

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3371

IN THE MATTER OF:

Served July 6, 1989

Application of JEWISH COUNCIL FOR)
THE AGING OF GREATER WASHINGTON,)
INC., for a Certificate to Conduct)
Charter Operations Pursuant to)
Contract with K-2 Limited Partnership)

Case No. AP-89-28

By application filed May 12, 1989, the Jewish Council for the Aging of Greater Washington, Inc. (JCA or applicant), a Maryland corporation, seeks a certificate of public convenience and necessity to conduct charter operations pursuant to a contract with K-2 Limited Partnership (K-2). The application describes the operation as requiring two vehicles operating scheduled morning and evening shuttle service weekdays over the following routes wholly within Montgomery County, MD:

(1) Between White Oak Tower, Maryland, and Silver Spring, Maryland:

From White Oak Tower, north on Old Columbia Pike to its intersection with Clifftondale Drive, then east on Clifftondale Drive, then west on Clifftondale Drive to its intersection with Old Columbia Pike, then north on Old Columbia Pike to its intersection with Industrial Parkway, then west on Industrial Parkway to its intersection with Columbia Pike, then south on Columbia Pike to its intersection with Georgia Avenue, then east on Georgia Avenue to its intersection with Wayne Avenue, then south on Wayne Avenue to the Silver Spring Metrorail facility, and return over the same route.

(2) Between Glenmont Forest, Maryland, and White Flint, Maryland:

From Glenmont Forest, west on Randolph Road to its intersection with Tivoli Lake Boulevard, then over Tivoli Lake Boulevard to its end, then return via Tivoli Lake Boulevard to its intersection with Randolph Road, then east on Randolph Road to its intersection with Glenallen Avenue, then north on Glenallen, then south on Glenallen Avenue to its intersection with Randolph Road, then west on Randolph Road to its intersection with Parklawn Drive, then south on Parklawn Drive to its intersection with Nebel Street, then north on Nebel



Street to its intersection with Marinelli Road, then east on Marinelli Road to the White Flint Metrorail facility, and return over the same route.

K-2 is a real estate developer and builder whose activities include developing certain residential communities in Montgomery County, MD. Pursuant to an agreement with Montgomery County, K-2 is responsible for the provision of certain passenger transportation services for residents of Montgomery County to and from Metrorail facilities. K-2 has entered into an agreement with JCA to provide these transportation services during morning and evening peak periods, except weekends and federal holidays. K-2 pays JCA to provide the service, but there is no charge to the passengers. The agreement requires the use of two vehicles, each seating not less than 21 persons. JCA's equipment list shows four vehicles manufactured between 1985 and 1989, seating 21 to 29 passengers, and indicates another vehicle has been ordered.

By Order No. 3362, served June 26, 1989, in Case No. AP-89-27, JCA was granted temporary authority, and applicant is now conducting the operation as proposed.

Applicant submitted a projected statement of revenue and expenses from the proposed operations, but did not submit a balance sheet and operating statement as required. Applicant will be directed to do so.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application will be scheduled for public hearing to determine if the applicant is fit, willing, and able to perform the proposed service properly and comply with the Compact and the Commission's rules, regulations, and orders, and to determine whether the public convenience and necessity require the proposed service. Applicant will be assessed an amount preliminarily estimated to cover the hearing expenses applicants are required to bear pursuant to the Compact, Title II, Article XII, Section 19.

THEREFORE, IT IS ORDERED:

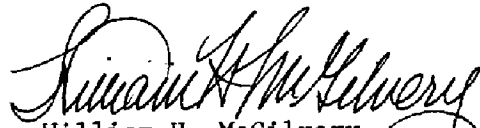
1. That a public hearing in Case No. AP-89-28 is hereby scheduled to commence Thursday, September 7, 1989, at 9:30 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.
2. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, and shall post continuously and conspicuously through the date of public hearing in each of its vehicles operating pursuant to temporary authority, notice of this application and the hearing thereon, in the form prescribed by the staff of the Commission, no later than Monday, August 7, 1989, and shall present at the hearing affidavits of publication and posting.
3. That any person desiring to protest this 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, August 28, 1989, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Jeremy Kahn, Esq., 1726 M Street, N.W., Suite 702, Washington, DC 20036.

4. That applicant is hereby assessed \$400 pursuant to Title II, Article XII, Section 19 of the Compact and is directed to deliver said amount to the office of the Commission no later than Monday, August 28, 1989.

5. That applicant shall file with the Commission no later than Monday, August 28, 1989, an original and four copies of a balance sheet and operating statement at least as current as December 31, 1988.

FOR THE COMMISSION:


William H. McGilvery
Executive Director