

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 13,294

IN THE MATTER OF:

Served June 1, 2012

Application of ACCESS TRANSPORT LLC )  
for a Certificate of Authority -- )  
Irregular Route Operations )

Case No. AP-2012-044

By letter dated March 19, 2012, applicant was notified of acceptance of its application for a certificate of authority. The acceptance letter noted applicant's stated principal place of business in Frederick, Maryland, was outside the Metropolitan District and directed applicant to designate an agent pursuant to Commission Rule No. 5-04. After receiving a number of conflicting filings in response, the Commission sent applicant a second letter dated May 10, 2012. The letter, addressed to applicant's owner, Ms. Sabrina Jawad, noted the following

The application of Access Transport LLC states that the principal address of applicant is 524 W. South Street, Frederick, MD 21701, but our calls to applicant's phone number for that address reveal that the premises at that address are occupied by J&J Used Cars, which is consistent with information available from the Maryland Department of Assessments and Taxation and from Google Maps.

In addition, the form filed under your signature on April 30, 2012, designating Tahir Afzal as applicant's agent in the Metropolitan District identifies his address as 25104 Highland Manor Court, Gaithersburg, MD 20882. This appears to be his personal address, but an earlier-filed agent designation form and an earlier-filed change of address form identify that address as applicant's principal place of business and as applicant's garage/satellite office, respectively.

Accordingly, applicant was instructed to file:

1. The notarized statement of Sabrina Jawad explaining the address discrepancies noted above;
2. A list of applicant's owners and officers, including Sabrina Jawad, with a direct address and phone number for each;
3. The notarized statement of Tahir Afzal consenting to appointment as applicant's agent in the Metropolitan District; and

4. The notarized statement of Sabrina Jawad identifying the person who signed the money order used to pay the \$250 application fee.

On May 22, 2012, applicant filed the notarized statement of Tahir Afzal consenting to appointment as applicant's agent. Applicant also filed the notarized statement of Ms. Jawad identifying herself as signer of the money order in payment of the application fee, but the signature on the money order does not match her signature. Applicant further filed a statement identifying Ms. Jawad as its sole owner and declaring that applicant has no officers, but the statement is not signed as required by Commission Rule No. 4-05. Finally, applicant filed a statement addressing the address discrepancies, but that statement is not signed as required by Commission Rule No. 4-05 and is not notarized as directed by the May 10 letter and as required by Commission Rule No. 4-06.

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.<sup>1</sup> 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 and fair examination of the application.<sup>2</sup> Failure to comply with the Commission's application requirements warrants dismissal.<sup>3</sup>

THEREFORE, IT IS ORDERED: that the application of Access Transport LLC for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

FOR THE COMMISSION:



William S. Morrow, Jr.  
Executive Director

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

<sup>2</sup> Regulation No. 54-04(b).

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