

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9699

IN THE MATTER OF:

Served June 29, 2006

Application of B. & M. TRANSPORT, ) Case No. AP-2006-104  
INC., for a Certificate of )  
Authority -- Irregular Route )  
Operations )

By application accepted for filing June 12, 2006, B. & M. Transport, Inc., a Virginia entity, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant was granted operating authority in 2004, but the issuance of a certificate of authority was expressly made contingent on applicant filing additional documents.<sup>1</sup> Applicant failed to file the necessary documents in a timely manner, thereby voiding the Commission's approval.<sup>2</sup>

Applicant proposes commencing operations with eight vans. Applicant proposes operating under a tariff containing mileage and/or hourly based rates, rates for Medicaid transportation, and rates for transportation under contracts with government agencies.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is 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 July 13, 2006, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than July 27, 2006, an affidavit that notice has been published as required in the preceding paragraph.

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<sup>1</sup> See *In re B. & M. Transport, Inc.*, No. AP-03-182, Order No. 7884 (Mar. 19, 2004) (conditionally granting Certificate No. 903).

<sup>2</sup> See *id.* (grant of authority void upon applicant's failure to timely satisfy conditions of issuance); Commission Regulation No. 66 (failure to comply with conditions of grant within 180 days voids approval).

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing is July 27, 2006, and that copies must be served on applicant's president, Betson Diaz Kiwanga, 7435 Little River Turnpike, #103, Annandale, VA 22003.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read 'William S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.  
Executive Director