

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3777

IN THE MATTER OF:

Served June 19, 1991

Application of EXECUTIVE SEDAN )  
MANAGEMENT SERVICES, INC., for )  
Temporary Authority -- Contract )  
with United States Nuclear )  
Regulatory Commission )

Case No. AP-91-21

By application filed June 17, 1991, Executive Sedan Management Services, Inc. (ESMS or applicant), seeks temporary authority to transport passengers in irregular route operations between points in the Metropolitan District pursuant to a contract with the United States Nuclear Regulatory Commission (NRC).

ESMS is a Maryland corporation formed in February 1991, and is under common control with (1) Barwood, Inc., a Maryland corporation that owns a fleet of taxicabs in Montgomery County, MD, and (2) Executive Coach, Ltd., the holder of WMATC Certificate of Authority No. 177.

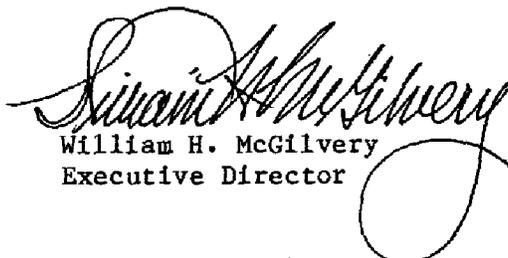
The contract is for one year with two consecutive one-year renewal options. NRC states that its current contract for this service expires June 30, 1991, but it will attempt to negotiate an extension of that contract through August 2, 1991. The contract requires three vehicles to operate a shuttle service among NRC facilities in the Rockville - Bethesda area of Montgomery County, MD. NRC indicates an immediate need for service and states that lack of service would have a negative impact on the agency's ability to conduct business. The service is expected to carry about 1,260 passengers a week. It would operate between about 7:00 a.m. and 4:45 p.m. on government workdays. Applicant proposes to use three 1991 vehicles, each seating 21 passengers.

The standards for temporary authority are set forth in the Compact at Title II, Article XI, Section 13. The essential elements are (1) an immediate need for service, (2) no carrier available to meet such need, and (3) fitness of the applicant. See Order No. 2864, served May 23, 1986; Order No. 2857, served May 12, 1986; and Order No. 1643, served January 24, 1977.

This order will provide notice of ESMS's application for temporary authority, and a brief period will be provided for the filing of protests, if any. No extension of time will be granted. The application is available for inspection at the office of the Commission during its regular business hours.

THEREFORE, IT IS ORDERED that any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 13 and Regulation No. 54-04(a) at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036, no later than Monday, July 1, 1991, and shall simultaneously serve a copy of such protest on applicant's attorney, Alan B. Moldawer, Esq., Moldawer and Marshall, P.C., 30 Courthouse Square, Suite 300, Rockville, MD 20850.

FOR THE COMMISSION:



William H. McGilvery  
Executive Director