

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3539

IN THE MATTER OF:

Served August 13, 1990

Application of TRANSPORTATION ) Case No. AP-90-32  
MANAGEMENT SERVICES, INC., for )  
a Certificate to Conduct )  
Charter Operations for the Account )  
of Mantua Citizens' Association, Inc.)

By application filed August 6, 1990, Transportation Management Services, Inc. (TMSI or applicant), seeks a certificate of public convenience and necessity to transport passengers pursuant to contract with Mantua Citizens' Association, Inc. (MCA), in charter operations from the Mantua, Pine Ridge, Winterset, and Camelot subdivisions, Fairfax County, VA, to points in Washington, DC, and return.

By its terms the contract which was executed August 1, 1990, is effective from September 1, 1990, through August 31, 1991. The contract may be renewed annually, cancelled for cause, or amended under certain conditions. Under the contract's terms MCA determines routes, schedules, and "fares." \*/ The contract requires a minimum of two vehicles, each seating a minimum of 20 passengers, plus adequate back-up vehicles. Pursuant to the terms of the contract TMSI proposes service Monday through Friday, except federal holidays. Two trips are scheduled each morning and evening as follows:

Morning (Inbound) Buses:

<u>Bus #1</u>		<u>Bus #2</u>	
Rt. 50/Chichester	7:05	Rt. 50/Chichester	7:25
Southwick/Prosperity	7:18	Southwick/Prosperity	7:40
King Arthur/Rt. 236	7:28	Holly/Gallows	7:50
14th/Pennsylvania	8:00	State Department	8:15
Dupont Circle	8:15	L St./14th St. NW	8:25
		HUD & DOT	8:35

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\*/ Fares would be established and collected by MCA, and TMSI would have no responsibility therefor. The service would be subsidized by Fairfax County, VA. MCA would pay applicant for service pursuant to the contract terms.

Afternoon (Outbound) Buses:

<u>Bus #1</u>		<u>Bus #2</u>	
14th/K St. NW	5:05	N. Capitol/E St.	5:20
Interior Department	5:15	Interior Department	5:45
Pentagon	5:25	Pentagon	5:55
King Arthur/Camelot	5:50	Rt. 50/Chichester	6:20
Southwick/Lido Pl.	6:05	Southwick/Prosperity	6:30
Chichester/Rt. 50	6:15	King Arthur/Rt. 236	6:40

MCA would pay applicant \$137.50 per trip. TMSI proposes to provide service using three vehicles. These vehicles are leased, two having a manufacturer's designed seating capacity of 21 passengers and one having a manufacturer's designed seating capacity of 25 passengers. In compliance with Order No. 3534, served July 31, 1990, TMSI identified these vehicles as ones it would dedicate to other service. See Case Nos. AP-90-17 and AP-90-18, Application of Transportation Management Services, Inc., for Temporary Authority and Application of Transportation Management Services, Inc., for a Certificate of Public Convenience and Necessity Authorizing Charter Service for the Account of Scheduled Airline Traffic Offices, Inc., respectively.

With its application TMSI submitted a statement of financial condition as of April 30, 1990. The statement shows current assets of \$473,762; fixed assets after allowance for depreciation of \$50,951; and other assets (deposits) of \$77,160. The statement shows current liabilities of \$424,925, \$204,148 of which is payable to TMSI's parent company, and \$176,948 capital stock. TMSI's operating statement for the 12 months ended April 30, 1990, shows income of \$3,806,918, none of which is attributable to WMATC operations; operating expenses of \$3,593,269; and other expenses of \$86,507, including \$84,045 in management fees. Applicant's method for determining the value of depreciated assets and depreciation expense is not apparent on the face of these statements. Moreover, these statements appear to be at variance with similar statements submitted in Case No. AP-90-18, supra. Applicant will be directed to clarify these matters. For the first 12 months of operations TMSI projects \$137,561.31 in expenses. Projected revenue would appear to be on the order of \$138,600 (four trips a day for 252 days); applicant will be directed to inform the Commission of its specific projection.

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 costs 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-90-32 is hereby scheduled to commence Tuesday, September 18, 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 Transportation Management Services, Inc., publish once in a newspaper of general circulation in the Metropolitan District, and post continuously and conspicuously in each of its revenue vehicles 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 Monday, August 20, 1990, and present at the hearing affidavits of publication and posting.

3. That any person desiring to protest this application shall file a protest 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, September 7, 1990, and shall simultaneously serve a copy of such protest or notice on David E. Fox, Esquire, 1325 - 18th Street, N.W., Suite 103, Washington, DC 20036.

4. That Transportation Management Services, 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, September 7, 1990.

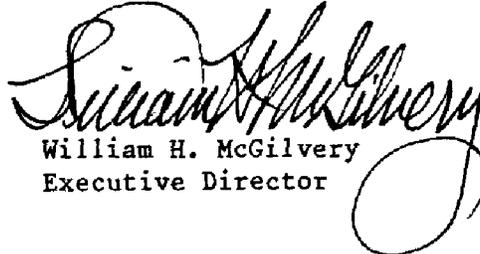
5. That Transportation Management Services, Inc., inform the Commission, in writing, of the revenue projected for the first 12 months of operations from the proposed service.

6. That Transportation Management Services, Inc., provide a reconciliation between the statement of financial condition and historical operating statement filed in this case and the same items filed in Case No. AP-90-18.

7. That Transportation Management Services, Inc., provide a brief explanation of its methods for depreciation calculations.

8. That an original and four copies of the items in ordering paragraph Nos. 5, 6, and 7 be filed at the office of the Commission no later than Friday, September 7, 1990.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director