

**J. DENNIS PREVITE, ESQUIRE**

P. O. Box 785  
2104 Bigler Avenue  
Northern Cambria, PA 15714-0785  
PHONE NO: (814) 948-4591  
FAX NO: (814) 948-4592  
jdennis@jdennisprevite.com

April 17, 2014

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

RE: Pennsylvania Public Utility Commission v.  
Tri-County Transportation, Inc.  
Docket No: C-2014-2411986  
Answer to Complaint

**RECEIVED**  
APR 18 2014  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

To the Secretary:

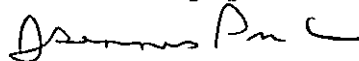
I represent Tri-County Transportation, Inc., Respondent in the above referenced matter.

Enclosed is my Entry of Appearance on behalf of Tri-County Transportation, Inc. Also enclosed is the Answer filed by Respondent in the above referenced matter.

As noted on the Certificate of Service, a copy of the Answer has been mailed to Wayne T. Scott, First Deputy Chief Prosecutor.

Thank you.

Sincerely yours,



J. DENNIS PREVITE

JDP/kat  
Enclosure  
Cc: Tri-County Transportation, Inc.  
PUC-TCT.001-04-17-14-kt

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 18 2014

PENNSYLVANIA PUBLIC UTILITY COMMISSION :  
BUREAU OF INVESTIGATION AND :  
ENFORCEMENT :

v.

TRI-COUNTY TRANSPORTATION INC. :  
T/A HEALTH RIDE PLUS :  
P O BOX 1007, 405 MAGNOLIA STREET :  
NORTHERN CAMBRIA, PA 15714 :

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCKET NO.  
C-2014-2411986

ANSWER

AND NOW, comes Tri-County Transportation, Inc.

(Respondent) pursuant to 52 Pa. Code § 1.4 and files its  
Answer to the Complaint filed by the Pennsylvania Public  
Utility Commission in the above matter, as follows:

1. As of March 11, 2014, Respondent did not fail to maintain evidence of insurance on file with the Commission.
2. It is admitted that Respondent maintains a principal place of business at P. O. Box 1007, 406 Magnolia Street, Northern Cambria, PA 15714.
3. It is admitted that Respondent was issued a Certificate of Public Convenience by the Commission of May 15, 1987 at A-00107235. By way of further Answer, F. 1 Am-A, F. 1 Am-B, F-001, Am-C relate to Group and Party Authority and F. 2, F. 2 Am-A, F. 2 Am-B relate to Limousine

Authority issued to Respondent under the above referenced Certificate.

4. It is denied that Respondent has failed to maintain evidence of liability insurance on file with the Commission as of March 11, 2014. On April 11, 2014, Respondent has verified with the Motor Carrier Compliance Office that evidence of required liability insurance was forwarded to and received by the Compliance Office as of March 12, 2014 naming Respondent, Tri-County Transportation, Inc. as Named Insured (see Exhibit "A" attached hereto and forming a part hereof). Such evidence of liability insurance was rejected by the Compliance Office due to the failure of the evidence of insurance to list Tri-County Transportation, Inc., T/A Health Ride Plus as the Named Insured. On April 11, 2014, Counsel for Respondent communicated with the Motor Carrier Compliance Office to verify that none of the Authorities issued to Respondent, Tri-County Transportation, Inc. under the referenced Certificate should reference the "trading as (T/A) Health Ride Plus" fictitious name. Predicated upon the foregoing, the records

maintained by the Motor Carrier Compliance Office for Tri-County Transportation, Inc. as the referenced Authority Holder have as of April 15, 2014 been amended to delete any reference to the fictitious name "trading as (T/A) Health Ride Plus". At the direction of the Motor Carrier Compliance Office, evidence of liability insurance for the Authority held by Respondent under the above referenced Certificate of Public Convenience was forwarded to the Motor Carrier Compliance Office again on April 11, 2014 (see Exhibit "B" attached hereto and forming a part hereof) and on April 15, 2014. Respondent respectfully requests that the proposed civil penalty for the alleged violation in the amount of \$500.00 and cancellation of the Certificate of Public Convenience be waived by the Commission as Respondent has never failed to maintain evidence of liability insurance in accordance with the requirements of the Commission.

5. It is denied that the Respondent failed to maintain evidence of insurance on file with the Commission and therefore did not violate 66 Pa.


C.S. §512, 52 Pa. Code §32.2(c), and 52 Pa. Code §32.11(a), §32.12(a) or §32.13(a).

WHEREFORE, Respondent requests that the penalty of \$500.00 be waived as the necessary evidence of insurance has been on file with the Commission since March 12, 2014. Respondent further requests that the Commission and/or the Bureau of Investigation and Enforcement withdraw its request that the Commission issue an Order cancelling the Certificate of Public Convenience held by Respondent at A-00107235 for failure to maintain evidence of current insurance on file with the Commission and waive the imposition of any fines upon Respondent for alleged illegal activity described in the Complaint and/or waive the issuance of any other Order for other remedy and/or waive imposition of any such other additional fine on Respondent. In the event that the Commission refuses to waive the \$500.00 penalty and/or to withdraw its request that the Commission issue an Order cancelling the Certificate of Public Convenience held by Respondent at A-00107235 and waive the imposition of any fines upon Respondent for alleged illegal activity described in the Complaint and/or waive the issuance of any other Order for other remedy and/or waive imposition of any

such other additional fine on Respondent, the Respondent hereby requests an oral hearing in this matter.

Respectfully submitted,

Dated: April 17, 2014

By:   
**J. DENNIS PREVITE**, Esquire  
Attorney for Respondent  
Tri-County Transportation, Inc.  
Pa. I.D. No. 32794  
2104 Bigler Avenue  
P. O. Box 785  
Northern Cambria, PA 15714  
(814) 948 4591

**Form E**  
**UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY**  
**DAMAGE LIABILITY CERTIFICATE OF INSURANCE**  
*(Executed in Quadruplicate)*

Filed with PENNSYLVANIA PUBLIC UTILITIES COMMISSION (hereinafter called Commission)  
(Name of Commission)

THIS IS TO CERTIFY, THAT the Canal Insurance

(hereinafter called Company) of **400 East Stone Ave., Greenville, SC 29601**

has issued to TRI COUNTY TRANSPORTATION INC  
(Name of Motor Carrier)

of 404 MAGNOLIA STREET Northern Cambria, PA 15714  
(Address of Motor Carrier)

a policy or policies of insurance effective from 3/11/2014 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until canceled as provided herein, which, by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This Certificate and the endorsement described herein may not be canceled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at <u>400 EAST STONE AVE.</u>	<u>GREENVILLE</u>	<u>SC</u>	<u>29601</u>
(Street Address)	(City)	(State)	(Zip code)
this <u>12th</u> day of <u>March</u>	<u>2014</u>		

  
Authorized Company Representative

Insurance Company File No. PIP00193001  
(Policy Number)

IRB 3639B  
UFC-1

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

EXHIBIT "A"

**Form E**  
**UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY**  
**DAMAGE LIABILITY CERTIFICATE OF INSURANCE**  
*(Executed in Quadruplicate)*

Filed with PENNSYLVANIA PUBLIC UTILITIES COMMISSION (hereinafter called Commission)  
*(Name of Commission)*

THIS IS TO CERTIFY, THAT the Canal Insurance

(hereinafter called Company) of **400 East Stone Ave., Greenville, SC 29601**

has issued to TRI COUNTY TRANSPORTATION INC

*(Name of Motor Carrier)*

of 404 MAGNOLIA STREET Northern Cambria, PA 15714

*(Address of Motor Carrier)*

a policy or policies of insurance effective from 4/11/2014 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until canceled as provided herein, which, by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This Certificate and the endorsement described herein may not be canceled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at	<u>400 EAST STONE AVE.</u>	<u>GREENVILLE</u>	<u>SC</u>	<u>29601</u>
	<i>(Street Address)</i>	<i>(City)</i>	<i>(State)</i>	<i>(Zip code)</i>
this <u>11th</u>	day of <u>April</u>	<u>2014</u>		

  
\_\_\_\_\_  
Authorized Company Representative

Insurance Company File No. PIP00193001  
*(Policy Number)*

IRB 3639B  
UFC-1

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SECRETARY'S BUREAU

EXHIBIT "B"

VERIFICATION

I, **ROBERT A. KOBAN**, Vice President of Tri-County Transportation, Inc., do hereby verify that I am authorized to and do make this Verification for Tri-County Transportation, Inc.; that I have read the foregoing Answer and that the facts set forth herein are true and correct to the best of my knowledge, information and belief; and I expect the said Tri-County Transportation, 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.



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**ROBERT A. KOBAN**,  
Vice President  
of Tri-County Transportation, Inc.

Dated: April 17, 2014.

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CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of April, 2014,  
a true and correct copy of the foregoing Answer to Complaint  
was served upon the following person in accordance with the  
requirements of 52 Pa. Code § 1.31 et seq:

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

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

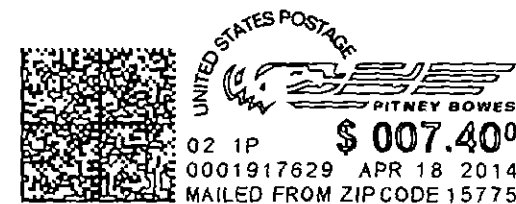
  
J. DENNIS PREVITE, Esquire  
Attorney for Respondent  
Tri-County Transportation, Inc.  
Pa. I.D. No. 32794  
2104 Bigler Avenue  
P. O. Box 785  
Northern Cambria, PA 15714  
(814) 948 4591

J. DENNIS PREVITE, ESQUIRE  
P. O. BOX 785, 2104 BIGLER AVE.  
NORTHERN CAMBRIA, PA 15714

**CERTIFIED MAIL™**



7009 0080 0002 2759 1042



RETURN RECEIPT  
REQUESTED

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SECRETARY'S BUREAU

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