

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 8225

IN THE MATTER OF:

Served August 13, 2004

ACHU SERVICES GROUP LLC, Trading as) Case No. MP-2004-116
AMERICAN TRANSPORTATION UNLIMITED,)
Suspension and Investigation of)
Revocation of Certificate No. 658)

This matter is before the Commission on respondent's response to Order No. 8090, served June 14, 2004.

Under the Compact, a certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.¹ Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 658 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 658 became invalid on June 10, 2004, when the \$1.5 million WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 8090 noted the automatic suspension of Certificate No. 658 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 658, and gave respondent thirty days to replace the expired endorsement or face revocation of Certificate No. 658. Respondent submitted a \$1.5 million replacement endorsement on July 19, 2004. The effective date of the new endorsement is July 3, 2004. This means that respondent was without insurance coverage for twenty-three days, from June 10, 2004, through July 2, 2004.

In addition, respondent has neither paid the \$100 annual fee for 2004² nor filed its annual report for 2003.³

¹ Compact, tit. II, art. XIII, § 7(g).

² See Compact, tit. II, art. IV, § 4(a); Regulation No. 67; Order No. 3601 (\$100 annual fee due on or before January 31).

³ See Compact, tit. II, art. XII, § 1(a); Regulation No. 60-01 (annual report due on or before April 30).

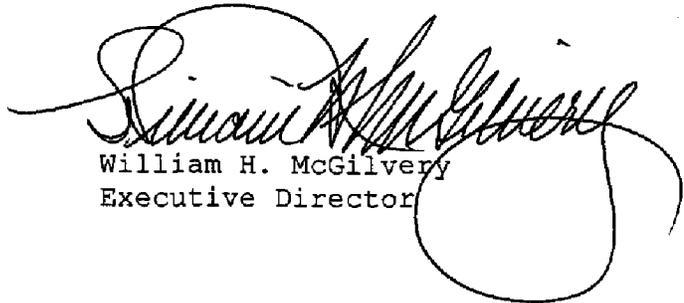
Respondent shall have thirty days to pay the annual fee for 2004, submit an annual report for 2003, and furnish proof that respondent ceased operations as of June 10, 2004,⁴ or show cause why Certificate No. 658 should not be revoked. Inasmuch as respondent's tariff includes rates for service rendered to clients of the District of Columbia Department of Health, Medical Assistance Administration, (DC Medicaid), respondent's proof of ceasing operations shall include confirmation from DC Medicaid.

THEREFORE, IT IS ORDERED:

1. That within thirty days, respondent shall pay the annual fee of \$100 for 2004 (by money order, certified check, or cashiers check), submit an annual report for 2003, and furnish proof that respondent ceased operations as of June 10, 2004, or show cause why Certificate No. 658 should not be revoked pursuant to Article XI, Section 10(c), of the Compact.

2. 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.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, MILLER, AND GUNS:



William H. McGilveray
Executive Director

⁴ Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 658 as commanded by Order No. 8090.