

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,655

IN THE MATTER OF:

Served July 25, 2007

Application of STEVE MCCOY BOYKINS, )  
Trading as MARCEL'S LIMOUSINE )  
SERVICE, for a Certificate of )  
Authority -- Irregular Route )  
Operations )  
Case No. AP-2006-197

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. 10,129, served December 1, 2006.

Order No. 10,129 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 May 31, 2007. Under Article XIII, Section 4(a), applicant had until July 2, 2007, to file an application for reconsideration.<sup>1</sup>

Respondent timely filed an application for reconsideration as of July 2, 2007, 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. We may reopen this proceeding on our own initiative,<sup>3</sup> however, and issue Certificate of Authority No. 1332, provided applicant has fully satisfied the conditions of issuance prescribed in Order No. 10,129.<sup>4</sup>

The record shows that applicant has complied with all of the requirements of Order No. 10,129, except the requirement that applicant's revenue vehicles pass inspection by Commission staff. The inspection reports for applicant's two revenue vehicles show that applicant's 4-passenger luxury sedan and 8-passenger limousine display neither applicant's name nor applicant's number as required by Commission Regulation No. 61. Applicant asks us to waive Regulation No. 61.

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<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 the day the conditional grant becomes void).

<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).

The Commission routinely waives Regulation No. 61 with respect to limousines and luxury sedans seating nine persons or less, including the driver.<sup>5</sup> Accordingly, we shall reopen this proceeding on our own initiative, waive Regulation No. 61 as to applicant's 4-passenger luxury sedan and 8-passenger limousine, and issue Certificate of Authority No. 1332.

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1332 shall be issued to Steve McCoy Boykins, trading as Marcel's Limousine Service, 925 Hillcrest Drive, Martinsburg, WV 25401.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director

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<sup>5</sup> *In re Escort Limousine Service, Inc.*, No. AP-03-48, Order No. 7512 (Nov. 5, 2003).