

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 2070

IN THE MATTER OF:

Served December 19, 1979

Application of CONVAL PORT )  
MEDIVAN, INC., for Voluntary )  
Cancellation of a Portion of )  
Certificate No. 30 )

Case No. AP-79-17

By application (letter) filed October 29, 1979, Conval Port Medivan, Inc., seeks permission to abandon certain service requirements attendant to its WMATC Certificate of Public Convenience and Necessity No. 30. Correspondingly, Conval Port requests cancellation of that part of Certificate No. 30 which authorizes the transportation of handicapped persons participating in the Medicaid program administered by the District of Columbia Department of Human Resources. The Compact, Title II, Article XII, Section 4(g) provides, as pertinent, that any certificate

. . . may, upon application of the holder thereof, in the discretion of the Commission, be amended or revoked, in whole or in part . . . .

By Order No. 2055, served October 31, 1979, the Commission served notice of this application on the D. C. Department of Human Resources (DHR), certificated "medivan" carriers, and applicants seeking to serve DHR, and established a time period for any interested person to comment on Conval Port's application to abandon service. No comments or protests have been received.

In support of its application, Conval Port states that during the six months ended September 30, 1979, it sustained losses primarily attributable to this service in the amount of \$8,009. It submits that no hardship to the public would result from this action.

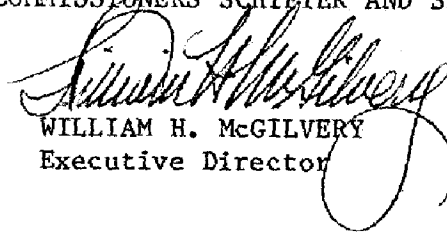
At the time Conval Port filed its application there were 12 carriers providing service to DHR. In addition, three carriers were granted authority to provide similar service by Order No. 2065, served December 5, 1979. Certificates of public convenience and necessity were issued to those three carriers on December 18, 1979. Inasmuch as

there would be 14 carriers providing service to DHR with the withdrawal of Conval Port from the D. C. Medicaid program, there would be no harm to the public interest by granting Conval Port's application to abandon service. Accordingly, the application will be granted and a revised Certificate No. 30 will be issued.

THEREFORE, IT IS ORDERED:

1. That Certificate of Public Convenience and Necessity No. 30, issued to Conval Port Medivan, Inc., pursuant to Order No. 1764, served October 26, 1977, is hereby terminated to the extent set forth above.
2. That Conval Port Medivan, Inc., is hereby directed to file its WMATC Tariff No. 2 cancelling WMATC Tariff No. 1 and deleting heretofore approved rates for the transportation of participants in the District of Columbia Department of Human Resources Medicaid program, no later than Thursday, December 27, 1979.
3. That upon acceptance of an appropriate tariff, a revised Certificate of Public Convenience and Necessity No. 30 shall be issued to Conval Port Medivan, Inc., to cancel and supercede the certificate issued pursuant to Order No. 1764, served October 26, 1977.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS SCHIETER AND SHANNON:

  
WILLIAM H. MCGILVERY  
Executive Director