

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 11,970

IN THE MATTER OF:

Investigation of Failure to Comply) with Regulation Nos. 60 and/or 67,) Governing Annual Reports, Annual) Fees and Late Fees, Directed to:)	Served May 8, 2009
GREYHOUND LINES, INC., WMATC) No. 139)	Case No. MP-2009-063
ROSS AND TINE TRANSPORTATION, INC.,) WMATC No. 615)	Case No. MP-2009-064
FEKADU SHAPA HYBANO, Trading as) GADOSOLO TRANSPORT, WMATC No. 655)	Case No. MP-2009-065
SHARPER IMAGE PASSENGER) TRANSPORTATION SERVICE, LLC, WMATC) No. 1310)	Case No. MP-2009-066
ADDIS TRANSPORTATION, INC., WMATC) No. 1314)	Case No. MP-2009-067
MAYA TRANSPORTATION LLC, WMATC) No. 1395)	Case No. MP-2009-068
WASHINGTON DC PARTY SHUTTLE, LLC,) WMATC No. 1438)	Case No. MP-2009-069
THEODORE WILBERT BAILEY, Trading as) BAILEY'S TRANSPORTATION, WMATC) No. 1445)	Case No. MP-2009-070
TEAM CARE, LLC, Trading as TEAM) CARE, WMATC No. 1549)	Case No. MP-2009-071

Commission Regulation No. 60-01 provides that each carrier holding a certificate of authority on the first day of the calendar year shall file an annual report on or before January 31 of that year. Regulation No. 67-02 provides that each carrier holding a certificate of authority on the first day of the calendar year shall pay an annual fee of \$150 on or before January 31 of that year. Because January 31 of this year fell on a Saturday, Rule No. 7-01 extended these deadlines to Monday, February 2.

Each of the above-captioned carriers (respondents) held a certificate of authority on January 1, 2009. Each failed to comply with Regulation No. 60-01 and/or Regulation No. 67-02 on or before February 2. As a result, each was automatically assessed \$100 or \$200 in late fees pursuant to Regulation No. 67-03, effective February 3.

Regulation No. 60-03 provides that a carrier's operating authority shall stand suspended upon the carrier's failure to file an annual report within ninety days of the due date. Regulation No. 67-04 provides that a carrier's operating authority shall stand suspended upon the carrier's failure to pay an annual fee or late fee within ninety days of the due date.

As of May 5, each respondent had yet to fully comply with Regulation No. 60-01, Regulation No. 67-02, and/or Regulation No. 67-03, as described in the table appended to this order. Accordingly, each respondent's operating authority stands suspended. Each respondent shall have thirty days to fully comply with said regulations or face revocation of its certificate of authority.

Gadosolo Transport's request for waiver of the \$100 annual report late fee on the ground that the report was substantially complete when first filed on January 30 is denied because it was substantially incomplete - lacking a carrier name and street address - and was not corrected until April 23.

Addis Transportation's request for waiver of annual fee and \$200 in late fees on the ground it allegedly had not commenced operations as of January 1, 2009, is denied because the annual fee and report requirements apply to each carrier holding a certificate of authority on the first day of the calendar year - not just to those who hold authority and are operating.¹

THEREFORE, IT IS ORDERED:

1. That the requests for waiver filed by Carrier Nos. 655 and 1314 are denied.

2. That each respondent shall refrain from transporting passengers for hire under its WMATC certificate of authority, unless and until otherwise ordered by the Commission.

3. That the certificate of authority of each respondent that fails to fully comply with Regulation No. 60 and Regulation No. 67 within thirty days shall be subject to revocation pursuant to Article XI, Section 10(c), of the Compact.

¹ *In re David Timothy Robinson, t/a DR&W Transp. Servs.*, No. MP-09-010, Order No. 11,946 (April 23, 2009); *In re Coach One, Inc.*, No. MP-07-097, Order No. 10,492 (May 17, 2007); *In re Avery Transp., LLC*, No. MP-06-195, Order No. 10,319 (Mar. 9, 2007).

4. That each respondent may file within 15 days from the date of this order a request for oral hearing, specifying the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director

Appendix to Order No. 11,970

**WMATC CARRIER REPORT/FEE STATUS
As of May 5, 2009**

No	Name	Annual Fee Paid/Due	Late Fees Due	Total Fees Due	Annual Report Filed/Due
139	GREYHOUND LINES, INC.	\$150	\$200	\$350	Due
615	ROSS AND TINE TRANSPORTATION, INC.	Paid	\$200	\$200	Due
655	FEKADU SHAPA HYBANO, t/a GADOSOLO TRANSPORT	Paid	\$100	\$100	Filed
1310	SHARPER IMAGE PASSENGER TRANSPORTATION SERVICE, LLC	\$150	\$200	\$350	Due
1314	ADDIS TRANSPORTATION, INC.	\$150	\$200	\$350	Filed
1395	MAYA TRANSPORTATION LLC	\$150	\$200	\$350	Due
1438	WASHINGTON DC PARTY SHUTTLE, LLC	\$150	\$0	\$150	Due
1445	THEODORE WILBERT BAILEY, t/a BAILEY'S TRANSPORTATION	Paid	\$100	\$100	Due
1549	TEAM CARE, LLC, Trading as TEAM CARE	Paid	\$100	\$100	Filed