

240 Letort Road
Millersville, PA 17551
A-6410575

March 11, 2013

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

SUBJECT: Docket NO. C-2013-2349672

**Pennsylvania Public Utility Commission Bureau of Investigation &
Enforcement**

vs.

Amish Express, LLC.

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MAR 13 2013

COMPLAINT SUMMARY

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

In **attachment 1, (Docket No. C-2013-2349672)** the Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement Prosecutory Staff represents (summary):

1. Initial Certificate of Public Convenience issued on February 13, 2009 at Application Docket No. A-2008-2072531
2. PUC License Number A-6410575 issued on February 13, 2009 (**attachment 1, para. 2**).
3. In a letter dated February 27, 2012, Amish Express, LLC requested a Voluntary Suspension of operating rights located at A-6410575. Voluntary Suspension was granted effective February 24, 2012 and was valid through February 24, 2013. Respondent was also advised that if respondent,
“...failed to notify Commission on or before February 24, 2013, of intent to resume services along with filing of Form E as proof of liability insurance, that a complaint for abandonment would be instituted...” (**attachment 1, para. 2**)

ALLEGATIONS BY BUREAU OF INVESTIGATION & ENFORCEMENT

4. Respondent (Amish Express, LLC.)
“...failed to notify this Commission of his intent to resume operations and file proof of insurance...” (by the February 24 2013 deadline) (**attachment 1, para 3**).
5. The Complaint further alleges that respondent (Amish Express, LLC):
“...abandoned or discontinued service without having first submitted an application to this Commission containing a statement that service is no longer being rendered...”. (**attachment 1, para 3**)

VIOLATION ALLEGED BY BUREAU OF INVESTIGATION & ENFORCEMENT

6. The Complaint states that:
“...respondent (Amish Express, LLC) by failing to submit an application to this Commission containing a statement that service is no longer rendered, violated 52 Pa. Code §3.381(a)(1)(v) and by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa. C.S. §1501.....”. (**attachment 1, para 4**)

ACTION BY BUREAU OF INVESTIGATION & ENFORCEMENT

7. Bureau of Investigation and Enforcement Prosecutory Staff:
 "...requests that the Commission revoke respondent's [Amish Express, LLC] Certificate of Public Convenience at A-6420575....". (**attachment 1, last para**)

VERIFICATION
BY CHIEF OF ENFORCEMENT FOR THE MOTOR CARRIER SERVICES
AND ENFORCERMENT DIVISION
OF THE BUREAU OF INVESTIGATION AND ENFORCEMENT

8. **David W. Loucks**, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Investigation and Enforcement states that (**attachment 1, bottom of page 2**):
 "...the facts set forth are true and correct to the best of [his] knowledge..." and "...that [he] expects that the Bureau will be able to prove the same at any hearing in this matter....".

Further:

"[David W. Loucks]...understands that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities....".

NOTICE FROM – BUREAU OF INVESTIGATION & ENFORCEMENT

9. The **NOTICE** from the Bureau of Investigation and Enforcement states that (**attachment 1, page 3, para A**):
 "[Amish Express, LLC] must file an answer within twenty (20) days of the date of service [February 27, 2013] of this complaint....".

Further:

"...answer is a written explanation of circumstances wished to be considered in determining the outcome... [the answer] shall raise all factual and legal arguments that [Amish Express, LLC] wish to claim in [my] defense....".

Further:

"...If [Amish Express, LLC] files an Answer which admits or fails to deny allegations of the Complaint, the Bureau of Investigations and Enforcement will request that the Commission issue an Order imposing a penalty....". (**attachment 1, page 3, para C**)

10. The Bureau of Investigation and Enforcement states that:
 "...If [Amish Express, LLC.] files an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision....". (**attachment 1, page 3, para.D**)

I, Charles K. Stapleton, Sole Member of Amish Express, LLC, believe that the above statements summarize the allegations made in the Complaint signed by David W. Loucks, Chief of Enforcement, Bureau of Investigation and Enforcement.

ANSWER – TO COMPLAINT

The following is in response to #9 above as it relates to the requirement for a "...written explanation of circumstances [that I] wish to be considered in determining the outcome..." Further, **through the attachments to this response, it will deny the allegations of the Complaint.** Since the "...Answer contests the complaint...[it is my expectation that]...the matter will be assigned to an administrative law judge for hearing and decision....".

- A. During 2011 and early 2012, the 11 passenger van that I used for my "Amish Taxi" (paratransit) service, experienced some significant/costly repairs. In January 2012, I sold the van and started searching for a replacement vehicle. Since I did not have the van to provide transportation service, I cancelled the insurance.
- B. I received a **Notice Of Suspension**, dated, **February 21, 2012 (attachment 1B)** from the PUC. The letter advised me that my,
 "...PUC operating authority is suspended due to [my] failure to maintain evidence of insurance on file with [the] Commission..."
- C. I contacted Ms. Jenni Fackler, Compliance Specialist, Bureau of Technical Utility Services (PUC) by telephone and she advised me that if I wanted to retain my PUC license, I would need to **submit a letter to the PUC** explaining:
- My reason for cancelling my commercial insurance (van had been sold and I was searching for a replacement)
 - I needed to request a "Voluntary Suspension of PUC Operating Authority" for a period of up to one year

A letter, dated **February 27, 2012**, requesting a "Voluntary Suspension of PUC Operating Authority" was sent to Ms. Rosemary Chiavetta at the PUC (**attachment 2C**).

- D. I received a letter (**Docket No. A-2012-2072531**) dated, **March 12, 2012** from Rodney D. Bender, Manager, Bureau of Technical Utilities Services, granting my request for "Voluntary Suspension of PUC Operating Authority". I was advised that the suspension would terminate on February 24, 2013. (A copy of that letter is **attachment 3D**).
- E. In **December 2012**, I contacted Ms. Jenni Fackler, Compliance Specialist, Bureau of Technical Utility Services (PUC) by telephone and asked for advice about the formal/legal procedures for "Abandoning" my paratransit license. Jenny Fackler told me how to download (electronically) the form, "APPLICATION FOR APPROVAL OF ABANDONMENT OR DISCONTINUANCE OF SERVICE IN WHOLE OR IN PART". She also advised me that I would need to do the following:
- Complete and sign the form (**attachment 4E**)
 - Have my signature notarized
 - Send along with the form, a filing fee of \$10.00, paid by certified check or money order (**attachment 5E**)
 - Send the form to the Public Utility Commission , P.O. Box 3265, Harrisburg, PA 17105-3265. That was sent on **December 24, 2012 (see signature and date on attachment 4E)**

NOTE the justification on the form for requesting approval to abandon service:

“Amish Express, LLC cannot compete financially with the illegal Amish taxi (paratransit) services operating in the local area....”. The rest of the justification goes on to describe how the PUC does not enforce the requirement for licensing paratransit (Amish taxi) service, but the State Police were ticketing licensed Amish taxi drivers who did not have DOT licenses displayed on their vehicles. It also points out how the illegal Amish taxi drivers are avoiding commercial vehicle insurance and the Annual PUC assessment that is levied on legal Amish taxi services. Those costs make it difficult for PUC licensed services to compete with illegal Amish taxi drivers.

- F. I received a letter (**attachment 6F**) dated **January 24, 2013** from Jenni Fackler, Compliance Specialist, Bureau of Technical Utility Services (PUC) advising me that my Application for Abandonment had been assigned **Docket No. A-2012-2340706** and would be **published in the Pennsylvania Bulletin of February 2, 2013**.
- The letter further advises that, “...application will be submitted for review provided no protests are filed on or before February 19, 2013....”.
 - To my knowledge, there were no protests filed on or before February 19, 2013.
- G. Through the Internet, on February 28, 2013, I accessed the **February 2, 2013, PENNSYLVANIA BULLETIN, NOTICES**, for the **PUBLIC UTILITY COMMISSION (43 Pa.B. 788)**. Under “Service of Notice or Motor Carrier Application”, **Docket No. “...A-2012-2340706. Amish Express, LLC – discontinuance of Service....”**.
- A printout of that section of the **February 2, 2013 PA Bulletin** is attached (**attachment 7G**)

ANSWER CONCLUSION – DENY ALLEGATION

- H. As Sole Member of Amish Express, LLC, I completed and mailed the APPLICATION FOR APPROVAL OF ABANDONMENT OR DISCONTINUANCE OF SERVICE on **December 24, 2012**. (**attachment 4E**)
- I received a letter from the PUC for **Docket No. A-2012-2340706** as shown in **attachment 6F** (indicating that Application for Abandonment, “...will be published for review in the Pennsylvania Bulletin of February 2, 2013....”). **The “A-2012” in the Docket No indicates that the Application was received by the PUC before January 1, 2013.**
 - **January 1, 2013** (approximate receipt date by the PUC) and **February 2, 2013**, (date the Application was published in the PA Bulletin) are **three to seven (3 – 7) weeks before the deadline (February 24, 2013) for the expiration of the Voluntary Suspension** of my PUC license.
- I. In #8 above (Verification Section – **attachment 1, page 2**), it makes reference to the Verification of the facts of the Complaint (**attachment 1**). This Verification was **signed and dated February 26, 2013**:
- A simple search of the Internet (“Google”) using the Search Argument, “Amish Express” would have enabled the staff at the Enforcement Division, Bureau of Investigation and Enforcement to see that Amish Express had filed an application for “discontinuance of service” in 2012 (Docket No. A-2012-2340706).

- The Chief of Enforcement stating that the "...facts set forth are true and correct to the best of my knowledge...." begs a question related to the accuracy and effectiveness of his Division.

Therefore, the facts related to the Complaint (Docket No. C-2013-2349672) filed against Amish Express, LLC by the Bureau of Investigation & Enforcement are irresponsibly incomplete. Furthermore, the facts being incomplete do not recognize the defendant's submission of the "Application For Approval Of Abandonment Or Discontinuance of Service", well before the February 24, 2013 deadline. Therefore, the Complaint by the Bureau of Investigation & Enforcement are without grounds.

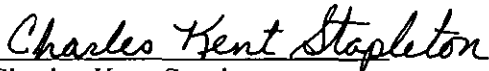
If you have any questions about the information provided and/or attached, please feel free to contact me at (717) 872-5628. If you leave a message, please provide the name and direct phone number of the person to whom I am to return the phone call.

Charles Kent Stapleton
Sole Member
Amish Express, LLC

VERIFICATION

I, Charles Kent Stapleton, Sole Member, Amish Express, LLC, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that I will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: 3/13/13


Charles Kent Stapleton
Sole Member
Amish Express, LLC

Attachments:

- 1 – Complaint, Docket No. C-2013-2349672
- 1B – Notice of Suspension of PUC Paratransit Operating Authority
- 2C – Letter requesting Voluntary Suspension of PUC Paratransit Operating Authority
- 3D – Letter Approving Voluntary Suspension of PUC Paratransit Operating Authority
- 4E – Application For Approval Of Abandonment Or Discontinuance of Service
- 5E – U. S. Postal Money Order for \$10.00
- 6F – Letter from PUC advising that Application for Abandonment has been assigned Docket No. A-2012-2340706 and will be published in the PA Bulletin on February 2, 2013.
- 7G – Printout of "PENNSYLVANIA BULLETIN" for February 2, 2013, "NOTICES" Section, "Applications ...for approval...to discontinue/abandon operating as common carrier...."

COPY

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
INVESTIGATION & ENFORCEMENT

V.

AMISH EXPRESS, LLC.
240 LETORT ROAD
MILLERSVILLE, PA 17551
A-6410575

DOCKET NO. C-2013-2349672

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MAR 13 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That Amish Express, LLC, respondent, maintains a principal place of business at 240 Letort Road, Millersville, PA 17551.

2. That respondent was issued an initial certificate of public convenience by this Commission on February 13, 2009, at Application Docket No. A-2008-2072531. In a letter date February 27, 2012, respondent requested a voluntary suspension of all operating rights located at A-6410575. The requested voluntary suspension was granted effective February 24, 2012 and was valid through February 24, 2013. The respondent was notified by letter dated March 12, 2012, that if they failed to notify this Commission, on or before February 24, 2013, of their intent to resume services, along with the filing of a Form E as proof of liability insurance, that a complaint for abandonment would be instituted.

3. That respondent failed to notify this Commission of his intent to resume operations and failed to file proof of insurance. Therefore, respondent abandoned or discontinued service without having first submitted an application to this Commission containing a statement that service is no longer being rendered.

4. That respondent, by failing to submit a an application to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code §3.381(a)(1)(v) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa. C.S. §1501.

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code §1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the out come. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

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

Or may be sent by overnight delivery to:
400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

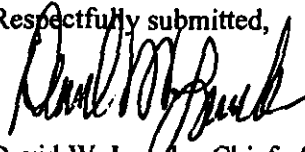
C. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience.

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

WHEREFORE, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission revoke respondent's **Certificate of Public Convenience at A-6410575.**

Respectfully submitted,



David W. Loucks, Chief of Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date:

2-26-13.



David W. Loucks, Chief of Enforcement
Bureau of Transportation and Safety



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

Original
ATTACH #1B

IN REPLY PLEASE
REFER TO OUR FILE

February 21, 2012

A-2008-2072531

AMISH EXPRESS LLC
240 LETORT ROAD
MILLERSVILLE, PA 17551

License # A-6410575

NOTICE OF SUSPENSION OF PUC Paratransit OPERATING AUTHORITY
Effective 02/24/2012
For expiration/cancellation of
Liability

As of 02/24/2012, your PUC operating authority is **SUSPENDED** due to your failure to maintain evidence of insurance on file with this Commission. **You may not operate while under suspension.** Operating while under suspension is subject to prosecution, which may result in cancellation of your authority.

Your insurer must file appropriate evidence of insurance with the Commission. Appropriate evidence of insurance is a FORM E for bodily injury and property damage liability insurance, a FORM H for cargo liability insurance, or a Surety Bond. These forms must be filed with the PUC by the Insurance Company or Agent, **not by you.** Incomplete forms, incorrect forms and fax transmittals will NOT be accepted. The Commission does permit electronic filing of these forms.

If this Commission does not receive acceptable evidence of insurance within ten (10) days of the suspension date, a Complaint will be instituted against you for failure to comply with this Commission's insurance requirements. The Complaint may result in the cancellation of your PUC operating authority.

If your insurer timely files appropriate evidence of insurance, you will receive Notice from the PUC authorizing you to resume operations. **You may not resume operations until you receive this Notice from the Commission.**

Please notify the Commission if you are no longer in business.

If you believe that you have received this Notice of Suspension in error or if you have any questions regarding the suspension of your authority, please contact the Motor Carrier Services and Enforcement Division in the Bureau of Investigation and Enforcement at 717-787-1227.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Very truly yours,

Rosemary Chiavetta
Rosemary Chiavetta
Secretary

pc: Bureau of Investigation and Enforcement - Safety Office
Bureau of Technical Utility Services - Compliance Office, Insurance Section

Copy
ATTACH # 2C

240 Letort Road
Millersville, PA 17551

February 27, 2012

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

Subject: Notice of Suspension of PUC Paratransit Operating Authority
Docket Number: A-2008-2072531
PUC License Number: A-6410575

Dear Ms. Chiavetta,

I received the attached letter from the PUC advising me that the Operating Authority for Amish Express, LLC (Docket Number and PUC License Numbers, above) has been suspended. The reason given is that my insurer (Progressive – United Financial Casualty Company) no longer has on file a copy of FORM E. I believe that is a “proof of insurance” provided by my insurer.

I would like to request a Voluntary Suspension of PUC Operating Authority for a period of one year. My van that I use as my “Amish Taxi” has had some significant mechanical problems in the past year. It was costing too much to keep it in repair. Therefore, I was forced to sell the vehicle. I am searching for a replacement vehicle. Until I find a replacement, I have cancelled my commercial insurance and temporarily suspended my transportation service.

When I find a replacement vehicle, I will contact the PUC and have my insurance company provide a copy of FORM E.

If you have any questions concerning this request, please contact me at (717) 872-5628.

Sincerely,

Charles Kent Stapleton

Charles Kent Stapleton
Sole Member
Amish Express, LLC

attachment

Copy of PUC Notice of Suspension of PUC Paratransit Operating Authority (dated 2/21/12)

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION AND SAFETY
P.O. BOX 3265, HARRISBURG, PA 17105-3265

ATTACH # 3D

IN REPLY PLEASE
REFER TO OUR FILE
A-2012-2072531

March 12, 2012

AMISH EXPRESS LLC
240 LETORT ROAD
MILLERSVILLE PA 17551

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PA PUBLIC UTILITY COMMISSION

Re: Amish Express, LLC, Docket No. A-6410575
Request for Voluntary Suspension

Dear Mr. Charles Kent Stapleton:

This will acknowledge receipt of your correspondence dated February 27, 2012, which requests that the Certificate of Public Convenience for Paratransit authority at A-6410575 issued February 13, 2009, be voluntarily suspended.

After review of the record, it has been determined that a grant of a voluntary suspension until February 24, 2013 is appropriate. A voluntary suspension is granted once during any consecutive five-year period. The voluntary suspension is effective from February 24, 2012, the date your bodily injury and property damage insurance expired. The voluntary suspension will terminate on February 24, 2013. **No service shall be rendered during the suspension period.**

Prior to resuming operations, at any time during the voluntary suspension, the Commission must be notified in writing of your intention to resume operations. Acceptable evidence of insurance must also be submitted to the Commission prior to resuming operations. Mail the notification and insurance to:

Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Please be advised that this grant of a voluntary suspension does not eliminate the need to pay any fines or fees due to the Commission.

If you have any questions, you may contact Compliance Specialist David Thompson at (717) 214-7155.

Sincerely,

Rodney D. Bender, P.E., Manager
Bureau of Technical Utilities Services
Motor Carrier Division

cc: Harrisburg District Office

Copy
ATTACH # 4E

**APPLICATION FOR APPROVAL OF ABANDONMENT OR
DISCONTINUANCE OF SERVICE, IN WHOLE OR IN PART**

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

(See Instructions Before Preparing Application)

In re:

Application Docket
No. A-2008-2072531
Folder No. _____

For approval of the abandonment or
discontinuance of common carrier service.

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. **Amish Express, LLC, (Charles Kent Stapleton, Sole Member)**
(Name of applicant, and trade name, as it appears on the Certificate
of Public Convenience.)

240 Letort Road

(Business Street Address)

Millersville, PA 17551

(City) (State) (Zip) (County) (Telephone)

2. Applicant's attorney (for this application) is:

N/A

(Name) (Address) (Telephone)

3. Any notice, process or order of the PUC should be served upon:

N/A

(Name) (Address)

4. This application is for the discontinuance of ALL of the
service now authorized. (All or Part)

RECEIVED

MAR 13 2013

5. Attach the following, as appropriate (check those attached):

- Exhibit A: A statement of the right or rights to be abandoned or discontinued (required for partial abandonments or discontinuances only).
- Exhibit B: A statement of the revenues and expenses associated with the operation of the service to be discontinued or abandoned.
(ATTACHED)
- Exhibit C: For motor carriers of passengers seeking to discontinue service over any scheduled route also encompassed by interstate operating authority, a statement containing:
 - i. Description of interstate authority;
 - ii. Statement of the extent to which interstate and intrastate revenues received for the service sought to be abandoned are less than the variable costs of providing that service, including depreciation for revenue equipment. This statement shall include a designation of those items claimed to be variable costs; and
 - iii. An estimate of the annual subsidy required, if any, to continue the service.

6. Approval of the application is necessary or proper for the following reasons:

Amish Express, LLC cannot compete financially with the illegal Amish taxi (paratransit) services operating in the local area.

In late 2011, the Pennsylvania Department of Transportation changed the DOT regulations to require paratransit vehicles for more than seven passengers to display a DOT license. In early 2012, the PA State Police started enforcing that regulation by ticketing (and therefore fining) any vehicles that did not display a DOT license number. In Lancaster County you can currently see Amish taxi vehicles (that carry 11 or more passengers) with a DOT license number but no PUC license number displayed on the vehicles.

The PUC requires licensing of vehicles that operate legally in the paratransit service, but unlike the DOT, the PUC does little to protect the owner/operators who provide legal paratransit services within the PUC regulations.

The PUC also levies an annual assessment on the legal Amish taxi services. That assessment is based on the Amish taxi services gross revenues. Since the illegal Amish taxi services are not registered with the PUC, the illegal Amish taxi services avoid that PUC assessment expense.

Wherefore, Applicant requests the Commission to cancel, or amend the certificate of public convenience, as now held, in conformance with the application.

Applicant sign here:

Charles Kent Stapleton

Sole Member, Amish Express, LLC

(Corporate Seal) _____

(If a partnership, each partner must sign; if a corporation, at least one officer must sign and affix corporate seal.)

VERIFICATION

Charles Kent Stapleton hereby states that the statements made in the
(Name of Person)
foregoing are true and correct to the best of his/her knowledge, information and belief. The undersigned understands that the estimates therein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Charles Kent Stapleton
Signature of Person

Date: 12/24/2012

Exhibit B

**STATEMENT OF THE REVENUES AND EXPENSES OF
AMISH EXPRESS, LLC**

1. Loan obligation to initially start Amish Express, LLC:	\$13,250
LESS	
2. Cash on hand when operations ceased:	<u>\$ 8,392</u>
3. Negative NET ASSETS	(\$ 4,858)



COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA PUBLIC UTILITY COMMISSION
 P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
 REFER TO OUR FILE

January 24, 2013

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AMISH EXPRESS LLC
 240 LETORT ROAD
 MILLERSVILLE PA 17551

MAR 13 2013

PA PUBLIC UTILITY COMMISSION
 SECRETARY'S BUREAU

In re: Application of AMISH EXPRESS LLC

**THIS APPLICATION HAS BEEN ASSIGNED PUC DOCKET
 NUMBER A-2012-2340706. PLEASE USE THIS NUMBER WHEN
 CONTACTING THE PUC.**

To Whom It May Concern:

The application cited above has been captioned as attached and will be published in the Pennsylvania Bulletin of February 2, 2013. The application will be submitted for review provided no protests are filed on or before February 19, 2013.

If protests are filed, the Commission encourages discussion between applicants and protestants to resolve possible conflicts. Upon receipt of a protest, it is appropriate for applicants and protestants to contact each other to open a dialogue.

If protests are not withdrawn within 21 days of the protest due date as indicated above, the application will be assigned to the Office of Administrative Law Judge. Parties might be given the opportunity to participate in a voluntary mediation process.

Should all efforts to resolve protests fail, the application will be assigned to an Administrative Law Judge for hearing. Parties to the application proceeding will be advised concerning the process set for their case.

Questions concerning your application process may be directed to the Compliance Specialist below by telephoning direct 717-705-0624.

Very truly yours,

Jenni Fackler
 Compliance Specialist
 Bureau of Technical Utility Services

Enclosure
 wy

NOTICES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

[43 Pa.B. 788]

[Saturday, February 2, 2013]

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MAR 13 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by February 19, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to *begin operating as common carriers* for transportation of *persons* as described under the application.

A-2012-2329717. La Mexicana Express Service, LLC (1044 Union Street, Reading, PA 19604) for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, from point to point within Berks County.

Application of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as *common carriers* for transportation of *persons* as described under the application.

A-2012-2329971. Interstate Nursing Services, Inc., t/a Whitehall Medical Transport Services (1041 North 6th Street, Whitehall, PA 18052), a corporation of this Commonwealth, for amendment to its common carrier certificate, which grants the right to transport as a common carrier, persons in paratransit service, between points in the Counties of Lehigh and Northampton, and from points in said counties, to points in Pennsylvania, and return. Subject to the following conditions:

1. That no right, power or privilege is granted to transport persons to or from points in Northampton County, except for the transportation of persons to or from points within Bethlehem Township, the City of Bethlehem and the Boroughs of Northampton and Nazareth, Northampton County.
2. That no right, power or privilege is granted to transport persons to or from the Lehigh Valley Hospital-Muhlenberg, located in the City of Bethlehem, Northampton County.

is to Permit the transportation of persons in paratransit service, between points in the Counties of Berks, Chester, Montgomery, Northampton, Philadelphia and Schuylkill.

Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.*

A-2012-2331737. Joseph A. Trapuzzano, t/a Broadway Limousine (624 Woodward Avenue, McKees Rocks, PA 15136) for the additional right to begin to transport, as a common carrier by motor vehicle, persons in group and party service, in vehicles seating 11 to 15 passengers, including the driver, from points in the Counties of Allegheny, Beaver, Butler, Washington and Westmoreland, to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney: David M. O'Boyle, Wick, Streiff, Meyer, O'Boyle & Szeligo, PC, 1450 Two Chatham Center, 112 Washington Place, Pittsburgh, PA 15219-3455.*

Application of the following for approval to *begin operating as contract carriers for transportation of persons as described under the application.*

A-2012-2329000. Morton-Battles Corporation, t/a Global Coach, (1810 Widener Place, Philadelphia, PA 19141) for the right to begin to transport, as a contract carrier for Access2Care, by motor vehicle, persons in paratransit service, between points in the Counties of Philadelphia, Bucks, Delaware, Montgomery, Chester, Lancaster, Lehigh and Northampton, and to points in Pennsylvania, and return.

Applications of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.*

A-2012-2339012. Herbert U Craft, Jr., t/a Craft Funeral Home (814 Bethlehem Pike, Erdenheim, PA 19038) for the discontinuance of service and cancellation of his Certificate of Public Convenience as a common carrier, by motor vehicle, at A-00099861 authorizing the transportation of persons in limousine service between points in Pennsylvania.

A-2012-2340706. Amish Express, LLC (240 Letort Road, Millersville, Lancaster County, PA 17551)—discontinuance of service—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-212. Filed for public inspection February 1, 2013, 9:00 a.m.]

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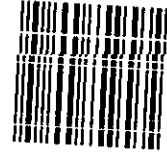
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