

mined therein, and the Commission may grant and hold such a rehearing if, in its judgment, sufficient reason therefor be made to appear; if a rehearing shall be granted, the same shall be determined by the Commission within thirty days after the same shall be finally submitted. Any application for such a rehearing shall not excuse any common carrier, railroad corporation, or street railroad corporation, or any other corporation, or company or person, subject to any of the provisions of this sub-title, from complying with or obeying any order, or any requirements of any order of the Commission, or operate in any manner to stay or postpone the enforcement thereof, except as the Commission may by order direct. If, after such rehearing and consideration of the facts, including those arising since the making of the order, the Commission shall be of opinion that the original order, or any part thereof, is in any respect unjust or unwarranted, the Commission may abrogate, change or modify the same. An order made for any such rehearing, abrogating, changing or modifying the original order shall have the same force and effect as an original order.

Every order of the Commission shall be served upon every person or corporation to be affected thereby, either by personal delivery of a certified copy thereof, or by mailing a certified copy thereof, in a sealed package, with postage prepaid, to the person to be affected thereby; or, in the case of a corporation, to any officer or agent thereof upon whom summons may be served under the laws of this State. It shall be the duty of every person and corporation to notify the Commission forthwith in writing of the receipt of the certified copy of every order so served, and in the case of a corporation such notification must be signed and acknowledged by a person or officer duly authorized by the corporation to admit such service. Within a time specified in the order of the Commission every person and corporation upon whom it is served must, if so required in the order, notify the Commission in like manner whether the terms of the order are accepted and will be obeyed.

All orders of the Commission shall take effect within such reasonable time as it shall prescribe, and shall continue in force until its further order, or for a specified period of time according as shall be prescribed in the order, unless the same shall be suspended, or modified, or set aside by the Commission, or be suspended or set aside by a court of competent jurisdiction.

Any company, corporation, association, person or partnership subject to any of the provisions of this sub-title, or other person or party in interest, shall have the right to proceed in the courts to vacate, set aside or have modified any order of said Commission on the grounds that such order is unreasonable or unlawful, as hereinafter more particularly set forth.

Cited in *P. S. C. v. Lichtenberg*, Daily Record, Mar. 13, 1939.

The provisions of this section giving the right to proceed in the courts to vacate, set aside or have modified any unreasonable or unlawful order of the commission, relate to any order of any kind which is within the meaning of the section and not limited to the classes of orders stated in sec. 415 as open to attack in the courts. *Pot. Ed. Co. v. Public Serv. Commn.*, 165 Md. 462.

Bill of *W., B. & A. Ry. Co.* attacking order of *P. S. C.* permitting bus company to enter non-competitive field in which railroad was furnishing adequate service was held sufficient as against demurrer. *Public Serv. Commn. v. Williams*, 166 Md. 278.

See notes to secs. 405 and 415.

Failure of defendants to avail themselves of this section pointed out in holding that so far as could be judged from the conduct of defendants, they acquiesced in the order of commission. *Gregg v. Public Service Commission*, 121 Md. 1.

This section referred to in connection with the power of the commission under sec. 386—see note thereto. *N. C. Rwy. Co. v. Pub. Serv. Com.*, 124 Md. 147.

See notes to secs. 344 and 388.