

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4995

IN THE MATTER OF:

Served January 7, 1997

Application of SAFE RIDE)
SERVICES, INC., for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-97-03

By application filed December 31, 1996, Safe Ride Services, Inc., an Arizona corporation, seeks a certificate of authority for irregular route operations in the Metropolitan District.

Applicant's president, Louis Levy, has controlled WMATC carriers in the past. He was the controlling shareholder of Air Couriers International Ground Transportation Services, Inc. (ACIGTS), WMATC Carrier No. 55, and United Management Corporation (UMC), WMATC Carrier No. 172, each of which operated under the trade name Passenger Express. ACIGTS's certificate of authority was revoked upon ACIGTS's merger into UMC in 1992.¹ UMC's certificate of authority was voluntarily terminated in 1994.² Applicant was conditionally granted operating authority in 1995,³ but because applicant failed to timely satisfy the conditions, the application was deemed denied.⁴

Applicant proposes commencing operations with eight sedans and three vans. Applicant's proposed contract tariff contains per capita rates for non-emergency transportation to and from medical facilities.

Applicant is a wholly-owned subsidiary of Laidlaw Medical Transportation, Inc., a common carrier operating under the trade name Medtrans.⁵ Under Article XII, Section 3, of the Compact a carrier

¹ Air Couriers Int'l Ground Transp. Servs., Inc., t/a Passenger Express, & United Mgmt. Corp., t/a Passenger Express, No. AP-92-12, Order No. 3956 (June 15, 1992).

² In re United Mgmt. Corp., t/a Passenger Express, No. AP-94-29, Order No. 4328 (June 28, 1994).

³ In re Safe Ride Services, Inc., No. AP-94-58, Order No. 4492 (Feb. 14, 1995).

⁴ See Commission Regulation No. 66 (180-day limit on compliance deadline).

⁵ Laidlaw Medical is, in turn, a wholly-owned subsidiary of Laidlaw Transit, Inc., which operates through various subsidiaries and has been described as the largest provider of school bus transportation in the United States. See Laidlaw Acquisition Corp. v. Mayflower Group, Inc., 636 F. Supp. 1513 (S.D. Ind. 1986). Another Laidlaw subsidiary, Laidlaw Transit (Virginia) Inc., held Certificate

must obtain Commission approval to acquire control of a WMATC carrier. Approval will be granted if the Commission finds the acquisition is consistent with the public interest.⁶ The public interest analysis usually focuses on the fitness of the acquiring party, the resulting competitive balance, and the interest of affected employees.⁷ However, the interests of affected employees is not an issue where applicant has no prior operations.⁸ Applicant will be directed to file a statement addressing the effect approval of this application will have on competition.

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

THEREFORE, IT IS ORDERED:

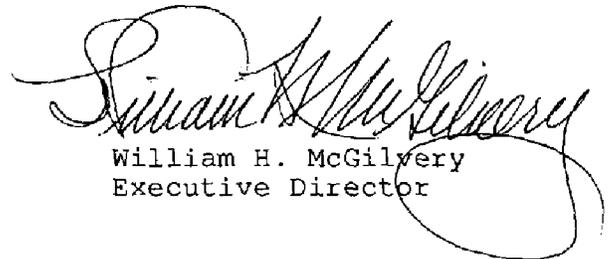
1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than January 21, 1997, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than February 11, 1997, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than January 21, 1997, an original and four copies of a statement addressing the effect approval of this application will have on competition.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is February 11, 1997, and that copies must be served on applicant's attorney, John M. Ballenger, Esquire, 124 South Royal Street, Alexandria, VA 22314.

FOR THE COMMISSION:



William H. McGilvery
Executive Director

No. 64 until its transfer to Williams Bus Lines, Inc., last year. In re Laidlaw Transit (Virginia) Inc., & Williams Bus Lines, Inc., No. AP-96-46, Order No. 4957 (Oct. 24, 1996).

⁶ Compact, tit. II, art. XII, § 3(c).

⁷ DC CODE ANN. § 1-2414 (1992); In re Cavalier Transp. Co., Inc., t/a Tourtime America, Ltd., & Tourtime America Motorcoach, Ltd., No. AP-96-21, Order No. 4926 (Sept. 12, 1996).

⁸ In re Washington Shuttle, Inc., t/a Supershuttle, No. AP-96-13, Order No. 4966 (Nov. 8, 1996); In re Double Decker Bus Tours, W.D.C., Inc., No. AP-95-21, Order No. 4642 (Aug. 9, 1995).