

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5634

IN THE MATTER OF:

Served June 28, 1999

Application to Transfer)
Certificate No. 440 from)
RESPONSECARE MOBILE HEALTH)
SERVICES, LLC, Trading as)
RESPONSECARE and RESPONSECARE)
MOBILITY SERVICES, to LIFESTAR)
RESPONSE OF MARYLAND, INC.,)
Trading as LIFESTAR RESPONSE,)
WMATC No. 310)

Case No. AP-99-42

By application accepted for filing June 22, 1999, ResponseCare Mobile Health Services, LLC, trading as ResponseCare and ResponseCare Mobility Services (ResponseCare), WMATC Carrier No. 440, and LifeStar Response of Maryland, Inc., trading as LifeStar Response (LifeStar), WMATC Carrier No. 310, (collectively applicants), seek Commission approval to transfer a substantial part of ResponseCare's assets, including Certificate No. 440, to LifeStar. LifeStar's acquisition of ResponseCare's assets is the subject of a Commission investigation in Case No. MP-99-27.

LifeStar proposes operating seven vehicles, including two acquired from ResponseCare. LifeStar's proposed tariff includes rates for transporting persons in wheelchairs.

Under Article XI, Section 11(a), and Article XII, Section 3, Subsections (a)(ii) and (c), of the Compact, the Commission may approve the transfer of assets from a WMATC carrier to another WMATC carrier, including a WMATC certificate of authority, if the Commission finds said transfer to be in the public interest. The public interest analysis focuses on the acquiring party's fitness, the resulting competitive balance and the interests of affected employees.¹

This proceeding is hereby initiated to determine LifeStar's fitness and whether the proposed transaction is otherwise consistent with the public interest

THEREFORE, IT IS ORDERED:

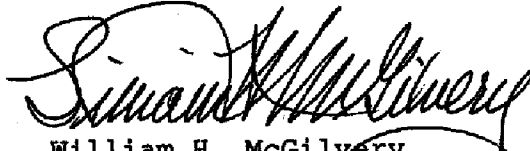
1. That applicants shall publish once in a newspaper of general circulation in the Metropolitan District, no later than July 12, 1999, notice in the form prescribed by the staff of the Commission.

¹ In re Cavalier Transp. Co., Inc., t/a Tourtime America, Ltd. & Tourtime America Motorcoach, Ltd., No. AP-96-21, Order No. 4926 (Sept. 12, 1996).

2. That applicants shall file with the Commission, no later than August 2, 1999, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is August 2, 1999, and that copies must be served on LifeStar's representative, Stephanie Smith, Risk & Material Mgmt. Director, 6770 Oak Hall Lane, Suite 119, Columbia, MD 21045.

FOR THE COMMISSION:



William H. McGilvery
Executive Director