

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2429

IN THE MATTER OF:

Served June 7, 1983

Application of GRIFFIN M. MURPHY)
T/A MAXI-BUS TOURS for Temporary)
Authority to Conduct Special and)
Charter Operations — Sightseeing)

Case No. AP-83-19

By application filed May 4, 1983, Griffin M. Murphy seeks temporary authority to transport passengers, in special and charter operations, restricted to "sightseeing of the historical and important buildings and sights in [the] Washington Metropolitan Area."

Applicant is a sole proprietor proposing to offer two tours in a 15-passenger (including the driver) van. Tour 1, which lasts six hours, includes stops at the White House, Bureau of Engraving and Printing, U. S. Capitol, Smithsonian Institution and Arlington National Cemetery. The adult fare is \$15 a person; children ages 3 through 11 would be charged \$7.50 and children under 3 would presumably be transported at no charge. Tour 2, which lasts approximately 2-1/2 hours is a "mobile" version of Tour 1 with per-capita prices being reduced by 50 percent. No charter rates are contained in the proposed tariff and no description of charter service is provided.

In support of the application it is stated that Mr. Murphy's cessation of operations during the peak tourist season has reduced both the quantity of service available to the public and the financial viability of the applicant. It is contended that applicant's service is unique and does not conflict with the operations of certificated carriers. There is no showing of definite service obligations although an undetailed reference is made to "some commitments which were made prior to being informed of the need to secure a certificate [of public convenience and necessity]."

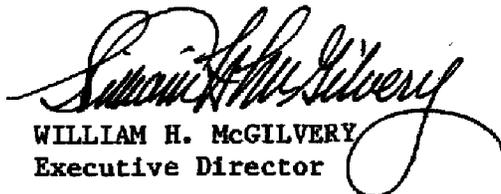
Information Center for Handicapped Individuals, Inc. (ICHI), supports the application. It states that there is virtually no transportation available to handicapped visitors to the Metropolitan District which will meet these visitors' special needs in visiting and sightseeing.

Although no written protests to this application were filed, we are mindful of the continuing objection of Webb Tours, Inc., to applications such as this.

Title II, Article XII, Section 4(d)(3) of the Compact sets forth the criteria for granting temporary authority. We find that these criteria have not been satisfied by Mr. Murphy. The letter from ICHI neither states that they have used Mr. Murphy's service in the past nor that ICHI will have any occasion so to do in the future.

THEREFORE, IT IS ORDERED That the application of Griffin M. Murphy in Case No. AP-83-19 is hereby denied without prejudice to the submission of additional evidence with any application for reconsideration filed pursuant to Title II, Article XII, Section 16 of the Compact.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS CLEMENT, SCHIFTER AND SHANNON:


WILLIAM H. MCGILVERY
Executive Director