

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8499

IN THE MATTER OF:

Served January 12, 2005

Application of CITY SIGHTSEEING)
USA INC. for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-2004-186

By application accepted for filing December 10, 2004, City Sightseeing USA Inc., a New York corporation, seeks a certificate of authority for irregular route operations between points in the Metropolitan District.

Applicant was granted operating authority last June, but the issuance of a certificate of authority was expressly made contingent on applicant filing additional documents.¹ Applicant failed to file the necessary documents in a timely manner, thereby voiding the Commission's approval.²

Applicant proposes commencing operations with five to eight double-decker buses. Applicant's proposed tariff contains individual sightseeing rates and group charter rates, with minimum charges.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than January 26, 2005, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than February 9, 2005, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

¹ See In re City Sightseeing USA Inc., No. AP-04-39, Order No. 8042 (June 1, 2004) (conditionally granting Certificate No. 931).

² See id. (grant of authority void upon applicant's failure to timely satisfy conditions of issuance); Commission Regulation No. 66 (failure to comply with conditions of grant within 180 days voids approval). Applicant's motion requesting that the Commission waive Regulation No. 66 was denied. See In re City Sightseeing USA Inc., No. AP-04-39, Order No. 8456 (Dec. 6, 2004).

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is February 9, 2005, and that copies must be served on applicant's attorney, Edward J. Kiley, 1730 M Street, N.W., #400, Washington, DC 20036-4517.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read 'William S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director