

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3152

IN THE MATTER OF:

Served April 18, 1988

NORAL HARVEY Trading as HARVEY )  
MEDIVAN Suspension and )  
Investigation of Revocation of )  
Certificate No. 52 )

Case No. MP-88-07

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 Noral Harvey trading as Harvey Medivan shows a policy expiration date of October 15, 1988. However, by notice received March 17, 1988, the insurance carrier advised the Commission that the insurance would be cancelled. On March 18, 1988, the Commission advised Noral Harvey trading as Harvey Medivan by letter that an appropriate certificate evidencing new insurance or reinstatement must be filed on or before April 15, 1988. No certificate or reinstatement of insurance has been filed. Accordingly, Noral Harvey trading as Harvey Medivan 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. 52 of Noral Harvey trading as Harvey Medivan shall be revoked.

2. That Noral Harvey trading as Harvey Medivan is made a party respondent to the above-captioned proceeding.

3. That Noral Harvey trading as Harvey Medivan 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 or reinstatement of insurance or such other evidence, in writing and under

oath, as he may deem pertinent to show good cause why his Certificate of Public Convenience and Necessity No. 52 should not be revoked.

4. That Certificate of Public Convenience and Necessity No. 52 issued to Noral Harvey trading as Harvey Medivan is suspended until further order of the Commission, and Noral Harvey trading as Harvey Medivan is directed to cease and desist from transportation subject to the Compact, until further order of the Commission.

5. That Noral Harvey trading as Harvey Medivan 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 he desires an oral hearing on this matter.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director