

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,303

IN THE MATTER OF:

Served February 4, 2010

Application of HIGHER GROUND)
TRANSPORTATION SERVICES, INC., for)
a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-2009-069

This matter is before the Commission on applicant's request for an extension of time to comply with Commission Order No. 12,088, served July 10, 2009. The order conditionally granted Certificate of Authority No. 1507 and stipulated that applicant would have the full 180 days available under Commission Regulation No. 66, or until January 6, 2010, under Rule No. 7-01, to satisfy the conditions of the grant. On January 4, 2010, applicant requested an extension of the deadline. Applicant subsequently satisfied the conditions of the grant as of February 3, 2010.

Regulation No. 66 states 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 may waive Regulation No. 66 in its discretion or for good cause shown under Rule No. 29.¹ The Commission has waived Regulation No. 66 and 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

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1507 shall be issued to Higher Ground Transportation Services, Inc., 6409 Gwinnett Lane, Bowie, MD, 20720-5320.

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).