

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6308

IN THE MATTER OF:

Served August 1, 2001

Application of WESTVIEW MEDICAL &)
REHABILITATION SERVICES, P.C. INC.,)
for a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-2001-50

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.¹

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 two vans. Applicant proposes a contract tariff for transportation under the DC Medicaid Program.

Applicant filed a balance sheet as of December 31, 2000, showing assets of \$314,610; liabilities of \$53,288; and equity of \$261,322. Applicant's projected operating statement for the first twelve months of WMATC operations shows income of \$976,898; expenses of \$824,100; and net income of \$152,798.

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.

¹ Applicant was granted operating authority in 1999, but the issuance of a certificate of authority was expressly made contingent on applicant filing additional documents. See In re Westview Medical & Rehab. Servs., P.C. Inc., t/a Westview, Inc., No. AP-99-61; Order No. 5762 (Dec. 8, 1999). Applicant failed to file the necessary documents in a timely manner, thereby voiding the Commission's approval. See id. (grant of authority void upon applicant's failure to timely satisfy conditions of issuance); Commission Regulation No. 66 (failure to comply with conditions of grant within 180 days voids approval).

THEREFORE, IT IS ORDERED:

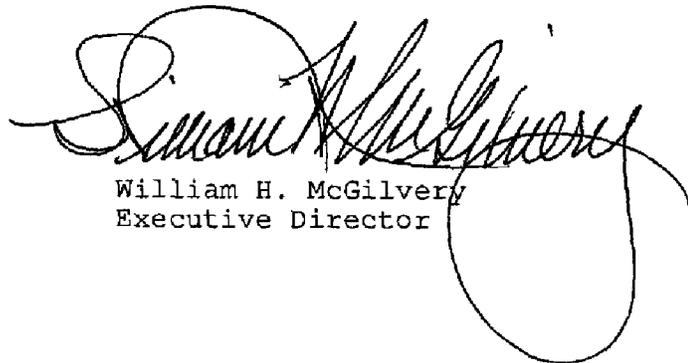
1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 510 shall be issued to Westview Medical & Rehabilitation Services, P.C. Inc., 3200 12th Street, N.E., Washington, DC 20017.

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 YATES, LIGON, AND MILLER:



William H. McGilver
Executive Director