

COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION

**DEPARTMENT OF
TELECOMMUNICATIONS & ENERGY**

MAR 15 2002

D.T.E. 02-RB-218

Petition of BACK BAY COACH, INC requesting that the Department of Telecommunications and Energy act as the licensing authority and issue a municipal street license for the Town of Medway, pursuant to G.L. c. 159A, § 3.

D.T.E. 02-RB-218

Petition of BACK BAY COACH, INC requesting that the Department of Telecommunications and Energy act as the licensing authority and issue municipal street licenses for the cities of Boston, Cambridge, Medford, Quincy, Somerville, and Woburn; and the towns of Burlington, Lynnfield, Norwood, Randolph, Stoneham and Weston, pursuant to the provisions of G.L. c. 159A, § 3.

D.T.E. 02-RB-218

Petition of BACK BAY COACH, INC requesting that the Department of Telecommunications and Energy act as the licensing authority and issue municipal street licenses for the towns of Bedford, Franklin and Lincoln; and public ways under the jurisdiction of the Metropolitan District Commission, pursuant to the provisions of G.L. c. 159A, § 1.

D.T.E. 02-RB-218

Petition of BACK BAY COACH, INC requesting that the Department of Telecommunications and Energy amend its Certificate of Public Convenience and Necessity ("CPCN") No. 3841, by adding specific routes in the cities of Boston, Cambridge, Medford, Quincy, Somerville, Waltham, Woburn; the towns of Arlington, Bedford, Bellingham, Belmont, Braintree, Burlington, Canton, Concord, Foxborough, Franklin, Hopkinton, Lexington, Lincoln, Lynnfield, Medway, Milford, Milton, Norwood, Plainville, Randolph, Reading, Sharon, Stoneham, Wakefield, Weston, Westwood, Winchester; and ways under the jurisdiction of the Massachusetts Turnpike Authority and the Metropolitan District Commission; pursuant to the provisions of G.L. c. 159A, § 7.

APPEARANCES: G. Stephen Anzuoni, Esq.
167 Milk Street #458
Boston, Massachusetts 02109
FOR: BACK BAY COACH, INC.
Petitioner

I. INTRODUCTION

On January 11, 2002, BACK BAY COACH, INC. ("Petitioner"; "Appellant") filed an appeal, pursuant to G.L. c. 159A, § 3, asking the Department of Telecommunications and Energy ("Department") to act as the licensing authority and issue a municipal street license for the Town of Medway. The Department docketed the appeal as 02-RB-218.

At the same time on January 11, 2002, the Petitioner also filed a petition requesting that the Department amend its Certificate of Public Convenience and Necessity ("CPCN") No. 3841, by adding specific routes in the cities of Boston, Cambridge, Medford, Quincy, Somerville, Waltham, Woburn; the towns of Arlington, Bedford, Bellingham, Belmont, Braintree, Burlington, Canton, Concord, Foxborough, Franklin, Hopkinton, Lexington, Lincoln, Lynnfield, Medway, Milford, Milton, Norwood, Plainville, Randolph, Reading, Sharon, Stoneham, Wakefield, Weston, Westwood, Winchester; and ways under the jurisdiction of the Massachusetts Turnpike Authority and the Metropolitan District Commission; pursuant to the provisions of G.L. c. 159A, § 7. The Department assigned the same docket number 02-RB-218. The proposed additional service is a shuttle service between hotels, motels, and business establishments in the above named municipalities, Logan International Airport ("Logan Airport") in Boston, and other passenger destinations in the Greater Boston area.

On February 4, 2002, the Petitioner filed an appeal with the Department, pursuant to G.L. c. 159A, § 1, asking the Department to act as the licensing authority and issue municipal

street licenses for the cities of Boston, Cambridge, Medford, Quincy, Somerville, and Woburn; and the towns of Burlington, Lynnfield, Norwood, Randolph, Stoneham and Weston. The appeal stated that licenses may be forthcoming after the 60 day period provided in the statute has elapsed. Therefore, the appeal was filed as a protective measure for the aforementioned cities and towns. The Department also assigned the same docket number of 02-RB-218.

On February 5, 2002, the Petitioner filed an appeal with the Department, pursuant to G.L. c. 159A, § 1, asking the Department to act as the licensing authority and issue municipal street licenses for the towns of Bedford, Franklin and Lincoln; and public ways under the jurisdiction of the Metropolitan District Commission. The appeal stated that licenses may be forthcoming after the 60 day period provided in the statute has elapsed. Therefore, the appeal was filed as a protective measure for the aforementioned cities and towns. Again, the Department assigned this appeal the same docket number of 02-RB-218.

II. PROCEDURAL HISTORY

Upon notice duly issued, a hearing was held at the Department's offices in Boston on February 5, 2002, to consider the initial petition for amendment of CPCN No. 3841 and the appeal for the Town of Medway. No formal petition to intervene in the proceedings, pursuant to 220 C.M.R. § 1.03 (1)(a), was filed. The Petitioner sponsored the testimony of Medardo Cepeda, public relations director of the Petitioner, and Thomas Lenthall, management consultant to the Petitioner. The evidentiary record consists of four (4) Petitioner exhibits. The Petitioner testified that it currently serves several Boston Hotels and seeks to expand its

service, in light of the recent demise of U.S. Shuttle of Boston, Inc., following the tragic events of September 11, 2001.¹ On October 12, 2001, the Petitioner was issued a 120-day temporary license for the operation of motor vehicles for hire over certain public ways in the cities of Boston, Medford, Somerville, Waltham and Woburn and the towns of Arlington, Bedford, Belmont, Burlington, Concord, Lexington, Lincoln, Reading, Stoneham, Weston and Winchester, and public ways under the jurisdiction of the Metropolitan District Commission, pursuant to the provisions of G.L. c. 159A, § 5. See Back Bay Coach, Inc., D.T.E. 01-RB-213 (2001). In providing such service, the Petitioner has already made mutually satisfactory arrangements with the various hotels for pick-up and delivery points. The Petitioner would continue to use those mutually satisfactory delivery points to provide its amended regular route service. The Petitioner further testified that such arrangements would, of course, be subject to the consent of hotel management to the extent that the arrangements involve the use of private hotel property.

The Petitioner entered four exhibits into evidence: Exhibit 1, the Petitioner's balance sheet; Exhibit 2, certain municipal street licenses that the Petitioner has received since its original petition was filed with the Department; Exhibit 3, a study of potential weekday air passenger counts to Logan; and Exhibit 4, the Petitioner's ridership count inbound to Logan for the previous four (4) month period.

¹ On January 7, 2002, the Department approved the joint application of U.S. Shuttle of Boston, Inc. and King's Coach, Inc. for the assignment and transfer of certain certificates of public convenience and necessity and a certificate of compliance. See U.S. Shuttle of Boston, Inc. & King's Coach, Inc. D.T.E. 94-127, 95-RB-16, 96-RB-49, 97-RB-72 (2002).

During the February 5, 2002 hearing, the Petitioner requested a continuance of 02-RB-218 to allow its appeals of February 4, 2002 and February 5, 2002, as previously described above, to be heard by the Department. There being no opposition, the hearing officer granted a continuance until such time that all interested parties could be properly notified.

Meanwhile, on February 20, 2002, the Department received a facsimile copy of an approved street license from the City of Quincy. Also on February 20, the Department received a facsimile copy of the approved street license dated February 13, 2002 from the Town of Norwood and a letter dated February 14, 2002, rescinding said approval. On February 22, 2002, the Department received correspondence from the City of Cambridge, acknowledging notice of the appeal by the Petitioner and stating that the Cambridge License Commission has already held its hearing on the Petitioner's jitney license application and has forwarded its recommendation to the Cambridge City Council.

Upon notice duly issued, the hearing continued from February 5, 2002 was held at the Department's offices in Boston on February 27, 2002. No formal petition to intervene in the proceedings, pursuant to 220 C.M.R. § 1.03 (1)(a), was filed. However, at the hearing, the City of Woburn appeared at the hearing seeking intervention; but after consulting with counsel for the Petitioner, withdrew its opposition to the appeal before the Department.

At the February 27 continued hearing, George Daou, president of the Petitioner, testified in support of the appeals, as did Thomas Lenthall. The Petitioner entered nine exhibits into evidence: Exhibit 1, License approval from the Town of Weston; Exhibit 2, License approval from the Town of Braintree; Exhibit 3, License approval from the Town of

Norwood; Exhibit 4, License approval from the City of Waltham; Exhibit 5, License approval from the Town of Westwood; Exhibit 6, License approval from the Town of Bellingham; Exhibit 7, License approval from the Town of Randolph; Exhibit 8, License approval from the City of Somerville; and Exhibit 9, a letter dated February 25, 2002, sent by the Petitioner to the City of Cambridge, addressing the issues raised by the city at the Petitioner's hearing for a municipal street license. The filing of these municipal street licenses made a portion of the Petitioner's appeal to the Department moot.

On March 4, 2002, the Department received notice dated February 28, 2002 from the City of Cambridge that the Cambridge City Council adopted an order to deny the application of the Petitioner to operate a shuttle service over certain public ways within Cambridge.

III. STANDARD OF REVIEW

G.L. c. 159A, § 7 provides that the Department may amend a CPCN if the Department finds, after a hearing, that public convenience and necessity require the proposed amended service, the service is in the public interest, and the petitioner is fit, willing, and able to operate the proposed service properly. Because motor vehicle service under section 7 authority operates over a specified route, the granting of the CPCN by the Department is conditioned on the petitioner being the holder of municipal street licenses issued pursuant to G.L. c. 159A, § 1, authorizing travel through each municipality and jurisdiction on the Petitioner's specified route. Section 1 provides that if a municipality or jurisdiction has denied an application for a municipal street license, or has taken no action on the application for the street license within sixty days allowed by the statute, the petitioner may appeal to the

Department, within five days of the expiration of the sixty days, to act as the licensing authority for the municipality and to issue the street license.

Section 1 does not specify a standard to be applied to an appeal when the Department is asked to act as the licensing authority. In the absence of a standard, given the street license is a condition of the granting of the CPCN, the Department applies the same standard to the appeal for the street license as it applies to the granting of the CPCN. City of Worcester v. Department of Public Utilities, 391 Mass. 1007 (1984).

Section 3 provides that the Department may act as the licensing authority in the one municipality in which such person's application for such an original license has not been favorably acted upon within three months after the filing thereof if a person desiring to operate any motor vehicle for the purposes and in the manner aforesaid over a route covering at least twenty miles holds a license therefor in the terminal municipalities and also a license in all but one of the intervening municipalities.

The Department determined that the issues of fact and law are the same or similar in the Petitioner's request for amendment of a CPCN and the appeal for the issuance of a street license. Also, the Department recognized that the authority provided under G.L. c. 159A, § 7 to amend a CPCN is contingent on the authority provided under G.L. c. 159A, § 1 concerning municipal street licenses. Therefore, pursuant to 220 C.M.R. § 1.09, the Department consolidated the dockets and the record in all of these matters.

IV. DISCUSSION AND FINDINGS

Mr. Daou testified that the Petitioner has an established place of business and garaging

point at 300 North Beacon Street, Boston, Massachusetts, and is already authorized by the Department to provide charter service within the Commonwealth under Charter License No. 94-146. See Back Bay Coach, Inc., D.P.U. 94-146 (1995). Additionally, the Petitioner holds CPCN No. 3841, which it seeks to amend by the instant petition, authorizing operation over specific routes in the cities of Boston, Marlborough, Newton and Worcester; the towns of Brookline, Boylston, Canton, Dedham, Needham, Northborough, Norwood, Sharon, Walpole, Wellesley, Wrentham, Foxborough, Mansfield, Hudson, Shrewsbury, Southborough, Westborough, and Westwood, and public ways under the jurisdiction of the Massachusetts Turnpike Authority and the Metropolitan District Commission. See Back Bay Coach, Inc., D.P.U. 94-147 (1995), D.P.U. 3841 (1997), and D.T.E. 3841 (2000).

The Petitioner proposes to operate a shuttle service over the ways for which the Petitioner currently holds a street license, in conjunction with those ways being sought in the Greater Boston area.

The correspondence from the City of Cambridge, dated February 28, 2002, cited three reasons for its denial of the Petitioner's street license: (1) the Petitioner does not have agreements with any Cambridge hotels at this time; (2) there was no evidence of public need presented; and (3) none of the vans used by the Petitioner are accessible vans.

The Department does not find the three grounds for denial outlined by the City of Cambridge, concerning the Petitioner's application for the municipal street license sufficient to deny the Petitioner's appeal to the Department to act as the licensing authority, or to deny the amended CPCN. Nor does it agree with the City's time line of the Petitioner's application.

However, the Department is concerned regarding the steps taken by the Petitioner in its application before the City of Cambridge Licensing Commission. Specifically, the Department believes the Petitioner did not fully present its case before the City of Cambridge Licensing Commission. The Department recommends that the Petitioner refile its application for a municipal street license with Cambridge for a full hearing before the Licensing Commission to address the issues raised in the City's denial letter of February 28, 2002. Until such time as the Cambridge Licensing Commission has utilized the proper 60 day opportunity offered under G.L. c. 159A, § 1 to review the refiled application for the municipal street license, the Department restricts the Petitioner's right to travel through Cambridge to a "**Closed door operation only**" operation, with the exception of those public ways under the jurisdiction of the Metropolitan District Commission which pass through the City of Cambridge. **Closed door** means the Petitioner may not pick up or discharge passengers along the proposed route in the City of Cambridge. If Cambridge denies the municipal street license or fails to act within the 60 days, the Petitioner may again appeal to the Department. This is not the first time that the Department has raised this same issue concerning the City of Cambridge. See U.S. Shuttle, Inc., D.P.U. 96-RB-49 (1996).

The Department's primary obligation is not to protect existing services, but rather to determine if granting a license is in the public interest. Boston-Cambridge Trolley Tours, Inc., D.P.U. 90-39 (1990); G.L. McGrail Co., D.P.U. 88-226 (1986); Alldrive Trans/Travel and Limousine, Inc., D.P.U. 84-197 (1985); H.T. Drummond, D.P.U. 84-142 (1984). The Department has found that competitive markets, in the absence of natural monopolies, tend to

reduce costs and consumer prices, and are more sensitive to public demands. Competition in the provision of motor vehicle services can lead to improved service at lower prices for consumers. G.L. McGrail Co., supra; Barnstable Bus Company, Inc., d/b/a Island Tours, D.P.U. 88-137 (1989).

The Department finds, based on the record in this proceeding that public convenience and necessity require the Petitioner's proposed amended shuttle service, and that the proposed service is in the public interest. The Department found in issuing its Order, D.T.E. 3841 (2000), that the Petitioner was fit, willing and able to provide a shuttle service in the cities of Boston, Marlborough, Newton and Worcester; the towns of Brookline, Boylston, Canton, Dedham, Needham, Northborough, Norwood, Sharon, Walpole, Wellesley, Wrentham, Foxborough, Mansfield, Hudson, Shrewsbury, Southborough, Westborough, and Westwood, and public ways under the jurisdiction of the Massachusetts Turnpike Authority and the Metropolitan District Commission. The Department now finds that the Petitioner is fit willing and able to operate a regular route common carrier shuttle service properly and to conform to all requirements of G.L. c. 159A, and all laws, rules and regulations relating to the transportation of passengers by motor vehicle and safety on the ways. The record demonstrates a need and benefit for the proposed service, and where there is no showing that approval will have a negative impact that outweighs the demonstrated public benefit, the public interest clearly requires that the request be granted. Further, the Petitioner is in compliance with Department rules and regulations for safety of equipment and operations.

Because the Department finds that the proposed service is in the public interest, the

Department also finds that public convenience and necessity require that the Department act as the licensing authority and to issue a municipal street license for the cities of Boston, Cambridge (**Closed door operation only**), Medford, Woburn; the towns of Bedford, Burlington, Franklin, Lincoln, Lynnfield, Medway, Norwood, and Stoneham; and ways under the jurisdiction of the Metropolitan District Commission. The Department finds that the Petitioner complied with the schedule for appeal to the Department set forth in G.L. c. 159A, § 1. Section 1 specifies that, after proper filing by a petitioner, a municipality has sixty days in which to grant or deny an application for a street license. If the municipality denies the street license or takes no action within the sixty days, a petitioner may, within five days appeal to the Department. The Petitioner filed its application with Cambridge on December 4, 2001, however it did not contain an official dated receipt stamp, only a hand written signature of the Licensing Commission. The Petitioner stated that the City of Cambridge told them the original was misplaced. The City's correspondence of February 28 stated that the Petitioner filed a previous petition on November 29, 2001 which was incomplete and not accepted by the License Commission. Further, it states that a petition was accepted by the Cambridge License Commission on January 8, 2002 from George Daou, President of Back Bay Coach, Inc.

The Petitioner filed its application with Boston on December 5, 2001. Appeal was filed on February 4, 2002, as no action taken. Medford on December 5, 2001. Appeal was filed on February 4, 2002, as no action taken by the City. Woburn on December 4, 2001. Appeal was filed on February 4, 2002, as no action taken by the City. Burlington on December 4, 2001. Appeal was filed on February 4, 2002 as no action taken by the Town. Lynnfield on

December 5, 2001. Appeal was filed on February 4, 2002 as no action taken by the Town. Norwood on November 30, 2001. Appeal was filed on February 4, 2002 as no action taken within the 60 day period, however the Town granted the license on February 13, 2002 but rescinded it on February 14, 2002. Stoneham on December 5, 2001. Appeal was filed on February 4, 2002 as no action taken by the Town. Bedford on December 5, 2001. Appeal was filed on February 5, 2002 as no action taken by the Town. Franklin on December 6, 2001. Appeal was filed on February 5, 2002 as no action taken by the Town. Lincoln on December 6, 2001. Appeal was filed on February 5, 2002 as no action taken by the Town. Metropolitan District Commission on December 6, 2001. Appeal was filed on February 5, 2002 as no action taken by the Commission. Medway on June 12, 2000. Appeal pursuant to G.L. c. 159A, § 3 was filed on January 11, 2002. The Department finds that the Appellant satisfied the Section 1 requirement of appealing to the Department on February 4, 2002 and February 5, 2002, respectively. The Department also finds that the Appellant satisfied the Section 3 requirement of appealing to the Department on January 11, 2002 for the Town of Medway. The Department finds that the Appellant properly complied with G.L. c. 159A, §§ 1 and 3; and the Department through this proceeding conducted an appeal on the matter, and is acting as the licensing authority.

Accordingly, after due notice, hearing and consideration, and pursuant to the Order of Delegation in D.P.U. 94-154, in accordance with G.L. c. 25, § 10, it is

ORDERED: That the appeal of BACK BAY COACH, INC., requesting that the Department act as the licensing authority and issue a municipal street license for the Town of

Medway, pursuant to the provisions of G.L. 159A, § 3, be and hereby is GRANTED; and it is

FURTHER ORDERED: That the appeal of BACK BAY COACH, INC., requesting that the Department act as the licensing authority and issue municipal street licenses for the cities of Boston, Cambridge, Medford, Woburn; the towns of Bedford, Burlington, Franklin, Lincoln, Lynnfield, Norwood, and Stoneham; and ways under the jurisdiction of the Metropolitan District Commission, pursuant to the provisions of G.L. c. 159A, § 1, be and hereby is GRANTED; and it is

FURTHER ORDERED: That the petition of BACK BAY COACH, INC., requesting that the Department amend its certificate of public convenience and necessity for the operation of motor vehicles for the carriage of passengers for hire over certain public ways by adding specific routes in the cities of Boston, Cambridge (**Closed door operation only**), Medford, Quincy, Somerville, Waltham, Woburn; the towns of Arlington, Bedford, Bellingham, Belmont, Braintree, Burlington, Canton, Concord, Foxborough, Franklin, Hopkinton, Lexington, Lincoln, Lynnfield, Medway, Milford, Milton, Norwood, Plainville, Randolph, Reading, Sharon, Stoneham, Wakefield, Weston, Westwood, Winchester; and ways under the jurisdiction of the Massachusetts Turnpike Authority and the Metropolitan District Commission, pursuant to the provisions of G.L. c. 159A, § 7, be and is hereby GRANTED, and it is

FURTHER ORDERED: That the amended specified routes of Certificate of Public Convenience and Necessity No. 3841 is:

IN BROOKLINE

On Beacon Street between the Brookline-Boston town line and the Brookline-Boston

town line

On St. Paul Street between Commonwealth Avenue and Beacon Street

On Boylston Street (MA Route 9) between the Brookline-Boston town line and Chestnut Hill Avenue

On Brookline Avenue between the Brookline-Boston town line and Boylston Street

On Chestnut Hill Avenue between Boylston Street and the Brookline-Boston town line

UNDER JURISDICTION OF THE METROPOLITAN DISTRICT COMMISSION

On Leverett Circle in its entirety

On Charles Street - outbound

On Charlesgate East - Commonwealth Avenue to Beacon Street

On Charlesgate West - Beacon Street to Newbury Street

On Bowker Overpass - from Boylston Street to Commonwealth Avenue

On Boylston Street

On Park Drive - Brookline Avenue to Beacon Street

On Brookline Avenue

On Alewife Brook Parkway between Massachusetts Avenue and Concord Avenue

On Concord Avenue between Alewife Brook Parkway and Fresh Pond Parkway

On Charles River Dam

On Monsignor O'Brien Highway

On Edwin Land Boulevard

On Gilmore Bridge

On Longfellow Bridge

On Harvard Bridge

On Boston University Bridge

On Western Avenue Bridge

On River Street Bridge

On Larz Anderson Bridge

On Soldiers Field Road between Western Avenue and 400 Soldiers Field Road

On Commonwealth Avenue between Charles Gate East and Charles Gate West

On Embankment Road

On Memorial Drive between the Longfellow Bridge and Larz Anderson Bridge

On Beacon Street between Harvard Bridge and Charles Gate West

On Msgr. McGrath Highway

On Fellsway (MA Route 28)

On Fellsway West (MA Route 28)

On James I. Storrow Memorial Drive

On Soldiers Field Road

On Cambridge Parkway Connector

On Elm Street

On Roosevelt Circle in its entirety

On Middlesex Rotary in its entirety

- On Woodland Road
- On Pond Street
- On South Street
- On General Lawrence Bridge
- On Medford Veterans Memorial Parkway
- On Mystic Valley Parkway (MA Route 16)
- On Revere Beach Parkway
- On Santilli Circle in its entirety
- On the Fenway between Louis Prang Street and Brookline Avenue
- On Birmingham Parkway
- On North Beacon Street
- On William T. Morrissey Boulevard between Freeport Street and Neponset Circle
- On Neponset Circle in its entirety

UNDER JURISDICTION OF THE MASSACHUSETTS TURNPIKE AUTHORITY

- In the Callahan and Sumner Tunnels including ramps and approach roads thereto and the toll plaza thereof
- Between Interchange 11A and Interchange 24
- On the Metropolitan Highway System

IN BOSTON

- On Huntington Avenue between Dartmouth Street and Brigham Circle
- On Longwood Avenue between Brookline Avenue and Huntington Avenue
- On Brookline Avenue between Francis Street and Beacon Street
- On Francis Street between Brigham Circle and Brookline Avenue
- On Commonwealth Avenue between Massachusetts Avenue and St. Paul Street
- On Beacon Street between Massachusetts Avenue and the Boston-Brookline city line
- On Massachusetts Avenue between Beacon Street and Huntington Avenue
- On Boylston Street between Brookline Avenue and Ipswich Street
- On Dalton Street between Boylston Street and Belvidere Street
- On Belvidere Street between Dalton Street and West Newton Street
- On West Newton Street between Belvidere Street and Huntington Avenue
- On St. James Avenue between Arlington Street and Dartmouth Street
- On Stuart Street between Huntington Avenue and Washington Street
- On Charles Street South between Tremont Street and Boylston Street
- On Tremont Street between Cambridge Street and Charles Street South
- On Essex Street between Washington Street and Surface Artery
- On Surface Artery between Kneeland Street and Atlantic Avenue
- On Kneeland Street between Washington Street and Surface Artery
- On Cross Street between Sumner Tunnel and New Chardon Street
- On New Chardon Street between Cross Street and Cambridge Street
- On John F. Fitzgerald Expressway between Surface Artery and ramps from Haymarket

Square and ramps to Callahan Tunnel
On Atlantic Avenue between Surface Artery and Surface Road
On Surface Road between Atlantic Avenue and North Street
On Cambridge Street between New Chardon Street and Tremont Street
On Park Plaza in its entirety
On Dartmouth Street between Stuart Street and Boylston Street
On Columbus Avenue between Park Plaza and Arlington Street
On Arlington Street between Boylston Street and Stuart Street
On Haymarket Square in its entirety
On Exeter Street between Boylston Street and Huntington Avenue
On Ipswich Street between Boylston Street and Boylston Street
On Boylston Street between Ipswich Street and Washington Street
On Blackstone Street between Haymarket Square and North Street
On Purchase Street between Surface Road and Surface Artery
On Interstate 93
On Cambridge Street between New Chardon Street and Charles Street
On Blossom Street between Cambridge Street and Charles Street
On Huntington Avenue between Brigham Circle and the Boston-Brookline city line
On Brookline Avenue between Francis Street and the Boston-Brookline city line
On Beacon Street between Tremont Street and Massachusetts Avenue
On Charles Street between Cambridge Street and Boylston Street
On School Street between Tremont Street and Washington Street
On Water Street between Washington Street and Congress Street
On Kneeland Street between Surface Artery and Atlantic Avenue
On Melina Cass Boulevard
On Beacon Street between the Boston-Brookline city line and the Boston-Newton city line
On Causeway Street
On Staniford Street
On North Washington Street
On Friend Street
On Bowdoin Street
On Chestnut Hill Avenue between the Boston-Brookline city line and Beacon Street
On Exeter Street between Beacon Street and Boylston Street
On Atlantic Avenue between Surface Road and Commercial Street
On Commercial Street between Atlantic Avenue and Causeway Street
On Cleveland Circle in its entirety
On Ruggles Street between Huntington Avenue and Tremont Street
On Tremont Street between Charles Street South and Huntington Avenue
On New Sudbury Street between Cambridge Street and Haymarket Square
On Harrison Avenue between East Newton Street and Melina Cass Boulevard
On Albany Street between Massachusetts Avenue and East Newton Street

- On East Concord Street between Harrison Avenue and Albany Street
- On East Newton Street between Harrison Avenue and Albany Street
- On MBTA Way
- On Dudley Square in its entirety
- On Belgrade Avenue between Washington Street and West Roxbury Parkway
- On Roslindale Square in its entirety
- On Ruggles Street
- On Louis Prang Street
- On Columbus Avenue
- On Western Avenue

IN EAST BOSTON

- Across Porter Street
- On Enrico Fermi Overpass between Callahan/Sumner Tunnel toll plaza and the ramps to and from Logan International Airport

IN SOMERVILLE

- On Interstate 93
- On Mystic Avenue between the Somerville-Boston city line and the Somerville-Medford city line
- On Washington Street
- On Inner Belt Road
- On Middlesex Avenue between Fellsway and Mystic Avenue
- On Cummings Street
- On Assembly Square Drive

IN MEDFORD

- On Interstate 93
- On Salem Street
- On Riverside Avenue
- On Clipper Ship Drive
- On City Hall Mall
- On Main Street between Medford Square and George Street
- On Mystic Avenue
- On George Street between Main and College Avenue
- On College Avenue between George Street and the Medford-Somerville city line
- On Boston Avenue
- On Harvard Street

IN WINCHESTER

- On Interstate 93

IN STONEHAM

- On Interstate 93
- On Montvale Avenue
- On MA Route 28

IN WOBURN

- On Interstate 95 (MA Route 28) between the Woburn-Burlington city line and the Woburn-Reading city line
- On Interstate 93 including the access roadways to and from the Anderson Regional Transportation Center between the Woburn- Wilmington city line and the Woburn-Winchester city line
- On Cambridge Street between the Woburn-Burlington city line and Bedford Street
- On Bedford Street between Cambridge Street and the Woburn-Burlington city line
- On Montvale Avenue between the Woburn-Stoneham city line and Washington Street
- On Washington Street between Montvale Avenue and the Woburn- Wilmington city line
- On Forbes Road
- On Mishawum Road between Washington Street and Main Street
- On Main Street between Alfred Street and Mishawum Road
- On Middlesex Canal Park
- On Commerce Way

IN READING

- On Interstate 93
- On Interstate 95/ MA Route 128 On MA Route 28

IN LYNNFIELD

- On Interstate 95/ MA Route 128 between the Wakefield-Lynnfield town line and the Lynnfield-Peabody town line

IN WAKEFIELD

- On all public ways
- On Interstate 95/ MA Route 128 between the Wakefield-Stoneham town line and the Lynnfield-Wakefield town line
- On Audubon Road between Interstate 95 and the Sheraton Colonial Hotel
- On North Avenue between Interstate 95 and the Lord Wakefield Hotel

IN BURLINGTON

- On Middlesex Turnpike between the Burlington-Bedford town line and Adams Street
- On Bedford Street/MA Route 62 between the Burlington-Bedford town line and Middlesex Turnpike
- On US Route 3 between the Burlington-Bedford town line and Interstate 95/MA Route 128

On Interstate 95/MA Route 128 between the Burlington-Lexington town line and the Burlington- Woburn town line

On Burlington Mall Road between Cambridge Street and Middlesex Turnpike

On Wheeler Road between Middlesex Turnpike and Blanchard Road

On South Bedford Road between Burlington Mall Road and the Burlington- Woburn town line
On Cambridge Street between the Burlington- Woburn town line and Burlington Mall Road

On Fourth Avenue between Middlesex Turnpike and Third Avenue

On Third Avenue between Fourth Avenue and Middlesex Turnpike

On Second Avenue between Third Avenue and Middlesex Turnpike

On South Avenue between Second Avenue and Middlesex Turnpike

On Blanchard Road between Wheeler Road and Bedford Street

IN RANDOLPH

On Interstate 495/Route 128

IN BRAINTREE

On Route 93

On Granite Street between Interstate 93 and Forbes Road

On Forbes Road between Granite Street and the Sheraton Hotel

IN QUINCY

On Interstate 93

IN MILTON

On Yankee Division Highway (Interstate 93/MA Route 128)

On Interstate 93 (MA Route 3) Southeast Expressway

IN DEDHAM

On Interstate 95-MA Route 128 on its entire length within the boundaries of Dedham

On Washington Street and Route 1 between the Dedham-Westwood town line and Elm Street

On Elm Street between Washington Street and Rustcraft Road

On Allied Drive between the Dedham-Westwood town line and Allied Drive's terminating point

IN WESTWOOD

On Interstate 95-MA Route 128 for its entire length within the boundaries of Westwood

On access and egress roads of Allied Drive between the Westwood-Dedham town line and East Street

On East Street between Interstate 95-MA Route 128 and the Westwood-Dedham town

line

On University Avenue between access to and from Interstate 95-MA Route 128 and the MA Route 128 Rail Station

On Interstate 95-MA Route 128 for its entire length within the boundaries of Westwood

On University Avenue between access to and from Interstate 95-MA Route 128 and the Route 128 Railroad Station

On Boston-Providence Turnpike (U.S. Route 1) between the Dedham-Westwood town line and the Westwood-Norwood town line

IN NEEDHAM

On Highland Avenue

On Interstate 95-MA Route 128 between the Needham-Dedham town line and the Needham-Wellesley town line

On First Avenue

On Cabot Street between First Avenue and its termination point

On Second Avenue

On A Street

On Chapel Street

On Great Plain Road

IN NEWTON

On Washington Street

On Cabot Street

On Walnut Street

On Grant Avenue

On Ward Street

On Waverly Street

On Tremont Street

On Center Street between Washington Street and Needham Street

On Center Avenue between Washington Street and Center Street

On Needham Street between Center Street and the Newton-Needham line

On Commonwealth Avenue

On Beacon Street

On Grove Street between Commonwealth Avenue and Interstate 95-MA Route 128 including service road access

On Interstate 95-MA Route 128 between the Newton-Weston line and the Newton-Wellesley line

IN WELLESLEY

- On Interstate 95-MA Route 128 between the Newton-Wellesley line and the Needham-Wellesley line
- On Worcester Street (MA Route 9)
- On William Street
- On Washington Street (MA Route 16)
- On Central Street (MA Route 135)

IN WESTON

- On MA Route 128/ Interstate 95 between the Weston-Waltham town line and the Weston-Newton town line
- On egress and access ramps and roads between Interstate 95/MA Route 128 and South Avenue On South Avenue (MA Route 30)
- On River Road between the Weston-Waltham town line and the Massachusetts Turnpike
- On Park Road between the Massachusetts Turnpike and South Avenue

IN WALTHAM

- On Interstate 95/MA Route 128 between the Waltham-Weston city line and the Waltham-Lexington city line
- On Winter Street between Totten Pond Road and the Bay Colony Office Park
- On Totten Pond Road between Winter Street and Lexington Street
- On First Avenue in its entirety
- On Second Avenue between Winter Street and Bear Hill Road
- On Third Avenue in its entirety
- On Fourth Avenue in its entirety
- On Prospect Hill Lane in its entirety
- On Fifth Avenue in its entirety
- On Wyman Street between Winter-Totten Pond Road and the entrance to Interstate 95/MA Route 128
- On Wyman Street between Totten Pond Road and Smith Street
- On Smith Street between Wyman Street and the Waltham-Lexington city line
- On Trapelo Road between Forest Street and Tracer Lane
- On Lexington Street between Totten Pond Road and Beaver
- On Beaver Street between Lexington Street and Warren Street
- On Forest Street between Beaver Street and Trapelo Road
- On Lyman Street between Beaver Street and Main Street
- On South Street between the Waltham-Weston city line and Main Street
- On Weston Street (US Route 20) between Main Street and the Waltham-Weston city line
- On Main Street between Lyman Street and Bear Hill Road
- On Stow Street between Main Street and Weston Street

On Bear Hill Road between Main Street and Second Avenue
On Tavern Road between Stow Street and Weston Street

IN LEXINGTON

On MA Route 2
On Interstate 95
On Waltham Street
On Massachusetts Avenue (MA Route 2A) between Waltham Street and
Lexington-Lincoln town line
On Old Massachusetts Avenue
On Hartwell Avenue
On Bedford Street
On Wood Street
On Marrett Road between Spring Street and Massachusetts Avenue
On Spring Street between the Lexington-Waltham town line and Marrett Road
On Hayden Avenue between Spring Street and Waltham Street
On Worthen Road between Bedford Street and Waltham Street

IN LINCOLN

On North Great Road (MA Route 2A) between the Lincoln-Lexington town line and the
Lincoln-Concord town line
On Hanscom Drive
On Bypass Road between North Great Road and the Lincoln-Concord town line
On Cambridge Turnpike (MA Route 2) between the Lincoln-Lexington town line and
the Lincoln-Concord town line

IN CONCORD

On MA Route 2/Concord Turnpike
On Cambridge Turnpike
On Lexington Road
On Monument Square in its entirety
On Main Street (Route 62) between Monument Square and Route 2

IN CAMBRIDGE (Closed door operation only)

On Concord Turnpike (MA Route 2) between the Cambridge-Arlington city line and
the Cambridge-Belmont city line
On Concord Turnpike (MA Route 2) between the Cambridge-Arlington city line and
Alewife Brook Parkway
On Cambridge Park Drive
On Concord Avenue between Alewife Brook Parkway and the Cambridge-Belmont city
line
On Blanchard Road between Concord Avenue and the Cambridge-Belmont city line

- On Chauncey Street between Garden Street and Concord Avenue
- On Garden Street between Chauncey Street and Massachusetts Avenue
- On Waterhouse Street between Massachusetts Avenue and Garden Street
- On Massachusetts Avenue between Alewife Brook Parkway and Memorial Drive
- On Peabody Street between Massachusetts Avenue and Massachusetts Avenue
- On Cambridge Street Underpass
- On Broadway between Cambridge Street Underpass and Main Street
- On Bow Street between Massachusetts Avenue and DeWolf Street
- On DeWolf Street between Bow Street and Memorial Drive
- On Plympton Street between Memorial Drive and Massachusetts Avenue
- On Brattle Street between Massachusetts Avenue and Eliot Street
- On Eliot Street between Brattle Street and John F Kennedy Street
- On Mount Auburn Street between University Road and Eliot Street
- On University Road between Mount Auburn Street and Bennett Street
- On Bennett Street between University Road and Eliot Street
- On Main Street between Massachusetts Avenue and Longfellow Bridge
- On Mid Block Connector between Main Street and Broadway
- On Sydney Street between Massachusetts Avenue and Franklin Street
- On Green Street between Sydney Street and Lansdowne Street
- On Lansdowne Street between Franklin Street and Massachusetts Avenue
- On Vassar Street between Main Street and Memorial Drive
- On University Park
- On Brookline Street between Memorial Drive and Massachusetts Avenue
- On Green Street between Lansdowne Street and Pleasant Street
- On Pleasant Street between Memorial Drive and Massachusetts Avenue
- On Amesbury Street between Vassar Street and Memorial Drive
- On Galileo Galilei Way between Binney Street and Main Street
- On Binney Street between Edwin H Land Boulevard and Galileo Galilei Way
- On John F Kennedy Street between Memorial Drive and Massachusetts Avenue
- On River Street between Memorial Drive and Massachusetts Avenue
- On Western Avenue between Memorial Drive and Massachusetts Avenue
- On Putnam Avenue between Massachusetts Avenue and Brookline Street
- On Quincy Street between Broadway and Massachusetts Avenue
- On Lansdowne Street between Massachusetts Avenue and Green Street

IN ARLINGTON

- On Concord Turnpike between the Arlington-Cambridge town line and the Arlington-Lexington town line
- On Pleasant Street (MA Route 60) between the Venner Road and the Belmont-Arlington town line
- On Lake Street between the Arlington-Belmont town line and the Concord Turnpike

IN BELMONT

- On Concord Turnpike (MA Route 2) between the Arlington-Belmont town line and the Belmont-Arlington town line
- On Lake Street
- On Pleasant Street (MA Route 60)
- On Brighton Street
- On Cross Street between Lake Street and Brighton Street

IN BEDFORD

- On Middlesex Turnpike
- On Oak Park Drive
- On Crosby Road between Middlesex Turnpike and Burlington Road
- On Burlington Road (MA Route 62) between the Bedford-Burlington town line and the Old Billerica Road
- On US Route 3 between the Bedford-Burlington town line and the Bedford- Billerica town line
- On Page Road between Burlington Road and Shawsheen Road
- On Shawsheen Road between Page Road and Great Road
- On Shawsheen Avenue between Shawsheen Road and Great Road
- On Old Billerica Road between Burlington Road and Page Road
- On Great Road (MA Route 4&225) between the Bedford-Lexington town line and Concord Road

IN CANTON

- On Interstate 95 and Interstate 93

IN NORWOOD

- On Interstate 95
- On Providence Highway/U.S. Route 1 between the Norwood-Westwood town line and the Norwood-Walpole town line
- On Nahatan Street between Neponset Street and West Border Road
- On Dean Street between Pellana Road and Edge Hill Road
- On Neponset Street between Nahatan Street and Norwood Airport Access Road
- On Norwood Airport Access Road between Neponset Street and US Route 1
- On River Edge Road

IN HOPKINTON

- On Interstate 495 between Hopkinton-Westborough Town Line and the Hopkinton-Milford Town Line

IN MILFORD

On Interstate 95 between the Milford-Hopkinton Town Line and the Milford-Medway Town Line

IN MEDWAY

On Interstate 495 between the Hopkinton-Medway Town Line and the Medway-Bellingham Town Line

IN BELLINGHAM

On Interstate 495 between the Medway-Bellingham Town Line and the Bellingham-Franklin Town Line

IN FRANKLIN

On Interstate 495 between the Bellingham-Franklin Town Line and the Franklin-Wrentham Town Line

On West Central Street between Interstate 495 and Forge Park 495 Station

On King Street between Interstate 495 and Union Street

On Union Street

IN PLAINVILLE

On Interstate 495

On U.S. Route 1

On U.S. Route 1A

IN SHARON

On Interstate 95

On General Edwards Parkway

On All Public Ways

IN WALPOLE

On Interstate 95

On Boston-Providence Turnpike (U.S. Route 1) between the Walpole-Foxborough line and the Walpole-Sharon Line in both northerly and southerly directions

IN WRENTHAM

Interstate Route 495

U.S. Route 1A

MA Route 140

U.S. Route 1
MA Route 121
Arnold Street

IN FOXBOROUGH

On Interstate 495
On MA Route 140 and Main Street between Interstate 495 and the Foxborough-Wrentham line
On Washington Street (U.S. Route 1) between the Foxborough-Wrentham Line and the Foxborough-Walpole line
On Interstate 95

IN MANSFIELD

Interstate 495
Interstate 95

IN HUDSON

On Interstate 495

IN SHREWSBURY

On Interstate 290
On Main Street

IN BOYLSTON

On Interstate 290

IN NORTHBOROUGH

On Interstate 290

IN WESTBOROUGH

On Interstate 495

IN MARLBOROUGH

On Interstate 495
On Interstate 290

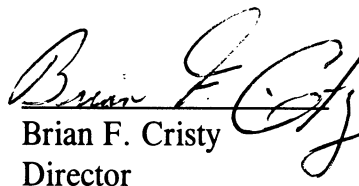
IN SOUTHBOROUGH

On Interstate 495

IN WORCESTER

On Interstate 290
On East Central Street
On Summer Street
On Washington Square in its entirety
On Worcester Center Boulevard
On Franklin Street
On Front Street
On Main Street
On Commercial Street
On Thomas Street
On School Street
On Lincoln Street
On Foster Street

By Order of the Transportation Division,


Brian F. Cristy
Director

Any appeal from this decision must be filed with the Secretary of the Department within **TWENTY DAYS** from the date of this Order, specifying the reason for the appeal and accompanied by a \$100.00 filing fee. A copy of the appeal must be filed with the Director of the Transportation Division. Such appeal shall be heard on the record of the hearing before the Transportation Division.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4269

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

To: The Honorable, the City Council
From: D. Margaret Drury, City Clerk *DMD*
Date: March 25, 2002

Re: DTE Decision on Back Bay Coach Appeal
of License Commission Decision Approved by the City Council on
February 25, 2002

.....

On February 25, 2002, the City Council voted to approve the decision of the License Commission to deny the application of Back Bay Coach for a jitney license. Enclosed is a copy of the decision of the Department of Telecommunications and Energy on the appeal by Back Bay Coach. The DPU ordered Back Bay Coach to reapply to the Cambridge License Commission and decided that until such time as the License Commission receives and acts upon a new petition, within the statutory time limits, the petitioner can only travel through Cambridge on a "closed-door" basis –no stops or pickups.

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**Communications and Reports from
City Officers #1**

A communication was received from D. Margaret Drury, City Clerk, transmitting the DTE Decision on Back Bay Coach Appeal of License Commission recommendation to deny jitney license approved by the City Council on February 25, 2002.

In City Council March 25, 2002

PLACED ON FILE