

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5117

IN THE MATTER OF:

Served June 27, 1997

Investigation of Failure to File) Amended Tariff, Directed to:)	
IRONSIDES TRANSPORT, INC.,) WMATC No. 31)	MP-97-31
JENKINS TRANSPORTATION SERVICE,) INC., WMATC No. 44)	MP-97-32
JOHN AND BOLDEN, INC., WMATC No. 45)	MP-97-33
METRO MEDICAB, INC., WMATC No. 46)	MP-97-34
P&T TRANSPORTATION CO., INC.) WMATC No. 47)	MP-97-35
ELROD TRANSPORTATION SERVICE,) INC., WMATC No. 50)	MP-97-36
EPPS TRANSPORTATION COMPANY,) INC., WMATC No. 51)	MP-97-37
NORAL HARVEY, Trading as) HARVEY'S MEDIVAN SERVICES, WMATC) No. 52)	MP-97-38
DAVID C. PEARSON, Trading as E&H) TRANSPORTATION COMPANY, WMATC) No. 53)	MP-97-39
DAMON'S TRANSPORTATION COMPANY,) INC., WMATC No. 60)	MP-97-40
BATTLE'S TRANSPORTATION, INC.,) WMATC No. 62)	MP-97-41
JONES TRANSPORTATION SERVICES,) INC., WMATC No. 116)	MP-97-42
PERKINS AMBULANCE AND WHEELCHAIR) SERVICE, INC., WMATC No. 126)	MP-97-43
WHEELCHAIR MOBILE TRANSPORT,) INC., WMATC No. 127)	MP-97-44
RDM ENTERPRISES, INC., WMATC) No. 187)	MP-97-45

MDR TRANSPORTING SERVICE, INCORPORATED, WMATC No. 201	) )	MP-97-46
SAFE TRANSPORTATION, INC., WMATC No. 210	) )	MP-97-47
McCLAIN TRANSPORTATION SERVICE, INC., WMATC No. 216	) )	MP-97-48
B&W TRANSPORTATION, INCORPORATED, WMATC No. 218	) )	MP-97-49
SINNAR CARE, INC., Trading as SINNAR CARE, WMATC No. 228	) )	MP-97-50
JUNE DELORES JOAQUIN, Trading as J&J TRANSIT, WMATC No. 235	) )	MP-97-51
TLC TRANSPORTATION SERVICES, INC., WMATC No. 237	) )	MP-97-52
OJ'S SERVICES, INC., Trading as OJ'S DEPENDABLE TRANSPORTATION SERVICES, WMATC No. 239	) ) )	MP-97-53
SHIRLEY L. NELSON, Trading as L&N TRANSPORTATION, WMATC No. 254	) )	MP-97-54
AHMED A. OSMAN, Trading as UNI-CARE TRANS, WMATC No. 263	) )	MP-97-55
LORETTA LEWIS-KALIFA, Trading as REFUGE TRANSPORTATION SERVICE, WMATC No. 275	) ) )	MP-97-56
OSAMA ELKHABIRY, Trading as SAM'S TRANSIT, WMATC No. 278	) )	MP-97-57
ALEX M. AKOTO, Trading as ST. MICHAEL'S PERFECT CARE TRANSPORTATION, WMATC No. 294	) ) )	MP-97-58
HANDI-PRO TRANSPORTATION, INC., WMATC No. 301	) )	MP-97-59
ROBERT E. GRAHAM, Trading as GRAHAM'S TRANSPORTATION SERVICE, WMATC No. 307	) ) )	MP-97-60
HUNTEMANN AMBULANCE SERVICE, INC., WMATC No. 310	) )	MP-97-61
TARIG A. OMER, Trading as SKYCARE TRANS, WMATC No. 317	) )	MP-97-62

GREEN'S TRANSPORTATION COMPANY, INC., WMATC No. 320	) )	MP-97-63
FRANK WARNER, Trading as F&C TRANSPORTATION SERVICES, WMATC No. 346	) ) )	MP-97-64
TELAGRAY TRANSPORTATION INC., WMATC No. 354	) )	MP-97-65
THE EASTER SEAL SOCIETY FOR DISABLED CHILDREN AND ADULTS, INC., Trading as EASTER SEAL SOCIETY, WMATC No. 360	) ) ) )	MP-97-66
ETENAT ZEGEYE, Trading as E.Z. MEDICAL WHEELS, WMATC No. 376	) )	MP-97-67
UNIMAX TRANSPORT, INC., WMATC No. 380	) )	MP-97-68
SAFE HAVEN, INCORPORATED, WMATC No. 382	) )	MP-97-69
SPEIGHT'S TRANSPORTATION COMPANY, INC., WMATC No. 384	) )	MP-97-70

On May 2, 1997, the District of Columbia Department of Health published new rates for transportation under the District of Columbia Medicaid Program.¹ The new rates apply to group wheelchair van transportation, non-emergency stretcher transportation, and individual and group ambulatory transportation. These rates are effective on an emergency basis beginning May 2, 1997, and are due to expire August 30, 1997.

As of the date of this order, the above-captioned carriers have rates on file with the Commission that are superseded by the May 2 rates. These carriers will have thirty days to file proper tariffs or show cause why their respective certificates of authority should not be suspended for willful failure to comply with the Compact, Title II, Article 14, and Commission Regulation Nos. 55 and 56.

THEREFORE, IT IS ORDERED:

1. That the Commission hereby initiates an investigation into the failure of each carrier named herein to timely file proper tariffs covering rates under the District of Columbia Medicaid Program.

2. That each carrier named herein is hereby made a party respondent.

¹ 44 D.C. Reg. 2641 (1997).

3. That each respondent shall have thirty days from the date of this order to file a proper tariff or show cause why its certificate of authority should not be suspended for willful failure to comply with the Compact, Title II, Article 14, and Commission Regulation No. 55.

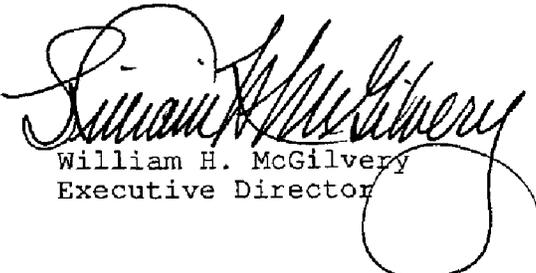
4. That each respondent may file within fifteen days from the date of this order a request for oral hearing, which filing shall automatically stay the aforementioned thirty-day period as to the filer.

5. That any request for oral hearing must specify the grounds for the request, describe the evidence to be adduced, and explain why such evidence cannot be adduced without an oral hearing.

6. That each respondent which fails to timely respond to this order shall be automatically assessed a civil forfeiture of \$75, and have its certificate of authority automatically suspended, for willful failure to comply with the Compact, Title II, Article 14, Commission Regulation Nos. 55 and 56.

7. That each respondent assessed and suspended in accordance with the preceding paragraph shall, within thirty days thereafter, pay said forfeiture to the Commission by cash, certified check or cashier's check, and show cause why its certificate of authority should not be revoked for willful failure to comply with the Compact, Title II, Article 14, Commission Regulation Nos. 55 and 56, and this order.

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


William H. McGilvery
Executive Director