

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4142

IN THE MATTER OF:

Served July 21, 1993

Investigation of Failure to File)
Annual Report and Order to Show)
Cause Why Operating Authority)
should not be Suspended or Revoked,)
Directed to: DAVID C. PEARSON,)
Trading as E&H TRANSPORTATION)
CO. (No. 53))

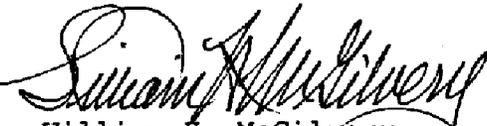
Case No. MP-93-17

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 21, 1993, Respondent tendered its completed annual report and its check for \$250.

Pursuant to the terms of Order Nos. 4111 and 4118, after Respondent failed timely to comply, its certificate of authority was suspended effective 12:01 a.m., Friday, July 16, 1993. Nevertheless, Respondent's untimely payment 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 lifted, pending a decision of the Commission in this case, which remains open.

THEREFORE, IT IS ORDERED that the suspension of Certificate of Authority No. 53 of David C. Pearson, trading as E&H Transportation Co., pursuant to Order No. 4111, is hereby lifted pending the decision of the Commission in Case No. MP-93-17.

FOR THE COMMISSION:


William H. McGilvery
Executive Director