

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8194

IN THE MATTER OF:

Served July 29, 2004

Application of UNWANA AKPAN,) Case No. AP-2004-114
Trading as SAMMY TRANSPORT,)
for a Certificate of Authority --)
Irregular Route Operations)

By application accepted for filing June 22, 2004, Unwana Akpan, a sole proprietor trading as Sammy Transport, seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver.

Applicant was granted operating authority last year, but the issuance of a certificate of authority was expressly made contingent on applicant filing additional documents.¹ Applicant failed to file the necessary documents in a timely manner, thereby voiding the Commission's approval.²

Applicant proposes commencing operations with one van. Applicant's proposed tariff contains rates for transportation under the DC Medicaid program.

The application is supported by a certificate of trade name registration dated October 31, 2002, showing that applicant has registered the trade name "Sammy Transport" with the District of Columbia Department of Consumer and Regulatory Affairs (DCRA). Page 1 of the application, however, lists applicant's trade name as "Sammy Transportation Inc." Commission precedent does not permit a sole proprietor to use the term "Inc" in his or her trade name,³ and if applicant intends to use "Sammy Transportation" as a trade name, applicant must file proof of registration of that name with DCRA. In any event, given the staleness of the proof of trade name registration filed with the application, applicant will be directed to file a current certificate.

¹ See In re Unwana Akpan, t/a Sammy Transport, No. AP-03-01, Order No. 7080 (Mar. 10, 2003) (conditionally granting Certificate No. 778).

² See id. (grant of authority void upon applicant's failure to timely satisfy conditions of issuance); Commission Regulation No. 66 (failure to comply with conditions of grant within 180 days voids approval).

³ In re Charlene Bonita Gant-Thompson, t/a Charlene Area Transit Inc (C.A.T.), No. AP-02-99, Order No. 6792 (Aug. 29, 2002).

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

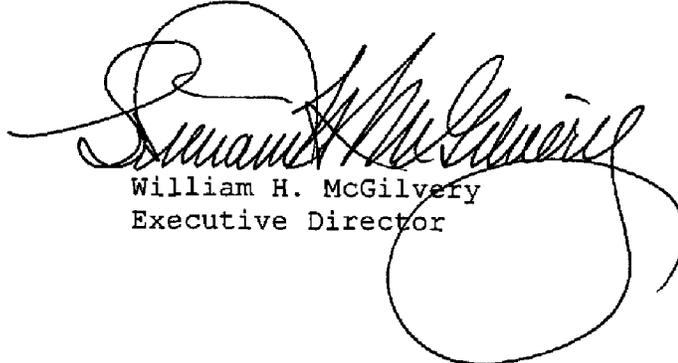
1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than August 12, 2004, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than August 26, 2004, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

3. That applicant shall file with the Commission, no later than August 26, 2004, an original and four copies of a current certificate of trade name registration.

4. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is August 26, 2004, and that copies must be served on applicant at 1306 S Street, N.W., Washington, DC 20009.

FOR THE COMMISSION:



William H. McGilverfy
Executive Director