

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3107

IN THE MATTER OF:

Served December 23, 1987

Application of LEE COACHES, INC.,)
For Special Authorization to)
Perform Charter Operations Pursuant)
to Contract with The Close-Up)
Foundation)

Case No. CP-87-13

By application filed November 30, 1987, Lee Coaches, Inc. (Lee Coaches" or "applicant"), seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under contract with The Close-Up Foundation transporting high school students and their teachers participating in educational tour programs arranged for and conducted by Close-Up, together with baggage in the same vehicle as passengers, between points in the Metropolitan District. */

Order No. 3098, served December 3, 1987, generally describes the evidence submitted with the application, and that order is incorporated by reference herein. The Commission required publication of notice and the filing of an affidavit of publication and other specified materials. 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 is for a fixed term of at least 181 days and provides for the transportation of students and teachers by a school, the Commission finds that this application conforms to the

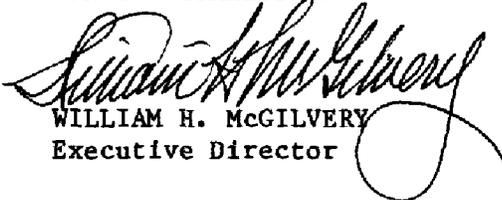
*/ To the extent that this application proposes transportation solely within the Commonwealth of Virginia, it was dismissed for want of jurisdiction by Order No. 3098.

requirements of Commission Regulation No. 70. It is further found, based on the evidence of record as described in Order No. 3098, 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.

Lee Coaches, Inc., is assigned WMATC Authorization No. 137, is directed to identify its vehicles in accordance with Commission Regulation No. 70-10, and is further directed to file an affidavit of compliance with that regulation within fifteen days from the date of service of this order. Within the fifteen-day time period, applicant must also file a certificate of insurance in accordance with Commission Regulation No. 62 and two copies of the title page for its WMATC Tariff No. 1 in accordance with Commission Regulation No. 55-04. Copies of the contract with Close-Up are already on file. Upon the filing of the affidavit of identification, certificate of insurance, and tariff title pages, an appropriate authorization will be issued.

IT IS SO ORDERED.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director