

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4218

IN THE MATTER OF:

Served December 2, 1993

Application of TRANSPORTATION)
ASSOCIATES, LTD., Trading as)
EASTERN AMERICAN COACHWAYS, for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-93-41

By application filed November 30, 1993, Transportation Associates, Ltd., trading as Eastern American Coachways (TAL or applicant), a Virginia corporation, 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.

TAL's application includes information regarding, among other things, its corporate status, facilities, proposed tariff, finances, and regulatory compliance record. The application is available for inspection at the office of the Commission during its regular business hours.

TAL proposes to commence operations with two motor coaches seating 47 and 49 passengers, respectively. Applicant's proposed tariff contains hourly rates with minimum charges for charter service and flat rates for transfer service. The rate for non-sightseeing charter service is offered "Exclusive of driver." It appears from the context of the entire tariff that this rate is available if no guide/lecturer is provided by applicant. Deleting the quoted language would make that clear. Applicant will be directed to file an amended proposed tariff either deleting or explaining the phrase "Exclusive of driver," which appears on page 5 of applicant's current proposed tariff.

Applicant has filed an income statement for the eight months ended August 31, 1993. The application, however, requires an operating statement for a 12-month period unless the applicant has been in existence a shorter period of time. According to applicant's Exhibit A, applicant has been in existence for more than five years. Applicant will be directed to file a supplemental income statement for a period beginning no later than September 1, 1992, and ending December 31, 1992.

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 the transportation properly and conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and whether 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 TAL's application for a certificate of authority.

THEREFORE, IT IS ORDERED:

1. That Transportation Associates, Ltd., trading as Eastern American Coachways, shall publish once in a newspaper of general circulation in the Metropolitan District, no later than Wednesday, December 15, 1993, notice in the form prescribed by the staff of the Commission.

2. That Transportation Associates, Ltd., trading as Eastern American Coachways, shall file with the Commission, no later than Wednesday, January 5, 1994, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

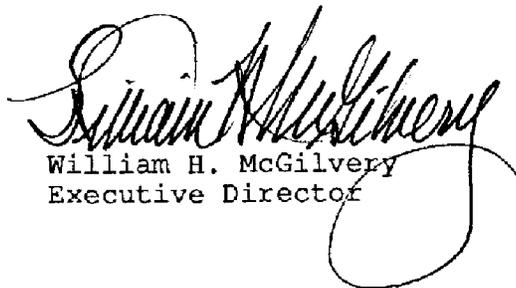
3. That Transportation Associates, Ltd., trading as Eastern American Coachways, shall file with the Commission, no later than Wednesday, December 15, 1993, an original and four copies of an amended proposed tariff either deleting or explaining the phrase "Exclusive of driver," which appears on page 5 of applicant's current proposed tariff.

4. That Transportation Associates, Ltd., trading as Eastern American Coachways, shall file with the Commission, no later than Wednesday, January 5, 1994, an original and four copies of a supplemental income statement for a period beginning no later than September 1, 1992, and ending December 31, 1992.

5. That any person wanting to protest the application, in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), or comment on the application, in accordance with Regulation No. 54-04(a), shall file such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Wednesday, January 5, 1994, and shall simultaneously serve a copy of such protest or comment on applicant's representative, Mr. Jonathan B. Smith, President, Transportation Associates, Ltd., trading as Eastern American Coachways, P.O. Box 531135, Forestville, MD 20753.

6. That any person seeking a formal oral hearing on this matter, in accordance with Commission Regulation No. 54-04(b), shall request one no later than Wednesday, January 5, 1994, and shall simultaneously serve a copy of such request on applicant's representative, Mr. Jonathan B. Smith, President, Transportation Associates, Ltd., trading as Eastern American Coachways, P.O. Box 531135, Forestville, MD 20753.

FOR THE COMMISSION:


William H. McGilvery
Executive Director