

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,643

IN THE MATTER OF:

Served July 20, 2007

IBRAHIM A. FAHADI, Suspension and) Case No. MP-2006-117
Investigation of Revocation of)
Certificate No. 982)

This matter is before the Commission on respondent's response to Order No. 10,529, served June 6, 2007.

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. 982 for a minimum of \$1.5 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. 982 was rendered invalid on June 6, 2007, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 10,529 noted the automatic suspension of Certificate No. 982 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 982, and gave respondent thirty days to replace the cancelled endorsement and pay the \$50 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 982. Respondent paid the late fee on June 8, 2007, and submitted a \$1.5 million primary WMATC Insurance Endorsement on June 11, 2007. The effective date of the new endorsement is June 20, 2007. This means that respondent was without insurance coverage for fourteen days, from June 6, 2007, through June 19, 2007.

Under Commission Rule No. 28, respondent is required to verify that he ceased transporting passengers for hire under Certificate No. 982 as directed by Order No. 10,529. We will give respondent thirty days to verify cessation of operations as of June 6, 2007. Inasmuch as respondent's general tariff covers service rendered to the general public and to clients of the Easter Seal Society and the District of Columbia Department of Health, Medical Assistance

¹ Compact, tit. II, art. XI, § 6(a).

² Compact, tit. II, art. XI, § 7(g).

Administration (DC Medicaid), respondent shall corroborate his verification with copies of his general business records and confirmation from the Easter Seal Society and DC Medicaid.

THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall verify cessation of all operations in the Metropolitan District as of June 6, 2007.

2. That within thirty days from the date of this order, respondent shall submit written statements from the Easter Seal Society and DC Medicaid confirming that respondent ceased operations as of June 6, 2007.

3. 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 April 1, 2007, 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