

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 14,153

IN THE MATTER OF:

Served August 14, 2013

Application of GOLDEN TOUCH ) Case No. AP-2013-001  
TRANSPORTATION OF THE DISTRICT OF )  
COLUMBIA, LLC, for a Certificate of )  
Authority -- Irregular Route )  
Operations )

The Washington Metropolitan Area Transit Regulation Compact,<sup>1</sup> (Compact), applies to: "the transportation for hire by any carrier of persons between any points in the Metropolitan District."<sup>2</sup> A person may not engage in transportation subject to the Compact unless there is in force a Certificate of Authority issued by the Washington Metropolitan Area Transit Commission (Commission or WMATC) authorizing the person to engage in that transportation.<sup>3</sup> "A person other than the person to whom an operating authority is issued by the Commission may not lease, rent, or otherwise use that operating authority."<sup>4</sup> "Each authorized carrier shall: (a) provide safe and adequate transportation service, equipment, and facilities; and (b) observe and enforce Commission regulations established under [the Compact]."<sup>5</sup>

Golden Touch Transportation of the District of Columbia, LLC, applied for a WMATC certificate of authority on January 2, 2013. By letter dated July 26, 2013, pursuant to Regulation No. 54-04(b), applicant was directed to furnish additional information necessary to a full and fair determination of this application.

---

<sup>1</sup> Pub. L. No. 101-505, § 1, 104 Stat. 1300 (1990), *amended by* Pub. L. No. 111-160, 124 Stat. 1124 (2010) (amending tit. I, art. III).

<sup>2</sup> Compact, tit. II, art. XI, § 1. The Metropolitan District includes: the District of Columbia; the cities of Alexandria and Falls Church of the Commonwealth of Virginia; Arlington County and Fairfax County of the Commonwealth of Virginia, the political subdivisions located within those counties, and that portion of Loudoun County, Virginia, occupied by the Washington Dulles International Airport; Montgomery County and Prince George's County of the State of Maryland, and the political subdivisions located within those counties; and all other cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of those counties, cities, and airports. Compact, tit. I, art. II.

<sup>3</sup> Compact, tit. II, art. XI, § 6(a).

<sup>4</sup> Compact, tit. II, art. XI, § 11(b).

<sup>5</sup> Compact, tit. II, art. XI, § 5.

The additional information was due no later than August 9, 2013, and was to include a statement explaining why approving this application would be consistent with the public interest when it appeared that one of applicant's corporate affiliates (National Harbor Transportation Services, LLC) was operating in the Metropolitan District without WMATC authority and/or one of applicant's corporate affiliates (Washington Shuttle, Inc., trading as SuperShuttle, WMATC Carrier No. 369) was operating under WMATC authority but without having reported all vehicles to its insurance company and without having filed the necessary lease(s) and tariff with the Commission.

The letter cautioned applicant that failure to timely furnish the additional information would result in delay or dismissal of this application. Applicant has yet to respond.<sup>6</sup>

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.<sup>7</sup> 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 determination of the application.<sup>8</sup> Failure to comply with the Commission's application requirements warrants dismissal.<sup>9</sup>

THEREFORE, IT IS ORDERED: that the application of Golden Touch Transportation of the District of Columbia, LLC, for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

FOR THE COMMISSION:



William S. Morrow, Jr.  
Executive Director

---

<sup>6</sup> One of applicant's corporate affiliates, Washington Shuttle, filed a new tariff on July 31, 2013, but the tariff was rejected because the cover form displayed trade names, "Execu-car" and Expresscar", not approved by the Commission.

<sup>7</sup> Compact, tit. II, art. XI, § 8; Regulation No. 54-02.

<sup>8</sup> Regulation No. 54-04(b).

<sup>9</sup> *In re One, LLC, t/a Bon Voyage*, No. AP-04-103, Order No. 8212 (Aug. 5, 2004).