

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3271

IN THE MATTER OF:

Served January 11, 1989

Application of DAN JENKINS Trading )  
as JENKINS TRANSPORTATION SERVICE )  
to Amend Certificate No. 44 )

Case No. AP-88-58

Application of DAN JENKINS Trading )  
as JENKINS TRANSPORTATION SERVICE )  
to Transfer Certificate No. 44 to )  
JENKINS TRANSPORTATION SERVICE, )  
INC. )

Case No. AP-88-59

Mr. Dan Jenkins, trading as Jenkins Transportation Service (Jenkins), holds Certificate of Public Convenience and Necessity No. 44. Certificate No. 44 is reproduced as an Appendix to this order and shows the operations Jenkins is authorized to conduct, as well as the restrictions imposed thereon.

By application filed December 2, 1988, in Case No. AP-88-58, Jenkins requests that the following restriction be removed from PART A of Certificate No. 44:

. . . and is further restricted to transportation in van-type vehicles specially equipped with ramps and mechanical devices for securing wheelchairs in transit

and that the following restriction be removed from PART B of Certificate No. 44:

RESTRICTED to transportation in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver).

If the application is granted, Jenkins "intends to purchase one school bus vehicle and add additional equipment as necessary." Jenkins rates for vehicles seating 15 persons or less would remain the same as currently on file. The proposed tariff per person for special operations in a school bus is as follows:

Equipment with a Seating Capacity in Excess of 15 Passengers

One-Way Trip:

Inside Capital Beltway	\$6
To Points Outside Capital Beltway	\$6 plus \$1 per mile beyond Beltway

Round Trip:

Inside Capital Beltway	\$12
Where One or Both Points	\$12 plus \$1 per
Outside Beltway	mile beyond
	Beltway

In support of the application, Jenkins has submitted a balance sheet as of June 30, 1988, an operating statement for the six months ended June 30, 1988, and a projection of revenue and expenses for the first 12 months of proposed operations.

By separate application in Case No. AP-88-59, also filed on December 2, 1988, Jenkins asks that his Certificate No. 44 be transferred to Jenkins Transportation Service, Inc. (Jenkins, Inc.). The balance sheet for Jenkins, Inc., as of September 15, 1988, shows that its only asset is \$1,000 cash, balanced by capital stock in the same amount. A footnote explains that Jenkins ". . . has not transferred any assets to the corporation nor has he funded the corporation pending approval of this application." The application further shows that Jenkins is the sole shareholder. The application also includes the articles of incorporation.

These applications will be consolidated and scheduled for public hearing.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case Nos. AP-88-58 and AP-88-59 is hereby scheduled to commence Tuesday, February 14, 1989, at 9:30 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036.

2. That Mr. Dan Jenkins shall publish once in a newspaper of general circulation in the Metropolitan District, and post continuously and conspicuously in each of his vehicles through the date of public hearing, notice of these applications and the hearing thereon in the form prescribed by the staff of the Commission, no later than Tuesday, January 17, 1989, and shall present at the hearing an affidavit of publication and posting.

3. That any person desiring to protest either of these applications shall file a protest in accordance with Commission Rule No. 14, or any person desiring to be heard shall so notify the Commission, in writing, no later than Friday, February 3, 1989, and shall simultaneously serve a copy of such protest or notice on applicant's counsel, Joel C. Weingarten, Esquire, 51 Monroe Street, Suite 1500, Rockville, MD 20850.

4. That Mr. Dan Jenkins is hereby assessed \$300 pursuant to Title II, Article XII, Section 19 of the Compact, and is directed to deliver said amount to the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036, no later than Friday, February 3, 1989.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NO. 44 \*

DAN JENKINS

Trading As

JENKINS TRANSPORTATION SERVICE

WASHINGTON, D.C.

By Order Nos. 1749 and 2628 of the Washington Metropolitan Area Transit Commission issued September 16, 1977, and November 14, 1984;

AFTER DUE INVESTIGATION, it appearing that the above-named carrier is entitled to receive authority from this Commission to engage in the transportation of passengers within the Washington Metropolitan Area Transit District as a carrier, for the reasons and subject to the limitations set forth in Order Nos. 1749 and 2628;

THEREFORE, IT IS ORDERED that the said carrier is hereby granted this certificate of public convenience and necessity as evidence of the authority of the holder thereof to engage in transportation as a carrier by motor vehicle; subject, however, to such terms, conditions and limitations as are now, or may hereafter be, attached to the exercise of the privilege granted to the said carrier.

IT IS FURTHER ORDERED that the transportation service to be performed by the said carrier shall be as specified below:

IRREGULAR ROUTES:

PART A

SPECIAL OPERATIONS, round-trip or one-way,  
transporting persons confined to wheelchairs:

Between medical treatment facilities located in the Metropolitan District, on the one hand, and, on the other, points in the Metropolitan District.

RESTRICTIONS: The service authorized herein is restricted to the transportation of non-ambulatory participants in the Medicaid program of the District of Columbia, and is further restricted to transportation in van-type vehicles specially equipped with ramps and mechanical devices for securing wheelchairs in transit.

PART B

SPECIAL OPERATIONS, transporting transportation-disadvantaged persons, together with their baggage and attendants in the same vehicle, between points in the Metropolitan District.

RESTRICTED against transportation originating within the Commonwealth of Virginia and transportation between points located solely within the Commonwealth of Virginia.

RESTRICTED to transportation in vehicles with a manufacturer's designed seating capacity of 15 passengers or less (including the driver).

IT IS FURTHER ORDERED that, to the extent the authority granted herein may be duplicative, it shall be construed as conferring only a single operating right.

AND IT IS FURTHER ORDERED and made a condition of this certificate that the holder thereof shall render reasonable, continuous and adequate service to the public in pursuance of the authority granted herein, and that failure to do so shall constitute sufficient grounds for suspension, change or revocation of the certificate.

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

WILLIAM H. McGILVERY  
Executive Director

\* This certificate cancels and supercedes Certificate No. 44, issued October 14, 1977.