

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2968

IN THE MATTER OF:

Served January 16, 1987

DAV-EL OF WASHINGTON, D.C., INC., )  
Suspension and Investigation of )  
Revocation of Certificate No. 123 )

Case No. MP-87-06

The Compact, Title II, Article XII, Section 9(a) mandates that no certificate of public convenience and necessity issued under Section 4 of said Article ". . . shall remain in force unless the person . . . holding such certificate complies with such reasonable regulations as the Commission shall prescribe governing the filing and approval of surety bonds, policies of insurance, [and] qualifications as a self-insurer . . . in such reasonable amount as the Commission may require . . . ." See also Commission Regulation No. 62, as amended by Order No. 2721, served June 19, 1985.

The certificate of insurance on file for Dav-El of Washington, D.C., Inc. ("Dav-El"), shows a policy expiration date of December 31, 1986. On December 1, 1986, the Commission advised Dav-El by letter that an appropriate certificate evidencing new insurance must be filed on or before the above-specified expiration date. On January 5, 1987, a certificate of insurance was filed, rejected and returned as not acceptable for filing. No acceptable insurance certificate has been filed. Accordingly, Dav-El appears to be in violation of Title II, Article XII, Section 9(a) of the Compact and Commission Regulation No. 62.

THEREFORE, IT IS ORDERED:

1. That the above-captioned proceeding is instituted pursuant to Title II, Article XII, Section 4(g) of the Compact for the purpose of determining whether Certificate of Public Convenience and Necessity No. 123 of Dav-El of Washington, D.C., Inc., shall be revoked.

2. That Dav-El of Washington, D.C., Inc., is made a party respondent to the above-captioned proceeding.

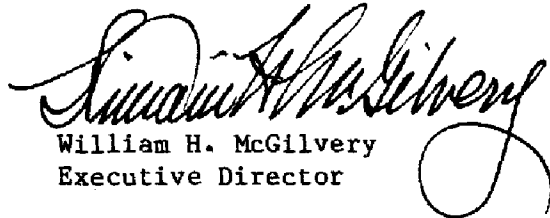
3. That Dav-El of Washington, D.C., Inc., is directed, within 30 days from the date of service hereof, fully to comply with the provisions of the Compact, Title II, Article XII, Section 9(a) and Commission Regulation No. 62, and is further directed within the same 30 days to file with the Commission an appropriate certificate of

insurance or such other evidence, in writing and under oath, as it may deem pertinent to show good cause why its Certificate of Public Convenience and Necessity No. 123 should not be revoked.

4. That Certificate of Public Convenience and Necessity No. 123 issued to Dav-El of Washington, D.C., Inc., is hereby suspended until further order of the Commission, and Dav-El of Washington, D.C., Inc., is directed to cease and desist from transportation subject to the Compact, until further order of the Commission.

5. That Dav-El of Washington, D.C., Inc., is hereby provided an opportunity for hearing pursuant to the Compact, Title II, Article XII, Section 4(g), and is directed to file within 30 days of the service date of this order an appropriate motion pursuant to Commission Rule No. 15, if it desires an oral hearing on this matter.

FOR THE COMMISSION:

  
William H. McGilvery  
Executive Director