

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2455

IN THE MATTER OF:

Served August 24, 1983

Application of SHAW BUS SERVICE,)
INC., for Temporary Authority to) Case No. AP-83-45
Conduct Charter Operations — Two)
Accounts)

By application filed August 15, 1983, Shaw Bus Service, Inc., of Catonsville, Md., seeks temporary authority to transport passengers and their baggage, in the same vehicle with passengers, between points in the Metropolitan District for the accounts of Full House Enterprises Corp. and The Capital Informer, Inc.

Shaw Bus (not to be confused with Shaw Enterprises, Inc., a non-related company which holds WMATC Authorization No. SP-41-02) was engaged for many years in the transportation of schoolchildren in Maryland and in interstate commerce. Applicant also is authorized by the Interstate Commerce Commission to engage in special and charter operations throughout the United States.

Applicant's vice president states that he recently learned that some of Shaw Bus' operations required authority from this Commission. Shaw Bus then terminated operations in the Metropolitan District and filed this application.

Applicant's tariff, as amended, proposes rates of \$120 for a transfer between Washington National Airport and any point in the District of Columbia, \$160 for a transfer between Dulles International Airport and the District of Columbia, and \$35 an hour for other charter work with a minimum charge for five hours. The carrier operates six buses each of which seats 46 or 47 passengers. Its income statement for the fiscal year shows revenues of \$1,198,356, operating expenses of \$1,178,434 (including \$39,525 in interest which, of course, is a cost of capital and not an operating cost) and an overall profit after income taxes of \$40,530.

In its supporting affidavit, The Capital Informer, Inc., states that it annually budgets approximately \$750,000 for transportation services such as hotel-convention shuttles, local sightseeing, and airport transfers. In the month of September alone, 11 groups are scheduled which, cumulatively, will involve such transportation services for approximately 10,000 people. Capital Informer has used

"all available carriers" but finds that "three out of four times" existing authorized carriers are unable to provide sufficient equipment during the tourist season. Capital Informer is complimentary about the quality of Shaw Bus' service, and states that "it is imperative to the continued success of [the] company that we have Shaw's service available under the temporary authority it is seeking."

Full House Enterprises Corp. is a tour and travel agency catering primarily to oriental tourists visiting the United States. Annually, it arranges transportation for approximately 180 groups consisting of at least 25 persons per group. Most of its business occurs during the spring, summer and early fall months. Full House has found that Shaw Bus operates "beautiful equipment which is always meticulously kept" and provides prompt, courteous and efficient service. Full House has experienced problems in obtaining equipment during its months of peak operations and proposes to use Shaw Bus almost exclusively as a "partner." Full House has trips scheduled in the next ten days for which it needs the services of Shaw Bus.

Title II, Article XII, Section 4(d)(3) of the Compact provides that the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority where there is an immediate and urgent need for service and where existing carriers are not capable of meeting that need.

The statements of Capital Informer and Full House clearly describe their immediate and urgent needs and a difficulty in obtaining sufficient equipment. The staff notified counsel for several general charter carriers (Gold Line, Inc., Eyre's Bus Service, Inc., Beltway Limousine Service, Inc., and Airport Limo, Inc.) of this application and no protests thereto were filed. Accordingly, we find that the statutory prerequisites to a grant of temporary authority have been met. In our discretion, we conclude that the application should be granted.

THEREFORE, IT IS ORDERED:

1. That Shaw Bus Service, Inc., is hereby granted temporary authority to transport passengers and their baggage, in the same vehicle with passengers, between points in the Metropolitan District for the accounts of The Capital Informer, Inc., and Full House Enterprises Corp.


2. That said temporary authority shall become effective upon compliance by applicant with the requirements set forth in the next ordering paragraph and shall remain in effect until January 31, 1984, unless otherwise ordered by the Commission.

3. That Shaw Bus Service, Inc., is hereby directed to file two copies each of a certificate of insurance conforming with Commission Regulation No. 62 (as amended) and an affidavit of compliance with Regulation No. 68-03 governing identification of equipment operated under temporary authority.

4. That Shaw Bus Service, Inc., is further directed to file an application for a certificate of public convenience and necessity to perform the above-described operations within 30 days from the date of service of this Order.

5. That, unless applicant complies with the mandates of the two preceding paragraphs within 30 days from the date of service of this Order, or such additional time as may be authorized, the grant of temporary authority shall be cancelled and this application shall stand denied effective upon the expiration of the said compliance time.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS WORTHY AND SCHIFTER.
SHANNON, COMMISSIONER, NOT PARTICIPATING:


WILLIAM H. MCGILVERY
Executive Director