

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 12,690

IN THE MATTER OF:

Served January 14, 2011

Application of BEST CHOICE)
TRANSPORTATION, INC., for a) Case No. AP-2010-180
Certificate of Authority --)
Irregular Route Operations)

By letter dated December 23, 2010, applicant was notified of acceptance of its application for a certificate of authority and directed to file: (1) a copy of each motor carrier license, certificate, or registration applicant currently holds; (2) a notarized affidavit verifying continued cessation of operations from October 19, 2007, to present, corroborated by copies of applicant's business records from January 1, 2007, through December 23, 2010; and (3) a statement explaining why approving this application would be consistent with the public interest when applicant has not complied with the terms of Order No. 11,477, served July 18, 2008, which revoked applicant's Certificate of Authority No. 1245 and directed applicant to surrender the certificate and file an affidavit verifying removal of vehicle markings.

In a statement dated January 7, 2011, applicant asserts that it "did not operate in Washington, DC area during the period of 3/1/2007 - present." The statement is supported by a copy of a Virginia for-hire vehicle registration card, proof of insurance filing with Virginia Department of Motor Vehicles, and bank records for the period of May 10, 2006, through December 31, 2006. The statement does not address applicant's failure to surrender Certificate No. 1245 and verify removal of vehicle markings in compliance with Order No. 11,477, and the statement does not address applicant's failure to produce business records for January 1, 2007, through December 23, 2010, and a copy of each motor carrier license, certificate, or registration applicant currently holds, as directed by the Commission's December 23, 2010, letter.

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.¹ 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

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

and fair examination of the application.² Failure to comply with the Commission's application requirements warrants dismissal.³

THEREFORE, IT IS ORDERED: that the application of Best Choice Transportation, Inc., for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director

² Regulation No. 54-04(b).

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