

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2626

IN THE MATTER OF:

Served November 5, 1984

Application of MOBILE CARE, LTD.,)
for a Certificate to Conduct)
Special Operations -- "Transportation Disadvantaged Persons")

Case No. AP-84-42

By application filed October 18, 1984, Mobile Care, Ltd., seeks a certificate of public convenience and necessity to conduct special operations transporting transportation disadvantaged persons, 1/ together with their attendants and baggage in the same vehicle as passengers, between points in the Metropolitan District. 2/

Applicant currently holds WMATC Certificate No. 65, which authorizes the following operations:

IRREGULAR ROUTES:

SPECIAL OPERATIONS, limited to the transportation of non-ambulatory persons together with their baggage and attendants between points in the Metropolitan District.

RESTRICTED against the transportation of participants in the District of Columbia Department of Human Resources Medicaid Program, and further restricted against operations conducted solely between points in Virginia.

RESTRICTED to the performance of such operations in vehicles with a manufacturer's designed seating capacity of fifteen passengers or less, excluding the driver.

1/ "Transportation-disadvantaged persons are those individuals who by reason of age, physical or mental disabilities are unable, without special facilities or special planning or design, to utilize transportation facilities and services as effectively as persons who are not so affected." WMATC Order No. 2015, served August 7, 1979, pp 3-4.

2/ To the extent that the instant application could be construed to seek authority to provide transportation between points solely within the Commonwealth of Virginia, it is hereby dismissed for want of jurisdiction. See Compact, Title II, Article XII, Section 1(b).

The purpose of the instant application is to remove the restrictions on applicant's existing authority. At present, Mobile Care may transport only passengers who are confined to wheelchairs and do not participate in the District of Columbia Medicaid Program. If this application is granted, applicant will be authorized to transport elderly and disabled persons, whether or not those persons are Medicaid recipients or are ambulatory. Moreover, applicant will have no size restrictions on its vehicles.

Applicant's proposed tariff provides for a one-way trip at \$25 per person for the first ten miles plus \$1 for each mile thereafter; round-trips are \$43 per person for the first 20 miles plus \$1 each mile thereafter. Group rates are available for preformed parties. Additional charges cover attendants, airport and institutional transfers, waiting time, cancellation, same-day appointments and service outside the usual service week. A separate one-way fare of \$26 for the first 20 miles plus \$.75 per each mile thereafter is provided for the Montgomery County Health Department, Prince George's County Health Department and Maryland Medical Assistance.

Applicant conducts its current operations using three vans equipped with wheelchair ramps and one van equipped with an electric wheelchair lift. Mobile Care has two vans on order, one with a wheelchair ramp, one with an electric wheelchair lift. In addition, it proposes one specially equipped vehicle that would seat four ambulatory and four wheelchair passengers.

Applicant's balance sheet, dated September 30, 1984, indicates assets of \$27,533 including \$9,904 in accounts receivable and \$12,236 in revenue vehicles after depreciation. The balance sheet lists current liabilities of \$17,627 and long-term liabilities of \$13,671 in addition to a retained earnings deficit of \$3,764. For the period January 1, 1984, through September 30, 1984, applicant realized revenues of \$66,577 and incurred "contract costs" ^{3/} and operating expenses of \$63,738 resulting in a net profit of \$2,840. For calendar year 1985, applicant projects an operating ratio before taxes of 89, based on projected revenues of \$218,500, projected "contract costs" of \$145,441 and projected operating expenses of \$48,944.

Pursuant to the Compact, Title II, Article XII, Section 4(b), this application must be scheduled for public hearing to determine if

^{3/} The precise nature of these "contract costs" is not explained, and they represent a major portion of applicant's expense. Applicant is advised that this matter will be pursued at the public hearing. Accordingly, applicant should be prepared at that time to provide a detailed and documented explanation of the various "contract costs."

the applicant is fit, willing and able properly to perform the proposed service and to abide by pertinent regulatory requirements, and to determine if the public convenience and necessity require the proposed service. Applicant will be assessed a sum preliminarily estimated to cover the cost of the hearing and will be required to post and publish notice of this application.

THEREFORE, IT IS ORDERED:

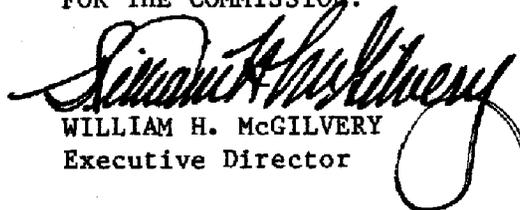
1. That a public hearing in Case No. AP-84-42 of Mobile Care, Ltd., is hereby scheduled to commence, Tuesday, December 11, 1984, at 9:30 a.m. in the Hearing Room of the Commission, Room 314, 1625 I Street, N.W., Washington, D.C. 20006.

2. That Mobile Care, Ltd., publish once in a newspaper of general circulation in the Metropolitan District, and post continuously and conspicuously in each of its vehicles 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 Friday, November 9, 1984, and present at the hearing an affidavit of such posting and an affidavit of publication from the selected newspaper.

3. That any person desiring to protest this application shall file a protest in accordance with Commission Rule 14, or any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Friday, November 30, 1984, and shall simultaneously serve a copy of such protest or notice on Kent L. Miller, President, Mobile Care, Ltd., 4620 Wisconsin Avenue, N.W., Washington, D.C. 20016.

4. That Mobile Care, Ltd., is hereby assessed \$500 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission no later than Friday, November 30, 1984.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director