

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 15,615

IN THE MATTER OF:

Served May 27, 2015

PRIME TRANSPORTATION SERVICES,)
INC., Suspension and Investigation)
of Revocation of Certificate)
No. 749)

Case No. MP-2015-043

This matter is before the Commission on respondent's response to Order No. 15,502, served April 10, 2015, revoking Certificate No. 749 pursuant to Article XI, Section 10(c), of the Compact.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.¹ Commission Regulation No. 58 required respondent to insure the revenue vehicles operated under Certificate No. 749 for a minimum of \$5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 749 was rendered invalid on March 7, 2015, when the \$5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 15,444, served March 9, 2015, noted that Certificate No. 749 would be subject to revocation if respondent failed to file the necessary insurance endorsement(s) and pay a \$100 late fee on or before April 8, 2015. Respondent filed the necessary insurance endorsement(s) in timely fashion on March 12, 2015, but failed to pay the late fee. Consequently, Certificate No. 749 was revoked in accordance with Regulation No. 58-15(a) in Order No. 15,502 on April 10, 2015. Respondent filed a response on April 24, 2015, and a request for reinstatement on May 11, 2015.

Title II of the Compact, Article XIII, Section 4(a), provides that: "A party to a proceeding affected by a final order or decision of the Commission may file within 30 days of its publication a written application requesting Commission reconsideration of the matter involved, and stating specifically the errors claimed as grounds for the reconsideration."

"When seeking reconsideration of a revocation for failure to comply with Regulation No. 58, a carrier must file both the

¹ Compact, tit. II, art. XIII, § 7(g).

application and the necessary endorsement(s) within the 30-day statutory filing period."² Respondent, therefore, had until May 11, 2015, to file an application for reconsideration and pay the late fee. The application was timely filed, but respondent has yet to pay the \$100 late fee - despite an email reminder from the Commission on April 24, 2015.³

Accordingly, the application for reconsideration is denied.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER, HOLCOMB, AND DORMSJO:



William S. Morrow, Jr.
Executive Director

² *In re Exact Enters. Inc.*, No. MP-15-029, Order No. 15,589 (May 15, 2015); *In re E.B. Limo. and Transp. Servs. LLC*, No. MP-08-201, Order No. 11,795 (Jan. 13, 2009); *In re Lee Coaches, Inc.*, No. MP-07-224, Order No. 11,170 (Feb. 26, 2008). See also Regulation No. 58-15(b) (Executive Director may reinstate certificate only if necessary endorsement(s) and late fee payment are timely tendered).

³ Respondent faxed credit card information to the Commission on May 11, but the Commission is not authorized to accept credit card payments by fax.