

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,129

IN THE MATTER OF:

Served August 21, 2009

Application of (NATCARE LLC) for a )  
Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-2009-056

By letter dated June 10, 2009, applicant was directed to publish notice of this application in a newspaper of general circulation in the Metropolitan District no later than June 24, 2009. On July 6, 2009, applicant filed an affidavit attesting to publication of notice on July 3, 2009. Because the notice was not timely published, the Commission granted applicant an extension of the publication deadline by letter dated July 17, 2009. The letter directed applicant to publish an enclosed public notice no later than July 31, 2009, and file an affidavit of publication no later than August 14, 2009. 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 to August 14, 2009, and posted notice of the extended protest period on its website. Applicant has yet to respond to the Commission's letter of July 17, 2009.

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>1</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 and fair examination of the application.<sup>2</sup> Failure to comply with the Commission's application requirements warrants dismissal.<sup>3</sup>

THEREFORE, IT IS ORDERED: that the application of (Natcare LLC) for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

FOR THE COMMISSION:



William S. Morrow, Jr.

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<sup>1</sup> Compact, tit. II, art. XI, § 8; Regulation No. 54-02.

<sup>2</sup> Regulation No. 54-04(b).

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

Executive Director