

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,628

IN THE MATTER OF:

Served July 11, 2007

Application of M&S TRANSPORTATION,) Case No. AP-2006-150
L.L.C., for a Certificate of)
Authority -- Irregular Route)
Operations)

This matter is before the Commission on applicant's request for an extension of time to comply with Commission Order No. 10,117, served December 1, 2006.

Order No. 10,117 conditionally granted Certificate of Authority No. 1321 and stipulated that applicant would have the full 180 days available under Commission Regulation No. 66, or until May 30, 2007, to satisfy the conditions of the grant. On May 30, 2007, applicant requested an extension of the compliance deadline. Applicant subsequently satisfied the conditions of Order No. 10,117 as of June 28, 2007.

Regulation No. 66 provides that: "The time for complying with the conditions of a grant of authority shall not be extended beyond 180 days from the date of the grant. A conditional grant of authority shall be void on the 181st day following the date of the grant if full compliance has not been achieved at that time." The Commission, however, may waive Regulation No. 66 in its discretion or for good cause shown under Rule No. 29.¹

The Commission has approved the issuance of a certificate of authority in the past where, as here: (1) applicant requested an extension of time within the aforementioned 180 days; and (2) satisfied the conditions of the grant within thirty days beginning on the aforementioned 181st day.² For good cause shown, Regulation No. 66 shall be waived.

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1321 shall be issued to M&S Transportation, L.L.C., 1415½ D Street, N.E., Washington, DC 20002.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

¹ In re *City Sightseeing Buses LLC*, No. AP-06-013, Order No. 10,305 at 3 (Mar. 6, 2007).

² See In re *JBT Enterprise, LLC, t/a Access Mobility Transp.*, No. AP-05-111, Order No. 9755 (July 19, 2006) (explaining 30-day rationale).