

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4550

IN THE MATTER OF:

Served March 30, 1995

Application of ROBERT E. GRAHAM,)
Trading as FASTIDIOUS)
TRANSPORTATION SERVICE, for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-95-18

By application accepted for filing March 28, 1995, Robert E. Graham, a sole proprietor trading as Fastidious Transportation Service, seeks a certificate of authority for irregular route operations in the Metropolitan District in vehicles with a seating capacity of less than 16 persons only, including the driver. Applicant previously applied for a certificate of public convenience and necessity in 1977. The application was denied for failure to demonstrate a need for the proposed service.¹ Of course, now, an applicant need only demonstrate fitness and consistency with the public interest.

Applicant proposes commencing operations with one van. Applicant plans to serve senior citizens and handicapped individuals in the District of Columbia. Applicant's proposed tariff contains per capita rates and hourly charter rates but not rates for service under the DC Medicaid program. Applicant will be directed to file a statement indicating whether applicant proposes offering service under the DC Medicaid program.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

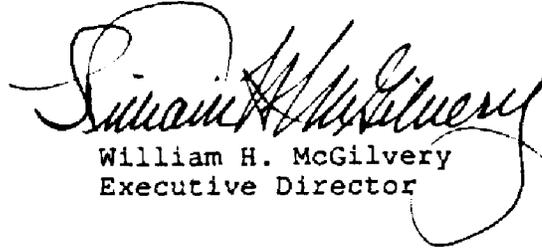
1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than April 10, 1995, notice in the form prescribed by the staff of the Commission.
2. That applicant shall file with the Commission, no later than May 1, 1995, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

¹ In re Robert Earl Graham, No. 370, Order No. 1749 (Sept. 16, 1977), aff'd on reconsideration, Order No. 1769 (Nov. 16, 1977). Orders Nos. 1749 and 1769 were set aside on appeal, D.C. Medicaid Transp., Inc. v. WMATC, No. 78-1021, slip op. (D.C. Cir. June 15, 1978), but applicant was not one of the appellants and, thus, did not participate in the proceedings after remand.

3. That applicant shall file with the Commission, no later than April 10, 1995, an original and four copies of a statement indicating whether applicant proposes offering service under the DC Medicaid program.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is May 1, 1995, and that copies must be served on applicant at 923 Hill Road, Landover, MD 20785.

FOR THE COMMISSION:



William H. McGilvery
Executive Director