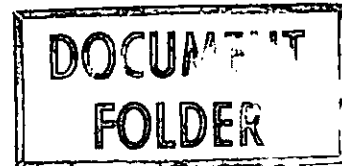


July 25, 1986

A-00101102

Reading Metro Taxi Cab, Inc.
615 Elm Street
Reading, PA 19601

Reading Metro Taxi Cab, Inc.,
Reading, PA; Petition to Reinstate



To Whom It May Concern:

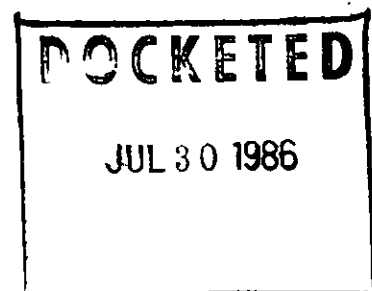
This is to advise you that the Commission at Public Meeting held July 24, 1986 adopted an Order in connection with the above entitled proceeding.

An Executed Order is enclosed for your records.

Very truly yours,

Jerry Rich, Secretary

JZ
Encls.
Certified Mail
Receipt Requested
Law Bureau
Bureau of Transportation
Frances Jones
Mr. McCarthy
Tariff Section
Assessment Section
Annual Report
Joe Lauver, Bureau of S & C

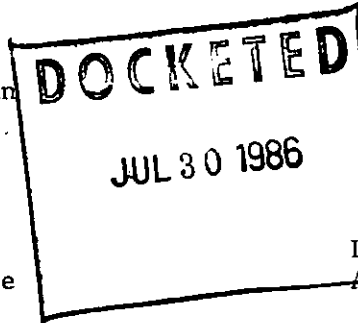


PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held July 24, 1986

Commissioners Present:

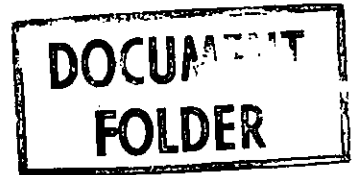
Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane



Reading Metro Taxi Cab, Inc.,
Reading, PA; Petition to Reinstate

Docket No.
A 00101102

O R D E R



BY THE COMMISSION:

On December 18, 1978, a Certificate of Public Convenience was issued to Reading Metro Taxi Cab, Inc. (Reading Metro) at A-00101102. On November 13, 1985, the Commission entered an order suspending Reading Metro's certificate of public convenience for failure to pay its 1985 \$9,422.00 assessment. That order was served on Reading Metro via certified mail. Reading Metro failed to pay the assessment within the thirty (30) days given and consequently, on February 14, 1986, the Commission entered an order cancelling the Certificate of Public Convenience. On March 17, 1986, Reading Metro paid \$5,897 toward the assessment; on April 17, 1986, it paid the balance of \$3,525. On June 12, 1986, Reading Metro filed a Petition to Reinstate the cancelled certificate.

Decisions such as whether to grant a Petition to Reinstate are left to the Commission's discretion and will be reversed only if that discretion is abused. Hoskins Taxi Service, Inc. v. Pa. P.U.C., 87 Pa. Commonwealth Ct. 30, 486 A.2d 1030 (1985). In ruling upon a petition to reinstate, the Commission will examine all relevant factors to reach an equitable result. Medical Transportation, Inc., 57 Pa. P.U.C. 79 (1983).

The Commission has identified three factors that are particularly relevant to the determination of a petition to reinstate: (1) the amount of time elapsed between the cancellation of the authority and the filing of the petition to reinstate, Falcone Cab Co., A-00095400 (order adopted January 22, 1982); (2) the petitioner's compliance record with the Public Utility Code and the rules and regulations of the Commission, Radio Cab Co., A-00094012 (order adopted January 14, 1982); and (3) the reasonableness of the excuse given for the violation which caused the authority to be cancelled, Radio Cab Co., supra.

The first factor to be considered is the amount of time which elapsed between the cancellation of the authority and the filing of the petition to reinstate. Reading Metro filed the instant petition approximately four months after cancellation. This mitigates in favor of reinstatement.

The second factor is Petitioner's compliance record with the Public Utility Code and the rules and regulations of the Commission. A review of Reading Metro's record reveals that it has been issued five Complaints Upon Commission Motion, two Orders to Show Cause, and seven Suspension Notices prior to the current cancellation. Except for one complaint involving inadequate service, the balance of the violations involve failure to comply with filing requirements (insurance, annual reports, assessment reports and failure to pay assessments). While the Commission does not condone these infractions of the regulations, this record (which spans 6 years) does not preclude reinstatement. However, Reading Metro should be cautioned that any further failure to comply with the Commission's regulations could result in a final revocation of its certificate.

The third factor is the reasonableness of the excuse given for the violation that caused the cancellation. Reading Metro has not given any excuse in its Petition for the late payment of its 1985 assessment. However, the assessment has now been paid and this should be considered in reaching an equitable result in this matter.

It should be noted that we have instituted complaints against Reading Metro for operation without authority since the cancellation of its certificate. Reinstatement of Reading Metro's certificate does not act as a disposition of those complaints. Those complaints must be resolved in separate proceedings.

Reading Metro filed a timely Petition to Reinstate and its compliance record with the Commission prior to cancellation is not so bad as to preclude reinstatement. Even though it has not presented an excuse for the violation which resulted in the cancellation, the required assessment has now been paid. It appears that the Petition to Reinstate has merit and should be granted; THEREFORE,

IT IS ORDERED:

1. That the Petition to Reinstate filed by Reading Metro Taxi Cab, Inc. at A-00101102 is hereby granted.

2. That the certificate at A-00101102 issued to Reading Metro Taxi Cab, Inc. is hereby reinstated.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", is written over a faint, circular stamp or seal. The signature is written in a cursive style.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: July 24, 1986

ORDER ENTERED: July 24, 1986

PS Form 3811, July 1983 447-945

SENDER: Complete items 1, 2, 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. Show to whom, date and address of delivery.

2. Restricted Delivery. *Order A-00101102*

3. Article Addressed to:
Cal. Inc.
Reading Metro Tap

4. Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Certified <input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured <input type="checkbox"/> COD Article Number <i>00099</i>
---	--

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
 X

6. Signature - Agent
 X *D. L. McRale*

7. Date of Delivery
7/26/86

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT