

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9040

IN THE MATTER OF:

Served October 13, 2005

CARING & CARRYING CORPORATION,)
Suspension and Investigation of)
Revocation of Certificate No. 441)

Case No. MP-2005-72

This matter is before the Commission on respondent's response to Order No. 8805, served July 1, 2005, noting the suspension of Certificate No. 441.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.¹ Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 441 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 441 became invalid on June 29, 2005, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 8805 noted the automatic suspension of Certificate No. 441 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 441, and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 441. Respondent submitted a \$1.5 million primary WMATC Insurance Endorsement on July 18, 2005. The effective date of the new endorsement is July 7, 2005. This means that respondent was without insurance coverage for eight days, from June 29, 2005, through July 6, 2005.

Records furnished by the District of Columbia Department of Health, Medical Assistance Administration (DC Medicaid), indicate that respondent continued transporting one DC Medicaid passenger from June 29th through July 1st, 2005, and again from July 5th through July 6th. Respondent contends that the invoices sent to DC Medicaid for transportation after June 29, 2005, were submitted in error. However, respondent does not provide any documentation to support this claim.

¹ Compact, tit. II, art. XI, § 7(g).

We will give respondent thirty days to corroborate its contention of error by submitting affidavits from the passenger in question and the carrier that performed the transportation on the dates in question instead of respondent.

IT IS SO ORDERED.

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



William S. Morrow, Jr.
Executive Director