



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

REGION VII
Iowa, Kansas,
Missouri, Nebraska

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February 8, 2008

Mr. Scott Moore
Assistant City Manager
City of Wichita
455 N. Main St, 10th Floor
Wichita, KS 67202

Mr. Jay Banasiak
General Manager
Wichita Transit
777 Waterman
Wichita, KS 67202

Mr. Homer Price
River City Trolley and Charter L.L.C.
8154 West 16th Ct. N.
Wichita, KS 67212

Re: Charter Complaint No. 2007-06 Price v.
Wichita Transit Remedy—Funds to be Withheld
Permanently

Dear Sirs:

FTA issued its decision in the above referenced case on December 4, 2007 and requested the City of Wichita to provide written evidence requested in the decision on or before but no later than December 14, 2007. Subsequently, FTA granted the City an extension of time until January 4, 2008 for submission of the requested data. On January 8, 2008, FTA obtained the information as requested.

FTA now makes a final determination of the amount of funds to be withheld from the City of Wichita pursuant to the revised, enumerated paragraph four (4) of the Conclusions and Specific Remedies Ordered in its decision in this matter.

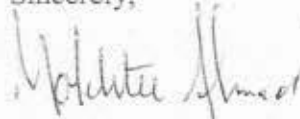
FTA hereby bars the City from receipt of \$ 2,385.00, which represents the gross proceeds earned by the City from conducting the unauthorized charter operations. These funds will be withheld from Section 5307 funds apportioned in FY2006 but not yet obligated in any grant to the City.

FTA reminds the City that a new charter rule was published January 14, 2008 in the Federal Register (73 Fed. Reg. 2326 (2008)). You may retrieve the rule and the comments to the rule online through the Federal Document Management System (FDMS) at: <http://www.regulations.gov>. Enter docket number 22657 in the search field. The FDMS is available 24 hours per day. The new rule and questions and answers related to it can be found also on the FTA website. The link to it is as follows: http://www.fta.dot.gov/laws/leg_reg_179.html.

Finally, please note that if a remedy had been imposed under the new regulation with a finding of a pattern of violations, the remedy would have involved the withholding of a substantially larger amount of funds. Assuming a moderate economic benefit from the illegal operations and a moderate deviation from the regulations, the remedy could have been from \$5,000 to \$7,999 per violation, for a sum ranging from \$35,000 to up to \$55,993. Please be certain that any future charter operations conform to the new rule.

If you have any questions regarding this charter remedy, please contact the Regional Counsel: Paula.Schwach@dot.gov or 816.329.3935.

Sincerely,



Mokhtee Ahmad
Regional Administrator

Cc: Elizabeth Martineau, TCC
Mr. Mike Vinson, Wichita Transit
Severn Miller, TCC
Homer Price, complainant
Crystal Frederick, TCC