

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7782

IN THE MATTER OF:

Served February 24, 2004

Application of SYLVESTER BURCHELL,)	Case No. AP-2004-33
Trading as CARE ON WHEELS)	
TRANSPORTATION, for Voluntary)	
Termination of Certificate No. 656)	
Investigation of Failure to File)	Case No. MP-2004-39
Amended Tariff, Directed to:)	
SYLVESTER BURCHELL, Trading as)	
CARE ON WHEELS TRANSPORTATION,)	
WMATC No. 656)	

Case No. MP-2004-39 was initiated on January 23, 2004, in Order No. 7690 for the purpose of investigating respondent's failure to file an amended tariff specifying current DC Medicaid rates. The order gave respondent until February 22, 2004, to file the amended tariff, pay a filing fee of \$25 and pay a civil forfeiture of \$100.

On February 13, 2004, respondent filed an application requesting voluntary termination of Certificate No. 656, effective January 31, 2004. The Commission may terminate a certificate of authority under Title II of the Compact, Article XI, Section 10(b), upon application by the holder.

The application shall be granted. However, because respondent has not responded to Order No. 7690 and because a 2003 annual report and 2004 annual fee are due from each carrier holding any operating authority from this Commission as of January 1, 2004,¹ termination of Certificate No. 656 shall be subject to the condition that respondent's 2003 annual report, respondent's 2004 annual fee and the \$100 forfeiture assessed in Order No. 7690 shall be due in the event Certificate No. 656 is subsequently reinstated.

THEREFORE, IT IS ORDERED:

1. That Cases Nos. MP-2004-39 and AP-2004-33 are hereby consolidated.

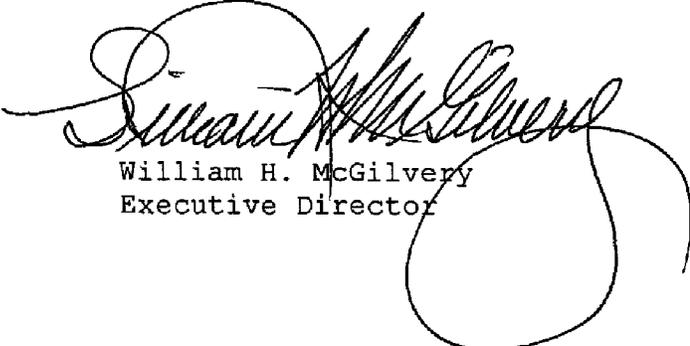
¹ In re Fee Schedule, No. MP-91-05, Order No. 3601 (Jan. 17, 1991); see In re Failure to File Annual Report, No. MP-03-127, Order No. 7525 (Nov. 10, 2003) (2002 annual report form mailed to each WMATC carrier holding authority as of January 1, 2003).

2. That Case No. MP-2004-39 and Certificate of Authority No. 656 are hereby terminated, effective January 31, 2004; provided, that respondent's 2003 annual report, respondent's 2004 annual fee and the \$100 forfeiture assessed in Order No. 7690 shall be due in the event Certificate No. 656 is subsequently reinstated.

3. That within 30 days from the date of this order respondent shall:

- a. remove from respondent's vehicle(s) the identification placed thereon pursuant to Commission Regulation No. 61;
- b. file a notarized affidavit with the Commission verifying compliance with the preceding requirement; and
- c. surrender Certificate No. 656 to the Commission.

FOR THE COMMISSION:



William H. McGilvery
Executive Director