

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

SILVER SPRING, MARYLAND

ORDER NO. 17,798

IN THE MATTER OF:

Served September 11, 2018

Application of NYA TRANSPORTATION)
LLC for a Certificate of Authority)
-- Irregular Route Operations)

Case No. AP-2018-143

Under the Compact, an application to obtain a certificate of authority shall be made in writing, verified, and shall contain the information required by the application form and accompanying instructions.¹ An applicant may be required to publish notice of the application in a newspaper of general circulation in the Metropolitan District and furnish any supplemental information necessary for a full and fair determination of the application.² Failure to comply with the Commission's application requirements warrants dismissal.³

By email dated August 13, 2018, pursuant to Regulation No. 54-04(b), applicant was directed to furnish additional information necessary to a full and fair determination of this application, including: "Copies of applicant's business records from July 1, 2017 to present." The additional information was due no later than August 27, 2018. The email cautioned applicant that failure to timely furnish the information would result in delay or dismissal of the application.

On August 23, 2018, applicant submitted a single business record, a Wells Fargo checking account statement for June 2017. Applicant says the account has been closed, but the statement shows a large ending balance on June 30, which means that the account was still open on July 1, 2017. Also, the statement shows that the account was linked to a Wells Fargo credit card for overdraft protection at that time. We further note that applicant paid a \$100 late fee on August 7, 2018, in Case No. MP-2017-122 by check drawn on a Bank of America account.

Until applicant produces the missing Wells Fargo bank and credit card statements, and the missing Bank of America statements, applicant cannot be said to have produced all relevant business records.

¹ Compact, tit. II, art. XI, § 8; Regulation No. 54-02.

² Regulation No. 54-04(b).

³ *In re One, LLC, t/a Bon Voyage*, No. AP-04-103, Order No. 8212 (Aug. 5, 2004).

THEREFORE, IT IS ORDERED: that the application of NYA Transportation LLC for a certificate of authority is hereby dismissed without prejudice for want of prosecution.

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