

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 4913

IN THE MATTER OF:

Served August 20, 1996

Investigation of Unauthorized )  
Operations of C&M TOUR & )  
TRANSPORT, INC. )

Case No. MP-96-43

In Order No. 4878, served June 21, 1996, the Commission assessed a civil forfeiture against respondent for knowing and willful violations of the Compact.

On July 22, 1996, respondent filed an application for reconsideration of Order No. 4878. In summary, respondent states the following as grounds for reconsideration:

(1) respondent mistakenly believed that it could conduct operations through reference to a certificate it never held;

(2) respondent was confused by the relationship between a Federal Highway Administration audit of its operations and this Commission's investigation; and

(3) respondent failed to understand that it was required to respond to Order No. 4835, served May 9, 1996, the show-cause order in this proceeding.

The Compact, Article XIII, Section 4(a) provides:

A party to a proceeding affected by a final order or decision of the Commission may file within 30 days of its publication a written application requesting Commission reconsideration of the matter involved, and stating specifically the errors claimed as grounds for the reconsideration.

While respondent asserts its own mistake, confusion, and misunderstanding, it fails to state specifically what error or errors it claims the Commission made in Order No. 4878. This failure alone warrants denial of reconsideration. Even if respondent's own alleged errors somehow could be interpreted to excuse or mitigate its violations, respondent provides no evidence or even credible argument in support of its assertions. Moreover, respondent failed to show cause, request oral hearing, or respond in any way to Order No. 4835 which initiated this investigation. Respondent's first response in this case is an application for reconsideration which we find to be without merit.

THEREFORE, IT IS ORDERED that the application of C&M Tour & Transport, Inc., for reconsideration of Order No. 4878 is hereby denied.

BY DIRECTION OF THE COMMISSION, COMMISSIONERS ALEXANDER AND LIGON:



William H. McGilvery  
Executive Director