

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,590

IN THE MATTER OF:

Served October 20, 2010

Application of FIRST CHOICE HEALTH)
SERVICES LLC to Acquire Certificate)
No. 1210 from JOSEPH K. NGWAFA,)
Trading as FIRST CHOICE HEALTH)
SERVICES)

Case No. AP-2010-015

This matter is before the Commission on applicant's request for reconsideration of the voiding of authority conditionally granted in Commission Order No. 12,340, served March 24, 2010. 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 September 20, 2010.

Under Article XIII, Section 4(a), applicant had until October 21, 2010, to file an application for reconsideration.¹ Applicant timely filed an application for reconsideration on October 8, 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 October 21, 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. 1210 shall be issued to First Choice Health Services LLC, 9207 Chestnut Avenue, Bowie, MD, 20720-3222.

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