

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7373

IN THE MATTER OF:

Served August 27, 2003

AMNA O. ABUGUSSEISA, Trading as)
AB & B TRANS, Suspension and) Case No. MP-2003-50
Investigation of Revocation of)
Certificate No. 697)

This matter is before the Commission on the application of respondent for reconsideration of Commission Order No. 7277.

Certificate No. 697 was automatically suspended on May 20, 2003, pursuant to Regulation No. 58-02, for respondent's willful failure to maintain on file with the Commission proof of \$1.5 million in combined-single-limit, motor vehicle liability insurance as required by Commission Regulation No. 58. A \$1.5 million replacement endorsement filed on April 24, 2003, was not accepted for filing because the carrier name and address on the endorsement did not match the carrier name and address on file with the Commission.¹

Order No. 7205, served May 21, 2003, noted that Certificate No. 697 would be subject to revocation if respondent failed to file the necessary WMATC Insurance Endorsement(s) within thirty days. Respondent failed to produce the necessary Endorsement(s) within the allotted time, and Certificate No. 697 was revoked in Order No. 7277, served June 30, 2003, pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to comply with Commission Regulation No. 58. Respondent now requests reconsideration of Order No. 7277.

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 an application for reconsideration on July 17, 2003, and an acceptable \$1.5 million WMATC Insurance Endorsement was filed on July 28, 2003, 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 the necessary WMATC Insurance Endorsement, we may consider reopening this proceeding on our own initiative and reinstating Certificate of Authority No. 697.²

¹ See In re Handi-Pro Transp., Inc., No. MP-03-32, Order No. 7133 (Apr. 15, 2003) (WMATC Endorsement unacceptable because address on endorsement did not match address on file for carrier); In re Nile Express Transport, Inc., No. MP-03-29, Order No. 7113 (Mar. 28, 2003) (WMATC Endorsment unacceptable because issued in wrong name).

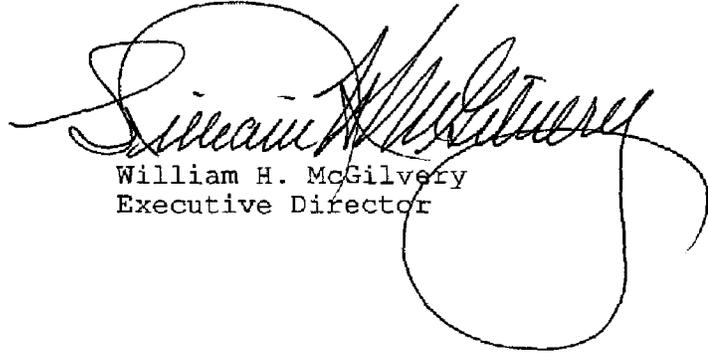
² In re Safe Haven, Inc., No. MP-02-14, Order No. 6682 (June 4, 2002).

At this time we are unable to say reinstating Certificate No. 697 would be consistent with the public interest. The Commission is in receipt of correspondence from the staff of the District of Columbia Department of Health, Medical Assistance Administration (DC Medicaid), indicating that respondent continued providing passenger transportation services between points in the Metropolitan District for clients of DC Medicaid while suspended and revoked.

We will give respondent thirty days to furnish proof that respondent ceased operations as of May 20, 2003. Such proof must include documents from DC Medicaid and/or one or more notarized statements from DC Medicaid officials showing the period or periods of time during 2003 that respondent provided transportation services for DC Medicaid clients.

IT IS SO ORDERED.

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



William H. McGilveray
Executive Director