

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4099

IN THE MATTER OF:

Served May 10, 1993

Application of BETTER BUSINESS)
CONNECTION, INC., Trading as BBC)
EXPRESS, for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-93-12

By application filed March 26, 1993, and amended March 29, 1993, Better Business Connection, Inc., trading as BBC Express (BBC or applicant), a Virginia corporation, seeks a certificate of authority to transport passengers, together with mail, express and baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

Notice of this application was served on March 30, 1993, in Order No. 4076, and BBC was directed to publish further notice in a newspaper and file an affidavit of publication. BBC complied. The application is unopposed.

SUMMARY OF EVIDENCE

BBC's application includes information regarding, among other things, its corporate status, facilities, proposed tariff, finances, and regulatory compliance record.

BBC proposes to commence operations with a 14-passenger van and two 25-passenger minibuses. Applicant's proposed tariff contains hourly charter rates, plus airport transfer rates.

BBC's treasurer certifies on its behalf that applicant has access to, is familiar with, and will comply with the Compact, the Commission's rules and regulations, and United States Department of Transportation regulations relating to transportation of passengers for hire.

Applicant filed a balance sheet as of September 30, 1992, showing current assets of \$47,268; net fixed assets of \$134,880; current liabilities of \$68,008; and equity of \$114,140. Applicant's operating statement for the twelve months ended September 30, 1992, shows operating income of \$379,385; cost of sales of \$100,846; operating expenses of \$183,503; and net income of \$95,036. Applicant's projected operating statement for the first twelve months of WMATC operations shows operating income of \$505,500; cost of sales of \$144,670; operating expenses of \$189,650; and net income of \$171,180.

It is certified that neither BBC nor any person controlling, controlled by, or under common control with BBC has any control relationship with a carrier other than BBC.

DISCUSSION AND CONCLUSION

This case is governed by the Compact, Title II, Article XI, Section 7(a), which provides in relevant part that:

. . . the Commission shall issue a certificate to any qualified applicant . . . if it finds that --

(i) the applicant is fit, willing, and able to perform [the] transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and

(ii) that the transportation is consistent with the public interest.

Based on the evidence in this record, the Commission finds BBC to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements. It is further found that the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That Better Business Connection, Inc., trading as BBC Express, 1319 Shepard Drive, Suite 101, Sterling, VA 20164, is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers, together with mail, express and baggage in the same vehicles as passengers, in irregular route operations between points in the Metropolitan District.

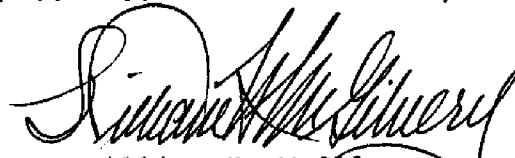
2. That Better Business Connection, Inc., trading as BBC Express, is hereby directed to file the following documents with the Commission: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 3623; (b) four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction) and seating capacity of each vehicle to be used in revenue operations; (d) evidence of ownership or a lease as required by Commission Regulation No. 62 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, for which purpose WMATC No. 227 is hereby assigned.

3. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the documents required by the Commission, Certificate of Authority No. 227 shall be issued to Better Business Connection, Inc., trading as BBC Express.

4. That unless Better Business Connection, Inc., trading as BBC Express, complies with the requirements of this order within 30 days from the date of its issuance, or such additional time as the

Commission may direct or allow, the grant of authority herein shall be void and the application shall stand denied in its entirety effective upon the expiration of said compliance time.

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



William H. McGilvery
Executive Director