

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,310

IN THE MATTER OF:

Investigation of Violation of Title) II, Article 14 of the Compact, and) Commission Regulation No. 55,) Directed to:)	Served April 25, 2008
BATTLE'S TRANSPORTATION, INC.,) WMATC No. 62)	Case No. MP-2008-085
GREEN'S TRANSPORTATION COMPANY,) INC., WMATC No. 320)	Case No. MP-2008-086
LAMONT AND WADE ASSOCIATES, WMATC) No. 399)	Case No. MP-2008-087
JUNIOR'S ENTERPRISES, INC., WMATC) No. 401)	Case No. MP-2008-088
ZION FOUNDATION FOR CITIZENS,) Trading as ZION TRANSPORTATION) SERVICES, WMATC No. 410)	Case No. MP-2008-089
E & P TRANSPORTATION SERVICES, INC.,) WMATC No. 455)	Case No. MP-2008-090
WILLIAM K. AYENSON, Trading as) MINUTEMAN TRANSPORTATION SERVICES,) WMATC No. 482)	Case No. MP-2008-091
DEPENDABLE MEDICAL TRANSPORT INC.,) WMATC No. 533)	Case No. MP-2008-092
LIFE-CARE TRANSPORTATION, INC.,) WMATC No. 590)	Case No. MP-2008-093
EXPRESS TRANSPORTATION SERVICES,) INC., WMATC No. 602)	Case No. MP-2008-094
ALMIGHTY TIME INVESTMENTS) INCORPORATED, Trading as ALMIGHTY) COURIER - TRANSPORT SERVICES, WMATC) No. 618)	Case No. MP-2008-095
ASSOCIATED COMMUNITY SERVICES, INC.,) WMATC No. 626)	Case No. MP-2008-096

FEKADU SHAPA HYBANO, Trading as) GADOSOLO TRANSPORT, WMATC No. 655)	Case No. MP-2008-097
MOBILITY EXPRESS INC., WMATC) No. 668)	Case No. MP-2008-098
AT TRANS SERVICES, INC., WMATC) No. 681)	Case No. MP-2008-099
MOHAMED AHMED IBRAHIM, Trading as) WIDE CARE TRANS, WMATC No. 683)	Case No. MP-2008-100
OSAMA A. FARHAN, Trading as) UNIVERSAL SERVICES AND BUSINESS) CONNECTIONS "USBC", WMATC No. 745)	Case No. MP-2008-101
LIFE STRIDE, INC., Trading as) VERNIECE WORLDWIDE TRANSPORT) SERVICES, WMATC No. 746)	Case No. MP-2008-102
F&O TRANSPORT SERVICE, LLC, WMATC) No. 748)	Case No. MP-2008-103
LEAN & HERNY TRANSPORTATION LLC,) Trading as L. A. & H TRANSIT, WMATC) No. 758)	Case No. MP-2008-104
MV TRANSPORTATION, INC., WMATC) No. 764)	Case No. MP-2008-105
ANGELA STARKS, Trading as STARKS) TRANSPORTATION SERVICES, WMATC) No. 768)	Case No. MP-2008-106
HADI AHMED, Trading as MOGA) TRANSPORTATION, WMATC No. 790)	Case No. MP-2008-107
FADEK TRANSPORTATION, INC., WMATC) No. 830)	Case No. MP-2008-108
RIGHTWAY TRANSPORTATION SERVICES,) INC., WMATC No. 848)	Case No. MP-2008-109
IBEAWUCHI ANTHONY UKADILONU,) Trading as TONY TRANSPORTATION) SERVICES, WMATC No. 853)	Case No. MP-2008-110
SHELTON TRANSPORTATION SERVICES,) INC., Trading as STSI, WMATC) No. 947)	Case No. MP-2008-111
MARTINSDALE AND ASSOCIATES, INC.,) WMATC No. 957)	Case No. MP-2008-112

DAN TRANSPORTATION, INC., WMATC) No. 1005)	Case No. MP-2008-113
REGINALD S. INMAN, JR., Trading as) PATIENT FIRST TRANSPORTATION, WMATC) No. 1006)	Case No. MP-2008-114
INDEPENDENT TRANSPORTATION) CORPORATION, WMATC No. 1042)	Case No. MP-2008-115
ABDELRAHMAN E. ALI, Trading as) TWINS TRANS, WMATC No. 1070)	Case No. MP-2008-116
TOTAL CARE SERVICES, INC., WMATC) No. 1071)	Case No. MP-2008-117
UPLIFT TRANSPORT SERVICES INC.,) WMATC No. 1141)	Case No. MP-2008-118
TOP CHOICE TRANSPORTATION SERVICES) LLC, WMATC No. 1167)	Case No. MP-2008-119
EXCEL GROUP INC., WMATC No. 1223)	Case No. MP-2008-120
WALTER IRVIN WHITE, Trading as) WHITE'S TRANSPORTATION SERVICE,) WMATC No. 1236)	Case No. MP-2008-121
ROADRUNNER TRANSPORTATION INC.,) WMATC No. 1313)	Case No. MP-2008-122
W & T TRAVEL SERVICES LLC, Trading) as WTTS, WMATC No. 1372)	Case No. MP-2008-123

This proceeding is initiated to enforce Article XI, Section 14, of the Compact and Commission Regulation No. 55 governing tariffs. On October 19, 2007, Medical Transportation Management, Inc., (MTM) assumed responsibility for managing the District of Columbia Medicaid (DC Medicaid) transportation program on behalf of the District of Columbia Department of Health. Under the contract, MTM does not directly provide transportation but manages scheduling, invoicing, and other administrative functions. MTM relies on existing WMATC certificated carriers to furnish the transportation. MTM has provided the Commission a list of WMATC certificated carriers that have reached agreement with MTM to provide transportation pursuant to the DC Medicaid transportation program.

Under Title II, of the Compact, Article XI, Section 14(c), "A carrier may not charge a rate or fare for transportation subject to [the Compact] other than the applicable rate or fare specified in a tariff filed by the carrier under [the Compact] and in effect at the

time."¹ Under Regulation No. 55, each carrier must file a general tariff and/or one or more contract tariffs. A general tariff must specify rates, fares, and charges that apply to transportation and transportation-related services that are "universally applicable to all customers, except for operations covered by contract tariffs."² A contract tariff must contain a duly executed contract for transportation between the carrier and another party.³

As of the date of this order, the above-captioned WMATC carriers (respondents) have not filed acceptable contract tariffs covering the service they provide under their agreements with MTM. These carriers will have thirty days to file an acceptable contract tariff or show cause why a civil forfeiture should not be assessed and/or why their respective certificates of authority should not be suspended or revoked for willful failure to comply with Article XI, Section 14, of the Compact and Commission Regulation No. 55.

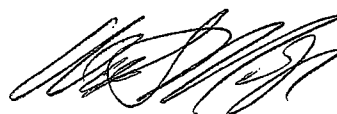
THEREFORE, IT IS ORDERED:

1. That the Commission hereby initiates this investigation under Article XIII, Section 1, of the Compact.

2. That each respondent shall have thirty days from the date of this order to file an acceptable contract tariff for service performed under agreement with Medical Transportation Management, Inc., or show cause why the Commission should not assess a civil forfeiture, and/or suspend or revoke each respondent's certificate of authority, for knowingly and willfully violating Article XI, Section 14, of the Compact and Regulation No. 55.

3. That each respondent may submit within fifteen days from the date of this order a written request for oral hearing, specifying the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

¹ See also Commission Regulation No. 55-02 ("[n]o carrier shall demand, receive, or collect any compensation for any transportation or transportation-related service, except such compensation as is specified in its currently effective tariff for the transportation or transportation-related service provided.")

² See Commission Regulation No. 55-07.

³ See Commission Regulation No. 55-08.