



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

Deputy Administrator

1200 New Jersey Ave., S.E.
Washington, DC 20590

MAR 24 2009

Michael A. Terry
President/CEO
Indianapolis Public Transportation Corporation
1501 West Washington Street
Indianapolis, IN 46222

Re: Petition for Exception to Charter Service Regulations for Indianapolis 500

Dear Mr. Terry:

On February 25, 2009, Indianapolis Public Transportation Corporation (IndyGo) submitted a petition for an exception to the charter service regulations for an event of regional or national significance. On March 3, 2009, IndyGo provided additional information via email regarding its request for an exception, which included copies of the notice sent to the list of registered charter providers. At this time, we are unable to approve IndyGo's request for an exception.

In order for FTA to grant an exception for an event of regional or national significance, the petition for an exception must include "a description of how registered charter providers will be utilized in providing the charter service. . ." 49 C.F.R. Section 604.11(b). Since IndyGo stated its intention is to not include registered charter providers in the provision of park and ride shuttle services to the Indianapolis 500, FTA is unable to grant IndyGo's request for an exception to the charter service regulations for an event of regional or national significance.

Furthermore, we note that last year FTA granted an exception to IndyGo for an event of regional or national significance because IndyGo made the commitment to phase-in the use of private providers in the delivery of park and ride shuttle services for the 2008 Indianapolis Motor Speedway season. To our knowledge, registered charter providers were able to successfully provide park and ride shuttle services to the Indianapolis Motor Speedway.

Should you have any questions about this decision, please contact Ms. Crystal Frederick of my staff. Ms. Frederick can be reached at (202)-366-4063 or ombudsman.charterservice@dot.gov.

Sincerely,

Matthew J. Welbes
Acting Deputy Administrator