

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8730

IN THE MATTER OF:

Served May 19, 2005

Application of U.S. ONE)
TRANSPORTATION, LLC, Trading as)
U.S. ONE TRASCARE, to Acquire)
Certificate No. 684 from MODUPE)
AYODEJI ATANDA-OWO, Trading as)
US ONE TRANSPORTATION)

Case No. AP-2005-22

By application accepted for filing February 25, 2005, applicant, U.S. One Transportation, LLC, a Maryland limited liability company trading as U.S. One Transcare, seeks Commission approval to acquire Certificate No. 684 from Modupe Ayodeji Atanda-Owo, trading as US One Transportation. Atanda-Owo has agreed to transfer Certificate No. 684 and other assets in exchange for a controlling interest in U.S. One Transportation, LLC, a new carrier.

Under Article XI, Section 11(a), of the Compact, a person may not transfer a certificate of authority unless the Commission approves the transfer as consistent with the public interest. The public interest analysis focuses on the acquiring party's fitness.¹

Applicant proposes commencing operations with eight sedans and six vans. Applicant's proposed tariff contains airport shuttle rates and rates for transportation under a contract with LogistiCare Solutions, LLC, WMATC Carrier No. 524.

LogistiCare has a contract with the Washington Metropolitan Area Transit Authority (WMATA). The contract requires LogistiCare to operate a reservation system for the benefit of disabled individuals participating in WMATA's MetroAccess program and to ensure that program participants receive timely and adequate transportation service. The MetroAccess program is WMATA's means of complying with the Americans with Disabilities Act of 1990.²

Applicant verifies that: (1) applicant owns or leases, or has the means to acquire through ownership or lease, one or more motor vehicles meeting the Commission's safety requirements and suitable for the transportation proposed in this application; (2) applicant owns, or has the means to acquire, a motor vehicle liability insurance policy that provides the minimum amount of coverage required by Commission regulations; and (3) applicant has access to, is familiar with and will comply with the Compact, the Commission's rules, regulations and orders, and Federal Motor Carrier Safety Regulations as they pertain to transportation of passengers for hire.

¹ 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).

² 42 U.S.C. § 12101, et. seq. (2005).

Based on the evidence in this record, the Commission finds that the proposed transportation is consistent with the public interest and that 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.

THEREFORE, IT IS ORDERED:

1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 684 shall be reissued to U.S. One Transportation, LLC, trading as U.S. One Transcare, 3022 Mitchellville Road, Bowie, MD 20716.

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. 684 has been reissued in accordance with the preceding paragraph.

3. That applicant is hereby directed to file the following documents within the 180-day maximum permitted in Commission Regulation No. 66: (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 for-hire 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 AND MILLER:



William S. Morrow, Jr.
Executive Director