

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2826

IN THE MATTER OF:

Served February 12, 1986

Application of CLIFFORD J.)
CUNNINGHAM, TRADING AS MERCY)
AMBULETTE, for a Certificate of)
Public Convenience and Necessity,)
Special Operations)

Case No. AP-86-02

By application filed January 6, 1986, and amended January 28, 1986, Clifford J. Cunningham, trading as Mercy Ambulette ("applicant"), seeks a certificate of public convenience and necessity to transport transportation-disadvantaged persons 1/ over irregular routes in special operations between points in Washington, D.C., Montgomery and Prince George's Counties, Md., and Arlington County, Va. 2/

Applicant's proposed tariff, including corrections thereto, is interpreted as follows:

Regular Hours: Monday through Friday, 8 a.m. to 6 p.m.

One Way	\$19
Round Trip	\$38

(For mileage outside the Capital Beltway, add \$1 per mile.)

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 and services as effectively as persons who are not so affected." See Order No. 2015, served August 7, 1979.

2/ To the extent this application could be construed to seek authority to transport passengers solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

Premium Hours: Monday through Friday, 6 p.m. to 10 p.m.
Saturday and Sunday, 8 a.m. to 10 p.m.

One Way	\$24
Round Trip	\$48

(For mileage outside the Capital Beltway, add \$1 per mile.) 3/

Applicant proposes to use two window-vans equipped with air-conditioning, wheelchair ramps, and devices to secure wheelchairs to the floor.

Applicant has filed financial data including a balance sheet as of December 15, 1985, showing assets of \$66,800 and liabilities of \$6,000, resulting in net worth of \$60,800. Also provided are a month-by-month cash flow projection for the first year of operation, a projected operating statement covering the first year, and a projected balance sheet as of the end of the first year.

The Compact, Title II, Article XII, Section 4(b) requires that this matter be set for public hearing. Applicant will be assessed a sum preliminarily estimated to cover the expenses which Title II, Article XII, Section 19(a) of the Compact require an applicant to bear.

THEREFORE, IT IS ORDERED:

1. That Case No. AP-86-02 is hereby scheduled for public hearing to commence Thursday, March 20, 1986, at 9:30 a.m., in the Hearing Room of the Commission, 1625 I Street, N.W., Room 314, Washington, D.C. 20006.

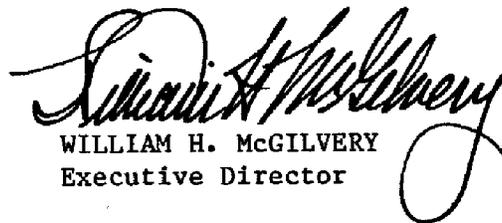
2. That applicant publish once in a newspaper of general circulation in the Metropolitan District notice of this application and hearing in the form prescribed by the staff of the Commission, no later than Friday, February 21, 1986, and present at the hearing an affidavit of such publication.

3/ This interpretation of applicant's rates is made after written inquiry by the Executive Director and written response by applicant. Under this proposal, a very short trip outside the Beltway would cost more than a very long trip inside the Beltway. If this does not accurately represent applicant's intentions, applicant should clarify its tariff by filing an original and four copies of a complete tariff not less than ten days prior to public hearing. If this does accurately represent applicant's intentions, applicant should be prepared at public hearing to establish that such rates are not "unjust, unreasonable, or unduly preferential or unduly discriminatory either between riders or sections of the Metropolitan District." Compact, Title II Article XII, Section 6.

3. 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 so notify the Commission, in writing, no later than Monday, March 10, 1986, and shall simultaneously serve a copy of such protest or notice on counsel for applicant, Albert R. Hopkins, Esquire, 2041 Martin Luther King, Jr. Avenue, S.E., Washington, D.C. 20020.

4. That applicant is hereby assessed \$450 pursuant to Title II, Article XII, Section 19 of the Compact and is directed to deliver said amount to the Commission, 1625 I Street, N.W., Suite 316, Washington, D.C. 20006, no later than Monday, March 10, 1986.

FOR THE COMMISSION:


WILLIAM H. MCGILVERY
Executive Director

