

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,448

IN THE MATTER OF:

Served July 1, 2008

Application of BENONS L.L.C.,)
Trading as FALCON TRANSPORT, for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-2007-212

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. 11,024, served December 20, 2007.

Order No. 11,024 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 June 18, 2008. Under Article XIII, Section 4(a), applicant had until July 18, 2008, to file an application for reconsideration.¹

Respondent timely filed an application for reconsideration as of June 20, 2008, but the application does not allege any error on the part of the Commission as required by statute.² The application therefore is denied. However, considering that applicant has fully satisfied the conditions of issuance prescribed in Order No. 11,024, we will reopen this proceeding on our own initiative³ and issue Certificate of Authority No. 1476.⁴

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1476 shall be issued to Benons L.L.C., trading as Falcon Transport, 11106 Superior Landing, Bowie, MD 20720.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

¹ 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).

² Compact, tit. II, art. XIII, § 4(a).

³ Commission Rule No. 26-04.

⁴ See Order No. 7063 (proceeding reopened to issue certificate of authority).