

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,048

IN THE MATTER OF:

Served December 27, 2007

Application of AMORY'S CARE)
TRANSPORTATION, INC., for Voluntary)
Termination of Certificate No. 417)

Case No. AP-2007-226

AMORY'S CARE TRANSPORTATION, INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 417)

Case No. MP-2007-237

On November 11, 2007, Certificate No. 417 was automatically suspended pursuant to Regulation No. 58-02 for the failure of Amory's Care Transportation, Inc., (Amory) to maintain on file with the Commission proof of \$1.5 million in combined-single-limit, motor vehicle liability insurance as required by Commission Regulation No. 58.

Order No. 10,908, served November 13, 2007, noted that Certificate No. 417 would be subject to revocation if Amory failed to file the necessary insurance endorsement(s) and pay the \$50 late fee due under Regulation No. 67-03(c) within thirty days. Amory has yet to file the necessary insurance endorsement(s) and pay the late fee.

Instead, on November 13, 2007, Amory filed an application requesting voluntary termination of Certificate No. 417.

Although the Commission may terminate a certificate of authority under Title II of the Compact, Article XI, Section 10(b), upon application by the holder, voluntary termination is not available if the carrier is not in good standing with the Commission.¹

Because Amory is not in good standing with the Commission, having failed to pay the \$50 late fee, we shall deny the application for voluntary termination.²

Because Amory has failed to file the necessary insurance endorsement(s) and pay the \$50 late fee, Certificate No. 417 shall be revoked pursuant to Article XI, Section 10(c), of the Compact for the willful failure of Amory to comply with Regulation No. 58, Regulation No. 67-03(c), and Order No. 10,908. The unpaid \$50 late fee shall remain due.

¹ See, e.g., *In re Custom Tours of Washington, Inc.*, No. AP-07-89, Order No. 10,539 (June 7, 2007).

² See *Id.* (denying voluntary termination because fees not paid).

THEREFORE, IT IS ORDERED:

1. That the application of Amory's Care Transportation, Inc., for voluntary termination of Certificate No. 417 is hereby denied.

2. That Certificate of Authority No. 417 is hereby revoked.

3. That within 30 days from the date of this order Amory's Care Transportation, Inc., shall:

- a. remove from respondent's vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61;
- b. file a notarized affidavit with the Commission verifying compliance with the preceding requirement; and
- c. surrender Certificate No. 417 to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director