

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1808

IN THE MATTER OF:

Served February 27, 1978

Washington Area Mini-Bus Tours, Inc. - Investigation and Suspension of Certificate No. 28	)	Case No. MP-78-2
	)	
Suburban Transit Company - Investigation and Suspension of Certificate No. 29	)	Case No. MP-78-3
	)	

The Compact, Title II, Article XII, §9(a), mandates that no certificate of public convenience and necessity issued under §4 of said Article shall remain in force unless the person holding such certificate complies with such reasonable regulations as the Commission shall prescribe governing security for the protection of the public. Pursuant to Commission Regulations 62-09 and 62-12 each certificate of insurance filed with the Commission must contain a provision requiring the insurance carrier to give the Commission 30 days notice, in writing, of any cancellation or modification of insurance coverage (except termination by replacement).

On June 8, 1977, Washington Area Mini-Bus Tours, Inc. (WAMBT), filed a certificate of insurance containing a defective cancellation clause. On July 15, 1977, Suburban Transit Company (Suburban) also filed a certificate of insurance containing an improper cancellation clause. Generally, the assailed clauses provide that the insurance carrier will endeavor to give an unspecified notice of cancellation but has no firm obligation to do so.

On December 16, 1977, the Commission's Rate Supervisor advised WAMBT and Suburban, in writing, of the above-specified defects, and suggested suitable terminology. Both carriers were advised to make a new filing "at once." No answers to these letters were received. On February 14, 1978, the Commission's Executive Director wrote to each carrier and advised them that failure to correct their certificates of insurance before February 24, 1978, would result in the institution of an investigation and the suspension of their operating authority. To date, no replies to these letters have been received. Accordingly, the Commission finds that WAMBT and Suburban are in violation of the above-specified regulation requirements.

THEREFORE, IT IS ORDERED:

1. That the above-captioned proceedings be, and they are hereby, instituted for the purpose of investigating whether Certificate of Public Convenience and Necessity Nos. 28 and 29, issued to Washington Area Mini-Bus Tours, Inc., and Suburban Transit Company, respectively, shall be revoked.

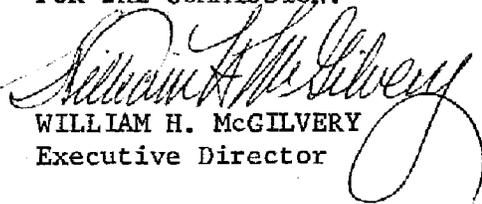
2. That Washington Area Mini-Bus Tours, Inc., and Suburban Transit Company be, and they are hereby, made parties respondent to the respective proceedings.

3. That, pursuant to Title II, Article XII, Sections 4(g) and 9(a) of the Compact, said Certificate Nos. 28 and 29 be, and they are hereby, suspended until otherwise ordered by the Commission.

4. That Washington Area Mini-Bus Tours, Inc., and Suburban Transit Company be, and they are hereby, directed to cease and desist from engaging in the transportation for hire of passengers between points in the Metropolitan District unless and until appropriate authority from this Commission is in effect therefor.

5. That Washington Area Mini-Bus Tours, Inc., and Suburban Transit Company be, and they are hereby, directed, within 30 days from the date of service hereof, fully to comply with the provisions of the Compact, Title II, Article XII, §9(a) and Commission Regulation 62 thereunder, and are further directed within said 30 days to file with the Commission an appropriate certificate of insurance, or such other evidence, in writing and under oath, as respondents may deem pertinent to show good cause why their certificates of public convenience and necessity should not be revoked.

FOR THE COMMISSION:

  
WILLIAM H. MCGILVERY  
Executive Director