

*John A. Vuono  
William A. Gray  
Mark T. Vuono\*  
Dennis J. Kusturiss  
Louise R. Vuono  
William H. Stewart, III  
Erica G. Wilson  
Paul J. Gitnik, Of Counsel*

*\*Also Admitted in Florida*

Law Offices

## **VUONO & GRAY, LLC**

310 Grant Street, Suite 2310  
Pittsburgh, PA 15219-2383

Telephone  
412-471-1800

Facsimile  
412-471-4477

[www.vuonogray.com](http://www.vuonogray.com)

Email Address  
[wgray@vuonogray.com](mailto:wgray@vuonogray.com)

August 22, 2017

**RECEIVED**

AUG 22 2017

Re: Clarion County Taxi, Inc.  
Advanced Notice of Proposed Rulemaking  
Docket No. L-2017-2604692  
Our File 5018

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Ms. Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Bureau of Safety & Compliance  
Tariff Section, P. O. Box 3265  
Harrisburg, PA 17105-3265

**MAILED WITH U.S. POSTAL SERVICE**  
**CERTIFICATE OF MAILING FORM 3817**

Dear Ms. Chiavetta:

We enclose for filing with the Commission the signed original of the Comments of Clarion County Taxi, Inc. in opposition to the Advanced Notice of Proposed Rulemaking at Docket No. L-2017-2604692.

Please acknowledge receipt and filing of the enclosed on the duplicate copy of this letter of transmittal and return it to the undersigned in the self-addressed, stamped envelope provided.

Very truly yours,

VUONO & GRAY, LLC

  
William A. Gray

mm  
Enclosure  
cc Clarion County Taxi, Inc.

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

---

RE: ADVANCED NOTICE OF PROPOSED RULEMAKING  
DOCKET NO. L-2017-2604692

---

COMMENTS OF TIMOTHY J. WOLLASTON  
ON BEHALF OF CLARION COUNTY TAXI, INC.  
IN OPPOSITION TO PROPOSAL IN  
ADVANCED NOTICE OF  
PROPOSED RULEMAKING

**RECEIVED**

AUG 22 2017

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

The Commission published in the Pennsylvania Bulletin dated July 1, 2017, an Advanced Notice of Proposed Rulemaking to consider the revision of the regulations appearing in Title 52 of the Pennsylvania Code, relating to the Commission's rules governing the passenger and property carrier industries. Clarion County Taxi, Inc. ("Clarion County Taxi") objects to the proposal to allow applicants to operate while an application for permanent authority to which a protest has been filed is processed to a conclusion.

The business address of Clarion County Taxi is 2177 East End Road, Shippensburg, PA 16254. Clarion County Taxi has authority at Docket No. A-631028 authorizing it to provide call or demand service. Clarion County Taxi has provided service under its PUC authority on a regular, continuing basis since it was first certificated in 1994.

The Advanced Notice includes a section entitled “Granting of Provisional Authority”, which states:

Commission regulations currently provide for Emergency Authority and Emergency Temporary Authority. 52 Pa Code §§ 3.383—3.385. We question whether the procedure for granting these types of authorities should be revised to allow applicants to operate while an application for permanent authority is processed due to protests.

As will be discussed below, Clarion County Taxi believes that the Commission should continue to not allow applicants to operate while their applications for permanent authority are being processed.

Although the requirement to demonstrate public demand or need for service has been eliminated, motor passenger carriers can still file protests to applications based upon the fitness issue, which requires an applicant to demonstrate that it possesses the technical and financial ability to provide the proposed service and which further provides that authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally. If a protestant opposes an application on the basis of fitness, the Commission should not permit the applicant to begin providing lawful service while the application is pending. If the Commission adopts this procedure, it will have a chilling effect on carriers opposing applications where there is a legitimate fitness issue since the applicant can operate while the application is pending and can base its fitness arguments on its operations after it filed its application. Clarion County Taxi has no objection to changing the procedure to allow applicants to operate while an application for permanent authority is processed where there are no protests filed to the application. However, the procedure should not be changed where there were protests filed to the application.

For the above reasons, Clarion County Taxi opposes the proposed change set forth in the Pennsylvania Bulletin dated July 1, 2017, which would allow applicants to operate while their applications for permanent authority are being processed.

Respectfully submitted,

VUONO & GRAY, LLC

By: 


William A. Gray, Esq.

Attorneys for  
Clarion County Taxi, Inc.

VUONO & GRAY, LLC  
310 Grant Street, Suite 2310  
Pittsburgh, PA 15219  
412-471-1800

VERIFICATION

I verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

  
Timothy J. Wollaston

Dated: 8-18-2017

**RECEIVED**

AUG 22 2017

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

neopost  
08/22/2017

**US POSTAGE**

\$01.19<sup>0</sup>



ZIP 15219  
041L11242930

Law Offices

**VUONO & GRAY, LLC**

310 Grant Street, Suite 2310  
Pittsburgh, PA 15219-2383

**TO:**

Ms. Rosemary Chiavetta  
Secretary  
Pennsylvania Public Utility Commission  
Bureau of Safety & Compliance  
Tariff Section  
P. O. Box 3265  
Harrisburg, PA 17105-3265



**UNITED STATES  
POSTAL SERVICE®**

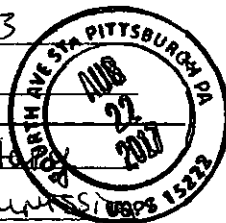
**Certificate Of  
Mailing**

To pay fee, affix stamps or  
meter postage here.

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.  
This form may be used for domestic and international mail.

From: Vuono & Gray, LLC  
310 Grant Street, Suite 2310  
Pittsburgh PA 15219-2383  
Re: 5018

To: Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265



neopost<sup>®</sup>

08/22/2017

**\$01.35<sup>0</sup>**

**US POSTAGE**



ZIP 15219  
041L11242930