

J. DENNIS PREVITE, ESQUIRE

P. O. Box 785
2104 Bigler Avenue
Northern Cambria, PA 15714-0785
PHONE NO: (814) 948-4591
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January 27, 2014

Secretary
Pennsylvania Public Utility Commission
400 North Street, Keystone Building
P. O. Box 3265
Harrisburg, PA 17105-3265

RE: Formal Protest filed on behalf of Health Ride Plus, Inc., t/d/b/a Health Ride Plus in regard to Application of Smith Bus Company, Inc., 271 Old William Penn Highway, Blairsville, PA 15717 filed to No. A-2013-2396211 Application of the Smith Bus Company, Inc. for approval to provide paratransit service in Armstrong, Indiana and Westmoreland Counties in Pennsylvania and return.

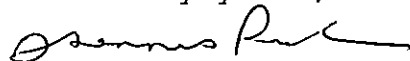
To the Secretary:

I represent Health Ride Plus, Inc.

Enclosed is my client's Protest to the referenced Application filed by Smith Bus Company, Inc.

Thank you.

Sincerely yours,



J. DENNIS PREVITE

JDP/kat
Enclosure
Cc: Health Ride Plus, Inc.
Healthrideplus.001-01-27-14-kt

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SMITH BUS COMPANY, INC. : Application Docket
: No. A-2013-2396211
:

PROTEST OF HEALTH RIDE PLUS, INC.

AND NOW, comes Health Ride Plus, Inc. t/d/b/a Health Ride Plus (“Health Ride”) pursuant to 52 Pa. Code §§ 3.381(c)(1) and 5.51 to 5.53 and files its Protest to the above Application, a Statement of which follows:

1. The name, business address and telephone number of Protestant are as follows:

Health Ride Plus, Inc. t/d/b/a Health Ride Plus
406 Magnolia Street
Northern Cambria, PA 15714
(814) 948-6537

2. The name, business address and telephone number of Protestant’s attorney are as follows:

J. Dennis Previte, Esquire
2104 Bigler Avenue, P. O. Box 785
Northern Cambria, PA 15714
(814) 948 4591

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3. Health Ride is a carrier authorized by the Pennsylvania Public Utility Commission (“Pa. P.U.C.”) to provide paratransit service permitting the transportation of persons between points in the Counties of Clarion, Elk, Indiana, Jefferson, Cambria, Clearfield, Somerset, Blair, Bedford, Huntingdon, Centre and Mifflin and from points in that territory to points in Pennsylvania and return. Applicant now seeks authority to provide paratransit service in Armstrong, Indiana and Westmoreland Counties. Indiana County is one of the areas served by

Health Ride. Approval of the Application will have a substantial negative impact on Protestant's operation by, inter alia, decreasing passengers and revenue available to Protestant and may result in destructive competition. Approval of the Application is contrary to the public interest. Health Ride provides adequate and satisfactory service within the area for which it is authorized to provide service. There is no need for the proposed service in the area served by Health Ride.

4. Health Ride is currently authorized to operate paratransit service under authority at Pa. P.U.C. docket number A-2011-2231468. Copies of the Authority, Certificates of Public Convenience and March 16, 2012 letter relating to Health Ride's authority are attached hereto as Exhibit 1.

5. At this time, Health Ride is not aware of any restriction or amendment of the Application which would result in the withdrawal of this Protest.

WHEREFORE, Health Ride respectfully requests that your Honorable Commission deny the Application of The Auto Lender, Inc.

Respectfully submitted,

By: J. Dennis Previte

J. Dennis Previte, Esquire
Pa. I.D. No. 32794
2104 Bigler Avenue
P. O. Box 785
Northern Cambria, PA 15714
(814) 948 4591

Dated: January 27, 2014

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SECRETARY'S BUREAU

VERIFICATION

I, Girard W. Tibbott, President of Health Ride Plus, Inc., do hereby verify that I am authorized to and do make this Verification for Health Ride Plus, Inc.; that I have read the foregoing Protest and that the facts set forth herein are true and correct (or are true and correct to the best of my knowledge, information and belief); and I expect the said Health Ride Plus, Inc. to be able to prove the same at any hearing hereof.

I understand that the statements herein are subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.


GIRARD W. TIBBOTT, President

Dated: January 27, 2014

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**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

IN THE MATTER OF: A-6413287

Health Ride Plus, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, from points in the counties of Clarion, Elk, Indiana, Jefferson, Cambria, Clearfield, Somerset, Blair, Bedford, Huntingdon, Centre and Mifflin, to points in Pennsylvania, and return. A-2011-2231468

EFFECTIVE DATE: March 16, 2012

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing, it has, by its report and order made and entered, found and determined that the granting of the application is necessary or proper for the service, accommodation, convenience and safety of the public and hereby issues to the applicant this **CERTIFICATE OF PUBLIC CONVENIENCE** evidencing the Commission's approval to operate.

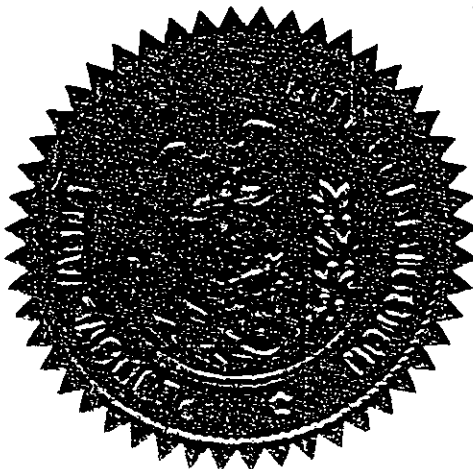
In Witness Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 16th day of March, 2012.


Secretary

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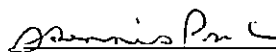


CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of January, 2014, a true and correct copy of the foregoing Protest was served upon the following person in accordance with the requirements of 52 Pa. Code § 1.54:

By First Class U.S. Mail/Postage Prepaid:

Smith Bus Company, Inc.
271 Old William Penn Highway
Blairsville, PA 15717



J. Dennis Previte, Esquire

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SECRETARY'S BUREAU



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For Domestic and International



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Delivery Attempt	Time	Employee Signature
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Delivery Date	Time	Employee Signature
Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	

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<input type="checkbox"/> NO DELIVERY Weekend Holiday	<input type="checkbox"/> Maller Signature
<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if customer requests waiver of signature. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.	

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Date Accepted	Scheduled Date of Delivery	Return Receipt Fee	
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Mo. Day Year	Scheduled Time of Delivery	COD Fee	Insurance Fee
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Time Accepted	Military	Total Postage & Fees	
<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM		\$ 16.15	
Flat Rate <input type="checkbox"/> or Weight	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Acceptance Emp. Initials	
lbs. 2 oz.	Int'l Alpha Country Code		

FROM: (PLEASE PRINT) PHONE (814) 668 4501

J. Dennis Frevite, Esquire
 2104 Sigler Avenue
 P. O. Box 735
 Northern Cambria, PA 15714

TO: (PLEASE PRINT) PHONE ()

Secretary
 Pa Public Utility Commission
 400 North Street
 Keystone Building
 Harrisburg, PA 17120

ZIP - 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)

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