

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3612

IN THE MATTER OF:

Served February 22, 1991

Application of XABERIA TOURS, )  
INC., for a Certificate of )  
Authority -- Irregular Route )  
Operations )

Case No. AP-91-08

By application filed February 15, 1991, Xaberia Tours, Inc. (Xaberia or applicant), seeks a Certificate of Authority to transport passengers, together with baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

The proposed transportation would emphasize sightseeing service for Spanish-speaking tourists. Applicant would initiate the proposed transportation using a single vehicle having a manufacturer's designed seating capacity of 15 passengers (including the driver). The vehicle would be leased.

The application contains, among other things, information regarding applicant's facilities, vehicle maintenance program, minimum requirements for drivers, finances, and regulatory compliance record.

In determining whether to grant or deny an application for a Certificate of Authority, the Compact at Title II, Article XI, Section 7, requires that the Commission determine whether an applicant is fit, willing, and able to perform that transportation properly and conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and that the transportation is consistent with the public interest. Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of Xaberia's application for a Certificate of Authority. The application is available for inspection at the office of the Commission during its regular business hours.

THEREFORE, IT IS ORDERED:

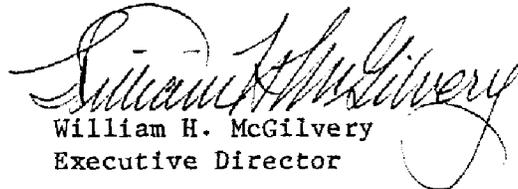
1. That Xaberia Tours, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application in the form prescribed by the staff of the Commission, no later than Monday, March 4, 1991.

2. That Xaberia Tours, Inc., shall file with the Commission no later than Monday, March 25, 1991, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That any person wanting to protest this application shall do so in accordance with Commission Rule No. 13 and Regulation 54-04(a), and any person wanting to comment on this matter, other than by protest, shall do so in writing, in accordance with Regulation 54-04(a), no later than Monday, March 25, 1991, and shall simultaneously serve a copy of such protest or notice on applicant's representative, Joel C. Weingarten, Esquire, 1616 H Street, N.W., Suite 813, Washington, DC 20006.

4. That any person seeking oral hearing on this matter shall request one in accordance with Commission Regulation No. 54-04(b) no later than Monday, March 25, 1991, and shall simultaneously serve a copy of such request on applicant's representative, Joel C. Weingarten, Esquire, 1616 H Street, N.W., Suite 813, Washington, DC 20006.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director