

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 13,286

IN THE MATTER OF:

Served May 24, 2012

Application of EVERGREEN TRAILS,) Case No. AP-2011-117
INC., Trading as HORIZON COACH)
LINES, for a Certificate of)
Authority -- Irregular Route)
Operations)

This matter is before the Commission on applicant's request for reconsideration of the voiding of authority conditionally granted in Commission Order No. 13,012, served October 12, 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 that 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 grant consequently became void on April 10, 2012.

Under Rule No. 27-06, the voiding of a conditional grant of authority pursuant to Regulation No. 66 is subject to reconsideration on the 181st day following the grant. If a grant of authority becomes void under Regulation No. 66, the Executive Director may reopen the proceeding under Rule No. 26-05 and issue said authority if the applicant timely files an application for reconsideration and satisfies the conditions of issuance on or before the deadline for requesting reconsideration. The deadline for requesting reconsideration in this proceeding was May 10, 2012. Applicant timely filed a request for reconsideration on April 23, 2012, and substantially satisfied the conditions of the grant as of May 10, 2012.¹

THEREFORE, IT IS ORDERED that Certificate of Authority No. 1861 shall be issued to Evergreen Trails, Inc., trading as Horizon Coach Lines, 4500 West Marginal Way, Seattle, WA, 98106-1511.

FOR THE COMMISSION:



William S. Morrow, Jr.
Executive Director

¹ See *In re Upscale Car Serv., LLC*, No. AP-11-033, Order No. 13,131 (Jan. 26, 2012) (substantial compliance by reconsideration filing deadline considered grounds for extending 180-day period).