

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,626

IN THE MATTER OF:

Served October 10, 2008

LINK TRANSPORTATION, INC., )  
Suspension and Investigation of )  
Revocation of Certificate No. 1460 )

Case No. MP-2008-200

This matter is before the Commission on respondent's response to Order No. 11,571, served September 12, 2008, directing respondent to verify cessation of operations in the Metropolitan District as of September 5, 2008.

**I. BACKGROUND**

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."<sup>1</sup> A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.<sup>2</sup>

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1460 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. 1460 was rendered invalid on September 5, 2008, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 11,562, served September 5, 2008, noted the automatic suspension of Certificate No. 1460 pursuant to Regulation No. 58-12, directed respondent to cease transporting passengers for hire under Certificate No. 1460, and gave respondent thirty days to replace the expired endorsement and pay the \$50 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 1460.

Respondent paid the late fee on September 10, 2008, and submitted a \$1.5 million primary WMATC Insurance Endorsement on September 9, 2008, but the effective date of the new endorsement is September 8, 2008, instead of September 5, 2008. This means that respondent was without insurance coverage for three days, from September 5, 2008, through September 7, 2008.

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<sup>1</sup> Compact, tit. II, art. XI, § 6(a).

<sup>2</sup> Compact, tit. II, art. XI, § 7(g).

Under Regulation No. 58-14:

If a carrier's operating authority is suspended under Regulation No. 58-12 and the effective date of a later-filed replacement Endorsement falls after the automatic suspension date, the carrier must verify timely cessation of operations in accordance with Commission Rule No. 28 and corroborate the verification with client statements and/or copies of pertinent business records, as directed by Commission order.

Order No. 11,571 accordingly directed respondent to verify cessation of operations as of September 5, 2008, and to corroborate the verification with copies of its pertinent business records.

**II. RESPONSE AND ORDER TO LIFT SUSPENSION**

Respondent has filed a statement verifying cessation of operations as of September 5, 2008. The statement is corroborated by respondent's bank records.

Based on the evidence, the suspension shall be lifted and this proceeding terminated.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director