

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6681

IN THE MATTER OF:

Served June 4, 2002

Application of DEPENDABLE MEDICAL )  
TRANSPORT, INC., a Virginia )  
Corporation, to Acquire Certificate )  
of Authority No. 533 from )  
DEPENDABLE MEDICAL TRANSPORT INC., )  
a Maryland Corporation )

Case No. AP-2002-36

By application accepted for filing March 12, 2002, Dependable Medical Transport, Inc., seeks Commission approval to acquire Certificate of Authority No. 533. The application is unopposed.

Applicant is a newly created Virginia corporation controlled by Lawrence Ambam. Mr. Ambam is applicant's president. He is also the controlling shareholder and president of WMATC Carrier No. 533, a Maryland corporation with the same name as applicant. The application requests approval to transfer Certificate No. 533 from the Maryland corporation to the Virginia corporation.

Under Title II of the Compact, Article XI, Section 11(a), a person may not transfer a certificate of authority unless the Commission approves the transfer as consistent with the public interest. The transfer of a certificate of authority to a newly created affiliate raises fitness issues only.<sup>1</sup>

Applicant proposes commencing operations with six vans. Applicant's proposed tariff contains rates for transportation under the Medicaid programs of the District of Columbia and Montgomery County, Maryland, and wheelchair van rates for non-Medicaid transportation.

Applicant filed a balance sheet as of March 5, 2002, showing assets of \$174,337; liabilities of \$110,554; and equity of 63,783. Applicant's projected operating statement for the first twelve months of

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<sup>1</sup> Cf., In re Madhu Sudan, t/a Capital City Sights, & Capitol City Sights, Inc., No. AP-01-71, Order No. 6363 (Sept. 28, 2001) (fitness is the only issue in transfer of assets, including certificate, by sole proprietor for interest in newly created corporation); see also In re V.I.P. Tours & V.I.P. Tours, Inc., No. AP-94-35, Order No. 4392 (Sept. 28, 1994) (fitness and competition are potential issues in transfer from partnership to partners' new corporation, but competition not an issue because transferee merely stepping into shoes of transferor). Order No. 4392 identifies a third issue, benefits to the riding public, but that is no longer relevant under Article XI, Section 11(a). 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).

WMATC operations shows WMATC revenue of \$360,000; expenses of \$223,200; and net income of \$136,800.

Applicant 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 applicant 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 Certificate No. 533 to applicant is consistent with the public interest.

THEREFORE, IT IS ORDERED:

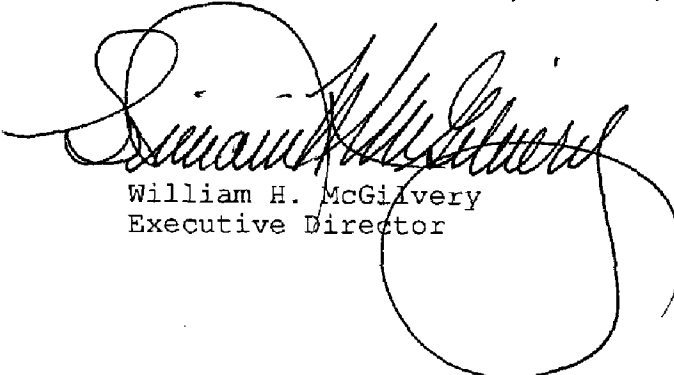
1. That upon applicant's timely compliance with the requirements of this order, Certificate of Authority No. 533 shall be reissued to Dependable Medical Transport, Inc., 7245 Arlington Boulevard, #217, Falls Church, VA 22042.

2. That applicant may not transport passengers for hire between points in the Metropolitan District pursuant to this order unless and until Certificate of Authority No. 533 has been reissued 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) a copy of the vehicle registration card, and a lease as required by Commission Regulation No. 62 if applicant is not the registered owner, 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 transfer herein shall be void and the application shall stand denied upon applicant's failure to timely satisfy the conditions of reissuance prescribed herein.

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



William H. McGivern  
Executive Director