

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3328

IN THE MATTER OF:

Served May 5, 1989

Application of BILL ROHRBAUGH'S)
CHARTER SERVICE, INC., for a)
Certificate of Public Convenience)
and Necessity -- Charter Operations)

Case No. AP-89-18

By application filed April 11, 1989, Bill Rohrbaugh's Charter Service, Inc., a Pennsylvania corporation, (Rohrbaugh's or 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 charter operations between points in the Metropolitan District. */ Applicant holds WMATC temporary authority to perform certain charter operations. However, the temporary authority expires June 9, 1989. Rohrbaugh's also holds authority from the Interstate Commerce Commission (ICC). Applicant plans to conduct the proposed operations in eighteen 47-passenger coaches and two 14-passenger vehicles ranging in model year from 1977 to 1989. Applicant proposes to charge \$40 an hour for peak season (April 1 - December 14) and \$35 an hour for off-peak season (December 15 - March 31). An eight-hour minimum would be required, and \$1.25 per mile for deadhead mileage would also be charged. Rohrbaugh's submitted its ICC tariff with the application and indicated that "other charges" listed in the ICC tariff would be applicable in its WMATC operations. Because the ICC tariff includes rates for operations that fall outside of WMATC's jurisdiction it cannot be accepted for submission as part of Rohrbaugh's application. Applicant will be directed to amend its proposed tariff to include all charges applicable to WMATC operations.

Rohrbaugh's balance sheet as of December 31, 1987, shows current assets of \$391,273.94 with fixed and other assets of \$1,320,120.85. Current liabilities are listed at \$369,094.72 with \$1,074,324.83 in long-term liabilities. Equity is listed at \$267,975.24 with \$241,275.24 of that figure representing retained earnings. Applicant's operating statement for the period ended December 31, 1987, lists \$2,082,589.99 in operating income and \$2,095,246.35, in total expenses. Rohrbaugh's financial statements for 1988 will be forwarded for inclusion in this application upon their completion. Applicant's pro forma income statement for the first year of WMATC operations indicates \$249,825 in revenues and \$232,337 in operating expenses, yielding a net income of \$17,488.

*/ To the extent that the application could be interpreted to include transportation solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application will be scheduled for public hearing to determine if 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. Applicant will be assessed an amount preliminarily estimated to cover the costs of hearing pursuant to the Compact, Title II, Article XII, Section 19.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-89-18 is hereby scheduled to commence Tuesday, June 27, 1989, at 9:30 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.

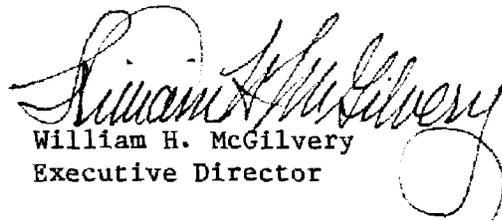
2. That Bill Rohrbaugh's Charter Service, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District and post continuously and conspicuously in each of its vehicles through the date of the public hearing, notice of this application and the hearing thereon in the form prescribed by the staff of the Commission no later than Thursday, June 1, 1989, and shall present at hearing affidavits of publication and posting.

3. That any person desiring to protest the application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard shall so notify the Commission, in writing, no later than Friday, June 16, 1989, and shall simultaneously serve a copy of such notice or protest on applicant's attorney, Jeremy Kahn, Esquire, 1726 M Street, N.W., Suite 702, Washington, DC 20036.

4. That Bill Rohrbaugh's Charter Service, Inc., is hereby directed to file with the Commission no later than Thursday, June 1, 1989, (a) updated financial data and (b) a revised WMATC Tariff No. 1.

5. That Bill Rohrbaugh's Charter Service, Inc., is hereby assessed \$500 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 20036-5104, no later than Thursday, June 1, 1989.

FOR THE COMMISSION:


William H. McGilvery
Executive Director