

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3593

IN THE MATTER OF:

Served December 18, 1990

Application of DIPLOMAT LIMOUSINE)
AND LIVERY SERVICE, INC., for)
Special Authorization to Conduct)
Charter Operations Pursuant to)
Contract with United States)
Department of Health and Human)
Services, National Institutes of)
Health)

Case No. CP-90-05

By application filed November 29, 1990, Diplomat Limousine and Livery Service, Inc. (Diplomat or applicant), seeks authorization to conduct charter operations pursuant to WMATC Special Certificate No. 1 under a contract with the United States Department of Health and Human Services, National Institutes of Health (NIH) transporting employees of and persons traveling on official business with NIH, together with mail, express, and baggage in the same vehicles as passengers, between points on the NIH Campus (including Building 31) at Rockville Pike and Cedar Lane; the White Flint Metro Station, Marinelli Road and Rockville Pike; and Executive Plaza, 6130/6120 Executive Boulevard, all points in Montgomery County, MD, and, on special occasions, between additional points in the Metropolitan District.

Order No. 3590, served December 3, 1990, generally described the evidence submitted with the application, and that order is incorporated herein by reference. The Commission required publication of notice and the filing of an affidavit of publication. The Commission further required the filing of a projection of revenue and revenue deductions attributable to the proposed service and a notarized statement pursuant to Commission Regulation No. 70-04(13). Applicant complied with these requirements, and no protests to the application were received by the Commission within the time set therefor.

Commission Regulation No. 70 provides that an application of this type will be granted if it is determined that the applicant is fit, willing, and able to perform the proposed service properly and to conform to the provisions of the Compact and the rules, regulations, and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Commission Regulation No. 70. The issue of whether the public convenience and necessity require such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

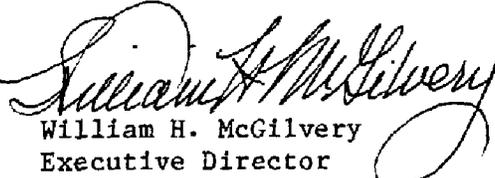
Inasmuch as the contract provides for the transportation of government employees and persons traveling on official government business pursuant to a contract with a government agency for a fixed

term of at least 181 days, the Commission finds that this application conforms to the requirements of Commission Regulation No. 70. It is further found, based on the evidence of record as described in Order No. 3590 and this order, that applicant is fit, willing, and able properly to provide the service described above and to conform to the requirements of the Compact and the rules, regulations, and orders of the Commission thereunder.

Applicant is hereby directed to identify the vehicles it will use in service for NIH in accordance with Commission Regulation No. 70-10 for which purpose WMATC No. SP-176-01 is hereby assigned and to file with the Commission an affidavit attesting to such identification. It is noted that applicant has now placed three addresses on file with the Commission. Therefore, applicant is further directed (1) to notify the Commission, in writing, of the street address of its principal place of business, (2) to file a new certificate of insurance pursuant to Commission Regulation No. 62 showing that address and listing the vehicles to be used in its WMATC operations, and (3) to provide two tariff cover sheets as prescribed by Commission Regulation Nos. 70-04(4) and 55-04. Upon acceptance for filing of the above materials, an appropriate authorization shall issue. All compliance must be completed within 30 days of the service date of this order, or such additional time as the Commission may direct or allow, or the conditional authority contained herein will become void and the application will stand denied effective on the expiration of the said compliance time.

IT IS SO ORDERED.

FOR THE COMMISSION:


William H. McGilvery
Executive Director