

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,867

IN THE MATTER OF:

Served October 26, 2007

Application of WESTERN HOWARD COUNTY)
MOBILE, LLC, for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-2007-124

By letter dated July 10, 2007, applicant was directed to publish notice of this application in a newspaper of general circulation in the Metropolitan District no later than July 24, 2007, and file an affidavit of publication and a certificate of good standing no later than August 7, 2007. On September 17, applicant filed a request for an extension of the publication deadline.

The Commission granted applicant's request by letter dated September 21. The publication deadline was extended to October 5. The deadline for filing proof of publication and the certificate of good standing was extended to October 19, as was the deadline for filing comments and protests. The letter cautioned that further extensions would not be granted

Applicant submitted an affidavit of publication on October 17 but has yet to submit the certificate of good standing. Moreover, the affidavit shows that the notice applicant published was defective because it failed to inform the public of the right to protest or comment on the application.

Under the Compact, an application to obtain a certificate of authority shall be made in writing, verified, and shall contain the information required by the application form and accompanying instructions.¹ An applicant may be required to publish notice of the application in a newspaper of general circulation in the Metropolitan District and furnish any supplemental information necessary for a full and fair examination of the application.² Failure to comply with the Commission's application requirements warrants dismissal.³

¹ Compact, tit. rI, art. XI, § 8; Regulation No. 54-02.

² Regulation No. 54-04(b).

³ *In re One, LLC, t/a Bon Voyage*, No. AP-04-103, Order No. 8212 (Aug. 5, 2004).

THEREFORE, IT IS ORDERED: that the application of Western Howard County Mobile, LLC, for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read 'W.S. Morrow, Jr.', written in a cursive style.

William S. Morrow, Jr.
Executive Director