

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,635

IN THE MATTER OF:

Served July 17, 2007

COMFORT AMA ARTHUR, Trading as EL- )  
SHADDAI TRANSPORT, Revocation of )  
WMATC Insurance Endorsement and )  
Investigation of Suspension and )  
Revocation of Certificate NO. 1169 )

Case No. MP-2007-151

On June 26, 2007, respondent filed a \$1.5 million WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) from New Hampshire Insurance Company. On July 9, 2007, respondent filed a \$1.5 million WMATC Insurance Endorsement from Progressive Insurance Company but did not withdraw the New Hampshire endorsement or cause it to be cancelled.

~~New Hampshire and Progressive have confirmed that coverage remains in effect under both policies. Vehicle lists obtained from the two companies shows that respondent has reported one vehicle to New Hampshire, a 1999 Dodge Caravan, VIN 2B4FP2531XR368737, and another vehicle to Progressive, a 1999 Dodge, VIN 2B4FP2533XR379920.~~

Under Regulation No. 58-09, the Commission may, upon thirty (30) days' notice, revoke its approval of any WMATC Insurance Endorsement if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public.

When the Commission was confronted with a similar situation in the case of *In re Nile Express Transport, Inc.*, No. MP-00-22, Order No. 5939 (July 21, 2000), the Commission directed the carrier to show cause why it should not be ordered to terminate one policy and report all vehicles to the other insurer.

Accordingly, we will revoke respondent's WMATC Insurance Endorsements, effective thirty days from the date of this order. Respondent shall have thirty days to show cause why its WMATC vehicles should not be covered by the same insurance policy or policies, file the necessary replacement endorsement(s) and certain other documents, and present all WMATC vehicles for inspection.

THEREFORE, IT IS ORDERED:

1. That respondent's WMATC Insurance Endorsements are hereby revoked, effective thirty days from the date of this order.

2. That respondent shall have thirty days to:
  - a. show cause why respondent's WMATC vehicles should not all be insured by the same insurance company or companies;
  - b. file the necessary replacement WMATC Insurance Endorsement(s);
  - c. file a copy of the New Hampshire insurance application and a copy of the Progressive insurance application;
  - d. file a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle used by respondent in WMATC operations; and
  - e. present all WMATC vehicles for inspection.

3. That Certificate No. 1169 shall be invalid and stand automatically suspended pursuant to Article XI, Section 7(g), of the Compact and Commission Regulation No. 58-02, if respondent fails to file the necessary WMATC Insurance Endorsement(s) within thirty days.

4. That Certificate No. 1169 shall stand suspended and be subject to revocation pursuant to Article XI, Section 10(c), of the Compact, if respondent fails to timely comply with the requirements of this order.

FOR THE COMMISSION:



William S. Morrow, Jr.  
Executive Director