

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5909

IN THE MATTER OF:

Served June 15, 2000

Application of MALEK INVESTMENT,)
INC., Trading as MONTGOMERY AIRPORT)
SHUTTLE & MARYLAND AIRPORT SHUTTLE,)
to Amend Certificate of Authority)
No. 202)

Case No. AP-2000-40

Malek Investment, Inc., has filed an application to delete the trade name "Maryland Airport Shuttle" from Certificate No. 202 and add the trade name "Maryland Transportation."

We approved applicant's use of "Maryland Airport Shuttle" as a trade name in the Metropolitan District on September 22, 1999.¹ Applicant explains that it subsequently registered the trade name "Maryland Transportation" with the Maryland State Department of Assessments and Taxation in an effort to serve a broader market. Applicant proposes removing the existing trade names "Montgomery Airport Shuttle" and "Maryland Airport Shuttle" from the exteriors of its revenue vehicles and replacing those names with "Maryland Transportation".²

Applicant would continue using "Montgomery Airport Shuttle" in its print advertising and communications with existing customers so as not to lose the good will associated with the use of that name since April 21, 1992, when Certificate No. 202 was first issued.

Under Title II of the Compact, Article XI, Section 10(b), the Commission may amend a certificate of authority upon application by the holder.

The application shall be conditionally granted.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 202 shall be reissued to Malek Investment, Inc., trading as "Montgomery Airport Shuttle" and "Maryland Transportation," 17772 Parklawn Drive, Rockville, MD 20852.

¹ In re Malek Investment, Inc., t/a Montgomery Airport Shuttle & Md. Airport Shuttle, No. AP-99-54, Order No. 5708 (Sept. 22, 1999).

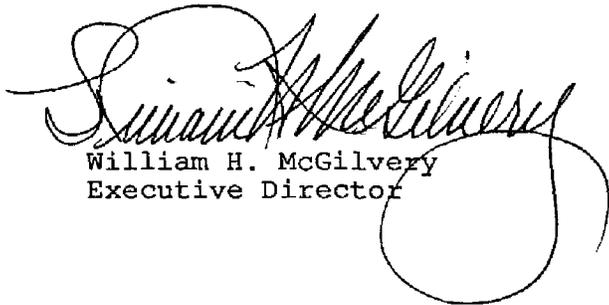
² Applicant also explains that the Maryland Public Service Commission (MPSC) has approved applicant's use of the new trade name within MPSC's jurisdiction and that as a condition of approval applicant has been directed to remove the "Montgomery Airport Shuttle" trade name from revenue vehicles operating in said jurisdiction.

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. 202 has been reissued 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 application shall stand denied upon applicant's failure to timely satisfy the conditions of reissuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:



William H. McGilvery
Executive Director