

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9404

IN THE MATTER OF:

Served March 16, 2006

Application of ANNIE GARDNER,)
Trading as GARDNER TRANSPORTATION,)
for a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-2005-053

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. 8905, served August 18, 2005.

Order No. 8905 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 February 15, 2006. Under Article XIII, Section 4(a), applicant had until March 17, 2006, to file an application for reconsideration.¹

Respondent timely filed an application for reconsideration as of March 3, 2006, but the application does not allege any error on the part of the Commission as required by statute.² The application therefore is denied. However, considering that applicant has fully satisfied the conditions of issuance prescribed in Order No. 8905, we will reopen this proceeding on our own initiative³ and issue Certificate of Authority No. 1084.⁴

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1084 shall be issued to Annie Gardner, trading as Gardner Transportation, 2966 2nd Street, S.E., #23, Washington, DC 20032.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND SMITH:



William S. Morrow, Jr.
Executive Director

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

² Compact, tit. II, art. XIII, § 4(a).

³ Commission Rule No. 26-04.

⁴ See Order No. 7063 (proceeding reopened to issue certificate of authority).