

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 17,339

IN THE MATTER OF:

Served December 5, 2017

EXECUTIVE TECHNOLOGY SOLUTIONS,)
LLC, Former WMATC Carrier No. 985,)
Return of Unexpended Estimated)
Hearing Cost Assessment)

Case No. MP-2017-157

This matter concerns the return of \$1,325 remaining from a deposit of \$2,500 received from Executive Technology Solutions, LLC, (ETS), on February 19, 2013, in payment of estimated hearing expenses in WMATC Case No. AP-2012-079 concerning ETS's application for a WMATC certificate of authority. During the course of that proceeding ETS requested an oral hearing. The Commission granted ETS' request and in accordance with Article XIV, Section 1(b), of the Washington Metropolitan Area Transit Regulation Compact¹ and Commission Regulation No. 54-03, assessed \$2,500 as the sum of expenses the Commission estimated it would incur in connection with the hearing.²

A hearing was held March 4, 2013. The \$2,500 deposit submitted by ETS exceeded the actual hearing officer and transcript costs of \$1,175, and ETS was sent a refund check in the amount of \$1,325 on April 30, 2013,³ in accordance with Article XIV, Section 1(d), of the Compact and consistent with Regulation No. 54-05(c).

On June 13, 2013, the Commission denied ETS' application and assessed a \$10,000 civil forfeiture against ETS for knowingly and willfully operating passenger transportation services within WMATC's jurisdiction without a valid certificate of authority.⁴

ETS has yet to pay the forfeiture and has yet to present the \$1,325 check for payment by the Commission's bank, which advises that payment would be denied if the check was presented at this late date.

¹ Pub. L. No. 101-505, § 1, 104 Stat. 1300, 1313 (1990), *amended by* Pub. L. No. 111-160, 124 Stat. 1124 (2010) (amending tit. I, art. III).

² *In re Exec. Tech. Sols., LLC*, No. AP-12-079, Order No. 13,664 (Jan. 4, 2013).

³ *In re Exec. Tech. Sols., LLC*, No. AP-12-079, Order No. 13,995 at 10 n.56 (June 13, 2013).

⁴ *Id.* at 11-12.

Accordingly, the Commission shall return the \$1,325 balance in the form of a credit against the \$10,000 forfeiture. The \$8,675 forfeiture balance shall remain due.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS HOLCOMB, RICHARD, AND MAROOTIAN:

A handwritten signature in black ink, appearing to read "W. S. Morrow, Jr.", written in a cursive style.

William S. Morrow, Jr.
Executive Director