

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5122

IN THE MATTER OF:

Served July 10, 1997

Application of MEGAHEDS, INC., )  
Trading as MEGAHEDS )  
TRANSPORTATION, for a )  
Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-97-24

Application of MEGAHEDS, INC., )  
Trading as MEGAHEDS )  
TRANSPORTATION, for Temporary )  
Authority -- Irregular Route )  
Operations )

Case No. AP-97-25

On June 26, 1997, in Order No. 5113, the Commission conditionally approved the application of Megaheds, Inc., trading as Megaheds Transportation, for a certificate of authority. That approval was contingent in part on Megaheds filing an appropriate tariff. In its application, Megaheds proposed a contract tariff to transport United Airlines crews between Dulles Airport and the Savoy Suites hotel in Washington, DC. Megaheds has filed the United Airlines contract as Contract Tariff No. CT-1 in response to Order No. 5113.

Megaheds began performing the contract May 1, 1997, notwithstanding a lack of WMATC authority.<sup>1</sup> When Commission staff served notice on Megaheds that Megaheds had been observed performing the contract and that this would be noted in the record in these proceedings, Megaheds subcontracted the work to Zohery Tours International, Inc., Carrier No. 362. The subcontract was filed with this Commission as a Zohery contract tariff on June 13, 1997, effective June 20, 1997. By its own terms, it is effective for sixty days in accordance with Title II of the Compact, Article XI, Section 14(b)(i), and Commission Regulation No. 55-08(c). Zohery and Megaheds now request a waiver of the 60-day requirement so that the parties may terminate the subcontract coincident with the issuance of Certificate No. 397 to Megaheds.

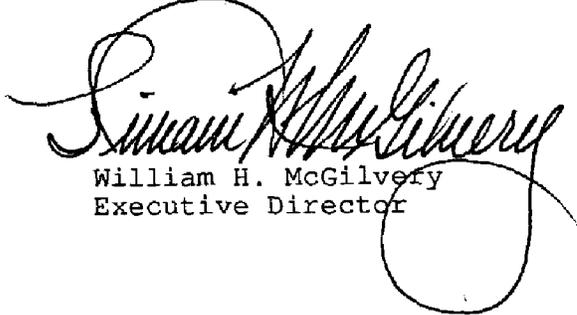
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<sup>1</sup> A civil forfeiture was assessed against Megaheds in Order No. 5113 for knowing and willful violations of the Compact, and approval of the application for certificate of authority was made contingent on timely payment.

Under Article XI, Section 14(b) (i), of the Compact the Commission may waive the 60-day tariff requirement for good cause shown.<sup>2</sup> The parties having shown good cause, the request for waiver shall be granted.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery  
Executive Director

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<sup>2</sup> In re Diplomat Limo. & Livery Serv., Inc., No. MP-95-72, Order No. 4635 (July 18, 1995); In re DD Enters., Inc., t/a Beltway Transp. Serv., No. MP-94-05, Order No. 4262 (Mar. 25, 1994).