

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3485

IN THE MATTER OF:

Served April 10, 1990

LANCASTER ENTERPRISES, INC.,)
Trading as DIAL-OF-WHEELS SHUTTLE,)
Suspension and Investigation of)
Revocation of Certificate No. 155)

Case No. MP-90-01

By Order No. 3458, served February 12, 1990, Lancaster Enterprises, Inc., trading as Dial-of-Wheels Shuttle (Lancaster) was named a respondent in the above-captioned case. Lancaster's Certificate No. 155 was suspended, and Lancaster was directed within 30 days to comply with the Commission's insurance requirements or show cause why Certificate No. 155 should not be revoked.

Lancaster filed no evidence of insurance but did file a response to Order No. 3458. In the notarized response Lancaster's president indicated that a dispute had arisen between Lancaster and its insurance agent, and the matter has been submitted to the Insurance Division of the Maryland Department of Licensing and Regulation (Insurance Division). As evidence of this pending matter, Lancaster later submitted copies of (1) its complaint to the Insurance Division dated February 1, 1990; (2) Insurance Division's acknowledgement of receipt dated February 9, 1990; and (3) the response of the insurance agent to the Insurance Division dated February 22, 1990.

Lancaster cites this dispute as evidence why its Certificate No. 155 should not be revoked for failure to maintain adequate insurance. Further, Lancaster asks that the suspension of Certificate No. 155 be extended for six months, thus providing the time needed to resolve the dispute. */ Lancaster asserts that it needs the refund claimed in its complaint in order to obtain a new insurance policy.

The Commission believes that Lancaster has established good cause why Certificate No. 155 should not be revoked at this time. This proceeding will remain open, and Lancaster's request for an additional six-month suspension will be granted.

THEREFORE, IT IS ORDERED:

1. That Lancaster Enterprises, Inc., trading as Dial-of-Wheels Shuttle is directed, on or before Monday, September 10, 1990, fully to comply with the provisions of the Compact, Title II,

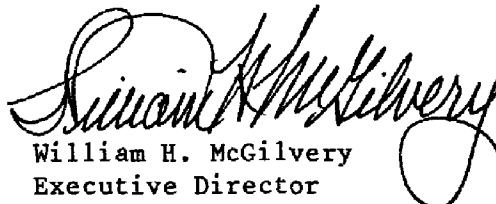
*/ Lancaster also asserts that it could use this time to file an amended tariff. Lancaster is reminded that the tariff amendment must be undertaken by separate proceeding, according to the Commission's regulations.

Article XII, Section 9(a) and Commission Regulation No. 62, and is further directed within the same time to file appropriate evidence 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. 155 should not be revoked.

2. That Lancaster Enterprises, Inc., trading as Dial-of-Wheels Shuttle is directed to file with the Commission copies of any further correspondence relating to this matter between it and the Insurance Division of the Maryland Department of Licensing and Regulation, within seven calendar days of sending or receiving such correspondence.

3. That in all other respects, Order No. 3458, served February 12, 1990, remains in full force and effect.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:


William H. McGilvery
Executive Director