

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,856

IN THE MATTER OF:

Served March 1, 2017

Application of RMA COACH, LLC,) Case No. AP-2017-008
WMATC No. 676, for Temporary)
Approval to Acquire or Operate the)
Property of RELIABLE LIMOUSINE AND)
BUS SERVICE, LLC)

By application filed January 10, 2017, in WMATC Case No. AP-2017-007, RMA Coach, LLC, WMATC Carrier No. 676, seeks Commission approval pursuant to Article XII, Section 3(b), of the Compact to purchase, lease, or contract to operate a substantial part of the property or franchise of Reliable Limousine and Bus Service, LLC, (RLBS). In this proceeding, RMA Coach, LLC, seeks temporary approval of said transaction pursuant to Article XII, Section 3(d), of the Compact pending a determination of the application filed in Case No. AP-2017-007.

The Commission may grant temporary approval under Article XII, Section 3(d), without a hearing or other proceeding up to a maximum of 180 consecutive days if the Commission determines that grant to be consistent with the public interest. The public interest analysis under Section 3(d) includes an assessment of whether denial of temporary approval would cause a diminution in the value or utility of the subject assets.¹

According to the application, the subject assets include a website, a phone number, and a customer list. The Commission has acknowledged the value of such assets in the past and the diminution in value that can occur from disuse.² The Commission has granted temporary approval where the transferor no longer controls any vehicles and the transferee has sufficient WMATC authority to service the transferor's former customers.³

In this case, RLBS and its owner, Paul Rodberg, still control passenger vehicles, but neither RLBS nor Mr. Rodberg possess authority to operate passenger vehicles in the Metropolitan District, and by all

¹ *In re Mobile Care Specialty Transportation, Inc., t/a Mobile Care, & Ironsides Transport, Inc., & Mobile Care, Ltd.*, No. AP-01-10, Order No. 6178 at 3 (Apr. 9, 2001); *In re Regency Servs., Inc., & Carey Limo. D.C., Inc.*, No. AP-95-39, Order No. 4689 at 3-4 (Nov. 2, 1995).

² See Order No. 6178 at 3, Order No. 4689 at 4.

³ See Order No. 6178 at 3, Order No. 4689 at 4.

appearances RLBS and Mr. Rodberg have ceased operating. For its part, RMA Coach has sufficient WMATC authority to service the former customers of RLBS.

We find that denial of temporary approval in this case likely would cause a diminution in the value of the subject assets and accordingly grant RMA Coach temporary approval to employ the subject assets in servicing the former customers of RLBS until such time as the application filed in WMATC Case No. AP-2017-007 has been decided or 180 days has passed, whichever occurs first.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS HOLCOMB, DORMSJO, AND RICHARD:

A handwritten signature in black ink, appearing to read "W. Morrow, Jr.", written in a cursive style.

William S. Morrow, Jr.
Executive Director