

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2409

IN THE MATTER OF:

Served April 27, 1983

Application of EDWARDS TRUCKING)
COMPANY, INC., for Special)
Authorization to Perform Charter)
Operations Pursuant to Contract)
-- NIH and NRC Employees)

Case No. CP-83-04

By application filed April 27, 1983, Edwards Trucking Company, Inc., seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with The Van Pool, an unincorporated association composed of employees of the Nuclear Regulatory Commission (NRC) and the National Institutes of Health (NIH). The proposed service involves a scheduled commuter run between Allentown Mall and Hampton Mall, Prince George's County, Md., and NRC and NIH in Bethesda, Md.

The contract, at a rate of \$61 per month for each of 11 named participants, is to commence upon appropriate WMATC authorization to continue indefinitely, subject to cancellation for cause within the first 181 days and to cancellation by either party thereafter. The proposed service contemplates the use of one vehicle capable of accommodating at least 11 passengers. One round trip would be made each government work day picking up at each mall in the morning with a drop-off at NRC and NIH, and a return trip each afternoon. Applicant operates sufficient suitable equipment to provide the proposed service.

Applicant's chief operating officers are experienced in providing employee shuttle transportation, certify that they are familiar with the Commission's rules and regulations and will comply therewith, and state that applicant has not been found unfit by any regulatory agency and is not under any fitness investigation.

Edwards' balance sheet dated June 30, 1982, shows current assets of \$749,600, long-term assets (net) of \$273,508, liabilities of \$742,580 and equity of \$280,528. The carrier projects a cost factor of \$25 per day with revenue of \$33.55 per day for a projected operating ratio of 75 percent.

A spokesperson for the Van Pool submitted an affidavit in support of the application, stating that the group is composed of persons in need of commuter transportation on a continuing basis. It seeks service wherein the provider, Edwards, is required to provide all equipment, personnel, supervisors and maintenance necessary for daily transportation. The Van Pool is satisfied, upon investigation, with the carrier's ability properly to perform the service. A certificate of insurance consistent with Commission Regulation No. 62 is on file.

Inasmuch as there is a contract for the transportation of members of a qualifying association for a period of at least 181 days, this application appears generally to be amenable to processing under Commission Regulation No. 70. */ 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 the protestant would rely.

THEREFORE, IT IS ORDERED:

1. That Edwards Trucking Company, 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 Friday, May 6, 1983.
2. That applicant shall file an affidavit of such publication with the Commission no later than Friday, May 13, 1983.
3. 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 Monday, May 16, 1983, and shall simultaneously serve a copy of such protest on counsel for applicant, Donald L. Noble, Esquire, 9015 Woodyard Road, Clinton, Md. 20735.

FOR THE COMMISSION:


GREGORY PAUL BARTH
Acting Executive Director

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