

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9052

IN THE MATTER OF:

Served October 17, 2005

Application of SUPER TRANSPORT	)	Case No. AP-2005-159
INCORPORATED, WMATC NO. 989, to	)	
Acquire Assets and Certificate	)	
No. 432 from MED-CARE	)	
TRANSPORTATION CORPORATION	)	

By application accepted for filing September 22, 2005, Super Transport Incorporated, a Virginia corporation, seeks Commission approval to acquire Certificate No. 432 from Med-Care Transportation Corporation, together with substantially all of Med-Care Transportation Corporation's assets.

Super Transport Incorporated proposes operating twelve vans. Applicant's proposed tariff contains rates for transportation under the District of Columbia Medicaid program.

It is unclear from the submitted application whether applicant intends to operate the combined business entity using applicant's current WMATC carrier number (WMATC No. 989), or Med-Care Transportation Corporation's number (WMATC No. 432). A unique identification number is used to identify each carrier to the public and to the Commission, and Regulation No. 61 requires each carrier to display its assigned WMATC number on all revenue vehicles. Applicant will be directed to file a signed statement with the Commission indicating which WMATC number the combined entity intends to display.

Exhibit I omitted a statement describing the effect of the transfer on competition and employees. Applicant will be directed to file an amended Exhibit I which includes a written statement describing the effect of the transfer on competition and employees.

The Commission may approve the transfer of a certificate of authority and the acquisition and consolidation of carrier assets if the Commission finds the transfer and acquisition are consistent with the public interest.<sup>1</sup> The public interest analysis focuses on the acquiring party's fitness, the resulting competitive balance and the interests of affected employees.<sup>2</sup>

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<sup>1</sup> Compact, tit. II, art. XI, § 11(a), art. XII, § 3.

<sup>2</sup> Act of Sept. 15, 1960, Pub. L. No. 86-794, § 3, 74 Stat. 1031, 1050 (1960) (codified at DC CODE ANN. § 9-1103.04 (2005)); In re Cavalier Transp. Co., Inc., t/a Tourtime America, Ltd., & Tourtime America Motorcoach, Ltd., No. AP-96-21, Order No. 4926 (Sept. 12, 1996).

This proceeding is hereby initiated to determine applicant's fitness and whether the proposed transaction is otherwise consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than October 31, 2005, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than November 14, 2005, an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than November 14, 2005, a signed statement indicating which WMATC number the combined entity intends to utilize.

4. That applicant shall file with the Commission, no later than November 14, 2005, an amended Exhibit I which includes a written statement describing the effect of the transfer on competition and employees.

5. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is November 14, 2005, and that copies must be served on applicant's president, Elhussain MohamedKhair, 5601 Seminary Road, #2014N, Falls Church, VA 22041.

FOR THE COMMISSION:



William S. Morrow, Jr.  
Executive Director