

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2921

IN THE MATTER OF:

Served October 22, 1986

Application of SUGGS TRANSPORTATION)
SERVICES, INC., for Special)
Authorization to Perform Charter)
Operations Pursuant to Contract)
with U.S. Department of the)
Interior--Fish and Wildlife Service)

Case No. CP-86-06

By application filed September 30, 1986, Suggs Transportation Services, Inc., seeks authorization to conduct charter operations pursuant to WMATC Special Certificate of Public Convenience and Necessity No. 1 pursuant to a contract with the United States Department of the Interior--Fish and Wildlife Service (FWS), transporting FWS employees over irregular routes between the Main Interior Building, 18th and C Streets, N.W., Washington, D.C., and the Broyhill Building, 1000 North Glebe Road, Arlington, Va.

Order No. 2916, served October 1, 1986, generally described the evidence submitted with the application, and that order is incorporated by reference herein. The Commission required publication of notice and the filing of an affidavit of publication. Applicant complied with these requirements.

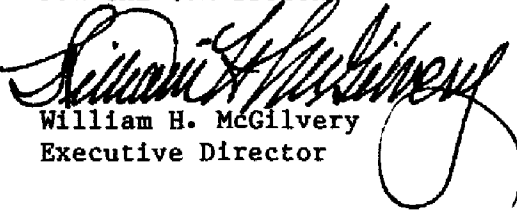
One protest to the application was received by the Commission within the time set therefor. The protest did not conform to the requirements of Regulation No. 70-06 in that it was not sworn and notarized. Further, there was no indication that it was served on applicant as required by Order No. 2916. Moreover, the protest failed to address either of the issues which may form a proper basis for such a protest: (a) fitness of the applicant, or (b) conformance of the proposed operation to the provisions of Regulation No. 70.

Commission Regulation No. 70 provides that an application of this type will be granted if it is determined that the applicant is fit, willing and able properly to perform the proposed service and to conform to the provisions of the Compact and the rules, regulations and orders of the Commission thereunder, and if it is determined that the proposed operations conform to the provisions of Regulation No. 70. The issue of whether the public convenience and necessity require such service has been determined in Case No. MP-79-04. See Order No. 2004, served June 20, 1979.

Inasmuch as the contract is for a fixed term of at least 181 days and provides for the transportation of employees pursuant to a contract with their employer, this application conforms to the requirements of Commission Regulation No. 70. It is further found, based on the evidence of record as described in Order No. 2916, that applicant is fit, willing and able properly to provide the service described above and to conform to the requirements of the Compact and the rules, regulations and orders of the Commission thereunder. An appropriate authorization will be issued.

IT IS SO ORDERED.

FOR THE COMMISSION:



William H. McGilvery
Executive Director