

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3982

IN MATTER OF:

Served July 28, 1992

Application of GEORGETOWN UNIVERSITY,)
Trading as GEORGETOWN UNIVERSITY)
TRANSPORTATION SOCIETY, to Amend)
Certificate of Authority No. 56)

Case No. AP-92-21

By application filed June 8, 1992, Georgetown University, trading as Georgetown University Transportation Society (GUTS or applicant), a District of Columbia corporation, seeks to amend its Certificate of Authority No. 56.

Notice of this application was served on June 12, 1992, in Order No. 3953, and GUTS was directed to publish further notice in a newspaper and file an affidavit of publication. GUTS complied. This application is unopposed.

DISCUSSION AND CONCLUSION

The Compact provides that the Commission may amend a certificate of authority upon application by the holder but that a carrier may not abandon a regular route unless authorized by the Commission pursuant to a finding that such abandonment is consistent with the public interest.¹

Certificate of Authority No. 56 authorizes transportation of passengers, together with baggage in the same vehicles as passengers, in regular and irregular route operations between points in the Metropolitan District. Regular route operations are restricted to "transportation of properly identified students, faculty, and alumni of Georgetown University and Mount Vernon College." Irregular route operations are restricted to "transportation rendered to Georgetown University Organizations transporting passengers as authorized by Georgetown University." GUTS requests elimination of its regular route authority, removal of the restriction on its irregular route authority and modification of the trade name appearing in the certificate to "Georgetown University Transportation Shuttle."

GUTS proposes to replace its regular route service with regularly-scheduled, irregular route service. A proposed schedule is part of the application. GUTS believes this will permit it to respond more efficiently and quickly to the changing transportation needs of its passengers.

Currently, whenever GUTS wants to improve service to its regular route patrons by adding, deleting or modifying a route or schedule, it first must amend its certificate -- the same process undertaken in this proceeding. If GUTS were to convert its regular

¹ Compact, Title II, Article XI, §§ 10(b), 12(a), (b).

route service to regularly-scheduled, irregular route service, rerouting would not require a certificate amendment. A simple schedule change could be accomplished on a minimum notice of 15 days,² and affected riders would still have an opportunity to object.³ The Commission finds the replacement of GUTS's regular route service with regularly-scheduled, irregular route service to be consistent with the public interest.

Regarding removal of the irregular route restriction, this too is consistent with the public interest. According to GUTS's current tariff, both regularly scheduled and charter service are available only to "Georgetown University and Mt. Vernon College students, faculty, staff and alumni" In addition, regularly scheduled service is available only to those "in possession of a valid University Identification Card." It is apparent from the proposed irregular route schedule that regularly-scheduled service will remain targeted at riders affiliated with the University. Presumably, the tariff for irregular route service will continue to exclude nonaffiliated riders, although this is not a requirement. Removing the irregular route restriction from the certificate, thus, appears calculated to permit expansion of GUTS's charter operations. We see no reason why GUTS should be prohibited from limiting or expanding its operations to other groups as it chooses, through reasonable provisions in its tariff.

The Commission finds all of the requested amendments and changes in service to be consistent with the public interest. Accordingly, upon GUTS's timely compliance with this order, Certificate No. 56 shall be amended to reflect the requested elimination of regular route authority, expansion of irregular route authority and change in trade name.

THEREFORE, IT IS ORDERED:

1. That the application of Georgetown University, trading as Georgetown University Transportation Society, to amend Certificate of Authority No. 56 is hereby conditionally granted, contingent upon timely compliance with the requirements of this order.

2. That Georgetown University, trading as Georgetown University Transportation Society, is hereby directed to file the following documents with the Commission within 30 days of the date of this order or such additional time as the Commission may direct or allow: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 3623; (b) four copies of a tariff or tariffs in accordance with Regulation No. 55, and (c) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61.

3. That upon timely compliance with the requirements of the preceding paragraph and acceptance of documents required by the Commission, Certificate of Authority No. 56 shall be amended

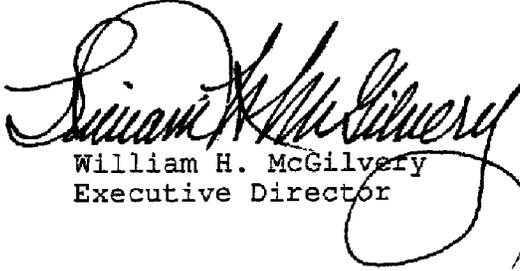
²Commission Regulation No. 57.

³Id.

consistent with the terms of this order and reissued to Georgetown University, trading as Georgetown University Transportation Shuttle, 37th and O Streets, N.W., Washington DC 20057.

4. That unless applicant complies with the requirements of this order within 30 days from the date of issuance, or such additional time as the Commission may direct or allow, the approval of amendments granted herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:



William H. McGilvery
Executive Director