

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3770

IN THE MATTER OF:

Served May 31, 1991

Issuance of Certificate of )  
Authority No. 122 to DIAMOND )  
TRANSPORTATION SERVICES, INC. )

Case No. MP-91-02

Suspension and Investigation of )  
Revocation of Certificate of )  
Authority No. 122 )

Case No. MP-91-21

By Order No. 3716, served May 2, 1991, and incorporated herein by reference, Certificate of Authority No. 122 was conditionally issued to Diamond Transportation Services, Inc. (DTS), contingent upon timely compliance with that order's requirement that DTS file with the Commission, on or before Thursday, May 30, 1991, a certificate of insurance in accordance with Commission Regulation No. 58 and Order No. 3623, served March 8, 1991. Order No. 3716 also provided that if DTS failed timely to file the required evidence of insurance, Certificate of Authority No. 122 would be both issued and suspended effective Friday, May 31, 1991, and Certificate of Public Convenience and Necessity No. 122 would stand cancelled in its entirety effective Friday, May 31, 1991

DTS failed timely to comply with the requirements of Order No. 3716 and is in violation of that order and the Compact, Title II, Article XI, Section 7(f) and Commission Regulation No. 58.

THEREFORE, IT IS ORDERED:

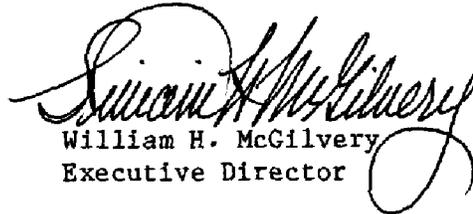
1. That Certificate of Authority No. 122 shall be issued to Diamond Transportation Services, Inc.
2. That Certificate of Authority No. 122 encompasses and supersedes Certificate of Public Convenience and Necessity No. 122.
3. That Certificate of Authority No. 122 is hereby suspended, and Diamond Transportation Services, Inc., is directed to cease and desist from transportation subject to the Compact, unless otherwise ordered by the Commission.
4. That Case No. MP-91-21 is hereby instituted pursuant to the Compact, Title II, Article XI, Section 10 for the purpose of determining whether Certificate of Authority No. 122 shall be revoked.

5. That Diamond Transportation Services, Inc., is hereby made a party respondent in Case No. MP-91-21.

6. That Diamond Transportation Services, Inc., is hereby 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 appropriate evidence of insurance or such other evidence, in writing and under oath, as may be deemed pertinent to show good cause why Certificate of Authority No. 122 should not be revoked.

7. That Diamond Transportation Services, 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 an oral hearing on this matter is desired.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director