

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5841

IN THE MATTER OF:

Served March 17, 2000

Application of DAV-EL )  
TRANSPORTATION, INC., for a )  
Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-2000-10

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District. Applicant is under common control with Dav-El Baltimore, Inc., Dav-El Capitol City, Inc., and Dav-El Services, Inc. None of these affiliates hold WMATC operating authority, and there is no evidence in the record indicating that any require WMATC operating authority. The application is unopposed.

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 minibus. Applicant's proposed tariff contains an hourly charter rate with a minimum charge.

Applicant filed a balance sheet as of October 1, 1999, showing assets of \$90,000; liabilities of \$80,000; and equity of \$10,000. Applicant's projected operating statement for the twelve months ending February 28, 2001, shows revenue of \$823,440; expenses of \$727,201; and net profit of \$96,239. Although applicant's debt/equity ratio is high, the Commission has found highly leveraged carriers financially fit where, as here, the shareholders are the principal source of debt.

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

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.

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<sup>1</sup> E.g., In re All America Bus & Limo. Serv., Inc., No. AP-97-14, Order No. 5074 (May 5, 1997); In re Double Decker Bus Tours, W.D.C., Inc., No. AP-95-21, Order No. 4642 (Aug. 9, 1995); In re The Airport Shuttle, No. AP-94-22, Order No. 4331 (July 6, 1994).

THEREFORE, IT IS ORDERED:

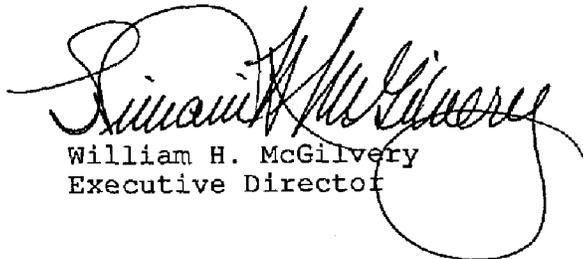
1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 531 shall be issued to Dav-El Transportation, Inc., 200 2nd Street, Chelsea, MA 02150-1802.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority 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) a copy of the vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, 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.

4. That the grant of authority herein shall be void and the application shall stand denied 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. McGilvery  
Executive Director