

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,264

IN THE MATTER OF:

Served February 1, 2007

Application of LINKS ENTERPRISES AND)  
INVESTMENTS, LLC, for a Certificate )  
of Authority -- Irregular Route )  
Operations )

Case No. AP-2005-152

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. 9478, served April 14, 2006.

Order No. 9478 stipulated 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 satisfy those conditions within the allotted time. The conditional grant consequently became void on October 12, 2006. Under Article XIII, Section 4(a), applicant had until November 13, 2006, to file an application for reconsideration.<sup>1</sup>

Respondent did not file its application for reconsideration until November 14, 2006. Further, 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.

The Commission has reopened application proceedings in the past notwithstanding the denial of reconsideration. But in those proceedings, applicants generally had satisfied the conditions of the grant before the thirty days allowed for seeking administrative reconsideration of the voiding of the grant had expired.<sup>3</sup> In this case, applicant still has not satisfied all of the conditions prescribed in Order No. 9478.

As Order No. 9478 noted, applicant proposed commencing operations with eight vans. Among the conditions stipulated in Order No. 9478 was that applicant shall present its revenue vehicles for inspection and shall file evidence of insurance pursuant to Commission

---

<sup>1</sup> 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 181<sup>st</sup> day).

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

<sup>3</sup> See e.g., *In re Dillon, Inc./a Perfedia Sedan and Limo. Servs.*, No. AP-05-84, Order No. 9572 (May 18, 2006); *In re Tech Systems, Inc.*, No. AP-05-81, Order No. 9571 (May 18, 2006) *In re Smart Ride, Inc.*, No. AP-05-67, Order No. 9570 (May 18, 2006).

Regulation No. 58, a vehicle list, and proof that applicant's revenue vehicles have undergone a safety inspection within the past 12 months.

Applicant's untimely vehicle list shows only one vehicle - not eight. In addition, an untimely lease shows that applicant intends to operate a second vehicle that is not on the list. Moreover, whereas the first vehicle, a 2003 Chevrolet van, has passed inspection by Commission staff, the second vehicle, a 1998 Chevrolet van, has been neither presented for Commission inspection nor shown to have passed a safety inspection within the past 12 months.

Finally, applicant's proof of insurance - filed more than a week after the reconsideration period had ended - is unacceptable. Regulation No. 58-06 states that "Certificates of insurance shall be issued in the full and correct name of the individual, partnership, corporation, or other entity that is the carrier." The WMATC Certificate of Insurance and Policy Endorsement filed on applicant's behalf identifies the insured as "Links Enterprises, LLC", which is not applicant's "full and correct name." The endorsement, therefore, does not meet the requirement of Regulation No. 58-06.<sup>4</sup>

Accordingly, we decline to reopen this proceeding.<sup>5</sup> Applicant, however, may reapply for a certificate of authority if it so chooses.

THEREFORE, IT IS ORDERED:

1. That the application for reconsideration is denied.
2. That this proceeding is terminated.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director

---

<sup>4</sup> See *In re Anna O. Abugusseisa, t/a AB & B Trans*, No. MP-03-50, Order No. 7205 (May 21, 2003) (endorsement rejected because carrier name and address on endorsement did not match name and address on file with Commission); *In re Nile Express Transport, Inc.*, No. MP-03-29, Order No. 7113 (Mar. 28, 2003) (endorsement filed two days late rejected because not issued in correct name); *In re Dav-El Transp., Inc.*, No. MP-03-07, Order No. 7011 (Jan. 23, 2003) (carrier suspended because insurance endorsement issued in wrong name).

<sup>5</sup> See *In re Olga Jeannette Ayala-Wynkoop, t/a Koops Limo. Serv.*, No. AP-2005-149, Order No. 9781 (July 28, 2006) (application not reopened where vehicle had not passed inspection).