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April 2, 2020

Via E-filing

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

Re: **Petition of Pocono Cab Company, LLC for waiver of 52 Pa. Code §29313(e)**
P -

Dear Secretary Chiavetta:

Attached please find the Petition for Waiver of the Commission's regulations at 52 Pa. Code §29.313(e) on behalf of Pocono Cab Company, LLC. As a taxi company, Pocono is precluded by this regulation from transporting items such as medication and groceries without being accompanied by a passenger. As a result of the stay at home orders by Governor Wolf, Pocono has been contacted by individuals, mostly elderly, who want to order items from grocery stores and pharmacies but do not want to or cannot go outside to pick them up.

Pocono would like to provide this service at its tariff rates for the period of time that we are subject to the stay at home orders of the Governor. In light of the immediate need for this service and rising requests, Pocono requests that this Petition be considered **on an expedited basis**. If you have any questions, please feel free to contact me.

Very truly yours,


Craig A. Doll

cc: Pocono Cab Company, LLC

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of Pocono Cab Company, LLC :
for waiver of the provisions of 52 Pa. Code : P -
§29.313(e) for the duration of the declared :
emergency related to the corona virus pandemic :

PETITION

Now Comes, Pocono Cab Company, LLC (“Pocono” or “Petitioner”), by and through its undersigned counsel, and requests that this Commission waive the requirements of 52 Pa. code §29. 313(e) as it would apply to Pocono for a period of time limited to the duration of the emergency declarations by Governor Wolf to deal with the coronavirus pandemic. In support of this Petition, Pocono states as follows:

1. Pocono is a certificated transportation company, with a principal place of business at 399 Oak Street, East Stroudsburg, PA 18301, and a mailing address of 431 North Cortland Street, East Stroudsburg, PA 18301.
2. Pocono holds a certificate of public convenience from this Commission at A-2017-2639052 , which certificate authorizes Pocono to provide the transportation of persons upon call or demand service from points in the counties of Monroe, Pike, Carbon, and Northampton.
3. 52 Pa. Code § 29.313 (e) provides as follows:
(e) *Expressage*. The driver may carry packages or parcels when the merchandise is accompanied by passenger but shall refuse to carry the packages or parcels when the contents cause the vehicle to become stained or evil smelling. Nothing contained in this subsection may be interpreted as permitting the hiring of vehicles for expressage purposes only unless the rights are specifically included in a certificate held by the carrier.
4. The certificate issued by the Commission to Pocono does not contain a provision permitting it to provide expressage services.
5. A large portion of Pocono’s ridership consists of elderly individuals.
6. On March 6, 2020, Governor Wolf issued a Proclamation of Disaster Emergency as a result of the coronavirus pandemic. Subsequently, Governor Wolf has issued various orders

which restrict the traveling activities of citizens in the Commonwealth including those served by Pocono.

7. Since the various “stay at home” orders have been issued, Pocono has received numerous requests from many of its customers requesting that Pocono pick up medication and items from grocery stores and pharmacies that have been ordered by the customer from those establishments and packed by grocery store and pharmacy staffs.

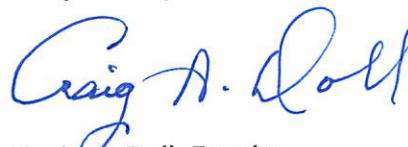
8. The providing of this service constitutes expressage service and is currently prohibited by the provisions of 52 Pa. Code § 29. 313(e) and the lack of authority contained in Pocono’s certificate. To date Pocono had declined to perform this service.

9. Pocono respectfully requests that the Commission waive the requirements of §29.313(e) in so far as it would prohibit it from providing expressage service for customers solely in its call and demand vehicles in order for it to pick up pre-ordered items from grocery stores and pharmacies for a time period not to exceed the duration of the “stay at home” orders of Governor Wolf.

10. If such a waiver is granted, Pocono would charge in accordance with its existing tariff.

WHEREFORE, Petitioner respectfully requests that this Commission waive the prohibition of providing expressage service limited to pick up packages from grocery stores and pharmacies for customers for the duration of the stay at home orders from Governor Wolf.

Respectfully submitted,



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Attorney I.D. # 22814

Attorney for Pocono Cab Company, LLC

DATED: April 2, 2020

ATTORNEY'S VERIFICATION

I, Craig A. Doll, Esquire, attorney for Pocono Cab Company, LLC hereby verify that I have become acquainted with the facts and information set forth in the foregoing document which have been relayed to me by representatives of Pocono Cab Company, LLC; that the same are true to the best of my knowledge information and belief; and that the foregoing verification is made subject to the penalties of 18 Pa. C.S. § 4904.



Craig A. Doll, Esquire

DATED: April 2, 2020

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing document upon the persons listed below via e-mail and first class mail, postage prepaid in accordance with the provisions of 52 Pa. Code §1.54.

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



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Attorney for Respondent
Keystone Cab Service, Inc.

DATED: April 2, 2020