and necessity may require . . .",<sup>4/</sup> and Highview's certificate provides "[i]t is further ordered and made a condition of this certificate that the holder thereof shall render reasonable, continuous and adequate service to the public . . . ."<sup>5/</sup>

THEREFORE, IT IS ORDERED that Highview Bus Service, Inc., is hereby directed to provide the service authorized by its Certificate of Public Convenience and Necessity No. 42 in accordance with the requirements of the Washington Metropolitan Area Transit Regulation Compact.

FOR THE COMMISSION:

  
WILLIAM H. MCGILVERY  
Executive Director

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<sup>2/</sup> Compact, Title II, Article XII, Section 4(g).

<sup>3/</sup> Compact, Title II, Article XII, Section 4(i).

<sup>4/</sup> Compact, Title II, Article XII, Section 4(b).

<sup>5/</sup> Certificate of Public Convenience and Necessity No. 42 issued to Highview Bus Service, Inc., pursuant to Order No. 1682, served May 6, 1977.