

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4390

IN THE MATTER OF:

Served September 23, 1994

Application of OSAMA ELKHABIRY)
Trading as SAM'S TRANSIT, for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-94-42

By application filed September 21, 1994, Osama Elkhabyry, trading as Sam's Transit (Sam or applicant), a sole proprietor, seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a manufacturer's designed seating capacity of 15 or fewer persons, including the driver.

The application includes information regarding, among other things, applicant's facilities, proposed tariff, finances, and regulatory compliance record. The application is available for inspection at the office of the Commission during its regular business hours.

Applicant proposes commencing operations with three vans, with seating capacities of 8 to 11 passengers. Applicant's proposed tariff contains per capita rates conforming to those for transportation under the DC Medicaid program.

In determining whether to grant or deny an application for a certificate of authority, the Compact at Title II, Article XI, Section 7 requires that the Commission determine whether an applicant is fit, willing, and able to perform the transportation properly and conform to the provisions of the Compact and the Commission's rules, regulations, and requirements and whether the transportation is consistent with the public interest. Pursuant to Commission Rule No. 6, this order and fulfillment of its requirements will provide notice of Sam's application for a certificate of authority.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than October 3, 1994, notice in the form prescribed by the staff of the Commission.


2. That applicant shall file with the Commission, no later than October 24, 1994, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That any person wanting to protest the application, in accordance with Commission Rule No. 13 and Regulation No. 54-04(a), and any person wanting to comment on the application, in accordance with Regulation No. 54-04(a), shall file such protest or comment at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than October 24, 1994, and shall

simultaneously serve a copy of such protest or comment on applicant's attorney, Joel C. Weingarten, Esquire, 1616 H Street, N.W., #813, Washington, DC 20006.

4. That any person seeking a formal oral hearing on this matter, in accordance with Commission Regulation No. 54-04(b), shall request one no later than October 24, 1994, and shall simultaneously serve a copy of such request on applicant's attorney, Joel C. Weingarten, Esquire, 1616 H Street, N.W., #813, Washington, DC 20006.

FOR THE COMMISSION:


William S. Morrow, Jr.
Acting Executive Director