

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3594

IN THE MATTER OF:

Served December 21, 1990

LANCASTER ENTERPRISES, INC.,)
Trading as DIAL-OF-WHEELS SHUTTLE,)
Suspension and Investigation of)
Revocation of Certificate No. 155)

Case No. MP-90-01

Certificate of Public Convenience and Necessity No. 155 of Lancaster Enterprises, Inc., trading as Dial-of-Wheels Shuttle (Lancaster) was suspended by Order No. 3458, served February 12, 1990, and has remained suspended since that date for failure of Lancaster to meet the Commission's insurance requirements. The Commission has since issued two more orders */ extending the suspension so Lancaster could comply. In Order No. 3561 the Commission said:

Although Lancaster, after six months, has provided no advice to the Commission concerning the resolution of the insurance dispute underpinning its previous extension request, the Commission is willing to grant the requested extension on the basis of Lancaster's notarized statement that it has the funds to purchase insurance and will do so. The three months requested is much more than adequate time to meet this elementary requirement. [Emphasis in original.]

Order No. 3561 directed that Lancaster fully comply on or before December 10, 1990, and, failing such compliance, Lancaster's Certificate No. 155 would stand revoked in its entirety, effective 12:01 a.m. December 11, 1990.

On December 7, 1990, Lancaster filed another motion for an extension -- this one to February 10, 1991. Enclosed with the motion were (1) a four page document purporting to be contract between the Metropolitan Washington Council of Governments and Lancaster and (2) a proposed amended tariff of Lancaster.

It is not being too fastidious to say that neither the motion nor the tariff were filed in compliance with our Rules and Regulations. The "contract" shows no indication of having been executed. In a previous motion, Lancaster stated that its grant of \$50,000 had been "funded," and "the grant funds will be used to obtain adequate insurance." In this motion Lancaster says it has "received the . . .

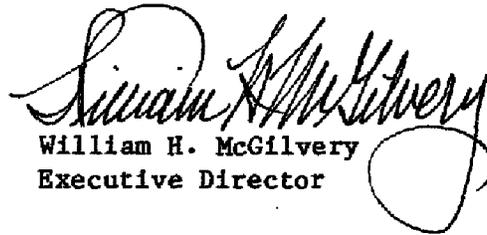
*/ See Order No. 3485, served April 10, 1990, and Order No. 3561, served September 21, 1990.

funds" in the amount of \$45,000. However, the "contract" earmarks every cent of the \$45,000 for planning, monitoring, and reporting. As we read the "contract," the funds cannot be used for insurance.

Lancaster has shown no reason why its motion should be granted and remains out of compliance with Compact, Title II, Article XII, Section 9(a) and Commission Regulation No. 62. The motion is hereby denied. Certificate No. 155 stands revoked in its entirety according to the terms of Order No. 3561. In light of this, the tariff filing is dismissed as moot.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director