

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6922

IN THE MATTER OF:

Served December 3, 2002

Application of EBELLE & BONDJE) Case No. AP-2002-102
COMPANY L.L.C., Trading as E & B)
TRANSCO L.L.C., for a Certificate)
of Authority -- Irregular Route)
Operations)

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.

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 general tariff with rates for transportation under the DC Medicaid program. Applicant also proposes a contract tariff for transportation under a contract with Logisticare, Inc., at rates prescribed in a "Taxi Fare Schedule." Applicant possesses a taxicab permit issued by the Virginia Department of Motor Vehicles.

Applicant filed a balance sheet as of June 30, 2002, showing assets of \$26,965; liabilities of \$355; and equity of \$26,610. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC revenue of \$253,620; other revenue of \$50,000; expenses of \$94,311; and net income of \$209,309.

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 DC Medicaid transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed DC Medicaid transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission. The application is otherwise denied.

We cannot approve that part of the application proposing service based on taxicab rates.¹ Taxicabs and other vehicles that perform a bona fide taxicab service are exempt from certification under the Compact.² Applicant is admonished that it may neither use a taxicab in WMATC operations nor use a WMATC vehicle in taxicab operations.³

THEREFORE, IT IS ORDERED:

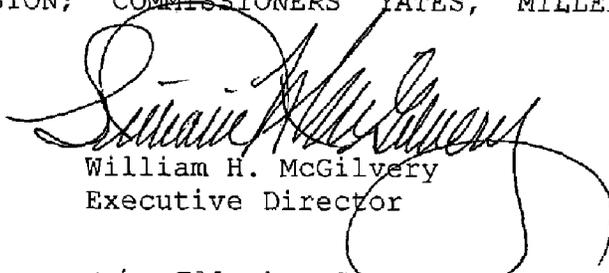
1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 751 shall be issued to Ebelle & Bondje Company L.L.C., trading as E & B Transco L.L.C., 15515 Laurel Ridge Road, Dumfries, VA 22026.

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, MILLER AND MCDONALD:



William H. McGilvery
Executive Director

¹ In re Ellerbe Group Corp., t/a Ellerbe Corp. Transp. Serv., No. AP-96-56, Order No. 4968 (Nov. 14, 1996).

² Id.

³ In re Rad Akorli, t/a T.R. Transp. Serv., No. AP-00-26, Order No. 5897 (June 7, 2000).