

BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 600

IN THE MATTER OF:

Served April 29, 1966

Application of WMA Transit )  
Company for Authority to )  
Change its Routes T and Q. )

Application No. 353

Docket No. 108

APPEARANCES:

STANLEY KAMEROW, attorney for Applicant, WMA Transit Company.

MANUEL J. DAVIS and SAMUEL LANGERMAN, attorneys for Protestant, D. C. Transit System, Inc.

On October 26, 1965, WMA Transit Company (WMA) filed Application No. 353 requesting authority to change its Routes T and Q in Prince Georges County, Maryland, in the following manner:

Present Route

From the junction of Maryland Route 450 and Riverdale Road, over Riverdale Road, Lamont Drive, Powhatan Street, 85th Place, Carrollton Parkway, Lamont Drive and Riverdale Road to the junction of Riverdale Road and Maryland Route 450.

Proposed Route

From the junction of Maryland Route 450 and 85th Avenue, over 85th Avenue, Westbrook Drive, Powhatan Street, 85th Place, Carrollton Parkway, Lamont Drive, Good Luck Road, Auburn Avenue and Riverdale Road to the junction of Riverdale Road and Maryland Route 450.

Notice of the application and hearing thereon was in compliance with the rules and regulations of the Commission. A public hearing on the application was held on February 15, 1966. D. C. Transit System, Inc., (D. C. Transit) entered a protest to the application.

Mr. Samuel A. Sardinia, Vice President, WMA Transit Company, testified on behalf of applicant. He testified that the present WMA route in Carrollton was being operated by Routes T and Q and that the proposed route change would provide a more convenient service for Carrollton residents as well as new service for apartment and housing developments on Good Luck Road and Riverdale Road. Mr. Sardinia further testified as to the schedules which would be utilized. In this connection, he stated that the present schedule would be substantially maintained, that there would be no change in the fare structure and that WMA proposed to use the same equipment as they presently use in this area.

Mr. Sardinia offered four (4) exhibits consisting of schedules, route descriptions, and route maps of the Carrollton service which were subsequently received into evidence.

Mr. Yehuda Lederburg, representing the management of Auburn Manor Apartments, testified for WMA. He gave testimony that he was generally familiar with the routing being proposed by WMA and that in his opinion it would provide service to his apartment development. Mr. Lederburg stated that through his contact with the resident manager of the apartments, he knew of requests from residents for bus service. He testified that Auburn Manor has two hundred sixty one (261) units and an estimated eight hundred to nine hundred residents.

Mrs. Birdie O'Malley, witness for WMA and resident manager of Chestnut Ridge Apartments, testified that she had contacted Mr. William E. Bell of D. C. Transit and Mr. Samuel A. Sardinia of WMA regarding the possibility of having service provided to the Chestnut Ridge Apartments, and that she was told by each that both had pending applications before the Washington Metropolitan Area Transit Commission (Commission) to provide such service. Mrs. O'Malley further testified that the company for which she works owns the Wildercroft Terrace Apartments in addition to the Chestnut Ridge Apartments and that she is a member of an association of resident managers of apartment developments in the area which represents approximately 2,500 units. She stated that the present lack of bus service in the area was a negative factor in enticing new residents to move into her apartment building and, through her affiliation with other resident managers, knew this to be an important problem within the area along and adjacent to Riverdale Road between Auburn Avenue and Lamont Drive. Mrs. O'Malley said that she did not live at Auburn Manor, but rather on 85th Avenue in Carrollton in the vicinity where WMA presently provides service. She had ridden WMA buses on many occasions, but did not care which company provides service to the apartment developments, as long as there is service. Mrs. O'Malley further testified that the Company which employs her, Artery Enterprises, plans to construct bus shelters along the proposed routes at Chestnut Ridge and Wildercroft Terrace if service is inaugurated.

Mr. William E. Bell, Assistant Vice President, Research and Development, D. C. Transit, testified for the protestant in opposition to the application. Ten (10) exhibits were offered by Mr. Bell and later accepted into evidence. These documents included D. C. Transit's Certificate No. 5, a route map of its Maryland operations, maps of present and proposed routes of D. C. Transit and WMA in the area in question, a list of its equipment, the results of a survey made in the Carrollton area, some of its previous applications, and certain correspondence.

Mr. Bell testified that, in his opinion, the operation of Routes T and Q as proposed by WMA would require more equipment, time, and manpower than suggested by WMA. Further, it was his opinion that Transit could provide this service at less cost per trip than WMA, and that the routes outlined by WMA were circuitous.

The witness testified that D. C. Transit had previously made application to extend service along Riverdale Road including an amended Route B-7 application which was identical to a pending Route B-1 application of D. C. Transit, and that these previous applications had been denied.

In connection with the ten (10) exhibits, Mr. Bell offered testimony on the equipment and routes of D. C. Transit in Maryland and the pending applications of D. C. Transit to extend Route B-4 and establish Route B-1 to serve Riverdale Road and Carrollton.

This contested proceeding is one of a series of competing applications filed by these two carriers. This particular application had its genesis when both WMA and D. C. Transit filed applications to serve the Carrollton and Bowie-Belair areas. Following extensive hearings, the authority was granted to WMA. Service into and through Carrollton was inaugurated by WMA. D. C. Transit's attempt to reverse the action of the Commission and have the award of authority set aside was denied by the United States Court of Appeals for the Fourth Circuit.

D. C. Transit has for years run a service from Kenilworth Avenue east over Riverdale Road to an area known as East Pines, where it loops and returns. On the other hand, WMA service operates westbound on Riverdale Road from Annapolis Road (Route 450), for a little over one mile. Approximately one mile of Riverdale Road between the two operations has no bus service. This application contemplates a re-routing of the latter service in Carrollton, resulting in service over Riverdale Road to within approximately one-quarter ( $\frac{1}{4}$ ) mile of D. C. Transit's operation in East Pines.

Conversely, D. C. Transit has filed applications seeking to extend its East Pines service eastward over Riverdale Road into and through Carrollton. In general, these applications are merely re-filings of previously denied applications. D. C. Transit contends that its proposed eastward extension is a natural development of its growth pattern in the area. This, of course, is in conflict with the previous determination of the Commission, approved by the Fourth Circuit, that transportation in the Carrollton area should be developed by WMA. In general, D. C. Transit's proof in this proceeding was the same as that adduced in support of the previously denied application.

As Transit has no service on Riverdale Road east of East Pines, it has no statutory claim of preference.

The Commission is of the opinion that the WMA application involves a routine and relatively minor rerouting of existing service, and will be operated with substantially the same resources as the Company presently has committed in that area. D. C. Transit's application, on the other hand, involves the inauguration of a completely new route with all attendant costs, and the extension of an existing route into a community, and over a portion of routes, presently being served by another carrier. On an additional-cost basis alone, it would appear more economical for WMA to provide the service.

None of the parties to this proceeding contested the need for service in the area. In fact, all parties attested to the necessity of providing bus service to the area. Both carrier parties professed a desire to provide such service as soon as possible. The Commission is of the opinion and finds that public convenience and necessity require the establishment of bus service in the area along and adjacent to Riverdale Road between East Pines and Carrollton.

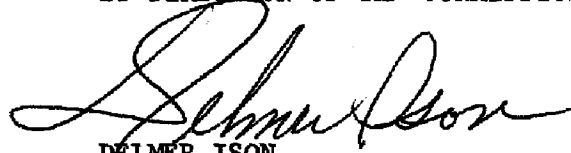
From its knowledge of the bus routes of both carriers in and around the area in question, and noting the certificated authority of both carriers, the Commission is of the opinion and finds that the routes covered by the application of WMA lie generally within that carrier's territory, and that the public convenience and necessity does and will require the transportation proposed by WMA, and that WMA is fit, willing and able to perform such transportation properly.

THEREFORE, IT IS ORDERED:

1. That WMA Transit Company be, and it is hereby, granted authority to change Routes T and Q as described herein.

2. That WMA Transit Company Certificate of Public Convenience and Necessity No. 8 be, and it is hereby, amended by incorporating Fourth Revised Page 7, cancelling Third Revised Page 7, as attached hereto and made a part hereof.

BY DIRECTION OF THE COMMISSION:

A handwritten signature in cursive script, appearing to read "Delmer Ison", is written over the typed name.

DELMER ISON  
Executive Director

CERT. NO. 8

- No. 37 From Washington, D. C., over city streets to Southern Avenue, thence over Branch Avenue, Colebrooke Drive, 26th Avenue, 25th Avenue, Iverson Street, 23rd Parkway, Kenton Place, St. Clair Drive, 28th Avenue, St. Barnabas Road, Beaumont Street, Dallas Place to Dallas Drive, and return over the same route.
- No. 38 From junction of Eastern Avenue and Bladensburg Road, over Maryland Route 450, Moylan Drive, Millstream Drive, Stonybrook Drive, Belair Shopping Center Roadway, Superior Lane, Stonybrook Drive, Buckingham Drive, Belair Drive, Kenbridge Drive, Kenhill Drive, Belair Drive, Starlight Lane, Stonehaven Lane, Stonybrook Drive to Superior Lane and return over the same route.
- No. 39 From junction of Maryland Route 450 and Maryland Route 564, over Maryland Route 564 and Highbridge-Bowie Road to Maryland Route 450 and return over the same route.
- \*No. 40 From junction of Maryland Route 450 and 85th Avenue, over 85th Avenue, Westbrook Drive, Powhatan Street, 85th Place, Carrollton Parkway, Lamont Drive, Good Luck Road, Auburn Avenue and Riverdale Road to junction of Riverdale Road and Maryland Route 450.
- No. 41 From junction of Maryland Route 450 and Stonybrook Drive, over Maryland Route 450 to Maryland Route 3, and return over the same route.
- No. 42 From junction of Glenn Dale Road and Maryland Route 450, over Glenn Dale Road and Service Roadway to Glenn Dale Sanitarium and return over the same route.
- No. 43 From junction New York Avenue and Bladensburg Road, N. E., over New York Avenue and Baltimore-Washington Parkway to the intersection of Maryland Route 450 and Baltimore-Washington Parkway and return over the same route; restricted, however, to no boarding or alighting along any portion of such route herein described.
- \*No. 44 From junction of Riverdale Road and Maryland Route 450, over Maryland Route 450, Maryland Route 564, Telegraph Road, Glenn Dale Road, Greenbelt Road, and Beltway Plaza Service Road to bus stand at Klein's Department Store, and return over the same route.