

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6682

IN THE MATTER OF:

Served June 4, 2002

SAFE HAVEN, INC., Suspension and)
Investigation of Revocation of)
Certificate No. 382)

Case No. MP-2002-14

By Order No. 6589, served March 27, 2002, the Commission revoked Certificate of Authority No. 382 pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to maintain on file with the Commission an effective certificate of insurance. Respondent subsequently filed an effective certificate of insurance and an application for reconsideration of Order No. 5322.

Under Title II of the Compact, Article XIII, Section 4(a), an application for reconsideration of a Commission order must be filed within thirty days of its publication and state specifically the errors claimed as grounds for reconsideration.

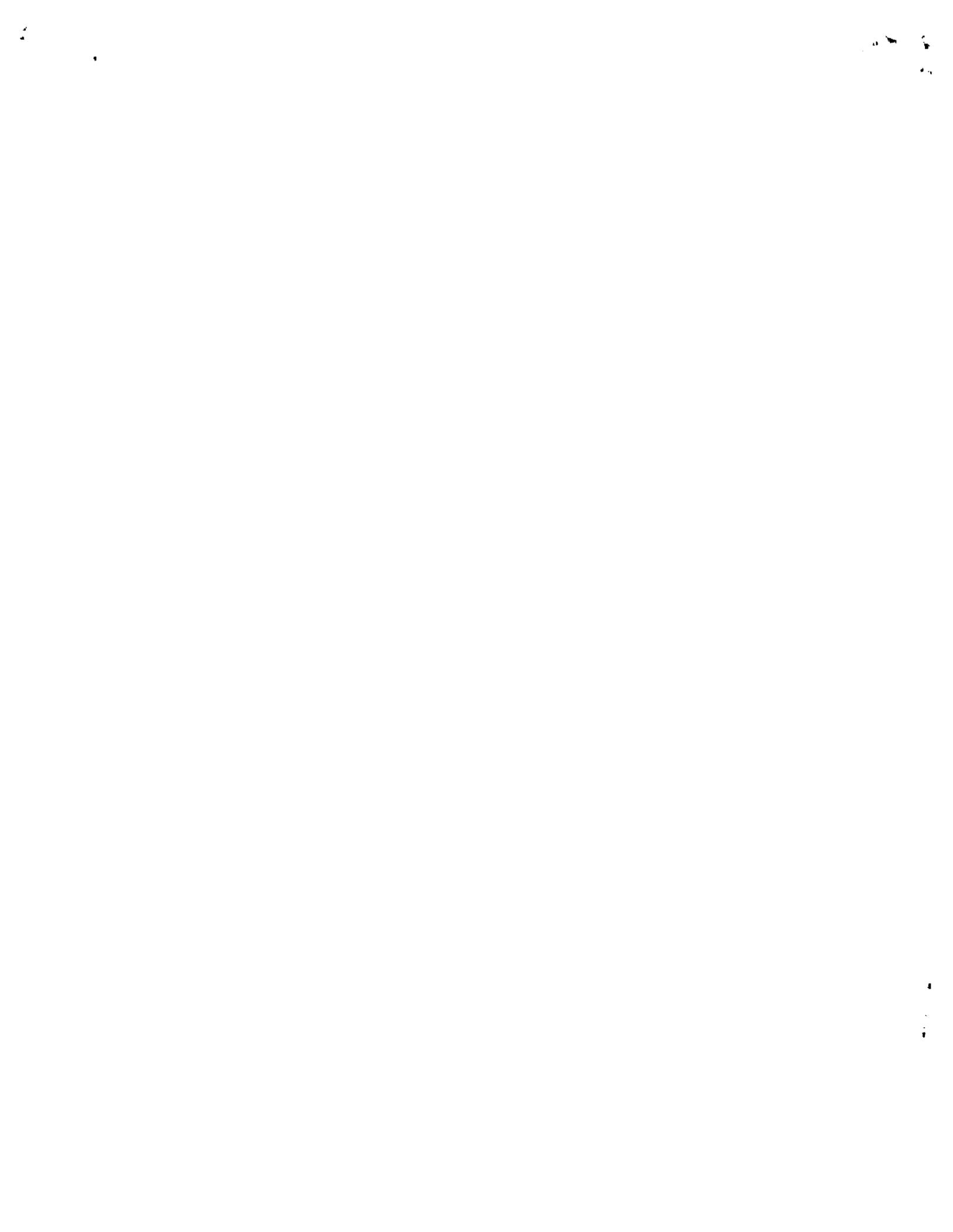
Respondent timely filed the application for reconsideration on April 23, 2002, but the application does not allege any error on the part of the Commission. The application therefore is denied.

However, considering that respondent has filed a new certificate of insurance showing reinstatement of full coverage, we may consider reopening this proceeding on our own initiative and reinstating Certificate of Authority No. 382.¹

We first note that this is the fourth time Certificate of Authority No. 382 has been revoked since it was first issued on March 18, 1997. The Commission reinstated Certificate No. 382 after the first two revocations in 1997 and 1998 but not after the third in 1999. Approximately one year later we approved respondent's application to reissue Certificate No. 382 but placed respondent on probation for a period of one year, which respondent successfully completed.

Given this history, we are reluctant to reinstate Certificate No. 382 without some evidence that respondent ceased operating on February 11, 2002, when respondent's insurance was cancelled and Certificate No. 382 became invalid and automatically suspended. The Commission is in receipt of copies of correspondence indicating that respondent continued providing passenger transportation services for clients of the District of Columbia's Mental Retardation and Developmental Disabilities Administration until February 19, 2002, and that respondent may have recommenced such operations notwithstanding

¹ See In re Safe Haven, Inc., No. MP-97-71, Order No. 5200 (Sept. 17, 1997) (reinstating certificate of authority).



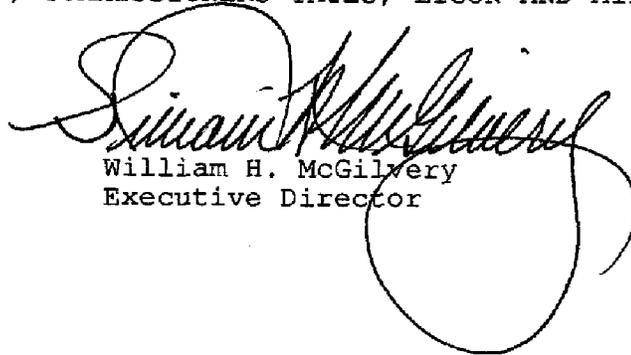
the revocation of Certificate No. 382. In addition, it appears that applicant had no tariff on file for MRDDA service even during the period of time Certificate No. 382 was valid and unrevoked.

Respondent shall have thirty days to furnish proof that it ceased operations as of February 11, 2002, and has not resumed operations since. Such proof must include documents from MRDDA and/or one or more notarized statements from MRDDA officials showing the period or periods of time respondent provided transportation services for MRDDA clients.

In the meantime, respondent must surrender Certificate No. 382 as directed by Order No. 6589.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, LIGON AND MILLER:



William H. McGilvery
Executive Director

