

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5198

IN THE MATTER OF:

Served September 12, 1997

Application to Transfer Certificate) Case No. AP-97-47
No. 309 from BACH VU, Trading as)
AFFORDABLE AIRPORT CHARTER, to)
AFFORDABLE AIRPORT CHARTER, INC.)

By application accepted for filing September 8, 1997, Bach Vu, trading as Affordable Airport Charter, WMATC Carrier No. 309, and Affordable Airport Charter, Inc., (AAC), a Maryland corporation, (collectively applicants), seek Commission approval to transfer Certificate of Authority No. 309 from Bach Vu to AAC. Bach Vu is an officer and fifty-percent shareholder of AAC.

The transfer agreement references an attachment that describes the assets of AAC. The attachment, however, has been omitted from applicants' filing. Applicants will be directed to file the attachment.

AAC proposes to refile Bach Vu's current tariff as its own and commence operations with seven vans.

Article XI, Section 11(a), of the Compact governs the transfer of a certificate of authority to a corporation in which the certificate holder has a controlling interest.¹ A transfer of this nature raises fitness issues only.²

This proceeding is hereby initiated to determine whether AAC is fit.³

THEREFORE, IT IS ORDERED:

1. That applicants shall publish once in a newspaper of general circulation in the Metropolitan District, no later than September 22, 1997, notice in the form prescribed by the staff of the Commission.

2. That applicants shall file with the Commission, no later than October 13, 1997, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

¹ In re Ira A. Austin, Sr., t/a Ira's Transp. Serv., & Ira's Transp. Serv., Inc., No. AP-97-42, Order No. 5193 (September 9, 1997).

² Id.

³ The fitness of both applicants is under investigation by the Commission in In re Affordable Airport Charter, Inc., & Bach Vu, t/a Affordable Airport Charter, No. MP-97-76, Order No. 5178 (August 5, 1997).

3. That applicants shall file with the Commission, no later than September 22, 1997, an original and four copies of the transfer agreement attachment that describes the assets of AAC.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is October 13, 1997, and that copies must be served on AAC's president, Rufus A. Akintimehin, 8041 Queenair Drive, #4, Gaithersburg, MD 20879.

FOR THE COMMISSION:

William H. McGilvery
Executive Director