

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5115

IN THE MATTER OF:

Served June 26, 1997

Application of LAMONT AND WADE)
ASSOCIATES, for a Certificate)
of Authority -- Irregular Route)
Operations)

Case No. AP-97-30

Applicant seeks a certificate of authority to transport passengers, together with mail, express and baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a seating capacity of less than 16 persons only, including the driver. The application is unopposed.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Applicant proposes commencing operations with one van. Applicant's proposed tariff contains per capita and group rates, including rates for transportation under the DC Medicaid program.

Applicant filed a balance sheet as of December 31, 1996, showing assets of \$186,813; long-term liabilities of \$222,705; and negative equity of \$35,892. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$102,330; expenses of \$63,447; and net income of \$38,883.

Applicant certifies it has access to, is familiar with, and will comply with the Compact and the Commission's rules and regulations thereunder.

An applicant must show the present ability to sustain operations during its first year under WMATC authority.¹ Although applicant's liabilities exceed its assets, applicant is a going

¹ In re Comprehensive Care II, Inc., No. AP-96-55, Order No. 4979 (Dec. 4, 1996); In re District of Columbia Community Servs., Inc., No. AP-96-36, Order No. 4945 (Sept. 27, 1996); In re District of Columbia Family Servs., Inc., No. AP-96-20, Order No. 4868 (June 10, 1996).

concern projecting net income and positive cash flow during the first twelve months of WMATC operations. We have found other carriers fit under similar circumstances.²

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

THEREFORE, IT IS ORDERED:

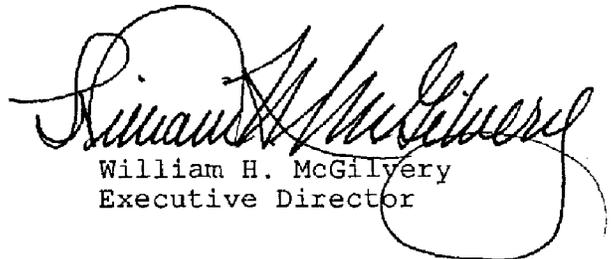
1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 399 shall be issued to Lamont and Wade Associates, 1917 U Place, S.E., Washington, DC 20020.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant is hereby directed to file the following documents within thirty days: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and 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.

4. That the grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery
Executive Director

² See e.g., Order No. 4979 (negative working capital; ongoing business; positive cash flow); Order No. 4945 (negative equity; ongoing business; positive cash flow); Order No. 4868 (negative equity; ongoing operation projecting net income).