

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3246

IN THE MATTER OF:

Served October 31, 1988

Application of MERCY AMBULETTE )  
SERVICES, INC., for a Certificate )  
of Public Convenience and Necessity)

Case No. AP-88-38

By application filed October 24, 1988, Mercy Ambulette Services, Inc. (MASI or applicant), 1/ seeks a certificate of public convenience and necessity to transport transportation-disadvantaged persons in special operations between health care facilities in the Metropolitan District, on the one hand, and, on the other, points in Washington, DC, Montgomery and Prince George's Counties, MD, and Arlington, VA. 2/ 3/

Applicant is a recently organized District of Columbia corporation formed, inter alia,

[t]o transport "transportation-disadvantaged" persons over irregular routes in special operations between points in Washington, D.C., Montgomery and Prince George's County, Maryland, and Arlington, Virginia.

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1/ The application was filed by "Clifford Cunningham trading as Mercy Ambulette Services, Inc.," and signed by Clifford Cunningham as president of Mercy Ambulette Services, Inc. Under these circumstances, the corporation would be considered the applicant.

2/ The application describes the special operations authority sought as follows: "[t]ransportation-disadvantaged persons between Health-Care facilities in the Metropolitan District. Areas to include Montgomery Co., Prince George's Co., Arlington Co., and the District of Columbia." A map of the Metropolitan District is attached as Exhibit A. The scope of the application has been interpreted in light of the limitations of applicant's articles of incorporation. If this interpretation does not comport with applicant's intention, applicant is directed so to inform the Commission within 10 days of the service date of this order.

3/ To the extent this application could be interpreted to include transportation solely within the Commonwealth of Virginia, it is hereby dismissed pursuant to the Compact, Title II, Article XII, Section 1(b).

MASI would provide the proposed service daily between 8 a.m. and 10 p.m. using two vans of unspecified seating capacity and modified with ramps and "floor secured wheelchair positions." The vehicles would be leased. Applicant's proposed tariff lists rates as follows:

Private Rates:

Regular Hours: Monday through Friday, 8:00 AM to 6:00 PM

One Way: \$20.00  
Round Trip: \$40.00

Rates effective up to ten miles. Additional mileage billable at \$1.00 per mile.

Premium Hours: Monday through Friday - 6:00 PM to 10:00 PM,  
Saturday and Sunday - 8:00 AM to 10:00 PM

One Way: \$25.00  
Round Trip: \$50.00

Additional time in excess of one hour billable at \$1.00 per mile.

Medicaid Rates:

One Way: \$20.00  
Round Trip: \$30.00

One way outside the Capital Beltway \$15.00 plus 75¢ per mile.

Round trip outside the Capitol Beltway \$25.00 plus 75¢ per mile.

Applicant projects \$73,473 in revenue generated from its first year of WMATC operations with \$83,098 in total expenses. Applicant's president submitted a personal financial statement indicating his net worth. The application indicates that Mercy Ambulette Services, Inc., may have equity of \$2,000 plus a shareholder's loan of \$38,000. The Commission, however, requires applicant to provide a current complete financial statement of the applicant. MASI will, therefore, be directed to submit a current corporate balance sheet.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, this application will be scheduled for public hearing to determine if applicant is fit, willing, and able to perform the proposed service properly and comply with the Compact and the Commission's rules and regulations and to determine whether the public convenience and necessity require the proposed service.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-88-38 is hereby scheduled to commence Thursday, December 1, 1988, at 9:30 a.m. in the Hearing Room of the Commission, 1625 Eye Street, N.W., Room 314, Washington, DC 20006.

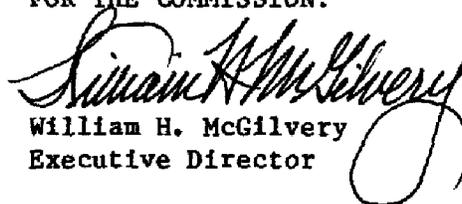
2. That Mercy Ambulette Services, Inc., shall publish once in a newspaper of general circulation in the Metropolitan District notice of this application and the hearing thereon in the form prescribed by the staff of the Commission no later than Friday, November 4, 1988, and shall present at the hearing an affidavit of publication.

3. That Mercy Ambulette Services, Inc., shall file with the Commission no later than Monday, November 21, 1988, an original and four copies of a current corporate balance sheet.

4. Than any person desiring to protest this 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, November 21, 1988, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Albert R. Hopkins, Jr., Esq., 2041 Martin Luther King, Jr. Avenue, S.E., Suite 402, Washington, D.C. 20020.

5. That Mercy Ambulette Services, Inc., is hereby assessed \$400 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1625 Eye Street, N.W., Suite 316, Washington, DC 20006, no later than Monday, November 21, 1988.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director