

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 3105

IN THE MATTER OF:

Served December 17, 1987

ALEXANDRIA TRANSIT COMPANY,)
Suspension and Investigation of)
Revocation of Certificate No. 119)

Case No. MP-87-24

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 approved for Alexandria Transit Company ("ATC") showed a policy expiration date of March 23, 1988. However, on November 2, 1987, the Commission received a document */ which called into question the continued existence of the insurance on file with the Commission. In addition, the new document was not acceptable under Commission Regulation No. 62.

Subsequent correspondence and telephone contact have failed to resolve the matter, except that it is now clear the filer of the approved certificate of insurance failed to honor its written commitment to provide the Commission with 30 days notice of cancellation of the policy.

Accordingly, ATC has no acceptable evidence of insurance on file, and its operating authority is no longer in force by action of law. See Compact, Title II, Article XII, Section 9(a) and Commission Regulation No. 62.

*/ The document was a "Virginia Transit Liability Pool Certificate of Membership Agreement," rather than a "Certificate of Insurance."

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. 119 of Alexandria Transit Company shall be revoked.

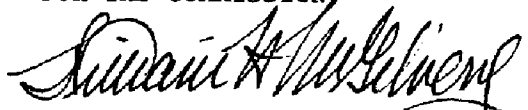
2. The Alexandria Transit Company is made a party respondent to the above-captioned proceeding.

3. That Alexandria Transit Company 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. 119 should not be revoked.

4. That Certificate of Public Convenience and Necessity No. 119 issued to Alexandria Transit Company is suspended until further order of the Commission, and Alexandria Transit Company is directed to cease and desist from transportation subject to the Compact, until further order of the Commission.

5. That Alexandria Transit Company 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 