

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

GENERAL ORDER NO. 21

IN THE MATTER OF:

Served October 3, 1983

STATEMENT OF POLICY REGARDING )  
HEARING OFFICER EXPENSES )

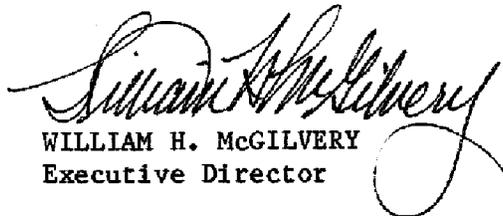
Title II, Article XII, Section 19(a) of the Compact provides that all reasonable expenses of Commission proceedings, for or concerning any carrier, shall be borne by such carrier.

Effective today, the reasonable expenses which a carrier must bear will include the fee paid to the hearing officer for any hearing which must be continued because the carrier does not appear or is unprepared to present substantive evidence on each element of his case and said carrier has not timely sought a continuance. A request for a continuance which is not received by noon of the working day preceding the hearing date shall be deemed untimely. Determination to apply this charge will be made by the Commission.

To illustrate, in an application for a certificate of public convenience and necessity an applicant must present evidence of its fitness and of the public convenience and necessity, including exhibits required by the pertinent regulations, application form or Commission orders. Where an applicant is unprepared to go forward on both issues and such unpreparedness results in the scheduling of an additional hearing session, the normal costs of the full hearing plus the fee paid to the hearing officer for the hearing where the carrier is unprepared, will be charged to the applicant.

IT IS SO ORDERED.

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

  
WILLIAM H. MCGILVERY  
Executive Director