

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,278

IN THE MATTER OF:

Served February 8, 2007

SECOND TO NONE TOUR & TRAVEL INC.,)
Suspension and Investigation of)
Revocation of Certificate No. 1154)

Case No. MP-2006-135

This matter is before the Commission on respondent's response to Order No. 9876, served August 30, 2006.

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force."¹ A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.²

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1154 for a minimum of \$5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 1154 was rendered invalid on August 30, 2006, when the \$5 million primary WMATC Insurance Endorsement on file for respondent expired without replacement. Order No. 9876 noted the automatic suspension of Certificate No. 1154 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 1154, and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 1154. Respondent submitted a \$5 million primary WMATC Insurance Endorsement on January 4, 2006. The effective date of the new endorsement is December 21, 2006. Thus, it appears that respondent was without insurance coverage for one hundred and thirteen days, from August 30, 2006, through December 20, 2006.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 1154 as directed by Order No. 9876. We will give respondent thirty days to verify that it ceased operations as of August 30, 2006. Inasmuch as respondent's only tariff is for service rendered to the

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

general public, proof that respondent ceased operations shall be corroborated by evidence from respondent's general business records.³

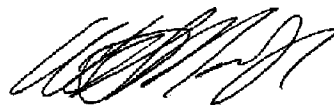
THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall verify it ceased all operations in the Metropolitan District as of August 30, 2006.

2. That within thirty days from the date of this order, respondent shall produce any and all books, papers, correspondence, memoranda, contracts, agreements, and other records and documents, including any and all stored electronically, that are within respondent's possession, custody or control and which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning July 1, 2006, and ending on the date of this order, including, but not limited to any and all:

- a. customer contracts and invoices;
- b. invoices from other carriers;
- c. calendars and itineraries;
- d. bank and payroll records;
- e. insurance documents;
- f. advertising materials;
- g. income tax and personal property returns.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

³ See Compact, tit. II, art. XII, § 1(b) (mandating Commission access to carrier records).