

MICHAEL S. HENRY, LLC

2336 SOUTH BROAD STREET – PHILADELPHIA, PA 19145

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August 30, 2010

RECEIVED

AUG 30 2010

**PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU**

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
North Office Building
Harrisburg, PA 17120

RE: Application of United Medical Transport, Ltd.
A-2010-2189481
Protest of MCT Transport, Inc. TDBA Concord Paratransit Co.

Dear Sir/Madam:

Enclosed please find Protest with regard to the above application. Service is being made upon the parties pursuant to the attached Certificate of Mailing.

Very truly yours,



MICHAEL S. HENRY

MSH/dld

Enclosure

Cc: David M. Hollar, Esquire

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE:

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APPLICATION OF

A-2010-2189481

AUG 30 2010

UNITED MEDICAL TRANSPORT, LTD.

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Application to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Philadelphia, Bucks, Montgomery, Lehigh and Northampton, to points in Pennsylvania and return.

PROTEST OF MCT TRANSPORTATION, INC. T/D/B/A

CONCORD PARATRANSIT CO.

TO THE APPLICATION OF

UNITED MEDICAL TRANSPORT, LTD.

1. MCT TRANSPORTATION, INC. T/D/B/A CONCORD PARATRANSIT CO. (MCT) protests the Application of UNITED MEDICAL TRANSPORT, LTD.. (Applicant).
2. MCT is a certified public utility authorized to transport persons in paratransit service, in the County of Philadelphia with certain restriction. A description of MCT's certified area is contained in its tariff, which is attached hereto and marked Exhibit "A". MCT's address is 2752 Mt. Carmel Avenue, Glenside, PA 19038.
3. MCT's attorney is Michael S. Henry, Esquire, 2336 South Broad Street, Philadelphia, PA 19145, (215-218-9800).
4. Applicant is seeking to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the Counties of Philadelphia, Bucks, Montgomery, Lehigh and Northampton, to points in Pennsylvania and return.

5. Protestant objects to the granting of this application on the ground that Applicant cannot meet its burden under 52 Pa. Code § 41.14 as to need, financial need, fitness and harm to Protestant.

6. Protests to this Application are due on or before August 30, 2010. This is a timely protest and therefore MCT is entitled to participate in this proceeding as a party intervenor pursuant to 52 PA. Code 3 .381.

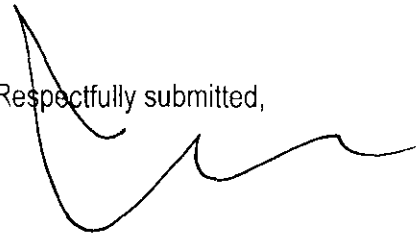
7. Pursuant to 333(c) of the Pennsylvania Public Utility Code, demand is made upon Applicant to furnish Protestant's counsel with a list of the names and addresses of witnesses he intends to call and a brief summary of the proposed testimony; in particular, complaints, if any, against the services of the Protestant.

8. Additionally, demand is made upon Application to furnish Protestant's counsel with proof of need for service and financial responsibility.

9. Protestant will agree to withdraw its protest if the Applicant agrees not to operate in Protestant's authorized territory.

WHEREFORE, MCT TRANSPORTATION, INC. T/D/B/A CONCORD PARATRANSIT CO. respectfully requests this Commission to deny the Application of UNITED MEDICAL TRANSPORT, LTD.

Respectfully submitted,



MICHAEL S. HENRY, ESQUIRE
Attorney for Protestant
2336 South Broad Street
Philadelphia, PA 19145
215-218-9800

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SECRETARY'S BUREAU

VERIFICATION

MICHAEL S. HENRY, ESQUIRE verifies that he/she is acquainted with the facts and information set forth in the foregoing pleadings are true and correct to his/her knowledge, information and belief; and that the foregoing Verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.



MICHAEL S. HENRY, ESQUIRE

DATE: _____

8/30/10

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AUG 30 2010

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Certificate No. A-00119955 F.2

Paratransit - Pa.P.U.C. No. 1

Official Filed Tariff

MCT TRANSPORTATION, INC.

TDBA

CONCORD PARATRANSIT CO.

RATES AND RULES

GOVERNING THE

TRANSPORTATION OF

PERSONS

(As Designated Herein)

ISSUED: September 7, 2004

EFFECTIVE: September 8, 2004

Issued on one days notice under Special Permission No. 28116

ISSUED BY: Alex Barken, President
4425 Rising Sun Avenue
Philadelphia, PA 19124
(215) 572 6100

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SEP - 7 2004

BUREAU OF
TRANSPORTATION & SAFETY

LIST OF CHANGES MADE BY THIS TARIFF

Operating Authority has been changed by the Commission to eliminate restrictions now not in the public interest. Per person per trip rates between points in Rights No. 1 and No. 2 are increased from \$7.25 to \$7.50 and the per person per trip rate between points in Rights No. 3, 4, 5 and 6 are increased from \$13.65 to \$15.00

OPERATING AUTHORITY (C)

To transport as a common carrier, persons in paratransit service:

1. between points in the township of Lower Moreland and the boroughs Bryn Athyn, Montgomery County, and from said area to points in the township of Cheltenham and the borough of Jenkintown, Montgomery County and return, and between points in the township of Cheltenham and the borough of Jenkintown, Montgomery County, and from said area to points in the township of Lower Moreland and the borough of Bryn Athyn, Montgomery County, and return, with right No.1 subject to the following condition: The service granted herein is to be rendered without the use of dome lights or taximeters;
2. between points in the townships of Abington, Springfield, Upper Dublin and Whitemarsh and that portion of the township of Cheltenham north of Rice's Mill Road and east of Church Road, and the boroughs of Ambler and Rockledge, all in Montgomery County; and the city and county of Philadelphia,
3. From points in the township of Lower Moreland, Cheltenham, Abington, Springfield, Upper Dublin and Whitemarsh, and the boroughs of Bryn Athyn, Jenkintown, Ambler and Rockledge, Montgomery County, and that portion of the city and county of Philadelphia bounded as follows: the Montgomery County-Philadelphia County Line (Northwestern Avenue), the Schuylkill River, School House Lane, Germantown Avenue, Church Lane, Wister Street, Stenton Avenue, Vernon Road, Cheltenham Avenue, Ivy Hill Road, and Stenton Avenue, to points in that part of Philadelphia bounded on the east by Sixth Street, on the west by 18th Street, on the south by Locust Street, on the north by Vine Street, and the hospital of the University of Pennsylvania, 34th & Spruce Streets and the Veteran's Hospital, 40th and Market Streets, and return

(C) OPERATING AUTHORITY (Continued)

4. From points in the township of Lower Moreland, and the township of Cheltenham, Except that portion of the township of Cheltenham and the boroughs of Bryn Athyn And Jenkintown, Montgomery County, to points in the city and county of Philadelphia, and return;
5. between points in the city and county of Philadelphia, limited to the use of vehicles equipped with wheelchair lifts, ramps or other facilities to accommodate wheelchairs,
6. Between points in the townships of Abington, Springfield, Upper Dublin and white marsh and that portion of the township of Cheltenham north fo Rice's Mill Road and east of Curch Road, and the boroughs of Ambler and Rockledge, all in Montgomery County, limited to the use of vehicles especially equipped to permit The transportation of handicapped persons, having wheelchair lifts, ramps or other Facilities for the transportation of wheelchairs.

(C) Indicates change or addition

RULES AND REGULATIONS

1. Advance reservations must be made no later than the previous calendar day.
2. Contract services provided will be for a term of not less than thirty days for prequalified persons under a federal, state, or municipal governmental agency contract. Rates for the services will be specified in the contracts. Copies of which, including any amendments thereto, are to be filed with the Commission as executed to become effective on one day's notice.
3. The rates for senior citizens, having proper identification will be 15% of the shared ride rate rounded to the nearest nickel, provided that the carrier is under contract with the Pennsylvania Department of Transportation under provisions of Section 704 of Act 36 of 1991. (The Lottery Fund Preservation Act.)
4. A maximum of five (5) minutes will be permitted per pick-up point. Failure to show within that period of time will be considered a "no-show" and the operator will proceed to next pick-up point.
5. Service will be provided between the hours of 8:00 AM & 6:00 PM, seven days a week except Christmas Day.
6. Carrier reserves the right to charge the filed tariff rate if the passenger fails to cancel their reservation at least one hour prior to the scheduled pick-up time and further reserves the right to disallow service to the habitual "no show"

SCHEDULE OF RATES

Rates to read including authority listed on pages 2 & 3 and those areas bounded by Montgomery County as follows

Per person per trip \$7.50 (A)

Rates to read including authority listed on pages 2 & 3 and those areas bounded by the city and county of Philadelphia as follows:

Per person per trip \$15.00 (A)

(A) Indicates Increase

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE:

APPLICATION OF

A-2010-2189481

UNITED MEDICAL TRANSPORT, LTD.

CERTIFICATE OF SERVICE

I, hereby certify that on this 30th day of August, 2010, I mailed by first class mail, postage prepaid, a copy of the foregoing Protest of MCT TRANSPORTATION, INC. T/D/B/A CONCORD PARATRANSIT CO. to the Application of UNITED MEDICAL TRANSPORT, LTD.

David M. Hollar, Esquire
8 Tower Bridge, Suite 400
161 Washington Street
Conshohocken, PA 19428



MICHAEL S. HENRY, ESQUIRE
2336 South Broad Street
Philadelphia, PA 19145
215-218-9800

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U.S. POSTAL SERVICE

CERTIFICATE OF MAILING

MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL. DOES NOT PROVIDE FOR INSURANCE - POSTMASTER

Received From:

Michael S. Henry, Esquire
2336 South Broad Street
Philadelphia, PA 19145

One piece of ordinary mail addressed to:

Commonwealth of Pennsylvania
PA Public Utility Commission
P.O. Box 3265
North Office Building
Harrisburg, PA 17105

Affix fee here in stamps

stamp.com

\$1.150

US POSTAGE
FIRST-CLASS

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19145

