

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8121

IN THE MATTER OF:

Served June 21, 2004

Application of ELLERBE GROUP )  
CORPORATION, Trading as ELLERBE ) Case No. AP-2004-109  
TRANSPORTATION SERVICE, for a )  
Certificate of Authority -- )  
Irregular Route Operations )

By application accepted for filing June 7, 2004, Ellerbe Group Corporation, a District of Columbia corporation trading as Ellerbe Transportation Service, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant was granted operating authority in 1996, but the issuance of a certificate of authority was expressly made contingent on applicant filing additional documents.<sup>1</sup> Applicant failed to file the necessary documents in a timely manner, thereby voiding the Commission's approval.<sup>2</sup>

Applicant proposes commencing operations with one sedan and one van. Applicant's proposed tariff contains rates for transportation under a contract with Health Services for Children With Special Needs, Inc.

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is 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 July 6, 2004, notice in the form prescribed by the staff of the Commission.

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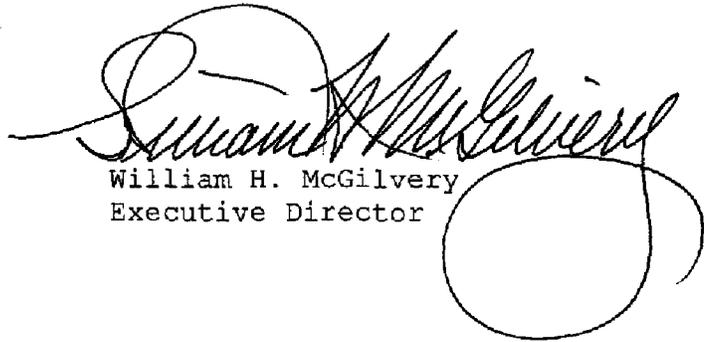
<sup>1</sup> See In re Ellerbe Group Corp., t/a Ellerbe Corp. Transp. Serv., No. AP-96-56, Order No. 4968 (Nov. 14, 1996) (conditionally granting Certificate No. 370).

<sup>2</sup> 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).

2. That applicant shall file with the Commission, no later than July 20, 2004, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is July 20, 2004, and that copies must be served on applicant's president, John Byrd Ellerbe, 5212 - 4<sup>th</sup> Street, N.W., Washington, DC 20011.

FOR THE COMMISSION:



William H. McGilvery  
Executive Director