

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2514

IN THE MATTER OF:

Served December 23, 1983

Application of MCKINLEY BATTLE to)
Transfer Certificate No. 62 to)
Battle's Transportation, Inc.)

Case No. AP-83-56

By Order No. 2494, served November 10, 1983, and incorporated herein by reference, the above-captioned application was, scheduled for public hearing. That order also required applicant to publish notice of the application and hearing in a newspaper, post notice in its vehicles, pay an assessment for the cost of the hearing, and file an appropriate certificate of insurance covering the corporation.

Applicant complied with these requirements and filed, on December 6, 1983, a motion to waive the public hearing. By Order No. 2509, served December 7, 1983, the Executive Director cancelled the public hearing pending determination of the motion by the Commission. The motion will be granted and this case will be decided based on the pleadings of record.

This matter is before us under Title II, Article XII, Section 4(g) fo the Compact which requires that such transfer be approved by the Commission as being consistent with the public interest.

The transferor is a sole proprietor, and the transferee is a corporation wholly controlled by Mr. Battle and his family. The requirements of Order No. 2494 have been met, and no person has protested the transfer. We find that the financial position of the transferee is adequate. We further find that evidence of transferee's financial responsibility is on file in the form of a certificate of insurance sufficient to satisfy our requirements. We find that the requested transfer of Certificate of Public Convenience and Necessity No. 62 is consistent with the public interest. Based upon consideration of the record, this application will be granted.

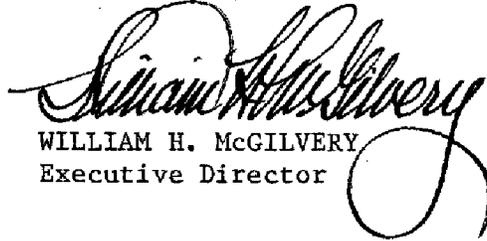
THEREFORE, IT IS ORDERED:

1. That applicant's motion to waive the public hearing in this case is hereby granted.

2. That the application of McKinley Battle to transfer Certificate of Public Convenience and Necessity No. 62 to Battle's Transportation, Inc., is hereby granted.

3. That an appropriate revised Certificate of Public Convenience and Necessity No. 62 will be issued in the name of Battle's Transportation, Inc.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS WORTHY, SCHIFTER AND SHANNON:



WILLIAM H. MCGILVERY
Executive Director