

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8319

IN THE MATTER OF:

Served October 5, 2004

Application of NEW ERA MEDICAL)
TRANSPORT SERVICES, INC., to) Case No. AP-2004-152
Acquire Certificate No. 712 from)
NEW ERA MEDICAL TRANSPORT)
SERVICES, a Partnership)

By application accepted for filing September 9, 2004, applicant, New Era Medical Transport Services, Inc., a Maryland corporation, seeks Commission approval to acquire Certificate No. 712 from New Era Medical Transport Services, a Maryland general partnership. Applicant's president, Ike Ezeani, is also a general partner in the partnership.

Last year, the Commission approved the transfer of Certificate No. 712 from New Era the partnership to New Era the corporation, subject to the condition that the corporation file certain fitness documents and other documents required by Commission regulations.¹ The corporation failed to timely file all of the required documents and thereby voided the Commission's approval.² An investigation of both parties' advertising and operations is pending.³

Applicant proposes commencing operations with three vans. Applicant's proposed tariff contains rates for Medicaid transportation and similar non-Medicaid transportation.

Under Article XI, Section 11(a), of the Compact, a person may not transfer a certificate of authority unless the Commission approves

¹ See In re New Era Med. Transp. Servs., Inc., & New Era Med. Transp. Servs., No. AP-03-101, Order No. 7506 (Nov. 3, 2003) (conditionally approving transfer of Certificate No. 712).

² See id. (approval of transfer 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).

³ In re New Era Med. Transp. Servs. & New Era Med. Transp. Servs., Inc., No. MP-04-149, Order No. 8230 (Aug. 13, 2004).

the transfer as consistent with the public interest. The public interest analysis focuses on the acquiring party's fitness.⁴

This proceeding is hereby initiated to determine whether applicant is fit.

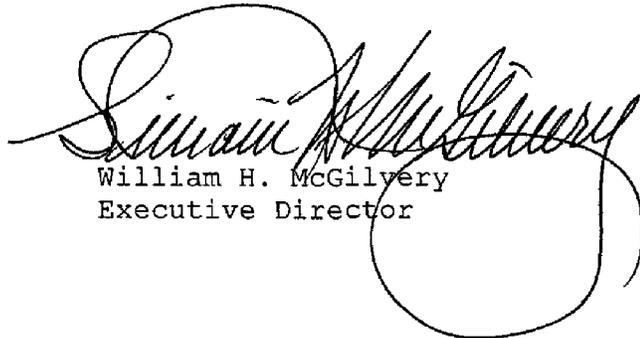
THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than October 19, 2004, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than November 2, 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 November 2, 2004, and that copies must be served on applicant's president, Ike Ezeani, 14225 Cribbage Terrace, Silver Spring, MD 20905.

FOR THE COMMISSION:



William H. McGilvery
Executive Director

⁴ In re Quality Med. Supplies LLC, t/a F & J Healthcare Servs., & Tingem Health Care Servs. Inc., No. AP-04-25, Order No. 8033 (May 27, 2004).