

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,008

IN THE MATTER OF:

Served May 27, 2009

Application of GOODWILL HEALTH AND) Case No. AP-2009-033
TRANSPORTATION, INC., for a)
Certificate of Authority --)
Irregular Route Operations)

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a seating capacity of less than 16 persons only, including the driver.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission. If an applicant does not make the required showing, the application must be denied under Section 7(b).

Applicant's mandatory Attachment A is an out of date certificate of good standing issued in August 2006. When directed to file a current one, applicant responded with a certificate of good standing for a new corporation, Goodwill Health & Transportation Services Incorporated. (Emphasis added). Records obtained from the Maryland Department of Assessments and Taxation reveal that applicant's corporate charter was forfeited on October 3, 2008, for failure to file a 2007 property return.¹ Forfeiture of a corporation's charter renders the corporation unable to perform its duties as a carrier under the Compact "as a matter of law."²

THEREFORE, IT IS ORDERED: That the application of Goodwill Health and Transportation, Inc., for a certificate of authority, irregular route operations, is hereby denied without prejudice.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS CHRISTIE AND BRENNER:



William S. Morrow, Jr.
Executive Director

¹ The Commission may take official notice of the forfeiture of a carrier's corporate charter. See Commission Rule No. 22-07; *In re Investigation of Forfeiture of Corp. Charter*, No. MP-07-023, Order No. 10,267 (Feb. 1, 2007).

² Order No. 10,267 at 1.