

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3114

IN THE MATTER OF:

Served January 15, 1988

JOSEPH C. SMITH trading as SMITH'S )  
CHARTER BUS SERVICE, Suspension and )  
Investigation of Revocation of )  
Certificate No. 134 )

Case No. MP-88-01

The Compact, Title II, Article XII, Section 9(a) mandates that no certificate of public convenience and necessity issued under Section 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 the filing and approval of surety bonds, policies of insurance, [and] qualifications as a self-insurer . . . in such reasonable amount as the Commission may require . . . ." See also Commission Regulation No. 62, as amended by Order No. 2721, served June 19, 1985.

The certificate of insurance on file for Joseph C. Smith trading as Smith's Charter Bus Service shows a policy expiration date of January 14, 1988. On December 14, 1987, the Commission advised Joseph C. Smith trading as Smith's Charter Bus Service by letter that an appropriate certificate insurance must be filed on or before the above-specified cancellation date. No certificate of insurance has been filed. Accordingly, Joseph C. Smith trading as Smith's Charter Bus Service appears to be in violation of Title II, Article XII, Section 9(a) of the Compact and Commission Regulation No. 62.

THEREFORE, IT IS ORDERED:

1. That the above-captioned proceeding is instituted pursuant to Title II, Article XII, Section 4(g) of the Compact for the purpose of determining whether Certificate of Public Convenience and Necessity No. 134 of Joseph C. Smith trading as Smith's Charter Bus Service shall be revoked.

2. That Joseph C. Smith trading as Smith's Charter Bus Service is made a party respondent to the above-captioned proceeding.

3. That Joseph C. Smith trading as Smith's Charter Bus Service is directed, within 30 days from the date of service hereof, fully to comply with the provisions of the Compact, Title II, Article XII, Section 9(a) and Commission Regulation No. 62, and is further directed within the same 30 days to file with the Commission an appropriate certificate of insurance or such other evidence, in writing and under

oath, as it may deem pertinent to show good cause why its Certificate of Public Convenience and Necessity No. 134 should not be revoked.

4. That Certificate of Public Convenience and Necessity No. 134 issued to Joseph C. Smith trading as Smith's Charter Bus Service is suspended until further order of the Commission, and Joseph C. Smith trading as Smith's Charter Bus Service is directed to cease and desist from transportation subject to the Compact, until further order of the Commission.

5. That Joseph C. Smith trading as Smith's Charter Bus Service is hereby provided an opportunity for hearing pursuant to the Compact, Title II, Article XII, Section 4(g), and is directed to file within 30 days of the service date of this order an appropriate motion pursuant to Commission Rule No. 15, if it desires an oral hearing on this matter.

FOR THE COMMISSION:



William H. McGilvery  
Executive Director