

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2074

IN THE MATTER OF:

Served January 7, 1980

Application of MOBILE CARE, LTD., )  
for a Certificate of Public )  
Convenience and Necessity to )  
Perform Special Operations--Non- )  
Emergency Medical Transportation )

Case No. AP-79-19

By application filed December 20, 1979, Mobile Care, Ltd., seeks a certificate of public convenience and necessity to perform special operations transporting "handicapped people confined to wheelchairs on non-emergency ambulatory basis, 1/ trips to be scheduled by appointment. Not to include patients of District of Columbia Department of Human Resources (Medicaid program)." Presumably the authority is sought between points in the Metropolitan District, although no territorial description is provided, inasmuch as (a) Exhibit No. 1 to the application, which requires a "map of the area or points to be served by the proposed service" includes a map of the Metropolitan District, and (b) Mobile Care holds temporary authority to serve the entire Metropolitan District and has submitted a copy of its temporary authority tariff as a proposed tariff setting forth proposed rates and regulations applicable to the proposed service. Service would be performed in a 1979 van outfitted to accommodate a maximum of six passengers.

Order No. 2041, served October 1, 1979, granted Mobile Care temporary authority to transport handicapped persons confined to wheelchairs, together with their baggage and attendants (except those persons participating in the Medicaid program administered by the District of Columbia Department of Human Resources), in special operations, between points in the Metropolitan District, restricted to the performance of such operations in vehicles with a manufacturer's designed seating capacity of fifteen passengers or less excluding the driver.

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1/ Applicant appears to be describing persons who are mobile by wheel-chair rather than ambulatory.

Applicant proposes the following schedule of rates:

<u>One Way</u>	
One Man	\$20
Two Men	\$25
<u>Round Trip</u>	
One Man	\$35
Two Men	\$43

These rates are confined to trips within the District of Columbia. An additional \$0.75 a mile would be charged outside the District of Columbia while a passenger is in the vehicle.

Mobile Care has listed Ironsides Medical Transportation Corporation and Conval Port Medivan, Inc., as carriers being potentially affected by this application. These carriers, along with other carriers providing service to non-ambulatory persons will be notified of this application by service of this order.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this matter shall be scheduled for a public hearing. Mobile Care will be assessed an amount preliminarily estimated to cover the expenses which Title II, Article XII, Section 19 of the Compact require an applicant to bear. Applicant will also be directed to file a current balance sheet, 2/ a current operating statement and a projected annual revenue and revenue deductions statement for the proposed service. Mobile Care should be prepared to present evidence concerning the requirements of the public convenience and necessity for the proposed service and applicant's fitness, willingness and ability properly to perform such service and to conform to the provisions of the Compact and the rules and regulations issued pursuant thereto.

THEREFORE, IT IS ORDERED:

1. That the above-entitled proceeding is hereby scheduled for public hearing to commence at 9:30 a.m., Tuesday, February 5, 1980, in the Hearing Room of the Commission, Room 314, 1625 I Street, N. W., Washington, D. C. 20006.

2. That applicant publish once in a newspaper of general circulation in the Metropolitan District notice of this application and hearing, in the form prescribed by the staff of the Commission, no later than Thursday, January 10, 1980.

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2/ The balance sheet submitted with the application does not properly reflect current asset totals and does not account fully for stockholder loan liabilities.

3. That applicant post in its vehicle, continuously through the date of public hearing, notice of this application and hearing, in the form prescribed by the staff of the Commission, no later than Thursday, January 10, 1980.

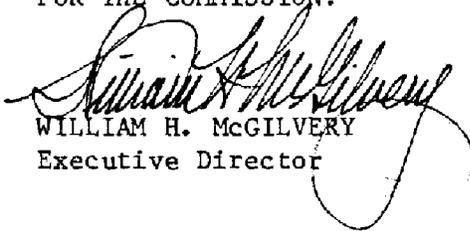
4. That applicant produce at the public hearing affidavits of posting and publication.

5. That any person desiring to protest the application shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard on this matter shall notify the Commission, in writing, not later than Friday, January 25, 1980, and shall mail a copy of such protest or notification to counsel for applicant, Joseph E. Bankert, Esquire, 4900 Leesburg Pike, Alexandria, Virginia 22302.

6. That applicant is hereby assessed \$350 pursuant to Title II, Article XII, Section 19 of the Compact, and directed to deliver said amount to the office of the Commission, Suite 316, 1625 I Street, N. W., Washington, D. C. 20006, no later than 12 noon, Tuesday, January 29, 1980.

7. That applicant file with the Commission six copies each of a current balance sheet, a current operating statement and a projected revenue and revenue deductions statement for the proposed service for a one-year period no later than 12 noon, Tuesday, January 29, 1980, serve one copy thereof on each party of record as of Friday, January 25, 1980 and produce the originals at the public hearing.

FOR THE COMMISSION:

  
WILLIAM H. MCGILVERY  
Executive Director