

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,138

IN THE MATTER OF:

Served September 2, 2009

Application of AHMED SAID NASER,)
Trading as EACF TRANSPORTATION)
SERVICE, for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-2009-045

Applicant seeks a certificate of authority to transport passengers in irregular route operations between points in the Metropolitan District, restricted to transportation in vehicles with a seating capacity of less than 16 persons only, including the driver. The application is unopposed.

Applicant previously held WMATC Certificate of Authority No. 521 from March 1, 2000, until February 24, 2009, when Certificate No. 521 was revoked in Order No. 11,859 for willful failure to comply with the Commission's insurance regulation, Regulation No. 58.¹

Applicant has asserted that he timely ceased operations, but because Certificate No. 521 was suspended when applicant's insurance terminated on January 9, 2009, and because applicant produced no evidence of post suspension insurance coverage and appeared unlikely to produce such evidence, Order No. 12,098, served July 21, 2009, directed applicant to produce pertinent business records to corroborate his timely cessation of operations.² Applicant has yet to respond.

Under the Compact, an application to obtain a certificate of authority shall be made in writing, verified, and shall contain the information required by the application form and accompanying instructions.³ An applicant may be required to publish notice of the application in a newspaper of general circulation in the Metropolitan District and furnish any supplemental information necessary for a full and fair examination of the application.⁴ Failure to comply with the Commission's application requirements warrants dismissal.⁵

¹ *In re Ahmed S. Naser, t/a EACF Transp. Serv.*, No. MP-09-006, Order No. 11,859 (Feb. 24, 2009).

² See Regulation No. 58-14 (stipulating that carriers without continuous post-suspension insurance coverage must corroborate cessation of operations).

³ Compact, tit. II, art. XI, § 8; Regulation No. 54-02.

⁴ Regulation No. 54-04(b).

⁵ *In re One, LLC, t/a Bon Voyage*, No. AP-04-103, Order No. 8212 (Aug. 5, 2004).

THEREFORE, IT IS ORDERED: that the application of Ahmed Said Naser, trading as EACF Transportation Service, for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read 'W. S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director