

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,307

IN THE MATTER OF:

Served April 24, 2008

Application of U'NIQUE LIMOUSINE AND)  
TRANSPORTATION SERVICES, L.L.C., )  
for a Certificate of Authority -- )  
Irregular Route Operations )  
)

Case No. AP-2008-020

By letter dated February 15, 2008, applicant was directed to publish notice of this application in a newspaper of general circulation in the Metropolitan District no later than February 29, 2008, and file an affidavit of publication no later than March 14, 2008.

On March 3, 2008, applicant filed a request for an extension of the publication deadline. The Commission granted applicant's request by letter dated March 6, 2008. The letter directed applicant to publish an enclosed public notice no later than March 20, 2008, and file an affidavit of publication no later than April 3, 2008. The letter stated that no further extensions would be granted.

To provide adequate time for the public to comment on the application, the Commission also extended the deadline for public comments and protests of this application to April 3, 2008, and posted notice of the extended protest period on its website and in its office.

On March 7, 2008, applicant filed an affidavit attesting to publication of notice on March 3, 2008, but the notice specified a protest deadline of March 14, 2008, instead of April 3, 2008. Once a protest deadline has been extended, only a published notice specifying the extended date constitutes adequate notice.<sup>1</sup>

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.<sup>2</sup> 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

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<sup>1</sup> *In re Cannanland Transportation Inc.*, No. AP-07-185, Order No. 11,078 (Jan. 14, 2008).

<sup>2</sup> Compact, tit. II, art. XI, § 8; Regulation No. 54-02.

and fair examination of the application.<sup>3</sup> Failure to comply with the Commission's application requirements warrants dismissal.<sup>4</sup>

Because applicant failed to publish the correct protest deadline, the application shall be dismissed.

THEREFORE, IT IS ORDERED: that the application of U'nique Limousine and Transportation Services, L.L.C., for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

FOR THE COMMISSION:



William S. Morrow, Jr.  
Executive Director

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<sup>3</sup> Regulation No. 54-04(b).

<sup>4</sup> *In re One, LLC, t/a Bon Voyage*, No. AP-04-103, Order No. 8212 (Aug. 5, 2004).