

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 11,755

IN THE MATTER OF:

Served December 18, 2008

Application of WHOLISTIC SERVICES ) Case No. AP-2008-023  
II, INC., for a Certificate of )  
Authority -- Irregular Route )  
Operations )

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. 11,293, served April 23, 2008.

Order No. 11,293 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.<sup>1</sup> The conditional grant consequently became void on October 21, 2008. Under Article XIII, Section 4(a), applicant had until November 20, 2008, to file an application for reconsideration.<sup>2</sup>

Respondent filed an application for reconsideration on October 28, 2008, but the application does not allege any error on the part of the Commission as required by statute.<sup>3</sup> The application therefore is denied. Although we may reopen this proceeding on our own initiative under Rule No. 26-04, we shall not exercise that option because applicant did not fully satisfy the conditions of the grant on or before the deadline for requesting reconsideration.<sup>4</sup>

Applicant, however, may reapply for a certificate of authority if it so chooses.

IT IS SO ORDERED.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.  
Executive Director

<sup>1</sup> Applicant failed to file a valid tariff and failed to present its revenue vehicle(s) for inspection by Commission staff.

<sup>2</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>3</sup> Compact, tit. 11, art. XIII, § 4(a).

<sup>4</sup> See *In re BLS Limo Group, Inc.*, No. AP-07-056, Order No. 11,081 (Jan. 15, 2008) (declining to reopen where applicant failed to satisfy conditions on or before reconsideration deadline).