

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3272

IN THE MATTER OF:

Served January 11, 1989

Application of RICHARD W. BUTLER,)
JR., Trading as RWB TOURS for a)
Certificate of Public Convenience)
and Necessity)

Case No. AP-88-52

By application filed November 14, 1988, Richard W. Butler, Jr., trading as RWB Tours (applicant) */ seeks a certificate of public convenience and necessity to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, in special operations between Mount Vernon and Arlington National Cemetery, Virginia, and points in the District of Columbia south of a line beginning at the junction of Constitution Avenue, N.W., and Rock Creek Parkway, N.W., thence along Constitution Avenue, N.W., to 17th Street, N.W., thence along 17th Street, N.W., to Pennsylvania Avenue, N.W., thence along Pennsylvania Avenue, N.W., to 10th Street, N.W., thence along 10th Street, N.W., to F Street, N.W., thence along F Street, N.W., to 9th Street, N.W., thence along 9th Street, N.W., to Pennsylvania Avenue, N.W., thence along Pennsylvania Avenue, N.W., to Constitution Avenue, N.W., thence along Constitution Avenue, N.W., to its junction with 2nd Street, N.E., restricted to lectured, round-trip sightseeing tours and further restricted to the transportation of passengers in vehicles with a manufacturer's designed seating capacity of 15 persons or less (including the driver).

Applicant would conduct the proposed service as a sole proprietor using a 15-passenger van. Mr. Butler's proposed service includes a "Building Tour" and a "Mount Vernon Tour." Applicant will be asked at hearing to clarify what sites the tours include and their duration. For the Building Tour applicant proposes to charge \$12.50 for adults and \$6.25 for children ages 5 to 11. For the Mount Vernon Tour, applicant proposes to charge \$21 for adults and \$10.50 for children ages 5 to 11. Children under 5 would not be charged for either tour.

Applicant submitted a balance sheet dated September 30, 1988, indicating total assets of \$8,500, no liabilities, and proprietor's equity of \$8,500. A projected operating statement for the first 12 months of operations estimates WMATC operating revenues will be \$20,000. It is estimated that total operating expenses for the same period will be \$12,200.

*/ Applicant currently holds no authority from the Commission and should not be confused with Richard W. Butler who holds WMATC Certificate No. 84.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application will be scheduled for public hearing to determine if the applicant is fit, willing, and able to perform the proposed service properly and comply with the Compact and the Commission's rules and regulations and to determine whether the public convenience and necessity require the proposed service.

THEREFORE, IT IS ORDERED:

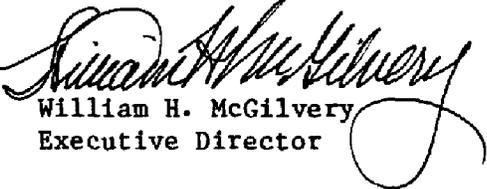
1. That a public hearing in Case No. AP-88-52 is hereby scheduled to commence Wednesday, February 15, 1989, at 9:30 a.m. in the hearing room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036.

2. That Richard W. Butler, Jr., shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application and the hearing thereon in the form prescribed by the staff of the Commission no later than Thursday, January 19, 1989, and shall present at the hearing an affidavit of publication.

3. That any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Monday, February 6, 1989, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Joel C. Weingarten, Esquire, 51 Monroe Street, Suite 1500, Rockville, MD 20850.

4. That Richard W. Butler, Jr., is hereby assessed \$400 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036, no later than Monday, February 6, 1989.

FOR THE COMMISSION:


William H. McGilvery
Executive Director