

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5777

IN THE MATTER OF:

Served December 22, 1999

Application of KEEN TRANSPORTATION)
LTD. for a Certificate of Authority)
-- Irregular Route Operations)

Case No. AP-99-88

By application accepted for filing December 22, 1999, Keen Transportation Ltd., a Maryland corporation, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant proposes commencing operations with eight vans and two sedans. Applicant's proposed tariff contains hourly rates and per capita rates for service under a contract with LogistiCare Solutions, LLC.

LogistiCare has applied for temporary and permanent authority in order to perform a contract with the Washington Metropolitan Area Transit Authority (WMATA).¹ The contract requires LogistiCare to operate a reservation system for the benefit of disabled individuals participating in WMATA's MetroAccess program and to ensure that program participants receive timely and adequate transportation service. The MetroAccess program is WMATA's means of complying with the Americans with Disabilities Act of 1990,² which in pertinent part prohibits discrimination against the disabled by public transportation providers.

LogistiCare intends to subcontract much, but not all, of the transportation service to Keen and four current WMATC carriers.³ Keen and the other subcontractors will operate vehicles furnished by LogistiCare.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

¹ See In re LogistiCare Solutions, LLC, t/a LogistiCare, No. AP-99-86, Order No. 5775 (Dec. 22, 1999); In re LogistiCare Solutions, LLC, t/a LogistiCare, No. AP-99-87, Order No. 5776 (Dec. 22, 1999).

² 42 U.S.C. § 12101, et. seq. (1999).

³ The four WMATC carriers are: Battle's Transportation, Inc., WMATC No. 62; Transportation Management Services, Inc., WMATC No. 170; Graham's Transportation Service, Inc., WMATC No. 307; and Answers Incorporated, WMATC No. 488.

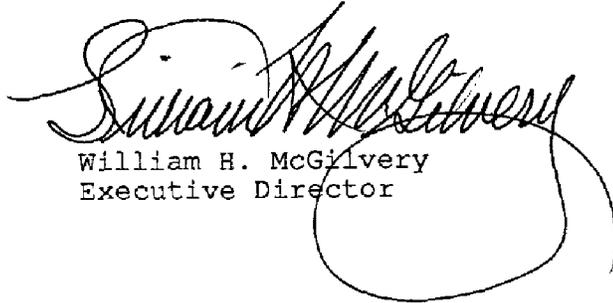
THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than January 5, 2000, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than January 26, 2000, 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 January 26, 2000, and that copies must be served on applicant's president, Gilbert Carey, 3239 Prince Ranier Place, Forestville, MD 20747.

FOR THE COMMISSION:



William H. McGilvery
Executive Director