

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2458

IN THE MATTER OF:

Served September 2, 1983

Application of VIP COACH SERVICES, )  
 INC., for a Certificate of Public )  
 Convenience and Necessity to )  
 Conduct General Charter Operations )

Case No. AP-83-48

By application filed August 31, 1983, VIP Coach Services, Inc., 1/ seeks a certificate of public convenience and necessity to transport passengers, in charter operations, between points in the Metropolitan District. Applicant is a Maryland corporation, but the application does not disclose whether VIP is registered to do business as a foreign corporation in the District of Columbia and Virginia.

Applicant's equipment list shows six 49-passenger motor coaches. Its balance sheet, dated August 1, 1983, shows cash of \$10,500, loans due officers of \$8,000 and capital stock of \$2,500. There is no explanation of why the six buses are not listed as assets, and no operating statement or projection of revenue and revenue deductions was submitted.

VIP's proposed rate structure 2/ is as quoted below:

	<u>Per "Live Mile"</u>	<u>Per "Deadhead Mile"</u>	
49 or under Passengers	\$1.50	\$1.30	
	<u>First 4 Hours or Less</u>	<u>Each Additional Hour</u>	<u>Maximum 24 Hour Period</u>
49 or under	\$140.00	\$30.00	\$650.00

1/ Two directors of VIP, Louis A. Magnano and Peter Picknelly, were also principles in the now-defunct U.S. Bus Lines, Inc., which held temporary authority from this Commission pursuant to Order No. 2246, served July 31, 1981.

2/ The proposed tariff provides that the carrier would charge either mileage rates or hourly rates, whichever were higher. Generally, such a concept (as well as a need for additional drivers and layover charges) are only found in tariffs covering long-haul services. The propriety of including such items in a WMATC tariff, would, therefore, be an issue at VIP's public hearing.

Transfers:

Groups transported between the National Airport and points within the Metropolitan Area Transit Commission District will be transported for \$110.00 per transfer.

Special Charges:

A -- Additional Drivers:

When, at the request of the "Charter Party," or in order to comply with the "Hours of Service of Drivers' Regulations," extra drivers are required to complete a "Charter Movement," a charge of seventy-five dollars (\$75) plus thirty cents (\$.30) for each mile required to position the additional driver will be assessed. This charge is inclusive of all meals, lodging and other expenses incurred by the extra drivers.

B -- Cleaning Charge:

If, in the opinion of the carrier, the "Charter Party" leaves the "Charter Coach" in a particularly dirty condition, a cleaning charge of \$25 will be charged.

C -- Layover Charge:

Whenever it is necessary for the driver(s) to spend the night away from the equipment point, a layover charge of seventy-five dollars (\$75) will be assessed the "Charter Party."

D -- Incidental Charges:

All charges for tolls, parking, etc., shall be payable by the "Charter Party."

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application must be scheduled for a public hearing to determine if the applicant is fit, willing and able properly to perform the proposed service and to abide by pertinent regulatory requirements, and to determine if the public convenience and necessity requires the proposed service. Applicant will be assessed an amount preliminarily estimated to cover the cost of the hearing and will be directed to submit the required financial data.

**THEREFORE, IT IS ORDERED:**

1. That Case No. AP-83-48 of VIP Coach Services, Inc., is hereby scheduled to commence Wednesday, October 5, 1983, at 9:30 a.m. in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006, and to continue from day to day thereafter until completed.

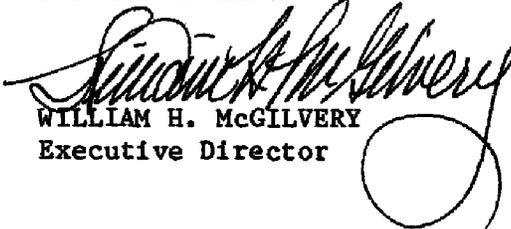
2. That applicant publish once in a newspaper of general circulation in the Metropolitan District, and post continually and conspicuously in each of its vehicles through the date of public hearing, notice of this application and hearing, in the form prescribed by the staff of the Commission, no later than Friday, September 9, 1983, and present at the hearing an affidavit of publication from the selected newspaper.

3. That any person desiring to protest the application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Monday, September 19, 1983, and shall simultaneously serve a copy of such protest or notice on counsel for applicant, Lawrence E. Lindeman, Esquire, 4660 Kenmore Avenue, Suite 1203, Alexandria, Va. 22304.

4. That applicant is hereby assessed \$1,500 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006 no later than Wednesday, September 21, 1983.

5. That applicant file with the Commission no later than September 21, 1983, four copies each of a statement of projected revenue and revenue deductions anticipated from its first 12-month period of operations, a current operating statement and a complete balance sheet, simultaneously serve one copy of each statement on each party of record as of September 19, 1983, and produce the originals thereof at the public hearing.

FOR THE COMMISSION:

  
WILLIAM H. MCGILVERY  
Executive Director