

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 13,065

IN THE MATTER OF:

Served November 29, 2011

Application of F&O TRANSPORT)
SERVICE, LLC, for a Certificate of)
Authority -- Irregular Route)
Operations)

Case No. AP-2011-007

This matter is before the Commission on applicant's request for reconsideration of the voiding of authority conditionally granted in Commission Order No. 12,828, served April 29, 2011. 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 October 27, 2011.

Under Article XIII, Section 4(a), applicant had until November 28, 2011, to file an application for reconsideration.¹ Applicant timely filed an application for reconsideration on November 28, 2011, 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 November 28 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. 748 shall be reissued to F&O Transport Service, LLC, 2202 Dunrobin Drive, Mitchellville, MD, 20721-2859.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director

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).