216 Va. 255
SUPREME COURT OF VIRGINIA
RECEIVED
MAR 28 1975
RICHMOND, VIRGINIA

IN THE

Supreme Court of Virginia

AT RICHMOND

ATLANTIC GREYHOUND LINES OF VIRGINIA, INC., :
NEWTON BUS SERVICE, INC. and
COMMUNITY MOTOR BUS COMPANY, INCORPORATED, :
APPELLANTS

v. : Record No. 750055

JONES BUS COMPANY, INCORPORATED, :
APPELLEE

CHESAPEAKE AND NORTHERN TRANSPORTATION :
CORPORATION,
APPELLANT :

v. Record No. 750068
:

JONES BUS COMPANY, INCORPORATED,
APPELLEE :

JOINT APPENDICES

Calvin F. Major
Goddin, Major, Schubert & Hyman
200 West Grace Street
Richmond, Virginia 23220
Counsel for
Atlantic Greyhound Lines of Virginia, Inc.,
Newton Bus Service, Inc. and
Community Motor Bus Company, Incorporated

Michael A. Inman
Holladay, Holmes & Inman
5 Stoney Point, 700 Newtown Road
Norfolk, Virginia 23502
Counsel for
Chesapeake and Northern Transportation Corporation

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Form MC-50

June 25, 1974

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

Application for a Certificate of Public Convenience and Necessity under Chapter 12.4 Title 56, Code of Virginia as a Special or Charter Party Carrier.

To the State Corporation Commission,
Richmond, Va.

Appplication of Jones Bus Company, Incorporated
(If individual, give full name—First Middle Last)

for a certificate of public convenience and necessity as a restricted common carrier to transport passengers in special or charter parties.

Business address (street and number) 2714 Magnolia Street

City, or Town, and County Portsmouth, Virginia 23704
(City or Town) (County)

Applicant is Corporation doing business under the
(Individual, partnership, or corporation)

trade name of Jones Bus Company, Incorporated

If corporation or partnership, give names and addresses of officers of corporation, or all partners. If partnership attach true and exact copy of partnership agreement under which the business is or will be conducted, marked Exhibit X.

Andrew T. Jones, Jr.	President
Andrew T. Jones III	Vice President
Dardress C. Jones	Secretary, treasurer

Applicant desires to transport passengers in special charter parties from:
Portsmouth, Norfolk, Newport News, Hampton, Chesapeake, Suffolk and Virginia Beach, Virginia to all points in the state of Virginia

Applicant asserts the certificate applied for should be granted for the following reasons:
Applicant will surrender certificate B-124 if authority is granted.

Additional pertinent information may be attached to application.

(over)

001

Applicant attaches, in duplicate, marked Exhibit A, the number of vehicles proposed to be operated, with a statement for each vehicle containing the following description:

Kind—Make—Type—Rated Capacity—Length—Width—Height—Number of Seats; and statement of the State Highway Commission that the law applicable as to the proposed route or routes has been complied with as to size, weight and type of vehicles to be used.

Applicant attaches, marked Exhibit B, complete statement of financial condition.

Applicant attaches marked Exhibit C, tariff of rates proposed to be applied if application is granted.

Applicant agrees to comply with the provisions of Chapter 12.4, Title 56, Code of Virginia and with all applicable rules and regulations prescribed by the Commission in accordance therewith.

(Signed) _____

By _____ Title _____

Dated at _____ this _____ day of _____ 19____.

STATE OF VIRGINIA,

_____ of _____ ss.

Personally appeared before me, _____, a Notary Public in and for the State and _____ aforesaid _____

who, being duly sworn, deposes and says that he is* _____ applicant in the above proceeding; that he has read the foregoing application and knows the contents thereof, and that the statements made therein are true to the best of his knowledge and belief.

My commission expires on the _____ day of _____, 19____.

Given under my hand this, the _____ day of _____, 19____.

_____

Notary Public.

*If applicant is a corporation, insert "president of the" or "secretary of the." If a firm or partnership, insert "one of the."

A

Proposed Vehicles

Four (4)	G.M.C. PD4104 Coaches		38 passenger	28'lg. 7'wd. 11' h.	22,000 lbs.
Two (2)	G.M.C. PD4106 Coaches		38 Passenger	28' lg 7' wd. 11'h	22,000lbs
Two (2)	Chev.& GMC	School Type	45 passenger	28' lg 7' wd. 10'h	8,000lbs
One(1)	Chev	" "	55 passenger	24' lg 7' wd 9' h	7,200 lbs
ONe (1)	GMC	Transit	54 Passenger	28' lg 7' wd 9' h	12,000 lbs

S-10

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HIGHWAYS

CASE NO. C 978

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY BEFORE THE STATE CORPORATION COMMISSION, UNDER THE VIRGINIA MOTOR CARRIER ACTS OF 1936 (Chapter 129, Acts of Assembly, 1936)

To Department of Highways,
Richmond, Virginia

Name of Applicant JONES BUS COMPANY INCORPORATED

Business Address (street and number) 2714 Magnolia Street

City or Town and County Portsmouth, Virginia 23704

Applicant Desires Approval on Following Motor Equipment

KIND (Bus, Truck, Trailer, Semi-Trailer, Tractor)	*GROSS LOADED WEIGHT	MAKE	MOTOR NUMBER	LENGTH (In Feet)	WIDTH (In Feet)	HEIGHT (In Feet)	SIZE OF TIRES	NUMBER OF AXLES	**NUMBER USED CONNECTED
BUS	20,000	GMC	PD4104	28'	7'-6"	10'6"	1100X20	2	
BUS	20,000	GMC	PD41044651	"	" "	" "	" "	2	
BUS	20,000	GMC	PD41044459	"	" "	" "	" "	2	
BUS	20,000	GMC	PD41044461	"	" "	" "	" "	2	
BUS	22,000	GMC	PD41061742	"	" "	" "	" "	2	
BUS	22,000	GMC	PD41061747	"	" "	" "	" "	2	
BUS	7,200	CHEV.	3S692F110	30'	6'6	9'6"	900X20	2	
BUS	5,800	CHEV.	1S642N1107	28'	6'6"	8'6"	825X20	2	
Bus	14,000	GMC	TDH4502	28'	7'6"	9'6"	1100X20	2	
BUS	7,600	GMC	N6592F	28	6'6	8'6"	825X20	2	

This equipment is at present in operation under Chalmer T. Jones Bus Company.

This approval is based on the vehicle or vehicles involved not exceeding the statutory weight limits allowed by Section 46.1-339 of the Code of Virginia. In no case is this approval to apply to the operation of any equipment over any road or bridge in excess of the legal posted weight limits.

*Weight of vehicle and load including passengers
** For example: No. 5-Tractor used connected with No. 9 Trailer. In column put "5-9."

(Signature) Chalmer T. Jones Jr.

Approved— as noted above.

By

DEPARTMENT OF HIGHWAYS

Title President

Date April 11, 1974

Traffic and Safety Engineer
J. P. Mills, Jr., P.E.

Date of Approval May 28, 1974

004

ORIGINAL AND TWO COPIES MUST BE FILED
TOGETHER WITH ONE COPY OF STATE CORPORATION COMMISSION FORM MC-4

B

Financial Statement

Jones Bus Company Incorporated

January 1,1974

Cash on hand

$ 3,000.00

Equipment	Cost	Deappreciated Value	Sale Value	
1960 GMC BUS	$18,500.00	$ 9,250.00	$12,000.00	
1960 GMC BUS	$16,500.00	10,500.00	$12,000.00	
1960 GMC BUS	$12,000.00	10,000.00	$12,000.00	
1960 GMC BUS	$12,000.00	10,000.00	$12,000.00	
1961 GMC BUS	2,200.00	436.00	800.00	
1970 Olds CAR	5,600.00	2,042.00	2,000.00	
1963 CHEV. BUS	9,600.00		2,800.00	
1961 CHEV. BUS	8,200.00		1,600.00	
1952 GMC BUS	750.00		2,000.00	
	$85,350.00	$42,228.00	$57,200.00	$57,200.00
			Total Assets	$60,200.00

Liabilities

Naval Supply Center Credit Union	$ 8,900.00
Merchants Farmers Bank	17,000.00
	$25,900.00

Assets	$60,200.00
Liabilities	-25,900.00
	$34,300.00

Seating capacity of vehicle
(Excluding driver)

Live miles per Charter Coach

	per mile
9-11 passenger	$.25
37-41 Passenger	$.55
38-41 passenger rest room	$.60
45 and over	$.75

school type

37-45 passenger	$.50
46 passenger and over	$.55

Flat rates

From	To	Coach	School Type
Portsmouth, Va.	Buckroe Beach	$60.00	$60.00
" "	Suffolk, Va.	35.00	30.00
" "	Virginia Beach	45.00	35.00
Norfolk, Va.	Buckroe Beach	$60.00	$60.00
"	Suffolk, Va.	40.00	35.00
" "	Virginia Beach	40.00	35.00

All Tolls and bridge fares extra

ANDREW T. JONES, JR.

PORTSMOUTH, VIRGINIA
BALANCE SHEET
JANUARY 18,1974

ASSETS

CASH IN BANK			$ 1,529.22
SAVINGS ACCOUNT;			
NAVAL SUPPLY CENTER CREDIT UNION		$ 3,138.99	
VIRGINIA NATIONAL BANK		12,220.57	
SERIES E GOVERNMENT BONDS		3,750.00	
BANK OF VIRGINIA		3,000.00	
		22,109.56	22,109.56
RESIDENCE- PORTSMOUTH, VIRGINIA			25,000.00
PERSONAL PROPERTY - FURNATURE (ESTIMATED)			6,500.00
LAND NEWPORT NEWS, VIRGINIA			2,500.00

	COST	ACCUMULATED DEPRECIATION	BOOK VALUE	
1960 G.M.C. BUS	~~$18,500.00~~ 18,500.00	$9,250.00	$ 12,500.00	
1960 G.M.C.	$ 16,500.00	10,500.00	12,500.00	
1960 G.M.C.	12,000.00	10,000.00	12,500.00	
1960 G.M.C.	12,000.00	10,000.00	12,500.00	
1955 G.M.C.	750.00	~~2,000.00~~	2,000.00	
1961 CHEVROLET	8,200.00	000 .00	2,000.00	
1963 CHEVROLET	9,700.00	250.00	2,500.00	
1961 G.M.C.	2,200.00	436.00	1,000.00	
1964 PONTIAC	4,500.00	000.00	250.00	
1970 OLDSMOBILE	5,800.00	2,200.00	2,200.00	
1973 CADILLAC	8,800.00		7,800.00	
	$ 98,950.00	$ 42,636.00		67,750.00

TOTAL ASSETS $ 125,388.78

LIABILITIES AND NET WORTH

NOTES PAYABLE		
NAVAL SUPPLY CENTER CREDIT UNION - BUSES	$ 8,976.47	
BANK OF VIRGINIA - CAR	8,000.00	
BANK OF VIRGINIA - HOME	8,845.60	
M.M. CROCKIN CO. - FURNATURE	896.00	
MERCHANTS AND FARMERS BANK	15,500.00	
	41,331.03	$ 41,331.03
NET WORTH: ANDREW T. JONES, JR.		84,057.75
TOTAL LIABILITIES AND NET WORTH		$ 125,388.78

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

SPECIAL OR CHARTER PARTY CARRIER

NUMBER B-124

Andrew Thomas Jones, Jr.

Portsmouth, Virginia

is hereby authorized to transport passengers in Special or Charter Parties as Restricted Common Carrier by motor vehicle from:

Cities of Portsmouth, Norfolk, South Norfolk and Suffolk

Counties of Princess Anne, Norfolk and Nansemond

to other points in Virginia in accordance with Tariffs of rates or fares and charges on file with the Commission, and subject to terms, limitations and restrictions noted below:

All motor vehicles operated under and by virtue and authority of this Certificate must be operated in accordance with Chapter 12.4, Title 56, Code of Virginia, and applicable rules and regulations of the State Corporation Commission.

THIS CERTIFICATE MAY NOT BE SOLD, TRANSFERRED OR LEASED.

Dated at Richmond, Va. July 15, 1960.

STATE CORPORATION COMMISSION

By H. LESTER HOCKER

Commissioner

008

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

Application of	CITY OF RICHMOND
Jones Bus Company, Incorporated	September 20, 1974
For a Certificate of Public Convenience and Necessity as a Special or Charter Party Carrier.	Case No. CP-78

On September 18, 1974, came on for hearing the application of Jones Bus Company, Incorporated, for a certificate of public convenience and necessity as a special or charter party carrier for the operation of motor vehicles from the Cities of Portsmouth, Norfolk, Newport News, Hampton, Chesapeake, Suffolk and Virginia Beach, Virginia, Commissioners Shannon, Bradshaw and Harwood sitting.

The applicant appeared on his own behalf. Calvin F. Major and Michael A. Inman appeared as counsel for various intervenors. Michael L. Rigsby appeared as counsel for the Commission.

Upon consideration of the testimony presented, the Commission is of the opinion that the application should be granted. Accordingly,

IT IS ORDERED that the application of Jones Bus Company, Incorporated, be, and it is hereby, granted.

IT IS FURTHER ORDERED that a Certificate of Public Convenience and Necessity be issued to Jones Bus Company, Incorporated, authorizing the transportation of special or charter parties from the Cities of Portsmouth, Norfolk, Newport News, Hampton, Chesapeake, Suffolk and Virginia Beach, Virginia, to all points in Virginia, upon the filing of a tariff of rates and certificate of insurance, as required by Title 56, Chapter 12.4 of the Code of Virginia, as amended.

IT IS FURTHER ORDERED that Certificate of Public Convenience and Necessity No. B-124 be cancelled upon the issuance of the new certificate authorized herein.

IT IS FURTHER ORDERED that attested copies of this Order be mailed to all parties of record.

COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

CITY OF RICHMOND, VIRGINIA

In the Matter of the
Application of:

JONES BUS COMPANY, INCORPORATED, for a Certificate of Public Convenience and Necessity as a Special Charter Party Carrier

CASE NO. CP-78

NOTICE OF APPEAL
AND
ASSIGNMENTS OF ERROR

Atlantic Greyhound Lines of Virginia, Inc., Newton Bus Service, Inc. and Community Motor Bus Company, Incorporated, intervenors in this case hereby file their notice of appeal from the Order of the Commission entered September 20, 1974, which granted applicant's application in its entirety.

ASSIGNMENTS OF ERROR

1. The record is devoid of any testimony or evidence of any nature of the requisite public need or demand to support the order of the Commission for the issuance of a certificate of public convenience and necessity authorizing the transportation of special or charter parties from the cities of Hampton, Chesapeake, Suffolk and Virginia Beach, Virginia, and without any evidence of probative value from Newport News, Virginia; consequently, the order is an arbitrary, capricious and unreasonable exercise and abuse of the authority vested in the Commission by the Constitution and the statutes.

2. The record contains insufficient evidence of the requisite public need or demand to support the order of the Commission for the issuance of a certificate of public convenience and necessity authorizing transportation of special or charter parties from the cities of Portsmouth and Norfolk, Virginia, and therefore, the order is an arbitrary, capricious and unreasonable exercise and abuse of the authority vested in the Commission by the Constitution and the statutes.

3. The record contains substantial and uncontroverted evidence that the existing charter service provided by the intervenors and others is entirely adequate and satisfactory to fulfill any and all needs for special or charter parties from all cities set forth in the order, consequently, the order is an arbitrary, capricious and unreasonable exercise and abuse of the authority vested in the Commission by the Constitution and the statutes.

4. The order of the Commission is contrary to the law and evidence and is without evidence to support it.

5. The order of the Commission fails to contain a statement of the reasons upon which the order was based, simply stating, "upon consideration of the testimony presented, the Commission is of the opinion the application should be granted". Rule 5:18 (b) of the Rules of the Supreme Court of Virginia in requiring simultaneous filing of assignments of error and notice of appeal prior to filing by the Commission of a statement of the reasons upon which the action appealed from was based pursuant to Section 12.1-39, Code of Virginia of 1950, as amended, deprives the appellants of the knowledge of those facts and conclusions

which are given the prima facie presumption of correctness at the time appellants are compelled to assign error and thereby irreparably prejudice the appellants in their appeal contrary to the provisions of the due process clause of Article 1, Section 11 of the Constitution of Virginia and contrary to the Fourteenth Amendment of the Constitution of the United States.

Respectfully submitted,

Calvin F. Major, Attorney for
Intervenors and Appellants

ATLANTIC GREYHOUND LINES OF VIRGINIA, INC.
NEWTON BUS SERVICE, INC.

COMMUNITY MOTOR BUS COMPANY, INCORPORATED

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was mailed or delivered to the Attorney General of the Commonwealth of Virginia; each member of the Commission; Michael L. Rigsby, Counsel for the Commission; Jones Bus Company, Incorporated, applicant, 2714 Magnolia Street, Portsmouth, Virginia, 23704; counsel of all parties of record including Michael A. Inman, Esquire, counsel for Chesapeake & Northern Transportation Corporation, before filing with the Clerk of the Commission this 17th day of October, 1974.

Calvin F. Major

Of Counsel

Goddin, Major, Schubert & Hyman
200 West Grace Street
Richmond, Virginia 23220

IN THE SUPREME COURT OF VIRGINIA

ATLANTIC GREYHOUND LINES OF VIRGINIA, INC.,

NEWTON BUS SERVICE, INC., and

COMMUNITY MOTOR BUS COMPANY, INCORPORATED — APPELLANTS

v.

STATE CORPORATION COMMISSION, — APPELLEE

PETITION FOR APPEAL
FROM ORDER ENTERED BY THE COMMISSION
IN CASE NO. CP-78 on SEPTEMBER 20, 1974

TO THE HONORABLE CHIEF JUSTICE AND ASSOCIATE JUSTICES OF THE SUPREME COURT OF VIRGINIA:

Comes now, Atlantic Greyhound Lines of Virginia, Inc., Newton Bus Service, Inc. and Community Motor Bus Company, Incorporated, appellants, in this Court action and represent to this Honorable Court that they were protestants in Case No. CP-78 before the State Corporation Commission involving an application by Jones Bus Company, Inc. seeking a certificate of public convenience and necessity authorizing the transportation of special or charter party service from the cities of Portsmouth, Norfolk, Newport News, Hampton, Chesapeake, Suffolk and Virginia Beach, Virginia to all points in Virginia and that as a result of the perfunctory and unlawful order served by the Commission on September 20,

1974, granting that application in its entirety, appellants have been seriously grieved and that unless that order is reversed in its entirety or at least in part to deny applicant any right to originate charter service out of the cities aforesaid, for which no public need or demand for applicant's service was shown or exists, appellants will suffer substantial and irrepairable injury. Accordingly, pursuant to the provisions of Title 12. Chapter 5, §5.1-39 of the Code of Virginia, appellants are entitled to an appeal to this Court as a matter of right.

Appropriate "Notice of Appeal and Assignments of Error" was filed in the office of the Clerk of the Commission on October 17, 1974, and a copy thereof was mailed to the Attorney General of the Commonwealth of Virginia, each member of the Commission; Michael L. Rigsby, counsel for the Commission; Jones Bus Company, Inc., applicant; counsel of all parties of record including Michael A. Inman, Esquire, counsel for Chesapeake & Northern Transportation Corporation.

WHEREFORE, Atlantic Greyhound Lines of Virginia, Inc., Newton Bus Service, Inc. and Community Motor Bus Company, Incorporated, pray that an appeal be granted from the said unlawful Commission order of September 20, 1974 in Case

No. CP-78 pursuant to law and the "Rules of Court".

Supersedeas is not requested.

Respectfully submitted,

Calvin F. Major, Attorney for
ATLANTIC GREYHOUND LINES OF
VIRGINIA, INC.,
NEWTON BUS SERVICE, INC., and
COMMUNITY MOTOR BUS COMPANY,
INCORPORATED

Of Counsel
GODDIN, MAJOR, SCHUBERT & HYMAN
200 West Grace Street
Richmond, Virginia 23220

CERTIFICATE

I hereby certify that a true copy of the foregoing was mailed or delivered to the Attorney General of the Commonwealth of Virginia; each member of the Commission; Michael L. Rigsby, Counsel for the Commission; Jones Bus Company, Incorporated, applicant, 2714 Magnolia Street, Portsmouth, Virginia, 23704; counsel of all parties of record including Michael A. Inman, Esquire, counsel for Chesapeake & Northern Transportation Corporation, before filing with the Clerk of the Commission this 14th day of January, 1975.

Calvin F. Major

BEFORE THE

STATE CORPORATION COMMISSION

Application of
JONES BUS COMPANY, INC. Case No. CP-78

NOTICE OF APPEAL AND
ASSIGNMENT OF ERROR

TO: William C. Young, Clerk of the State Corporation Commission
Richmond, Virginia

NOTICE IS HEREBY GIVEN that Chesapeake & Northern Transportation Corporation, Intervenor, appeals from the judgment rendered by this Commission on September 20, 1974 in this matter, and files Notice of Appeal and request for supersedeas from the judgment aforesaid and sets forth the following Assignment of Error.

ERROR ASSIGNED

1. The judgment rendered was contrary to the law and the evidence.

CHESAPEAKE & NORTHERN TRANSPORTATION CORPORATION

By Michael A. Inman
Of Counsel

Michael A. Inman, Esq.
Holladay, Holmes & Inman
5 Stoney Point, 700 Newtown Road
Norfolk, Virginia 23502

STATEMENT REQUIRED BY RULE 5:6 AS TO TRANSCRIPT

The transcript of the evidence herein is to be presented and filed contemporaneous herewith or within such time thereafter as is allowed by Rule 5:9(b).

I hereby certify that a true copy of the foregoing was this 16th day of October, 1974, mailed to Calvin Major, Esq., Michael Rigsby, Esq., and Andrew T. Jones, at their respective offices.

Michael A. Inman

IN THE

SUPREME COURT OF VIRGINIA

AT RICHMOND

CHESAPEAKE AND NORTHERN TRANSPORTATION CORPORATION,

Petitioner

v.

JONES BUS COMPANY, INCORPORATED,

Respondent.

PETITION FOR APPEAL

To: The Honorable Justices of the Supreme Court of Virginia.

This is a petition for a writ of error from a final order, dated September 20, 1974, of the Honorable Commissioners of the State Corporation Commission of Virginia, in a proceeding styled Application of Jones Bus Company, Inc. for a Certificate of Public Convenience and Necessity as a Special or Charter Party Carrier (Case No. CP-78), wherein the Commission granted the application sought in full. This is an appeal of right from the aforesaid order of the Commission, pursuant to Section 8-462 (1)(b) of the Code of Virginia, 1950 as amended, and Section 12.1-39 of the Code of Virginia, 1950, as amended.

CERTIFICATE

The petitioner in the above-styled cause is CHESAPEAKE AND NORTHERN TRANSPORTATION CORPORATION, INC., whose counsel is Michael A. Inman, Attorney, #5 Stoney Point, 700 Newtown Road, Norfolk, Virginia 23502. The respondent is Jones Bus Company, Inc., which is not represented by counsel, but throughout has been represented by its President, Andrew T. Jones, whose address is the same as that of the corporation, which is 2714 Magnolia Street, Portsmouth, Virginia 23704.

This Petition for Appeal is to be filed with the Supreme Court of Virginia.

In accordance with Rule 5:18 of the Supreme Court of Virginia the Petitioner does not desire to state orally the reasons for the granting of the Petition.

While notice was given in the Notice of Appeal that supersedeas would be requested, Petitioner does not now desire to request supersedeas.

Counsel for the Petitioner states that a copy of this Petition has been mailed to the respondent, Jones Bus Company, Inc., at 2714 Magnolia Street, Portsmouth, Virginia 23704, on the 15th day of January, 1975, and to counsel for the State Corporation Commission on the same date.

Michael A. Inman
Counsel for Petitioner

Rec Jan 15, 1975

Application of

Jones Bus Company, Incorporated

For a certificate of public convenience and necessity as a special or charter party carrier.

January 13, 1975

Case No. CP-78

Opinion, SHANNON, Chairman

By application received by the Commission March 20, 1974 Jones Bus Company, Incorporated requested a certificate of public convenience and necessity as a special or charter party carrier pursuant to Title 56, Chapter 12.4 of the Virginia Code, as amended. A hearing before the Commission in its courtroom was duly scheduled and held on September 18, 1974. Andrew T. Jones, President of the applicant corporation, appeared on behalf of the company. Calvin F. Major appeared as counsel for Atlantic Greyhound Lines of Virginia, Inc., Community Bus Lines, Inc., and Newton Bus Service, Inc., intervenors. Michael A. Inman appeared as counsel for the Chesapeake and Northern Transportation Corporation, intervenor. Michael L. Rigsby appeared as Commerce Counsel for the Commission.

Andrew T. Jones first obtained a certificate of public convenience and necessity as a special or charter party carrier in 1960, pursuant to the Grandfather proviso in Section 56-338.61, Virginia Code. This certificate (No. B-124) was issued to Mr. Jones on July 15, 1960 and authorized the transportation of special or charter party trips by motor vehicle from the cities of Portsmouth, Norfolk, Chesapeake, Suffolk and Virginia Beach to other points in Virginia. Mr. Jones formed Jones

Bus Company, Incorporated on November 7, 1973 so as to provide perpetuation of his bus business. Subsequent thereto the company applied to the Commission for a charter party certificate to serve the same cities authorized by certificate No. B-124--Portsmouth, Norfolk, Chesapeake, Suffolk and Virginia Beach--plus the cities of Newport News and Hampton, Virginia. Jones agreed to surrender his certificate No. B-124 for cancellation if the application were granted.

Jones first entered the bus business in 1954; since then he has performed both employee hauling and charter party service within Virginia. In addition, Jones has authority from the Interstate Commerce Commission to furnish interstate charter party service from the cities of Portsmouth, Norfolk, Chesapeake, Virginia Beach, Newport News and Hampton, Virginia. Over the years, Jones has built his business to the point where he now owns and operates six passenger coaches, one transit bus and four school buses. He enjoys a favorable net worth and intends to fund the corporation with $10,000 cash.

The evidence shows that Jones has been an active charter carrier within the state. During the period of January 1, 1974 through September 15, 1974 he made 66 charter trips and derived a total charter revenue of $15,910.68.

The applicant presented witnesses from Portsmouth and Norfolk who testified as to the service Jones had furnished in the past and the continuing need and desire for Jones' service from the area encompassed in Certificate No. B-124. The witnesses indicated they had tried other bus service in the past, but found Jones' service to be dependable, convenient, and the best priced for their needs.

One witness from Newport News testified that the YWCA of which she was Executive Director, drew its membership from Newport News and Hampton. The YWCA actively engages in the planning and arranging of tours for its membership, and this requires working with existing passenger transportation facilities. The YWCA desired an extension of Jones' service to Newport News and Hampton because it was expanding its travel programs and, being aware of Jones' reputation for service and price, felt that Jones could best meet the YWCA's transportation requirements. This witness also testified that, on occasion, she had not been able to obtain charter bus service.

The protestants introduced evidence to show they were active carriers in the area sought by the applicant and that they could fulfill the demand for service. Newton Bus Service, Incorporated maintains equipment points in Newport News, Hampton, Gloucester, Richmond and Mathews and owns twenty-four pieces of passenger-carrying equipment. For the period April 1, 1973 through March 31, 1974, the company made 67 charters from Hampton and Newport News, intrastate, thereby generating total receipts of $17,867.57. Newton's principal concern was the applicant's request for authority from Newport News and Hampton.

Atlantic Greyhound Lines of Virginia, Inc. received $23,087.75 for 98 charter trips performed from points of origin sought by the applicant during the period February 1, 1973 to August 1, 1973. The company's principal concern, however, is with the applicant's request for authority to serve Hampton and Newport News.

Chesapeake and Northern Transportation Corporation holds a "B" type charter certificate authorizing service from, among others, the same points sought by the applicant. Its principal opposition, however, was directed also to the award of authority from Newport News and Hampton. During the summer of 1974, Chesapeake furnished two charter trips from Newport News and Hampton and contemplated furnishing two more charter trips from Hampton. During weekends, the company has six buses available for charter service and during the week, three buses. The company has no full-time employees as yet.

The law governing this application is found in Section 56-338.54, Virginia Code, which reads as follows:

> The public convenience and necessity to be served by special or charter party carriers is to provide economical, comfortable and convenient transportation for special or charter parties and in the issuance of all types of certificates authorized by this chapter the Commission shall consider all facts bearing on that purpose, including existing means of transportation, the character of the applicant, and the kind and location of the quipment he proposes to use. The Commission shall issue no more certificates than the public convenience and necessity require, and shall place such restrictions upon such certificates as may be reasonably necessary to protect any existing motor carrier, whether such carrier is operating under certificates issued by the Commission under this chapter or under chapters 12 (Section 56-273 et seq.) or 12.3 (Section 56-338.40 et seq.) of this title or otherwise, but the Commission shall not deny a certificate solely on the ground that the applicant may render special or charter party service originating at the same point or points as such other motor carriers.

Thus, the Commission's responsibility under this section is two-fold; first, the Commission must determine if the applicant's service is required by the public convenience and necessity and; second, the Commission must determine if the grant of authority will adversely affect existing carriers and if so, impose appropriate restrictions upon the applicant. Under no circumstances, however, is the Commission to deny an application simply because the applicant will serve origin points already served by other motor carriers.

The phrase "public convenience and necessity" is not so strict as to require proof that the public must absolutely have the proposed service. As stated in Seaboard Air Line R. Co. v. Commonwealth, 193 Va. 799 @805, 71 SE 2d 146 @150 (1952):

> In Petersburg, etc., Ry. Co. v. Commonwealth, 152 Va. 193, 203, 146 S.E. 292, 67 A.L.R. 931, Justice Holt defined the phrase 'public convenience and necessity' as used in the Motor Vehicle Carrier Act of 1923 (Acts 1923, Ex. Sess., ch. 161, p. 195). In doing so, he quoted with approval from In re Towns, 10 Va. Law Reg. (N.S.) 498, wherein the State Corporation Commission had, in turn, quoted from In re Aldrich, P. U. R. 1923A, p. 385. There it was said: (1)"'So here, the word "convenience," as connected with the word "necessity," is so connected, not as an additional requirement, but to modify and qualify what might otherwise be taken as the strict significance of the word "necessity." *** 'In the phrase "public convenience and necessity" the word "necessity" means that which is needful, essential, requisite or conducive to "public convenience." When more convenient and adequate service is offered to the public, it would seem that necessity requires such public convenience should be served. *** '"

> (2) Defining the term in 1943, the Supreme Court of Utah in Union Pacific R. Co. v. Public Service Comm., 103 Utah 459, 135 P. (2d) 915, 917, quoted from Mulcahy v. Public Service Comm., 101 Utah 245, 117 P. (2d) 298, 300, where it is said: "Necessity means reasonably necessary and not absolutely imperative. *** The convenience of the public must not be circumscribed by holding the term 'necessity' to mean an essential requisite. *** It is necessary if it appears reasonably requisite, is suited to and tends to promote the accommodation of the public. *** "

The applicant is not required to show that its service is an absolute imperative, but rather that its transportation service will reasonably blend into the existing transportation system for the overall accommodation of the public.

One further point should be borne in mind. Insofar as charter service from Norfolk, Chesapeake, Suffolk, Portsmouth and Virginia Beach is concerned, the protestants are not faced with additional competition from Jones. Jones has furnished charter service for many years from these points; in 1960 he obtained a grandfather certificate pursuant to Section 56-338.61, Virginia Code, when charter party carriers came under the certification requirements of the Commission. While Jones has now changed the legal entity which furnishes the transportation, the fact remains that Jones has developed a loyal clientele over the years as a carrier which will stay with that service whether Jones the individual or Jones the corporation furnishes the service. Although a charter party certificate cannot be transferred from Jones the individual to Jones the corporation, a presumption of public convenience and necessity must attach itself to the facts in this case. It appears that Jones wants to do no more than to furnish

the same charter service he has always furnished under his charter certificate No. B-124 and the fact that he has remained in business for almost twenty years as a charter carrier, leads us to believe that there is a demand and need for Jones' service. We are persuaded that the application for Portsmouth, Norfolk, Chesapeake, Suffolk and Virginia Beach is supported by the public convenience and necessity.

The application for Newport News and Hampton is also supported by public convenience and necessity. The Newport News YWCA, which draws its membership equally from Newport News and Hampton, is entitled to dependable, adequate transportation at a price its members can afford. Inasmuch as the membership comes from both Newport News and Hampton, the carrier must have the flexibility to pick up the charter groups in either of these locations to adequately serve the Newport News YWCA's needs.

In summary, the Commission has reviewed all the evidence of record and applied the evidence to the statutory criteria found in Section 56-338.54. The Commission concludes that the application is supported by public convenience and necessity and that the award of authority to Jones does not amount to such a serious competitive threat to the intervenors as to warrant the imposition of any restriction upon the certificate.

HARWOOD and BRADSHAW, Commissioners, concur.

NOTE: The matter is called to be heard at 10:15 o'clock A.M. on June 25, 1974, and begins as follows, viz:

CHAIRMAN SHANNON: All right. Judge Harwood has a statement he wants to make.

COMMISSIONER HARWOOD: Before we proceed, it is necessary for me to leave for a few minutes to go to the Governor's Office to participate in a ceremony wherein an award is going to be made to the son of the District Supervisor in the Norfolk office.

So I intend to participate in the determination and deliberation of this case by reading the transcript of that portion.

So that will explain my absence for a few minutes.

CHAIRMAN SHANNON: Mr. Jones, do you have anything?

MR. JONES: Yes, Your Honor. This is the transfer of a certificate, B-124, which authorizes the transportation of charter parties from certain areas which today would be identified as Portsmouth, Norfolk, Chesapeake,

Suffolk, and Virginia Beach. This is not a transfer.

It is an application for a certificate for those areas, plus the areas of Newport News and Hampton.

The Applicant states that if the Corporation were to be granted the certificate the individual holder of B-124 would relinquish that certificate.

Mr. Jones is not represented by counsel. And he has not spoken with me prior to today. So, with the Commission's permission I will help him as much as I can, remaining neutral.

CHAIRMAN SHANNON: All right. Maintaining your neutrality, just to make an objective record, you may help Mr. Jones.

All right. Do you have anything you want to say, Mr. Jones? Do you want to tell us what you are doing first?

MR. ANDREW T. JONES, JR.: Yes, sir. I want to tell you what I am doing.

I am rendering a service in the Tidewater area for the small low income people, and I do have -- I have been operating since 1954.

I operate an employee hauler and run to the Naval Supply Center in Norfolk, Virginia. I run a daily run from the colleges over from Portsmouth to Norfolk State College, and this type of service that I am offering is one that has been going on since 1954.

Now, I have eleven buses. I have four school type buses and one transit bus that I mostly haul these kids, these children, and small church groups in the local areas.

Now, the reason for this Newport News and Hampton area extension of the application is because during the summer months we have so many calls coming in from Newport News and Hampton, and those people are willing to pay deadhead miles from Portsmouth to Newport News and Hampton, so to show there is an additional need for services in that area.

Now, Greyhound and Trailway, the two largest carriers serving these low people, they are not running their buses to Norfolk City Park and Azalea Gardens, Virginia Beach and around town with the churches and the children and the Boy Scouts and what have you.

They are not serving these low income people.

And since I've been doing this thing we are rendering a service that none of the other carriers are rendering to the people in the area. And we have been established, and this type of service that I have been rendering will continue to be rendered if I am granted the certificate.

And the reason why I want the certificate mainly is to protect my family. If I were to die, my wife would be with all these buses. We have over ninety thousand dollars worth of buses tied up which would be a fallacy to my family. And we are looking into the future, that we would like for this service to continue if I should pass.

I mean, a beautiful illustration of this is the travelers of Tidewater, Mr. Griffin who passed last August a year ago, and we feel that we should get our business in order. So, this is the reason why we are taking this step to try to straighten out some of the business transactions and some of the things that I would like to have continue if I should pass.

So I am here today to ask the Commission to grant me this certificate. I am established. I have established public convenience and necessity years back before the Commission granted the grandfather's clause, when they granted the certificates in 1960.

I have been running the bus six years, from 1954 up until that time.

So I don't think it is a question of public convenience and necessity. I have proven it. I ran over twelve thousand dollars worth of trips last year, and most of them were small trips in the community.

We do get occasionally one or two to Williamsburg and Richmond, but most of them are right in the area serving this Tidewater area that really needs it.

And I might state another thing, crime was up in the last ten years. Crime was up about eighty percent in Portsmouth, Norfolk, Chesapeake, and I can directly attribute my part of the plan in this crime prevention that I can say I have gotten the kids off the street during the summer months. I carry them

to Buckroe Beach. I carry them to the City Park, and I carry them to Oceanview. And this is a thing that is really a necessity in the community.

And I feel that with the type of equipment I am offering those children, I am offering them that they can go anyplace in the community that they like to go without any problem. And I would like this to continue to be this way, sir.

CHAIRMAN SHANNON: Thank you, Mr. Jones.

Mr. Major?

MR. MAJOR: If it please the Commission, I really hadn't intended to make much of an opening statement. I wanted to reserve my remarks until closing, but in view of the fact that the Applicant has made a statement that he feels as though he falls under the grandfather's clause I call the Commission's attention to 56-338.61 which is the grandfather's clause.

My interpretation of that Section, Judge, that that allowed those carriers operating

prior to 1960, when that provision was enacted by the legislature, to come in and obtain their certificate for the area in which they had been operating without proof of public convenience and necessity. However, the Commission is aware of 56-338.56 which says that any such certificate may not be sold, transferred or leased. Therefore, if he does not have any support here today it does not appear to me that he is properly before this Commission.

I believe this Commission has ruled in the past on these charter applications that you have got to now prove public convenience and necessity when you are doing what in reality we used to call a transfer, because you cannot transfer a certificate.

The Commission will also remember -- and I refer to them as the prior Commission -- used to put a restriction in the certificates to prevent an individual from transferring his charter certificate to a corporation and then selling the stock of that corporation to another individual without any approval or sanction of this Commission.

Now, as I understand it, the feeling of this Commission has been of late not to put any such restriction in one of these certificates.

Now, the Applicant has further stated that he was interested in putting his affairs in order. I can appreciate that. And he wants to incorporate, and possibly if he had not included new territory, which is what he is doing, he is trying to get across Hampton Roads -- he is putting in now for Newport News and Hampton -- I probably would not be here on behalf of Greyhound. I might be here on behalf of Community Bus.

But, nevertheless, unless he has got support this morning, with what he has said in his opening statement, I don't see how, under the law, he can properly prove his case.

CHAIRMAN SHANNON: Mr. Inman?

MR. INMAN: Yes, sir. If it please the Commission, I concur with the remarks of Mr. Major, and I point out that even by his opening remarks that Mr. Jones hasn't really gone much towards putting on a case, and we

have to look at 56-338.5(1), exemptions from the chapter.

He stated to us his desire to carry school children, number one, and small groups, for his case, et cetera, from one point in the City to another. These things are not really within the scope of the jurisdiction of the Commission.

He need not really apply for that. It is not intrastate, as defined in the Virginia Code.

We have also strenuous -- we are here to protest the entire application. And I won't repeat Mr. Major's remarks, but I would concur with the transfer ability argument.

CHAIRMAN SHANNON: Mr. Jones, Mr. Andrew Jones.

MR. ANDREW T. JONES, JR.: Yes, sir.

CHAIRMAN SHANNON: I am addressing myself to everybody now, but I notice that you received your certificate from this Commission back on July 15th, 1960 in the name of Andrew Thomas Jones, Jr., and in that certificate you were authorized to provide restricted common carrier

by motor vehicle service from the Cities of Portsmouth, Norfolk, South Norfolk, and Suffolk, and the Counties of Princess Anne, Norfolk and Nansemond, to other points in Virginia.

MR. JONES: Yes, sir.

CHAIRMAN SHANNON: In other words, these points that were enumerated were your points of origin, and you were given a certificate to all points in Virginia.

Of course, this obviously was given at the time that the charter party law was enacted, and I would take it that this was a grandfather certificate because you were operating prior to and at that time.

MR. JONES: Yes, sir.

CHAIRMAN SHANNON: And I think I am correct on that.

Now, you have applied in the name of a corporation, Mr. Jones, Jones Bus Company, Incorporated, for a certificate. And you understand, of course, under the law we cannot transfer a certificate from an individual to a corporation because the law prohibits that.

You have to proceed on the basis that

this is an entirely new certificate, new application.

And you are going to have to prove public convenience and necessity. Do you have any public witnesses here today to support your application?

MR. ANDREW T. JONES, JR.: I don't have anyone here but my wife that can support this. We have all our records here, and it's going to be the same thing.

CHAIRMAN SHANNON: Well, it's not going to be quite the same thing, Mr. Jones, because you have asked for some additional origin points.

You have got Newport News, Hampton in here which was not in your present application, Mr. Jones.

Now, if you like we could continue this case in order for you to have an opportunity to get some public support, some witnesses from the public that could come in here and support you.

I think you have a good operation. I think, as far as we know, you have been in compliance with the law. And rather than just

to turn the thing down summarily, if we were to continue the case for thirty to sixty days in order for you to get some people to come in here and support your application, I think this might be the fair way to do it from your standpoint and from the standpoint of the protestants.

MR. ANDREW T. JONES, JR.: Yes, sir.

CHAIRMAN SHANNON: I mean, do you concur? Or, do you want to go forward?

MR. ANDREW T. JONES, JR.: Yes, sir, we can do that if you feel it is necessary.

CHAIRMAN SHANNON: I think it is a matter of law, and we administer the law. We don't make it.

MR. JONES: If I might make a suggestion, perhaps first we could introduce proof of notice as an exhibit and then continue the case, and then our office could, by first class mail, notify all of the parties of the continuance since there is an extensive list of parties to be notified. That would save Mr. Jones the expense of certified mail.

CHAIRMAN SHANNON: All right. Why don't you enter the notices that have been

served. They will be entered at this time as Exhibit A.

MR. ANDREW T. JONES, JR.: I left home in a hurry this morning. I do have -- I have served them on everyone, and I will send the registered receipts to Mr. Jones, if it would be agreeable. I will mail it to him registered mail this afternoon or tomorrow morning.

CHAIRMAN SHANNON: All right. You get it to Mr. Jones, and we will accept those -- if they are in order we will accept them as a late filed Exhibit A, and I don't think any harm is done because this case will be continued, and we will continue the case generally, Mr. Jones, until such time as you advise our Commerce Counsel that you have witnesses and are ready to proceed. And then we will reset the case.

CHAIRMAN SHANNON: Mr. Major, Mr. Inman, does that --

MR. MAJOR: Yes, sir, that's agreeable.

MR. INMAN: It's agreeable, yes, Your Honor.

CHAIRMAN SHANNON: All right. Then if

all parties are in agreement, and they have signified they are in agreement with this procedure, this case will be continued generally until such time as Mr. Andrew Jones notifies the Commission he is ready to proceed with his public witnesses.

And at that time we will set the matter down for hearing.

MR. INMAN: Your Honor, may I have a moment to confer with my witnesses?

CHAIRMAN SHANNON: Yes.

MR. INMAN: (After conferring with witnesses.) That is quite satisfactory with us.

CHAIRMAN SHANNON: All right. Then the Commission will recess.

* * * * * * * * * *

HEARING CONCLUDED

NOTE: The hearing is concluded at 10:31 o'clock A.M. on June 25, 1974, having been continued generally.

1 CHAIRMAN SHANNON: Mr. Rigsby, isn't this
2 a continued case?
3 MR. RIGSBY: Yes, sir, it is. It was
4 originally set for June 25, 1974, and was contined
5 to today.
6 CHAIRMAN SHANNON: I don't have the trans-
7 cript before me. Did we take any evidence before?
8 MR. JONES: I was handling the case at
9 that time, Your Honor, and the Applicant didn't
10 understand exactly what he had to have to prove his
11 case.
12 CHAIRMAN SHANNON: Oh, I remember now. We
13 continued it so he could bring his witnesses.
14 MR. RIGSBY: The original notices, I
15 believe, were received, and they are in the case file.
16 CHAIRMAN SHANNON: Anything further?
17 MR. RIGSBY: I would like to relate to the
18 commission that Mr. Jones, as an individual, holds
19 a charter certificate number B-124. This certificate
20 was a grandfather certificate, and was issued to
21 Mr. Jones on July 15, 1960. At that time, the
22 certificate authorized the transportation of
23 charter groups from the cities of Portsmouth,
24 Norfolk, South Norfolk, and Suffolk, and the
25 counties of Princess Anne, Norfolk and Nansemond.

1 COMMISSIONER HARWOOD: Would you run
2 that one by me again, Mr. Rigsby?
3 MR. RIGSBY: Yes, sir. Portsmouth, Norfolk,
4 South Norfolk, and Suffolk, and the counties of
5 Princess Anne, Norfolk and Nansemond.
6 Now, after the hearing was held on July 25th
7 our office updated all of the charter certificates
8 that are in existence so that the authority that
9 Mr. Jones now has are the cities of Portsmouth,
10 Norfolk, Chesapeake, Suffolk, and Virginia Beach.
11 COMMISSIONER BRADSHAW: The rest of them
12 being merged, right?
13 MR. RIGSBY: These are the result of the
14 merger, yes, sir.
15 CHAIRMAN SHANNON: Portsmouth, Norfolk,
16 Chesapeake, Suffolk, and Virginia Beach.
17 COMMISSIONER BRADSHAW: It doesn't change
18 the territory, but the labels.
19 MR. RIGSBY: Yes, sir. Jones Bus Company,
20 Incorporated, is here today asking for those
21 cities that I just identified, plus the cities
22 of Newport News and Hampton, Virginia.
23 CHAIRMAN SHANNON: A charter party
24 certificate cannot be transferred, is that
25 correct?

1 MR. RIGSBY: Yes, sir, that is
2 correct.
3 CHAIRMAN SHANNON: So he is actually
4 coming in for a new certificate. We would
5 cancel the old certificate if a new certificate
6 were granted.
7 MR. RIGSBY: That is what he said
8 in his Application.
9 CHAIRMAN SHANNON: And you said he is
10 asking for Newport News, and what is the other?
11 MR. RIGSBY: Hampton.
12 CHAIRMAN SHANNON: Hampton. All, right,
13 Mr. Major, do you have any statement to make?
14 MR. MAJOR: No, sir, other than,
15 Your Honor, the statute does not allow a transfer
16 and he has to come in here with public witnesses
17 to support a new Application, and we are
18 extremely concerned about his jumping the bay and
19 trying to get Newport News and Hampton.
20 CHAIRMAN SHANNON: Mr. Inman?
21 MR. INMAN: Well, I will only state
22 to the Commission that we are also quite concerned
23 about this extension of her permit, and we also
24 are concerned about service to the City of Suffolk
25 which we think is being adequately served.

1 COMMISSIONER HARWOOD: It is your
2 contention he is not adequately serving part
3 of the territory which he is authorized to serve?
4 MR. INMAN: No, I am sorry. You
5 misunderstood me. We think he has not really
6 been serving and it is already being adequately
7 served by other carriers, and this would remain
8 true of Hampton and Newport News also.
9 CHAIRMAN SHANNON: All right. Mr.
10 Rigsby, I guess you had better help Mr. Jones
11 along.
12 MR. RIGSBY: All right, Sir. Mr. Jones,
13 will you come around and take the stand, please?
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1 ANDREW T. JONES, JR.,
2 a witness introduced on behalf of the Applicant, being first
3 duly sworn, testified as follows:
4 DIRECT EXAMINATION
5 BY MR. RIGSBY
6 Q Mr. Jones, will you please state your
7 full name for the record, please?
8 A My name is Andrew T. Jones, Jr., and
9 my address is 2714 Magnolia Street, Portsmouth, Virginia,
10 and my zip code is 23704.
11 Q Mr. Jones, by whom are you employed?
12 A I am not employed by anyone at the
13 present time. I am a retired employee of the Naval Supply
14 Center, Norfolk, Virginia. I retired July 1, 1973, with
15 thirty-four years as a GS-9, and at the present time I am
16 running Jones Bus Company.
17 Q You are an officer of Jones Bus
18 Company?
19 A Yes, sir, I am the President.
20 Q How long have you been in the bus
21 business?
22 A I have been in the bus business since
23 1954. I began on April 18, 1954 as an employee hauler, with
24 a partnership of William H. Harrow, Jr., and myself, and
25 we continued this operation for one year. We had a charter

1 certificate, and after this year, Mr. Harrow decided to
2 discontinue, and in 1955 I acquired a license from the
3 State Corporation Commission to operate charter and employee
4 hauling, and since that time I have been running employee
5 hauling to the Naval Supply Center, Norfolk, Virginia.
6 At the present time I am running
7 three buses to the Naval Supply Center, Norfolk, Virginia,
8 taking workers to and from work, employee hauling, one trip
9 a day, and I am also running a bus from Portsmouth to
10 Norfolk State College. We are taking the students to
11 college. A number of years back they had quite a number
12 of problems getting to college. A lot of the students didn't
13 have any money. We have been operating a bus to Norfolk
14 State College since 1961 up to the present.
15 In addition, the State Corporation
16 Commission granted me in 1960 Centificate B-124, under the
17 Grandfather's clause, and I might note that I didn't
18 realize at the time -- the Commission wrote me a letter and
19 asked me as to the territory I would like to have, and at
20 that time I wrote the territory that I felt that was
21 adequately needed by my services at that time. So I asked
22 for the cities involved, which were at that time Nansemond
23 County, Virginia Beach, and Suffolk, and Nansemond County,
24 and all of those were territories in the immediate Tidewater
25 area.

1 . Now, we have gotten to a different
2 situation now, since my bus business has grown. The people
3 in Newport News and Hampton are calling me. If they have
4 adequate service over there, they are certainly making a
5 terrible effort to get me. I can name reasons why the
6 people of Hampton and Newport News are requesting my
7 services. I have ICC rights from Portsmouth, Norfolk,
8 Chesapeake, Virginia Beach, Newport News and Hampton to the
9 entire East Coast, running special and charter operations,
10 making tours for people, hotel reservations, and all the
11 sort of conveniences that the people would like to have.
12 COMMISSIONER HARWOOD: Excuse me, Mr.
13 Jones. Where are your ICC rights?
14 A They are running in 16 states,
15 including the District of Columbia.
16 COMMISSIONER HARWOOD: From what
17 jurisdictions in Virginia?
18 A From Norfolk, Portsmouth, Chesapeake,
19 Norfolk, Virginia Beach, Newport News, and Hampton.
20 COMMISSIONER HARWOOD: Thank you.
21 A And by my ICC rights being extended
22 to Newport News and Hampton, there are cases -- these people
23 from Newport News and Hampton are constantly calling me
24 for services, and I know the Commission knows, that with
25 twenty-four dollar deadhead and eight dollar tolls that they

1 would have to pay to get my services over there, they
2 certainly need my services or they are fooling me, one of
3 the two.
4 CHAIRMAN SHANNON: Let me ask you,
5 where is your base of operation?
6 A From Portsmouth.
7 CHAIRMAN SHANNON: And it is a twenty-
8 eight dollar deadhead charge?
9 A It is twenty-four dollars deadhead,
10 and eight dollars in tolls to go to Newport News to pick these
11 people up. So in the summer months they are in a destitute
12 over there; Newton Bus Company and Bailey, but those people
13 over there are constantly calling me. And this is the reason
14 why I ask for the extended service.
15 Not to put on any hanky-panky, and I
16 am sure those people in Newport News and Hampton, since I
17 can take them to Washington, to Atlantic City in New Jersey,
18 and all the other places on the east coast, Orlando, Florida,
19 and all those places, and they are wondering why I can't take
20 them to the places in Virginia that they want to go. This is
21 main problem.
22 CHAIRMAN SHANNON: Of course you
23 understand you are not really asking for an
24 extended territory. This is a new Application.
25 A Yes, sir, it is. That is why I am

1 asking for the extended territory in the new Application,
2 due to the demand for transportation over there.
3 COMMISSIONER BRADSHAW: In 1960, if you
4 had asked --
5 A I could have gotten the whole state.
6 I could have picked up from the whole state at that time.
7 My total receipts in 1960 of charter trips was one thousand,
8 four hundred dollars, and up to nine months, I have done
9 fifteen thousand dollars worth of trips in the State. So
10 you can see, the business is phenomenal. The people are
11 requesting my services.
12 CHAIRMAN SHANNON: Mr. Jones, when you
13 got your certificate as an individual, back in
14 1968 --
15 A In 1960.
16 CHAIRMAN SHANNON: That is right, 1960,
17 you are right. Do I understand your testimony
18 that you, at that time, could have gotten rights
19 from Hampton and Newport News?
20 A I could have gotten the whole State
21 of Virginia. I could have gotten any territory
22 that I wanted.
23 CHAIRMAN SHANNON: Well, when you filed
24 your Grandfather certificate then --
25 A I only asked for the territory that I

1 felt actually needed my services at that time. In other
2 words, I didn't ever think that there would be a time when
3 people in Newport News and Hampton would ever call me.
4 So this is the reason why I did not
5 ask for it in my original application.
6 CHAIRMAN SHANNON: But you had prior
7 to that time.
8 A Yes, sir, I did. I could serve any
9 of the territory, yes, sir, under the Grandfather's Clause.
10 BY MR. RIGSBY
11 Q Mr. Jones, do you have a financial
12 statement or balance sheet that you would like to submit?
13 A Yes, sir. I have a financial
14 statement up to date. I have one that I turned in at the
15 other hearing, which wasn't current.
16 Q Will you have -- give three copies
17 for the Commission, and one for the Bailiff.
18 A Yes, sir. I have four copies here.
19 COMMISSIONER BRADSHAW: Mr. Jones, when
20 did the tunnel open up down there between Norfolk,
21 and Newport News/Hampton?
22 A As best I can remember, it was around
23 1953. The Portsmouth tunnel opened up first in 1952. I
24 believe it was in 1953, around in that area that that tunnel
25 opened up, and this closely ties Norfolk and Portsmouth and

1 the whole area together when this new tunnel came about.
2 COMMISSIONER HARWOOD: Let me ask
3 you, just to pry my memory a little bit. I
4 think there are now three tunnels between
5 Portsmouth and Norfolk --
6 A Two tunnels.
7 COMMISSIONER HARWOOD: Two tunnels.
8 The one that I usually use comes in around City
9 Hall, that is the first one, and then they have
10 a mid-town one.
11 A Yes, sir.
12 COMMISSIONER HARWOOD: And that one
13 comes in around the hospital area. And then
14 we have the one that Judge Bradshaw talked about,
15 where you used to ride the ferry over from Old
16 Point Comfort.
17 Do you know the approximate date they
18 opened?
19 A I don't really know the date, but
20 it was approximately 1953. It was just about a year after
21 the Portsmouth Tunnel opened up.
22 CHAIRMAN SHANNON: This exhibit, which
23 is your first balance sheet -- your personal
24 balance sheet. This will be received as Exhibit
25 No. 1.

1 A Yes, this is my personal balance
2 sheet. The reason why I give my personal balance sheet,
3 I would like to explain that to the Commission.
4 We haven't set the operations up in
5 the Corporation because we can't operate under the
6 Corporation, and my accountant hasn't set it up under
7 the Corporation. When we set the Corporation up, all
8 of the equipment on the sheet will be in the Corporation,
9 and we will put in seed money of eight or ten thousand dollars
10 in the Corporation.
11 CHAIRMAN SHANNON: How much cash do you
12 plan to put in?
13 A About eight or ten thousand dollars
14 in the Corporation.
15 CHAIRMAN SHANNON: Not less than eight
16 thousand?
17 A No, sir, no less than that. I think
18 we will need around eight or ten thousand dollars. You see,
19 we are running large buses now. We are running six school
20 buses -- no, no, no, -- beg your pardon. We are running
21 six coach buses, with the toilet and air conditioned. We
22 are running one 1955 transit bus, and we are running four
23 school buses, a 1961 GMC, a 1961 Chevrolet, and two 1963
24 Chevrolets.
25 We bought two 1963 coach buses in February

1 So we are actually running six coach buses, four school
2 buses, and one transit bus at the present time.
3 Now, these buses that we are using for
4 the Naval Supply Center, they are running during the weekday
5 and on weekend we are running charter. When we have these
6 low-income people that we have in Portsmouth, we have some
7 people that are able to pay the high price, and some can't.
8 I didn't bring my tariff, but I have two prices; I have sixty
9 cents a mile for a bus with a restroom and air conditioned,
10 and I have fifty-five cents a mile without the toilet. We
11 lock the toilet up. This is to help people travel that
12 can't travel. If they can't afford that, then we have a
13 school bus that we can offer them.
14 CHAIRMAN SHANNON: What is your rate
15 on the school bus?
16 A We are charging fifty cents a mile
17 on the school bus, and fifty-five cents without the toilet,
18 and sixty cents with the restroom and air conditioning.
19 CHAIRMAN SHANNON: Did you operate
20 profitably last year, Mr. Jones?
21 A Sir?
22 CHAIRMAN SHANNON: Did you make a profit
23 from your bus operation last year?
24 A Yes, sir. We showed a profit last
25 year of five thousand -- about five thousand, eight hundred

1 dollars last year. We grossed eighty-one thousand dollars,
2 but due to the high overhead, repairs, and tires -- we had
3 to buy almost all the buses new tires. Nearly all the buses
4 had to have new tires. So we bought twenty-six hundred
5 dollars worth of tires last year. So our overhead is
6 high. So we should make a much better and substantial
7 profit this year than what we made last year.
8 COMMISSIONER HARWOOD: Do you use your
9 four school buses for your employee hauling
10 run?
11 A I believe we run three of the
12 buses. We run three employee hauling runs, and one to
13 Norfolk State College. And we have one of those buses as
14 a spare. We always have one as a spare, if one breaks down
15 or we can use it for a charter. In the middle of the day,
16 if we want to we can pull the bus from th Naval Base and
17 run it on a charter if we have to. This is the way we are
18 doing this.
19 Now, I might explain to you on the
20 depreciation. Under accumulating depreciation, if you will
21 notice, some of these buses have depreciation all the way
22 out. They don't have any depreciation value whatsoever.
23 And on the book value, we are basing these last right hand
24 corner figures on the market -- what these buses are selling
25 for. If you will notice on the last two GMC buses, 1963

1 GMCs, we say -- we paid 19,500 for them in February or
2 March, and the market price for them now is twenty-four
3 thousand, five hundred dollars. So these are the market
4 prices that we are using these figures on.
5 So we have six thousand, three hundred
6 and seventeen dollars and one cent cash on had as of
7 August 31, 1974.
8 CHAIRMAN SHANNON: It is in the record.
9 It is an exhibit.
10 A All right, sir.
11 BY MR. RIGSBY
12 Q Mr. Jones, let me ask you one question
13 about this. Do you testify that the book value that you have
14 shown in the right hand column is the book value of the buses
15 that you have?
16 A Yes, sir.
17 Q Or is it the cost of replacing those
18 buses with another bus?
19 A That is what they would sell --
20 book value, sell value.
21 Q And did you prepare this statement
22 yourself?
23 A Yes, sir. My accountant prepared the
24 one prior to this one, and all the figures that are on here
25 are the same, with the exception of the three buses; the 1963

1 Chevrolet that I bought for eight hundred dollars was
2 acquired in July I believe it was, and I didn't have the
3 two 1963 buses, the nineteen thousand, five hundred buses
4 weren't on the other sheet. But other than that, they
5 are basically the same.
6 Q All right, sir. Can you tell us
7 something about the charter trips that you have made in the
8 year 1974? Can you tell us how many trips you made from each
9 of the cities for which you have applied for a certificate?
10 CHAIRMAN SHANNON: This will be
11 identified as Applicant's Exhibit No. 2.
12 A From the territory that I am
13 authorized to pick up from, from this territory going out
14 of the Tidewater area, we did sixty-six trips on Charter.
15 COMMISSIONER HARWOOD: Excuse me, Mr.
16 Jones. Take the first one, January 13, 1974,
17 from Windsor --
18 A I went to Windsor from Norfolk
19 or Portsmouth.
20 COMMISSIONER SHANNON: How about the
21 eight trips from Hampton?
22 A We went to Hampton. This is the
23 entire entrastate movement. Like Norfolk to Portsmouth,
24 Portsmouth to Chesapeake. We had fifty-eight trips in that
25 category. Ocean View and Buckroe Beach, we separate them so

1 you can understand it. We had forty-two trips there to
2 Ocean View and Buckroe Beach. Most of them were to Buckroe
3 Beach.
4 CHAIRMAN SHANNON: How long have you
5 been in the bus business, Mr. Jones?
6 A I have been in the bus business -
7 this year it will be twenty years.
8 CHAIRMAN SHANNON: Is this full time?
9 A It was part time until I retired.
10 I am devoting full time to that now.
11 CHAIRMAN SHANNON: How long have you
12 been devoting full time to it?
13 A Since July 1, 1973.
14 CHAIRMAN SHANNON: Full time?
15 A Yes, sir.
16 CHAIRMAN SHANNON: How many employees
17 do you have?
18 A I have about fourteen part-time
19 employees. I don't have any full time employees at the
20 present time. They are all part time. I do have retired
21 people that can run trips for me, and if I have a trip
22 to some point, I can get someone to drive for me. I have
23 never run short of drivers.
24 CHAIRMAN SHANNON: Have you ever been
25 picked up for any violation, either Federal or

1 State?

2 A No, sir. We had one violation

3 last week. The boy put the wrong license on the wrong

4 bus. This is something that can happen with these State

5 Corporation plates. What happened was the school bus was

6 caught with the coach bus license on it, and the coach bus

7 had the school bus license on it. So we finally found out

8 about it, and we put the right license on the right bus.

9 I took the license over to the court, and the Judge

10 dismissed the case. He asked the inspector if this license

11 was in effect for this vehicle at the time of the summons,

12 so we were dismissed.

13 That is the only violation we have had.

14 We haven't had any accidents, road accidents, since 1955.

15 CHAIRMAN SHANNON: Where are your

16 buses maintained?

17 A I do most of the maintenance, and

18 I find some of the fellows that want to work part time from

19 Virginia Transit Company or some fellows like that to come

20 around and help me, and we have Portsmouth truck repair

21 and Lewis Chevrolet. Lewis Chevrolet does all the work on

22 the school buses mostly. I do some minor things. But on

23 the coach buses, they are not able to handle it, and I have

24 to work on those or ask someone else.

25 Now, we have only had three road

1 breakdowns that I call a breakdown, where the bus wasn't able
2 to come back in the last five years. So we are running six
3 buses, and we haven't had but one this year.
4 CHAIRMAN SHANNON: What about your
5 safety record?
6 A We haven't had an accident since
7 1955 on the road. I carefully screen all the drivers. You
8 know the ICC and the Department of Transportation as well as
9 the Division of Motor Vehicles in Virginia are very strict
10 on hauling of passengers.
11 CHAIRMAN SHANNON: I believe we can
12 put the SCC in that group too.
13 A Yes, sir. You can put them all in.
14 The drivers check the buses before they go, and when they
15 get back they give me a report of what is wrong with the
16 bus. And then another thing, I am screening my drivers.
17 A driver has to hae five hundred hours driving on the road,
18 to get an ICC rights, and all the school drivers can't drive
19 the coach buses. In other words, they have to prove themselves.
20 I might run them around town a little bit, but I won't put
21 them out on the road until I know that they can handle that
22 piece of equipment. So this is the reason.
23 The insurance Company, I am with Virginia
24 Mutual, they have a safety program. They have the safety
25 inspector come by, and he is always willing to help them.

1 And we have regular safety meetings maybe once a month or
2 every two months. If something out of the ordinary happens
3 to a driver, he relates this to me and I, in turn, -pass this
4 on to the other drivers.
5 We had one driver who had a minor
6 accident in Norfolk twice within two weeks, and I was wondering
7 what the problem was. He was a wonderful driver. He drives
8 on the road and never has an accident. He was in the middle
9 lane at a stoplight. It happened off Granby Street near the
10 South Hall Hospital. He was in the middle lane. He takes
11 off, and just as he began to move his bus, he was going to
12 pull over into the right lane, and there is a car coming
13 along behind him and he doesn't see him and whips around
14 here, and he catches the car. He did it twice, and I
15 realized what was wrong. If he is in that lane, stay in that
16 lane until you get your speed up, and then move over. And
17 this corrected that situation. But we haven't had any
18 accidents on the road since 1955.
19 COMMISSIONER HARWOOD: I was just
20 intrigued. I notice two trips this year up
21 to Keezletown, Virginia, which I just checked
22 my memory, and it is just outside of Harrisonburg?
23 A Yes, sir, out that way, up in the
24 mountains.
25 COMMISSIONER HARWOOD: What do people go

1 there to see?

2 A I think they go up there for

3 skiing. Other people go up there for recreation.

4 They say it is a nice place. They have cabins.

5 Different horse rides and different things like

6 that.

7 COMMISSIONER HARWOOD: Keezletown

8 designation is in it for what they call the

9 Kettle up on Mansanutten Mountain?

10 A Yes, sir, that is right.

11 Now, the gross receipts from January 1st until September 15th,

12 1974, is fifteen thousand, nine hundred and ten dollars.

13 Now, I will tell you that gross receipts

14 for 1973. The Gross receipts for 1973 were fourteen thousand,

15 two hundred and seventy-six dollars.

16 CHAIRMAN SHANNON: That is intrastate

17 business?

18 A Yes, sir, intrastate business.

19 In 1971, it was ten thousand, nine hundred and ninety-five

20 dollars. So you can see, in two years we have tremendously

21 increased our transportation. Another thing I can mention,

22 the fallacy of the fuel situation along with the people

23 having the burden of insurance or repair on their car, they

24 are coming back to buses. It is showing in my business

25 and it is showing the -- in the tidewater area. People are

1 riding the buses more or less. They are traveling. My
2 interstate commerce trips, last year I did sixty-seven
3 thousand dollars worth gross for the year, and this year
4 I am expecting to do over eighty or ninety thousand dollars
5 worth.
6 So that has tremendously increased.
7 CHAIRMAN SHANNON: Mr. Jones, the
8 Corporation that you formed. Who are the
9 principal stockholders?
10 A I am the principal stockholder.
11 Let me explain this to you. The reason for this Corporation
12 is because if I die, we can't run the bus business any more,
13 and I want to incorporate it -- if something did happen to
14 me, my son and wife can run and continue the bus business
15 that we have been providing for these people all these
16 years. So this is the reason for the Corporation.
17 Now, my two sons and my wife, we are
18 the only ones in the Corporation at the present time, and
19 I will be the principal stockholder. In fact, I will own
20 the Corporation. They will probably have a hundred or two
21 hundred dollars worth of stock. The rest of it would be
22 mine.
23 CHAIRMAN SHANNON: What is your
24 maximum authorized capital?
25 A One hundred thousand dollars capital.

1 CHAIRMAN SHANNON: And how much stock
2 are you planning to put into that?
3 A Well, the way this thing is running
4 now, we would put about eighty thousand dollars, I imagine,
5 with all the buses and the ten thousand dollars I am going
6 to put in there. We will have about eighty thousand dollars
7 in there.
8 CHAIRMAN SHANNON: I mean how much
9 capital are you going to put in there?
10 A Ten thousand dollars, along with the
11 equipment.
12 CHAIRMAN SHANNON: Will all the equipment
13 that is shown on Exhibit No. 1 be transferred to
14 the Corporation?
15 A Yes, sir, all the equipment except
16 one car, the 1970 Oldsmobile.
17 CHAIRMAN SHANNON: You are going to keep
18 that?
19 A Yes, sir, I keep that for a family
20 car. We are using the 1964 Pontiac as a truck. We are
21 keeping all the tools and things like that in the car. That
22 is what we are using that car for now. But eventually we
23 are going to replace that with a truck.
24 CHAIRMAN SHANNON: Mr. Rigsby?
25 BY MR. RIGSBY

1 Q Is that Cadillac going to be a
2 Company car too?
3 A Yes, sir, that is going to be a
4 Company car. We have to get some fringe benefit out of the
5 bus business. I have been taking this money and putting it
6 back into it. We are not spending the money.
7 CHAIRMAN SHANNON: You are retired.
8 You are living on your retirement pay?
9 A I am living on my retirement pay,
10 and my wife works. My wife teaches school, so this is
11 our livelihood. The buses is not really our livelihood,
12 but we do want to continue the service and make it a success.
13 COMMISSIONER HARWOOD: I keep a little
14 thing pasted up here, Ralph Waldo Emerson said
15 "There is nothing astonishes men so much as
16 common sense and plain dealings."
17 CHAIRMAN SHANNON: Anything further,
18 Mr. Rigsby?
19 MR. RIGSBY: I have no more questions
20 of Mr. Jones.
21 CHAIRMAN SHANNON: Mr. Major, do you
22 have any questions of Mr. Jones?
23 CROSS EXAMINATION
24 BY MR. MAJOR
25 Q Mr. Jones, isn't it a fact you have

1 already transferred your equipment to the Corporation?
2 A Let me mention this to you.
3 Q You haven't mentioned it before,
4 have you?
5 A No, but it is not transferred to
6 the Corporation. The Corporation books are not set up.
7 My accountant doesn't have anything in the Corporation books.
8 I didn't bring them here; I should have brought them for
9 your information. The reason the buses have been transferred
10 to the Corporation, number one, with this amount of money
11 we have involved, I can't afford to get a traffic violation
12 and they take my licenses off my buses. I can't operate them.
13 I immediately took those -- when the registration time came,
14 I put them in Jones Bus Company. So the State Corporation
15 Commission wrote me a letter back in August telling me that
16 I would have to lease the buses from the Corporation. I
17 only lease them for myself. I told them what was happening.
18 I just transferred them to me and I leased the buses to me,
19 but there is nothing going on. I am the Corpomtion, I guess,
20 and there is nothing to that.
21 Q I understand you have not issued any
22 stock?
23 A No, stock, or nothing, no, sir.
24 No stock, no nothing. No, sir.
25 Q Where did you get the value of these?

1 A I got the value of these buses, I
2 called Trailway and asked them about buying some of these
3 same buses, and they gave me the market value on the "63
4 buses.
5 Q Is that what we call a 4106?
6 A Yes, sir, that is right. And they
7 told me the market value was twenty-four thousand, five
8 hundred dollars. That is what they were selling them for.
9 Q You paid nineteen thousand, five
10 hundred, --
11 A Yes, sir.
12 Q You say it is fully depreciated and
13 it is now worth twenty-four thousand dollars.
14 A Yes, sir. Let me mention this
15 case to the Commission. All of the transportation people
16 have froze their buses. They are not selling them because
17 the transportation demands are becoming so great that the
18 people are riding the transportation now, and these bus
19 companies are not discarding their old equipment. They
20 are buying new buses now, and they are not letting their
21 old buses go. The only reason I got these two buses, Trailway
22 was on strike, and they needed some money to operate with.
23 Q Has that been within the last year
24 or two?
25 A Yes, sir.

1 Q Let me ask you this then, if that
2 is when you got them, how did you fully depreciate them?
3 A I haven't depreciated them. In
4 fact, the value has gone up instead of gone down.
5 COMMISSIONER BRADSHAW: I think, Mr.
6 Major, you are looking at the zeros. I had the
7 same thought. To me that means he has not
8 depreciated them.
9 A Let me explain to you. All but those
10 two 1963's have been depreciated. Like that 1961 Chevrolet,
11 the depreciation is completely out.
12 BY MR. MAJOR
13 Q Who made this out for you, Mr. Jones?
14 A My accountant made this up, the
15 first one. I made the last one. The only difference is the
16 two 1963 buses, and the cash account on top. I called the
17 bank yesterday -- or day before yesterday and got it
18 straightened out. That is the only difference.
19 Q What Judge Bradshaw said then is true,
20 that the zeroes show you have not depreciated it?
21 A No, no, on those two. I haven't
22 done anything about those two. The zeros should not have
23 been there.
24 Q When did you get those 4106's?
25 A I got the 4106's in February or March.

1 Q Of this year?

2 A Yes, sir, of this year.

3 Q Now, you plan to continue to operate

4 the business in the name of the Corporation? You are not

5 asking that this be done in order that you can sell your

6 stock?

7 A I didn't say that. At the present

8 time I am financially able to run the bus business, but I

9 would like to be able to if it became necessary, but I am

10 not doing it at the present time. I am not planning to do

11 this, but in the future, if it is necessary, if I needed a

12 garage and wanted some new buses, I would have to sell some

13 stock in order to get them. It is the only way I could do

14 it.

15 Q So you may sell stock to an outsider?

16 A That is right. No time -- it is

17 not anticipated in the next two or three years, we will say.

18 Q I believe you testified that you

19 incorporated because you would like to continue your

20 operation?

21 A Yes, sir, that is right.

22 Q In order that either your wife or

23 your sons will be able to take over. But your present

24 operation does not include either Newport News or Hampton,

25 does it?

1 A No, sir, it does not.

2 Q Did you render service over there,

3 and when I say 'over there', I mean across the bay in those

4 two areas prior to 1960?

5 A Let me see. Naw, naw, naw. No,

6 no.

7 Q So you would not have been entitled

8 under the Grandfather Law.

9 A Yes, sir, yes, sir.

10 Q You haven't served them.

11 A That doesn't make no difference.

12 The Grandfather Law, sir, I can -- I could get any territory

13 I wanted. All these other bus companies and i ndividuals

14 just wrote down what they wanted.

15 Q That is a question of law, Mr. Jones.

16 A The Commission is here, and the two

17 lawyers are here who can tell you. I mean it can be looked

18 up. It was in a court order from the Interstate -- I mean

19 the State Corporation Commission -- to give you any territory

20 that you think you want. Anything you want. I could have

21 gotten anyplace. Some ask for a fifty mile area; some ask

22 for a hundred mile area; some ask for the whole State.

23 CHAIRMAN SHANNON: Mr. Jones, I believe

24 the point that Mr. Major is trying to make is

25 that I think the Commission at that time would

1 require that you had to show some operation.
2 A No, sir, they didn't at that time.
3 They just gave it to you. Anything you think you needed.
4 CHAIRMAN SHANNON: Of course, we don't
5 have to get into the Grandfather provision here,
6 because this is a new Application.
7 A Well, that is true, but I could have
8 gotten any territory I wanted at that time.
9 BY MR. MAJOR
10 Q Certainly now with hindsight, you
11 wish now you had asked for everything in the State of
12 Virginia I take it.
13 A Well, now, I don't think it would
14 be necessary for the whole State of Virginia. I am only
15 asking for the places that these people are calling from.
16 It would be foolish for me to ask for Richmond and nobody
17 never calls me from Richmond. The only reason I am asking
18 for Newport News or Hampton is that I am running into
19 Newport News and Hampton Interstate, and those people over
20 there are calling me and wanting to know why I can't take
21 them intrastate. And this is a logical thing for those
22 people to want me after I am giving them service over there.
23 Before there was a tunnel or bridge
24 across from Norfolk to Hampton, we were somewhat apart, but
25 now we are tied together in a metropolitan area.

1 Q How many public witnesses have you
2 brought to testify?
3 A I brought five public witnesses
4 here, sir.
5 Q And what areas are they going to
6 testify from?
7 A I have one from Portsmouth, one
8 from Norfolk, I got one -- I got two from Portsmouth, one
9 from Norfolk, one from Newport News.
10 Q That is only four.
11 A Wait a minute. I have three from
12 Portsmouth, one from Norfolk, and one from Newport News.
13 I might mention to the Commission --
14 Q I haven't finished with my question
15 yet. You testify now on direct, and you are cutting into
16 my cross examination. You have no one here, as I understand
17 it, from Hampton, Chesapeake, Suffolk or Virginia Beach?
18 A No, sir.
19 CHAIRMAN SHANNON: Do you have any
20 witnesses here that can testify as to the need
21 for your service in Hampton or Newport News?
22 A I have one from Newport News here.
23 MR. MAJOR: Judge, he said he has
24 three from Portsmouth, one from Norfolk, one
25 from Newport News, and none from the other places

1 that he has asked for.

2 A I would just like to say that it is

3 hard to get people to come to Richmond.

4 BY MR. MAJOR

5 Q You said your gross receipts, I

6 believe, for 1974 on your exhibit, you testified in respect

7 to 1973, and you gave 1971. You omitted 1972, so far as

8 your intra gross receipts.

9 A Right. 1972 was sixteen thousand,

10 twenty-three dollars, and fifty cents.

11 Q So actually your 1972 was better

12 than your 1973?

13 A Right. And I would like to explain

14 that too.

15 Q You have no regular route authority

16 -- you have employee haul, but you have no regular route

17 authority?

18 A No, sir. I want to explain to you

19 -- no, no, I am running to Norfolk State College. I applied

20 to the Commission for a regular route authority, and they

21 told me it would be up to the transportation branch in

22 Norfolk.

23 CHAIRMAN SHANNON: That is a special

24 transportation district?

25 A Yes, sir, that is right. They told

1 me to continue operations.

2 COMMISSIONER BRADSHAW: How many

3 are you hauling to the school?

4 A We are running approximately fifty

5 in the morning, and probably about twenty-five -- about

6 seventy-five overall a day, somewhere like this. We have

7 run a considerably higher number, but so many of them have

8 cars now days. It is falling down some.

9 COMMISSIONER BRADSHAW: What are

10 you charging them?

11 A I am charging them fifty cents per

12 ride, four dollars and a half a week for a ticket, ten rides

13 on a ticket. So they save fifty cents by riding -- on city

14 transportation it would cost them approximately a dollar

15 each way. They would have to ride the Portsmouth bus, and

16 the tunnel bus, and the Norfolk City bus run about a dollar

17 each way.

18 COMMISSIONER HARWOOD: They would have

19 to ride three buses?

20 A Yes, sir, in order to get there.

21 And a number of the students, if I didn't run this service,

22 they wouldn't be able to go to College. They wouldn't have

23 the transportation.

24 BY MR. MAJOR

25 Q I believe you testified that one

1 of your vehicles got a ticket just recently, last week or
2 something like that, in Hampton. What was your vehicle
3 doing in Hampton?
4 A It was at Buckroe Beach. It was
5 carrying a bus load of people from a housing project to
6 Buckroe Beach.
7 Q Where did it originate? The charter.
8 A It was on the 13th of July. I don't
9 have the book here. I think it was from Portsmouth. I am
10 almost sure it was from Portsmouth.
11 Q All right. And as I understand it,
12 you hve no full time employees?
13 A No, sir.
14 Q They are all part time?
15 A Yes, sir.
16 Q Do you do any driving yourself?
17 A Yes, sir. When it is necessary.
18 Q And are you the mechanic?
19 A Yes, sir. A one-man bus company.
20 MR. MAJOR: I have no further questions.
21 CHAIRMAN SHANNON: Mr. Inman?
22 CROSS EXAMINATION
23 BY MR. INMAN
24 Q Mr. Jones, looking at your list
25 of trips, all of these reflect destinations, but we don't

1 have any origins indicated on here do we, or am I misreading
2 it?
3 A No, sir, I didn't put any origins
4 on here. They all originated from Portsmouth, Norfolk and
5 Chesapeake. Most of them from Norfolk and Portsmouth.
6 We do have a few from Virginia Beach. I didn't bring my
7 book. I should have brought it. I was trying to give you
8 the idea of how many trips we run out of Norfolk and
9 Portsmouth, Virginia Beach and Chesapeake. Most of them
10 are out of Portsmouth and Norfolk.
11 Q Most of them are?
12 A Yes, sir.
13 Q Now, in the cities you just mentioned,
14 I don't recall you mentioning Newport News or Hampton?
15 A We don't pick up. If you will look
16 I have eight to Hampton. Buckroe Beach is in Hampton, but
17 I separate Hampton.
18 Q How many interstate trips have you
19 run out of Hampton?
20 A Interstate trips?
21 Q Originating in Hampton?
22 A I don't know now. There are a lot
23 of them -- I don't have my figures here. I didn't bring
24 any ICC information here, but I am running a number of them
25 out of Hampton.

1 Q How about Newport News?

2 A Yes, sir, the House of Prayer and

3 Hampton Institute, and these churches and clubs.

4 Q But you don't have any specific

5 numbers?

6 A I don't have any down here, no, sir.

7 Q All right. You told us that this

8 deadhead mileage that is required you pay for when you go

9 over to Hampton and Newport News. Do these people know that

10 they have to pay deadhead mileage?

11 A Yes, sir. I told them. Yes, sir.

12 CHAIRMAN SHANNON: And it is in the

13 tariff too, isn't it?

14 A Sir?

15 CHAIRMAN SHANNON: It is published in

16 your tariff.

17 A Yes, it is in the tariff about dead-

18 head mileage.

19 BY MR. INMAN

20 Q How many trips have you originated

21 in Suffolk in the last year?

22 A I would say I originated about three

23 or four. Nansemond county, I have had quite a few in

24 Nansemond County. They are tied up together. And Driver --

25 Q And Driver being a few miles out of

1 Portsmouth?

2 A Yes, sir.

3 Q How far is Driver outside of

4 Portsmouth?

5 A Oh, I guess about twelve or fourteen

6 miles outside of Portsmouth, something like that.

7 Q All right. The checks that you use,

8 are they in your corporate name, or in your individual name?

9 A What is that now?

10 Q The checks that you use in your

11 business?

12 A They are coming in both ways. My

13 business account is set up on the bus company. I put it

14 that way. In order words, all my checks in my check book

15 are written Jones Bus Company, but it is me. In other words,

16 I get -- all my bills are written out Andrew T. Jones --

17 sometimes I get one Jones Bus Company -- I just put them

18 all in the same account.

19 Q I am talking about the checks that

20 you use to pay your business expenses for your Company?

21 A It is coming out of Jones Bus

22 Company.

23 Q It is on your check - Jones Bus

24 Company?

25 A Yes, sir.

1 Q But it is just you right now?
2 A Yes, sir, that is right.
3 Q And the Corporation doesn't have
4 any assets?
5 A No, sir.
6 Q But there is a bank account open
7 in your corporate name?
8 A Yes, sir, I have that in there.
9 Q I am sorry, refresh my memory,
10 how many shares of stock are authorized, do you recall?
11 A One hundred thousand dollars.
12 Q How much in stock has been issued so
13 far?
14 A None.
15 Q None. Now, you have indicated the
16 purpose in transferring this certificate -- not transferring,
17 but applying for a new certificate is to provide for your
18 ability to pass on the Company. Is your son working with
19 you now?
20 A Yes, sir, he is helping me.
21 Q Is that his regular job?
22 A No, sir, he is a school teacher.
23 He teaches mathematics at Waters Junior High School,
24 Portsmouth. But he cleans the buses up.
25 Q Now, is your wife on the payroll?

1 A No, sir.
2 Q She is an officer of the Corporation?
3 A She is the Secretary of the Corpor-
4 ation.
5 Q Does it appear to you at this time
6 that your wife -- that your son is going to stick to the
7 teaching profession?
8 A Well --
9 Q How long has he been in it?
10 A He has been in it about five or six
11 years. I don't know how long he is going to be teaching.
12 When it gets to that point, he can take the business over.
13 He probably will.
14 Q I ask that that answer be striken
15 from the record. He doesn't know whether he will or won't,
16 it is pure speculation.
17 COMMISSIONER BRADSHAW: You asked the
18 question.
19 A That is right, and I answered it.
20 BY MR. INMAN
21 Q It is speculation, Your Honor. Your
22 profits you indicated was five thousand dollars, as I
23 recall, for last year?
24 A Yes, sir.
25 Q Did you receive any salary last year?

1 A No, sir. We are putting it right
2 back in the business.
3 MR. INMAN: Okay. I have no further
4 questions.
5 CHAIRMAN SHANNON: Mr. Jones, let me
6 ask you one final question. If the Commission
7 grants the corporation, the Application, are you
8 going to surrender the individual certificate that
9 you now hold for cancellation?
10 A Yes, sir. Immediately.
11 CHAIRMAN SHANNON: All right. You may
12 stand down.
13 WITNESS STOOD ASIDE.
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1 CHAIRMAN SHANNON: Mr. Rigsby, he
2 has some witnesses here, is that right?
3 MR. RIGSBY: Yes, sir.
4 CHAIRMAN SHANNON: All right. Why
5 don't you take the one from Hampton/Newport News
6 first.
7 Mr. Jones, if you want to sit here,
8 next to Mr. Rigsby here and Mr. Jones, you may.
9
10 ELIZAR WILLIAMSON,
11 a witness introduced on behalf of the Applicant, being first
12 duly sworn, testified as follows:
13 DIRECT EXAMINATION
14 BY MR. RIGSBY
15 Q Mrs. Williamson, will you please
16 state your full name and address?
17 A My name is Elizar Williamson, and
18 my address is 1151 - 34th Street, Newport News, Virginia.
19 CHAIRMAN SHANNON: Speak up, Mrs.
20 Williamson, we do want to hear you.
21 A I do have a soft voice, and I will
22 try to speak up.
23 CHAIRMAN SHANNON: You are doing very
24 well.
25 A I am employed by the YWCA. I am

1 Executive Director, which is located at 2702 Orcutt Avenue.
2 May I continue?
3 CHAIRMAN SHANNON: Yes, maam, you go
4 right ahead.
5 A I brought a little book along with
6 me which might tell you something about travel. This is
7 quite interesting, at least it is to Mr. Jones, and you
8 are aware that we have a need for group transportation, and
9 it is helpful to the YWCA and its programs, and it will
10 show you just how much traveling means to the people of
11 the YWCA.
12 CHAIRMAN SHANNON: Would you like to
13 put this in the record as an exhibit?
14 A It just shows you how much traveling
15 is a part of the YWCA. Traveling has brought life to
16 the YWCA, because it is educational, it provides fellow-
17 ship, and also it provides a means for us to get more
18 members involved --
19 CHAIRMAN SHANNON: Excuse me just
20 a minute before you continue. I am going to
21 mark this Exhibit No. 3. This is Applicant's
22 Exhibit N. 3.
23 A I am the Executive of the Phyllis
24 Wheatley Branch, YWCA, 2702 Orcutt Avenue, Newport News,
25 Virginia. For the past years -- the past ten years --

1 traveling has been part of our program. Before then we
2 had dinners and quite a few other things bringing extra
3 money to the YWCA. As you know, United Fund provides so
4 much money and we have to provide so much money from income
5 to pay for these services, and we feel that travel is an
6 important service. It provides ecucational opportunities,
7 as well as entertainment, fellowship, meeting friends, and
8 things like that.
9 In the past year, we have some tours,
10 and I have known Mr. Jones Company. We have not used him,
11 we had to use another Company which would come from the same
12 distance that Mr. Jones would come for us if we could use
13 him.
14 The majority of the buses that are used
15 in the traveling in the Newport News area comes from Gloucester,
16 or Norfolk. The use of his company would be advantageous.
17 We would like to support him.
18 Our membership is Black, and we would
19 like to use a Black company if we could, but he is not
20 able to provide the service. I do know that because we are
21 a very intimate part of the community, especially the black
22 community in the YWCA, we have a lot of membership from
23 Hampton and Newport News equally. In fact, we serve the
24 peninsula area -- Yorktown --
25

1 CHAIRMAN SHANNON: Mrs. Williamson,
2 if his Application were granted, how often would
3 you estimate that you would use Mr. Jones'
4 service?
5 A Well, we could use him -- I wouldn't
6 say once a month, but I was going to tell you that because
7 we are an intricate part of the community, we start tours
8 from about ten years ago, and now all the club members, I
9 help them set up a tour together, and then they make a
10 contribution to the YWCA or they join the YWCA, so if we
11 didn't use them, there would be one or two groups a month
12 that would use him.
13 COMMISSIONER BRADSHAW: Have you ever
14 needed a bus in Newport News or Hampton and
15 couldn't get one?
16 A Well, yes. It is getting harder.
17 Some of the tours you have to book maybe a year ahead. You
18 can't wait until the last minute. Perhaps you haveto change
19 your dates. Traveling is really growing now, and it is
20 really increasing since the energy crisis, and it is really
21 becoming more difficult.
22 CHAIRMAN SHANNON: Do you have anything
23 else, Mrs. Williamson?
24 I guess if you don't, I guess Mr. Major
25 has some questions. Do you have a question, Mr. Major?

1 MR. MAJOR: Yes, sir.

2 CROSS EXAMINATION

3 BY MR. MAJOR

4 Q Mrs. Williamson, did I understand

5 you to say that you had not used Mr. Jones' service, that

6 you used another carrier?

7 A The one we have been using mostly

8 comes from Norfolk. You see, he can't come and pick up a

9 charter in Newport News.

10 Q So you haven't used his services?

11 A No, sir.

12 Q How do you know what type of service

13 he can render you?

14 A Well, now, he has been leasing his

15 bus to another company.

16 Q When did he last do that? Within

17 the last twelve months?

18 A Well, I have tried to get his services

19 and it was not available.

20 Q Now, are you making your plans for

21 your charter trips three or four months ahead of time?

22 A Yes, sir. I gave you an example --

23 we just released our program Monday, and I am planning twelve

24 months in advance when I plan to use him.

25 Q Mr. Jones?

1 A I plan -- if he gets this permission.
2 Q Where is that charter going to?
3 A Well, I was going to check with him
4 on a New York trip.
5 Q He has that authority, doesn't he?
6 A I don't know.
7 Q When you were talking about --
8 A I know about his buses, because I
9 have kept check with him, because I was interested in how
10 he was doing.
11 Q You do know that there are other
12 companies that keep equipment in Newport News, and do not
13 charge you any deadhead miles from Newport News. It is what
14 we call equipment points.
15 A Well, I am not aware of them. I
16 know about the ones that I use and the ones I would like to
17 use.
18 Q Who do you use?
19 A I have used a chartered bus company
20 that comes out of Norfolk, and then there is Baileys in
21 Newport News. I don't always go by the price, because I
22 think in terms of the person that is going to do the charter,
23 the services, and the equipment, before I make a final
24 decision, and I like his drivers and I like his equipment.
25 Q Have you ever used the services of

1 Newton Bus?

2 A Yes, sir.

3 Q And have you used Community Bus

4 Line?

5 A No, sir.

6 Q Have you used Greyhound?

7 A Yes, sir, and I don't like them.

8 Q Why? What complaint have you got?

9 A Discourteous drivers.

10 Q When did you last use their service

11 that had discourteous drivers?

12 A I believe last summer. I promised

13 I would not use them any more.

14 Q Did you make a complaint?

15 A No, sir, I did not. I investigated

16 and found out the driver was discourteous.

17 Q What company was that?

18 A That was Greyhound.

19 Q Was it a black driver?

20 A No, sir.

21 Q I believe you testified that you

22 would like to use a black company?

23 A Yes, I would. I think we should

24 support each other.

25 Q Are you here in support of him today

1 because you would rather use a black company or that you have
2 had inadequate service?
3 A I would say that I am interested in
4 both ways. I have gotten good service from the companies
5 I have used, otherwise I wouldn't use them again, but I am
6 interested in him getting this opportunity.
7 Basically, some people have asked me
8 why I haven't used him of our membership, and they inquired
9 as to why I haven't used him more.
10 Q Basically, as I understand it, you
11 are satisfied with the existing service, but you would like
12 to have Mr. Jones, and he is colored, and you would like to
13 support him in his application.
14 A Yes, that and then too, and really
15 and truly in the Newport News area the equipment is not good
16 as his. That is my comparison, and I have not been on every
17 bus and I am not aware of every company.
18 Q Do you understand from the exhibit
19 he has filed that all of his coaches are ten years old?
20 Have you ever rode a Greyhound bus that is ten years old?
21 A Yes, indeed I have.
22 Q You have. Where did you go?
23 A I went to Lost Colony.
24 Q Williamsburg?
25 A No, sir. North Carolina.

1 Q That was an interstate shipment?
2 A Yes, sir.
3 Q Have you made any intra movements,
4 and when I say that, I mean in the State of Virginia, out
5 of Newport News?
6 A Oh, yes, I don't understand -- you
7 mean out of --
8 Q Within Virginia.
9 A Within Virginia?
10 Q Yes, within the State, out of
11 Newport News. Like to Alexandria or to Fredericksburg,
12 or Williamsburg?
13 A No, sir.
14 Q Most of your trips are long trips?
15 Are they more than one day?
16 A Most of them are.
17 Q Is that primarily where your interest
18 lies?
19 A No, actually we are going to try
20 to go to Hawaii next year.
21 Q And how long did you say you have
22 been active in this association?
23 A Ten years.
24 Q And you can't recall having gone out
25 of Newport News to a point in Virginia. Most of them are --

1 well, you have to give people something that they haven't been
2 to before. Most people will travel Virginia or acreas around
3 here.
4 Q On their own?
5 A That is right, on their own.
6 Q But you have to get a charter to
7 go outside the State?
8 A You have to offer them something
9 they haven't seen before.
10 MR. MAJOR: Thank you, Mrs. Williamson.
11 I have no further questions.
12 CROSS EXAMINATION
13 BY MR. INMAN
14 Q Just one short question. Isn't it
15 a fact that you use Bailey Bus Company?
16 A I have used them.
17 Q Isn't Mr. Bailey black?
18 A Yes, he is.
19 MR. INMAN: No further questions.
20 RE-DIRECT EXAMINATION
21 BY MR. RIGSBY
22 Q If Mr. Jones were to get these
23 rights, would you use his service for trips in Virginia?
24 A I would use both. If he gets his
25

1 rights, I was going to ask him to do Skiland in Charlottesville.
2 That is one within the State of Virginia. If his services
3 are available, and our agreements and our prices merit it,
4 we will use him. Because even with deadhead mileage,
5 people don't mind paying a few cents more if the service is
6 better. We think in terms of price and service.
7 COMMISSIONER HARWOOD: Mrs. Williamson,
8 with the YWCA in Newport News and Hampton, what
9 age group do you usually take? I realize that
10 would be difficult.
11 A We took forty-five girls --
12 COMMISSIONER HARWOOD: Teenagers?
13 A From six to twelve years of age.
14 This is an exciting part of our program.
15 COMMISSIONER HARWOOD: Would you
16 typify -- what income families do they come from?
17 Are they wealthy folks? Relatively poor folks,
18 or middle income?
19 A Relatively poor folks. We plan
20 them in advance, and our price range is i n the range that
21 anybody can go. We charge just what it costs, a we provide
22 a picnic luncheon for them. They can pay twenty-five cents
23 a week.
24 COMMISSIONER HARWOOD: You program
25 these out?

1 A I have a whole year program and
2 I have to estimate what the cost will be.
3 CHAIRMAN SHANNON: You try to design
4 your program to accommodate any economic group
5 that may be interested?
6 A That is right. The girls we carried
7 to Williamsburg, we kept them from eight to five in the
8 afternoon. We had another group that made their outfits,
9 and it is pro-rated as to how much they pay each week toward
10 the trip. We try to provide for our kids, and we try to
11 provide for -- all our trips are designed to provide for
12 any person in any walk of life, in any income bracket, the
13 opportunity to share in this.
14 COMMISSIONER HARWOOD: You all
15 participate in and receive contributions from
16 the United Givers Fund?
17 A Yes, sir. They give us sixty-five
18 percent of our budget, and we hae to raise thirty-five
19 percent. On a long trip, we get the price. Take New
20 York City, the bus fare, Greyhound is about thirty-five
21 dollars, round trip. We offered thirty-eight dollars,
22 and that includes your hotel, and the bus fare.
23 COMMISSIONER HARWOOD: I am sure you
24 are happy for the young girls --
25 A We have programs for three up, and

1 we have used college students and volunteers and staff.
2 CHAIRMAN SHANNON: Thank you, Mrs.
3 Williamson.
4 A Thank you for the opportunity.
5 WITNESS STOOD ASIDE.
6 CHAIRMAN SHANNON: Judge Harwood has
7 something.
8 COMMISSIONER HARWOOD: Mr. Inman,
9 in response to your inquiry, I asked the Bailiff
10 to get this from our Clerk's Office, which is on
11 the floor just below us, the records of the
12 State Corporation shows that Jones Bus Company,
13 Incorporated, was issued a charter certificate
14 of incorporation November 7, 1973, and it has
15 authority to issue four thousand shares of
16 common capital stock of one class only, at
17 par value of twenty-five dollars per share,
18 with full voting rights for each share. So
19 that would show one hundred thousand dollars.
20 MR. INMAN: Thank you, sir.
21 CHAIRMAN SHANNON: The next witness,
22 please?
23 MR. RIGSBY: Mr. Nixon?
24
25

1 JAMES NIXON,

2 a witness introduced on behalf of the Applicant, being

3 first duly sworn, testified as follows:

4 DIRECT EXAMINATION

5 BY MR. RIGSBY

6 Q Mr. Nixon, will you please state

7 your full name and address?

8 A My name is James Nixon, my address

9 is 1700 Lansing Avenue, Portsmouth, Virginia.

10 Q Mr. Nixon, by whom are you employed?

11 A I am the Executive Director of

12 Bethelehem Street Branch of the YMCA in Portsmouth, Virginia.

13 Q And you are here today to testify

14 in support of the Application of Jones Bus Company. Will

15 you tell the Commission why you feel that this Application

16 should be granted?

17 A We have been associated with Mr.

18 Jones since -- I have, personally -- since 1959. Our

19 program is similar to Mrs. Williamson's program.

20 However, the only addition that I feel

21 is that we are located in a particular area, and part of

22 our program is to try to give the community a variety

23 type of program, which is swimming, educational tours,

24 and what have you. Unfortunately, we do not have a swimming

25 pool at our location. We have not had one, and part of our

1 program -- we use the facilities of the Navy, and the
2 transportation has to be provided for these boys and girls.
3 Additionally, we have senior citizen groups and athletic
4 teams that have to use transportation.
5 We have several bus companies in the
6 immediate area, and we have chosen Mr. Jones because Mr.
7 Jones has been a very active individual in the community.
8 He has been a supporter of the YMCA and other agencies in
9 the community, and he has made tours, and contributed a
10 large sum of money to our organization. With that in mind,
11 naturally, we somewhat endorse Mr. Jones' company, and I
12 know Mr. Jones individually as an outstanding leader in
13 the community.
14 This is why we are here today in support
15 of Mr. Jones's application.
16 CHAIRMAN SHANNON: You have been using
17 his services for some time, have you not?
18 A I have been using his services as
19 Youth Director and Executive Director since 1959.
20 CHAIRMAN SHANNON: And will you continue
21 to use it if the Corporation is permitted?
22 A Definitely so. As I stated earlier,
23 we find his service has been very, very comfortable. The
24 type of drivers -- I think the race issue was brought out --
25 we have used white drivers -- he has used white drivers in

1 representing the Company, and we find it very, very highly
2 organized.
3 CHAIRMAN SHANNON: Mr. Major, do you
4 have any questions?
5 CROSS EXAMINATION
6 BY MR. MAJOR
7 Q I understand that Jones' has been
8 providing service to you for some fifteen years?
9 A To the organization.
10 Q Has he always been able to provide
11 you with the service that you requested?
12 A Always.
13 Q Therefore, you have never used
14 another carrier for charter service?
15 A Yes, we have used others.
16 Q When did you use another carrier?
17 A Beg your pardon?
18 Q I said when did you use another
19 carrier?
20 A In 1960 we took an educational tour
21 to Niagara Falls and into Canada.
22 Q Who took you on that particular trip?
23 A Greyhound.
24 Q How come you didn't call Mr. Jones
25 on that one?

1 A If I can recall correctly, I think
2 at that time we had roughly one hundred and fifty kids and
3 twenty some chaperons, and I think he didn't have the buses
4 necessary to accommodate us. We were gone a week or ten
5 days, and I don't think he wanted to release that many
6 buses for so long a period of time.
7 Q Have you used any other carrier
8 other than Jones since -- in the last -- since 1960?
9 A Yes. I think once a senior citizens
10 group went to Disney World. There have been very, very few
11 charters that we have used other than Mr. Jones.
12 Q He normally handles it?
13 A He normally handles it, yes, sir.
14 Q What would you say would be your
15 percentage of your interstate trips vs. intra. In other
16 words, how often are you going outside of Virginia vs.
17 staying within Virginia?
18 A Well, you are talking in terms of
19 athletic programs, and you are talking in terms of senior
20 citizen groups, you are talking in terms of clubs, high
21 school and elementary school, and three high schools, but
22 it is very, very frequently that his service is being used
23 outside.
24 Q Then I take it you have never used
25 either Newton or Community? You used Grayhound in 1960, but

1 have you used Newton or Community Bus?

2 A Ugh -- no. Yes, I take that back.

3 I think one time Mr. Jones had a very, very busy schedule

4 and he called Mr. Pruitt over at Community Bus and asked

5 him would he take the kids. I think this was last year

6 or year before last.

7 Q I take it you have no particular

8 complaint against the existing service, but you would like

9 to use Mr. Jones because he has been rendering good service?

10 A Yes, sir.

11 MR. MAJOR: I have no further questions.

12 CHAIRMAN SHANNON: Mr. Inman?

13 CROSS EXAMINATION

14 BY MR. INMAN

15 Q Mr. Nixon, have you ever used

16 Travel Lines of Tidewater, or Chesapeake and Northern

17 Transportation Company?

18 A No, I have not.

19 Q Have you ever heard of them? Mr.

20 Griffin, have you ever heard of a Mr. Griffin?

21 A No, sir.

22 Q What other companies have you called?

23 A I talked with Mr. Berry of Berry

24 Bus Company I think it is. I know of some of the other

25 private bus companies in Norfolk, but I have never used their

1 services.

2 Q You never called them to find out

3 how they might be cheaper or anything like that?

4 A Well, no, this was a situation that

5 the fees met the limited budget that we had to work with,

6 so I didn't call anyone else.

7 Q You found somebody you liked, and

8 just stuck with that?

9 A Yes, sir.

10 MR. INMAN: No more questions.

11 CHAIRMAN SHANNON: Mr. Rigsby, do you

12 have any questions?

13 MR. RIGSBY: Just one question.

14 CROSS EXAMINATION

15 BY MR. RIGSBY

16 Q Mr. Nixon, you have found that his

17 tariff and charges are within the budget that you have, is

18 that correct?

19 A Yes, sir. We are part of the

20 United Givers Fund also, and we have a very, very limited

21 budget to work with. Also, we are in a low income area,

22 and we have to go with the person that could work along with

23 the budget that we have to work with.

24 Q How much money do you have available

25 for transportation. Is it a specific item of your budget?

1 A Yes, sir, it is a specific item. It
2 is very, very low. I cannot recall that amount -- I cannot
3 divulge that amount, but a lot of these trips and tours
4 are almost given to the Association as a gift. We know
5 sometimes that it is almost impossible to rent a but, and
6 particularly speaking in terms of the senior citizen group.
7 Q Are all your charter trips from
8 Portsmouth?
9 A Yes, sir.
10 MR. RIGSBY: Thank you. I have no
11 further questions.
12 CHAIRMAN SHANNON: Thank you, Mr.
13 Nixon. You may stand down. The Commission
14 wants to take a short recess, but before we do,
15 how many more witnesses do we have?
16 MR. JONES: We have three more.
17 CHAIRMAN SHANNON: Three more.
18 MR. MAJOR: I have two, I believe,
19 Your Honor.
20 MR. INMAN: I have one.
21 CHAIRMAN SHANNON: It looks like we
22 are not going to finish this case before 12:30.
23 I know we have this other case -- two of them
24 scheduled. We are going to get to them just as
25 soon as we can. I would hope that we could make

1 these witnesses just as brief as we can.

2 So, we will play it by ear, and

3 I just wanted to tell the people waiting for

4 the next two cases that if they want to wait

5 for a half hour or forty-five minutes, I think

6 they would be within the bounds of reason to

7 extend it until about 12:15. I am sure we won't

8 get through before then. We will make every

9 effort to get to it at that time.

10 The Commission will recess for ten

11 minutes. 11:27 A. M.

12 WITNESS STOOD ASIDE.

13 11:37 A. M. The Commission

14 resumes its session.

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1 MR. RIGSBY: I would like to call
2 Mr. Winslow.
3 LYNWARDOD WINSLOW,
4 a witness introduced on behalf of the Applicant, being
5 first duly sworn, testified as follows:
6 DIRECT EXAMINATION
7 BY MR. RIGSBY
8 Q Mr. Winslow, would you please state
9 your full name and address, sir?
10 A Lynward Winslow, L-Y-N-W-A-R-D,
11 Portsmouth, Virginia, 204 Truxton Avenue.
12 Q Mr. Winslow, by whom are you
13 employed?
14 A I am retired.
15 Q And you are testifying today in
16 support of the Application of Jones Bus Company?
17 A Yes, sir.
18 Q Would you tell the Commission why
19 you feel the application should be granted?
20 A Well, number one, Mr. Jones is
21 a community man. He lives in our community. This year we
22 wante d to go to Bristol, Tennessee to represent District
23 No. 6 in the Little League, and we called several bus
24 companies to take us.
25 Mr. Jones was the man that could take us

1 for our money. In other words, if Mr. Jones had not pitched
2 in and given us a hand, we couldn't have used his bus
3 company to represent District No. 6, Bristol, Tennessee.
4 He went, and his drivers are just fine, and we had a good
5 time, and the company treated us swell.
6 COMMISSIONER HARWOOD: How did you
7 come out in the ballgame?
8 A We lost the first game. Then in
9 our church, Nova Street Baptist Church, we have twenty
10 auxiliaries in there, and we use Mr. Jones' buses because
11 of three things; Mr. Jones lives across the street from us,
12 and just year before last I believe it was, we wanted to go
13 to Niagara Falls, and we had a little problem, and the people
14 dribbled down until we didn't have hardly enough to go,
15 and to keep from disappointing the few that did go -- in
16 fact, we had twenty-four to go, and we talked to Mr. Jones
17 and he said, "I tell you what I will do; I will set up a
18 special for you." And Mr. Jones set up a special and we did
19 make our trip, and we had a good time there also.
20 Then, about three weeks ago, we wanted
21 the same trip to Canada, and we contacted other bus companies
22 and Mr. Jones was the only one that would fit into our
23 budget. When I say that, I mean I am speaking of low income
24 people. They just don't have but so much money, and it is
25 hard to get a number to fill a bus that can afford to pay it.

1 So we have people that have to borrow a little here or a little
2 there maybe to make the trip, and then we see Mr. Jones, and
3 say, "This is what we have got, and what can you do about it."
4 And he will say that we will do the best we can. And last
5 week -- from this trip that Mr. Jones went for us, we didn't
6 make the money that we thought we were going to make, so
7 Mr. Jones -- I think it was one day the last of last week --
8 Mr. Jones -- three clubs joined together -- so Mr. Jones
9 contributed one hundred dollars to these three groups.
10 Anniversary time is coming up, and all these groups want
11 to represent something in the Church Anniversary. I will
12 support Mr. Jones for many reasons.
13 Q Mr. Winslow, on the Canada trip,
14 what companies did you contact?
15 A I contacted Greyhound, and the
16 Community, and Trailways.
17 Q And each of those, I believe you
18 testified, quoted you prices that were too much?
19 A It was too much for our budget, yes,
20 sir.
21 Q Now, how many trips have you made in
22 the past year intrastate, using Mr. Jones service, from
23 Portsmouth?
24 A From Portsmouth to --
25 Q Just to points within the State.

1 A I don't think we used Mr. Jones
2 but once, I believe. Maybe twice. We went to Luray
3 Caverns, and Williamsburg. Let me put it this way, out of
4 the twenty auxiliaries, I can't exactly read them right off
5 but I do know that when the auxiliaries bring a report that
6 they want to go on a trip, they ask -- we ask them and
7 check them out and see how the budget comes along, how they
8 are going to come out through their budget, there are only
9 low income families that take trips. The only reason they
10 run the trip is to help the low income people to receive
11 some benefit from the trip.
12 Q On your trip to Bristol, Tennessee,
13 was it Bristol, Tennessee or Bristol, Virginia?
14 A Take your pick. I stood in
15 Tennessee and stood in Virginia.
16 CHAIRMAN SHANNON: Where was the game
17 played?
18 A It was played in Tennessee, but it
19 was a Virginia Tournament. I don't know why that was either.
20 I never have figured that out. Right down main street, I
21 guess all of you have seen it, they have got a sign pointing,
22 one saying Bristol Tennessee and one saying Bristol, Virginia,
23 and so I said I am going to do something I never did before,
24 and I stood on both sides -- I stood on this side, and spit
25 on that side.

1 COMMISSIONER HARWOOD: That is State
2 Street, I believe.
3 A It is State Street, that is right.
4 BY MR. RIGSBY
5 Q In the past year, have you used any
6 other carrier other than Mr. Jones?
7 A No, sir.
8 MR. RIGSBY: Thank you, I have no further
9 questions.
10 CHAIRMAN SHANNON: Mr. Major?
11 CROSS EXAMINATION
12 BY MR. MAJOR
13 Q Mr. Winslow, I understand that all
14 of your charter requests have originated out of Portsmouth?
15 A Yes, sir.
16 Q And you have used solely Mr. Jones
17 service, I believe you just said for the last year?
18 A Yes, sir.
19 Q And it appears that most of that
20 is outside of Virginia?
21 A Most of it, yes, sir.
22 MR. MAJOR: All right. No further
23 questions.
24 CHAIRMAN SHANNON: Mr. Inman?
25

1 CROSS EXAMINATION

2 BY MR. INMAN

3 Q Other than the carriers you have

4 already mentioned, do you know of any others that are

5 available for you to use that you did not contact?

6 A I haven't contacted any. I don't

7 know of any group that has contacted anyone other than

8 Mr. Jones.

9 Q How many trips have you arranged

10 for the group in the past five years?

11 A What they do is come to me and then

12 the Committee is picked and they go out and look for a

13 carrier.

14 Q How many have you personally

15 arranged?

16 A I only arranged the one to Bristol,

17 Tennessee. That is the only one that I have arranged,

18 myself personally.

19 MR. INMAN: I don't have any further

20 questions.

21 CHAIRMAN SHANNON: Thank you, Mr.

22 Winslow.

23 WITNESS STOOD ASIDE.

24 CHAIRMAN SHANNON: Next witness?

25 MR. RIGSBY: Mrs. Thornton? 107

1 EDITH M. THORNTON,
2 a witness introduced on behalf of the Applicant, being
3 first duly sworn, testified as follows:
4 DIRECT EXAMINATION
5 BY MR. RIGSBY
6 Q Mrs. Thornton, will you please state
7 your full name, and your address?
8 A I am Mrs. Edith M. Thornton,
9 1300 -- Apartment D -- Barber Drive, Portsmouth, Virginia.
10 Q Mrs. Thornton, are you employed?
11 A No, I get disability.
12 CHAIRMAN SHANNON: Speak up just a
13 little bit, Mrs. Thornton.
14 BY MR. RIGSBY
15 Q Now, you are here today testifying
16 in support of this Application?
17 A Yes, sir.
18 Q Could you tell us the reasons why?
19 A I am a member in a small club, and
20 our membership has about eight women, and most are from
21 low income families, and at times we run trips down to
22 Ocean View, Buckroe Beach, and then on some weekends we
23 go to New York. We sell tickets for twenty-five dollars,
24 and the organization is mostly for women that have children,
25 and we give dances, and have parties, and at the end of the

1 year we divide the money up, and we usually give to the
2 Old Folks Home and some of the other organizations, and
3 the Salvation Army.
4 And we have gotten a bus from Mr.
5 Ganes, because Mr. Jones couldn't go to Ocean City,
6 Maryland. The driver was okay. But our group has been
7 doing business with Mr. Jones. I feel if all the people
8 would come that want Mr. Jones, this place would be about
9 half full.
10 On this trip to New York, I was late
11 coming back, and I didn't get back until six thirty or
12 seven oclock. We made a special trip. With the kids
13 -- one of my group members has ten children, and she don't
14 have a car -- and most of them live in a project, most of
15 us, and they don't have any way of getting around, and
16 Mr. Jones will accommodate us and on the last minute he
17 will get a bus for us, and say that he will see what he
18 can do about getting a bus for us on the very last minute,
19 and he will get back and contact us and do it. I just feel
20 like he should get this permission.
21 CHAIRMAN SHANNON: Mr. Major?
22 CROSS EXAMINATION
23 BY MR. MAJOR
24 Q I understand all those that you
25 just mentioned originated or started at Portsmouth?

1 A Yes, sir.

2 MR. MAJOR: All right. No further

3 questions.

4 CHAIRMAN SHANNON: Mr. Inman?

5 CROSS EXAMINATION

6 BY MR. INMAN

7 Q Have you done any pricing of any

8 other bus companies?

9 A Yes, we have.

10 Q Which ones?

11 A Trailway and Greyhound, but we

12 couldn't afford it. They have to have money for their

13 children at Christmas time. So we couldn't afford to pay

14 the high rates for the buses.

15 Q You don't know of any other

16 companies that you contacted?

17 A No, sir. The only other one was

18 Ganes Bus Company.

19 MR. INMAN: Thank you. No more

20 questions.

21 CHAIRMAN SHANNON: Thank you. You

22 may stand down, Mrs. Thornton.

23 WITNESS STOOD ASIDE.

24

25

1 CHAIRMAN SHANNON: Next witness, Mr.
2 Rigsby?
3 MR. RIGSBY: Mrs.Norman.
4 CHAIRMAN SHANNNON: Mrs. who?
5 MR. RIGSBY: Mrs. Norman.
6 CHAIRMAN SHANNON: Mrs. Norman, come
7 around, please.
8 MRS. TILLY NORMAN,
9 a witness introduced on behalf of the Applicant, being first
10 duly sworn, testified as follows:
11 DIRECT EXAMINATION
12 BY MR. RIGSBY
13 Q Mrs. Norman, will you please state
14 your full name and address?
15 A Mrs. Tilly Norman, 1802 Canton
16 Avenue, Norfolk, Virginia.
17 Q Mrs. Norman, are you employed?
18 A Yes, sir.
19 Q By whom?
20 A Lafayette Villa Nursing Home.
21 Q And you are here to testify in
22 support of Mr. Jones application?
23 A Yes, sir.
24 Q Will you tell us why you think it
25 should be granted?

1 A Well I think -- well, first of
2 all, I think he is a wonderful person, and of course, he
3 is within our budget, and he is a wonderful driver. We
4 just love his services. We have a mission, and of course
5 our mother church uses him.
6 CHAIRMAN SHANNON: Where does Mr.
7 Jones perform his services from Norfolk for
8 you people? What points in Virginia?
9 Is it in Virginia?
10 A Oh, yes. Some are in Virginia.
11 Well, we are getting ready to go to the Safari.
12 CHAIRMAN SHANNON: That is up here
13 near Dodge, isn't it?
14 A Yes, and of course different places.
15 Luray.
16 BY MR. RIGSBY
17 Q How many charter trips have you made
18 in the past year, Mrs. Norman?
19 A Our mission, we had a couple. Of
20 course, our Mother Church, they make them too.
21 CHAIRMAN SHANNON: What is your Mother
22 Church? The name of it?
23 A Bethlehan.
24 CHAIRMAN SHANNON: In Norfolk?
25 A In Chesapeake.

1 BY MR. RIGSBY
2 Q And --
3 A He picks us up in Norfolk -- we
4 live in Norfolk -- he picks us up in Norfolk at our Mission.
5 Q Have you tried other bus companies?
6 A Not since around five years ago,
7 since we met Mr. Jones.
8 Q Since that time you have used his
9 services exclusively?
10 A We used to use other companies.
11 Q What companies have you used before?
12 A Gallups Bus Service, and I believe
13 it is Chartered.
14 Q And you found Mr. Jones service
15 to be --
16 A -- Tops.
17 MR. RIGSBY: Thank you. I have no
18 further questions.
19 CHAIRMAN SHANNON: Mr. Major?
20 CROSS EXAMINATION
21 BY MR. MAJOR
22 Q Your charters originate out of
23 Norfolk?
24 A Yes, sir.
25 MR. MAJOR: I have no further questions.

1 CHAIRMAN SHANNON: Mr. Inman?
2 MR. INMAN: No questions.
3 CHAIRMAN SHANNON: Thank you, Mrs.
4 Norman. You may stand down.
5 MR. RIGSBY: That is the Applicant's
6 case.
7 WITNESS STOOD ASIDE.
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1 CHAIRMAN SHANNON: Mr. Major, I
2 believe you said you have a witness or two?
3 MR. MAJOR: Yes. I have two of them.
4 I call Mr. Newton?
5 ALVIN NEWTON,
6 a witness introduced on behalf of the Protestants, being
7 first duly sworn, testified as follows:
8 DIRECT EXAMINATION
9 BY MR. MAJOR
10 Q Please state your name and your
11 occupation, sir?
12 A Alvin L. Newton, President of the
13 Newton Bus Service, Incorporated.
14 Q How long have you been so employed?
15 A We incorporated in 1967, and before
16 that I have been in the bus business since 1963.
17 Q Primarily, what does Newton Bus
18 Service, Inc., do?
19 A Run a charter service, and also
20 employee hauling.
21 Q You personally hold a charter
22 certificate from this Commission?
23 A Yes, sir.
24 Q What is the number of your certificate,
25 sir.

1 A B-210.

2 Q Does that certificate include

3 those places being applied for by the Applicant?

4 A Yes, sir.

5 COMMISSIONER BRADSHAW: What else does

6 it include?

7 A One hundred air mile radius from

8 Gloucester.

9 BY MR. MAJOR

10 Q How many vehicles does your company

11 own?

12 A Twenty-four.

13 Q What are your equipment points for

14 these vehicles?

15 A Newport News, Hampton, Gloucester,

16 Matthews, and Richmond.

17 Q What has been your total receipts

18 for charters originating in the Newport News and Hampton

19 area from April 1, 1973 through March 31, 1974?

20 A We had sixty-seven charters, by

21 using eighty-one buses, and the total receipts were

22 seventeen thousand, eight hundred sixty-seven dollars

23 and fifty-seven cents.

24 Q And how does that compare, Mr.

25 Newton, to your overall income?

1 A It is a good sizeable piece of our
2 overall income.
3 Q A great deal of your charter work
4 is from that Newport News/Hampton area?
5 A Yes, sir.
6 Q How much money have you got tied
7 up in your equipment, your so-called twenty-four buses?
8 A At the present time, three hundred
9 fifty-four thousand, five hundred dollars in equipment.
10 Q You heard the witnesses testify
11 here today. Have you ever refused to render service
12 requested by any of those testifying here today?
13 A No, sir.
14 Q And you have available equipment
15 for charter service?
16 A Yes, sir.
17 Q And do you advertise in the telephone
18 directory?
19 A Yes, sir.
20 Q And do you also advertise other than
21 that?
22 A Yes, sir.
23 Q How much a year are you spending on
24 that?
25 A The telephone directory was two

1 hundred and sixty-four dollars a year , and the other
2 various advertisements in magazines comes out, and also
3 in brochures at ball games.
4 Q Have you been adding any new
5 equipment to your fleet recently?
6 A Yes, sir. I added a new 1974
7 Crusader of this year -- in July.
8 Q For the Commissions information,
9 what is a 1974 Crusader sell for now?
10 A Seventy thousand dollars.
11 Q Do you also have a 1972 Challenger?
12 A Yes, sir.
13 Q And what is the value of that?
14 A Sixty thousand.
15 Q And in addition to those you have
16 other equipment, making up a total of twenty-four vehicles?
17 A Yes, sir. I have two scenic cruisers,
18 an Eagle, a 4106, 14 forty-one zero fours, and four other
19 buses, twelve to forty-one passengers.
20 COMMISSIONER BRADSHAW: Where are you
21 based, Mr. Newton? Glouchester?
22 A Glouchester. With equipment points
23 in Hampton, Newport News, and Richmond.
24 BY MR. MAJOR
25 Q There is charge, as I understand it,

1 for charter requests out of Hampton and Newport News?
2 A No, sir.
3 Q I am sorry, no dead mileage charge?
4 A No, sir.
5 COMMISSIONER BRADSHAW: Mr. Newton, you
6 heard Mr. Jones testify previously didn't you?
7 A Yes, sir.
8 COMMISSIONER BRADSHAW: How does your
9 tariff stack up against his for the same kind
10 of charter?
11 A Well, mine is seventy cents, and
12 his is sixty, I think.
13 BY MR. MAJOR
14 Q Are you still operating any of the
15 thirty-three or thirty-seven passengers?
16 A Yes, sir.
17 Q Are those rates lower than the
18 seventy cents?
19 A Yes, sir. We have a sixty cent
20 rate and the fifty-five cent rate.
21 CHAIRMAN SHANNON: What does the
22 fifty-five cent rate apply to?
23 A Under twenty-nine passengers.
24 Twenty-nine to thirty-three, excuse me. Thirty-three to
25 thirty-four is sixty cents, and the next is seventy and

1 eighty-five cents.

2 CHAIRMAN SHANNON: What does the

3 eighty-five cents apply to?

4 A Forty-seven passengers.

5 BY MR. MAJOR

6 Q Are you one of the few carriers in

7 Virginia that has a forty-seven passenger bus?

8 A At the present time, I have five

9 forty-seven passenger buses.

10 Q Tell the Commission, if you would,

11 what your real concern is in this application from these

12 points in Newport News and Hampton?

13 A Last year from April 1st to

14 March 31st -- April 1st, 1973 to March 31st, 1974, the

15 charter business in that area was seventeen thousand,

16 eight hundred and sixty-seven dollars. And another

17 carrier, if Mr. Jones was granted the Application, that

18 is going to cut into the revenue I have to support my

19 business; to buy new equipment or pay for the equipment

20 already bought.

21 CHAIRMAN SHANNON: You are competing

22 with him now, aren't you, as an individual,

23 except in the Hampton/Newport News area. You

24 are competing with him over in Portsmouth and

25 Norfolk?

1 A Portsmouth, there is very little
2 business I get out of Portsmouth. I don't try to work the
3 Portsmouth area. There are a few occasions that people call
4 me. Last year we done fourteen hundred and eighty-nine
5 dollars and seventy cents worth of business out of Portsmouth
6 and Norfolk area.
7 I don't advocate a whole lot of business
8 out of that area, because I have dead head mileage plus
9 toll charges.
10 COMMISSIONER BRADSHAW: Mr. Newton,
11 of the seventeen thousand that you generated
12 in that area last year, how much of that was
13 interstate?
14 A All of it was in the state of
15 Virginia.
16 COMMISSIONER BRADSHAW: All of it
17 was intrastate?
18 A Yes, sir.
19 COMMISSIONER BRADSHAW: You don't
20 have any interstate rights?
21 A Right.
22 CHAIRMAN SHANNON: How much of it
23 was from Newport News/Hampton?
24 A All of it.
25 CHAIRMAN SHANNON: All of the seventeen

1 thousand?

2 A Well, thirteen thousand, eight

3 hundred and sixty-seven dollars.

4 CHAIRMAN SHANNON: What was your total

5 intrastate revenues last year?

6 A Three hundred thirty-nine thousand,

7 eight hundred and forty-eight dollars.

8 CHAIRMAN SHANNON: And where was the

9 bulk of that originated?

10 A That was Glouchester, Matthews,

11 Middlesex, Richmond, Newport News, and Hampton.

12 CHAIRMAN SHANNON: Pretty much in the

13 northern neck area?

14 A Well -- and the Richmond area too.

15 COMMISSIONER BRADSHAW: Seventeen

16 thousand represents about five percent of your

17 business?

18 A It represents the Newport News --

19 this is also including the employee hauling too.

20 CHAIRMAN SHANNON: Have you hauled

21 from any of the YMCA's -- the people that

22 testified here today?

23 A YMCA, we carried a trip -- that

24 was an interstate trip.

25 CHAIRMAN SHANNON: That was an interstate

1 trip?

2 A Yes, sir.

3 CHAIRMAN SHANNON: Do you have inter-

4 state rights?

5 A Just when I lease to another company.

6 BY MR. MAJOR

7 Q Mr. Newton, the two points that you

8 are primarily concerned with as far as the Applicant is

9 concerned is the Newport News/Hampton origin points?

10 A Yes, sir.

11 Q And you feel as though because he

12 has been operating as an individual from say Portsmouth and

13 Norfolk, and he is trying to incorporate this area -- you

14 are directing the flux of your testimony to the Newport

15 News and Hampton area?

16 A Yes, sir.

17 Q And that is because of the amount

18 of income that you now receive from that area?

19 A Yes, sir.

20 COMMISSIONER HARWOOD: Do you really

21 think that you compete, from what you have heard

22 here today -- that you are getting the same groups

23 that are using your services that Mr. Jones is

24 getting?

25 A Yes, sir.

1 COMMISSIONER HARWOOD: Are you getting
2 the groups like Mrs. Thornton has testified
3 about. Mr. Winslow told us about the YWCA
4 group, and what Mrs. Williamson told us about.
5 A We have hauled the YMCA group.
6 COMMISSIONER HARWOOD: How about
7 Mrs. Williamson?
8 A We have hauled her.
9 CHAIRMAN SHANNON: You mean out of
10 State, under a lease arrangement.
11 A Right.
12 COMMISSIONER HARWOOD: I am just trying
13 to find out if you all are actually competing
14 and that the business is there, and that you
15 are getting a certain portion of it --
16 A We are getting the business from
17 the same type of people.
18 MR. MAJOR: I have no further questions.
19 CHAIRMAN SHANNON: Let me ask you
20 this question. Did Newton Bus Company operate
21 profitably last year, Mr. Newton?
22 A Yes, sir.
23 CHAIRMAN SHANNON: What was your net
24 income?
25 A Our gross income was forty-four

1 thousand, three hundred and seventy-six dollars.

2 COMMISSIONER BRADSHAW: Could you

3 break down that seventeen between intrastate

4 and employee hauling?

5 A The seventeen thousand was all

6 charter work.

7 COMMISSIONER BRADSHAW: Thatis all

8 charter work?

9 A And that was only from the Hampton

10 Newport News area -- I have a list of all the trips that

11 I took, the origin and its destination. All were state

12 trips and all were charter parties.

13 CHAIRMAN SHANNON: What was the total

14 number of trips?

15 A The total number of trips was

16 sixty-seven trips, by using eighty-one buses. Some trips

17 had two buses on them and some had three buses.

18 COMMISSIONER HARWOOD: No two things

19 are ever the same I found out in life. I believe

20 we allow someone to operate in Middlesex County

21 -- I forget the name now. And I don't know how

22 long they have been operated. Has that had any

23 effect on your revenues?

24 A I think that was Mr. Sigler, Sigler

25 Bus Lines. He got two or three that I normally would have had.

1 COMMISSIONER HARWOOD: Have you gotten
2 any more business over in Middlesex -- I am
3 interested in Middlesex?
4 A Well, business has picked up.
5 COMMISSIONER HARWOOD: Is business in
6 general for most of those situated where you are,
7 that are not designed for Grayhound or Trailways
8 or some of the others, with the energy shortage
9 and the gas price up, and other things, has
10 business been better in general where people
11 begin to charter more?
12 A The business has been better, but
13 there has not been a lot of profit made because of the cost
14 of operations.
15 COMMISSIONER HARWOOD: Do you find
16 that with the bicentennial coming up and other
17 things, does that seem to promote more folks
18 to come up?
19 A Not yet. I hope it will. At this
20 time it hasn't shown any affect on us.
21 COMMISSIONER HARWOOD: Well, thank you
22 very much.
23 CHAIRMAN SHANNON: You may stand down,
24 Mr. Newton.
25 WITNESS STOOD ASIDE.

1 CHAIRMAN SHANNON: Mr. Rigsby, did you
2 want to ask Mr. Newton any questions?
3 MR. RIGSBY: No, Your Honor.
4 MR. MAJOR: Mr. Sidney Hunt?
5
6 SIDNEY HUNT,
7 a witness introduced on behalf of the Protestants, being
8 first duly sworn, testified as follows:
9 DIRECT EXAMINATION
10 BY MR. MAJOR
11 Q If it please the Commission, in
12 view of the fact that the witness now on the stand is
13 testifying on behalf of Grayhound, and the Commission is
14 well aware of the testimony placed before the Commission,
15 I will restrict my questions to the Newport News/Hampton
16 area, and not offer the number of exhibits that I normally
17 offer as exhibits in terms of a witness, as I would like
18 to have about five minutes to make a statement at the end
19 of the hearing.
20 Please state your name and occupation?
21 A Sidney J. Hunt, a Supervisor for
22 Greyhound Lines, Inc.
23 Q And how long have you been so
24 employed?
25 A In this position since 1964. 127

1 Q And how long have you been in the
2 bus business?
3 A Since 1938.
4 Q And are you presently stationed in
5 Richmond?
6 A Yes, sir.
7 Q And Mr. Hunt, you have testified
8 I think on numerous occasions before this Commission?
9 A I have, sir.
10 Q And I know on various occasions you
11 have offered as exhibits the equipment list and the
12 advertisements and so forth for Greyhound lines, have you
13 not?
14 A Yes, sir.
15 Q And all of those would be the same
16 today as it has been in the past in regard to charter
17 operations?
18 A Yes, sir.
19 Q Now, directing your attention then
20 if I might to the crux of the case involving Hampton and
21 Newport News, I ask if you have prepared an exhibit that
22 includes those -- not only those points, but the other points
23 involved in the Applicant's application?
24 A Yes, sir.
25 Q It is an exhibit of proposed origin

1 area for the six months period from February 1, 1973 to
2 August, 1973 -- August 1, 1973?
3 A Yes, sir.
4 MR. MAJOR: And may we offer that one
5 as an Exhibit.
6 CHAIRMAN SHANNON: That will be
7 received as Exhibit No. 4.
8 BY MR. MAJOR
9 Q Will you just briefly explain that
10 Exhibit, Mr. Hunt?
11 A Let me see it -- I didn't keep a
12 copy of it.
13 This exhibit shows the total number
14 of charter operated out of the Portsmouth, Norfolk, and
15 Newport News and Hampton area -- Virginia Beach, starting
16 on February 1973, and ended on July 1973.
17 Q Does that represent a six months
18 period?
19 A Six months period, yes, sir.
20 Q And what was the total income for
21 the area involved for that period as a result of charters?
22 A Twenty-three thousand, zero eighty-
23 seven, seventy-five.
24 Q I notice it appears that most of
25 the origin points on there are either Newport News or -- the

1 Newport News or Hampton area.

2 A Right.

3 Q Now, is Grayhound concerned in that

4 what is a new Applicant applying for points in which

5 Grayhound is now serving, namely Newport News and Hampton?

6 A Yes, sir.

7 Q And is this income important and

8 vital to Grayhound?

9 A It is indeed, sir.

10 Q And Greyhound does provide regular

11 route service to the public?

12 A Right.

13 Q And does this charter operation

14 help to supplement the income of your regular route operation?

15 A It sure does.

16 MR. MAJOR: I believe that is all I

17 have of this witness.

18 CHAIRMAN SHANNON: Any questions, Mr.

19 Rigsby?

20 CROSS EXAMINATION

21 BY MR. RIGSBY

22 Q Mr. Hunt, does this Exhibit No. 4

23 represent individual trips, or were these trips made under

24 contract with any one group?

25 A Well, it would be a group.

1 Q In other words, each one of these
2 charter coach order numbers, in column two, would represent
3 a different group?
4 A Right.
5 Q So you have no continuing contact
6 way with any particular group, to say supply transportation
7 to Richmond or Williamsburg?
8 A No, sir.
9 Q What is the minimum charge for the
10 smallest bus that Grayhound has?
11 A In the Norfolk-Newport News area
12 it is eighty-five dollars.
13 Q That would be the cheapest that
14 anybody could get a bus from Grayhound?
15 A That is right.
16 Q Eighty-five dollars. That would --
17 A That would be for a period of six
18 hours, or up to one hundred miles, which is less than taxi
19 fare for the same number of people to go five blocks.
20 Q In the past, operating out of Ports-
21 mouth, and Norfolk, and Newport News, any of those places,
22 have you provided charter transportation for the YWCA's?
23 A I don't have the charter order
24 designated by actual name of the group, but I feel confident
25 that somewhere in this group the YWCA has used Grayhound. 131

1 Q So we cannot tell from Exhibit No. 4.
2 A No, sir.
3 Q What is the smallest bus that
4 Grayhound does offer?
5 A Thirty-eight passengers. Basically,
6 all buses are thirty-eight or better. The smaller capacity
7 rating is only a figure of speech.
8 MR. RIGSBY: Thank you, Mr. Hunt.
9 I have no further questions.
10 COMMISSIONER HARWOOD: Just some
11 quick ballpark arithmetic. By excluding those
12 points of origin not Newport New or Hampton, I
13 see around six thousand dollars of the twenty-
14 three thousand dollars revenue originated from
15 points other than Hampton or Newport News. Does
16 that sound essentially correct to you?
17 A Yes, sir.
18 CHAIRMAN SHANNON: You can stand down,
19 Mr. Hunt, and thank you very much.
20 WITNESS STOOD ASIDE.
21 CHAIRMAN SHANNON: Mr. Inman, do you
22 have a witness?
23 MR. INMAN: Yes. I would like to
24 call Mr. Rath.
25

1 JAMES RIFE,

2 a witness introduced on behalf of the Protestants, being

3 first duly sworn, testified as follows:

4 DIRECT EXAMINATION

5 BY MR. INMAN

6 Q Would you please state your name

7 and address for the Commission?

8 A James Rife, 5604 Capell Road,

9 Portsmouth, Virginia.

10 Q And what is the name of the

11 Corporation in which you are connected?

12 A Chesapeake and Northern Transportation

13 Corporation, of Travel Lines of Tidewater.

14 Q And what is your position with that

15 Corporation?

16 A I am the President.

17 Q And how long have you been in the

18 bus transportation business, Mr. Rife?

19 A Almost six years.

20 Q And what type of certificate does

21 Chesapeake and Northern have at this time?

22 A It has a "B" Certificate, and an

23 employee hauling certificate.

24 Q And when was that "B" Certificate

25 issued, do you recall?

1 A 1967 I believe.

2 Q What are your origin points on

3 that certificate?

4 A Portsmouth, Norfolk, Virginia Beach,

5 Chesapeake, Suffolk, Isle of Wight, Nansemond County, York

6 County, Newport News and Hampton.

7 Q All right, now. How many buses does

8 your company own in total?

9 A Six buses.

10 Q You have stated that you do some

11 employee hauling. Tell us something about the employee

12 hauling.

13 A I have three and four buses

14 operating from Portsmouth to the Newport News Shipbuilding,

15 and one on lease in York County to Newport News Shipbuilding.

16 Q All right. Now, this employee

17 hauling, is it a significant portion of your business?

18 A At the present time it is the

19 major portion of the business.

20 Q All right. What types of other

21 customers -- you do charter business also, do you not?

22 A Yes, sir.

23 Q What type of groups do you find

24 that you render your service to?

25 A Well, the general run. Church

1 groups, clubs -- civic groups like that.

2 Q Now, what kind of notice do you need

3 in order to supply a bus for a charter trip? Say to Williams-

4 burg or Richmond.

5 A At the present time, I only need a

6 couple of hours notice.

7 Q Is it fair to state that you have

8 buses available most every day -- at least one?

9 A Yes, sir.

10 Q Do you expect to do greater charter

11 business in the future than you are doing now?

12 A Oh, yes.

13 Q Would you like to?

14 A Yes, sir.

15 Q Do you feel that you have reached

16 your capacity in charter operations?

17 A No, sir.

18 Q Do you plan to remain a small bus

19 company, or would you like to expand, or what do you have

20 in mind?

21 A I would like to expand the number

22 of buses in operation as far as I can go.

23 Q How many times have you arranged

24 requiring of buses in excess of what you have on hand?

25 A I haven't.

1 Q And now --

2 COMMISSIONER BRADSHAW: Where do you

3 keep your buses garaged?

4 A In Portsmouth. And I have buses

5 in Newport News and Hampton -- in Newport News during the

6 day.

7 COMMISSIONER BRADSHAW: And what do

8 you charge?

9 A Sixty-five cents for the thirty-eight

10 and thirty-nine passenger.

11 COMMISSIONER BRADSHAW: How many

12 charter trips do you get out of Newport News

13 or Hampton last year?

14 A I wasn't operating last year. The

15 former president died last August, and the records -- just

16 this past week I got everything.

17 CHAIRMAN SHANNON: Is Chesapeake and

18 Northern a Corporation?

19 A Yes, sir.

20 CHAIRMAN SHANNON: And you are trading

21 as --

22 A Travel Lines of Tidewater.

23 CHAIRMAN SHANNON: And that is just

24 a trade name?

25 A Yes, sir.

1 CHAIRMAN SHANNON: Go ahead, Mr. Inman.
2 BY MR. INMAN
3 Q To allow the Commission to understand
4 a little more fully, do you -- to your knowledge, have you
5 arranged trips from Hampton and Newport News for groups
6 such as you have mentioned?
7 A Yes, sir. This summer, ten at the
8 most. I have three booked now.
9 Q Where are the majority of your
10 charter trips chartered from?
11 A Portsmouth and Norfolk, and Chesapeake.
12 Q Do you charter any from Suffolk?
13 A Yes, sir.
14 Q How many recently have you -- in the
15 past three or four months have you chartered from Suffolk?
16 A Five or six.
17 Q Have you ever refused services to
18 any of the witnesses that you have seen here today from
19 Mr. Jones?
20 A No, sir.
21 Q That you are aware of?
22 A No, sir.
23 Q Are revenues from groups such as
24 these that we have heard testimony from important to you
25 in your business?

1 A Very much so.

2 Q And what is your primary concern

3 here today?

4 A To protect the rights of the

5 Corporation as far as Newport News and Hampton -- as far

6 as operating charter service from Newport News and Hampton.

7 MR. INMAN: All right. I have no

8 more questions.

9 CHAIRMAN SHANNON: Does Travel Lines

10 do any interstate work, Mr. Rife?

11 A Yes, sir.

12 CHAIRMAN SHANNON: How do you do that?

13 Do you have interstate rights?

14 A Well, I am an agent for Travel Lines

15 United.

16 CHAIRMAN SHANNON: Who owns Travel

17 Lines United?

18 A I don't know who all the stockholders

19 are, sir.

20 CHAIRMAN SHANNON: Who are some of them?

21 A I think Mr. Newton. And Mr. Merell

22 Martin.

23 CHAIRMAN SHANNON: Go ahead, Mr. Rigsby.

24 CROSS EXAMINATION

25 BY MR. RIGSBY

1 Q Mr. Rife, you testified that you made
2 ten charters this entire summer?
3 A From Newport News and Hampton.
4 Q Those charters, were they interstate
5 or intrastate?
6 A They were both.
7 Q How many were intrastate?
8 A About two. One was to Roanoke,
9 and one was to Arlington.
10 Q And you have three charters planned
11 right now. I believe that is what you testified.
12 A Yes, sir.
13 Q Are those intrastate or interstate?
14 A Intrastate.
15 Q Intrastate.
16 A Oh, I am sorry. One of them I
17 believe is interstate. And two to Arlington.
18 Q The two that are intrastate to
19 Arlington, where are they from?
20 A From Hampton.
21 Q Both of them are from Hampton?
22 A Yes, sir.
23 Q I believe you testified that you
24 have not had occasion as yet to be contacted by anyone
25 and having to turn down service, is that right?

1 A At the time the phone directory came
2 out, I was not in a position to put an advertisement in the
3 Newport News/Hampton phone directory, and we had to settle
4 the estate of the former owner.
5 Q And how many buses do you have
6 available for the charter work?
7 A On the weekends I have six. During
8 the week I have three.
9 Q You have part time drivers for your
10 equipment?
11 A Yes, we do.
12 Q How many full time employees do you
13 have?
14 A I don't have any.
15 Q So when you do make your charter
16 trips, you have to use part time drivers?
17 A As of now, yes, sir.
18 MR. RIGSBY: Thank you Mr. Rife. I
19 have no more questions.
20 CHAIRMAN SHANNON: What is the tie-in
21 between your Company and Travel Lines United?
22 A We have an agreement to where I am
23 a stockholder in Travel Lines United, and an agent for
24 Travel Lines United.
25

1 CHAIRMAN SHANNON: Is Travel Lines
2 United a broker?
3 A A broker?
4 CHAIRMAN SHANNON: Yes. As an operating
5 Company? Do they have buses and certificates in
6 their own rights?
7 A Yes, sir.
8 CHAIRMAN SHANNON: Does Mr. Merill
9 Martin own any part of your company?
10 A Yes, sir.
11 CHAIRMAN SHANNON: What percentage?
12 A We don't have the figures on that
13 at the present.
14 CHAIRMAN SHANNON: You don't have figures
15 on it?
16 A No, sir.
17 CHAIRMAN SHANNON: You mean you don't
18 know what percentage of Chesapeake and Northern
19 he owns?
20 A You mean as shares of stock?
21 CHAIRMAN SHANNON: Yes.
22 A We haven't issued any stock since
23 I was President because the stock is still in escrow.
24 CHAIRMAN SHANNON: Who did you buy
25 the stock from?

1 A From Mr. Griffin's widow, who was
2 the President at the time.
3 MR. INMAN: Your Honor, this matter is
4 in a state, the previous owner of the company,
5 -- Mr. Rife is in the process of purchasing the
6 Company. He -- it is not all settled yet by
7 the law firm in Norfolk which is handling the
8 estate. I am not familiar with the details of
9 that. Mr. Rife is operating the Company, and
10 he is now the President of the Company, but all
11 the financial matters have not finally been
12 settled, because th estate is not yet completed.
13 COMMISSIONER HARWOOD: What proportion
14 of money is going to be put in by the different
15 individuals?
16 A I would be the majority stockholder.
17 Ninety-five percent of the stock.
18 COMMISSIONER HARWOOD: You are going
19 to put ninety-five percent of the money into it?
20 A The agreement that was in effect
21 was the agreement that Travel Lines United was --
22 MR. INMAN: Mr. Rife is merely acting
23 as an agent for the interstate company.
24 COMMISSIONER HARWOOD: Let me ask you
25 one more question. Your employee hauling is over

1 to the Newport News Shipbuilding and Dry Docks?
2 A Yes, sir.
3 COMMISSIONER HARWOOD: Do you just
4 make one trip a day for one shift?
5 A Yes, sir. One trip a day.
6 COMMISSIONER HARWOOD: What shift is
7 that?
8 A It is the first shift, basically.
9 COMMISSIONER HARWOOD: Well, when does
10 it start?
11 A Four in the -- seven in the morning
12 until four in the afternoon.
13 COMMISSIONER HARWOOD: So you start
14 picking up at what time?
15 A Around about five-thirty in the
16 morning.
17 COMMISSIONER HARWOOD: And what time
18 do you get through in the afternoon?
19 A About five-thirty in the afternoon.
20 COMMISSIONER HARWOOD: So these
21 vehicles are not available for any charter work
22 between -- say twelve hours, five in the morning
23 until about five in the evening?
24 A If I used the restroom equipped
25 buses, I would replace them if a trip came up. I can replace

1 them during the day with a different type bus.

2 COMMISSIONER HARWOOD: What I am

3 trying to find out -- if a trip starts before

4 or ends after, or lasts longer, you cannot haul

5 them -- you couldn't take the trip, could you?

6 A If they happen to be more than

7 -- I would have four buses available during the

8 day, any day, and six on the weekends.

9 COMMISSIONER HARWOOD: You don't do

10 employee hauling on the weekends?

11 A I am going to -- yes, sir.

12 CHAIRMAN SHANNON: You have any other

13 questions, Mr. Rigsby?

14 MR. RIGSBY: No, sir.

15 CHAIRMAN SHANNON: You may stand down,

16 Mr. Rife.

17 WITNESS STOOD ASIDE.

18

19

20

21

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25

1 CHAIRMAN SHANNON: Mr. Inman, any
2 more witnesses.
3 MR. INMAN: No, sir.
4 CHAIRMAN SHANNON: Mr. Major wants to
5 make a statement.
6 MR. MAJOR: I am sure I can do it in
7 five minutes.
8 It is clear that this Application is
9 for a new charter. We know you can't transfer
10 a charter certificate.
11 And Code section 56-338.54, which says,
12 "The Commission shall issue no more certificates
13 than the public convenience and necessity require."
14 Now, the Applicant has applied for some
15 seven cities. His witnesses, on proof of so-
16 called need, total really three, from three
17 cities, even though he had five witnesses.
18 COMMISSIONER BRADSHAW: How about that
19 trip sheet, where he has been running from? It
20 lists the whole thing.
21 MR. MAJOR: It could be self-serving
22 to the extent that he has these people he says
23 that want him. In a way, I am willing to concede
24 this portion of the case to this extent, that
25 I hate to appear before the Commission and object

1 when a man desires to incorporate from an
2 individual, and to appear to be a fine gentleman
3 who wants to render service in the area.
4 Even though he hasn't produced witnesses
5 from some of the points involved, but I don't
6 think it is fair to the other carriers to allow
7 him to come in on a so-called -- from individual
8 to a corporation, with lack of proper evidence
9 to obtain two additional points. Therefore, the
10 thrust of my statement is really against the so-
11 called Hampton/Newport News portion of his
12 application.
13 And, therefore, we can restrict -- and
14 really what I am saying to one witness -- and he
15 only had one witness from Newport News, and as
16 I recall it, the witness testified that he had
17 not used the Company. Finally, when they got
18 her back on re-direct, say saw that maybe they
19 would like to go to Charlottesville. Well, I
20 think this is fine, but they haven't shown the
21 need, as I see it, that the statute requires
22 that they have to in order to obtain the new
23 points, and therefore, I respectfully ask the
24 Commission to decline the Applicant's request
25 for Newport News and Hampton.

1 CHAIRMAN SHANNON: Mr. Inman?

2 MR. INMAN: Thank you. I don't want

3 to reiterate in detail about the testimony of

4 the witnesses, but I think it is clear that public

5 need has not been the -- the requirement is upon

6 the Applicant to show public need, and this has

7 not been met, and I think generally the witnesses

8 for the Applicant have not -- are not knowledgeable

9 of the companies that are available in the area,

10 especially Hampton/Newport News, and we ask -- as

11 Mr. Major pointed out, we failed to have witnesses

12 from certain of the cities from which he is seeking

13 a certificate.

14 I remind the Commission that the Supreme

15 Court says that this article that we are dealing

16 with -- the article dealing with a certificate

17 of public convenience and necessity, was enacted

18 for the purpose of protecting the holders of

19 existing certificates, and for preventing undue

20 and ruinous competition to them, and thus deprive

21 them of that which is obviously theirs, rightfully

22 acquired under previously granted certificates.

23 And in the Lee-Compton Lines Case, the

24 Supreme Court said it is unnecessary duplication

25 of transportation facilities ultimately paid for

1 by the public, and shoe string competition
2 in the end hurts everybody. And I think this
3 is well illustrated in the position of Mr. Bife
4 who is attempting to develop a company from the
5 point that it now stands in, and he is now
6 certificated in Hampton and Newport News, and
7 would like to develop that area, and is not in
8 a position -- his position will be threatened
9 clearly by Mr. Jones having rights in that same
10 area.
11 Finally, I might remind the Commission
12 that they be looking at, among other things,
13 as the Code sets out, in the section under
14 charter party, it shall consider the existing
15 means of transportation, the character of the
16 Applicant, and the kind and location of the
17 equipment that he proposes to use, and I think
18 the most important thing here, and the most
19 important overall, is the existing means of
20 transportation, and it was just not seen today
21 that the existing means are inadequate by any
22 means.
23 Thank you.
24 MR. JONES: I would like to say
25 something. The Tidewater area is so closely tied

1 to the transportation situation that we have
2 the Department of Transportation Commission --
3 the Commission is planning to take over all of the
4 Tidewater area. So essentially, Hampton, Norfolk,
5 Portsmouth, Chesapeake, Virginia Beach, Newport
6 News will eventually one day will be a metropolitan
7 city, and we have to realize this.
8 I am not out here to hurt Greyhound.
9 I am not out here to hurt Trailway. I am here
10 to do a service that I have been doing, and I
11 propose to do. Everyone has testified that these
12 other rates are much higher than mine. I am
13 offering to close the toilets on the bus so these
14 people can travel. These poor people have just
15 as much right to travel as the high class people,
16 and I am trying to afford them something.
17 I am giving a service to the community.
18 I don't have to go out here and run this bus
19 service. I am financially able to take care and
20 provide for myself with my retirement. I am
21 getting seven hundred and fifty-seven dollars a
22 month retirement from the United States Civil
23 Service, and my wife makes over nine thousand
24 dollars a year teaching school, so what I am
25 trying to say here is that I am trying to do

1 something for these poor people, and I think
2 the Commission should grant me what I am asking
3 for. I am a competent carrier, I have the
4 equipment, and I have the facilities, and I am
5 hoping they will grant me the right to offer my
6 services.
7 CHAIRMAN SHANNON: The Commission
8 will take this matter under advisement.
9 It is now almost one-forty -- I am twelve-forty.
10 12:38 P. M.
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ANDREW T. JONES, JR.

Exhibit 1

PORTSMOUTH, VIRGINIA
BALANCE SHEET
AUGUST 31,1974

ASSETTS

CASH IN BANK			$ 6,317.01
SAVINGS ACCOUNT:			
Naval Supply Center Credit Union		$ 3,138.99	
MERCHANTS & FARMERS BANK		22,122.14	
SERIES E GOVERNMENT BONDS		3,750.00	
Bank OF VIRGINIA		3,000.00	
		$ 32,011.13	$ 32,011.13
RESIDENCE IN PORTSMOUTH, VIRGINIA			25,000.00
PERSONAL PROPERTY-FURNATURE (ESTIMATED)			6,500.00
LAND NEWPORT NEWS, VIRGINIA			2,500.00

	COST	ACCUMULATED DEAPPRECIATION	BOOK Value	
1960 GMC BUS	$ 18,500.00	$ 9,250.00	$ 12,500.00	
1960 GMC	16,500.00	10,500.00	12,500.00	
1960 GMC	12,000.00	3,000.00	12,500.00	
1960 GMC	12,000.00	3,000.00	12,500.00	
1955 GMC	750.00		2,000.00	
1961 GMC	2,200.00	436.00	1,000.00	
1961 Chevrolet	8,200.00	0,000.00	2,000.00	
1963 CHEVROLET	9,700.00	250.00	2,500.00	
1963 CHEVROLET	800.00	000.00	1,600.00	
1963 GMC	19,500.00	000.00	24,500.00	
1963 GMC	19,500.00	000.00	24,500.00	
1964 PONTIAC	4,500.00	000.00	250.00	
1970 OLDSMOBILE	5,800.00	1,900.00	1,900.00	
1973 CADILLAC	8,800.00		7,800.00	
	$ 138,750.00	$ 28,336.00	$ 118,050.00	$ 118,050.00
TOTAL ASSETS				$ 190,378.14

LIABILITIES AND NET WORTH

NOTES PAYABLE			
NAVAL SUPPLY CENTER CREDIT UNION	BUSES	$ 25,234.71	
MERCHANTS AND FARMERS BANK		33,984.23	
BANK OF VIRGINIA	car	6,509.76	
Bank of Virginia	HOME	4,350.40	
		.0	
		$ 70,079.10	$ 70,079.10
NET WORTH: ANDREW T. JONES, JR.			$ 120,299.04
TOTAL LIABILITIES AND NET WORTH			$ 190,457.24

Exhibit 2

TRIPS MADE BY
ANDREW T. JONES, JR.

1974
1-13 WINDSOR, VA.
1-13 WHALLERSVILLE, VA.
2-1 RICHMOND, VA.
2-5 NEWPORT NEWS, VA.
2-8 KEEZLETOWN, VA.
2-16 RICHMOND, VA.
2-23 keezletown, VA. Near Harrisonburg
2-24 NEWPORT NEWS, VA..
2-25 PETERSBURG, VA.
3-1 RICHMOND, VA.
3-1 RICHMOND, VA.
3-1 RICHMOND, VA.
3-2 LYNCHBURG, VA.
3-13 WILLIAMSBURG, VA.
3-16 TAPPANAHCOCK. VA.
3-30 WILLIAMSBURG, VA.
4-20 CHARLOTTESVILLE, VA.
4-21 NEWPORT NEWS, ,VA.
4-24 FISHERSVILLE, VA.
4-27 LURAY, VA.
4-27 FAIRFAX, VA.
4-28 RICHMOND, VA.
5-5 PETERSBURG, VA.
5-11 RICHMOND, VA.
5-14 ARLINGTON, VA.
5-14 ASHLAND, VA.
5-25 WILLIAMSBURG, VA.
5-26 LURAY, VA.
5-26 RICHMOND, VA.
5-29 WILLIAMSBURG, VA. 6-1
6-1 WILLIAMSBURG, VA.
6-8 WILLIAMSBURG, VA.
6-8 WILLIAMSBURG, VA.
6-14 ASHLAND, VA.
6-14 ASHLAND, VA.
6-16 RICHMOND, VA.
6-19 NEWPORT NEWS, VA.
6-20 FISHERSVILLE, VA.
6-26 FISHERSVILLE, VA.
6-27 WILLIAMSBURG, VA.
6-29 WILLIAMSBURG, VA.
7-4 CHARLOTTESVILLE, VA.
7-10 SURREY, VA.
7-11 RICHMOND, VA.
7-11 YORKTOWN, VA.
7-12 ASHLAND, VA.
7-13 NATURAL BRIDGE, VA.
7-16 LIGHTSFOOTE, VA.
7-19 YORKTOWN, VA.
7-22 ASHLAND, VA.
7-23 ROANOKE, VA.
7-27 ASHLAND, VA.
7-27 SALEM, VA. 7-28
7-28 SURREY, VA.
7-30 BRISTOL, VA.
8-3 ASHLAND, VA.
8-4 CHARLES CITY , VA.
8-8 WILLIAMSBURG, VA.
8-11 BOYKINS, VA.
8-24 SALEM, VA.
8-25 RICHMOND, VA.
9-1 WINDSOR, VA.
9-6 FRANKLIN, VA.
9-11 JAMESTOWN, VA.
9-11 JAMESTOWN, VA.
9-14 ASHLAND, VA.

LOCAL TRIPS

	NUMBER OF TRIPS
CHESAPEAKE NORFOLK PORTSMOUTH	58
OCEAN VIEW BUCKROE BEACH	42
VIRGINIA BEACH	22
HAMPTON	8

GROSS RECEIPTS FOR 1974

FROM JANUARY 1,1974 UNTIL SEPTEMBER 15,1974 $ 15,910.68

PHYLLIS WHEATLEY BRANCH Y.W.C.A.
2702 Orcutt Avenue
Newport News, Virginia 23607

A UNITED FUND AGENCY

NON-PROFIT ORG.
U.S. POSTAGE
1.8¢ PAID
NEWPORT NEWS, VA.
PERMIT No. 88

CASE NO. CP-78
EXHIBIT NO. 3
Filed SEP 18 1974 Wilcomes
Clerk
Witness
Bailiff

PUF
Campaign '75
N.N.—HAMPTON—YORK COUNTY
SEPT 19 - OCT 31.
GIVE, PLEASE, THE UNITED WAY

PENINSULA Y.W.C.A.

1803 Kecoughtan Rd. - Hampton, Va. 23661
244-3156 - 244-7261

2702 Orcutt Ave. - Newport News, Va. 23607
245-6026 - 247-6485

YWCA PURPOSE

The YWCA of the USA, a movement rooted in the Christian Faith as known in Jesus and nourished by the resources of that faith, seeks to respond to the barrier-breaking love of God in this day.

The Association draws together into responsible membership women and girls of diverse experiences and faiths, that their lives may be open to new understanding and deeper relationships, and that together they may join in the struggle for peace and justice, freedom and dignity for all people.

Imperative: Eliminate Racism

ASSOCIATION SPECIAL EVENTS

FORUMS - (monthly) "Empowerment of Women & Girls"
Oct. to April

HOLIDAY HAPPENING - Christmas ideas galore!
Nov. 13 - at Central Branch
10-3 - 7-9

INTERNATIONAL TASTING DINNER - Dec. 13 - $2.50
at Phyllis Wheatley 6-8p.m.

THE YWCA IS YOUR PASSPORT TO NEW HORIZONS

The extension and benefits of these New Horizons depend upon your interest and participation in the programs and services that have been planned to make them a reality.

You can find a wider world through Discussion Groups, Travel, Leadership Workshops, Charm Clinics, Special Educational Classes and Special Interest Groups. You can have fun, make new friends, find new interest, fellowship and a spiritual uplift.

Your membership is your PASSPORT into a world wide movement of women and girls.

MEMBERSHIP FEES

Adult Women	$5.00	Adult Men	$5.00
Under 18	$2.00	Sustaining	$10.00 or more

BE AWARE -- JOIN TODAY

FALL WINTER PROGRAM

SPECIAL ACTIVITIES & GENERAL INFORMATION

ADULT PROGRAM

16 Interviews - Hannah Harrison Career School, Washington, D. C.
Interested in Institutional Housekeeping Management or Practical Nursing? If you are 18-55, this may be the program for you. The Director of Hannah Harrison Career School will be interviewing at the "Y" from 2-9:30 p. m. The school offers free room, board, and tuition for those women who meet the school's admission requirements. Why not see if you meet these qualifications? Call 245-6026 and set up your interview today!

23 State Fair (See tour information)

30 Administrative Volunteer Roundup & Coffee - 10:30 a. m. We need your help! Join this group. Volunteer 4 hours each week at the desk, etc. Please?

30 Slimnastics begin (See classes)

30 Sewing begins (See classes)

1 Crocheting begins (See classes)

2 Swimming - Hampton Institute (See classes)

-14 Atlanta Tour (See tour information)

15 Fall Table Arrangements (See classes)
Learn to make your table a conversation piece by using fall leaves, dried flowers, etc. - 10:30 a. m.

15 Quilting Party begins - Learn an old art, sip a cup of coffee, and get together with friends each Tuesday at 10:30 a. m.

29 Fall Foliage Tour (See tour information)

NOV 8 Pre-Holiday New York Broadway Tour (See tour information)

12 Four Corners of the World Coffee & Ikebana Demonstration - In observance of World YWCA Week of Prayer and World Fellowship

19 Williamsburg Tour (See tour information)

26 Thanksgiving Meditation - Rev. John Linton

DEC 10-11-12 Christmas Workshops
Gift giving is always a lot more meaningful when it comes from the heart. Why not come out and learn about the "Creative Crafts for Christmas" you can make for your home, family, and friends. 10:30 a. m. daily.

13 International Tasting Dinner
The Board of Directors invite you to experience an International Gourmet Treat. Proceeds will be used to extend the work of the YWCA around the world.

DEC 26 - JAN 3 Orange Bowl Christmas Vacation Special (See tour information)

FEB 15 Ski Party (See tour information)

****

MAKE NEW FRIENDS - JOIN A GROUP

The place where two friends first met is sacred to them all through their friendship, all the more sacred as their friendship deepens and grows old.

SILVER BELLES PROGRAM SCHEDULE - 1974-75

Coffee & Fellowship - 10:00 a. m.

Meeting called to order - 10:30 a. m.

October	10	-	Business Meeting
November	7	-	Business Meeting
November	19	-	Williamsburg Tour
November	26	-	Thanksgiving Meditation
December	10	-	Christmas Workshop
December	17	-	Christmas Party
January	9	-	Business Meeting
February	6	-	Valentine Party
March	6	-	Business Meeting
March	13	-	"Fashions of Yesterday"
April	10	-	Business Meeting
April	15	-	Covered Dish Luncheon
April	22	-	Williamsburg Tour
May	1	-	Business Meeting
May	?	-	Norfolk YWCA Visit
June	5	-	Business Meeting
June	10	-	Dutch Country
July	8	-	Outing & Cook-Out

1974-75 SCHEDULE OF YWCA TOURS

Sept.	23	-	State Fair
Oct.	11-14	-	Atlanta Tour
Oct.	29-30	-	Natural Bridge - Skyline Drive - Fall Foliage Tour
Nov.	8	-	Pre-Holiday Broadway Special
Nov.	19	-	Williamsburg Tour - (Anheuser Busch Brewery and Williamsburg Pottery)
Dec. 26 -Jan.	3	-	Orange Bowl Christmas Vaction Special (Cruise - King Orange Jamboree Parade and Game)
Feb.	15-16	-	"Ski Party"
Mar.	7-8-9	-	Pre-Holiday Broadway Special
Apr.	22	-	Williamsburg - Busch Gardens Tour
May	24-25-26	-	Atlanta Tour
June 24 - July 1		-	Honolulu, Hawaii

Dates to be announced later

July	-	Common Glory
August	-	Lost Colony
August	-	Ocean City, Maryland

GENERAL INFORMATION

STATE FAIR - Monday, September 23, is Senior Citizens Day, and should be loads of fun. $5.00 per person includes transportation and admission. Bus leaves 8:00 a. m. - Returns 5:00 p. m.

ATLANTA TOUR - (Columbus Day Weekend) Spend this holiday weekend in the "jumpinest" town of the south. Features good shopping, historical adventure, and plenty of excitement. $67.50 per person includes transportation, hotel, and admission to "Six Flags Over Georgia." Bus leaves Friday night, October 11th at 10:00 p. m. - Returns Monday night, October 14th at 8:00 p. m. Deposit of $10.00 due on or before October 1st - Balance by October 10th

NATURAL BRIDGE - SKYLINE DRIVE - FALL FOLIAGE TOUR - October 29-30th - Visit the Natural Bridge, one of the "Seven Wonders of the World." Experience its splendor and glory during the night pageant "The Creation."

View the breath-taking beauty of fall foliage from Skyline Drive. $20.00 per person includes transportation, hotel, and admission to Natural Bridge. Bus leaves Tuesday, October 29th at 9:00 a. m. - Returns Wednesday October 30, 5:00 p. m. Deposit of $5.00 due October 1st - Balance October 15th

PRE-HOLIDAY BROADWAY SPECIAL - November 8th - Annual shopping trip to New York and a "night on the town." $38.00 per person includes transportation, hotel and porterage fee. Tickets to Broadway plays (optional) are additional (approx. $9.00 per person). Featured attractions: "Raisin", 'Don't Bother Me, I Can't Cope" and "Equus." Bus leaves Friday, November 8th, midnight - Returns Sunday, November 10th, midnight - $10.00 deposit due October 1st - Balance November 1st

WILLIAMSBURG TOUR - Tuesday, November 19th - Features a visit to Anheuser Busch Brewery and Williamsburg Pottery. $2.50 per person. Deposit of $1.00 due October 1st - Balance November 10th

ORANGE BOWL CHRISTMAS VACATION SPECIAL - December 26 January 3rd - Features a fabulous three - day cruise aboard the elegant S/S Emerald Seas. Three exciting days and adventuresome nights in Miami (featuring King Orange Jamboree Parade and the famous "Orange Bowl Game" on New Year's Night). $350.00 per person Deposit of $25.00 due by September 25th, to reserve space on boat, $100.00 by October 10th, $100.00 by November 10th and balance by December 10th.

SKI LAND - (Charlottesville) - February 15th and 16th Be a thrill-seeker! Skiing is an easy sport to learn and the learning process is fun. Ski Land specializes in teaching beginners how to ski and in helping skiers improve and expand their skiiing skills. $60.00 includes transportation, hotel, 4 lessons, use of equipment and insurance. Bus leaves Saturday, February 15th, 6:00 a. m. Returns Sunday, February 16 8:00 p. m. Deposit of $15.00 due on or before January 1st. Balance in full due on or before February 10th.

WILLIAMSBURG - BUSCH GARDENS TOUR - Tuesday, April 22 This lovely "Ole World" Pavillion opens April 15th. Be among the first to enjoy the beauty and excitement of this new peninsula attraction. $2.50 per person, plus admission to Gardens. Bus leaves 9:00 a. m. - Returns 5:00 p. m.

ATLANTA MEMORIAL DAY TOUR - May 24-25-26 (Same as Columbus Day Weekend Tour)

HOLY-LAND TOUR - Temporarily postoned

HONOLULU, HAWAII - June 24 to July 1st - This is the "BIG ONE!!!" Seven exciting days and nights to visit this beautiful island of your dreams!!! Enjoy the blue waters and beautiful beach of Waikiki, an authentic luau, and many other attractions. Only $380.00 per person. (Includes all transportation, luau, hotel, insurance, and some sightseeing.) A deposit of $25.00 per person must be made on or before October 10th to secure charter flight (United Airlines) Balance can be paid in monthly installments beginning January 10th through June 10th. We need your support to get enough people interested. If you can't go, encourage a friend to enjoy this opportunity at a bargain price.

LOST COLONY DRAMA - KILL DEVIL HILL -OUTER BANKS BEACH - MANTEO (Date and time to be announced.) One of the most exciting and relaxing outings that you can take!! Relive the Sir Walter Raleigh era of our country, see the site of the first airplance flight, take a dip in the great Atlantic or enjoy its mighty breeze while relaxing on the beach, visit pirate coves for souvenirs, and gaze upon one of the most spectacular outdoor dramas in the world. $10.00 per person includes transportation, and admission to play.

COMMON GLORY - BICENTENNIAL CELEBRATION - Be among those who celebrate your country's anniversary. New costumes, new settings, and new equipment will make this year's performance more outstanding than before! (Prices to be announced in spring brochure.)

OCEAN CITY BEACH AND AMUSEMENT PARK -(Date to be announced) - Spend an exciting day at this beach! Shop and browse in the many and varied stories; enjoy the thrilling rides and amusements offered at this site.

Did you know that you can DOUBLE YOUR PLEASURE when traveling with the YWCA? Your fees for YWCA tours include a small donation for the support of the YWCA. Your participation provides funds for programs and services for others in our community. Support them!!!

ADULT CLASSES

Registration Period - Sept. 23-27

All classes last for eight weeks

SLIMNASTICS- Its time to get with it!! Lose those unwanted pounds. Physical exercise and use of special salon equipment here in our Health Lounge (featuring belts - vibrators - rollers - and bikes).

Monday and Wednesday mornings 10:30-11:30 a. m.
Two sessions per week - $8.00 fee
Miss Gloria Evans, instructor

Monday and Wednesday evenings 7:30-8:30 p. m.
Mrs. Elsie Green, instructor

Denbigh Area - Tuesday evenings 7:30-8:30 p. m.
Mrs. Joanne Jenkins, instructor - Fee: $6.00

SEWING CLASSES - Learn to make you own garments! Enlarge your wardrobe.
Wednesday morning - 10:30 a. m.
Tuesday evening - 7:30 p. m.
Fee: $5.00

CROCHETING CLASSES - Learn to make bags, hats, etc., every Tuesday afternoon - 4:00 p. m.
Mrs. Gladys Williams, instructor
Fee: $4.00

SWIMMING - Hampton Institute - Learn to swim the right way! Expert supervision, each Wednesday evening, 7:30 - 8:30 p. m. Fee: $1.50 per lesson

WEIGHT WATCHERS - "Get more out of '74 - Come alive in '75!" Lose all that excess fat. Start now by joining Weight Watchers, Tuesday evenings at 7 o'clock.

CALENDER OF YOUTH PROGRAM

Sept.	28	- Animaland - Special Program for Summer Day Care girls
	30	- "Fun 'n' Things Haven" begins
Oct.	1	- Creative Dance Class begins
	3	- Ballet Class begins
	5	- "Hitching Post" begins
	13	- Youth Leadership Council Reception 4 p. m.
	30	- Halloween Carnival - 3:30-5:30 p.m.- Tots, Tweeners, Pre-Teens 7:30-9:30 p. m. - Co-Eds
Nov.	22	- Membership Dance 8 p. m. - 12 p. m.
Dec.	21	- Christmas Dinner Dance 8 p. m.-12 p. m.

Dates and times to be announced

January	-	Youth Sex Forums
February	-	Peninsula Black Leadership Fair
March	-	Rainbow Soiree
April	-	Weekend Trip - Carowinds
May	-	Initiation Dance
		Tour - Busch Gardens
June	-	Picnic

YOUTH GROUPS AND ACTIVITIES

Tiny Tots - 3-4-5 year olds (boys and girls)

"Hitching Post" offers fun, games, field trips and a chance to learn. ($2.50 per session) First Saturday of each month - 10-2 p. m. Fee includes special parties, snack, and transportation. Special dates to be announced.
Membership $1.00 - Registration $1.50

Tweeners and Pre-Teeners - 6-12

"Fun 'n' Things Haven" - meets daily Monday-Friday - 2:30-5:30 p. m. (This activity open to girls older if desired) Registration Sept. 23-27
Membership $1.00 - Fees to be announced.

Daily Schedule

Monday - Tutorial Session; Sewing
Tuesday - Arts & Crafts Day; Special Dance Class (includes Creative, Modern, and African dancing)
Wednesday - Tutorial Session, Charm Clinic
Thursday - 2nd & 4th Thursday of each month Swimming - Hampton Institute - Classes begin Oct. 3.
First Thursday of each month - Bowling Party
Third Thursday of each month - Skating Party
Friday - Consumer Education - Comparative buying; Selection and preparation of foods; Selection and care of clothing

Co-Eds - Club Groups and Youth Leadership Council
13-18 year olds - Membership $2.00

- Co-Eds - meet each second and fourth Wednesday. Special program to include dancing, forums, games, outings, etc.

- Youth Leadership Council - a special group to be organized from youthful leaders on the peninsula. Special programs each second Sunday afternoon.

- Clubs - open to this age group. Members are responsible for making own policies, goals, and setting meeting dates.

YOUTH CLASSES

Registration dates - September 23-27

September 30 - MODERN MOVEMENT EXPLORATION - for boys and girls (3-4-5 year olds). A new approach to modern dance and physical coordination for children.
Mondays - 6-7 p. m.
Registration fee - $2.00; $5.00 per month - Mrs. Marsha Williams, instructor

October 1 - CREATIVE DANCE CLASS - Designed for girls 6-18 years old. 5:30-6:30 p. m.
Miss Valeria O'Kelly, instructor

October 3 - BALLET CLASS - 5:30 - 6:30 p. m.
Mr. Thaddeus Hayes, instructor
Call 245-4451 for further information

ACTIVITY REGISTRATION BLANK

Name _____

Address _____ Phone _____

City _____ Zip Code _____

Activity _____

Activity Fee _____ Amt. Enclosed _____

Membership expiration date _____

If not member

Membership Fee _____ Amt. Enclosed _____

COMMITTEE ON ADMINISTRATION

Mrs. Maxine Sellers, Chairman
Mrs. Dorothy Davis, Vice Chairman
Mrs. Margaret Johnson, Secretary
Mrs. Kathaleen Land, Finance
Mrs. Doris Edwards, Chaplain
Mrs. Marjorie Billups
Mrs. Evelyn Cook
Mrs. Inettie Edwards
Miss Brenda Fowlkes
Mrs. Gloria Goodman
Mrs. Ollie Hundley
Mrs. Dorothy Kellam
Mrs. Willie Langford
Mrs. Rosetta Randall
Mrs. Willie Ruffin
Mrs. Alverta S. Scott
Miss Mary Smith
Mrs. Bertha Talton
Mrs. Mozelle M. Tyson
Mrs. Joan Walker
Mrs. Doris Williams
Miss Brenda Woods

STAFF

Mrs. Elizetta Williamson, Executive Director
Miss Gloria Evans, Program Director
Mrs. Eva G. Jackson, Secretary & Bookkeeper
Miss Phyllis Stallworth, Building Maintenance
Eddie Webb, Sr., Building Maintenance

AN EXHIBIT OF INTRASTATE CHARTERS AS HANDLED BY GREYHOUND LINES, INC. FROM APPLICANT'S PROPOSED ORIGIN AREA FOR A SIX MONTH PERIOD FROM FEBRUARY 1, 1973 TO AUGUST 1, 19

DATE	CHARTER COACH ORDER NUMBER	ORIGIN	DESTINATION	NO. OF BUSES	ROUND-TRIP(RT) OR ONE-WAY (OW)	REVENUE
2/ 5/73	112261	Portsmouth, Va.	Richmond, Va.	1	RT	179.00
2/ 6/73	112266	Norfolk, Va.	Richmond, Va.	1	RT	$ 150.00
2/ 6/73	112267	Norfolk, Va.	Richmond, Va.	1	RT	152.00
2/ 7/73	112268	Norfolk, Va.	Newport News, Va.	3	OW	238.50
2/12/73	112273	Newport News, Va.	Norfolk, Va.	2	OW	159.00
2/15/73	112270	Newport News, Va.	Richmond, Va.	1	RT	121.60
2/18/73	144826	Norfolk, Va.	Richmond, Va.	1	RT	152.00
3/ 9/73	112924	Newport News, Va.	Norfolk, Va.	1	OW	68.00
3/10/73	144840	Newport News, Va.	Falls Church, Va.	1	RT	336.00
3/21/73	146105	Newport News, Va.	Richmond, Va.	1	RT	121.60
3/30/73	144860	Newport News, Va.	Richmond, Va.	1	RT	161.60
3/30/73	144861	Newport News, Va.	Richmond, Va.	1	RT	161.60
4/ 3/73	144874	Norfolk, Va.	Roanoke, Va.	1	RT	632.00
4/ 5/73	144855	Newport News, Va.	Luray, Va.	2	RT	793.00
4/ 7/73	144866	Norfolk, Va.	Williamsburg, Va.	1	RT	104.00
4/ 8/73	144878	Hampton, Va.	Petersburg, Va.	1	RT	123.20
4/ 9/73	144879	Norfolk, Va.	Roanoke, Va.	1	RT	488.00
4/13/73	144888	Newport News, Va.	Norfolk, Va.	1	RT	137.00
4/14/73	144890	Norfolk, Va.	Petersburg, Va.	2	RT	256.00
4/14/73	154551	Newport News, Va.	Alexandria, Va.	1	RT	286.40
4/27/73	154564	Virginia Beach, Va.	Norfolk, Va.	1	OW	76.50
5/ 3/73	154568	Portsmouth, Va.	Luray, Va.	2	RT	740.40
5/ 3/73	154583	Norfolk, Va.	Norfolk Airport	1	OW	68.00
5/ 5/73	154575	Hampton, Va.	Luray, Va.	2	RT	733.25
5/ 8/73	154584	Newport News, Va.	Richmond, Va.	1	RT	121.60
5/ 9/73	154590	Virginia Beach, Va.	Williamsburg, Va.	2	RT	244.00
5/11/73	154572	Virginia Beach, Va.	Newport News, Va.	1	RT	94.00
5/15/73	146137	Newport News, Va.	Luray, Va.	2	RT	680.00
5/17/73	146143	Newport News, Va.	Norfolk, Va.	1	RT	92.00
5/18/73	154586	Hampton, Va.	Mt. Vernon, Va.	1	RT	329.10
5/18/73	154591	Chesapeake, Va.	Richmond, Va.	2	RT	388.00
5/24/73	146146	Newport News, Va.	Richmond, Va.	2	RT	243.20
5/29/73	154611	Newport News, Va.	Richmond, Va.	1	RT	137.60

Docket CP-78
Exhibit 4
Filed SEP 18 1974
Witness

DATE	CHARTER COACH ORDER NUMBER	ORIGIN	DESTINATION	NO. OF BUSES	ROUND-TRIP(RT) OR ONE-WAY (OW)	REVENUE
6/ 1/73	164152	Newport News, Va.	Luray, Va.	1	RT	$ 340.00
6/ 1/73	154622	Virginia Beach, Va.	Amherst, Va.	1	RT	399.50
6/ 3/73	146153	Newport News, Va.	Vienna, Va.	1	RT	296.00
6/17/73	124354	Virginia Beach, Va.	Radford, Va.	1	OW	417.20
6/17/73	146158	Newport News, Va.	Lynchburg, Va.	1	OW	267.40
6/18/73	146160	Newport News, Va.	Ft. Eustis, Va.	1	RT	420.00
6/17/73	124357	Newport News, Va.	Radford, Va.	1	OW	414.70
6/19/73	124360	Norfolk, Va.	Local Tour	3	RT	240.00
6/20/73	124361	Norfolk, Va.	Williamsburg, Va.	3	RT	374.00
6/21/73	124362	Norfolk, Va.	Williamsburg, Va.	3	RT	312.00
6/24/73	124367	Portsmouth, Va.	Newsome, Va.	1	RT	91.00
6/25/73	146161	Newport News, Va.	Ft. Eustis, Va.	1	RT	420.00
7/ 2/73	146165	Newport News, Va.	Ft. Eustis, Va.	1	RT	280.00
7/ 7/73	146168	Newport News, Va.	Lynchburg, Va.	1	RT	305.60
7/ 8/73	165593	Newport News, Va.	Norfolk, Va.	1	RT	92.00
7/ 9/73	124375	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/ 9/73	165576	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/ 9/73	165578	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/ 9/73	146167	Newport News, Va.	Ft. Eustis, Va.	1	RT	420.00
7/10/73	165584	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/10/73	165586	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/10/73	165587	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/11/73	165588	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/11/73	165589	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/12/73	165591	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/12/73	165592	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/12/73	165593	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/12/73	165599	Hampton, Va.	Norfolk, Va.	2	RT	200.00
7/13/73	165594	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/13/73	165595	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/16/73	165603	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/16/73	146170	Newport News, Va.	Ft. Eustis, Va.	1	RT	420.00
7/17/73	165605	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/17/73	165606	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/17/73	165607	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/17/73	146171	Newport News, Va.	Ft. Eustis, Va.	1	RT	560.00
7/18/73	165608	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/18/73	165609	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/18/73	165616	Norfolk, Va.	Virginia Beach, Va.	1	RT	92.00
7/18/73	146172	Newport News, Va.	Ft. Monroe, Va.	1	RT	420.00
7/19/73	165610	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/19/73	165617	Norfolk, Va.	Herndon, Va.	1	OW	260.00
7/19/73	165619	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/19/73	165620	Hampton, Va.	Norfolk, Va.	1	RT	100.00

DATE	CHARTER COACH ORDER NUMBER	ORIGIN	DESTINATION	NO. OF BUSES	ROUND-TRIP(RT) OR ONE-WAY (OW)	REVENUE
7/19/73	165621	Hampton, Va.	Norfolk, Va.	1	RT	$ 100.00
7/23/73	165629	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/23/73	165630	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/23/73	146173	Newport News, Va.	Ft. Eustis, Va.	1	RT	420.00
7/23/73	146174	Newport News, Va.	Ft. Eustis, Va.	1	RT	700.00
7/23/73	146175	Newport News, Va.	Ft. Monroe, Va.	1	RT	560.00
7/24/73	146176	Newport News, Va.	Ft. Monroe, Va.	1	RT	140.00
7/24/73	165631	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/24/73	165632	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/24/73	165633	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/24/73	165634	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/25/73	165635	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/25/73	165636	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/25/73	165637	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/25/73	165638	Hampton, Va.	Norfolk, Va.	1	RT	100.00
7/26/73	165639	Hampton, Va.	Jamestown, Va.	1	RT	100.00
7/28/73	146196	Newport News, Va.	Richmond, Va.	1	RT	123.20
7/30/73	146177	Newport News, Va.	Ft. Eustis, Va.	1	RT	420.00
7/30/73	146178	Newport News, Va.	Ft. Eustis, Va.	1	RT	700.00
7/30/73	146179	Newport News, Va.	Ft. Monroe, Va.	1	RT	700.00
7/31/73	165640	Hampton, Va.	Norfolk, Va.	1	RT	100.00
			TOTAL	116		$23,087.75

Supreme Court of Virginia

Atlantic Greyhound Lines of Virginia, Inc., Newton Bus Service, Inc., and Community Motor Bus Company, Incorporated, Appellants,

against Record No. 750055

Jones Bus Company, Incorporated, Appellee.

From the State Corporation Commission

Certificate

Pursuant to Rule 5:30 of the Rules of the Supreme Court of Virginia, I, Howard G. Turner, Clerk of the said Court, do hereby certify that an appeal of right was awarded on February 18, 1975, from an order entered by the court below on September 20, 1974, in the suit therein depending under the short style of Application of Jones Bus Company, Incorporated, for a certificate of public convenience and necessity, etc.

Appeal bond is required in the penalty of $ 500 in conformity with Code, § 8-477, and within the time allowed by Code, § 8-489.

This certificate, constituting the summons on appeal, was this day mailed to the court below and to

Calvin F. Major, 200 West Grace Street, Richmond, Virginia 23220
Counsel for Appellants

Jones Bus Company, Incorporated, 2714 Magnolia Street, Portsmouth, Virginia 23704
Not represented by counsel

Andrew P. Miller, Attorney General of Virginia, Supreme Court Building, Richmond, Virginia 23219
Michael L. Rigsby, State Corporation Commission, P. O. Box 1197, Richmond, Virginia 23209

Given under my hand this 19th day of February, 1975.

H. G. Turner
Clerk

Supreme Court of Virginia

Chesapeake and Northern Transportation Corporation, Appellant,

against Record No. 750068

Jones Bus Company, Incorporated, Appellee.

From the State Corporation Commission

Certificate

Pursuant to Rule 5:30 of the Rules of the Supreme Court of Virginia, I, Howard G. Turner, Clerk of the said Court, do hereby certify that an appeal of right was awarded on February 18, 1975, from an order entered by the court below on September 20, 1974, in the suit therein depending under the short style of Application of Jones Bus Company, Incorporated, for a certificate of public convenience and necessity, etc.

Appeal bond is required in the penalty of $ 500 in conformity with Code, § 8-477, and within the time allowed by Code, § 8-489.

This certificate, constituting the summons on appeal, was this day mailed to the court below and to

Michael A. Inman, #5 Stoney Point, 700 Newtown Road, Norfolk, Virginia 23502
Counsel for Appellant

Jones Bus Company, Incorporated, 2714 Magnolia Street, Portsmouth, Virginia 23704
Not represented by counsel

Andrew P. Miller, Attorney General of Virginia, Supreme Court Building, Richmond, Virginia 23219
Michael L. Rigsby, State Corporation Commission, P. O. Box 1197, Richmond, Virginia 23209

Given under my hand this 19th day of February, 1975.

H G Turner

Clerk

CERTIFICATE

Atlantic Greyhound Lines of Virginia, Inc., et al — Appellants

against

Jones Bus Company, Incorporated — Appellee

I, William C. Young, Clerk of the State Corporation Commission, certify that the required bond in the penalty of Five Hundred Dollars ($500) was given in my office on behalf of the appellants in the above styled appeal on February 28, 1975, by Carol Braswell, as principal, and Fidelity and Deposit Company of Maryland, as surety, and that I deem the security sufficient.

_____, Clerk

CERTIFICATE

Chesapeake and Northern Transportation Corporation — Appellant

against

Jones Bus Company, Incorporated — Appellee

I, William C. Young, Clerk of the State Corporation Commission, certify that the required bond in the penalty of Five Hundred Dollars ($500) was given in my office on behalf of the appellant in the above styled appeal on February 28, 1975, by Carol Braswell, as principal, and Fidelity and Deposit Company of Maryland, as surety, and that I deem the security sufficient.

, Clerk