

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3268

IN THE MATTER OF:

Served January 5, 1989

Application of PRIORITY ONE)
SERVICES, INC., for Temporary)
Authority -- Charter Operations)

Case No. AP-88-55

By application filed November 23, 1988, and perfected December 2, 1988, Priority One Services, Inc. (applicant or Priority), seeks temporary authority to transport members of the Capitol Hill Business Association, Inc., and employees of the Federal Energy Regulatory Commission in charter operations, together with mail, express, and baggage in the same vehicle as passengers, between 400 First Street, N.W.; 825 North Capitol Street, N.E.; M Street and North Capitol Street, N.E.; 51 N Street, N.E.; First Street, N.E., at Union Center Plaza; and Union Station Metro Stop, all points in the District of Columbia.

Order No. 3265, served December 14, 1988, generally described the evidence submitted with the application and that order is incorporated herein by reference. Order No. 3265 served as publication of notice and directed that protests be filed in accordance with Commission Rule No. 14 no later than December 22, 1988. No protests to the application were received by the Commission within the time set therefor.

Title II, Article XII, Section 4(d)(3) of the Compact provides that the Commission may, in its discretion, grant an application for temporary authority, without hearing or other proceedings, if it finds that there is an immediate and urgent need for the service proposed by the application and that no other carrier service is capable of meeting that need. Fitness of the applicant is also required. See Application of Suburban Transit Company for Temporary Authority to Serve the Capital Center, Order No. 1643, served January 24, 1977; Application of American Coach Lines, Inc., for Declaratory Order or, in the Alternative, Temporary Authority to Conduct Charter Operations Between Points in the Metropolitan District, Order No. 2738, served July 22, 1985; See also Order Nos. 2440, 2448, 2864, and 3221, served July 8, 1983; August 10, 1983; May 23, 1986; and August 23, 1988, respectively.

Inasmuch as no duly authorized carrier protested this application thereby indicating its ability and willingness to provide the service proposed by Priority, the Commission finds that no other carrier is capable of meeting the service need to which applicant's witness attested. It is further found, based on the evidence of record as described in Order No. 3265, that there is an immediate and urgent need for the service described in this application and that applicant is fit to provide that service.

THEREFORE, IT IS ORDERED:

1. That Priority One Services, Inc., is hereby conditionally granted 180 days temporary authority, contingent upon compliance with the terms of this order, to transport members of the Capitol Hill Business Association, Inc., and employees of the Federal Energy Regulatory Commission in charter operations, together with mail, express, and baggage in the same vehicle as passengers, between 400 First Street, N.W.; 825 North Capitol Street, N.E.; M Street and North Capitol Street, N.E.; 51 N Street, N.E.; First Street, N.E., at Union Center Plaza; and Union Station Metro Stop, all points in the District of Columbia.

2. That Priority One Services, Inc., is hereby directed within 15 days of the service date of this order (a) to file two copies of its WMATC Tariff No. 135-TA; (b) to identify the vehicles to be used in this service pursuant to Commission Regulation No. 67-03; and (c) to file an affidavit of such identification.

3. That the Executive Director shall notify, in writing, Priority One Services, Inc., upon its timely compliance with the requirements of this order, that it may commence operations pursuant to temporary authority as contained herein.

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


William H. McGilvery
Executive Director 