

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,681

IN THE MATTER OF:

Served November 12, 2008

Application of INTERSTATE TRANSIT
CORPORATION for Voluntary
Termination of Certificate No. 632

Case No. AP-2008-156

INTERSTATE TRANSIT CORPORATION,
Suspension and Investigation of
Revocation of Certificate No. 632

Case No. MP-2008-216

Certificate No. 632 was automatically suspended at 12:01 a.m. on September 26, 2008, pursuant to Regulation No. 58-12 for the failure of Interstate Transit Corporation to maintain on file with the Commission proof of \$1.5 million in combined-single-limit, motor vehicle liability insurance as required by Commission Regulation No. 58.

Order No. 11,597, served later that same day, noted that Certificate No. 632 would be subject to revocation if Interstate Transit Corporation failed to file the necessary insurance endorsement(s) and pay the \$50 late fee due under Regulation No. 67-03(c) within thirty days. Interstate Transit Corporation responded by filing an application for voluntary termination of Certificate No. 632.

Although the Commission may terminate a certificate of authority under Title II of the Compact, Article XI, Section 10 (b), upon application by the holder, voluntary termination is not available if the carrier is not in good standing with the Commission.¹

Because Interstate Transit Corporation is not in good standing with the Commission, having failed to pay the \$50 late fee, we shall deny the application for voluntary termination.²

Because Interstate Transit Corporation has failed to file the necessary insurance endorsement (s) and pay the \$50 late fee, Certificate No. 632 shall be revoked pursuant to Article XI, Section 10 (c), of the Compact for the willful failure of Interstate Transit Corporation to comply with Regulation No. 58, Regulation No. 67-03(c), and Order No. 11,597. The unpaid \$50 late fee shall remain due.

¹ See, e.g., *In re Custom Tours of Washington, Inc.*, No. AP-07-89, Order No. 10,539 (June 7, 2007).

² See *Id.* (denying voluntary termination because fees not paid).

THEREFORE, IT IS ORDERED:

1. That the application of Interstate Transit Corporation for voluntary termination of Certificate No. 632 is hereby denied.

2. That Certificate of Authority No. 632 is hereby revoked.

3. That within 30 days from the date of this order Interstate Transit Corporation 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. 632 to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director