

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4230

IN THE MATTER OF:

Served January 11, 1994

Application of OJ'S SERVICES, INC.,)
Trading as OJ'S DEPENDABLE TRAVEL)
SERVICES, for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-93-33

By application filed November 9, 1993, OJ's Services, Inc., trading as OJ's Dependable Travel Services (OJ or applicant), a District of Columbia corporation, 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 November 18, 1993, in Order No. 4206, and OJ was directed to publish further notice in a newspaper by November 29, 1993. OJ filed an affidavit of publication on November 23, 1993. On November 29, 1993, OJ amended the trade name appearing on the application to OJ's Dependable Transportation Services. The application is unopposed.

SUMMARY OF EVIDENCE

OJ's application includes information regarding, among other things, its corporate status, facilities, proposed tariff, finances, and regulatory compliance record.

OJ proposes to commence operations with one van with a seating capacity of less than 16 persons. OJ's proposed tariff contains special operations rates for Medicaid and non-Medicaid passengers.

OJ's president certifies on its behalf 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 October 31, 1993, showing current assets of \$8,000; net fixed assets of \$17,955; and equity of \$25,955. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$46,800; operating expenses of \$49,041; and a net loss of \$2,241.

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

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 OJ to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements. The Commission further finds that the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

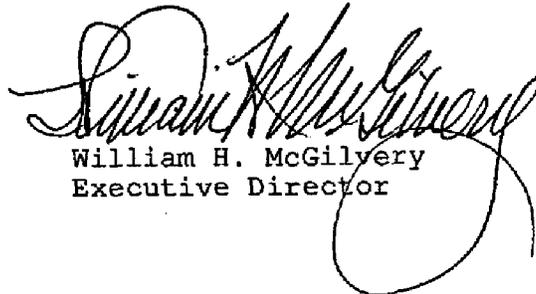
1. That OJ's Services, Inc., trading as OJ's Dependable Transportation Services, 5023 Fourth Street, N.W., Suite 200, Washington, DC 20011, is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers in irregular route operations 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 OJ's Services, Inc., trading as OJ's Dependable Transportation Services, is hereby directed to file the following documents with the Commission: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (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. 239 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. 239 shall be issued to OJ's Services, Inc., trading as OJ's Dependable Transportation Services.

4. That unless OJ's Services, Inc., trading as OJ's Dependable Transportation Services, 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:

A handwritten signature in black ink, appearing to read "William H. McGilvery". The signature is fluid and cursive, with a large loop at the end.

William H. McGilvery
Executive Director