

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,306

IN THE MATTER OF:

Served March 6, 2007

PEARLEAN VIVIAN COOK, Trading as) Case No. MP-2006-178
PEARL'S TRANSPORTATION COMPANY,)
Suspension and Investigation of)
Revocation of Certificate No. 1118)

This matter is before the Commission on respondent's response to Order No. 10,209, served January 8, 2007.

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force."¹ A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.²

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1118 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. 1118 was rendered invalid on November 7, 2006, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 10,061, noted the automatic suspension of Certificate No. 1118 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 1118, and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 1118. Respondent submitted a \$1.5 million primary WMATC Insurance Endorsement on January 3, 2007. The effective date of the new endorsement is December 28, 2006. This means that respondent was without insurance coverage for fifty-one days, from November 7, 2006, through January 27, 2007.

Pursuant to Commission Rule No. 28, Order No. 10,209 gave respondent thirty days to verify cessation of operations as of November 7, 2006. 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), such verification was to be corroborated by DC Medicaid.

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

On February 8, 2007, respondent filed an affidavit confirming that respondent ceased operating as of November 7, 2006. The affidavit is corroborated by DC Medicaid. Based on the evidence, the suspension shall be lifted and this proceeding terminated.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director