

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2988

IN THE MATTER OF:

Served March 17, 1987

Application of VIRGINIA MOTOR COACH)
COMPANY, INC., for Special)
Authorization to Conduct Charter)
Operations Pursuant to Contract)
with Washington Workshops)
Foundation)

Case No. CP-87-01

By application filed March 12, 1987, Virginia Motor Coach Company, Inc., seeks authority pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 to transport junior and senior high school students and their teachers, together with mail, express and baggage in the same vehicle, in charter operations pursuant to contract with Washington Workshops Foundation between points in the Washington, D.C., area.

The contract provides for service during the "1986 and 1987 program year" with a charge of \$190 per pickup and \$40 per hour "when applicable." The contract, however, fails to provide exact starting and termination dates. The contract requires that applicant's vehicles be in good working order and under the operation of courteous drivers who can operate under the pressures associated with transporting student groups.

The service will be provided in three of four buses which applicant currently uses to conduct ICC regular route operations. The applicant did not give a description of the vehicles. As evidenced by applicant's regular route operations, Virginia Motor Coach Company is experienced in providing passenger transportation. Applicant has stated that it is familiar with the Compact and the Commission's rules and regulations and is willing to comply with them. Applicant has not been found unfit by any regulatory agency and is not under any fitness investigation.

Applicant's balance sheet dated March 1, 1987, indicates current assets of \$1,000 with fixed assets of \$190,000. Liabilities of \$110,000 are listed together with equity of \$81,000. Applicant projects revenues of \$56,540 from service provided under the contract. Applicant failed to provide a list of operating expenses projected under the contract so we are unable to determine the operating ratio under Regulation 70 operations. No operating statement was submitted. Applicant will be directed to remedy these deficiencies in its application.

Inasmuch as a contract has been executed for transportation of students between points in the Metropolitan District for a period which appears to be in excess of 181 days, the application appears to be amenable to processing under Commission Regulation No. 70. 1/ Consequently, notice of this application must be published and opportunity given for the filing of protests. Protests, if any, must be written, sworn and notarized, and must contain all evidence and argument upon which the protestant would rely.

Applicant will be required to file an amendment to the contract which gives a starting and ending date to operations under the contract as well as either addresses of the specific pickup and drop-off points or a specific description of the territory in which it seeks to transport passengers. Applicant will also be required to submit a list of revenue deductions for the proposed operations and its most recent operating statement. Applicant will be required to file a list of its revenue vehicles showing make, model, year, serial number, passenger seating capacity (including driver) with a designation of which vehicles will be used for rendering the proposed service. It is not clear from the application whether Charles R. Nixon, Jr., acts as general manager of the corporation as the cover memo to the application indicates, or whether Marylou Cowan serves in that position as the executed contract and Exhibit 8 indicate. Applicant will be required to submit a statement which clarifies the discrepancy in the application.

THEREFORE, IT IS ORDERED:

1. That Virginia Motor Coach Company, Inc., publish once in a newspaper of general circulation in the Metropolitan District notice of this application in the form prescribed by the staff of the Commission no later than Monday, April 13, 1987.

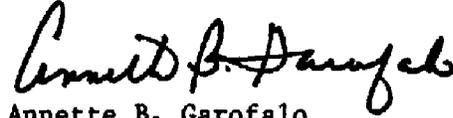
2. That applicant shall file no later than Thursday, April 23, 1987, the following: (1) a current operating statement for Virginia Motor Coach Company, Inc., (2) a statement of revenue deductions for the proposed operations, (3) a contract amendment indicating the contract term, (4) a specific description of the area to be served, (5) the name of its current general manager, and (6) an affidavit of publication.

3. That any person desiring to protest this application shall file a notarized protest in conformance with Commission Regulation No. 70-06 at the office of the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, no later than Thursday, April 23, 1987, and shall simultaneously serve a copy of such protest on applicant's

1/ See Order No. 2004, served June 4, 1979.

attorney, Lawrence E. Lindeman, Esq., 805 King Street, Suite
400, Alexandria, Va. 22314.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read "Annette B. Garofalo". The signature is written in a cursive style with a large initial "A".

Annette B. Garofalo
Acting Executive Director