

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,204

IN THE MATTER OF: Served March 6, 2008

Application of ESTHER F.) Case No. AP-2008-015
PURUSHOTHAM, Trading as REGAL)
TRANS, for Voluntary Termination of)
Certificate No. 480)

ESTHER F. PURUSHOTHAM, Trading as) Case No. MP-2008-009
REGAL TRANS, Suspension and)
Investigation of Revocation of)
Certificate No. 480)

Certificate No. 480 was automatically suspended on January 7, 2008, pursuant to Regulation No. 58-02, for the willful failure of Esther F. Purushotham, t/a Regal Trans, (Purushotham), to maintain on file with the Commission proof of \$1.5 million in combined-single-limit, motor vehicle liability insurance.

That same day, the Commission served notice on Purushotham in Order No. 11,066, that Certificate No. 480 would be subject to revocation if Purushotham failed to file the necessary insurance endorsement(s) and pay a \$50 late fee within thirty days. Purushotham also was directed to file a new tariff because her preexisting tariff was no longer effective. Purushotham paid the \$50 late fee on January 28, 2008, but otherwise did not comply with the order. Instead, Purushotham filed an application on January 28, 2008, for voluntary termination of Certificate No. 480.

The Commission may terminate a certificate of authority under Title II of the Compact, Article XI, Section 10(b), upon application by the holder. The Commission will not approve such an application, however, if the carrier is not in good standing.¹

Purushotham is not in good standing because she has yet to pay the \$150 annual fee for 2008 and file her 2008 annual return, both of which became due January 1, 2008, under Regulation Nos. 60-01 and 67-02. Purushotham's application states that she paid the outstanding annual fee, but the Commission has no record of payment. The Commission also has no record of Purushotham filing her 2008 annual report.

Because Purushotham is not in good standing, we shall deny the application for voluntary termination.² Because Purushotham is not in

¹ *In re Avery Transp., LLC*, AP-07-008, Order No. 10,319 (Mar. 9, 2007).

² *See id.* (denying voluntary termination in part because annual fee not paid); *In re Coach One, Inc.*, AP-07-018, Order No. 10,276 (Feb. 8, 2007)

compliance with Commission Regulation No. 58 and has discontinued operating, we shall revoke Certificate No. 480 pursuant to Article XI, Section 10(c), of the Compact.³

Because this matter was ripe for decision prior to February 1, 2008, the \$200 in late fees under Regulation No. 67-03(a) & (b) shall be waived pursuant to Rule No. 29,⁴ provided that within thirty days Purushotham pays the 2008 annual fee and files her 2008 annual report. Otherwise, the annual report and fee for 2008, and associated late fees under Regulation No. 67-03, shall remain due.⁵ No further extensions shall be granted.

THEREFORE, IT IS ORDERED:

1. That Case Nos. AP-08-015 and MP-08-009 are hereby consolidated pursuant to Commission Rule No. 20-02.

2. That the application of Esther F. Purushotham, t/a Regal Trans, for voluntary termination of Certificate No. 480 is hereby denied.

3. That Certificate of Authority No. 480 is hereby revoked.

4. That within 30 days from the date of this order Esther F. Purushotham, t/a Regal Trans, shall:

- a. remove from his 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. 480 to the Commission.

5. That applicant/respondent shall have thirty days to pay the \$150 fee for 2008 and file the annual report for 2008 without incurring late fees under Regulation No. 67-03.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

(denying voluntary termination because annual fee not paid and annual report not filed).

³ See *In re Coach One, Inc.*, MP-07-097, Order No. 10,492 (May 17, 2007) (same).

⁴ Cf., *In re Noral Harvey, t/a Harvey's Medivan Services*, No. MP-07-249, Order No. 11,142 (Feb. 6, 2008) (waiving annual fee & report in proceeding that was ripe for decision prior to January 1).

⁵ See *In re Precious Care Inc.*, No. MP-07-278, Order No. 11,169 (Feb. 26, 2008) (same).