

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5547

IN THE MATTER OF:

Served March 12, 1999

Application to Transfer Certificate) Case No. AP-99-18  
No. 415 from ESTHER LEWIS CHEEKS, )  
Trading as CHEEKS & SON, to )  
CHEEKS & SON TRANSPORTATION INC. )

By application accepted for filing March 5, 1999, Esther Lewis Cheeks, trading as Cheeks & Son, WMATC Carrier No. 415, (Cheeks), and Cheeks & Son Transportation Inc., a Maryland corporation, (CSTI), (collectively applicants), seek Commission approval to transfer Certificate of Authority No. 415 from Cheeks to CSTI. Cheeks is an officer and ninety-percent shareholder of CSTI.

CSTI proposes to refile Cheeks's current tariff as its own and commence operations with one van.

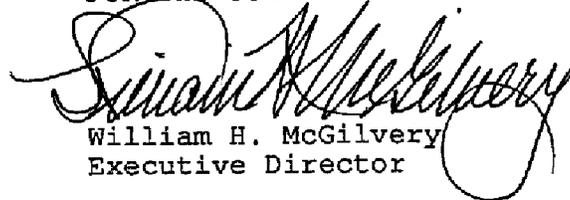
Article XI, Section 11(a), of the Compact governs the transfer of a certificate of authority to a corporation in which the certificate holder has a controlling interest.<sup>1</sup> A transfer of this nature raises fitness issues only.<sup>2</sup>

This proceeding is hereby initiated to determine whether CTSI is fit.

THEREFORE, IT IS ORDERED:

1. That applicants shall publish once in a newspaper of general circulation in the Metropolitan District, no later than March 23, 1999, notice in the form prescribed by the staff of the Commission.
2. That applicants shall file with the Commission, no later than April 13, 1999, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.
3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is April 13, 1999, and that copies must be served on CTSI's CEO, Esther Lewis Cheeks, 800 Darien Place, Upper Marlboro, MD 20774.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director

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<sup>1</sup> 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).

<sup>2</sup> Id.