

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2644

IN THE MATTER OF:

Served December 26, 1984

Application of JAMES M. SMITH, )  
INC., for Special Authorization to )  
Conduct Charter Operations Pursuant )  
to Contract with National )  
Institutes of Health )

Case No. CP-84-12

By application filed December 7, 1984, James M. Smith, Inc., of Lithonia, Ga., seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under contract with the National Institutes of Health ("NIH") transporting passengers traveling on official government business, over irregular routes, between NIH and the National Naval Medical Center, Bethesda, Md., on the one hand, and, on the other, points in that part of the Metropolitan District within 36 miles of Bethesda, Md.

Order No. 2637, served December 11, 1984, generally describes the evidence submitted with the application, and that order is incorporated herein by reference. The Commission required publication of notice and the filing of an affidavit of publication. The order further required that Smith resolve an apparent discrepancy between its equipment list and its contract. Applicant complied with these requirements, and no protests to the application were received by the Commission within the time set therefor.

Commission Regulation No. 70 provides that an application of this type will be granted if it is determined that the applicant is fit, willing and able properly to perform the proposed service and to conform to the provisions of the Compact and the rules, regulations and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Regulation No. 70. The issue of whether the public convenience and necessity requires such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

Inasmuch as the contract provides for the transportation of persons traveling on official government business pursuant to a contract with a government agency for a fixed term of at least 181 days, the Commission finds that this application conforms to the requirements of Commission Regulation No. 70. It is further found,

based on the evidence of record as described in Order No. 2637, that applicant is fit, willing and able properly to provide the service described above and to conform to the requirements of the Compact and the rules, regulations and orders of the Commission thereunder.

Applicant is hereby directed to identify its vehicles in accordance with Commission Regulation No. 70-10. Upon filing with the Commission of an affidavit attesting to such identification, an appropriate authorization shall issue.

IT IS SO ORDERED.

FOR THE COMMISSION:

  
GREGORY PAUL BARTH  
Acting Executive Director