

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

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In the Matter of:)	
)	
BCI Food Services, LLC,)	
t/a Standard)	
)	
New Application for a Retailer's)	
Class CR License)	Case No. 10-PRO-00016
)	License No. 83769
at premises)	Order No. 2010-328
1801 14 th Street, N.W.)	
Washington, D.C. 20009)	
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BCI Food Services, LLC, t/a Standard, Applicant

Mike Silverstein, Chairperson, Advisory Neighborhood Commission (ANC) 2B

Peter Raia, Vice Chairperson, Advisory Neighborhood Commission (ANC) 1B

BEFORE: Charles Brodsky, Chairperson
Mital M. Gandhi, Member
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member

ORDER DENYING REINSTATEMENT

The Application filed by BCI Food Services, LLC, t/a Standard ("Applicant"), for a new Retailer's Class CR License came before the Alcoholic Beverage Regulation Administration (ABRA) for a Roll Call Hearing on April 5, 2010, in accordance with D.C. Official Code § 25-601 (2001). Community Resource Officer, Cynthia Simms, sent notice to the Applicant, Advisory Neighborhood Commissioner (ANC) 1B, ANC 2B, and individual Protestants on March 23, 2010, of the Roll Call Hearing.

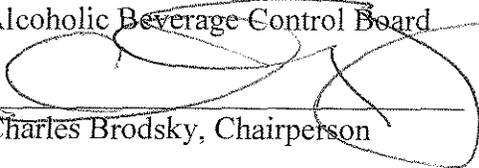
On April 5, 2010, pursuant to Title 23 of the District of Columbia Municipal Regulations ("23 DCMR") § 1602.3, the Alcoholic Beverage Control Board ("Board") dismissed the Protest of ANC 1B due to ANC 1B's failure to appear at the Roll Call Hearing. On April 6, 2010, ANC 1B timely filed a request for reinstatement with the Board, explaining that ANC 1B did not receive notice of the Roll Call Hearing. The Board's records reflect that correspondence from ABRA staff, dated March 23, 2010, was sent to ANC 1B and the other Protestants notifying them of the Roll Call Hearing.

Upon consideration of the request, the Board does not find good cause to reinstate ANC 1B pursuant to 23 D.C.M.R. 1602.3.

Accordingly, it is this 21st day of April 2010, **ORDERED** that:

1. The Request for Reinstatement of the protest filed by ANC 1B is **DENIED**; and
2. Copies of this Order shall be sent to the Applicant, ANC 1B, and ANC 2B.

District of Columbia
Alcoholic Beverage Control Board



Charles Brodsky, Chairperson

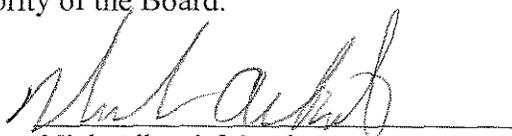
Mital M. Gandhi, Member



Donald Brooks, Member

Herman Jones, Member

I dissent from the position taken by the majority of the Board.



Nick Alberti, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), any Party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 1250 U Street, N.W., 3rd Floor, Washington, D.C. 20009.