

1. <u>REPORT DATE:</u>	: January 9, 1987	2. <u>BUREAU AGENCY NO.:</u>	:
3. <u>BUREAU:</u>	: S&C	5. <u>PUBLIC MEETING DATE:</u>	:
4. <u>SECTION(S):</u>	: Technical		:
6. <u>APPROVED BY:</u>	: Director: Nicely 3-3846 Supervisor: Lauver 3-1948	February 19, 1987	:
7. <u>MONITOR:</u>	:		:
8. <u>PERSON IN CHARGE:</u>	: Witmer 3-5179		:
9. <u>DOCKET NO.:</u>	: A-00102158, et al (See Attached)		:
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)	:		
(b) Short summary of history & facts, documents & briefs	:		
(c) Recommendation	:		

(a) Pennsylvania Public Utility Commission v. A & A Ambulance Service, Inc. and others

(b) The proposed self executing order directs common carriers who failed to file 1985 assessment reports with the Commission to show cause why their certificates of public convenience should not be cancelled for failure to file such reports.

(c) The Staff recommends that the Commission approve the issuance of the proposed order.

dk

11. <u>MOTION BY:</u>	Commissioner Shane	Commissioner Chm. Taliaferro - Yes
		Commissioner
<u>SECONDED:</u>	Commissioner Fischl	Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

A-104919

Assessment Order

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.

- 1. Show to whom delivered, date, and addressee's address.
- 2. Restricted Delivery.

3. Article Addressed to:
James B. Morrissey, Jr.

4. Article Number
44831

Type of Service:
 Registered Insured
 Certified COD
 Express Mail

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

5. Signature - Addressee
X

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

6. Signature - Agent
X *R. Green*



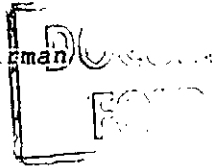
7. Date of Delivery

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
HARRISBURG, PA 17120

Public Meeting held February 19, 1987

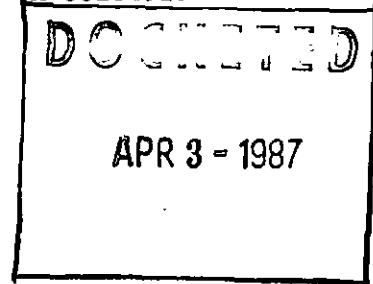
Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane



Morrissey, James D., Jr.
9119 Frankford Avenue
Philadelphia, PA 19114

A-00104919



ORDER TO SHOW CAUSE
FOR FAILURE TO FILE
ASSESSMENT REPORT

BY THE COMMISSION:

The above-named carrier, respondent herein, authorized by this Commission to furnish transportation service, is required under Section 510(b), to file with the Commission, on or before March 31 of each year, a statement under oath showing its gross intrastate operating revenues for the preceding calendar year.

As of this date, respondent has failed to file its assessment report based upon its gross intrastate operating revenues for the 1985 calendar year; THEREFORE,

IT IS ORDERED:

1. That the respondent on the docket and folder(s) above, shall show cause why Respondent's certificate(s) or permit(s) should not be cancelled for failure to file an assessment report based upon gross intrastate operating revenues for the 1985 calendar year.
2. That respondent shall have twenty (20) days from the date on which this order is served to file with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17102, an answer, in writing, under oath, which, as required by 1 Pa. Code §35.35, either affirms or specifically denies the allegations contained in this order.
3. That in lieu of an answer to the order, respondent may submit its assessment report (Assessment Report Form) based upon its gross intrastate operating revenues for the 1985 calendar year, within thirty (30) days hereof, whereupon receipt thereof this matter will be closed.
4. That if respondent fails to file an answer or other responsive pleading in timely fashion within the specified twenty (20) days, respondent will be deemed to have admitted all the allegations in accordance with

the General Rules of Administrative Practice and Procedure, 1 Pa. Code §35.35 and thereupon, this Commission may, without hearing, enter an appropriate order which either revokes and cancels any Certificate or Permit respondent may currently possess, or suspends any Certificate or Permit respondent may currently possess, or enter an order imposing a fine or any other appropriate penalty or forfeiture as authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

5. That if respondent by its answer admits the allegations contained herein, in accordance with 1 Pa. Code §35.35 and 52 Pa. Code §3.122, this Commission will enter an appropriate order which either revokes and cancels any Certificate or Permit respondent may currently possess, or suspends any Certificate or Permit respondent may currently possess, or in lieu thereof imposes a fine or any other appropriate penalty or forfeiture as authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

6. That if the respondent files a timely answer which specifically denies the allegations in this order, or which raises material questions of law or fact, this matter shall be referred to an Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, the respondent is found to have committed any of the violations alleged in this order, the Administrative Law Judge may render a decision which either revokes any certificate held by respondent, or which imposes a fine or any other appropriate penalty authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: February 19, 1987

ORDER ENTERED: March 17, 1987