

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3392

IN THE MATTER OF:

Served August 15, 1989

Application of NATIONAL BUS LINES,) Case No. AP-89-38
INC., for Temporary Authority --)
Charter Operations)

By application filed July 26, 1989, and supplemented July 28, August 11, and August 15, 1989, National Bus Lines, Inc. (NBL or applicant), a Delaware corporation, seeks temporary authority to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, in for-hire charter operations between all points in the Metropolitan District, restricted against service between two points both of which are located in the Commonwealth of Virginia. */

Applicant's tariff shows charter rates of \$53 an hour with a four-hour minimum that includes one-hour garage time. One-way transfer charges are shown as follows:

To/From Washington National Airport	\$175
To/From Washington Dulles International Airport	\$225
Other transfers	\$175

Charter sightseeing service would be provided at the charter rate plus \$10 an hour (minimum four hours) if the driver serves as lecturer. If a separate lecturer is provided, the additional charge would be based upon the cost to NBL. Volume discounts of 10 to 15 percent are available.

Applicant's equipment list shows one 1989 Setra Intercontinental Coach seating 48 passengers. Applicant currently conducts operations authorized by the Interstate Commerce Commission (MC-158549). NBL describes its vehicle as having many unique luxury features not otherwise available in the Metropolitan District. Although applicant previously leased this vehicle to another WMATC carrier, that lease has been terminated and applicant states that it regularly receives service requests from groups that previously used the vehicle.

*/ The Commission's jurisdiction does not include transportation solely within the Commonwealth of Virginia. See Compact, Title II, Article XII, Section 1(b).

Applicant submitted four verified statements in support of its application. Mr. Selwyn Lewis is a tour coordinator for Go America Tours of New York. That company packages tours for travel agencies and groups. One of its most popular tour destinations is Washington, DC. Mr. Lewis books hotels, tour buses, airport transfers, and other services. He has dealt with NBL under its ICC authority and finds its service excellent. NBL's luxury vehicle is of particular importance to Mr. Lewis' company and its clients who prefer, and sometimes demand, such coaches. Mr. Lewis' company has an immediate need for NBL's service because it cannot locate similar coaches in the Washington area.

Mr. Robert L. Siegrist, representing Hawkeye Tours, Inc., of Des Moines, IA, supports this application. Hawkeye's previous experience with NBL is "excellent." Mr. Siegrist has "contacted several other bus companies" trying to obtain similar service in the Washington area, but "no other company has been able to match [NBL's] service, prices and equipment." Hawkeye has an immediate need for NBL's services.

Mr. Maurice Del-Toso is director of Deltours of Oakland, CA. Deltours organizes tours and tour services, including hotels, entertainment, and transportation. Deltours has used NBL's service between the District of Columbia and New York and "found their equipment to be of the best quality, and their service to be unmatched." Deltours "would like to have National Bus Lines available to us immediately" for service in the Washington area.

Mr. Rick London is executive producer for Scandal Tours of Washington, DC. That company offers tours of Washington, DC emphasizing points of interest related to various scandals, and performs "an on-bus show/tour." Mr. London's company used NBL's vehicle when leased to another carrier, and states that NBL's coach "is perfect for our services" and many of their customers insist on this type of coach. The company has been unable to locate similar equipment in the Washington area. Scandal Tours needs NBL's services immediately.

The standards for temporary authority are set forth in the Compact, Title II, Article XII, Section 4(d)(3). The essential elements are (1) immediate and urgent need for service, (2) no other carrier capable of meeting such need, and (3) fitness of the applicant. This order will provide notice of this application, and a brief time will be provided for the filing of protests, if any. Protests should contain all evidence and argument upon which protestant would rely. No extension of the time will be granted.

THEREFORE, IT IS ORDERED that any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14 at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Monday, August 28, 1989,

and shall simultaneously serve a copy of such protest on applicant's attorney, Steven T. Blomberg, Esq., Gemmel, Weiman & Savitz, 444 N. Frederick Avenue, Suite 200, Gaithersburg, MD 20877.

FOR THE COMMISSION:



William H. McGilvery
Executive Director