

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3526

IN THE MATTER OF:

Served July 10, 1990

Application of ATE MANAGEMENT AND)
SERVICE COMPANY, INC., for an)
Expanded Certificate -- Charter)
and Special Operations)

Case No. AP-90-25

By application filed June 27, 1990, ATE Management and Service Company, Inc. (ATE or applicant), seeks a certificate of public convenience and necessity to transport passengers in charter and special operations between points in the Metropolitan District. 1/2/

Applicant holds WMATC Certificate No. 157 which authorizes charter operations pursuant to contract with Montgomery County, MD. ATE also provides charter service between specified points in Montgomery County, MD, for the account of Friendship Heights Village Council pursuant to a grant of temporary authority. If this application is granted, ATE would provide the proposed service using 50 vehicles seating between four passengers and 45 passengers. Most of these vehicles seat 14 or more passengers; many are equipped to transport wheelchair-bound passengers. ATE proposes to charge \$47.50 an hour with a two-hour minimum for its charter operations. A cancellation charge would be assessed in the absence of advance notice. ATE lists no rates for its proposed special operations and will be directed to do so.

ATE's balance sheet as of December 31, 1989, shows current assets of \$14,108,058; fixed assets after allowance for depreciation of \$11,811,773; and other assets of \$13,095,540. Current liabilities of \$6,090,491; long-term liabilities of \$12,129,732; and equity of \$20,795,148 are listed. Applicant's operating statement for the 12 months ended December 31, 1989, shows \$770,865 in WMATC operating income; \$62,482,290 in other operating income; and \$62,981,216 in operating expenses, including depreciation and taxes.

1/ To the extent this application can 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).

2/ ATE's application fails to indicate whether or not it proposes to transport mail, express, and baggage in the same vehicles as passengers. Notice is hereby given that this application may be enlarged to encompass such service.

During the first nine months of charter operations proposed herein, ATE expects to generate income of \$17,625 and incur operating expenses, including depreciation and taxes, of \$16,744. ATE's projected operating statement applies to proposed charter operations only; applicant will be directed to file a projected operating statement pertaining to the proposed special operations.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, the 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 cost of hearing pursuant to the Compact, Title II, Article XII, Section 19.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-90-25 is hereby scheduled to commence Thursday, August 16, 1990, at 10:00 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.

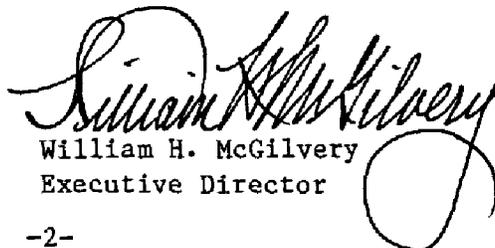
2. That ATE Management and Service Company, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District and shall post continuously and conspicuously in each of its revenue vehicles operated in the Metropolitan District through the date of public hearing, notice of this application and the hearing thereon in the form prescribed by the staff of the Commission, no later than Friday, July 20, 1990, and shall present at the hearing affidavits of such publication and posting.

3. That any person desiring to protest the application shall file a protest in accordance with Commission Rule No. 14, and any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Friday, August 3, 1990, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Warren A. Goff, Esquire, 5101 Wheelis Drive, Suite 300, Memphis, TN 38117.

4. That ATE Management and Service Company, Inc., is hereby directed to submit a proposed tariff and a projected operating statement pertaining to the special operations herein proposed, no later than Friday, August 3, 1990.

5. That ATE Management and Service Company, Inc., is hereby assessed \$400 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 3, 1990.

FOR THE COMMISSION:


William H. McGilvery
Executive Director