

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3736

IN THE MATTER OF:

Served May 6, 1991

Issuance of Certificate of Authority No. 172 to UNITED MANAGEMENT CORPORATION Trading as PASSENGER EXPRESS ) Case No. MP-91-02 ) ) )

United Management Corporation trading as Passenger Express holds Authorization No. SP-172-01 under Special Certificate of Public Convenience and Necessity No. 1, issued pursuant to the Compact 1/, Title II, Article XII, Section 4. On February 1, 1991, an amended Compact 2/ became effective. The amended Compact, Title II, Article XI, Section 6 provides:

"6. (a) A person may not engage in transportation subject to this Act unless there is in force a 'Certificate of Authority' issued by the Commission authorizing the person to engage in that transportation.

"(b) On the effective date of this Act a person engaged in transportation subject to this Act under an existing 'Certificate of Public Convenience and Necessity' or order issued by the Commission shall be issued a new 'Certificate of Authority' within 120 days after the effective date of this amendment.

"(c)(i) Pending issuance of the new Certificate of Authority, the continuance of operations shall be permitted under an existing certificate or order issued by the Commission which will continue in effect on the effective date of this Act.

"(ii) The operations described in paragraph (i) of this subsection shall be performed according to the rates, regulations, and practices of the certificate holder on file with the Commission on the effective date of this Act.

The amended Compact, Title II, Article XI, Section 9(b) provides:

A certificate issued by the Commission authorizing irregular-route service shall be coextensive with the Metropolitan District.

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1/ Public Law 86-794, 74 Stat. 1031, as amended by Public Law 87-767, 76 Stat. 764.

2/ Id. as amended by Public Law 101-505, 104 Stat. 1300.

Authorization No. SP-172-01 under Special Certificate of Public Convenience and Necessity No. 1 issued to United Management Corporation trading as Passenger Express authorizes only irregular route transportation. Accordingly, United Management Corporation trading as Passenger Express is entitled to be issued a Certificate of Authority authorizing irregular route transportation coextensive with the Commission's jurisdiction in the Washington Metropolitan Area Transit District. Certificate of Authority No. 172 supersedes Authorization No. SP-172-01 under Special Certificate of Public Convenience and Necessity No. 1.

Evidence of insurance on file with the Commission covering the operations of United Management Corporation trading as Passenger Express shows coverage only in the amount required for vehicles with a manufacturer's designed seating capacity of 15 persons or fewer, including the driver. Therefore, Certificate of Authority No. 172 will be so restricted. Such restriction is without prejudice to the right of United Management Corporation trading as Passenger Express to file an appropriate application to have the restriction removed upon the filing of proper evidence of insurance covering the operation of larger vehicles.

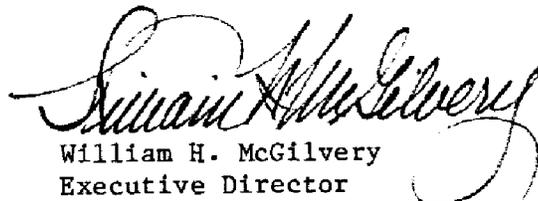
THEREFORE, IT IS ORDERED:

1. That Certificate of Authority No. 172 is hereby issued to United Management Corporation trading as Passenger Express as appended to this order.

2. That Certificate of Authority No. 172 encompasses and supersedes Authorization No. SP-172-01 under Special Certificate of Public Convenience and Necessity No. 1.

3. That Certificate of Authority No. 172 is effective immediately.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:

  
William H. McGilvery  
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

CERTIFICATE OF AUTHORITY

NO. 172

United Management Corporation  
Trading as Passenger Express  
Post Office Box 10316  
Phoenix, Arizona 85064-0316

By Order Nos. 3563 and 3736 of the Washington Metropolitan Area Transit Commission issued September 25, 1990; and May 6, 1991;

WHEREAS, the above-named carrier is entitled to receive authority to transport passengers within the Washington Metropolitan Area Transit District;

THIS CERTIFICATE OF AUTHORITY is hereby issued to the said carrier as evidence of the authority to engage in the for-hire transportation of passengers by motor vehicle; subject, however, to such terms conditions and limitations as are now, or may hereafter be, attached to the exercise of the privilege granted to the said carrier:

IRREGULAR ROUTES, transporting passengers, together with mail, express, and baggage in the same vehicles as passengers, between points in the Washington Metropolitan Area Transit District;

RESTRICTED TO (1) operations conducted according to the said carrier's applicable tariff on file with the Commission and (2) transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver; and

RESTRICTED AGAINST (1) transportation solely within the Commonwealth of Virginia and (2) any passenger transportation for hire on an individual fare paying basis in competition with any existing, scheduled, regular-route, passenger transportation service performed by, or under a contract with, the Federal Government, a signatory to the Compact, a political subdivision of a signatory, or the Washington Metropolitan Area Transit Authority.

THIS CERTIFICATE OF AUTHORITY DOES NOT AUTHORIZE ANY TRANSPORTATION BY ANY PERSON OTHER THAN THE CARRIER NAMED HEREON.

THIS CERTIFICATE OF AUTHORITY IS NOT VALID UNLESS THE CARRIER NAMED HEREON IS IN COMPLIANCE WITH THE INSURANCE REQUIREMENTS OF THE COMMISSION.

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IT IS A FURTHER CONDITION of this certificate of authority that the carrier named hereon shall (a) provide safe and adequate transportation service, equipment, and facilities; and (b) observe and enforce Commission regulations.