

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2838

IN THE MATTER OF:

Served March 21, 1986

Application of CONGRESSIONAL TOURS,) )  
INC., to Amend Seating Capacity ) )  
Restriction on Its Certificate ) )  
No. 94 ) )

Case No. AP-86-07  
Case No. MP-85-33

By application filed February 14, 1986, Congressional Tours, Inc. ("Congressional" or "applicant"), asks the Commission to amend its Certificate of Public Convenience and Necessity No. 94 as more fully described in Order No. 2828, served February 20, 1986, and incorporated herein by reference. Order No. 2828 provided notice of the application and required that protests, if any, be filed with the Commission no later than March 12, 1986. No protest were filed, and this matter will be decided on the basis of the application.

Applicant operates a seasonal sightseeing business with a single vehicle in the 16 to 21-passenger range authorized by its Certificate No. 94. Congressional finds the cost of insurance required on vehicles seating 16 or more to be prohibitive. However, it can afford and currently carries insurance as required for vehicles seating 15 or less. Applicant asks to have its operating authority restricted to vehicles seating 15 or less and would permanently alter its vehicle "to seat no more than 15 persons including the driver."

The Compact, Title II, Article XII, Section 4(b) provides, in pertinent part, "The Commission shall have the power to attach to the issuance of a certificate and to the exercise of the rights granted thereunder such reasonable terms and conditions as the public convenience and necessity may require . . . ." Having found in previous proceedings that the public convenience and necessity require Congressional's service and that it is fit, willing, and able to perform the service, we now find that this minor restrictive amendment of one of the conditions of that certificate is reasonable and required so that this carrier may continue to serve the public. We further find that this amendment will have no adverse impact on applicant's competitors. Accordingly, this application will be granted.

This leaves the matter of Case No. MP-85-33, pursuant to which Congressional's operating authority is currently suspended as a result of inadequate insurance coverage. Upon compliance with the requirements of this order, Case No. MP-85-33 will be dismissed and the suspension lifted.

THEREFORE, IT IS ORDERED:

1. That the vehicle seating capacity restriction on Certificate of Public Convenience and Necessity No. 94, issued to Congressional Tours, Inc., is hereby amended to provide as follows:

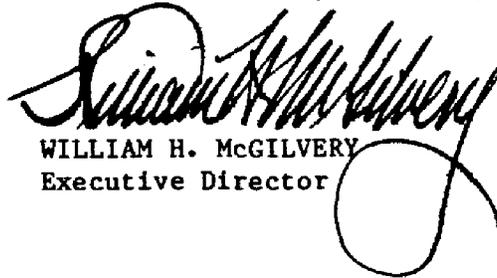
Restricted to the transportation of passengers in vehicles with a manufacturer's designed seating capacity of 15 persons or less (including the driver).

2. That Congressional Tours, Inc., shall file with the Commission an affidavit that its vehicle has been permanently altered to comply with the above restriction.

3. That upon timely filing of the above-described affidavit, an amended Certificate No. 94 shall be issued to Congressional Tours, Inc.

4. That approval of the amended restriction contained herein shall be void if applicant fails to file the required affidavit within 30 days of the date of this order, or such additional time as may be provided by order, and Certificate of Public Convenience and Necessity No. 94 shall thereupon stand revoked pursuant to Case No. MP-85-33.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:



WILLIAM H. MCGILVERY  
Executive Director