

BEFORE THE
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION
WASHINGTON, D. C.

ORDER NO. 481

IN THE MATTER OF:

Served May 25, 1965

Application of Atwood Trans-	)	Application No. 291
port Lines, Inc., for a)	
Certificate of Public Con-	)	Docket No. 68
venience and Necessity.)	
Application of WMA Transit	)	Application No. 293
Company, for a Certificate)	
of Public Convenience and	)	Docket No. 69
Necessity.)	
Applications of D. C. Transit	)	Application No. 297
System, Inc., for a Certificate	)	Application No. 303
of Public Convenience and Nec-)	
essity to Serve Carrollton, Maryland,	)	Docket No. 78
Route B-7, and to Change and Extend)	
its Route B-4 to Carrollton.)	
Applications of D. C. Transit	)	Application No. 298
System, Inc., for a Certificate	)	Application No. 304
of Public Convenience and Nec-)	
essity to Serve Bowie and Belair,	)	Docket No. 79
Maryland.)	

This matter came before the Commission upon the application of D. C. Transit System, Inc. ("Transit"), for reconsideration of Commission Orders Nos. 465 and 466, entered in the above captioned Dockets.

Under the aforementioned orders, the Commission denied the applications of Transit and Atwood Transport Lines, Inc. ("Atwood"), for certificates of public convenience and necessity authorizing regular route passenger transportation generally between Washington, D. C., and Carrollton-Bowie, Maryland, and conditionally granted WMA Transit Company ("WMA") a certificate authorizing such operations, in the event the Greyhound Corporation ("Greyhound") failed to

make certain service improvements within thirty (30) days from the effective date of the above orders. Transit was the only carrier to request reconsideration of the above Orders. Greyhound has notified the Commission that it does not intend to make the service improvements and that it does not object to the granting of a certificate to WMA.

D. C. Transit failed to raise any issues in its application for reconsideration which had not been duly considered by the Commission. Many of the allegations made by Transit are inconsistent with the facts and unsupported by the record. These do not merit discussion.

There is no basis for the allegation that the Commission favored the testimony of any witness. The weight given any testimony is not necessarily reflected in the amount of discussion of such testimony by the Commission in its Orders. The effect of Transit's testimony was that it did not desire to assume the responsibility of providing the service in question if Greyhound continued to operate its present service. The Commission could not require Greyhound to cease its operations; it could only give Greyhound an opportunity to improve its service, in the absence of which a certificate of public convenience and necessity would be granted to another carrier. Thus, in the light of Transit's testimony, without regard to the testimony of its public witnesses, the Commission could not logically grant Transit a Certificate.

The allegation of Transit that the granting of authority to traverse the streets within the District of Columbia is a violation of Transit's franchise is without merit. Transit would have us believe that we are precluded from granting any other carrier in the area the right to traverse the streets of the District of Columbia, without first giving Transit an opportunity to provide such service. The authority conditionally granted WMA does not authorize the transportation of passengers between points within the District of Columbia.

The fact that Greyhound does not intend to extend its service into the downtown area makes one of Transit's allegations moot.

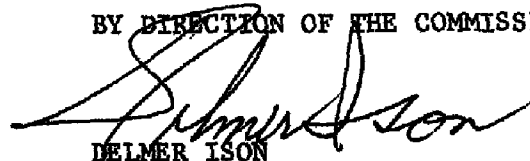
Transit complains about the fact that upon request from WMA, the Commission temporarily postponed calling hearings on certain other applications of WMA, not part of this proceeding.

It is not unusual for one to file an application and then, before it can be processed and set for hearing, request that action on it be delayed temporarily. Transit itself has been so indulged in

several instances. Naturally, any delay so occasioned would not be permitted to operate to an applicant's advantage. We think that Transit has misconstrued our actions in this regard and its objection in this proceeding, at this point, is entitled to little consideration. As is apparent from the two orders, the competing applications of all three carriers and all the evidence adduced therefor (including the testimony set forth in Transit's reconsideration application) were considered in our decision to grant WMA's application and deny that of Atwood and Transit.

THEREFORE, IT IS ORDERED that the application of D. C. Transit System, Inc., for Reconsideration of Orders Nos. 465 and 466, be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:



DELMER ISON

Executive Director