

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5612

IN THE MATTER OF:

Served May 19, 1999

Application of ANDREW BROWN,)
Trading as BROWN'S TRANSPORTATION,)
for a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-99-10

Applicant 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 seating capacity of less than 16 persons only, including the driver.¹ The application is unopposed.

The Compact, Title II, Article XI, Section 7(a), authorizes the Commission to issue a certificate of authority if it finds that the proposed transportation is consistent with the public interest and that the applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

Applicant proposes commencing operations with one van. Applicant's proposed tariff contains an hourly charter rate.²

Applicant filed a statement of net worth as of January 31, 1999, showing assets of \$15,635; liabilities of \$1,650; and net worth of \$13,985. Applicant's projected operating statement for the first twelve months of WMATC operations shows WMATC revenue of \$93,600; other revenue of \$7,000; expenses of \$77,678; and net income of \$22,922.

Applicant certifies he 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 that the proposed transportation is consistent with the public interest and that applicant is fit, willing, and able to perform the proposed transportation properly, conform to the provisions of the Compact, and conform to the rules, regulations, and requirements of the Commission.

¹ Applicant also applied for temporary authority in Case No. AP-99-09. That application was denied for lack of jurisdiction. The description of proposed service in this application is broader, and we note probable jurisdiction.

² While our finding of probable jurisdiction is based on the broad description of service in this application, the filing of an actual tariff pursuant to Commission Regulation No. 55 requires specific details regarding transportation in the Metropolitan District as a precondition to issuance of a certificate of authority.

THEREFORE, IT IS ORDERED:

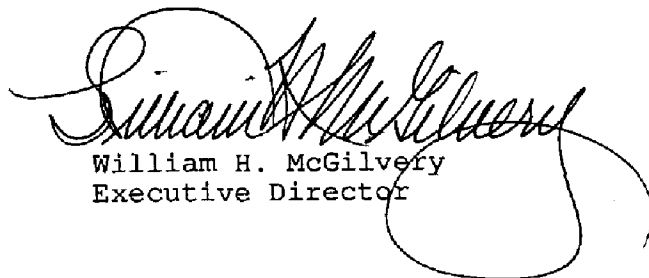
1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 479 shall be issued to Andrew Brown, trading as Brown's Transportation, 6323 Luzon Avenue, N.W., #210, Washington, DC 20011.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until a certificate of authority has been issued in accordance with the preceding paragraph.

3. That applicant 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 grant of authority herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of issuance prescribed herein.

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



William H. McGilvery
Executive Director