

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,143

IN THE MATTER OF:

Served February 6, 2008

E&H TRANSPORTATION, LLC, Suspension )  
and Investigation of Revocation of )  
Certificate No. 53 )

Case No. MP-2007-250

Certificate No. 53 has been suspended since November 24, 2007, for respondent's willful failure to comply with the insurance requirements specified in Regulation No. 58. Order No. 10,932, served November 26, 2007, noted that Certificate No. 53 would be subject to revocation if respondent failed to file the necessary insurance endorsement(s) and pay a \$50 late fee within thirty days. Respondent also was directed to file a new tariff because the preexisting tariff was no longer effective.

Respondent paid the late fee and filed a new tariff on December 27. Respondent has yet to file the necessary insurance endorsement(s). Instead, respondent requests a ninety-day extension. Respondent does not state that it will comply within ninety days, just that it might. Without some evidence that compliance is imminent, we find that respondent has not shown good cause for extending the deadline.<sup>1</sup> Accordingly, Certificate No. 53 shall be revoked pursuant to Article XI, Section 10(c), of the Compact.

Because this matter was ripe for decision in 2007, the annual report and annual fee for 2008 shall be waived, unless and until otherwise ordered.<sup>2</sup>

THEREFORE, IT IS ORDERED:

1. That Certificate of Authority No. 53 is hereby revoked.
2. That the 2008 annual report and annual fee for Carrier No. 53 shall be waived unless and until otherwise ordered.

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<sup>1</sup> See *In re Ostrich Transp. Corp.*, No. MP-06-174, Order No. 10,200 (Jan. 5, 2007) (same); *In re Safe Haven, Inc.*, No. MP-99-03, Order No. 5513 (Feb. 1, 1999) (same); *In re Ismael Hussein, t/a All Seasons Transp.*, No. MP-96-37, Order No. 4862 (May 30, 1996) (8 month extension denied) (citing *In re Japan Travelers Serv., Inc.*, No. MP-88-09, Order No. 3186 (June 28, 1988)).

<sup>2</sup> See *In re Alem Mesfin, t/a AM Transp.*, No. MP-06-201, Order No. 11,076 (Jan. 14, 2008) (same).

3. That within 30 days from the date of this order respondent 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. 53 to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director