

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 14,030

IN THE MATTER OF:

Served June 20, 2013

HOME HEALTH TRANSPORTATION)
SERVICES, LLC, Suspension and) Case No. MP-2012-099
Investigation of Revocation of)
Certificate No. 1683)

Certificate of Authority No. 1683 was revoked in Order No. 13,642, issued December 26, 2012, for respondent's failure to pay a \$100 late filing fee under Regulation No. 67-03(c). On January 25, 2013, within the 30-day period for seeking reconsideration of Order No. 13,642, respondent tendered a \$100 check and submitted a request for reinstatement of Certificate No. 1683. The request was granted in Order No. 13,728, issued February 5, 2013. However, to prevent circumvention of the Commission's annual report and fee requirements that apply to carriers holding WMATC authority on the first day of each year, Order No. 13,728 directed respondent to file a 2013 annual report and pay a \$150 annual fee within 30 days, or by March 7, 2013. Respondent failed to comply.

Respondent's failure to timely file a 2013 annual report and pay the \$150 annual fee caused two things to happen. First, respondent was automatically assessed \$300 in late fees pursuant to Regulation No. 67-03, effective March 8, 2013. Second, Certificate No. 1683 was placed in jeopardy of suspension under Regulation Nos. 60-03 and 67-04. 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 90 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 90 days of the due date. This meant that to avoid suspension, respondent was required to: (1) file the annual report and pay the \$150 annual fee on or before June 5, 2013; and (2) pay the \$300 in late fees on or before June 6, 2013. Respondent did neither.

Although respondent filed a 2013 annual report on June 14, the report is incomplete. The vehicle license plate number and seating capacity information are missing, and the report is not dated. And although respondent tendered a check on June 14, the check was made payable to the Commission in the amount of \$300 instead of \$450. Accordingly, respondent's operating authority stands suspended under Regulation Nos. 60-03 and 67-04. Respondent shall file a complete 2013 annual report and pay the outstanding \$150 fee within 30 days or face revocation of Certificate No. 1683.

THEREFORE, IT IS ORDERED:

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

2. That Certificate of Authority No. 1683 shall be subject to revocation pursuant to Article XI, Section 10(c), of the Compact, if respondent fails to file a complete 2013 annual report and pay \$150 by check or money order within 30 days.

3. That 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:

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

William S. Morrow, Jr.
Executive Director