

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3076

IN THE MATTER OF:

Served September 30, 1987

Application of JOSEPH C. SMITH)
trading as SMITH'S CHARTER BUS)
SERVICE for Special Authorization)
to Conduct Charter Operations)
Pursuant to Contract with USDA--)
Forest Service)

Case No. CP-87-09

By application filed September 18, 1987, Joseph C. Smith trading as Smith's Charter Bus Service ("Smith's" or "applicant"), a sole proprietorship, seeks authority pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 to transport employees of the USDA Forest Service ("Forest Service"), together with mail, express and baggage in the same vehicle as passengers, in charter operations under contract with the Forest Service. The contract requires a regularly-scheduled shuttle service between Forest Service's office in Arlington (Rosslyn Plaza Building, Wilson Boulevard and North Kent Street, Arlington, Va.) and the Forest Service's office in the District of Columbia (South Agriculture Building, 4th Wing, 12th Street and Independence Avenue, S.W., Washington, D.C.) and between points in the Metropolitan District on an as-needed basis. The service would operate between 8:35 a.m. and 4:27 p.m., weekdays except federal holidays.

Applicant would provide the proposed service using one 48-passenger coach dedicated to the contract. Two similar-sized back-up vehicles will be available. The contract requires each vehicle to have a two-way radio that allows communication between the vehicle and a liaison located at the contractor's place of business. The contract, which cannot commence prior to a grant of authority, is based on Forest Service's requirements for the period October 1, 1987, through September 30, 1988, with options to extend the term of the contract through September 30, 1989. The government reserves the right, upon notice, to extend hours of operation or request additional buses for special occasions (i.e., meetings, awards, ceremonies). The rate charged for additional service will be identical to rates charged for scheduled operations. The Forest Service expects 150-160 persons to use the scheduled service on a daily basis.

Applicant states that he is familiar with the Commission's rules and regulations and is willing to comply with them. Applicant further states that he has not been found unfit by any regulatory agency and is not under any fitness investigation.

Smith's balance sheet dated June 30, 1987, indicates current assets of \$300,000 with fixed and other assets of \$266,266. Liabilities of \$95,000 are listed together with proprietor's equity of \$471,266. Applicant projects revenues of \$61,760 from service provided under the contract, and operating expenses of \$54,101.

Inasmuch as a contract has been executed for transportation of government employees between points in the Metropolitan District for a period in excess of 181 days, the application appears to be amenable to processing under Commission Regulation No. 70. See Order No. 2004, served June 4, 1979. 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.

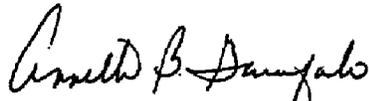
THEREFORE, IT IS ORDERED:

1. That Joseph C. Smith trading as Smith's Charter Bus Service is hereby directed to 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 Friday, October 2, 1987.

2. That applicant is hereby directed to file with the Commission no later than Tuesday, October 13, 1987, 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 Tuesday, October 13, 1987, and shall simultaneously serve a copy of such protest on Mr. Bill Gillison, resident agent for service of process, 4009 - 21st Place, Temple Hills, Md. 20748.

FOR THE COMMISSION:



Annette B. Garofalo
Acting Executive Director