

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,086

IN THE MATTER OF:

Served November 17, 2006

Application of HATIM AWAD HAMED)
ELFAKI, Trading as H AND S TRANS,)
for a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-2005-206

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. 9409, served March 20, 2006.

Order No. 9409 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 19, 2006. Under Article XIII, Section 4(a), applicant had until October 19, 2006, to file an application for reconsideration.¹

Respondent timely filed an application for reconsideration on October 4, 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. 9409, we will reopen this proceeding on our own initiative³ and issue Certificate of Authority No. 1186.⁴

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1186 shall be issued to Hatim Awad Hamed Elfaki, trading as H and S Trans, 1009 Charles Street, Herndon, VA, 20170.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



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 the day the conditional grant becomes void).

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).