

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,710

IN THE MATTER OF:

Served August 16, 2007

COMFORT AMA ARTHUR, Trading as EL-)
SHADDAI TRANSPORT, Suspension and)
Investigation of Revocation of)
Certificate No. 1169)

Case No. MP-2007-151

This matter is before the Commission on respondent's response to Order No. 10,635, served July 17, 2007.

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, Order No. 10,635 revoked respondent's WMATC Insurance Endorsements, effective August 16, 2007. Respondent had 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.

Respondent has yet to file the necessary replacement endorsement(s).

THEREFORE, IT IS ORDERED:

1. That respondent shall not transport passengers for hire under Certificate No. 1169, unless and until otherwise ordered by the Commission.

2. That Certificate No. 1169 shall be subject to revocation pursuant to Article XI, Section 10(c), of the Compact, if within thirty days respondent fails to file the necessary WMATC Insurance Endorsement(s) and pay by money order, certified check, or cashier's check the \$50 late fee due under Regulation No. 67-03(c).

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director