

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,113

IN THE MATTER OF:

Served January 29, 2008

Formal Complaint of EXECUTIVE)
TECHNOLOGY SOLUTIONS, LLC, Against)
MANAGEMENT SUPPORT TECHNOLOGY,)
INCORPORATED)

Case No. FC-2007-002

On November 5, 2007, Executive Technology Solutions, LLC, WMATC Carrier No. 985, (ETS) filed a formal complaint against Management Support Technology, Incorporated, a Virginia Corporation (MSTI). In accordance with Commission Rule No. 5-01, a copy of the complaint was served by the Commission's Executive Director on MSTI on November 19, 2007. MSTI filed a timely answer on December 4, 2007, accompanied by a motion to dismiss the complaint without prejudice.

Commission Rule No. 10-02(f) stipulates that a complaint shall include: "A reference to the specific section or sections of the Act, rules, regulations, or orders of the Commission on which the filing is based and which authorizes the Commission to take the requested action or grant the requested relief." The Complaint lacks this essential element.

Nor can it be said the Complaint "fairly makes out a claim that respondent has violated the Compact."¹

The complaint alleges that MSTI, which does not hold a WMATC Certificate of Authority, has been awarded two contracts with federal government agencies, one with the U.S. Department of Housing and Urban Development, (HUD), and one with the U.S. Department of Treasury.

The complaint states that the HUD contract requires MSTI to provide "transportation to and from airports, bus stations, train stations, and other HUD specified locations." However, nothing in the complaint states that those airports and stations and other locations are in the Metropolitan District.

As for the Treasury contract, while MSTI allegedly is required to "provide services in the District of Columbia," the complaint fails to state that those services include passenger transportation.

Accordingly the motion to dismiss shall be granted.

¹ *Easy Travel, Inc., v. Jet Tours USA*, No. FC-94-01, Order No. 4469 (Jan. 5, 1995).

THEREFORE, IT IS ORDERED: That the complaint of Executive Technology Solutions, LLC, against Management Support Technology, Incorporated, is hereby dismissed without prejudice.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director