

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3654

IN THE MATTER OF:

Served April 1, 1991

BATTLE'S TRANSPORTATION, INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 62)

Case No. MP-91-13

The Compact, Title II, Article XI, Section 7(g) mandates that a certificate ". . . is not valid unless the holder is in compliance with the insurance requirements of the Commission." See also Commission Regulation No. 58.

The certificate of insurance on file for Battle's Transportation, Inc., shows a policy expiration date of June 19, 1991. However, by notice dated February 26, 1991, the insurance carrier advised the Commission that the insurance would be cancelled on April 1, 1991. On February 27, 1991, the Commission advised Battle's Transportation, Inc., by letter that an appropriate certificate of insurance must be filed on or before the above-specified cancellation date. No certificate of insurance has been filed. Accordingly, Battle's Transportation, Inc., is in violation of Title II, Article XI, Section 7(f) of the Compact and Commission Regulation No. 58.

THEREFORE, IT IS ORDERED:

1. That the above-captioned proceeding is instituted pursuant to Title II, Article XI, Section 10 of the Compact for the purpose of determining whether Certificate of Public Convenience and Necessity No. 62 of Battle's Transportation, Inc., shall be revoked.

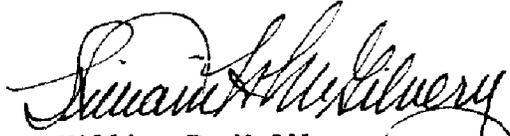
2. That Battle's Transportation, Inc., is made a party respondent to the above-captioned proceeding.

3. That Battle's Transportation, Inc., is directed, within 30 days from the date of this order, fully to comply with the provisions of the Compact, Title II, Article XI, Section 7(f) and Commission Regulation No. 58, 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 may be deemed pertinent to show good cause why its Certificate of Public Convenience and Necessity No. 62 should not be revoked.

4. That Certificate of Public Convenience and Necessity No. 62 is hereby suspended, and Battle's Transportation, Inc., is directed to cease and desist from transportation subject to the Compact, unless otherwise ordered by the Commission.

5. That Battle's Transportation, Inc., is hereby provided an opportunity for hearing pursuant to the Compact, Title II, Article XI, Section 10, and is directed to file within 15 days of the 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