

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3402

IN THE MATTER OF:

Served September 7, 1989

Application of SUGGS TRANSPORTATION)
SERVICES, INC., for Special)
Authorization to Perform Charter)
Operations Pursuant to Contract)
with the Federal Aviation)
Administration)

Case No. CP-89-04

By application filed September 1, 1989, Suggs Transportation Services, Inc. (Suggs or applicant), seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 under contract with the Federal Aviation Administration (FAA) transporting U.S. Department of Transportation employees between the Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC, and the Tariff Building, 701 E Street, N.W., Washington, DC. The service would operate on a regularly-scheduled basis between the hours of 7:00 a.m. and 5:30 p.m., Monday through Friday, except government holidays. Twenty-five round-trips would be made a day.

Applicant would provide the proposed service in a 20-passenger vehicle equipped with safety features and mobile radio communication. Although the FAA has selected Suggs as the contractor, a document to exercise the option under the contract for the period October 1, 1989, through September 30, 1990, must be filed before an authorization could be issued.

Applicant is an experienced passenger transportation carrier and currently operates under seven contracts authorized by Special Certificate of Public Convenience and Necessity No. 1. The corporation, through its officers, is familiar with the Compact and the Commission's rules and regulations. Applicant has not been found unfit by any regulatory agency; nor is its fitness the subject of any ongoing investigation.

Suggs' balance sheet dated December 31, 1988, shows current assets of \$766,897 (including \$130,469 in cash) and fixed assets, less depreciation, of \$326,460. Liabilities are listed at \$298,740 with equity of \$794,617.

Mr. John R. Dupree, contracting officer for the FAA, submitted a notarized statement dated August 25, 1989, which states that transportation of approximately 20 to 500 government employees is required on a daily basis. Suggs' qualifications were investigated by the contracting party and the FAA is satisfied that applicant is capable of performing the transportation required under the contract.

Inasmuch as the proposed contract is for the transportation of employees pursuant to contract with their employer between points within the Metropolitan District for a period in excess of 181 days, the application appears amendable to processing under Commission Regulation No. 70. See Order No. 2004, served June 20, 1979. Consequently, notice of this application must be published and opportunity given for filing of protests. Protests, if any, must be written, sworn, and notarized and must contain all evidence and argument upon which protestant would rely.

THEREFORE, IT IS ORDERED:

1. That Suggs Transportation Services, Inc., 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 Friday, September 15, 1989.

2. That Suggs Transportation Services, Inc., file with the Commission no later than Friday, September 15, 1989, the following: (a) exercise of the contract option, (b) an affidavit of publication, and (c) an affidavit of identification for the vehicle to be used in the proposed contract service.

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 Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036, no later than Monday, September 25, 1989, and shall simultaneously serve a copy of such protest on counsel for applicant, Arthur Guy Kaplan, Esquire, 11 E. Mt. Royal Street, Baltimore, MD 21202.

FOR THE COMMISSION:


William H. McGilvery
Executive Director