

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5836

IN THE MATTER OF:

Served March 10, 2000

Application of THOMAS B. HOWELL,)
Trading as PRESIDENTIAL DUCKS,)
for a Certificate of Authority --)
Irregular Route Operations)

Case No. AP-2000-07

This matter is before the Commission on applicant's motion for a thirty-day extension of time to reply to the Protest and Request for Hearing of Old Town Trolley Tours of Washington, Inc., WMATC Carrier No. 124.

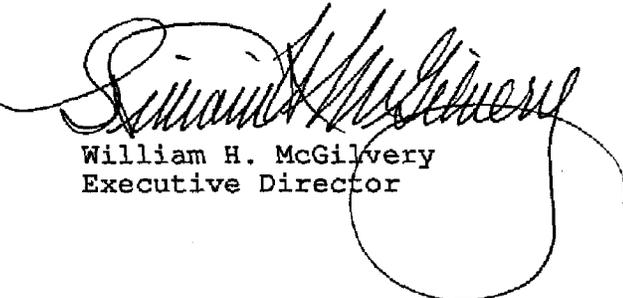
Commission Regulation No. 54-04(d) sets the deadline for filing a reply to a protest or request for hearing at seven days after service when service is by mail. Commission Rule No. 5-03 provides that service is effective at the time of mailing, and Rule No. 7-01 declares that Saturdays, Sundays and holidays shall not be counted when computing a time period of less than eleven days.

According to Old Town, the protest and request for hearing was mailed to applicant on February 29, 2000, making the reply deadline March 9, the day applicant filed its motion.

Under Commission Rule No. 7-05, the deadline prescribed by Regulation No. 54-04(d) may be extended for good cause shown. Applicant states it needs additional time in order to choose and hire an attorney, who in turn will need time to prepare the reply after reviewing the protest and request for hearing and Commission precedent cited therein. Old Town's attorney has indicated to Commission staff that Old Town has no objection to applicant's motion. The motion, therefore, shall be granted for good cause shown.

THEREFORE, IT IS ORDERED, that applicant shall file its reply to the Protest and Request for Hearing of Old Town Trolley Tours of Washington, Inc., on or before April 8, 2000.

FOR THE COMMISSION:



William H. McGilvery
Executive Director