

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1937

IN THE MATTER OF

Served December 12, 1978

Application of AMERICAN UNIVERSITY )  
TRANSIT ORGANIZATION for a Certif- )  
icate and Temporary Authority to )  
Perform Special Operations )

Case No. AP-78-29

By application filed September 8, 1978, American University (AU), operating as American University Transit Organization (AUTO), seeks a certificate of public convenience and necessity to transport passengers in special operations, over irregular routes, between AU (Massachusetts and Nebraska Avenues, N. W., Washington, D. C.), on the one hand, and, on the other, Capitol Hill (House side of U. S. Capitol), Georgetown University Library/Georgetown (Healey Circle at Georgetown University Campus and intersection of Wisconsin Avenue, N. W., and Prospect Street, N. W., Washington, D. C.), Tysons Corner Shopping Center, McLean, Va., and White Flint Mall, Rockville, Md.

Applicant proposes to operate between AU and Capitol Hill on Tuesdays, Thursdays, and Fridays with one run in the morning and one in the afternoon. The Georgetown Library service would be run Wednesday evening and again Wednesday night and the Georgetown Library/Georgetown service would operate Saturday afternoons. AUTO would charge \$.25 per passenger for each of the above trips for one-way passage. Service to the shopping centers would be performed mid-day each Saturday, the particular shopping center destination depending upon a majority vote of the passengers. The proposed tariff is \$.50 per person for one-way transportation.

AUTO would provide service only for students, staff, and personnel who hold a valid AU identification card. A 1974 small bus seating 25 passengers and a 1977 van seating 17 passengers would be used to provide transportation.

A copy of the application has been served upon the Washington Metropolitan Area Transit Authority (WMATA) which has stated that it does not oppose the proposed service. The service is now being operated pursuant to temporary authority granted by Order No. 1889.

By Order No. 1889, served September 28, 1978, the matter was scheduled for public hearing on November 14, 1978, and applicant was required, among other things, to publish notice in a newspaper, post notice in its vehicles, submit projected financial statements, and pay an assessment of estimated costs. Applicant failed timely to comply with those requirements and the public hearing was cancelled by Order No. 1915, served November 9, 1978. That order, noting that applicant had informally advised the staff that it intended to pursue the application, directed that the matter be held in abeyance for a short time.

On December 7, 1978, applicant asked the Commission to reschedule the public hearing and advised that it no longer wished to pursue that portion of its application relating to charter authority. Accordingly, the application shall be considered amended as requested and the public hearing rescheduled.

As noted in Order No. 1889, it will be incumbent upon AUTO to develop the record sufficiently to enable the Commission to determine the number of passengers expected to use the service, the ridership actually using the service under the temporary authority operations and the source and amount of any and all subsidies pledged to the transit organization. AUTO must also be prepared to respond to the question of whether, and to what extent, the Commission is required to accommodate the proposed service and schedules to WMATA rail service, as set forth in Title III, Article XII, Section 56(b) of the Compact, D. C. Code (1973 Ed.) §1-1431 and note. Specifically, the issue involves the possible need to structure the AUTO service between AU and Capitol Hill by linking bus service between AU and a nearby Metrorail station with rail service between that station and the Capitol Hill station.

THEREFORE, IT IS ORDERED:

1. That the application of American University Transit Organization for a certificate of public convenience and necessity is rescheduled for public hearing to commence at 9:30 a.m., Wednesday, January 24, 1979, in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That American University Transit Organization publish once in a newspaper of general circulation in the Metropolitan District notice of this application and hearing in the form prescribed by the staff of the Commission no later than Monday, December 18, 1978.

3. That American University Transit Organization post in 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 Monday, December 18, 1978.

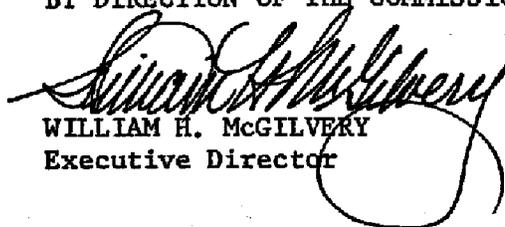
4. That American University Transit Organization produce at the hearing affidavits of publication and posting.

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 Thursday, January 18, 1979, and shall mail a copy of said protest or notice to applicant's representative, Mr. Donald L. Myers, Assistant Treasurer, The American University, Massachusetts and Nebraska Avenues, N. W., Washington, D. C. 20016.

6. That American University Transit Organization 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, Friday, January 19, 1979, and to serve a copy thereof on each party of record as of Thursday, January 18, 1979.

7. That American University Transit Organization is 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, Friday, January 19, 1979.

BY DIRECTION OF THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director

