



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

October 11, 2007

IN REPLY PLEASE
REFER TO OUR FILE

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A-00100359F0001 Am-B

JOHN A PILLAR
ATTORNEY AT LAW
680 WASHINGTON ROAD SUITE B101
PITTSBURGH PA 15228-1925

DOCUMENT FOLDER

Application of Baker's Transportation Service, Inc.

TO WHOM IT MAY CONCERN:

Enclosed is the compliance order issued by the Commission in this proceeding.

The Certificate of Public Convenience evidencing the Commission's approval of the right to operate will not be issued until the applicant has complied with the following insurance and tariff requirements:

- I. Arrange through an insurance agent to have an insurance company file with the Commission a FORM E as evidence of minimum public liability and property damage insurance coverage as shown on the back of this sheet.
- II. Prepare and file a tariff according to the enclosed instructions except applicants for transfer of authority must file a tariff adoption supplement, which will be forwarded by separate cover at a later date.

PERSONS

DOCKETED
NOV 1 2007

PASSENGER CARRIERS:

- 15 passengers or less: \$35,000 to cover liability for bodily injury, death or property damage incurred in an accident.
- \$25,000 first party medical benefits, \$10,000 first party wage loss benefits and shall conform to 75 Pa. C.S. §§1701-1798 (relating to Motor Vehicle Financial Responsibility Law).
- First party coverage of the driver of certificated vehicles shall meet the requirements of 75 Pa. C.S. §1711 (relating to required benefits).
- 16 to 28 passengers: \$1,000,000 to cover liability for injury, death or property damage incurred in an accident.
- 29 passengers or more: \$5,000,000 to cover liability for bodily injury, death or property damage incurred in an accident.

PROPERTY CARRIERS:

- Bodily Injury: \$300,000 per accident per vehicle to cover liability for bodily injury, death or property damage incurred in an accident.
- Insurance coverage of motor carriers of property shall meet the requirements of 75 Pa. C.S. §1701-1798 (relating to Motor Vehicle Financial Responsibility Law).
- Cargo: \$5,000 for loss or damage to cargo carried on a motor vehicle.

No motor carrier shall operate or engage in any transportation until compliance with all of the above requirements and a certificate of public convenience has been issued authorizing actual operations. You are advised that any equipment to be used in rendering the service authorized under the certificate must be registered with the Bureau of Motor Vehicles, Department of Transportation, as a bus or taxi. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Code.

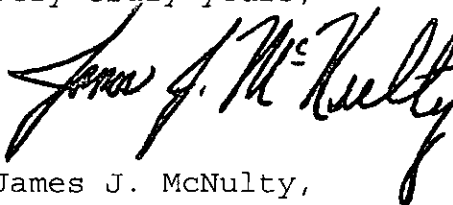
Commission regulations require compliance with all of the requirements within sixty (60) days of this letter. Failure to comply within the sixty- (60) day period will cause the Commission to rescind the action of October 11, 2007 and dismiss the application without further proceedings.

If you foresee problems in meeting these requirements, please direct your questions to the following contact persons:

INSURANCE FILINGS: Insurance Section
(717) 783-5933

TARIFF FILINGS: Tariff Section
(717) 772-0553

Very truly yours,



James J. McNulty,
Secretary

Rpb
Enclosures
Certified Mail
Receipt Requested

BAKERS TRANSPORTATION SERVICE INC
1400 WEST FIRST STREET
OIL CITY PA 16301

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held October 11, 2007

Commissioners Present:

**Wendell F. Holland, Chairman
James H. Cawley, Vice Chairman
Tyrone J. Christy
Kim Pizzingrilli**

Application of Baker's Transportation Service, Inc., a corporation of the Commonwealth of Pennsylvania, for an amendment to its common carrier certificate, which grants the right, to transport, by motor vehicle, persons in paratransit service, between points in the county of Venango: **SO AS TO PERMIT** the transportation of persons, in paratransit service, from points in the county of Venango, to points in Pennsylvania, and return.

A-00100359,
F.1, Am-B

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 26, 2007. Public notice of the application was given in the *Pennsylvania Bulletin* of May 12, 2007, with protests due by June 4, 2007. No protests were filed.

On July 20, 2007, applicant's verified statement and six statements in support representing Venango County were received. The unopposed application is certified to the Commission for its decision without oral hearing.

DISCUSSION AND FINDINGS

Baker's Transportation Service, Inc. (applicant or Baker's Transportation) seeks to expand its paratransit operating territory under the instant application. In addition to its paratransit service, applicant also provides charter bus service, call or demand service, and school vehicle service in Venango County. Facilities are currently maintained at 1400 W. First Street, Oil City, Venango County.

Debra L. Sanford, president of Baker's Transportation entered a statement on its behalf. Baker's Transportation began transporting special needs students in 1971. In 1978 it began providing taxi service and in 1983 it established a bus service in Franklin, Venango

County. The scheduled bus service was discontinued when the County began its own county-financed fixed bus route. However, Baker's Transportation began to provide paratransit service in 1984 within Venango County. It provides small group and party charter service as well in Venango County. Baker's Transportation has over 34 years of experience in the public and private transportation industry.

On March 17, 2003, a certificate of public convenience was issued approving a stock transfer which consisted of 100 shares of stock held by Nancy L. Baker, deceased to Donald L. Baker, 25 shares; Debora L. Sanford, 25 shares; Darlene L. Baker, 25 shares and Diane L. Matthews, 25 shares. The current shareholders of Baker's Transportation remain the same.

The applicant operates from a garage and office in the city of Oil City, Venango County. The commercially zoned location at 1400 West First Street includes slightly less than two acres, with a fenced and lighted vehicle parking lot and ample room for expansion. A recent telephone system upgrade and mobile phone base station, mobile radios and repeaters are the main communication source. The radio system covers most of Venango County with a good success rate. Two cell phones are available for out-of-county transportation. Baker's Transportation maintains current office hours Monday through Friday, except major holidays, between 8:00 a.m. and 5:00 p.m. After hours, holiday and weekend transportation are available with 24 hours advance reservation. A skeleton crew, consisting of a dispatcher, an office employee, and a mechanic, is on duty as early as 6:00 a.m. and as late as 6:00 p.m., Monday through Friday.

Baker's Transportation employs 28 year-round or full-time employees, and up to 50 employees due to seasonal contracts. Seven of the office staff employees oversee contracted work, employees, billing, payroll, and sometimes also substitute as drivers. Two dispatchers/receptionists are responsible for taking telephone calls and directing drivers in the field. Garage personnel consist of a lead mechanic with a Pennsylvania inspection license, one general mechanic and one auto body repair person. They are responsible for fleet maintenance and repairs.

Baker's Transportation employs taxi drivers and sedan, van and minibus drivers, all with valid motor vehicle licenses ranging from regular Class C to CDL licenses with passenger endorsements. There are 14 year-round or full-time drivers and numerous additional drivers used during peak seasons. All drivers are carefully screened and road tested before they are given a vehicle to provide service. Employees receive a pre-employment drug screening. The garage supervisor employed by applicant gives all road tests, has 15 years experience as a driver of vans and fixed route buses and drives as a substitute, when needed. All permanent employees are subject to random drug and alcohol testing. A condition of employment is attendance at safety and defensive driving classes. Vehicle operators do a pre-trip inspection and write up vehicles when maintenance or repairs are needed. Insurance companies also offer safety posters which are posted on the driver board.

Applicant has sufficient vehicles to service the existing territory, as well as the proposed area. The equipment is not presently being used to capacity and can provide additional service in the application area. If additional vehicles are needed, applicant will obtain them.

Baker's Transportation's safety plan includes employee screening and equipment maintenance. The employee screening includes drug screening and random drug and alcohol testing for permanent employees. Drivers are given a road test by the garage supervisor. Drivers are required to attend defensive or safety driving classes. Drivers do pre-trip inspections and write up vehicles when maintenance is required. Insurance safety posters are posted on applicant's driver board.

Applicant's most current balance sheet dated July 16, 2007, shows assets of \$397,520, liabilities of \$167,535, and an owner's equity of \$229,985. The assets include vehicles valued at \$271,993. Applicant projects its net income at the end of one year to be \$84,873.

By the instant application, Baker's Transportation seeks to provide expanded paratransit service to include points from Venango County, to points in Pennsylvania, and return. Paratransit service is currently provided by the applicant between points in Venango County. An applicant seeking to expand service must demonstrate an ability to provide safe and adequate service in the additional territory proposed. In this case, the applicant is a long established transportation provider in Venango County. Baker's Transportation has been providing continuous service to the public for over 30 years. The applicant's financial position will permit it to acquire any additional equipment and/or facilities to service the amended territory. We are satisfied that the applicant will use the resources available to it to provide safe and adequate service.

Six verified statements in support were presented, demonstrating a need for service in the area of the application. The support shows that paratransit service is required for such purposes as doctor visits, and for clients/customers/patients of health care facilities, etc.

Applicant has a Form E, as evidence of bodily injury and property damage liability insurance on file to cover its current operations; however, the Commission requires the filing of a new Form E for the expanded grant of authority herein.

The application requests service between points in Venango County to points in Pennsylvania, and return. This Commission issues authority from named counties to points in Pennsylvania, and return, which permits service between points in the counties of origin. Service to points in Pennsylvania would include points with the origination county as they are obviously points in Pennsylvania.

The applicant is hereby advised of its obligation to familiarize itself with the requirements of 52 Pa. Code as applicable to the operations of a common carrier as authorized by this Order. Applicant is further advised that failure to comply with all applicable requirements may subject the carrier to penalties, including fines, suspension of operating rights or

cancellation of its authority. Title 52 of the Pennsylvania Code may be accessed at www.pacode.com.

After complete review of the record, we find:

1. Applicant seeks to expand its paratransit authority and the application is unopposed.
2. Applicant is supported by six parties.
3. Applicant has the equipment, ability and fitness necessary to render the service.
4. *The evidence of record is sufficient to establish necessity for the service.*
5. Approval of the application is necessary for the accommodation and convenience of the public; **THEREFORE,**

IT IS ORDERED: That the right under the certificate issued, as amended, shall be further amended to read as follows:

To transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the county of Venango to points in Pennsylvania, and return.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation authorized by this order until the following is submitted to the Commission:

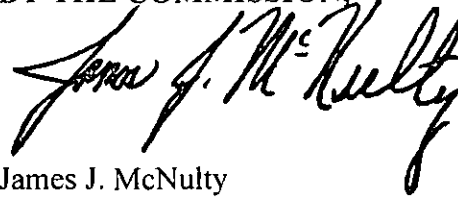
1. Form E, as evidence of bodily injury and property damage liability insurance. Applicant has a Form E, evidence of insurance, on file with the Commission to cover its current operations; however, the Commission requires the filing of a new Form E for the grant of authority herein.
2. A tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the applicant, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That upon compliance with the requirements hereinbefore set forth, a certificate shall issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of entry of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "James J. McNulty". The signature is written in a cursive style with a large, prominent initial "J".

James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: October 11, 2007

ORDER ENTERED: OCT 11 2007