

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5405

IN THE MATTER OF:

Served August 31, 1998

Application to Amend and Transfer) Case No. AP-98-30
Certificate No. 276 from TSEGAYE)
MAMO Trading as THE AIRPORT METRO)
CONNECTION to AIRPORT METRO)
CONNECTION, INC.)

By application filed July 10, 1998, Tsegaye Mamo, trading as The Airport Metro Connection, (Mamo), WMATC Carrier No. 276, and Airport Metro Connection, Inc., (AMCI), a Maryland corporation, (collectively applicants), seek Commission approval to remove the seating capacity restriction from Certificate of Authority No. 276 and to transfer the certificate and Mamo's vans to AMCI. Mamo is an officer and sole shareholder of AMCI.

Article XI, Section 11(a), of the Compact governs the transfer of assets, including a certificate of authority, to a corporation in which the certificate holder has a controlling interest.¹ A transfer of this nature raises fitness issues only.² Under Article XI, Section 10(b), of the Compact, the Commission may amend a certificate of authority upon application by the holder. A carrier seeking expanded operating authority must show that it is fit and that the proposed transportation is consistent with the public interest.³

AMCI proposes commencing operations with four vans, one sedan and one minibus. AMCI's proposed tariff contains fares for transportation to and from Ronald Reagan National and Washington-Dulles International Airports, plus hourly rates for transportation between other points in the Metropolitan District.

AMCI filed a balance sheet as of June 30, 1998, showing assets of \$224,700; liabilities of \$149,334; and equity of \$75,366. Transferee's projected operating statement for the first twelve months of WMATC operations shows operating income of \$286,500; expenses of \$251,882; and net income of \$34,618.

¹ In re Ira A. Austin, Sr., t/a Ira's Transp. Serv., & Ira's Transp. Serv., Inc., No. AP-97-42, Order No. 5193 (Sept. 9, 1997).

² Id.

³ In re Shirlington Limo. & Transp., Inc., No. AP-97-05, Order No. 5037 (Mar. 10, 1997).

AMCI certifies it has access to, is familiar with, and will comply with the Compact and the Commission's rules and regulations thereunder.

Based on the evidence in this record, the Commission finds AMCI to be fit, willing, and able to perform the proposed transportation properly and to conform with applicable regulatory requirements and, therefore, that the transfer of assets, including Certificate No. 276, to AMCI is consistent with the public interest.

THEREFORE, IT IS ORDERED:

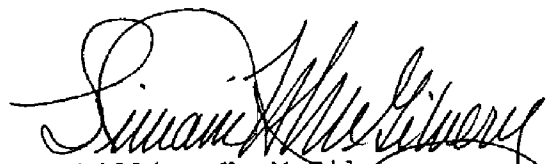
1. That upon AMCI's timely compliance with the requirements of this order, Certificate of Authority No. 276 shall be reissued to Airport Metro Connection, Inc., 13001 Eloise Avenue, Rockville, MD 20853.

2. That AMCI may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 276 has been reissued in accordance with the preceding paragraph.

3. That AMCI is hereby directed to file the following documents within thirty days: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 4203; (b) an original and four copies of a tariff or tariffs in accordance with Commission Regulation No. 55; (c) a vehicle list stating the year, make, model, serial number, fleet 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.

4. That the approval of amendment and transfer herein shall be void and the application shall stand denied upon AMCI's failure to timely satisfy the conditions of reissuance prescribed herein.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS ALEXANDER, LIGON, AND MILLER:


William H. McGilvery
Executive Director