



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION IV  
Alabama, Florida  
Georgia, Kentucky  
Mississippi  
North Carolina  
Puerto Rico  
South Carolina  
Tennessee

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October 26, 2004

Mr. Tim Ornick  
General Manager  
Montgomery Area Transit System  
2318 West Fairview Avenue  
Montgomery, Alabama 36108

Re: Charter Service Docket No. 2004-17

Dear Mr. Ornick:

Capital Trailways of Alabama has initiated a charter service complaint that the Montgomery Area Transit System (MATA) is providing shuttle service for the Robert Trent Jones Golf Trail in Prattville, Alabama. The golf tournament is being held October 25 through October 31 of this year. It is our understanding that a total of two buses are being used from 7:00 am until 6:00 pm Monday through Friday and that four buses will be used on Saturday and Sunday during those same times.

The Director of Operations for the tournament requested this service by letter dated October 11, 2004. In that letter, specific numbers of buses and hours of operations were requested. The nature of the service appears to violate the Federal Transit Administration's (FTA) charter bus regulations published at 49 C.F.R. Part 604 in that the service is being directed by a third party under an itinerary of its own choosing for the exclusive use of a group of persons pursuant to a common purpose. Since the service is already underway, you are hereby directed to canvass all private transportation providers in your area to determine if a willing and able private provider exists which may want to provide the service in question. If such a provider exists, MATA must cease and desist providing the service and the National Championship Tour will need to contract with a private operator to provide the service.

Any and all costs associated with MATA's use of its equipment is ineligible for Federal participation. Any service provided that is not in compliance with 49 C.F.R. Part 604 is

prohibited. If you should have any similar situations in the future, this Office would be happy to provide any needed guidance.

Sincerely,



*for* Hiram J. Walker  
Regional Administrator

Cc; Steve Mistrot, Director of Operations  
Director of Operations  
Nationwide TOUR Championship  
100 Grandview Place, Suite 110  
Birmingham, AL 35243

Shannon Rhodes, Assistant to the President  
Capital Trailways of Alabama  
520 North Court Street  
Montgomery, AL 36104