

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3504

IN THE MATTER OF:

Served May 18, 1990

Application of TRANSPORTATION)
MANAGEMENT SERVICES, INC., for)
Temporary Authority)

Case No. AP-90-17

By application filed April 20, 1990, Transportation Management Services, Inc. (TMSI or applicant), seeks temporary authority to transport passengers, together with baggage in the same vehicles as passengers, in charter operations between points in the Metropolitan District pursuant to contract with Scheduled Airlines Traffic Offices, Inc., trading as SATO Travel (SATO). */

Order No. 3494, served April 27, 1990, generally described the evidence submitted with the application, and that order is incorporated herein by reference. Order No. 3494 served as publication of notice and directed that protests, if any, be filed in accordance with Commission Rule No. 14 no later than May 7, 1990. No protests to the application have been received by the Commission.

On April 30, 1990, TMSI filed an amended contract. The contract amendments deleted TMSI's obligation to provide "special charter services" for SATO and increased TMSI's projected compensation to \$232,661.73, up from \$214,764.72. The contract, as amended, pertains to airport shuttle service between specified points in downtown Washington, DC, and (1) Washington National Airport, Arlington County, VA, and (2) Washington Dulles International Airport, Loudoun County, VA. The service would be scheduled. One vehicle would serve National; a second vehicle would serve Dulles. Each shuttle would make a complete circuit approximately once an hour.

Title II, Article XII, Section 4(d)(3) of the Compact provides that the Commission may, in its discretion, grant an application for temporary authority, without hearings or other proceedings, if it finds that there is an immediate and urgent need for the service proposed by the application and that no other carrier service is capable of meeting that need. Fitness of the applicant is also required. See Application

*/ To the extent this application could have been construed to apply to transportation solely within the Commonwealth of Virginia, it was dismissed pursuant to the Compact, Title II, Article XII, Section 1(b), by Order No. 3494.

of Suburban Transit Company for Temporary Authority to Serve the Capital Centre, Order No. 1643, served January 24, 1977; Application of American Coach Lines, Inc., for Declaratory Order or, in the Alternative, Temporary Authority to Conduct Charter Operations Between Points in the Metropolitan District, Order No. 2738, served July 22, 1985. See also Order Nos. 2440, 2448, 2864, and 3221, served July 22, 1983; August 10, 1983; May 23, 1986; and August 23, 1988, respectively.

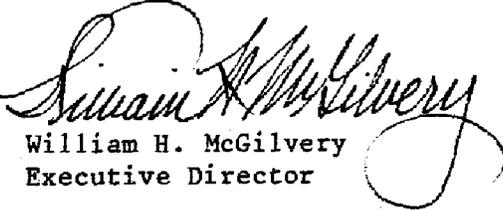
Inasmuch as no duly authorized carrier protested this application, thereby indicating its ability and willingness to provide the service proposed by applicant, the Commission finds that no other carrier is capable of meeting the need for the proposed service expressed by SATO. It is further found, based on the evidence of record as described in Order No. 3494 and this order, that there is an immediate and urgent need for the service described in this application and that applicant is fit to provide that service.

THEREFORE, IT IS ORDERED:

1. That Transportation Management Services, Inc., is hereby conditionally granted 180 days temporary authority, contingent upon timely compliance with the terms of this order, to transport passengers, together with baggage in the same vehicles as passengers, in charter operations, between points in the Metropolitan District pursuant to contract with Scheduled Airlines Traffic Offices, Inc.
2. That Transportation Management Services, Inc., is hereby directed, no later than 30 days from the service date of this order (a) to identify its vehicles in accordance with Commission Regulation No. 67-03; (b) to file an affidavit of compliance with Commission Regulation No. 67-03; (c) to file three copies of its WMATC Temporary Tariff No. AP-90-17; (d) to file an equipment list stating make, model, serial number, vehicle number (if any), seating capacity, and license plate number (with jurisdiction) for all vehicles to be used in revenue operations; (e) to file evidence of ownership or lease(s), as appropriate, for all vehicles to be used in revenue operations; and (f) to file a certificate of insurance in conformance with Commission Regulation No. 62 covering all vehicles to be used in revenue operations.
3. That the Executive Director shall notify Transportation Management Services, Inc., in writing, upon its timely compliance with the requirements of this order, that it may commence operations pursuant to temporary authority.
4. That the temporary authority granted herein shall expire Friday, November 16, 1990, unless otherwise ordered by the Commission.
5. That unless Transportation Management Services, Inc., complies with the requirements of this order within 30 days from date of service or such additional time as the Commission may direct or

allow, the grant of authority contained herein shall be void, and this application shall stand denied in its entirety, effective upon the expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director

