

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2431

IN THE MATTER OF:

Served June 7, 1983

Application of SCENIC SIGHTSEEING)
TOURS, a Partnership, for Temporary)
Authority to Conduct Special)
Operations -- Sightseeing)

Case No. AP-83-27

Scenic Sightseeing Tours is a partnership between Major Lester Gorham and Jarvis Earl Gorham. By application filed May 6, 1983, Scenic seeks temporary authority to transport passengers, in special operations limited to sightseeing tours, between points of interest in the Metropolitan District.

Tour A includes stops at any four of the following six points: the White House, U. S. Capitol, Bureau of Engraving and Printing, Smithsonian Institution, Ford's Theatre and the Peterson House, and the FBI Building. Tour B includes the Lincoln, Jefferson and Viet Nam Memorials, the Washington Monument and Arlington National Cemetery. Sightseeing prices would be as follows:

	ADULT FARE	CHILD FARE AGES 5-11	CHILDREN UNDER 5
TOUR A	\$12.50	\$6.25	FREE
TOUR B	11.00	5.50	FREE

Scenic operates two vans of 1975 and 1977 vintages. Its balance sheet dated May 1, 1983, shows assets of \$5,070 and no liabilities. Sightseeing income for the two partners in 1982 was \$46,546 with a net operating income (exclusive of the partner's earnings) of \$31,868.

An undated letter from Angela M. Jones and Family praises a tour conducted by Jarvis Gorham as ". . . quite educational and most rewarding." They will commend Scenic's service to their family and friends. Ms. Judith Webb, in a letter dated April 23, 1983, states that she was ". . . greatly impressed . . ." with a tour conducted by Jarvis Gorham. She ". . . chose Mr. Gorham when my relatives visited last Fall and shall continue to use his fine services."

Title II, Article XII, Section 4(d)(3) of the Compact sets forth the criteria for granting temporary authority. Basic to the

grant of any authority by this Commission is a showing of fitness. Major Lester Gorham was formerly a principal stockholder and operator of Washington Area Mini-Bus Tours, Inc., which holds WMATC Certificate No. 28. WAMBT conducts special operations of the same type and in the same manner as Scenic Sightseeing Tours. Consequently we cannot presume that Major Lester Gorham has been unaware of this Commission's regulations or that his operations without a certificate since leaving WAMBT have been conducted in good faith. Accordingly, this application shall be denied.

THEREFORE, IT IS ORDERED That the application of Scenic Sightseeing Tours in Case No. AP-83-27 is hereby denied.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS CLEMENT, SCHIFTER AND SHANNON:


WILLIAM H. MCGILVERY
Executive Director