

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,265

IN THE MATTER OF:

Served February 1, 2007

Application of CITY SIGHTSEEING)
BUSES LLC for a Certificate of) Case No. AP-2006-013
Authority -- Irregular Route)
Operations)

This matter is before the Commission on applicant's request for reconsideration of the voiding of authority conditionally granted to applicant in Commission Order No. 9651, served June 15, 2006.

Order No. 9651 specified that applicant would have the full 180 days available under Commission Regulation No. 66 to satisfy the conditions of the grant. Applicant did not fully comply with the prescribed conditions within the allotted time. The conditional grant consequently became void on December 13, 2006. Under Article XIII, Section 4(a), applicant had until January 12, 2007, to file an application for reconsideration.¹

Respondent timely filed an application for reconsideration as of January 12, 2007, but the application does not allege any error on the part of the Commission as required by statute.² The application therefore is denied. However, considering that applicant has fully satisfied the conditions of issuance prescribed in Order No. 9651, we may reopen this proceeding on our own initiative³ and issue Certificate of Authority No. 1240.⁴ Before we proceed to that step, however, we shall afford protestant, City Sightseeing Washington DC Inc., WMATC Carrier No. 931, an opportunity to respond, consistent with Rule Nos. 26-02 and 27-03.

THEREFORE, IT IS ORDERED that City Sightseeing Washington DC Inc., WMATC Carrier No. 931, shall have five days from the date of this order to file an answer/reply on the issue of whether the Commission should reopen this proceeding on its own initiative and issue Certificate of Authority No. 1240.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

¹ See *In re Boone-McNair Transp., LLC*, No. AP-02-66, Order No. 7063 (Mar. 4, 2003) (30-day reconsideration filing period begins running on the day the conditional grant becomes void).

² Compact, tit. II, art. XIII, § 4(a).

³ Commission Rule No. 26-04.

⁴ See Order No. 7063 (proceeding reopened to issue certificate of authority).