

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,114

IN THE MATTER OF:

Served January 29, 2008

PROJECT "RAFFAH" INC., Suspension)
and Investigation of Revocation of)
Certificate No. 966)

Case No. MP-2008-015

This matter is before the Commission on respondent's response to Order No. 11,073, served January 14, 2008.

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. 966 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. 966 was rendered invalid on January 13, 2008, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 11,073 noted the automatic suspension of Certificate No. 966 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 966, and gave respondent thirty days to replace the cancelled endorsement and pay the \$50 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 966.

Respondent submitted a \$1.5 million primary WMATC Insurance Endorsement on January 18, 2008, but has yet to pay the \$50 late fee. The effective date of the new endorsement is January 24, 2008. This means that respondent was without insurance coverage for eleven days, from January 13, 2008, through January 23, 2008.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 966 as directed by Order No. 11,073. We will give respondent thirty days to pay the \$50 late fee and verify that it ceased operations as of January 13, 2008. Inasmuch as respondent's only

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

tariff is for service rendered to the general public, respondent's verification shall be corroborated by copies of respondent's general business records.³

THEREFORE, IT IS ORDERED:

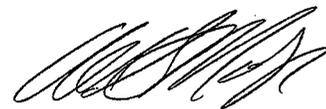
1. That within thirty days from the date of this order, respondent shall verify it ceased all operations in the Metropolitan District as of January 13, 2008.

2. That within thirty days from the date of this order, respondent shall produce any and all books, papers, correspondence, memoranda, contracts, agreements, and other records and documents, including any and all stored electronically, that are within respondent's possession, custody or control and which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning December 1, 2007, and ending on the date of this order, including, but not limited to any and all:

- a. customer contracts and invoices;
- b. invoices from other carriers;
- c. calendars and itineraries;
- d. bank and payroll records;
- e. insurance documents;
- f. advertising materials;
- g. income tax and personal property returns.

3. That within thirty days from the date of this order, respondent shall pay \$50 by money order, certified check, or cashier's check.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

³ See *In re Royal Airport Shuttle, Inc.*, MP-07-009, Order No. 10,374 (Apr. 3, 2007) (same).