

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2391

IN THE MATTER OF:

Served January 12, 1983

Application of SHAW ENTERPRISES,)
INC., T/A UNITED INN OF AMERICA,)
for Temporary Authority to Provide)
Service for NIH)

Case No. AP-83-01

By application filed January 3, 1982, Shaw Enterprises, Inc., trading as United Inn of America (Shaw), seeks temporary authority to provide transportation for passengers (outpatients participating in the Special Ambulatory Care Program of the National Institutes of Health and the National Naval Medical Center) between the National Institutes of Health (NIH), the National Naval Medical Center and the United Inn of America, all points located in Bethesda, Maryland. The service has previously been provided by Shaw under contract with NIH pursuant to Special Authorization No. SP-41-01 which has terminated.

The transportation service sought herein, and previously offered by Shaw, consists of a scheduled service using a 24-passenger and a 17-passenger vehicle to shuttle outpatients participating in a specialized NIH program. This service is merely one part of an integrated operation performed by Shaw pursuant to a contract with NIH. Other facets of the operation include housing at the United Inn, food service available seven days a week, and recreation and laundry facilities.

In support of the application Shaw has tendered a copy of its contract with NIH which sets forth its service obligations and the stated requirements of NIH. The contract, which expired October 31, 1982, was subsequently modified by the parties to extend beyond the termination date. However, the termination of the contract automatically terminated the special authorization issued by this Commission.

Title II, Article XII, Section 4(d)(3) of the Compact provides that the Commission grant temporary authority where ". . . there is an immediate and urgent need to a point or points or within a territory

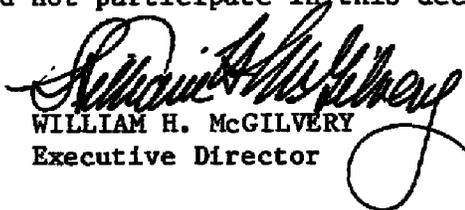
having no carrier service capable of meeting such need." Such circumstances exist in this case. There is unquestionably an immediate and urgent need for the service. The passengers are persons in need of medical treatment available at NIH and the National Naval Medical Center. Shaw is familiar with the specialized transportation needs of the program participants and proposes to offer the service in conjunction with the other services it provides to the program participants under its contract with NIH. Obviously, no other carrier is capable of providing the full range of services in a coordinated manner.

THEREFORE, IT IS ORDERED:

1. That Shaw Enterprises, Inc., trading as United Inn of America, is hereby granted temporary authority to conduct charter operations pursuant to contract with the National Institutes of Health transporting outpatients of the National Institutes of Health and the National Naval Medical Center between the National Institutes of Health, the National Naval Medical Center and the United Inn, all located in Bethesda, Maryland.

2. That the temporary authority granted herein shall be effective on the date of service hereof and shall remain in effect for 180 days through Sunday, July 10, 1983, at 11:59 p.m., unless otherwise ordered by the Commission.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS CLEMENT, SHIFTER AND SHANNON. Commissioner Clement did not participate in this decision.


WILLIAM H. MCGILVERY
Executive Director