

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6906

IN THE MATTER OF:

Served November 18, 2002

Application of ONTIME)
TRANSPORTATION INC., WMATC No. 536,)
to Acquire Assets from KEN-DAN)
TRANSPORTATION INC., WMATC No. 434)

Case No. AP-2002-123

By application accepted for filing October 24, 2002, Ontime Transportation Inc., WMATC No. 536, seeks Commission approval to acquire assets from Ken-Dan Transportation Inc., WMATC No. 434.

Under Article XII, Section 3(a)(ii) & (c), of the Compact, the Commission may approve the application of one WMATC carrier to purchase a substantial part of the property of another WMATC carrier if the Commission finds the transaction to be in the public interest. The public interest analysis focuses on the applicant's fitness, the resulting competitive balance and the interests of affected employees.¹

Ontime proposes acquiring three vehicles from Ken-Dan's fleet of four. Ontime will use those three and the one vehicle it already owns to conduct operations under its proposed tariff. Ontime's proposed tariff contains per capita fares for transportation to and from Ronald Reagan National and Washington-Dulles International Airports and rates for transportation under the DC Medicaid program.

This proceeding is hereby initiated to determine applicant's fitness and whether the proposed transaction is otherwise consistent with the public interest

THEREFORE, IT IS ORDERED:

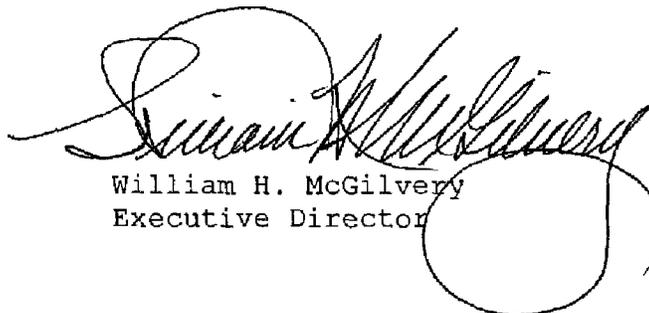
1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than December 2, 2002, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than December 23, 2002, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

¹ Act of Sept. 15, 1960, Pub. L. No. 86-794, § 3, 74 Stat. 1031, 1050 (1960) (codified at DC Code Ann. § 1-2414); In re Cavalier Transp. Co., Inc., t/a Tourtime America, Ltd. & Tourtime America Motorcoach, Ltd., No. AP-96-21, Order No. 4926 (Sept. 12, 1996).

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is December 23, 2002, and that copies must be served on applicant's president, Kelemework Lemu, 7604 Marietta Lane, College Park, MD 20740.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read "William H. McGilver", is written over a circular stamp. The signature is fluid and cursive, with a large loop at the end. The stamp is partially obscured by the signature.

William H. McGilver
Executive Director