

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2907

IN THE MATTER OF:

Served September 10, 1986

JOHN OTIS PICKENS, JR. T/A METRO)
MEDICAID to Transfer Certificate)
No. 46 to METRO MEDICAB, INC.)

Case No. AP-86-26

By Order No. 2881, served July 11, 1986, and incorporated herein by reference, transferor John Otis Pickens, Jr. t/a Metro Medicaid was required to publish notice of this application in a newspaper of general circulation in the Metropolitan District; to post notice of the application in his vehicles; and to file an original and four copies of an affidavit of publication and posting, a list of the names of the directors and shareholders of transferee Metro Medicab, Inc., a current balance sheet and supporting schedules, and a notarized statement that the application embraces all of the operating authority issued to transferor by the Commission. Mr. Pickens complied with these requirements. No protests to the application or requests for hearing were filed within the time specified by Order No. 2881.

This matter comes before us under Title II, Article XII, Section 4(h) of the Compact which requires that the proposed transfer be approved by the Commission, if it is consistent with the public interest.

Transferor is a sole proprietor; transferee is a District of Columbia corporation wholly owned by Mr. Pickens and wholly controlled by Mr. Pickens and his family. The persons currently conducting business will continue to do so from the same business location. The transportation authorized by Certificate No. 46 will be provided by the transferee in the same vehicles transferor is currently using in its operations. There is no indication that should this application be granted Mr. Pickens' corporation would not continue to provide service in the same manner as it is currently provided. For this reason we find transferee to be fit both operationally and to compliance.

After reviewing the record, the Commission finds that the operating rights sought to be transferred by the applicant are not dormant. There is nothing in the record which indicates that approval of the transfer would affect the competitive balance of the industry. Evidence in the record reveals that the applicant has a steady cash flow and an adequate financial base. There is no indication that the terms of the transfer agreement will adversely impact upon transferee's

financial fitness or rates charged for services. Based upon consideration of the record, we find the proposed transfer of Certificate of Public Convenience and Necessity No. 46 consistent with the public interest.

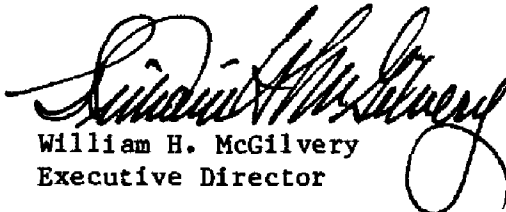
THEREFORE, IT IS ORDERED:

1. That the application of John Otis Pickens, Jr. t/a Metro Medicaid to transfer Certificate of Public Convenience and Necessity No. 46 to Metro Medicab, Inc., is hereby granted.

2. That Metro Medicab, Inc., is hereby directed to file a certificate of insurance, naming as the insured Metro Medicab, Inc., in conformance with Commission Regulation No. 62 within 30 days from the date of service of this order.

3. That upon compliance with the requirement of the above ordering paragraph a revised certificate of public convenience and necessity shall be issued to Metro Medicab, Inc.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:



William H. McGilvery
Executive Director