

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2086

IN THE MATTER OF:

Served February 29, 1980

Application of DAVID C. PEARSON T/A)  
E & H TRANSPORTATION COMPANY for )  
Temporary Authority to Perform )  
Special Operations -- Lorton, Va. )

Case No. AP-80-02

Application of DAVID C. PEARSON T/A)  
E & H TRANSPORTATION COMPANY for a )  
Certificate to Perform Special )  
Operations -- Lorton, Va. )

Case No. AP-80-03

Application of DAVID C. PEARSON T/A)  
E & H TRANSPORTATION COMPANY for a )  
Certificate to Perform Non-Emer- )  
gency Medical Transportation )

Case No. AP-80-04

By application filed February 1, 1980, David C. Pearson trading as E & H Transportation Company (Pearson) seeks temporary authority and a certificate of public convenience and necessity in Case Nos. AP-80-02 and AP-80-03, respectively, to transport passengers in special operations between the intersection of 12th Street and Pennsylvania Avenue, N. W., Washington, D. C., and the District of Columbia Department of Corrections facility at Lorton, Va. In Case No. AP-80-04 applicant seeks a certificate of public convenience and necessity to perform non-emergency transportation of people confined to wheelchairs, together with attendants and baggage in the same vehicle with passengers, ". . . between points in the Metropolitan District . . . to all medical, shopping and pleasure facilities."

The proposed charge for the Lorton transportation is \$6 per person round-trip, service to be performed Monday through Friday in the evening and on weekends and holidays during the day, in 15-passenger vans. With respect to the temporary authority application, Pearson asserts that there is an immediate and urgent need for the service because regularly scheduled direct transportation is not available.



Pearson proposes to provide transportation to persons confined to wheelchairs on weekdays between 8 a.m. and 5 p.m., and at other days and hours if needed, in three specially-equipped 1974 vans, between points in the Metropolitan District, charging the following rates:

One-way trips within the Capital Beltway	\$20.00
One-way trips outside the Capital Beltway	20.00
plus \$1.25 per loaded mile	
Round-trip within the Capital Beltway	35.00
Round-trip outside the Capital Beltway	35.00
plus \$1.25 per loaded mile	
Cancellation charge	
One-way trip	10.00
Round-trip	17.50
Unusual condition requiring additional manpower (per trip)	8.00

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 on the above-referenced applications for certificates of public convenience and necessity, and Pearson will 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.

Title II, Article XII, Section 4(d)(3) of the Compact authorizes the Commission to grant temporary authority, in its discretion and without hearing 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 believes that Pearson has not submitted sufficient evidence for a determination on its application for temporary authority. Accordingly, the application in Case No. AP-80-02 will also be scheduled for public hearing.

THEREFORE, IT IS ORDERED:

1. That Case Nos. AP-80-03 and AP-80-04 of David C. Pearson trading as E & H Transportation Company for certificates of public convenience and necessity, and Case No. AP-80-02 for temporary authority, are hereby scheduled for public hearing to commence at 9:30 a.m., Tuesday, March 25, 1980, in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That applicant is hereby directed to publish once, in a newspaper of general circulation in the Metropolitan District, notice

of Case Nos. AP-80-02, AP-80-03 and AP-80-04 and hearing thereon in the form prescribed by the staff of the Commission no later than Friday, March 7, 1980.

3. That applicant is hereby directed to post in each of its vehicles, conspicuously and continuously through the date of the public hearing, notice of said applications and hearing in the form prescribed by the staff of the Commission no later than Friday, March 7, 1980.

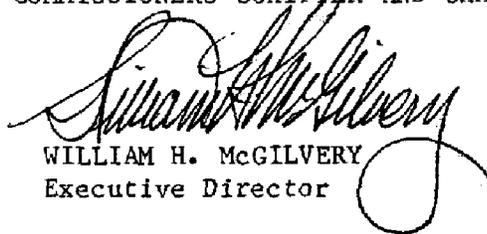
4. That applicant is hereby directed to produce at the hearing affidavits of said publication and posting.

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, March 17, 1980, and shall mail a copy of said protest or notice to David C. Pearson trading as E & H Transportation Company, 7600 Georgia Avenue, N. W., #206, Washington, D. C. 20012.

6. That applicant is hereby directed to file with the Commission six copies of a projected revenue and revenue deductions statement for each proposed service, the originals to be produced at the above-scheduled public hearing, no later than 12 noon, Wednesday, March 19, 1980, and to serve a copy thereof on each party of record as of Monday, March 17, 1980.

7. That applicant is hereby assessed \$300 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, March 19, 1980.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS SCHIFTER AND SHANNON:

  
WILLIAM H. MCGILVERY  
Executive Director