

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2141

IN THE MATTER OF:

Served September 16, 1980

Application of INTERNATIONAL)	Case No. CP-80-04
LIMOUSINE SERVICE, INC., for)	
Special Authorization to Perform)	
Charter Operations Pursuant to)	
Contract with USDA-APHIS)	

By application filed September 11, 1980, International Limousine Service, Inc., seeks authorization to operate pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under contract with the U. S. Department of Agriculture - Animal and Plant Health Inspection Service (APHIS), transporting APHIS employees and persons traveling on official business with APHIS, together with mail in the same vehicle with passengers, between the Department of Agriculture South Building, Independence Avenue, S. W., Washington, D. C., and the Federal Building, 6505 Belcrest Road, Hyattsville, Md., with an intermediate stop at the Presidential Building, 6526 Belcrest Road, Hyattsville, Md. Inasmuch as the application proposes the irregular-route transportation of APHIS employees and persons traveling on official business with APHIS, it appears generally to be amenable to processing under Commission Regulation No. 70. */

The contract between applicant and APHIS calls for the transportation of the agency's employees and those on official business between APHIS facilities on a shuttle basis from 7:20 a.m. to 4:45 p.m., along with authorized mail, in vehicles with a seating capacity of no less than 20 passengers including the driver. The contract is to become effective October 1, 1980, and extend through September 30, 1981 with an option to extend for 12 months at the option of APHIS.

On its face the contract appears to be a binding agreement between applicant and APHIS, however the contractor's name listed on

*/ See Order No. 2004, adopting Regulation No. 70, served June 20, 1979, and effective July 21, 1979.

page 1 of the contract is U. S. Small Business Administration (SBA). On the government's behalf the contract is executed by an employee of APHIS rather than the SBA. Furthermore, page 1 of the contract shows that the procurement was negotiated pursuant to 15 U.S.C. 637(a)(1), a provision of the United States Code concerning contracts involving the Small Business Administration. The Commission will commence processing of this application on the basis of a purported contract between International Limousine and APHIS, but will require applicant to supplement the application with an execution by the SBA if that is the appropriate contracting party.

International Limousine's balance sheet as of May 30, 1980, shows total assets of over \$280,000 and stockholder's equity of almost \$78,000. For the first five months of 1980, applicant shows approximately \$32,000 in pre-tax earnings from operations. The projected net operating revenue from the total contract amount of \$89,947 is about \$10,000.

Applicant failed to address provisions 12 and 13 as required by Regulation No. 70-04 concerning operational feasibility and compliance fitness. In addition, the application does not include the required information from the contracting party calling for a description of the group to be transported, the type of service rendered in the past and a statement that the qualifications of applicant have been sufficiently investigated to assess its ability properly to perform the proposed transportation, also required by Regulation No. 70-04. Applicant must further supplement its application by filing the feasibility and fitness statements as well as the required information from the proper contracting party by the date specified below.

Pursuant to Commission Regulation No. 70-06, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn and notarized, and must contain all evidence and argument upon which protestant would rely.

THEREFORE, IT IS ORDERED:

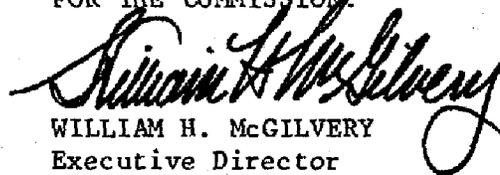
1. That International Limousine Service, Inc., publish once in a newspaper of general circulation in the Metropolitan District, notice of this application in the form prescribed by the staff of the Commission no later than Monday, September 22, 1980.

2. That applicant shall file an affidavit of such publication with the Commission no later than Thursday, September 25, 1980.

3. That applicant shall file an original and four copies each of the supplemented material described above, including an executed contract entered into by the Small Business Administration, if appropriate, and statements required by Commission Regulation No. 70-04, no later than Thursday, September 25, 1980.

4. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than Thursday, October 2, 1980, and shall simultaneously serve a copy of such protest on counsel for applicant, Deborah E. Reiser, Esquire, Alper, Schoene, Horkan & Mann, 818 Eighteenth Street, N. W., Suite 1020, Washington, D. C. 20006.

FOR THE COMMISSION:



WILLIAM H. MCGILVERY
Executive Director

