

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3778

IN THE MATTER OF:

Served June 20, 1991

Application of BETHANY TRAVEL)
AGENCY, INC., Trading as BETHANY)
TRAVEL AND LIMOUSINE SERVICE for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-90-52

By application filed November 16, 1990, and revised June 4, 1991, Bethany Travel Agency, Inc., trading as Bethany Travel and Limousine Service (Bethany or applicant), a Virginia corporation, seeks a Certificate of Authority to transport passengers in irregular route operations between points in the Metropolitan District.

Applicant proposes to initiate service with one 1989 vehicle seating 24 passengers. With the application Bethany provided copies of District of Columbia registration certificates for this vehicle and what appear to be two similar vehicles -- one 1985 and one 1988. It appears from the registration certificates that the 1989 vehicle is leased and the others are owned by Bethany.

The application also contains information regarding applicant's corporate status, facilities, vehicle maintenance program, minimum requirements for drivers, finances, and regulatory compliance record. Applicant provided notarized verification that neither applicant nor any person controlling, controlled by, or under common control with applicant have any relationship with a carrier other than applicant. As to Bethany's financial statements, the statement of financial condition is as of March 31, 1990. Applicant will be directed to file an updated statement of financial condition and an updated operating statement, no older than December 31, 1990. As to the projected operating statement, applicant will be directed to file revised figures only if it anticipates the projected results of operations to be different from the statement on file.

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 Bethany'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 Bethany Travel Agency, Inc., trading as Bethany Travel and Limousine Service shall publish notice of this application once in a newspaper of general circulation in the Metropolitan District in the form prescribed by the staff of the Commission, no later than Saturday, June 29, 1991.

2. That Bethany Travel Agency, Inc., trading as Bethany Travel and Limousine Service shall file with the Commission no later than Friday, July 26, 1991, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That Bethany Travel Agency, Inc., trading as Bethany Travel and Limousine Service shall file with the Commission, no later than 15 days from the date of this order, an original and four copies of the following: (a) a statement of financial condition and an operating statement, no older than December 31, 1990; (b) a revised projected operating statement if different from the one on file; (c) a lease in accordance with Regulation No. 52 for any vehicle to be used in the proposed operations that is not owned by applicant; and (d) a current inspection certificate for each vehicle to be used in the proposed operations.

4. That any person wanting to protest this application shall do so in accordance with Commission Rule No. 13 and Regulation No. 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 No. 54-04(a), no later than Friday, July 26, 1991, and shall simultaneously serve a copy of such protest or comment on applicant's attorney, Diane Hutson-Wiley, 1010 North Glebe Road, Suite 810, Arlington, VA 22201.

5. That any person seeking oral hearing on this matter shall request one in accordance with Commission Regulation No. 54-04(b), no later than Friday, July 26, 1991, and shall simultaneously serve a copy of such request on applicant's attorney, Diane Hutson-Wiley, 1010 North Glebe Road, Suite 810, Arlington, VA 22201.

FOR THE COMMISSION:


William H. McGilvery
Executive Director