

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9401

IN THE MATTER OF:

Served March 16, 2006

Application of YOUNG )  
TRANSPORTATION, INC., to Acquire )  
Certificate No. 368 from LEONARD )  
HARRY YOUNG, Trading as YOUNG )  
STAR TOURS )

Case No. AP-2004-184

This matter is before the Commission on applicant's request for reconsideration of the voiding of authority conditionally granted to applicant in Commission Order No. 8598, served March 21, 2005.

Order No. 8598 specified that applicant would have the full 180 days available under Commission Regulation No. 66 to satisfy the conditions of the grant. Applicant did not fully comply with the prescribed conditions within the allotted time. The conditional grant consequently became void on September 20, 2005. Under Article XIII, Section 4(a), applicant had until October 20, 2005, to file an application for reconsideration.<sup>1</sup>

Respondent timely filed an application for reconsideration as of October 19, 2005, but the application does not allege any error on the part of the Commission as required by statute.<sup>2</sup> The application therefore is denied. However, considering that applicant has satisfied the conditions of issuance prescribed in Order No. 8598, we will reopen this proceeding on our own initiative<sup>3</sup> and reissue Certificate of Authority No. 1071;<sup>4</sup> provided, that applicant may not operate any leased vehicles under Certificate No. 368 unless and until applicant has filed the requisite lease(s).

THEREFORE, IT IS ORDERED that Certificate of Authority No. 368 shall be reissued to Young Transportation, Inc., 7003 Tarquin Avenue, Temple Hills, MD 20748.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND SMITH:

  
William S. Morrow, Jr.  
Executive Director

<sup>1</sup> See *In re Boone-McNair Transp., LLC*, No. AP-02-66, Order No. 7063 (Mar. 4, 2003) (30-day recon filing period begins running on 181<sup>st</sup> day).

<sup>2</sup> Compact, tit. II, art. XIII, § 4(a).

<sup>3</sup> Commission Rule No. 26-04.

<sup>4</sup> See Order No. 7063 (proceeding reopened to issue certificate of authority).