

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5353

IN THE MATTER OF:

Served June 16, 1998

Application of CHIKA TRANSPORT)
SERVICE, INC., for a Certificate)
of Authority -- Irregular Route)
Operations)
Case No. AP-98-18

Applicant seeks a certificate of authority to transport 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.

Two previous applications filed by applicant covering the same service were conditionally approved in 1996 and 1997.¹ In both instances the applications were later deemed denied pursuant to Commission Regulation No. 66 for applicant's failure to comply with the conditions of approval within 180 days.

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 contract tariff contains a monthly rate for transportation to and from intermediate health care facilities.

Applicant filed a balance sheet as of March 31, 1998, showing assets of \$25,228; liabilities of \$18,973; and equity of \$6,255. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC operating income of \$20,900; expenses of \$20,805; and net income of \$95.

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

¹ In re Chika Transport Serv., Inc., No. AP-97-27, Order No. 5107 (June 18, 1997); In re Chika Transport Serv., Inc., No. AP-96-16, Order No. 4880 (June 24, 1996).

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.

Inasmuch as applicant has twice failed to satisfy the conditions of approval within 180 days, if applicant fails to satisfy the conditions of approval within 180 days for a third time, the application shall be deemed denied with prejudice for a period of one year from the expiration of the 180 days, after which applicant may submit another application. Applicant is reminded that requests for extensions may only be granted for good cause.²

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 348 shall be issued to Chika Transport Service, Inc., 1104 Merganser Court, Upper Marlboro, MD 20774.

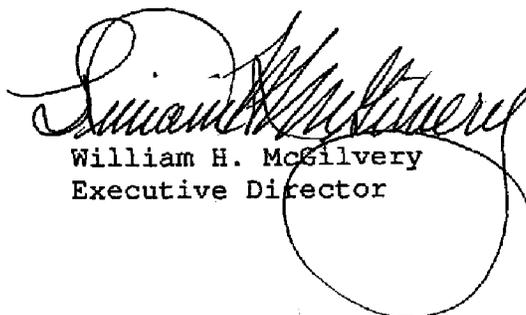
2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 348 has been issued in accordance with the preceding paragraph.

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) a vehicle list stating the year, make, model, serial number, fleet 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.

² Commission Rule No. 7-05.

4. That the grant of authority herein shall be void and the application shall stand denied -- with prejudice -- 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. McSilvery
Executive Director