

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,372

IN THE MATTER OF:

Served May 20, 2008

Application of FRAMI TRANSIT LLC) Case No. AP-2008-088
for Voluntary Termination of)
Certificate No. 1394)

FRAMI TRANSIT LLC, Suspension and) Case No. MP-2008-071
Investigation of Revocation of)
Certificate No. 1394)

Certificate No. 1394 was automatically suspended on April 1, 2008, pursuant to Regulation No. 58-02, (now Regulation No. 58-12),¹ for the willful failure of Frami Transit LLC (Frami), 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 Frami in Order No. 11,249, that Certificate No. 1394 would be subject to revocation if Frami failed to file the necessary insurance endorsement(s) and pay a \$50 late fee within thirty days. Frami responded on April 30 by filing an application for voluntary termination of Certificate No. 1394. Frami has yet to file the necessary insurance endorsement(s) and pay the late fee.

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.²

Frami is not in good standing for having failed to pay the \$50 late fee.³ Because Frami is not in good standing, we shall deny the application for voluntary termination.⁴ Because Frami is not in compliance with Commission Regulation No. 58 and has discontinued operating, we shall revoke Certificate No. 1394 pursuant to Article XI, Section 10(c), of the Compact.⁵ The \$50 late fee shall remain due.

¹ See *In re Rulemaking to Amend Rules of Prac. and Proc. and Regs.: Reg. No. 58*, No. MP-08-017, Order No. 11,254 (Apr. 2, 2008).

² *In re Max Volcy, t/a V Trans.*, AP-08-082, Order No. 11,320 (May 1, 2008).

³ See *id.* (same).

⁴ See *id.* (same).

⁵ See *id.* (same).

THEREFORE, IT IS ORDERED:

1. That Case Nos. AP-08-088 and MP-08-071 are hereby consolidated pursuant to Commission Rule No. 20-02.

2. That the application of Frami Transit LLC for voluntary termination of Certificate No. 1394 is hereby denied.

3. That Certificate of Authority No. 1394 is hereby revoked.

4. That within 30 days from the date of this order Frami Transit LLC shall:

- a. remove from its 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. 1394 to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director