

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9661

IN THE MATTER OF:

Served June 16, 2006

AFRICAN CULTURAL PROMOTERS INC., )  
Suspension and Investigation of )  
Revocation of Certificate No. 1057 )

Case No. MP-2006-025

This matter is before the Commission on respondent's response to Order No. 9326, served February 9, 2006.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.<sup>1</sup> Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1057 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. 1057 became invalid on February 9, 2006, when the \$1.5 million WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 9326 noted the automatic suspension of Certificate No. 1057 pursuant to Regulation No. 58-02 and directed respondent to cease transporting passengers for hire under Certificate No. 1057. The order further noted that respondent had neither paid the \$150 annual fee for 2006 nor filed its annual report for 2005/2006. Accordingly, Order No. 9326 gave respondent thirty days to replace the expired endorsement, pay the \$150 annual fee for 2006, submit an annual report for 2005/2006, and pay \$250 in late fees, or face revocation of Certificate No. 1057.

Respondent subsequently paid the fees, submitted the report, and filed the requisite \$1.5 million WMATC Insurance Endorsement. The effective date of the new endorsement is March 21, 2006. This means that respondent was without insurance coverage for forty days, from February 9, 2006, through March 20, 2006.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 1057 as commanded by Order No. 9326. Inasmuch as respondent's only tariff is for service rendered to clients of the District of Columbia Department of Health, Medical Assistance Administration, (DC Medicaid), proof that respondent ceased operations would need to include confirmation from DC Medicaid.

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<sup>1</sup> Compact, tit. II, art. XIII, § 7(g).

Respondent's president, Cornelius Nchotu, has filed an affidavit stating that respondent has not conducted any operations since Certificate of Authority No. 1057 was issued on October 21, 2005. DC Medicaid confirms that respondent has yet to enroll as a DC Medicaid transportation provider.

Based on the evidence in the record, the suspension shall be lifted and this proceeding terminated.<sup>2</sup>

IT IS SO ORDERED.

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



William S. Morrow, Jr.  
Executive Director

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<sup>2</sup> See *In re Caring & Carrying Corporation*, MP-05-72, Order No. 9383 (Mar. 8, 2006) (lifting suspension based on no operations while suspended and uninsured).