

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,383

IN THE MATTER OF:

Served April 30, 2010

Application of FIVE STAR COACHWAYS,)
INC, Trading as FIVE STAR)
COACHWAYS, for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-2009-095

This matter is before the Commission on applicant's request for reconsideration of the voiding of authority conditionally granted in Commission Order No. 12,172, served September 29, 2009. The order directed applicant to present its vehicle(s) for inspection and file certain documents within the 180-day maximum permitted by Commission Regulation No. 66. The order stipulated that the grant of authority would be void and the application would stand denied upon applicant's failure to timely satisfy those conditions. Applicant did not fully satisfy the conditions of the grant within the allotted time. The conditional grant consequently became void on March 30, 2010.

Under Article XIII, Section 4(a), applicant had until April 29, 2010, to file an application for reconsideration.¹ Applicant timely filed an application for reconsideration on April 21, 2010, but the application does not allege any error on the part of the Commission as required by statute.² The application therefore is denied. But because applicant fully satisfied the conditions of the grant by the April 29, 2010, deadline for seeking reconsideration, the Commission may reopen this proceeding and issue applicant's authority.³

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1646 shall be issued to Five Star Coachways, Inc, trading as Five Star Coachways, 100 N. Washington Street, #312, Falls Church, VA, 22046-4516.

FOR THE COMMISSION:



William S. Morrow, Jr.

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

Executive Director