



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

ISSUED: January 9, 1992

KJR/JR

IN REPLY PLEASE  
REFER TO OUR FILE

DOCUMENT  
FOLDER

A-00107235  
F.1, Am-A

LAWRENCE L DAVIS ESQUIRE  
103 SOUTH CENTER STREET  
EBENSBURG PA 15931

Application of Tri-County Transportation & Leasing  
Inc., a corporation of the Commonwealth of  
Pennsylvania.....

TO WHOM IT MAY CONCERN:

Enclosed is a copy of the Initial Decision of Administrative Law Judge Ky Van Nguyen. This decision is being issued and mailed to all parties on the above specified date.

If you do not agree with any part of this decision, you may send written comments (called Exceptions) to the Commission. Specifically, an original and nine (9) copies of your signed exceptions MUST BE FILED WITH THE SECRETARY OF THE COMMISSION IN ROOM B-18, NORTH OFFICE BUILDING, NORTH STREET AND COMMONWEALTH AVENUE, HARRISBURG, PA OR MAILED TO P.O. BOX 3265, HARRISBURG, PA 17120, within twenty (20) days of the issuance date of this letter. The signed exceptions will be deemed filed on the date actually received by the Secretary of the Commission or on the date deposited in the mail as shown on U.S. Postal Service Form 3817 certificate of mailing attached to the cover of the original document (52 Pa. Code §1.11(a)) or on the date deposited with an overnight express package delivery service (52 Pa. Code 1.11(a)(2), (b)). If your exceptions are sent by mail, please use the address shown at the top of this letter. A copy of your exceptions must also be served on each party of record. 52 Pa. Code §1.56(b) cannot be used to extend the prescribed period for the filing of exceptions/reply exceptions.

If you receive exceptions from other parties, you may submit written replies to those exceptions in the manner described above within ten (10) days of the date that the exceptions are due.

Exceptions and reply exceptions shall obey 52 Pa. Code 5.533 and 5.535 particularly the 40-page limit for exceptions and the 25-page limit for replies to exceptions. Exceptions should clearly be labeled as "EXCEPTIONS OF (name of party) - (protestant, complainant, staff, etc.)".

If no exceptions are received within twenty (20) days, the decision of the Administrative Law Judge may become final without further Commission action. You will receive written notification if this occurs.

cc:ALJ VAN NGUYEN/OFFICE OF ALJ/S&C/TRANS./LAW BUREAU/MR.BRAMSON/OSA/CHAIRMAN/COMMISSION CORRESPONDENCE/OUR FILE

Very truly yours,

Allison K. Turner  
Chief Administrative Law Judge

smk  
Encls.  
Certified Mail  
Receipt Requested

DAVID H RADCLIFF ESQUIRE  
407 NORTH FRONT STREET  
HARRISBURG PA 17101

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Tri-County Transportation & Leasing, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, to transport, by motor vehicle, groups and parties of persons from the borough of Cherry Tree, Indiana County, and the borough of Barnesboro, Cambria County, to points in Pennsylvania:  
SO AS TO PERMIT the transportation of persons, in group and party service, from points in that part of the county of Cambria lying on and north of U.S. Highway Route 22, to points in Pennsylvania.

CKETED  
JAN 17 1992

DOCUMENT  
FOLDER

INITIAL DECISION

Before  
Ky Van Nguyen  
Administrative Law Judge

History of the Proceedings

On November 13, 1990, Tri-County Transportation & Leasing, Inc. (the Applicant) filed an application with the Pennsylvania Public Utility Commission (the Commission) to amend its authority to include the right:

To transport, as a common carrier, by motor vehicle, persons, in group and party service, from points in that part of the county of Cambria lying on and north of U.S. Highway Route 22, to points in Pennsylvania.

On December 29, 1990, a notice of the application was published in the Pennsylvania Bulletin. Protests to the application were to be filed on or before January 22, 1991.

On January 16, 1991, Fullington Auto Bus Company (the Protestant) filed a protest to the application.

On May 21, 1991 a hearing was held on the application. At the hearing the Applicant was represented by Lawrence L. Davis, Esquire, and the Protestant by Christian V. Graf, Esquire

#### Summary of Testimony

##### A. Applicant's Evidence

1. William M. Tibbott (N.T. 4-18; Exhibits A-1, A-2, A-3)

The witness is the president of Tri-County Transportation & Leasing, Inc. (the Applicant). The Applicant's business address is 404 19th Street, Barnesboro, PA 15714.

At present, the Applicant has authority to provide group and party service at the pickup points of Barnesboro, Cambria County, and of Cherry Tree, Indiana County. In addition, the Applicant has the ICC (Interstate Commerce Commission) rights to operate in 48 states.

People from the boroughs of Spangler, Hastings, Patton, Carrolltown and from the areas of Nicktown and St. Benedict must get to Barnesboro to board the Applicant's buses for such

destinations or shows as Somerset Mall, Harrisburg, Christmas Village, Johnstown and Ice Capades.

Exhibit A-3 is the list of people living in the neighboring areas of Barnesboro. The purpose of the application is to establish more pickup points which would allow the people to board the bus in their areas instead of driving to and boarding the bus at Barnesboro. Most of them are old people who either cannot drive or have to ask someone to bring them to the pickup area of Barnesboro. The Applicant can pick them up if their destination is Atlantic City, but cannot pick them up if their destination is Johnstown which is the largest metropolitan area in Cambria County and south of Route 22.

On cross-examination, the witness testified that the Applicant has provided group trips from points in the counties of Indiana, Cambria and Clearfield. The groups may be girl scouts, Polish legion or wedding parties. Most of them were from the Hastings area. They had to come to the pickup point in Barnesboro to board the bus.

The witness does not have financial information.

The Applicant operates a 1980 Eagle and three school buses (a 1985 and a 1989 International school bus, and a 1989 GMC).

The Applicant employs 2 drivers and 3 mechanics for its operations.

The population of Cambria County is about 180,000 people. Each day, the Applicant receives about 20 calls for service from out the authorized operating territory.

On redirect, the witness testified that Tilley Link is the Applicant's Tour Director. She worked for Blue and White before.

The Applicant does not have requirements for additional charges or the minimum number of passengers for pickup. But passengers must be in Barnesboro to be picked up.

On recross, the witness testified that the Applicant sells tickets to individual passengers. The tickets would be the same whether the passengers are from Ebensburg or Barnesboro.

2. Frank Cammarata (N.T. 18-28; Exhibits A-4, A-5)

The witness is the owner of a weekly newspaper called the Union Press Courier, having about 5,500 circulations in the northern area of Cambria County. He lives in Patton, Pennsylvania.

He is a member of the Cambria County Tourist Council and the Prince Gallitzin Tourism Trade Association. He is active in the Cambria County development of tourism and America's Industrial Heritage Program. The Prince Gallitzin State Park located in Patton Borough attracts a lot of tourists in the summer.

The witness's newspaper advertises the Applicant's service.

The witness has never been to Atlantic City. He would want to take a trip there, but he does not want to go to the pickup point in Barnesboro. He would prefer being picked in his hometown instead of travelling 12 miles to board the bus, 12 miles being the distance between Patton Borough and Barnesboro.

The travel would cause a great inconvenience. The traveling road is not a four lane highway, except for a short extension of Route 219. People traveling to Barnesboro are using secondary roads.

The Applicant has done some promotional work for the region. As a result, the tourism industry is growing. These will help the witness's business. The witness does not receive any advertising from any other carriers except the Applicant.

The witness explained about the trips that were listed in Exhibits A-4 and A-5.

The witness has not gone on any tours or sight-seeing trips. He might go to a Pirate game. Before, he did go to Pirate games. He went with the local softball team on Blue and White buses.

3. Jerry Brant (N.T. 28-34)

The witness is the President and Chief Operating Officer of Northern Cambria Community Development Corporation. He lives in Barnesboro, Pennsylvania.

The corporation is a nonprofit community development, dealing with grants and loans for municipalities, employment training programs, tourism activities, environmental concerns, and a number of other things.

The approval of the application will increase employment and the use of mass transportation in the area.

On cross-examination, the witness attempted to define mass transportation. About five or six years ago, the witness went to a Pirate game by bus. The bus company was McIlwain. The witness has not paid for any tour or sight-seeing trips. The Pennsylvania Heritage Preservation Commission has paid for the witness's sight-seeing trips, both within and without Pennsylvania.

Three carriers are operating in the witness's area: McIlwain, Fullington and Blue and White.

4. Eleanor Lantzy (N.T. 34-41)

The witness is a homemaker, living in the borough of

Spangler, Pennsylvania. She is a volunteer for the local theater and library.

The local theater, the Allegheny Highlands Regional Theater, has been in existence for 17 or 18 years. The group consists of people from the counties of Cambria, Blair and Indiana.

People who need the Applicant's service are old, cannot drive at night, and live in small towns such as Patton, Barnesboro, Hastings, Spangler and Nicktown. They really need someone to pick them up at their homes.

The witness has sometimes to hire someone to drive the theater's members from Spangler and Nicktown to Barnesboro to catch the Applicant's bus to the Play House in Cambria County.

The Applicant's service will eliminate duplication of transportation.

On cross-examination, the witness explained how she and others take trips to Jennerstown, Penn State, Ebensburg and Cresson Lake.

5. Ann Barber (N.T. 42-47)

The witness is a housewife, living at 210 West Horner Street, Ebensburg, Pennsylvania. She is a member of the Catholic Daughters of America, the Women's Club, and the VFW Auxiliary.

The witness would not travel 20 miles from Ebensburg to Barnesboro and leave her car there in order to be picked up for one of those trips advertised by the Applicant in the local newspaper.

The clubs start using trips to raise funds. They choose those carriers who can offer them a best deal. But this choice does not exist because the clubs have to go with whoever has PUC authority to provide the service.

The witness does not know how many bus companies that have authority to serve Ebensburg. She knows only Blue and White and Ilwain. She is not familiar with Manns and North.

The witness has not called upon the Applicant to provide service because she knows it cannot serve her from Ebensburg.

6. Bonita Adams (N.T. 48-49)

The witness is a housewife, living on R.D. #1, Mineral Point, Pennsylvania. Mineral Point is about 7 miles from Ebensburg.

The witness wants to travel but, to do so, she has to get to Barnesboro to catch a bus. She could not do this because she cannot drive at night and leave her car somewhere.

On cross-examination, the witness testified that it is not necessary for a carrier to pick her up in Mineral Point. The carrier can do so in Ebensburg.

The witness has not called any bus companies to see what they have to offer.

7. Mary Bakajza (N.T. 50-53)

The witness is a housewife and retired nurse, living in Hastings, Pennsylvania. She is also the president of the Hastings Borough Council, and a member of the Catholic Daughters and the Hastings Fire Auxiliary.

Hastings is 5 miles from Barnesboro.

The witness wants to travel but she would prefer to walk to the bus station to catch a bus. She would not want to leave her car somewhere and worry about, or to pay more for her trip.

On cross-examination, the witness testified that she has not taken many trips in the past. Most of the trips she took were outside Pennsylvania: Some originated in Ebensburg and some in Altoona. They were all destined for Baltimore, Maryland; Washington, D.C.; and Massachusetts.

Somebody working in Altoona and Ebensburg drove her there to catch the bus.

8. John Jubas (N.T. 54-57)

The witness is a retiree, living in Spangler, Pennsylvania. He is the chairman of the Northern Cambria Senior Activity Center.

Peoples who want to take trips have to go to Barnesboro to get picked up. This causes inconvenience for old people because they don't drive and there is no taxi service in the community. Leaving cars unattended in Barnesboro also causes parking and towing problems.

On cross-examination, the witness testified that he took three trips from Barnesboro and Ebensburg to Reading and Cookstown. He plans on taking a trip from Barnesboro but has not yet decided the destination of the trip. He has to drive to Barnesboro to get the bus.

9. Thomas Buck (N.T. 58-62)

The witness is a retiree, living in Carrolltown, Pennsylvania. He is also a fire volunteer.

The witness would benefit from the approval of the application because he does not have to drive about 6 miles from his home town to the pickup point in Barnesboro, or to leave his car at the pickup point, or to have somebody bring the car back home and pick him up at the end of the trip.

Roads in the area are all secondary.

On cross-examination, the witness testified that he took Blue and White's and Happy Time's buses for pre-scheduled tours. The tours originated in Barnesboro, Hastings, Carrolltown, and were destined for Lancaster and Philadelphia.

10. Mary Buck (N.T. 62-64)

The witness is the wife of Thomas Buck and is also a retiree.

If the application is approved, the witness will not have to go to Barnesboro to catch a bus and will avoid a lot of troubles with driving at night.

Last year, the witness took two little girls to Christmas Village. They had to travel from Carrolltown to Barnesboro to get the bus. On the way back, they had to get off the bus in Barnesboro before returning home.

On cross-examination, the witness testified that Blue and White's bus did pick her up in Carrolltown, the pickup point being about 5 or 10 minutes from her home.

11. Kathleen Quevy (N.T. 65-68)

The witness is a housewife, living in Patton, Pennsylvania.

If the application is approved, the witness will not have to drive at night to Barnesboro to catch a bus.

Several times, the witness did board the bus at the pickup point in Patton.

On cross-examination, the witness testified that Blue and White's bus picked her up in Patton, but that she could not recall the destination.

Most of the time, the witness took the Applicant's buses from Barnesboro. The distance between Patton and Barnesboro is about 12 miles.

12. Eva Lechene (N.T. 69-71)

The witness is a housewife, living in Hastings, Pennsylvania.

If the application is approved, it would be easy for the witness to catch a bus. She just has to walk downtown, instead of driving to Barnesboro. The witness does not drive at night.

The witness recalled being picked up in Hastings on a tour to Atlantic City. The distance between Hastings and Barnesboro is about 5 or 6 miles.

On cross-examination, the witness testified that, on the tour to Atlantic City, the bus company was Blue and White. All the trips that were arranged by the Applicant originated in Barnesboro.

13. Frances Sgro (N.T. 72-75)

The witness is a retiree, living in Barnesboro, Pennsylvania.

The witness often heard people complain that they have to drive from Spangler, Patton, or Hastings to Barnesboro to catch a bus.

On cross-examination, the witness testified that his church took trips to Altoona, Johnstown and Canada. The trips were on Blue and White's buses. He knows there are other bus companies that could serve him but he is familiar with Blue and White.

14. Joseph Regal (N.T. 76-78)

The witness is a radio technician, living in Hastings, Pennsylvania.

Last week, the witness booked a bus to go to a wedding. Half of the people participating in the wedding were from Hastings. They had to travel to Barnesboro to board the bus. It was very inconvenient when they were not sober.

On cross-examination, the witness testified that he chartered a bus of Tri-County Happy Time and that the wedding took place in New Castle.

Other than the New Castle trip, the witness took school trips and were picked up in Ebensburg.

15. Ruby Yeager (N.T. 78-81)

The witness is a housewife, living in Hastings, Pennsylvania.

If the application is approved, the witness will not have to drive to Barnesboro for trips within Pennsylvania. He cannot drive at night and when the road is icy.

Barnesboro is about 6 miles from Hastings.

For trips outside Pennsylvania, the witness get picked up in Hastings.

Last year, the witness took two trips outside Pennsylvania and one trip inside Pennsylvania on the Applicant's buses. He bought individual tickets.

16. Elizabeth Conrad (N.T. 81-84)

The witness is a housewife, living in Patton, Pennsylvania.

If the application is approved, the witness will not have to drive to Barnesboro to board a bus and to drive home late at night and in the winter road conditions.

A couple weeks ago, the witness went to Pittsburgh on a trip and did not get back to Barnesboro until midnight. She got a ride home from a couple she knew.

On cross-examination, the witness testified that, in addition to the Pittsburgh trip, the witness used the Applicant for a trip to Johnstown. She has signed up for a trip to Lancaster to see a show.

In the past, the witness travelled a lot with her husband on Blue and White's buses to California, Alaska, Florida, Michigan and Nashville. She was picked up in Patton.

The witness has to drive about 12 miles to get to the bus station.

17. Eleanor Dubyak (N.T. 84-86)

The witness is a housewife, living in Patton, Pennsylvania.

If the application is approved, she will not have to drive 12 miles to Barnesboro for trips inside Pennsylvania.

When the witness goes on an out-of-state trip, she is picked up in Patton.

On cross-examination, the witness testified that she had used the Applicant several times for trips to Johnstown, Pittsburgh and Lancaster to see either a movie or a stage show.

Other than the Applicant, the witness does not know any bus companies in order to make arrangements for a trip.

18. Vivien Ceschini (N.T. 87-89)

The witness is a housewife, living in Patton, Pennsylvania.

If the application is approved, the witness will not have to travel 12 miles to Barnesboro to catch a bus when road conditions are icy or snowy.

The witness has taken trips with the Applicant to Pittsburgh, Johnstown, Harrisburg and Lancaster.

She has not called Blue and White or any other bus companies to see what they have to offer.

19. Mary Ellen Cunningham (N.T. 90-93)

The witness lives in Carrolltown, Pennsylvania.

If the Applicant is approved, it would be more convenient for her. She will not have to drive to Barnesboro to catch a bus.

She expects to go on a trip this summer or fall.

On cross-examination, the witness testified that she has taken trips with Blue and White. If there are 10 passengers, Blue and White will come to Carrolltown to pick up; if not, the

witness has to go to either Ebensburg or Johnstown to catch the bus.

The distance between Carrolltown and Johnstown is 17 or 20 miles; the distance between Carrolltown and Ebensburg 9 miles; and the distance between Carrolltown and Barnesboro is 9 miles.

The witness went to Reading a few times with Fullington company and was picked up in Carrolltown. In a trip with Fullington, she had to buy a tape to tape the bus window because the window got stuck. This occurred during the winter.

She went with McIlwain also. McIlwain also has the 10-passenger requirement for pickup.

20. Mary Lou Gray (N.T. 94-97)

The witness is a housewife, living in Carrolltown, Pennsylvania. She is involved in the activities of the 4H and the Carrolltown Little League.

Each year, the witness's 4H takes a trip to Kennywood. This has been done for the last eight or nine years. The group has been to Philadelphia, Gettysburg and Ocean City on Blue and White's buses. The group was picked up in Carrolltown.

On cross-examination, the witness testified that the witness is now too old to take 50 or 60 kids on a bus. So she has been sticking to Sea World in Tyrone.

21. Ruby Holsopple (N.T. 99-102)

The witness is a housewife, living on R.D. #1, Mineral Point, Pennsylvania.

The witness is a widow and has no children. The night lights bother her driving.

She prefers being able to go to places like the Jamesway Plaza which is located on Route 22.

The witness has not used Happy Time (the Applicant) yet, but she will be on tours with the Applicant.

On cross-examination, the witness testified that she has not been on tours with the Applicant. She has been to Florida, Lancaster and Washington, D.C. She has used the service of McIlwain, Schraders, and Blue and White.

The witness has to drive about 6 miles to get to the bus station in Ebensburg and very far to get to the pickup point in Barnesboro.

22. Laurie Abrams (N.T. 103-105)

The witness is a retiree, living in Spangler, Pennsylvania.

If the application is approved, the witness will not have to go to Barnesboro to catch a bus. The distance between Spangler and Barnesboro is about 3 miles.

On cross-examination, the witness testified that she had used the Applicant's service 3 times in the past: 2 trips to the Cresson Lake Playhouse in Ebensburg, Pennsylvania, and one trip to Atlantic City, New Jersey.

For trips within Pennsylvania, she had to get to Barnesboro to board the bus.

23. Verna Kapeluch (N.T. 105-108)

The witness is a retiree, living in Spangler, Pennsylvania.

If the application is granted, the witness would walk to the bus station instead of driving about 3 miles to the pickup point in Barnesboro.

The witness has gone on trips with the Applicant before and is satisfied with its service.

On cross-examination, the witness testified that she had used the Applicant's service 3 times in the past: 2 trips to the Cresson Lake Playhouse in Ebensburg, Pennsylvania, and one trip to Atlantic City.

She did not have any trouble with parking her car because she always made sure that the car was parked under a lamp post.

The Applicant has a coach. The witness believed the Applicant can handle more trips.

The witness has used Fullington, McIlwain, and Mary's Little Lamb. These companies picked the witness up right in Spangler.

The witness prefer local monies to be spent in local places.

24. Mary Margaret Flanagan (N.T. 108-111)

The witness is a retired school teacher, living on Bigler Avenue, Spangler, Pennsylvania.

If the application is granted, the witness will not have to get up early in the morning and drive in the rain and fog to Barnesboro and leave the car there, and return late at night and drive back in the rain and fog again.

On cross-examination, the witness testified that the distance between Barnesboro and Spangler is about 2 and a half miles. When it rains in Spangler, it always rains in Barnesboro.

When it snows, the witness never takes the car out of the garage.

She used the Applicant's service twice in the past to the Cresson Lake Playhouse in Ebensburg and the Sight and Sound in Strasburg.

The witness plans on taking more trips but the weather spoils her plan.

She has not used the service of any other bus companies.

25. Helen Jones (N.T. 112-117)

The witness is a retired school teacher, and case worker, living on Bigler Avenue, Spangler, Pennsylvania.

The witness suffers from emphysema and chronic bronchitis. As a result, she is not permitted to drive. The diseases also make it almost impossible for her to take a long walk. If the application is granted, the witness will take a short walk to the bus station and will not have to call upon friends for help.

On cross-examination, the witness testified that most of her trips have been with Blue and White. She has used the Applicant once. That was the trip to Bedford with her disable companion who lives in Patton.

The witness has used Fullington to go to Canada and Philadelphia.

B. Protestant's Evidence

1. John Richard Fullington (N.T. 124 - 139;  
Exhibits P-1, P-2, P-3)

The witness is the president of Fullington Auto Bus Company, (the Protestant). The Protestant's business address is 316 Cherry Street, Clearfield, Pennsylvania.

The Protestant obtains authority from this Commission to transport groups and parties of persons, and persons on special excursions and tours or sight-seeing trips from points in the counties of Cambria and Blair to points in Pennsylvania. With this authority, it can serve all points north and south of U.S. 22.

The Protestant maintains 5 terminals in Pennsylvania: Marion Center, DuBois, Clearfield, Philipsburg, and State College.

Cambria County is a toss-up between DuBois and Clearfield.

At its home terminal in Clearfield, the Protestant does the major overhauling and body work, and has parking facilities.

The Protestant employs more than 75 drivers. Fifty employees are normally available for service.

The Protestant operates 29 charter buses. They are equipped with air conditioners, lavatories, two-way radios, interior loud speakers, and reclining seats. Nine of the 29 charter buses have VCRs.

The Protestant also obtains authority to provide limousine service in Cambria County. In addition, the Applicant has authority to operate outside Pennsylvania.

The Protestant carries a \$5 million insurance policy

for the protection of the public. It pays general assessments to, and has tariff on file with, the Commission.

The Protestant had provided service to witnesses Jones, Brant and Cunningham. It also affirmed Ms. Cunningham's testimony that sometimes windows got stuck.

For group and party service, the Protestant can pick up passengers anywhere in Cambria County: Carrolltown, Spangler, Patton, Barnesboro, Ebensburg, Hastings, and Mineral Point. The Protestant pick up passengers only if there are at least 10 passengers. The departing points are Clearfield or DuBois.

The Protestant advertises its service in about 20,000 tour books a year. In 1991, for example, there are tours listed for each month. Even 1992 tours are also listed in the 1991 tour book. There are also trips that are not listed in the tour book because the Applicant does not know about them at the time the tour book is published. The long tours are listed in the front pages of the book; the short tours in the back, including shopping tours.

At present, there is a lot of competition in the Protestant's authorized operating territory: Load Star and McIlwain Bus Company from Johnstown, Wilkinson Bus Company from Cresson, Blue and White Bus Company from Altoona, and Manson North in Bellefonte.

If the application is approved, the approval will affect the Protestant's line and charter service.

On cross-examination, the Protestant testified that it will pick up passengers with no additional charges if there are 10 passengers or more. Under 10 passengers, the group has to get to the pickup point.

Nine of the Protestant's 29 charter buses are equipped with telephones.

If the application is approved, the approval will take the Protestant's revenues away.

#### Findings of Fact

1. The Applicant's business address is 404 19th Street, Barnesboro, PA 15714. (N.T. 4, 5)

2. The Applicant has authority from the Commission to provide group and party service at the pickup points of Barnesboro, Cambria County, and of Cherry Tree, Indiana County. (N.T. 5, 7, 8; Exhibit A-1)

3. The Applicant has also the ICC rights to operate in 48 states. (N.T. 6)

4. Passengers from the boroughs of Spangler, Hastings, Patton, Carrolltown, and from the areas of Nicktown and St. Benedict must get to Barnesboro to board the Applicant's buses for such destinations or shows as Somerset Mall,

Harrisburg, Christmas Village, Johnstown, and Ice Capades. (N.T. 8, 9; Exhibit A-2)

5. The Applicant can pick up these passengers if their destination is outside Pennsylvania, but cannot do so if their destination is within Pennsylvania. (N.T. 11)

6. The Applicant has provided group and party service from points in the counties of Indiana, Cambria and Clearfield. The groups may be girl scouts, Polish legion or wedding parties. (N.T. 13, 14)

7. Most of the groups were from the Hastings area. The groups had to come to the pickup point in Barnesboro to board the bus. (N.T. 14)

8. The Applicant operates a 1980 Eagle and three school buses (a 1985 and a 1989 International school bus, and a 1989 GMC). (N.T. 16)

9. The Applicant employs 2 drivers and 3 mechanics for its operations. (N.T. 16)

10. Cambria County has about 180,000 people. (N.T. 17)

11. Each day, the Applicant receives 20 calls for service within the authorized operating territory. (N.T. 17)

12. The Applicant does not have requirements for additional charges or the minimum number of passengers for pickup. (N.T. 118, 119)

13. Frank Cammarata is a supporting witness, living in Patton, Pennsylvania. (N.T. 18, 19)

14. Frank Cammarata is the owner of a weekly newspaper called the Union Press Courier, having about 5,500 circulations in the northern area of Cambria County. He is also a member of the Cambria County Tourist Council and the Prince Gallitzin Tourism Trade Association. (N.T. 18-20)

15. The Prince Gallitzin State Park located in Patton Borough attracts a lot of tourists in the summer. (N.T. 21)

16. Frank Cammarata's newspaper advertises the Applicant's service. (N.T. 21; Exhibits A-4, A-5)

17. Frank Cammarata does not want to travel 12 miles to Barnesboro to catch the Applicant's bus, 12 miles being the distance between Patton and Barnesboro. (N.T. 22)

18. Except for a slight extension of Route 219, the road between Patton and Barnesboro is not a four-lane highway. People traveling to Barnesboro are using secondary roads. (N.T. 22, 23)

19. Frank Cammarata has not gone on any tours or sight-seeing trips. He might go to a Pirate game. (N.T. 27, 28)

20. Jerry Brant is the supporting witness. He is the President and Chief Operating Officer of the Northern Cambria Community Development Corporation. He lives in Barnesboro, Pennsylvania. (N.T. 29)

21. The Northern Cambria Community Development Corporation is a non-profit community development corporation dealing with employment training programs, touristic activities, environmental concerns, grants and loans for municipalities, and a number of other things. (N.T. 29)

22. About 5 or 6 years ago, Jerry Brant went to a Pirate game by bus. The bus company was McIlwain. (N.T. 31, 32)

23. Jerry Brant has made several sight-seeing trips, within and without Pennsylvania, paid for by the Pennsylvania Heritage Preservation Commission. (N.T. 32, 33)

24. Three carriers are operating in Jerry Brant's area: McIlwain, Fullington, and Blue and White. (N.T. 34)

25. Eleanor Lantzy is a supporting witness. She lives in Spangler, Pennsylvania, and is a volunteer for the local theater and library. (N.T. 35)

26. The local theater, the Allegheny Highlands Regional Theater, has existed for 17 or 18 years. The group consists of people from the counties of Cambria, Blair, and Indiana. (N.T. 35, 36)

27. Eleanor Lantzy has sometimes to hire someone to drive the theater's members from Spangler and Nicktown to Barnesboro to catch the Applicant's bus to the Playhouse in Cambria County. (N.T. 37)

28. Ann Barber is a supporting witness, living at 210 West Horner Street, Ebensburg, Pennsylvania. She is a member of the Catholic Daughters of America, the Women's Club, and the VFW Auxiliary. (N.T. 43)

29. Ann Barber does not know how many bus companies that have authority to serve Ebensburg. She knows only Blue and White and McIlwain.

30. Ann Barber has not called upon the Applicant to provide service because she knows the Applicant cannot serve her from Ebensburg. (N.T. 47)

31. Bonita Adams is a supporting witness, living on R.D. #1, Mineral Point, Pennsylvania. Mineral Point is about 7 miles from Ebensburg. (N.T. 42, 49)

32. Bonita Adams wants to travel but, to do so, she has to get to Barnesboro to catch the bus. She could not do this because she cannot drive at night and leave her car somewhere. (N.T. 48, 49)

33. Mary Bakajza is a supporting witness. She is a housewife and retired nurse, living in Hastings, Pennsylvania.

34. Mary Bakajza is also the president of the Hastings Borough Council, and a member of the Catholic Daughters and the Hastings Fire Auxiliary. (N.T. 50)

35. The distance between Hastings and Barnesboro is about 5 miles. (N.T. 50)

36. Mary Bakajza wants to travel but would prefer to walk to the bus station to catch a bus. She would not want to leave her car somewhere and worry about, or to pay more for her trip. (N.T. 51)

37. Mary Bakajza took several interstate trips from Ebensburg or Altoona to Baltimore, Maryland, Washington, D.C.; and Massachusetts. (N.T. 52, 53)

38. Somebody working in Altoona and Ebensburg drove Mary Bakajza there to catch the bus. (N.T. 52)

39. John Jubas is a supporting witness, living in Spangler, Pennsylvania. He is the Chairman of the Northern Cambria Senior Activity Center. (N.T. 54)

40. People who want to take trips have to go to Barnesboro to get picked up. This causes inconvenience for senior citizens because they don't drive and there is no taxi service in the community. Leaving cars unattended in Barnesboro also causes parking and towing problems. (N.T. 54, 55)

41. John Jubas took three trips from Barnesboro and Ebensburg to Reading and Cookstown. (N.T. 55, 56)

42. John Jubas plans on taking a trip from Barnesboro but has not yet decided the destination of the trips. (N.T. 57)

43. Thomas Buck is a supporting witness, living in Carrolltown, Pennsylvania. (N.T. 58)

44. The distance between Carrolltown and Barnesboro is about 6 miles. (N.T. 58)

45. Thomas Buck would benefit from the approval of the application because he does not have to drive to Barnesboro to catch a bus, or to leave his car in Barnesboro, or to have somebody bring the car back home and pick him up at the end of the trip. (N.T. 58)

46. Roads in the area are all secondary. (N.T. 59)

47. Thomas Buck took Blue and White's and Happy Time's (the Applicant's) buses for tours. The tours originated in Barnesboro, Hastings, and Carrolltown, and were destined for Lancaster and Philadelphia. (N.T. 60, 61)

48. Mary Buck is a supporting witness and is the wife of Thomas Buck. (N.T. 62)

49. Last year, Mary Buck took a trip to Christmas Village. She had to travel to Barnesboro to get the bus and on the way back she had to get off the bus in Barnesboro before returning home. (N.T. 63)

50. Kathleen Quevy is a supporting witness, living in Patton, Pennsylvania. (N.T. 65)

51. Kathleen Quevy will not have to drive at night to Barnesboro to catch a bus if this application is approved. (N.T. 66)

52. When Kathleen Quevy took the Applicant's trips, she had to board buses in Barnesboro. (N.T. 67, 68)

53. The distance between Patton and Barnesboro is about 12 miles. (N.T. 68)

54. Eva Lechene is a supporting witness, living in Hastings, Pennsylvania. (N.T. 69)

55. Eva Lechene will not have to drive to Barnesboro to catch a bus if this application is approved. She does not drive at night. (N.T. 69)

56. All the trips that were arranged by the Applicant originated in Barnesboro. (N.T. 71)

57. Frances Sgro is a supporting witness driving in Barnesboro, Pennsylvania. (N.T. 72)

58. Frances Sgro's church took trips to Altoona, Johnstown, and Canada. The trips were on Blue and White's buses. (N.T. 74, 75)

59. Joseph Rogal is a supporting witness. He is a radio technician and lives in Hastings, Pennsylvania. (N.T. 76)

60. Joseph Rogal booked a bus to go to a wedding. Half of the people participating in the wedding were from Hastings. They had to travel to Barnesboro to board the bus. (N.T. 76)

61. The bus Joseph Rogal booked was one of the Applicant's and the wedding took place in New Castle. (N.T. 77)

62. Ruby Yeager is a supporting witness, living in Hastings, Pennsylvania. (N.T. 78)

63. Ruby Yeager will not have to drive to Barnesboro for trips within Pennsylvania. He cannot drive at night and when the road is icy. (N.T. 79)

64. Ruby Yeager took 2 trips outside Pennsylvania and one trip inside Pennsylvania on the Applicant's buses. (N.T. 80, 81)

65. Elizabeth Conrad is a supporting witness, living in Patton, Pennsylvania. (N.T. 81)

66. Elizabeth Conrad will not have to drive to Barnesboro to board a bus, and to drive home late at night, in the winter road conditions. (N.T. 82)

67. Elizabeth Conrad took a trip to Pittsburgh and did not get back to Barnesboro until midnight. She got a ride home from a couple she knows. (N.T. 82)

68. Elizabeth Conrad also used the Applicant for a trip to Johnstown. She has signed up for a trip to Lancaster to see a show. (N.T. 82, 83)

69. Elizabeth Conrad traveled a lot with her husband on Blue and White's buses to California, Alaska, Florida, Michigan, and Nashville. She was picked up in Patton. (N.T. 83)

70. Eleanor Dubyak is a supporting witness, living in Patton in Pennsylvania. (N.T. 84)

71. Eleanor Dubyak will not have to drive 12 miles to Barnesboro for trips inside Pennsylvania if the Application is approved. (N.T. 84, 85)

72. Eleanor Dubyak is picked up in Patton when she goes on an out-of-state trip. (N.T. 85)

73. Eleanor Dubyak used the Applicant for trips to Johnstown, Pittsburgh, and Lancaster to see either a movie or a stage show. (N.T. 85, 86)

74. Eleanor Dubyak does not know any bus companies other than the Applicant in order to make arrangements for a trip. (N.T. 86)

75. Vivien Ceschini is a supporting witness, living in Patton, Pennsylvania. (N.T. 87)

76. Vivien Ceschini will not have to drive to Barnesboro to catch a bus if the application is approved when the road conditions are icy or snowy. (N.T. 87, 88)

77. Vivien Ceschini has taken trips with the Applicant to Pittsburgh, Johnstown, Harrisburg, and Lancaster. (N.T. 88, 89)

78. Vivien Ceschini has not called Blue and White or any other bus companies to see what they have to offer. (N.T. 89)

79. Mary Ellen Cunningham is a supporting witness, living in Carrolltown, Pennsylvania. (N.T. 90)

80. Mary Ellen Cunningham will not have to drive to Barnesboro to catch a bus if this application is approved. (N.T. 90)

81. Mary Ellen Cunningham plans on taking a trip this summer or fall. (N.T. 91)

82. The distance between Carrolltown and Barnesboro is about 9 miles. (N.T. 92)

83. Mary Lou Gray is a supporting witness, living in Carrolltown, Pennsylvania. She is involved in the activities of the 4H and the Carrolltown Little League. (N.T. 94)

84. Each year, Mary Lou Gray's 4H takes a trip to Kennywood. (N.T. 94, 95)

85. Mary Lou Gray's 4H has been to Philadelphia, Gettysburg, and Ocean City on Blue and White's buses. The group was picked up in Carrolltown. (N.T. 96)

86. Ruby Holsopple is a supporting witness, living in Mineral Point, Pennsylvania. (N.T. 99)

87. Ruby Holsopple is a widow and has no children. The night lights bother her driving. (N.T. 100)

88. Ruby Holsopple wants to go to places like the Jamesway Plaza which is located on Route 22. (N.T. 100)

89. Ruby Holsopple has not used the Applicant's service but plans on tours with the Applicant. (N.T. 100, 101)

90. Ruby Holsopple has been to Florida, Lancaster, and Washington, D.C., and used the service of McIlwain, Schraders and Blue and White. (N.T. 101)

91. Ruby Holsopple has to drive about 6 miles to get to the bus station in Ebensburg, but very far to get to Barnesboro. (N.T. 102)

92. Laurie Abrams is a supporting witness, living in Spangler, Pennsylvania. (N.T. 103)

93. Laurie Abrams will not have to drive to Barnesboro to catch a bus if this application is approved. The distance between Spangler and Barnesboro is about 3 miles. (N.T. 103. 104)

94. Laurie Abrams took 3 trips with the Applicant: 2 trips to the Cresson Lake Playhouse in Ebensburg, Pennsylvania, and one trip to Atlantic City, New Jersey. (N.T. 104)

95. For trips within Pennsylvania, Laurie Abrams had to get to Barnesboro to catch the bus. (N.T. 104, 105)

96. Verna Kapeluch is a supporting witness, living in Spangler, Pennsylvania. (N.T. 105)

97. Verna Kapeluch will not have to drive about 3 miles to Barnesboro to catch a bus if this application is approval. (N.T. 106)

98. Verna Kapeluch has gone on trips with the Applicant and is satisfied with its service. (N.T. 106)

99. Verna Kapeluch took 3 trips with the Applicant: 2 trips to the Cresson Lake Playhouse in Ebensburg, Pennsylvania, and one trip to Atlantic City, New Jersey. (N.T. 106)

100. Verna Kapeluch has used the service of Fullington, McIlwain, and Mary's Little Lamb. These carriers picked her up in Spangler. (N.T. 108)

101. Mary Margaret Flanagan is a supporting witness. She is a retired school teacher, living on Bigler Avenue, Spangler, Pennsylvania. (N.T. 109)

102. Mary Margaret Flanagan will not have to get up early in the morning, drive in the rain and fog to Barnesboro and leave the car there, and return late at night and drive back in the rain and fog again. (N.T. 109)

103. Mary Margaret Flanagan used the Applicant's service twice: one to the Cresson Lake Playhouse in Ebensburg, and the other to the Sight and Sound in Strasburg. (N.T. 110)

104. Helen Jones is a supporting witness. She is a retired school teacher and case worker, living on Bigler Avenue, Spangler, Pennsylvania. (N.T. 112, 113)

105. Helen Jones suffers from emphysema and chronic bronchitis. As a result, she is not permitted to drive and could not take a long walk. (N.T. 113)

106. Helen Jones will not have to take a long walk to the bus station or to call upon friends for help, if this application is approved. (N.T. 113, 114)

107. Helen Jones used the Applicant for a trip to Bedford, and Fullington for trips to Canada and Philadelphia. (N.T. 117)

108. Fullington Auto Bus Company is a Protestant and is located at 316 Cherry Street, Clearfield, Pennsylvania. (N.T. 124)

109. Fullington Auto Bus Company obtains authority to transport groups and parties of persons, and persons on special excursions and tours or sight-seeing trips from points in the counties of Cambria and Blair to points in Pennsylvania. (N.T. 125, 126; Exhibit P-1)

110. Fullington Auto Bus Company maintains 5 terminals in Pennsylvania: Marion Center, DuBois, Clearfield, Philipsburg, and State College.

111. Fullington Auto Bus Company has parking facilities and does major overhauling and body-work at its home terminal in Clearfield. (N.T. 126)

112. Fullington Auto Bus Company employs more than 75 drivers. Fifty employees are normally available for service. (N.T. 126)

113. Fullington Auto Bus company operates 29 charter buses. They are equipped with air conditioners, lavatories, two-way radios, interior loud speakers, and reclining seats. Nine of the 29 charter buses have VCRs and telephones. (N.T. 126-128; 138, 139)

114. Fullington Auto Bus Company also obtains authority to provide limousine service in Cambria County. In addition, it has ICC authority. (N.T. 128, 129)

115. Fullington Auto Bus Company carries insurance for its automobiles, pays general assessments to and has tariffs on file with the Commission. (N.T. 129)

116. Fullington Auto Bus Company can pick up passenger anywhere in Cambria County: Carrolltown, Spangler, Patton, Barnesboro, Ebensburg, Hastings, and Mineral Points. (N.T. 130)

117. Fullington Auto Bus Company picks up passengers only if there are at least 10 passengers. (N.T. 130, 135-142)

118. Fullington Auto Bus Company advertises its service in about 20,000 tour books a year. (N.T. 131, 132; Exhibit P-3)

119. Fullington Auto Bus Company now competes with about 5 companies for business in its authorized operating territory. (N.T. 132, 133)

### Discussion

According to the Commission's regulations,<sup>1</sup> an applicant for a certificate of public convenience must show that a public need exists for the proposed service, and that the applicant possesses the technical and financial ability and the legal fitness to provide the proposed service. A protestant bears the burden of showing that the entry of the new carrier would endanger or impair the operations of existing carriers, thus rendering the grant of the certificate contrary to the

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<sup>1</sup> Section 41.14 of the Commission's regulations provides:

(a) An Applicant seeking motor common carrier authority has a burden of demonstrating that approval of the application will serve a useful public purpose, responsive to a public demand or need.

(b) An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service, and, in addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally.

(c) The Commission will grant motor common carrier authority commensurate with the demonstrated public need unless it is established that the entry of a new carrier into the field would endanger or impair the operations of existing common carriers to an extent that, on balance, the granting of authority would be contrary to the public interest.

public interest. Morgan Drive Away, Inc. v. Pennsylvania Public Utility Commission, 99 Pa. Commonwealth Ct. 420, 512 A.2d 1359, 1360 n.2 (1986).

The burden of demonstrating a need for a proposed service is met by showing the proposed service is reasonably necessary for the accommodation or convenience of the public, or by establishing that existing service does not satisfy the public need and the proposed service would tend to correct or substantially improve that condition. Absolute need is not a requisite. Nor must need exist from every point in the territory certificated. It is sufficient that on the record as a whole the proposed service is shown to be reasonably necessary. Daily Motor Express, Inc. v. Pennsylvania Public Utility Commission, 183 Pa. Superior Ct. 120, 130 A.2d 234 (1957).

Need may be established by the number of requests or witnesses representing a cross section of the public that will use the applicant's proposed service within the territory described in the application. The witnesses must articulate the need by identifying Pennsylvania origin and destination points between which they require transportation, and these points must correspond with the scope of the intended operating territory. Further, the number of the witnesses may vary with the circumstances of each case, such as the breadth and the population density of the requested operating authority.

Application of Blue Bird Coach Lines, Inc., 72 Pa. PUC 262 (1990). See also Noerr Motor Freight v. Pennsylvania Public Utility Commission, 181 Pa. Superior Ct. 322, 124 A.2d 393 (1956).

Here, the Applicant requests authority to provide group and party service from points in the county of Cambria north of U.S. Highway Route 22 to points in Pennsylvania.

The Applicant offers the testimony of 25 witnesses to prove the need for the proposed service. It is noted that two of them (Bonita Adams and Ruby Holsopple) are living outside the requested operating territory. Whether the application is approved or not, these two witnesses' need to be picked up in their hometown cannot be satisfied by the Applicant's proposed service. Therefore they cannot support the application. The gist of the remaining testimony is that most of the witnesses who want to be the Applicant's patrons are retirees and could not drive at night and in bad conditions of the road and weather. For intrastate trips, they have to drive 3 to 12 miles to the pickup point. In addition, they have to either leave their cars unattended at the pickup point and worry about them or to ask someone to assist them in driving to the pickup point and picking them up at the end of their trips. With the population of 180,000 people living in the requested operating territory, these

witnesses are persons comprising a representative sampling of the public within the territory.

The word "need" has been defined as a lack of something necessary or desirable. See Webster's II New Riverside University Dictionary 788 (1984). The Protestant's requirement of 10 passengers for pickup operates to prevent any of these witnesses from having access to the existing service. Therefore, although the record indicates that most of the supporting witnesses did not communicate with any of the existing bus companies to see what they had to offer, it is fair to say that the existing service does not satisfy the public need. The need arises and is demonstrated by the condition imposed on the industry.

The second prong of the test is met also here. The Applicant is a common carrier seeking to expand its territory by establishing additional pickup points. The Applicant's technical and financial ability and legal fitness are presumed until appropriate proceedings are pursued to establish the contrary. Re V.I.P. Travel Service, Inc., 56 Pa. PUC 625 (1982).

It appears that the Applicant's ability and fitness were established and settled when it was authorized to operate in the existing territory. Therefore, in the absence of proof to the contrary, I conclude that the Applicant has the requisite

financial and technical fitness to meet the need for the proposed service.

With respect to the third prong, except for the Protestant's assertions, there are no indication that the Applicant's proposed service would result in undue economic deprivation to the Protestant. Rather it would spur a healthy economic competition between the parties. Probably, the first thing the Protestant would do will be the abolishment of the required number of passengers for pickup.

Further, the supporting witnesses also testified that the proposed expansion would help to boost employment, to attract tourism, and to promote mass transportation. The promotion of these activities is one of the duties of the Commission. Daily Motor Express, Inc. v. Pennsylvania Public Utility Commission, supra.

#### Conclusions of Law

1. The Commission has jurisdiction over the parties and the subject matter of the proceedings.
2. The Applicant has demonstrated that the approval of the application will serve a useful public purpose, responsive to a public demand or need.

ORDER

IT IS ORDERED:

1. That the application of Tri-County Transportation & Leasing, Inc. at Docket No. A-107235, F. 1, Am-A be and is hereby approved and that the certificate issued to the Applicant at Docket No. A-107235, F.1, be amended to include the following rights:

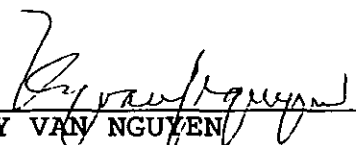
To transport, as a common carrier, by motor vehicle, persons, in group and party service, from points in that part of the county of Cambria lying on and north of U.S. Highway Route 22, to points in Pennsylvania.

2. That the Applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission on the filing and acceptance of a tariff establishing just and reasonable rates.

3. That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be constructed as conferring more than one operating right.

4. That if the Applicant has not, on or before 60 days from the date of service of this order, complied with the requirements set forth above, the application shall be dismissed without further proceedings.

Date: November 15, 1991

  
\_\_\_\_\_  
KY VAN NGUYEN  
Administrative Law Judge

**SENDER:**

- Complete items 1 and 2 for additional services.
- Complete items 3, a, and b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

A-00107233, F-1, AM-A *FD*

4a. Article Number

**044991**

4b. Service Type

- Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery

**JAN 10 1990**

5. Signature (Addressee)

*Lawrence L. Davis, Esq.*  
*[Signature]*

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

6. Signature (Agent)

PS Form 3811, November 1990 \* U.S. GPO: 1991-287-068

**DOMESTIC RETURN RECEIPT**

**SENDER:**

- Complete items 1 and 2 for additional services.
- Complete items 3, a, and b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

A-00107235, F-1, AM-A *FD*

4a. Article Number

**044992**

4b. Service Type

- Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery

**1-13-90**

5. Signature (Addressee)

*David W. Radcliff*

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

6. Signature (Agent)

*H. Reed*

PS Form 3811, November 1990 \* U.S. GPO: 1991-287-068

**DOMESTIC RETURN RECEIPT**

Act 294

Case Identification:

A-00107235F.1, Am-A Application of Tri-County Transportation & Lease Inc.

Initial Decision By:

ALJ Ky Van Nguyen

Deadline for Return to OSA:

January 23, 1992

This decision has not been reviewed by OSA.

70

DOCKETED  
JAN 28 1992  
\* \* \* \* \*

DOCUMENT  
FOLDER

I want full Commission review of this decision.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

I do not want full Commission review of this decision.

Kennell F. Spillard  
Commissioner

1/24/92  
Date

Act 294

Case Identification: A-00107235F.1, Am-A Application  
of Tri-County Transportation &  
Lease Inc.

Initial Decision By: ALJ Ky Van Nguyen

Deadline for Return to OSA: January 23, 1992

This decision has not been reviewed by OSA.

\* \* \* \* \*

I want full Commission review of this decision.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

I do not want full Commission review of this decision.

Daniel Rolka  
Commissioner

Jan 21, 1992  
Date

**RECEIVED**

JAN 10 1992

COMMISSIONER ROLKA'S OFFICE

Act 294

Case Identification: A-00107235F.1, Am-A Application  
of Tri-County Transportation &  
Lease Inc.

Initial Decision By: ALJ Ky Van Nguyen

Deadline for Return to OSA: January 23, 1992

This decision has not been reviewed by OSA.

\* \* \* \* \*

I want full Commission review of this decision.

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Date

I do not want full Commission review of this decision.

X Joseph P. Rhodes, Jr.  
Commissioner

1/14/92  
Date