

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,060

IN THE MATTER OF:

Served June 25, 2009

Application of MELWOOD HORTICULTURAL)
TRAINING CENTER, INC., for a)
Certificate of Authority --)
Irregular Route Operations)

Case No. AP-2008-014

This matter is before the Commission on applicant's request for an extension of time to comply with Commission Order No. 11,692, served November 19, 2008. Order No. 11,692 conditionally granted Certificate of Authority No. 534 and stipulated that applicant would have the full 180 days available under Commission Regulation No. 66, or until May 18, 2009, to satisfy the conditions of the grant. On May 6, 2009, applicant requested an extension of the compliance deadline. Applicant subsequently satisfied the conditions of Order No. 11,692 as of June 10, 2009.

Regulation No. 66 provides that: "The time for complying with the conditions of a grant of authority shall not be extended beyond 180 days from the date of the grant. A conditional grant of authority shall be void on the 181st day following the date of the grant if full compliance has not been achieved at that time." The Commission, however, may waive Regulation No. 66 in its discretion or for good cause shown under Rule No. 29.¹

The Commission has approved the issuance of a certificate of authority in the past where, as here: (1) applicant requested an extension of time within the aforementioned 180 days; and (2) satisfied the conditions of the grant within thirty days beginning on the aforementioned 181st day.² For good cause shown, Regulation No. 66 shall be waived.

THEREFORE, IT IS ORDERED that Certificate of Authority No. 534 shall be issued to Melwood Horticultural Training Center, Inc., 5606 Dower House Road, Upper Marlboro 20772.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director

¹ In re City Sightseeing Buses LLC, No. AP-06-013, Order No. 10,305 at 3 (Mar. 6, 2007).

² See In re JBT Enterprise, LLC, t/a Access Mobility Transp., No. AP-05-111, Order No. 9755 (July 19, 2006) (explaining 30-day rationale).