

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3843

IN THE MATTER OF:

Served November 8, 1991

Joint Application of ATE MANAGEMENT)
AND SERVICE COMPANY, INC.;)
GREYHOUND LINES, INC.; and)
TRAILWAYS COMMUTER TRANSIT, INC.,)
for Temporary Approval Pursuant to)
the Compact, Title II, Article XII,))
Section 3(d))

Case No. AP-91-38

By joint application filed November 5, 1991, ATE Management and Service Company, Inc. (ATE); Greyhound Lines, Inc. (GLI); and Trailways Commuter Transit, Inc. (TCT), seek temporary approval pursuant to the Compact, Title II, Article XII, Section 3(d). Section 3 provides in its entirety as follows:

3. (a) A carrier or any person controlling, controlled by, or under common control with a carrier shall obtain Commission approval to --

(i) consolidate or merge any part of the ownership, management, or operation of its property or franchise with a carrier that operates in the Metropolitan District;

(ii) purchase, lease, or contract to operate a substantial part of the property or franchise of another carrier that operates in the Metropolitan District; or

(iii) acquire control of another carrier that operates in the Metropolitan District through ownership of its stock or other means.

(b) Application for Commission approval of a transaction under this Section shall be made in the form and with the information that the regulations of the Commission require.

(c) If the Commission finds, after notice and hearing, that the proposed transaction is consistent with the public interest, the Commission shall pass an order authorizing the transaction.

(d) Pending determination of an application filed under this section, the Commission may grant 'temporary approval' without a hearing or other proceeding up to a maximum of 180 consecutive days if the Commission determines that grant to be consistent with the public interest.

ATE holds Certificate of Authority No. 157. GLI holds Certificate of Authority No. 139. TCT holds Certificate of Authority No. 184. TCT is a wholly-owned subsidiary of GLI.

On October 11, 1991, ATE, GLI and TCT entered into an Asset Purchase Agreement, pursuant to which GLI and TCT agreed to sell to ATE certain of their operating contracts, as well as certain of their other assets. Included among the assets to be acquired by ATE is a contract between TCT and Montgomery County, MD, pursuant to which TCT

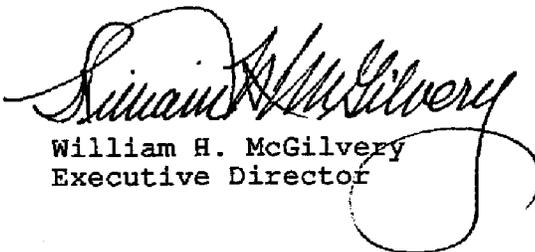
provides "Ride-On" commuter services in Montgomery County, and a contract between GLI and The Corridor Transportation Corporation, pursuant to which GLI provides certain "Connect-A-Ride" commuter service between points in Montgomery, Prince Georges, Anne Arundel and Howard Counties, MD.

ATE also provides commuter "Ride-On" service in Montgomery County under a contract with Montgomery County. It also provides shuttle bus service within Friendship Heights, MD; elderly and handicapped bus service in Fairfax County, VA; and "trolley" bus service in Crystal City, VA.

This order will provide notice of the joint application of ATE, GLI and TCT for temporary approval under the Compact, Title II, Article XII, Section 3(d), and a brief period will be provided for the filing of protests, if any. No extension of time will be granted. The application and supporting documentation, including the aforementioned Asset Purchase Agreement, are 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 20036-5104, no later than Tuesday, November 19, 1991, and shall simultaneously serve a copy of such protest on applicants' representative, William C. Evans, Esquire, Suite 700, 901 - 15th Street, N.W., Washington, DC 20005.

FOR THE COMMISSION:



William H. McGilvery
Executive Director