

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4137

IN THE MATTER OF:

Served July 15, 1993

Investigation of Failure to File) Case No. MP-93-30
Annual Report and Order to Show)
Cause Why Operating Authority)
should not be Suspended or Revoked,)
Directed to: C&M CORPORATION)
(No. 154))

The above-captioned proceeding was instituted by Order No. 4111, served June 15, 1993, as amended by Order No. 4118, served July 1, 1993. Pursuant to those orders, Respondent had the choice of (a) paying by July 2, 1993, a \$150 hearing assessment plus a \$100 civil forfeiture, and appearing at a hearing scheduled for 10 a.m. on July 15, 1993, to show cause why its certificate of authority should not be suspended or revoked, or (b) paying a \$100 civil forfeiture and filing its completed annual report by July 9, 1993. Respondent failed timely to comply with either requirement.

However, on July 15, 1993, after the hearing was convened, Respondent's completed annual report and its check for \$100 were received via a delivery service. This event was noted on the hearing record prior to adjournment.

Pursuant to the terms of Order Nos. 4111 and 4118, if respondent failed timely to comply, its certificate of authority would stand suspended effective 12:01 a.m., Friday, July 16, 1993. Nevertheless, Respondent's untimely \$100 civil forfeiture and annual report are accepted as late filed, in consideration of which the suspension of its certificate of authority pursuant to Order No. 4111 will be waived, pending a decision of the Commission in this case, which remains open.

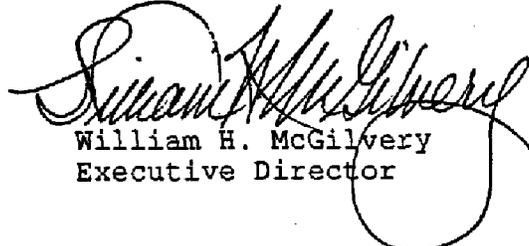
It is noted that Respondent's sworn and notarized annual report was filed under the name of C&M TOUR & TRANSPORT, INC., whereas the Commission's records show that the correct corporate name of this Maryland corporation is C&M CORPORATION, approved by this Commission to use the trade name C&M TRANSPORT. Respondent will be directed to file a sworn and notarized statement clarifying this matter.

THEREFORE, IT IS ORDERED:

1. That the suspension of Certificate of Authority No. 209 of C&M Corporation, pursuant to Order No. 4111, is hereby waived pending the decision of the Commission in Case No. MP-93-30.

2. That C&M Corporation is hereby directed to file, on or before Thursday, July 29, 1993, a sworn and notarized statement clarifying the issue of its correct corporate and trade name.

FOR THE COMMISSION:


William H. McGilvery
Executive Director