

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6776

IN THE MATTER OF:

Served August 14, 2002

Application of MCT CHARTER TOURS)	Case No. AP-2002-72
INC. to Acquire Certificate)	
No. 236 from THOMAS TOURS, INC.)	
THOMAS TOURS, INC., Suspension and)	Case No. MP-2002-43
Investigation of Revocation of)	
Certificate No. 236)	

By application accepted for filing June 5, 2002, applicant, MCT Charter Tours Inc., a Maryland corporation, seeks Commission approval to acquire Certificate of Authority No. 236 from Thomas Tours, Inc. Certificate No. 236 has been suspended since June 9, 2002, for Thomas Tours's failure to comply with the Commission's insurance requirements.

Applicant is a newly created Maryland corporation controlled by Marie C. Thomas. Ms. Thomas is applicant's CEO. She is also the president of Thomas Tours, Inc.

Notice of the application was published by the Commission in Order No. 6713 on June 24, 2002, and by applicant in a newspaper of general circulation in the Metropolitan District on July 5, 2002. The application is unopposed.

Under Title II of the Compact, Article XI, Section 11(a), a person may not transfer a certificate of authority unless the Commission approves the transfer as consistent with the public interest. The transfer of a certificate of authority to a newly created affiliate raises fitness issues only.¹

Applicant proposes commencing operations with six motorcoaches. Applicant's proposed tariff contains hourly rates for charter service and charter sightseeing service.

Applicant filed a balance sheet as of May 31, 2002, showing assets of \$1,585,300; liabilities of \$1,454,000; and equity of \$131,300. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC revenue of \$30,000; other

¹ In re Dependable Medical Transport Inc., No. AP-02-36, Order No. 6681 (June 4, 2002).

revenue of \$680,000; expenses and losses of \$667,700; and net income of \$142,300.

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 applicant to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements and, therefore, that the transfer of Certificate No. 236 to applicant is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 236 shall be reissued to MCT Charter Tours Inc., 11344 Cherry Hill Road, Beltsville, MD 20705.

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. 236 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.

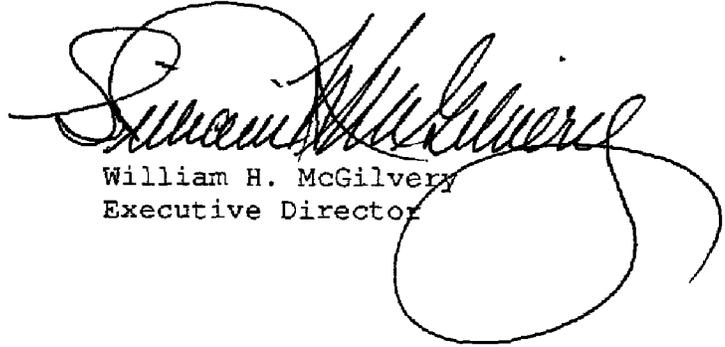
4. That upon applicant's failure to timely satisfy the conditions of reissuance prescribed herein, the approval of transfer shall be void, the application shall stand denied and Certificate No. 236 shall stand revoked.

5. That within 30 days from the date of this order Thomas Tours, Inc., shall:

- a. remove from its vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61;
- b. file a notarized affidavit with the Commission verifying compliance with the preceding requirement; and

c. surrender Certificate No. 236 to the Commission.

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



William H. McGilvery
Executive Director