

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 13,339

IN THE MATTER OF:

Served July 10, 2012

Application of DILLON'S BUS)
SERVICE, INC., to Acquire) Case No. AP-2012-088
Certificate No. 529 from DILLON'S)
BUS SERVICE, INC.)

By application accepted for filing June 20, 2012, applicant, Dillon's Bus Service, Inc., a Delaware corporation, seeks Commission approval to acquire WMATC Certificate of Authority No. 529 from Dillon's Bus Service, Inc., a Maryland corporation, which has agreed to transfer all of its assets to applicant, including WMATC Certificate No. 529, in exchange for valuable consideration, as approved by order of the United States Bankruptcy Court for the District of Delaware dated May 24, 2012.

Applicant has no known control relationship with any existing WMATC carrier.

Notice of this application was posted to the Commission's website for 14 days. The application is unopposed.

Under Article XI, Section 11(a), of the Compact, a person may not transfer a certificate of authority unless the Commission approves the transfer as consistent with the public interest. The public interest analysis focuses on the acquiring party's fitness.¹

Applicant proposes commencing operations with 5 minibuses and 145 motorcoaches. Applicant proposes operating under a tariff containing charter rates and rates for transportation under contracts with government agencies.

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

¹ *In re Quality Med. Supplies LLC, t/a F & J Healthcare Servs., & Tingem Health Care Servs. Inc.*, No. AP-04-25, Order No. 8033 (May 27, 2004).

Based on the evidence in this record, the Commission finds applicant to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements and, therefore, that the transfer of WMATC Certificate No. 529 to applicant is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 529 shall be reissued to Dillon's Bus Service, Inc., 7479 New Ridge Road, Hanover, MD 21076-3129.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 529 has been reissued in accordance with the preceding paragraph.

3. That applicant is hereby directed to present its revenue vehicle(s) for inspection and file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (a) evidence of insurance pursuant to Commission Regulation No. 58; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) a copy of the for-hire vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; and (f) the original WMATC Certificate No. 529 issued May 4, 2000.

4. That the transfer of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of reissuance prescribed herein.

FOR THE COMMISSION



William S. Morrow, Jr.
Executive Director