

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4090

IN THE MATTER OF:

Served April 21, 1993

Application of THE AMERICAN NATIONAL )  
RED CROSS, MONTGOMERY COUNTY )  
CHAPTER, Trading as MONTGOMERY )  
COUNTY CHAPTER-AMERICAN RED CROSS, )  
for a Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-93-07

By application accepted for filing March 9, 1993, The American National Red Cross, Montgomery County Chapter, trading as Montgomery County Chapter-American Red Cross (The Red Cross or applicant), an instrumentality of the United States, seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

Notice of this application was served on March 10, 1993, in Order No. 4066, and The Red Cross was directed to publish further notice in a newspaper and file an affidavit of publication. The Red Cross complied. The application is unopposed.

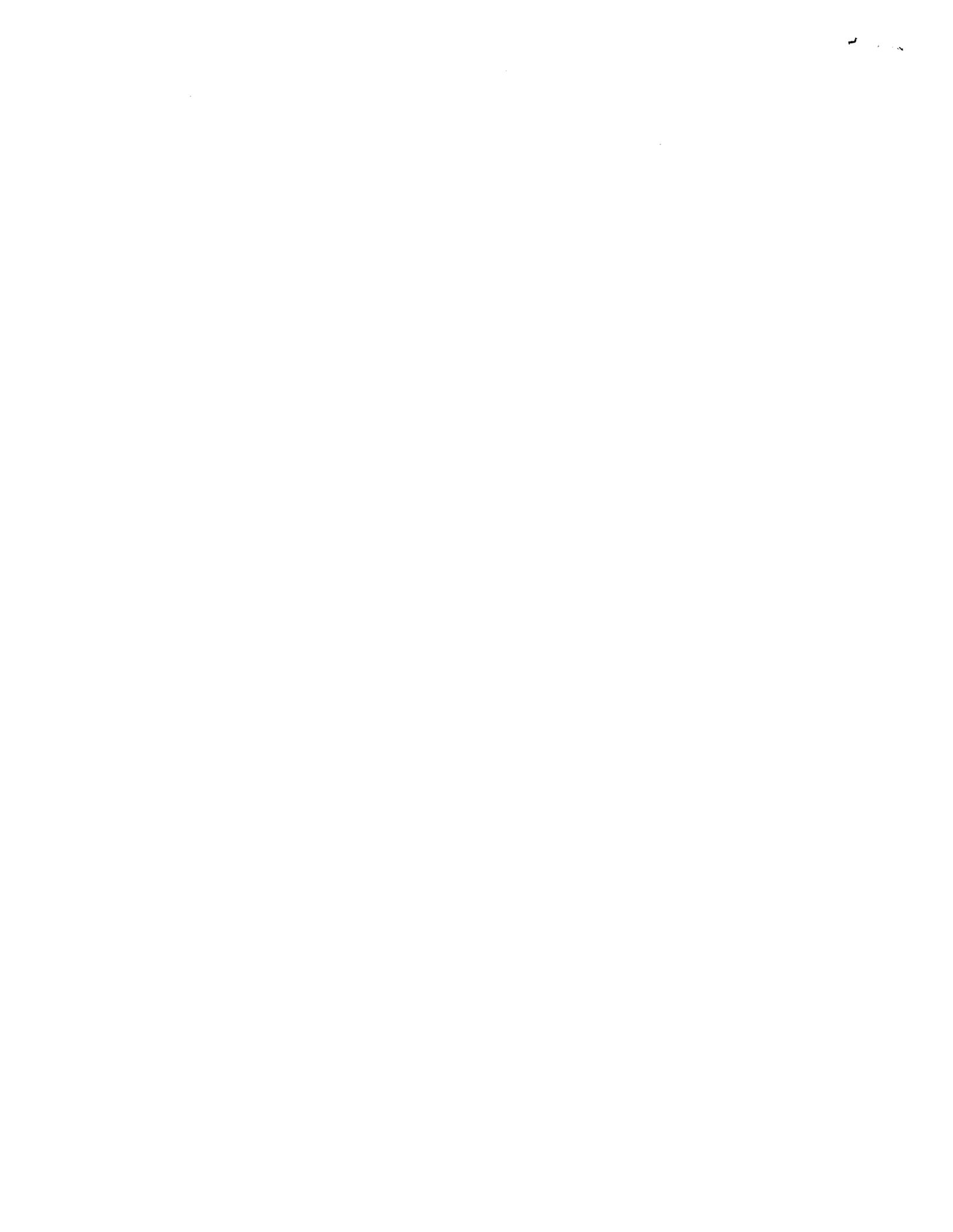
SUMMARY OF EVIDENCE

The Red Cross's application includes information regarding, among other things, its corporate status, equipment, facilities, safety fitness, proposed tariff, finances, and regulatory compliance record.

The Red Cross proposes to commence operations with seven vehicles, ranging from 4-passenger sedans to a 9-passenger van. Applicant's proposed tariff contains per capita rates for service to and from medical appointments.

Applicant's chapter manager certifies that applicant has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and United States Department of Transportation regulations relating to transportation of passengers for hire.

Applicant filed a balance sheet as of December 31, 1992, showing cash and investments of \$855,156; accounts receivable and inventory of \$213,647; net fixed assets of \$205,423; other assets of \$5,427; liabilities and deferrals of \$490,065; and net fund balances of \$789,587. Applicant's statement of support, revenue and expenses for the eighteen months ended December 31, 1992, shows income of \$1,792,163; expenses of \$2,073,264; and a net deficiency of \$281,101. Applicant's projected operating statement for the first twelve months of WMATC operations shows contributions of \$1,000; expenses of \$20,700; and a net loss of \$19,700.



It is certified that neither The Red Cross nor any person controlling, controlled by, or under common control with The Red Cross has any control relationship with a carrier other than The Red Cross.

DISCUSSION AND CONCLUSION

This case is governed by the Compact, Title II, Article XI, Section 7(a), which provides in relevant part that:

- . . . the Commission shall issue a certificate to any qualified applicant . . . if it finds that --
- (i) the applicant is fit, willing, and able to perform [the] transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and
  - (ii) that the transportation is consistent with the public interest.

Based on the evidence in this record, the Commission finds The Red Cross to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements. It is further found that the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

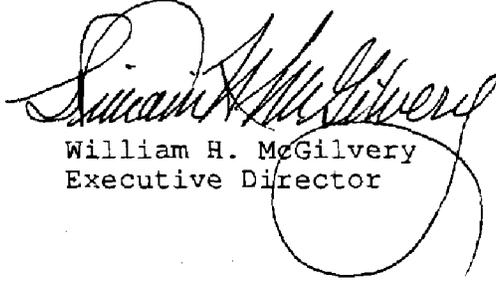
1. That The American National Red Cross, Montgomery County Chapter, trading as Montgomery County Chapter-American Red Cross, 2020 East West Highway, Silver Spring, MD 20910, is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

2. That The American National Red Cross, Montgomery County Chapter, trading as Montgomery County Chapter-American Red Cross, is hereby directed to file the following documents with the Commission: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 3623; (b) four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 for each vehicle to be used in revenue operations; (e) proof of current safety inspection of said vehicle(s) by or on behalf of the United States Department of Transportation, the State of Maryland, the District of Columbia, or the Commonwealth of Virginia; and (f) a notarized affidavit of identification of vehicles pursuant to Commission Regulation No. 61, for which purpose WMATC No. 222 is hereby assigned.

3. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the documents required by the Commission, Certificate of Authority No. 222 shall be issued to The American National Red Cross, Montgomery County Chapter, trading as Montgomery County Chapter-American Red Cross.

4. That unless The American National Red Cross, Montgomery County Chapter, trading as Montgomery County Chapter-American Red Cross, complies with the requirements of this order within 30 days from the date of its issuance, or such additional time as the Commission may direct or allow, the grant of authority herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS DAVENPORT, SCHIFTER, AND SHANNON:



William H. McGilvery  
Executive Director