

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D.C.

ORDER NO. 2987

IN THE MATTER OF:

Served March 12, 1987

Application of MELVIN MYLES )  
trading as H&M BUS SERVICE for )  
Temporary Authority )

Case No. AP-86-38

By Order No. 2927, served November 10, 1986, we conditionally granted applicant temporary authority to transport passengers over a regular route, as a through-route with an ICC carrier. Applicant failed to comply with the conditions of the order, and the application stood denied in its entirety on December 10, 1986.

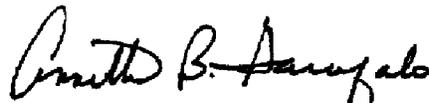
On February 17, 1987, applicant filed a Motion to Reinstate the Temporary Authority. On February 27, 1987, applicant filed an affidavit in support of his motion. The motion and the affidavit are replete with assertions that applicant was not aware that he was not in compliance, that he thought certain problems had been resolved, that he had communications problems with his attorney, and that he had not read the decision carefully enough. In these circumstances we find applicant's assurances of future compliance less than convincing.

At this late date the only method of reopening this matter would be by the Commission on its own motion pursuant to Rule 27-02, and this we decline to do.

Applicant has filed an application for a certificate to provide a similar service. That application has been scheduled for public hearing. Applicant will have another opportunity to put forward a convincing case, and we will have another opportunity to consider it.

THEREFORE, IT IS ORDERED that the Motion to Reinstate the Temporary Authority filed by Melvin Myles in the above-captioned matter is hereby denied.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS WORTHY, SCHIFTER, AND SHANNON:

  
Annette B. Garofalo  
Acting Executive Director