

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3536

IN THE MATTER OF:

Served August 6, 1990

Application of WHEELCHAIR EXPRESS,)
INC., for a Certificate of Public)
Convenience and Necessity --)
Special Operations)

Case No. AP-90-30

By application filed August 1, 1990, Wheelchair Express, Inc. (WEI or applicant), seeks a certificate of public convenience and necessity to transport passengers in special operations between health care facilities in the District of Columbia and Montgomery and Prince George's Counties, MD, on the one hand, and, on the other, points in the District of Columbia and Montgomery and Prince George's Counties, MD. */

The proposed service would be offered using two "window vans" equipped with lifts and/or ramps, wheelchairs, and wheelchair tie-downs. Service would be offered seven days a week from 7 a.m. through 5 p.m. Applicant proposes a one-way rate of \$40 (\$50 with attendant) plus \$1.50 for each mile in excess of 10 and a round-trip rate of \$75 (\$80 with attendant) plus \$1.50 for each mile in excess of 20. Ancillary charges of \$10 for each 15 minutes of waiting time and \$20 for cancellation of request for service are proposed. Both the one-way and the round-trip rates apply to transportation of single wheelchair-bound passengers. Under "One Way Transportation", the tariff states "Additional wheelchairs on same trip \$25.00." The proposed rate for service on Saturday, Sunday, and "off hours" is 20 percent over the "base rate charge." Applicant is a newly-formed Maryland corporation. With its application, WEI submitted a statement of financial condition as of August 31, 1990. The statement lists total assets of \$73,200 consisting of \$50,000 cash and fixed assets of \$23,200 (revenue vehicles of \$29,000 and accumulated provision for depreciation of \$5,800), no liabilities, capital stock of \$20,000, and other equity of \$50,000. WEI's statement of financial condition is prospective and fails to balance. Applicant will be directed to file a current and corrected balance sheet.

*/ In its application WEI words the special operations authority sought as follows: "[w]heelchair van services between the various hospitals, clinics, doctors offices, private homes in the District of Columbia, and the Maryland Counties of Prince George's and Montgomery." If the authority described in this order does not comport with that applicant seeks, WEI is hereby directed so to notify the Commission within 10 days of service of this order. It is noted that the map included with the application shows the entire Metropolitan District.

For the first 12 months of operations, applicant projects operating income of \$90,000, \$50,000 of which would be derived from WMATC operations, and operating expenses, including depreciation and taxes, of \$63,170.

Pursuant to Title II, Article XII, Section 4(b) of the Compact, the 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. Applicant will be assessed an amount preliminarily estimated to cover the costs of hearing pursuant to the Compact, Title II, Article XII, Section 19.

THEREFORE, IT IS ORDERED:

1. That a public hearing in Case No. AP-90-30 is hereby scheduled to commence Tuesday, September 11, 1990, at 10:00 a.m. in the Hearing Room of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104.

2. That Wheelchair Express, 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 Wednesday, August, 15, 1990, and present at hearing an affidavit of such publication.

3. That any person desiring to protest this application shall file a protest in accordance with Commission Rule No. 14, and any person desiring to be heard on this matter shall so notify the Commission, in writing, no later than Thursday, August 30, 1990, and shall simultaneously serve a copy of such protest or notice on applicant's president, Robert J. Rainey, 4601 - 21st Street, Mt. Rainier, MD 20712.

4. That Wheelchair Express, Inc., is hereby assessed \$250 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 20036-5104, no later than Thursday, August 30, 1990.

5. That Wheelchair Express, Inc., is hereby directed to file with the Commission, no later than Thursday, August 30, 1990, its current statement of financial condition revised as discussed in the body of this order.

FOR THE COMMISSION:


William H. McGilvery
Executive Director