

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3386

IN THE MATTER OF:

Served August 8, 1989

Application of ALL ABOUT TOWN, INC.,)
for Temporary Authority -- Charter)
and Special Operations)

Case No. AP-89-13

Application of ALL ABOUT TOWN, INC.,)
for a Certificate of Public)
Convenience and Necessity -- Charter)
and Special Operations)

Case No. AP-89-14

Among other things, Order No. 3367, served June 27, 1989, in the above-captioned matters denied applicant's request for waiver of public hearing pursuant to Commission Rule No. 22-01. A filing made by applicant on July 26, 1989, includes a request for reconsideration of our decision in that regard.

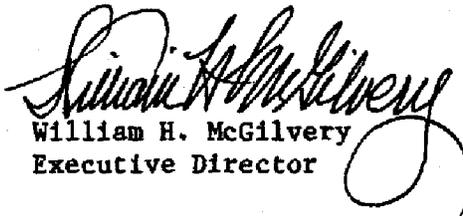
The Compact, Title II, Article XII, Section 16 provides in pertinent part:

Any person affected by any final order or decision of the Commission may, within thirty days after the publication thereof, file with the Commission an application in writing requesting a reconsideration of the matters involved (Emphasis supplied.)

Order No. 3367 is a procedural order to which we shall adhere, one that does not involve a decision on the merits of either of these cases. Therefore, it is not a "final order or decision," and a request for reconsideration does not lie. In addition, Rule No. 22-01 pertains to proceedings in which the Commission is authorized to act after opportunity for hearing. It is our view that the Compact, Title II, Article XII, Section 4(b), which controls Case No. AP-89-14, requires a hearing. Accordingly, the request for reconsideration is hereby dismissed.

IT IS SO ORDERED.

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


William H. McGilvery
Executive Director