

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2507

IN THE MATTER OF:

Served December 2, 1983

Investigation to Determine the)
Nature of Uncertificated)
Operations, if any, by JOHN B.)
TAYLOR and T & S BUS SERVICE)
Between Points in the Metropolitan)
District)

Case No. MP-83-05

Application of T & S BUS SERVICE,)
INC., for a Certificate of)
Public Convenience and Necessity)
to Perform Charter Operations)

Case No. AP-83-57

In Case No. MP-83-05, we instituted an investigation into the apparent unauthorized operations of John B. Taylor and T & S Bus Service. In Case No. AP-83-57, T & S Bus Service applied for a certificate of public convenience and necessity for certain charter operations, specifically described below. Inasmuch as unauthorized operations, if actually performed, would have a bearing on applicant's fitness for receipt of the desired certificate; it appears prudent to hear both proceedings on the same record.

We are in receipt of applicant's motion (letter of November 21, 1983) to postpone the public hearing in Case No. MP-83-05, scheduled for Thursday, December 8, 1983, at 9:30 a.m. in the Hearing Room of the Commission, for the reasons (1) that Mr. Taylor will be out of the area on that date, and (2) that applicant/respondent anticipates filing a request that the two above-captioned proceedings be consolidated for hearing at a later date.

For good cause shown, applicant/respondent's motion will be granted, but only to the extent that both proceedings will be set for hearing at a later date, on the same record, as provided below.

In Case No. AP-83-57, by application filed November 23, 1983, T & S Bus Service, Inc., of Oxon Hill, Md., seeks a certificate of public convenience and necessity to transport passengers and mail, express and baggage in the same vehicle over irregular routes in charter operations between points within the Metropolitan District, restricted to coach service. Applicant is a Maryland Corporation, but the application does not disclose whether T & S Bus Service is registered to do business as a foreign corporation in Virginia and the District of Columbia.

Applicant's equipment list shows one 19-passenger minibus, one 39-passenger bus, and eight 46-passenger buses. Its balance sheet, dated December 31, 1982, shows current assets of \$966; total assets of \$115,214; equipment notes payable of \$148,485; resulting in negative equity of \$33,271. T & S proposes to charge \$35 an hour for its 39-passenger bus, and \$40 an hour for its 46-passenger bus, both with a four-hour minimum, and certain discounts for qualified senior citizen groups, universities, non-profit organizations, and so forth. No rate was stated for the minibus.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, the application must be scheduled for a public hearing to determine if the applicant is fit, willing and able properly to perform the proposed service and to abide by pertinent regulatory requirements, and to determine if the public convenience and necessity requires the proposed service. Applicant will be assessed an amount preliminarily estimated to cover the cost of the hearing and will be directed to submit the required financial data.

THEREFORE, IT IS ORDERED:

1. That the public hearing on Case No. MP-83-05, scheduled to commence on December 8, 1983, is hereby cancelled.

2. That in all other respects Order No. 2492, served November 3, 1983, remains in full force and effect, except as provided below.

3. That the public hearings on Case Nos. MP-83-05 and AP-83-57 are hereby scheduled to commence on Wednesday, January 11, 1984, at 9:30 a.m. in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006 and to continue on the same record from day to day thereafter until completed.

4. That applicant in Case No. AP-83-57 publish once in a newspaper of general circulation in the Metropolitan District, and post continuously and conspicuously in each of its vehicles through the date of public hearing, notice of this application and hearing, in the form prescribed by the staff of the Commission, no later than Friday, December 9, 1983, and present at the hearing an affidavit of publication from the selected newspaper.

5. That any person desiring to protest the application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Friday, December 30, 1983, and shall simultaneously serve a copy of such protest or notice on counsel for applicant, Jere W. Glover, Esquire; Price & Glover, Suite 1201, 1001 Connecticut Avenue, N. W., Washington, D. C. 20036.

6. That applicant is hereby assessed \$900 pursuant to Title II, Article XII, Section 19 of the Compact, and is 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 Wednesday, January 4, 1984, at 12 noon. (Such amount is in addition to the \$600 delivered to the Commission on December 1, 1983.)

7. That applicant file with the Commission no later than Wednesday, January 4, 1984, four copies each of a statement of projected revenue and revenue deductions anticipated from its first 12-month period of operations and simultaneously serve one copy of each statement on each party of record as of January 4, 1984, and produce the originals thereof at the public hearing.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director

