

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3348

IN THE MATTER OF:

Served June 12, 1989

Application of AUTOMATED BUSINESS)
SYSTEMS AND SERVICES, INC., for)
Special Authorization to Perform)
Charter Operations Pursuant to)
Contract with the United States)
Department of Health and Human)
Services, Public Health Service)

Case No. CP-89-02

By application filed June 8, 1989, Automated Business Systems and Services, Inc. (ABSS), seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under a contract with the United States Department of Health and Human Services, Public Health Service (PHS) */ transporting PHS employees together with mail, express, and baggage in the same vehicle as passengers between (1) the Aerospace Building, 901 D Street, S.W., Washington, DC; the Switzer Building, 330 C Street, S.W., Washington, DC; Humphrey's Building, 200 Independence Avenue, S.W., Washington, DC; and the Cohen Building, 330 Independence Avenue, S.W., Washington, DC, (the Switzer Building, the Humphrey's Building, and the Cohen Building are collectively known as the Southwest Complex) and (2) between the Aerospace Building and the Parklawn Building, 5600 Fisher's Lane, Rockville, MD.

The contract period extends from June 22, 1989, to June 21, 1990, with four one-year options to renew. Applicant would be required to provide shuttle service between the Aerospace Building and the Southwest Complex once a day, with five to seven trips daily for service originating and terminating at the Aerospace Building. Service to the Parklawn Building would be required once daily. The service would be provided using one 1989 vehicle with the seating capacity of eight passengers and a 1985 back-up vehicle with a seating capacity of six passengers. The vehicles are leased.

*/ American Information Systems, Inc. (AIS), holds a multipart contract with PHS. AIS has subcontracted to ABSS that part of its contract obliging it to perform the service described in this order. With its application ABSS submitted a motion requesting that the AIS-PHS contract and the AIS-ABSS subcontract be treated as a unit. The contract/subcontract will be so treated.

ABSS was granted temporary authority to perform the above-described operations pursuant to Order No. 3308, served March 23, 1989. The temporary authority expires on June 21, 1989. Contracts of lease for the vehicles used in the proposed operations as well as an appropriate certificate of insurance are currently on file with the Commission. Applicant plans continued compliance with the Compact and the Commission's rules and regulations. ABSS has not been found unfit by any regulatory agency and is not presently the subject of any fitness investigation.

With its application ABSS submitted a balance sheet dated April 30, 1989, indicating current assets of \$8,990,130.94, fixed assets after allowance for depreciation of \$1,231,632.27, and other assets of \$576,579.69. Also listed are current liabilities of \$9,550,861.19 and equity of \$1,247,481.71. No long-term liabilities are shown. For the period June 21, 1989, through June 20, 1990, ABSS projects revenues of \$141,248 and expenses of \$128,407 resulting in a net profit of \$12,841 from the proposed service.

Ms. Janet H. Miller, contracting officer for PHS, submitted a notarized letter in support of the application stating that approximately six employees will use the shuttle on a daily basis. The contracting officer states that applicant's qualifications have been investigated and that she is satisfied that American Information Systems, Inc., through its subcontractor Automated Business Systems and Services, Inc., has the ability to perform the proposed services.

Inasmuch as a contract has been executed by the government for the transportation of its employees for a period in excess of 181 days, this application appears to be amenable to processing under Commission Regulation No. 70. See Order No. 2004, served June 20, 1979, and effective July 21, 1979. Pursuant to Commission Regulation No. 70-06, 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:

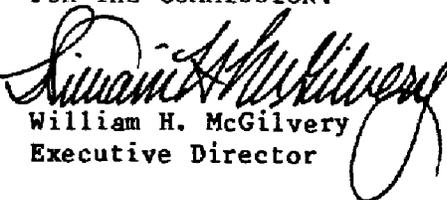
1. That Automated Business Systems and Services, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application in the form prescribed by the staff of the Commission no later than Wednesday, June 14, 1989.

2. That Automated Business Systems and Services, Inc., shall file with the Commission no later than Friday, June 23, 1989, (a) an affidavit of publication of notice and (b) two copies of its WMATC Tariff No. 1 cover page.

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 Washington Metropolitan Area Transit Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104,

no later than Monday, June 26, 1989, and shall simultaneously serve a copy of such protest on applicant's vice president, Anthony J. Stromeyer, Automated Business Systems and Services, Inc., 6715 Kenilworth Avenue, P.O. Box 838, Riverdale, MD 20737.

FOR THE COMMISSION:


William H. McGilvery
Executive Director

