

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 13,084

IN THE MATTER OF:

Served December 14, 2011

Application of UPSCALE CAR SERVICE, )  
LLC, for a Certificate of Authority )  
-- Irregular Route Operations )

Case No. AP-2011-033

This matter is before the Commission on applicant's request for an extension of time to comply with Commission Order No. 12,803, served April 11, 2011.

Order No. 12,803 conditionally granted Certificate of Authority No. 1802 to applicant and stipulated that applicant would have the full 180 days available under Commission Regulation No. 66 -- or until October 11, 2011, as measured under Rule No. 7-01 -- to satisfy the conditions of the grant. Applicant did not fully satisfy the conditions of the grant by the October 11 deadline -- hence the request for an extension of time.

The record shows that as of October 11, 2011, applicant's only vehicle had not passed an inspection by staff and applicant had not filed a lease for that vehicle. A lease is required under Order No. 12,803 because applicant's vehicle is registered to someone other than applicant. The vehicle subsequently passed inspection by staff on November 10, and applicant filed a lease on November 9. The lease contains a technical error but otherwise places applicant in substantial compliance with Order No. 12,803, which under Commission precedent would be considered grounds for granting the requested extension, but a subsequent development prevents us from doing so at this time.

On November 22, applicant filed a second lease to cure the defect in the first. The signature for lessor on the second lease, however, clearly does not match the signature for the same lessor on the first lease.

Applicant shall have 30 days to explain this discrepancy and show cause why the extension should not be denied with prejudice.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS BRENNER AND HOLCOMB:



William S. Morrow, Jr.  
Executive Director