

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7014

IN THE MATTER OF:

Served January 24, 2003

CHIKA TRANSPORT SERVICE, INC., )  
WMATC No. 348, Investigation of )  
Tariff Violations )

Case No. MP-2002-124

This investigation was initiated in Order No. 6933, served December 4, 2002, to determine whether Chika Transport Service, Inc., WMATC No. 348, knowingly and willfully violated Article XI, Section 14, of the Compact and Commission Regulation No. 55, which require each WMATC carrier to charge only those rates and fares specified in a tariff filed by the carrier under the Compact and in effect at the time.

Respondent filed a contract tariff on July 13, 1998. The contract tariff expired on December 31, 1998, but was not replaced, leaving respondent without a tariff on file with the Commission.

Staff wrote to respondent on September 24, 2002, advising respondent to file a new tariff no later than October 4. Respondent filed a tariff on October 4, 2002, but the tariff was rejected as unacceptable on October 10, 2002, in a letter detailing the errors. As of December 4, 2002, respondent had yet to file a corrected tariff.

Order No. 6933, accordingly, directed respondent to refrain from, and/or cease and desist from, transporting passengers for hire between points in the Metropolitan District, unless and until otherwise ordered by the Commission. The Order also directed respondent to file an acceptable tariff in accordance with Article XI, Section 14, of the Compact and Commission Regulation No. 55, and file within thirty days any and all records and documents within respondent's possession, custody or control which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning January 1, 1999, and ending on December 4, 2002.

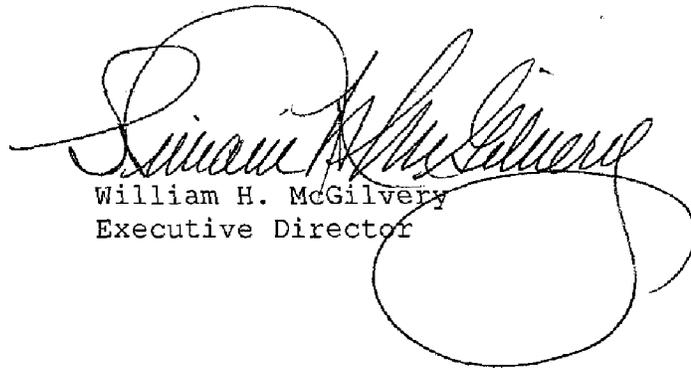
Respondent filed a contract tariff on January 8, 2003, with effective dates of January 1, 2003, through December 31, 2003. Respondent has not, however, filed any of the documents pertaining to operations in the Metropolitan District during the period beginning January 1, 1999, and ending on December 4, 2002. Furthermore, respondent has not filed a Rule 28 report certifying compliance with the mandate in Order No. 6933 to cease operating in the Metropolitan District.

Order No. 6933 provided that Certificate No. 348 would be automatically suspended upon respondent's failure to timely comply with the order and that respondent would have thirty days thereafter to show cause why Certificate No. 348 should not be revoked.

THEREFORE, IT IS ORDERED:

1. That Certificate No. 348 is suspended.
2. That within thirty days respondent shall file a compliance report in accordance with Commission Rule No. 28 certifying cessation of operations in the Metropolitan District and specifying the date such operations ceased.
3. That respondent shall have thirty days to show cause why Certificate No. 348 should not be revoked for willful failure to comply with Order No. 6933 and Commission Rule No. 28.
4. That respondent may file within 15 days from the date of this order a request for oral hearing, specifying the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

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



William H. McGilver  
Executive Director