

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,162

IN THE MATTER OF:

Served September 23, 2009

Investigation of Failure to Comply ) Case No. MP-2009-070  
with Regulation Nos. 60 and/or 67, )  
Governing Annual Reports, Annual )  
Fees and Late Fees, Directed to: )  
THEODORE WILBERT BAILEY, Trading as )  
BAILEY'S TRANSPORTATION, WMATC )  
No. 1445 )

THEODORE WILBERT BAILEY, Trading as ) Case No. MP-2009-111  
BAILEY'S TRANSPORTATION, Suspension )  
and Investigation of Revocation of )  
Certificate No. 1445 )

Certificate No. 1445 was automatically suspended on May 5, 2009, pursuant to Regulation Nos. 60-03 and 67-04, as a result of respondent's failure to file an annual report for 2009 pursuant to Regulation No. 60-01 and pay an associated late fee of \$100 pursuant to Regulation No. 67-03(a). Order No. 11,970, served May 8, 2009, gave respondent thirty days to file the annual report and pay the \$100 late fee.

Certificate No. 1445 was additionally suspended on August 9, 2009, pursuant to Regulation No. 58-12, and a \$50 late insurance fee became due and payable under Regulation No. 67-03(c), when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 12,113, served August 11, 2009, gave respondent thirty days to file the necessary WMATC Endorsement(s) and pay the \$50 late insurance fee.

Both orders stipulated that Certificate No. 1445 would be subject to revocation upon respondent's failure to timely comply. Respondent has complied with neither order. Accordingly, Certificate No. 1445 shall be revoked at this time pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to comply with Regulation Nos. 58, 60, and 67 and Order Nos. 11,970 and 12,113. The outstanding report and outstanding fees shall remain due.

THEREFORE, IT IS ORDERED:

1. That Case Nos. MP-2009-070 and MP-2009-111 are hereby consolidated pursuant to Rule No. 20-02.

2. That Certificate of Authority No. 1445 is hereby revoked pursuant to Article XI, Section 10(c), of the Compact.

3. That respondent's 2009 annual report and \$150 in late fees shall remain due in accordance with Regulation Nos. 60 and 67.

4. That within thirty days from the date of this order respondent 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. 1445 to the Commission.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS CHRISTIE AND BRENNER:



William S. Morrow, Jr.  
Executive Director