

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 16,006

IN THE MATTER OF:

Served December 1, 2015

Application of ROYAL SEDAN SERVICE)
LLC for Expansive Amendment of)
Certificate of Authority No. 2370)

Case No. AP-2015-029

This matter is before the Commission on applicant's request for reconsideration of the voiding of authority conditionally granted in Commission Order No. 15,433, served March 4, 2015. The order directed applicant to present its vehicle(s) for inspection and file certain documents within the 180-day maximum permitted by Commission Regulation No. 66. The order stipulated that the grant of authority would be void and that the application would stand denied upon applicant's failure to timely satisfy those conditions. Applicant did not fully satisfy the conditions of the grant within the allotted time. The conditional grant thus became void on September 1, 2015.

Under Rule No. 27-06, the voiding of a conditional grant of authority pursuant to Regulation No. 66 is subject to reconsideration and deemed to occur on the 181st day following issuance of the conditional grant. In the event a conditional grant of authority becomes void under Regulation No. 66, the Commission's Executive Director may reopen the proceeding under Rule No. 26-05 and issue said authority if the applicant timely files an application for reconsideration and satisfies the conditions of issuance on or before the deadline for requesting reconsideration.

The deadline for requesting reconsideration in this proceeding was October 1, 2015. As of that date, applicant had timely filed a request for reconsideration and substantially satisfied the conditions of the grant, but the request for reconsideration was faxed and thus did not bear an original signature as required by Rule No. 4-05. The original arrived October 5, 2015. Both the fax and the original are deemed to have been submitted under oath per the terms of the application form signed by applicant's president, and there is no dispute as to their authenticity. On these facts, in this uncontested proceeding, we will accept the original reconsideration request *nunc pro tunc* as of October 1, 2015.¹

¹ See *In re VGA, Inc.*, No. AP-03-73, Order No. 7302 (July 17, 2003) (accepting replacement check *nunc pro tunc* in payment of application fee after initial check was dishonored); *cf.*, WMATC Reg. No. 58-06 (faxed WMATC Endorsement accepted for 15 days).

THEREFORE, IT IS ORDERED that this proceeding is reopened, and Certificate of Authority No. 2370 shall be issued to Royal Sedan Service LLC, 2810 Dorr Avenue, #S, Fairfax, VA, 22031-1513.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read "W. S. Morrow, Jr.", written in a cursive style.

William S. Morrow, Jr.
Executive Director