

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2787

IN THE MATTER OF:

Served November 8, 1985

Application of EDWARDS TRUCKING)
CO., INC., for Special Authoriza-)
tion to Conduct Charter Operations)
Pursuant to Contract with USDA)
Forest Service)

Case No. CP-85-13

By application filed October 16, 1985, Edwards Trucking Company, Inc. ("Edwards" or "applicant"), seeks authority pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 to transport employees of the United States Department of Agriculture Forest Service ("Forest Service"), together with mail in the same vehicle with passengers, in charter operations pursuant to contract with the Forest Service. Applicant would transport these passengers and mail between Forest Service offices located at Rosslyn Plaza (1621 North Kent Street, Arlington, Va.) and the South Agriculture Building (12th and Independence Avenue, S.W., Washington, D.C.).

Order No. 2775 generally described 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. Applicant complied with these requirements, and no protest to the application was received by the Commission within the time set therefor. In addition, Order No. 2775 directed applicant to file "(a) a statement indicating how it intends to provide any additional and back-up vehicles as may be required by Forest Service; (b) lease(s) covering the vehicle(s) to be used to provide service under this contract; and (c) certificate(s) of inspection of such vehicle(s) by Maryland, Virginia, or the District of Columbia." In response to these requirements, applicant filed a lease covering the 1978 coach indicated in Order No. 2775. However, applicant did not indicate that this vehicle had been locally registered, and applicant did not provide a certificate of inspection from one of the local licensing jurisdictions as required by Order No. 2775. Accordingly, this vehicle will not be permitted in service until these requirements are met.

Applicant did, however, indicate that it had purchased a 1966 coach, and it submitted a certificate of inspection conducted on October 31, 1985, whereby that vehicle was approved. Applicant advises that it will use this vehicle to provide the basic service under the

contract and will use the 1978 coach to provide such back-up service as Forest Service may require. 1/

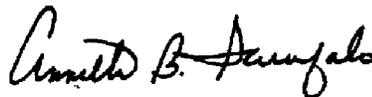
Applicant also filed a certificate of insurance sufficient to meet the Commission's current requirements for these vehicles. However, applicant is reminded that the Commission's new insurance requirements become effective November 19, 1985, 2/ and the certificate of insurance currently on file is inadequate to meet those new requirements.

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 is for a fixed term of at least 181 days and provides for the transportation of employees pursuant to a contract with their employer, 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, 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. This application shall be conditionally granted and an appropriate authorization shall be issued upon the filing by applicant of (a) two copies of the executed contract with Forest Service, and (b) an affidavit of vehicle identification in compliance with Commission Regulation No. 70-10.

IT IS SO ORDERED.

FOR THE COMMISSION:



ANNETTE B. GAROFALO
Acting Executive Director

1/ As we have indicated, this vehicle will not be permitted into service until there is satisfactory evidence of appropriate registration and inspection. However, applicant's affidavit of November 4, 1985, anticipates that such evidence will be filed within a week.

2/ See Order No. 2721, served June 19, 1985.