

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 7898

IN THE MATTER OF:

Served March 25, 2004

REHOBOTH TRANSPORTATION)
SERVICES LLC, Suspension and) Case No. MP-2003-171
Investigation of Revocation of)
Certificate No. 822)

This matter is before the Commission on the application of respondent for reinstatement of Certificate No. 822.

Certificate No. 822 was automatically suspended on December 9, 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.

Order No. 7602, served December 11, 2003, noted that Certificate No. 822 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 Respondent failed to produce the necessary Endorsement(s) within the allotted time, and Certificate No. 822 was revoked in Order No. 7747, served February 17, 2004, pursuant to Article XI, Section 10(c), of the Compact for respondent's willful failure to comply with Commission Regulation No. 58. Respondent has since filed an acceptable \$1.5 million WMATC Insurance Endorsement and requests reinstatement of Certificate No. 822.

Under Title II of the Compact, Article XIII, Section 4(a), a party to a proceeding affected by a final order or decision of the Commission may file within 30 days of its publication a written application requesting Commission reconsideration of the matter involved, and stating specifically the errors claimed as grounds for the reconsideration.

Respondent timely filed its application on March 15, 2004, and the replacement endorsement on March 16, 2004, 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. 822.¹

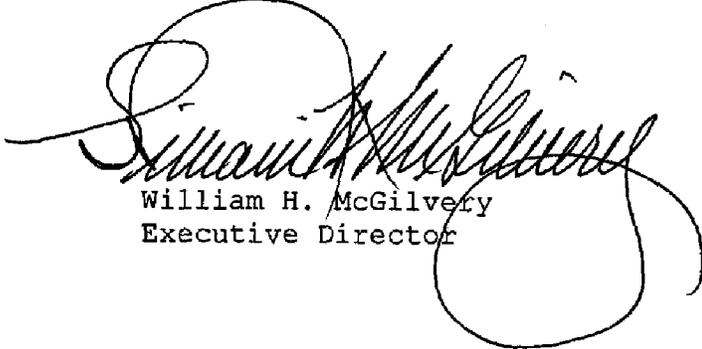
¹ In re Safe Haven, Inc., No. MP-02-14, Order No. 6682 (June 4, 2002).

At this time we are unable to say reinstating Certificate No. 822 would be consistent with the public interest. The effective date of the new endorsement is March 2, 2004. This means that respondent was without insurance coverage for nearly three months, from December 9, 2003, through March 1, 2004.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 822 as commanded by Order No. 7602. We will give respondent thirty days to furnish proof that it ceased operations as of December 9, 2003. Inasmuch as respondent's only tariff is for service rendered to clients of the District of Columbia Department of Health, Medical Assistance Administration, (DC Medicaid), such proof shall include confirmation from DC Medicaid.

IT IS SO ORDERED.

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



William H. McGilver
Executive Director