

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8922

IN THE MATTER OF:

Served August 19, 2005

Application of SILVER SHUTTLE LLC )  
for a Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-2005-47

Application of SILVER SHUTTLE LLC )  
for a Certificate of Authority -- )  
Regular Route Operations )

Case No. AP-2005-48

Applicant seeks a certificate of authority to transport passengers in regular and irregular route operations between points in the Metropolitan District. The application is unopposed.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Applicant proposes commencing operations with one city transit bus. Applicant's proposed tariff contains an hourly charter rate with a minimum charge. The proposed tariff also contains one-way and round-trip fares for regular-route service from 9:00 p.m. to 3:00 a.m., Thursday evening through Sunday morning, three times nightly, as follows:

Begin: Route 1 and Knox Road, College Park, Maryland  
Stop: Columbia Road and 18<sup>th</sup> Street, N.W., Washington, DC  
Stop: Connecticut Avenue and M Street, N.W., Washington, DC  
U-Turn: 9<sup>th</sup> and F Streets, N.W., Washington, DC  
Stop: Connecticut Avenue and M Street, N.W., Washington, DC  
Stop: Columbia Road and 18<sup>th</sup> Street, N.W., Washington, DC  
End: Route 1 and Knox Road, College Park, Maryland

The regular-route service is designed to offer College Park residents, including University of Maryland students, an alternative to driving their own cars to DC and back on the weekends, particularly those residents who consume alcoholic beverages before returning to College Park.

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for

the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

In fact, applicant has obtained the aforementioned city transit bus and filed proof of \$5 million in motor vehicle liability insurance and proof of current vehicle safety inspection. Applicant further states that it intends to enter into a contract providing for routine vehicle maintenance and a backup vehicle for use whenever maintenance is required.

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Pursuant to Title II of the Compact, Article XI, Section 7(d), applicant shall be required to post its regular-route rates and schedule in a conspicuous place on any and all vehicles employed in regular-route service. Applicant is admonished to comply with the requirements in Commission Regulation Nos. 56-03(b) and 57-03 to post in a conspicuous place on such vehicles advance public notice of any changes in said rates and schedule.

In addition, applicant is reminded that under Article XI, Section 12, a carrier may not abandon any scheduled commuter service unless the Commission authorizes the carrier to do so by a Commission order, and as long as the carrier has an opportunity to earn a reasonable return in all its operations, the fact that a carrier is operating a service at a loss will not, of itself, determine the question of whether abandonment of service is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 1098 shall be issued to Silver Shuttle LLC, 10500 Grosvenor Place, Rockville, MD 20852.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; and (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia.

4. That applicant shall post its regular-route rates and schedule in a conspicuous place on any and all vehicles employed in regular-route service.

5. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND SMITH:



William S. Morrow, Jr.  
Executive Director