

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5744

IN THE MATTER OF:

Served November 10, 1999

VGA ENTERPRISES, INC., Revocation)
of Certificate of Insurance and)
Investigation of Suspension and)
Revocation of Certificate No. 445)

Case No. MP-99-60

On November 3, 1999, Burns & Wilcox, Ltd., filed a WMATC Certificate of Insurance and Policy Endorsement on behalf of VGA Enterprises, Inc., showing \$1 million in primary coverage under policy no. CA00041385 for any motor vehicle operated by respondent under its certificate of authority.

On November 8, 1999, HMS Insurance Associates, Inc., filed a non-WMATC certificate of insurance on behalf of VGA Enterprises, Inc., showing coverage under policy no. CA00041385 for scheduled autos only.

Although respondent's WMATC Certificate of Insurance confirms coverage of any vehicle operated by respondent under its WMATC certificate of authority -- even those not identified in policy no. CA00041385 -- as a practical matter the potential exists for a future claimant to be mistakenly denied recovery on the ground that policy no. CA00041385 only applies to scheduled autos.

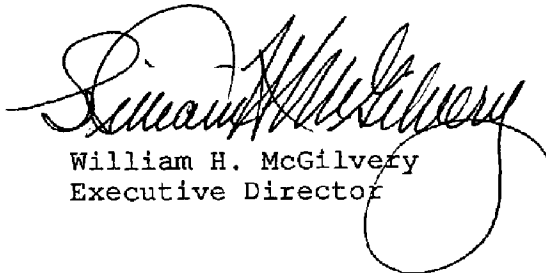
Under Regulation No. 58-09, the Commission may, upon thirty (30) days' notice, revoke its approval of any certificate of insurance if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public. Accordingly, we will revoke respondent's certificate of insurance, effective thirty days after the date of this order. Respondent shall have until then to file a newly executed WMATC Certificate of Insurance and Policy Endorsement and a copy of policy no. CA00041385.

THEREFORE, IT IS ORDERED:

1. That respondent's certificate of insurance is hereby revoked, effective thirty days after the date of this order.
2. That respondent shall have thirty days from the date this order is issued to file a newly executed WMATC Certificate of Insurance and Policy Endorsement and a copy of policy no. CA00041385.
3. That unless respondent complies with the requirements of this order within the time allowed, Certificate of Authority No. 445 shall be invalid and stand automatically suspended pursuant to Article XI, Section 7(g), of the Compact and Commission Regulation No. 58-02 and shall be subject to immediate revocation without further proceedings.

4. That respondent may file within fifteen days from the date of this order a request for oral hearing, indicating the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

FOR THE COMMISSION:

A handwritten signature in cursive script, appearing to read "William H. McGilvery". The signature is written in black ink and is positioned above the printed name and title.

William H. McGilvery
Executive Director