

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3361

IN THE MATTER OF:

Served June 23, 1989

Application of SMITH CHARTER)
 SERVICE, INC., for a Certificate)
 Authorizing Charter and Special)
 Operations)

Case No. AP-89-33

By application filed June 6, 1989, Smith Charter Service, Inc. (applicant), a Maryland corporation, seeks a certificate of public convenience and necessity to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, in for-hire charter and special operations between points in the Metropolitan District. */ Applicant's president is Joseph C. Smith. Mr. Smith, trading as Smith's Charter Bus Service, is WMATC Carrier No. 134, currently holding Special Authorizations pursuant to Commission Regulation No. 70 to conduct charter operations pursuant to long-term contracts.

Applicant's proposed tariff shows group charter rates as follow:

	<u>Off-Peak</u>	<u>Peak</u>
47-passenger bus:	\$43 an hour 5 hour minimum	\$46 an hour (\$215)
22-passenger minibus:	\$36 an hour 5 hour minimum	\$40 an hour (\$180)
12-passenger van:	\$23 an hour 5 hour minimum	\$25 an hour (\$115)

Transfers (47-passenger buses only)

	<u>Off-Peak</u>	<u>Peak</u>
Between any two points within the Capital Beltway:	\$190	\$220
Other transfers in Metropolitan District:	\$185	\$240

*/ To the extent this 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).

11

Airport Charters

	<u>National</u>	<u>Dulles</u>
47-passenger bus:	\$160	\$200
22-passenger minibus:	\$140	\$180

Within the District of Columbia

47-passenger bus:	\$200
22-passenger minibus:	\$160
12-passenger van:	\$130

Between the District of Columbia and a 10-mile radius from the
U.S. Capitol or trips in Maryland or between Maryland and Virginia
within a 20-mile radius from the U.S. Capitol

47-passenger bus:	\$200
22-passenger bus:	\$160
12-passenger bus:	\$130

Applicant's tariff appears to contain certain anomalies. For example, the off-peak rate for transfer service between any two points within the Capital Beltway is \$5 more than the off-peak rate for other transfer service. Tariff categories appear to overlap, and no rates are shown for special operations. Applicant should reexamine its rate structure and will be required to submit a revised tariff clarifying these matters.

Applicant's equipment list shows twelve vehicles including eight coaches, two minibuses, and two vans. Applicant also submitted a balance sheet as of December 31, 1988, an operating statement for 1988, a statement of owner's equity, a cash-flow statement, and projected balance sheet and operating statement for a future annual period.

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 hearing expenses applicant is required to bear pursuant to the Compact, Title II, Article XII, Section 19.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-89-33 is hereby scheduled to commence Tuesday, August 29, 1989, at 9:30 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.

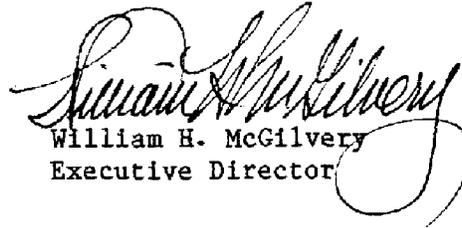
2. That Smith Charter Service, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application and the hearing thereon in the form prescribed by the staff of the Commission, no later than Friday, July 28, 1989, and shall present at the hearing affidavit of publication.

3. That any person desiring to protest this application shall do so 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 Friday, August 18, 1989, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Linda Stroufe, Esquire, 6188 Oxon Hill Road, #700, Oxon Hill, MD 20745.

4. That Smith 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 Friday, August 18, 1989.

5. That Smith Charter Service, Inc., shall file with the Commission no later than Friday, August 18, 1989, an original and four copies of a proposed tariff revised in accordance with the discussion in the text of order.

FOR THE COMMISSION:


William H. McGilvery
Executive Director