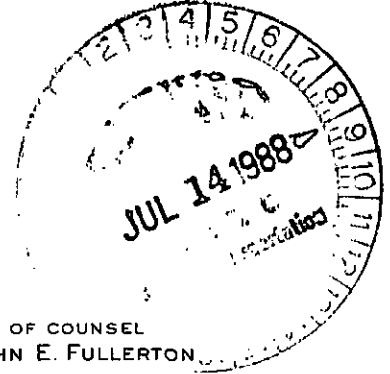


GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF
FREDERICK W. ANDREWS
DAVID H. RADCLIFF

July 12, 1988
File: 10.40

OF COUNSEL
JOHN E. FULLERTON
TELEPHONE: A. C. 717-236-9318



RE: D'S LIMOUSINE SERVICE, LTD., A.108173 - Protest of
Trans-Bridge Lines, Inc.

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

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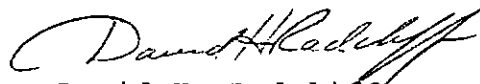
JUL 14 1988

Dear Mr. Rich:

SE
OFFICE
COMMISSION

On behalf of Trans-Bridge Lines, Inc., I enclose the original and one copy of a protest to the above-captioned application. Copies are being forwarded to applicant, applicant's attorney and to protestant.

Very truly yours,


David H. Radcliff

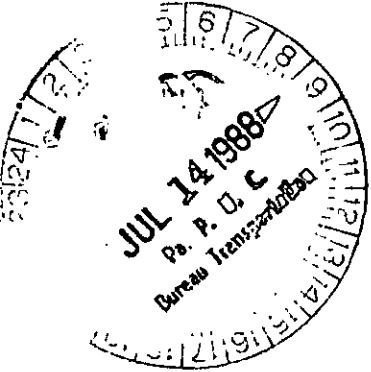
DHR/kr
Enclosure

cc: D'S Limousine Service, Ltd.
Box 296
Orefield, PA 18069

Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

Trans-Bridge Lines, Inc.
2012 Industrial Drive
Bethlehem, PA 18017





RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION

JUL 14 1988
ST... OFFICE
SSION

In Re: A.00108173 D'S Limousine Service, Ltd. (Box 296, Orefield, Lehigh County, PA 18069), a corporation of the Commonwealth of Pennsylvania--persons, in group and party service, between points in the counties of Lehigh, Northampton Bucks, and Philadelphia.

Applicant's Attorney: Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

FILE

Pennsylvania Bulletin reference: July 9, 1988, page 3103

PROTEST OF
TRANS-BRIDGE LINES, INC.
A.74567

1. The name, address and telephone number of protestant are:

TRANS-BRIDGE LINES, INC.
2012 Industrial Drive
Bethlehem, PA 18017

Telephone: (215) 868-6001

2. The names, address and telephone number of protestant's attorney's are:

GRAF, ANDREWS & RADCLIFF, P.C.
David H. Radcliff, Esquire
407 North Front Street
Harrisburg, PA 17101

Telephone: (717) 236-9318

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUL 14 1988
ENTRY No. *111*

3. Protestant possesses authority at A.74567, copy attached as Exhibit A, wherein it is authorized to provide group and party service from all points in Northampton County. Additionally, protestant now has pending an application before this Commission at A.74567, F.1, Am-C, which seeks authority from all points in the County of Lehigh, Monroe, Carbon and Bucks.

4. Protestant provides an adequate service within the scope of its authority and certification of further carriers to serve in the territory encompassed by protestant's authority is not warranted and would be detrimental to protestant's operations and adversely affect the level of service available to the public. Furthermore, Applicant's fitness to perform the proposed service is at issue in that applicant is simultaneously pursuing other applications for limousine and airport transfer service and is not known to have the necessary equipment to provide group and party service.

5. Absent knowledge as to who, if anyone, supports this application, a meaningful traffic exhibit cannot be presented.

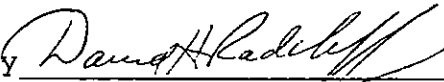
6. Pursuant to Sec. 333(c) of the Public Utility Code, demand is made upon applicant to submit to protestant's attorney a list of the names and addresses of all witnesses to be presented and the names and addresses of the groups, if any, which they represent.

7. Protestant knows of no amendment which will satisfy its interest in this proceeding, but is willing to discuss the same with applicant's counsel.

WHEREFORE, absent such amendment, protestant prays this application may be dismissed.

AND IT WILL EVER PRAY.

TRANS-BRIDGE LINES, INC.

By 

David H. Radcliff
Its Attorney

July 12, 1988

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application Docket No. 74567,
Folder 3, Am-A

In re: Application of TRANS-BRIDGE LINES, INC., a corporation of the State of New Jersey- For amendment to its common carrier certificate which grants the right to transport groups and parties of persons from the City of Easton, Northampton County, to points in Pennsylvania: SO AS TO PERMIT the transportation of groups and parties of persons from points in the County of Northampton, and from the cities of Bethlehem and Allentown, Lehigh County, to points in Pennsylvania.

ORDER

BY THE COMMISSION, AUGUST 17, 1959:

Trans-Bridge Lines, Inc. (Trans-Bridge) filed an application on September 8, 1955 for amendment to its common carrier certificate to permit the transportation of groups and parties of persons from points in the County of Northampton, and from the cities of Bethlehem and Allentown, Lehigh County, to points in Pennsylvania. This application was docketed as A. 74567, Folder 3, Am-A.

On March 24, 1958, we entered an order in "short form" granting to the applicant the additional right to transport groups and parties of persons from the County of Northampton to points in Pennsylvania, subject to certain conditions. In all other respects the application was refused for lack of necessity. It is from this order of March 24, 1958, that the protestants, Lehigh Valley Transit Company, Lawrence J. Eick, trading as Klipple Bus Lines, and Waer Bus Lines, Inc., have taken an appeal.

Because our order was in "short form" we petitioned the Superior Court for remission of the record for further study and consideration and to make specific findings of fact in sufficient detail to enable the Court to determine the controverted questions presented by the proceedings and for the entry of such an order, in lieu of the prior order of March 24, 1958, as may be deemed just and

proper in the premises. On May 6, 1958, the Superior Court granted our petition and remanded the record to the Commission for the purposes aforesaid.

Upon further study and consideration of the record and the allegations by the protestants upon appeal, we petitioned for permission to reopen the record for further hearings. On June 4, 1958, the Superior Court granted our petition.

Further hearings were held on October 16, 17, December 18, 19, 1958 in Allentown, at which time the record was completed and closed. Extensive briefs were filed by all parties. On March 24, 1959, we reviewed the entire record again and reaffirmed our order of March 24, 1958, which granted the aforesaid rights to Trans-Bridge Lines, Inc. On April 3, 1959, the protestants petitioned for reconsideration and rescission of this order and on July 6, 1959, we dismissed said petition.

This order is therefore written in conformity to the remittitur of the Superior Court.

The present record consists of 1,480 pages compiled at hearings held on October 25, 26, December 19, 1955, February 9, April 9, 10, 1956, February 6, March 11, 1957, and October 16, 17, December 18, 19, 1958, in Allentown.

In addition to the protestants who filed appeals, Traction Workers Union, Morris C. Hill, Leroy J. Miller, trading as Tri-City Coach Lines, and Reading Company protested the instant application. Traction Workers Union did not appear at any of the hearings and the latter three protestants did not appear at the further hearings conducted after the record had been reopened by the Superior Court.

The first order in this case was issued on September 17, 1956, when we denied the application for lack of necessity. On October 3, 1956, the applicant petitioned for reconsideration and modification, or, in the alternative, for reopening of the record and further hearing. On December 17, 1956, we reopened the record. Further hearings were held on February 6 and March 11, 1957, in Allentown. On

July 8, 1957, we reaffirmed our order of September 17, 1956, refusing the application. Thereafter on July 29, 1957, a petition for reconsideration and modification of our July 8 order was filed and subsequently denied. On October 24, 1957, a second petition for reconsideration and modification or reopening and further hearing was filed. In this petition applicant reduced its prayer for rights to the County of Northampton only, eliminating the cities of Bethlehem and Allentown in Lehigh County. On March 24, 1958, after reviewing the record again, we determined that the accommodation and convenience of the public would be served by granting to applicant the limited scope of rights then sought. We refused the application as to the City of Allentown and that part of Bethlehem in Lehigh County for lack of necessity.

Applicant is a corporation incorporated in New Jersey in 1941 and is authorized to do business in the Commonwealth of Pennsylvania. Its principal terminal is located in Phillipsburg, New Jersey. Upon the grant of rights applicant intends to construct another terminal in Northampton County.

At the present time, applicant is the holder of motor carrier rights from this Commission, the Interstate Commerce Commission, and the New Jersey Board of Public Utility Commissioners. With this Commission, applicant has at A. 74567, Folder 1, the right to operate as a common carrier in the Commonwealth of Pennsylvania. Under Folder 2 of A. 74567, applicant is authorized to conduct scheduled route operations as follows:

"To transport, as a common carrier, persons and such baggage, parcels and newspapers that can be transported in buses without the removal of seats, over the following route:

"Beginning at the intersection of Bushkill Street and Front Street, thence on Front Street to Northampton Street, thence on Northampton Street to Third Street, thence on Third Street to Bushkill Street, thence on Bushkill Street to Front Street, the place of beginning, all in the City of Easton, Northampton County;"

Under Folder 3 of A. 74567, applicant is authorized to transport within the Commonwealth of Pennsylvania groups and parties of persons from points in the City of Easton, Northampton County, to points in Pennsylvania. In this proceeding, applicant is seeking to amend its Folder 3 to include the entire County of Northampton as the point of origin.

Applicant, under Docket MC 61335 acquired in 1942, holds the following rights with the Interstate Commerce Commission: To operate from points and places in Warren County, New Jersey, to Arlington, Alexandria, and Mount Vernon, Virginia, and the District of Columbia, and points and places in Pennsylvania to New York and return; and from points and places in Northampton County, Pennsylvania, to Arlington, Alexandria, and Mount Vernon, Virginia, the District of Columbia, and points and places in New York and New Jersey and return.

Applicant is also certificated by the New Jersey Board of Public Utility Commissioners. It operates local scheduled service in New Jersey at such places as Phillipsburg, Port Colden, Broadway, Washington, New Village, Stewartsville, and Lopotkin.

Alfred J. Ferraro and his family own and control applicant and an affiliate corporation, Delaware River Coach Lines, Inc. (Delaware) which also engages in group and party service in interstate commerce.

Trans-Bridge at the time of the filing of the application listed 13 buses on its equipment exhibit, varying in seating capacities from 28 to 44 persons. Of the 13, Trans-Bridge owned 10, leased two from Delaware and one from Trans-Del Equipment Co., another affiliate controlled by Ferraro. Five of these pieces are used in applicant's regularly scheduled service, while the remainder are available for group and party service. Five of the number have reclining seats and are air-conditioned. Since the commencement of hearings, applicant has acquired 12 additional pieces bringing its total ownership to 22 buses, apparently consisting of 4 transit type buses, 12 suburban type, and 6 inter-city (over-the-road buses), ranging in seating capacities

from 37 to 45 persons. The newer buses are of the latest design, with reclining seats, foam rubber upholstery, thermostatically controlled air-conditioning and a public address system. Two-thirds of applicant's buses are used for charter service.

Trans-Bridge shares its Phillipsburg terminal with Delaware where there are eight mechanics and maintenance men and five office personnel. Each company maintains its own drivers. The drivers are sometimes used interchangeably as needed.

Trans-Bridge, in addition to the aforementioned equipment, also has available buses of Delaware which it leases when needed on a per trip basis. Applicant advertises in Northampton and Lehigh Counties and employs a solicitor.

One of the purposes of filing the present application stated by applicant was to provide additional service to the groups and parties applicant now serves both in intra- and interstate commerce who have requested the instant intrastate service.

The fitness of Trans-Bridge to perform the service requested in this application in a safe and efficient manner is not seriously questioned -- applicant has the proper equipment and facilities, maintains adequate terminal facilities and mechanical repair shops, and employs efficient personnel. In fact, its owner may be regarded as a pioneer in the transit industry. Applicant's financial ability cannot be doubted.

Applicant has undertaken a safety training program for its drivers conducted by its insurance company and has achieved a good safety record.

Tangible evidence of applicant's able management is indicated by the fact that, since the commencement of hearings in the instant case, the applicant has added 12 new coaches of modern design, with the ultimate in comfort. A comparison of applicant's equipment and facilities with those of the protestants leads us to conclude that those of applicant are superior. It is also pertinent to note that applicant intends to construct a terminal in Northampton County.

From the instant record we find that applicant is a fit carrier able to perform the transportation in question.

Protestants' arguments of illegal transportation and subterfuge are not supported by the record. Such activity, if any, is de minimus. On the contrary, the so-called evidence of subterfuge unmistakably demonstrates a need for applicant's service in the territory in question. By the instant grant of rights the public would be saved the inconvenience and discomfort of traveling to Easton, Pennsylvania, or Phillipsburg, New Jersey, to seek applicant's services. Applicant's fitness has been passed upon by this Commission three times and we are not disposed to find otherwise upon this record. Our conclusion of fitness is apparently supported by the Interstate Commerce Commission and the New Jersey Board of Public Utility Commissioners from which as above stated, applicant holds other common carrier rights.

The record amply supports our finding that applicant's proposed service is necessary for the accommodation, convenience, and safety of the public.

Applicant presented approximately 60 witnesses. Many of these represented schools, churches, clubs, organizations and sundry groups. Some, however, merely spoke for themselves as individuals.

Roughly, it may be said that there were representatives from a dozen schools, four in Bethlehem, three in Wilsonboro, two in Northampton, and one in three other municipalities; representatives from seven churches, four in Bethlehem and three elsewhere; and representatives from twenty-one clubs and organizations, six from Bethlehem, five from Nazareth, three from Wilsonboro, two from Easton, and one from five other municipal subdivisions. Approximately ten individuals appeared for themselves. Applicant also presented nine witnesses from Allentown, representing a cross-section of that community which testimony is not involved in the instant case in view of the limited scope of rights granted by us. Because of the number

of witnesses and the length of their testimony, it would be impractical to recite the evidence in detail.

Suffice it to say that the witnesses for applicant generally stated that they had used applicant's services under its existing Public Utility Commission rights and I.C.C. rights and that such service was "excellent" and "very satisfactory."

They also stated that applicant's equipment and facilities were modern and up-to-date and were comfortable, and that the employees of Trans-Bridge were courteous and well-mannered. The witnesses all expressed satisfaction in the use of the applicant's services and stated that whenever an occasion would arise in the future, they would seek the services of applicant if it were available. A number of these necessity witnesses related that, under the applicant's present rights, they are required to travel to Easton, Pennsylvania, or Phillipsburg, New Jersey, to board its buses for passage to points in Pennsylvania, and that pickup and terminal service at other points in Northampton County beside Easton would be an accommodation and convenience to them and their members.

Applicant's witnesses testified to the need for service, either in the past or immediate future, from many points in Northampton County, some of which are Bethlehem, Nazareth, Wilsonboro, Richmond, Bath, Bangor, Pen Argyl, Green Pond, Roseto, Palmer Township, Wind Gap, Tatamy, and Northampton.

The witnesses testifying for themselves and for their groups and organizations mentioned many points in Pennsylvania to which their groups or parties have taken trips in the past and to which they plan to travel in the future. Some of these points may be listed as follows: Hershey, Philadelphia, Gettysburg, Harrisburg, Pittsburgh, Lancaster, Allentown, Reading, Olyphant, Union City, Indiantown Gap, Berks and Lehigh County points, New Hope, Kutztown, Lebanon, Annville, Collegeville, Wilkes-Barre, Huntingdon, Carlisle, Pottsville, Cochschock, York, Bucks County, Shartlesville, Minersville, Ashland,

Mt. Carmel, Havertown, Hamburg, Slatington, Valley Forge, Pocono Mountains, Abington, Quakertown, Orefield, Coplay, Kennett Square, Chester, Hazleton, Lehigh, and Media.

A number of these witnesses criticized the existing service as being inadequate in many respects. Complaints were made against Klipple Bus Lines (Klipple) about breakdowns, inferior equipment, and broken seats which are hard to ride. Klipple was sometimes late and occasionally did not show up at all and sometimes provided drivers that were neither accommodating nor courteous. Klipple buses looked battered up and not in good condition. There was also evidence that Klipple buses were dirty and unheated and gave off undesirable gas fumes. Blue Coach could not be depended upon to have equipment available or to supply drivers scheduled to make the trip. There was evidence that Waer Bus Lines coaches had breakdowns and were not in good condition. Waer's buses were small and the seats were in poor condition. There was evidence that Tri-City Coach Lines' buses were hard riding; had windows that didn't open, bent luggage racks, and torn upholstery. Complaints were also made that Tri-City buses did not have sufficient power to negotiate hills or to maintain smooth rides. Complaints were lodged about the heater equipment in the Tri-City buses. Tri-City buses were also late sometimes causing great inconvenience.

There were complaints against Lehigh Valley buses for being too small to properly accommodate certain groups, for failing to supply service to certain groups, and for using equipment which was unsatisfactory, which had breakdowns, and gave off gas fumes, and other complaints of a similar nature. Some of these complaints were confirmed by witnesses testifying on behalf of the protestants.

Lehigh Valley Transit Co. (Lehigh) operates a mass transportation system in Allentown, Bethlehem, and Easton with suburban lines between and around those cities. It also operates an inter-city bus line between Bethlehem and Allentown and the City of Philadelphia, and a suburban line between Allentown and Norristown. It operates

a charter service from points within a 15 mile radius of the city limits of Allentown, to points and places in Pennsylvania, and, in addition, it operates a charter service from certain specific named points south of Quakertown.

Lehigh has a fleet of 119 active buses for these operations, but only 11 are available for charter service. These 11 consist of six 37-passenger capacity reclining seats, inter-city type. Of the six, four are air-conditioned. Lehigh has one 41-passenger bus with reclining seats which is air-conditioned. It also has two 29-passenger buses, reclining seats, inter-city type. It has one 33-passenger inter-city type without reclining seats and, finally, it has one with 30-passenger seats of the suburban type.

Surveys made by Lehigh in 1955 and 1956 show that only approximately 6 per cent of Lehigh's business originates in Northampton County. One survey covering January, 1955, to March, 1956 (a 15-month period) shows total charter moves of 3,119, with 1,734 originating in Allentown, 337 originating in Easton, 617 originating in Bethlehem, 182 in Northampton County, and 349 at other points of origin.

The statistics for 1956 show a total of 3,389 charter moves, 1,811 originating in Allentown, 763 in Bethlehem, 413 in Easton, 67 in Northampton County, and 335 in other points.

From these statistics it is apparent that the County of Northampton does not form a substantial part of Lehigh's charter services. Lehigh's 15 mile limitation of its rights precludes it from serving certain portions of Northampton County in the Pen Argyl area. Lehigh's own statistics demonstrate that Lehigh's charter business has significantly increased in 1956 over 1955. In fact Lehigh's witness stated that his company is sometimes "pretty tight" in meeting its requirements.

Klippel Bus Lines operates regular routes in Bethlehem, Bath, Northampton, Nazareth, Easton, and Flicksville. It also operates group and party service from the Boroughs of Nazareth, Northampton,

cities of Bethlehem, Easton, and the Township of Forks, Northampton County, to points in Pennsylvania.

It maintains 17 buses, using three on its regular route operations and ten in its group and party service. Four are not licensed because of the expense. It recently purchased a new 41-passenger Flexible bus.

Between April, 1956 and March, 1957, Klipple's business likewise increased.

Tri-City Coach Lines, Inc. operates group and party service in the cities of Easton, Allentown, and Bethlehem and the Borough of Coplay to points in Pennsylvania. The only point in competition with applicant in the instant application would be that part of the City of Bethlehem in Northampton County.

Tri-City owns 14 buses, one of which is a school bus. The capacity of the remaining 13 varies from 32 to 41 passengers. From 1948 to 1955, with the exception of 1950, Tri-City leased equipment from Trans-Bridge in such volume and frequency as to indicate that it was having difficulty rendering the service for which it was certificated.

Tri-City's plea for more business cannot have much weight in view of the fact that its president is and has been soliciting business for Klipple Bus Lines. Such conduct is inconsistent with Tri-City's desire for additional service.

Waer Bus Lines, Inc. has regular route operations in Wind Gap, Pen Argyl, Bangor, Martins Creek, and Easton. It maintains group and party service in Easton, Martins Creek, Riverton, Richmond, Flicksville, Bangor, Pleasant Grove, Pen Argyl, Wind Gap, Edelfang, Belfast and Tatamy, Northampton County. These points are generally located to the east and north of Easton.

Waer has two 1946 Aero-coaches, non-reclining, 37-passenger capacity, one 1941 GMC 41-passenger, and one 1948 International bus. The record also shows that Waer has increased its revenue from group and party service.

Both the applicant and the protestants presented impressive testimony as to their performance of satisfactory service. While no evidence was presented criticizing Trans-Bridge, there was substantial evidence criticizing the service of the protestants. We are satisfied that Trans-Bridge presented sufficient evidence of proof of necessity generally from points in the County of Northampton to points in Pennsylvania, having in mind the limited character of the rights approved for group and party service. In a case such as this involving the transportation of persons; the convenience and comfort of the passengers is paramount. The quality of the testimony in support of the applicant sufficiently demonstrates that applicant's services will afford the traveling public in Northampton County greater convenience and comfort than presently available in that county.

We note that a great number of witnesses came from the City of Allentown both for and against the application. We are inclined to accept the position of the protestants as to the City of Allentown and, hence, we will accordingly deny that part of the application, leaving at this time the City of Allentown to the present certificated carriers. The City of Bethlehem will be divided to include in our grant that part which is located in Northampton County. There is evidence in the record to show that the City of Bethlehem is a growing community and that since 1950 it has increased 12 per cent in population. We think this fact will have a salutary effect upon the existing carriers, which will more than compensate for whatever immediate loss there might be in patronage by the injection of competition in this area. While the evidence in certain respects is conflicting as to the necessity of applicant's service in Northampton County, we deem it necessary in applying the standards prescribed by Section 203 of the Public Utility Law, Act of May 28, 1937, P. L. 1053, 66 P.S. §1123, that we exercise our discretion in favor of the applicant.

The grant of the instant rights will supersede applicant's present right in Folder 3 to transport from the City of Easton to points in Pennsylvania. Applicant by the instant grant will be able

to render an integrated charter or group and party service in connection with its interstate rights within the provisions of the Public Utility Law and the rules and regulations of this Commission. We find that the advantages that will accrue to the public from the added service proposed by the applicant more than outweigh any possible detriment that may be suffered by the protestants; THEREFORE,

IT IS ORDERED:

1. That the order of March 24, 1958, be affirmed, and that the certificate of public convenience issued to the applicant on December 4, 1950, at A. 74567, Folder 3, be amended so that the rights authorized thereby shall read as follows:

"To transport, as a common carrier, groups and parties of persons from points in the County of Northampton to points in Pennsylvania,"

2. That the application in all other respects be denied.

3. That the certificate holder shall comply with all the provisions of the Public Utility Law, the Bus and Taxicab Regulations, and any other rules and regulations hereafter prescribed by the Commission.

4. That, upon compliance with the requirements of the Public Utility Law relating to the filing and acceptance of a tariff establishing just and reasonable rates, a certificate of public convenience issue evidencing the Commission's approval of the right to operate, as above determined; and that in the event said applicant has not, on or before 30 days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

5. That this order be and is hereby entered in lieu of our "short form" order of March 24, 1958.

6. That the record forthwith be returned to the Superior Court in accordance with their remittitur.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

(signed) Leon Schwartz

Chairman

ATTEST:

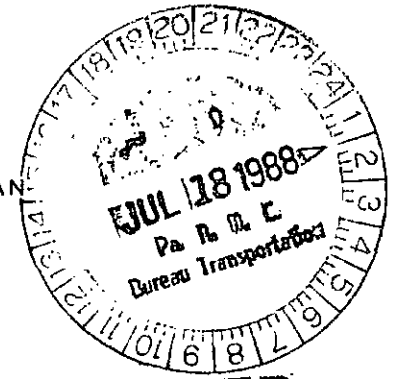
(signed) William P. Roan

Secretary

(SEAL)

Commissioner Houck being absent did not participate in the vote on this order.

LAW OFFICES
GREENSTEIN, GORELICK, PRICE & SILVERMAN
900 TWO PENN CENTER PLAZA
PHILADELPHIA, PA 19102
215-564-3880
FAX 215-636-0309



RECEIVED

JUL 18 1988

SECRETARY'S OFFICE
Public Utility Commission

RICHARD T. MULCAHEY, JR.

July 14, 1988

Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pennsylvania 17120

Attention: Jerry Rich, Secretary

Re: Application of D'S Limousine Service, Ltd.
PUC Docket No. A-00108173

FILE

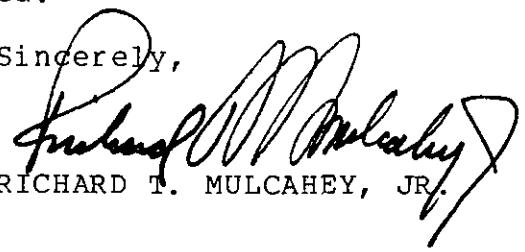
Dear Mr. Rich:

Kindly be advised that this office represents Starr Transit Co., Inc. with regard to the above captioned matter.

Enclosed herein is a Protest to the Application, copies of which have been served upon the Applicant pursuant to the Certificate of Service attached thereto.

Kindly acknowledge receipt of the enclosures by signing the copy of this letter and returning it to the attention of the undersigned in the envelope provided.

Sincerely,


RICHARD T. MULCAHEY, JR.

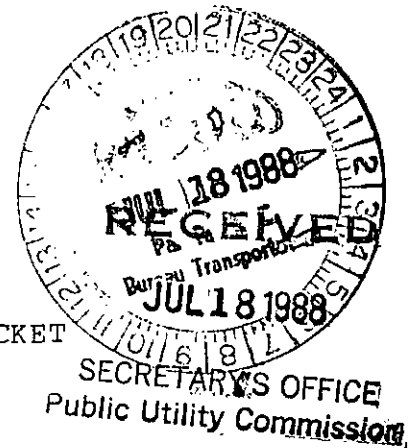
RTM:mlg
Enclosures

cc: Starr Transit Co., Inc.
To All Parties of Record

DOCUMENT
FOLDER

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF : APPLICATION DOCKET
D'S LIMOUSINE SERVICE, LTD. : NO. A-00108173



PROTEST

AND NOW, comes Starr Transit Company, Inc., ("Protestant" herein), by its attorneys, Richard T. Mulcahey, Jr., Esquire, Greenstein, Gorelick, Price & Silverman, and files its Protest to the instant Application and respectfully represents that:

1. The name, address and telephone number of the Protestant are:

Starr Transit Company, Inc.
2531 E. State Street
Trenton, NJ 08619
(609) 587-0626

FILE

2. The name, address and telephone number of the Protestant's attorneys are:

Richard T. Mulcahey, Jr.
Greenstein, Gorelick, Price & Silverman
900 Two Penn Center Plaza
Philadelphia, PA 19102
(215) 564-3880

3. Protestant is certificated by your Honorable Commission at Application Docket No. A-99608, and subfolders hereunder. A copy of the relevant portions of the Protestant's

DOCUMENTS
FOLDER

DOCKETED
APPLICATION DOCKET
JUL 19 1988
ENTRY No. 111

authority upon which its Protest is herein predicated is attached hereto as Exhibit "A" and incorporated by reference therein.

4. Applicant has not demonstrated its fitness to be granted a Certificate of Public Convenience by Your Honorable Commission.


5. Approval of the Application would create new and unwarranted competition to the detriment of Protestant and ultimately the public, tending to deprive Protestant of customers and to divert revenues from it which are essential to the maintenance of an adequate transportation system responsive to the needs of the public.

6. Approval of the Application would be contrary to the accommodation, convenience, service and safety of the public.

7. At the present time, there is no amendment to which Protestant is agreeable or would result in the withdrawal of the Protest.

Respectfully submitted,

GREENSTEIN, GORELICK, PRICE
& SILVERMAN


RICHARD T. MULCAHEY, JR., ESQUIRE
GREENSTEIN, GORELICK, PRICE
& SILVERMAN

STARR TRANSIT CO., INC.
APPLICATION DOCKET NO. 99608, FOLDER 2, AM-A

To transport, as a common carrier, persons, in group and party service, from points in the City and County of Philadelphia and from points in the counties of Montgomery and Delaware, to points in Pennsylvania; subject to the following conditions:

1. That no right, power or privilege is granted to transport persons on historic or scenic trips or sight-seeing trips from points in the County of Montgomery to points in the County of Bucks and motor vehicles having a seating capacity of less than 13 persons.

2. That no right, power or privilege is granted to render service from the boroughs of Franconia, Hatfield, Lansdale, North Wales, Souderton and Telford, the townships of Abington, Cheltenham (except that service may be rendered from Cheltenham Shopping Center located near the intersection of U.S. Highway 309 and Cheltenham Avenue, and the villages of Ashbourne, McKinley and Oak Lane), Franconia, Hatfield, Lower Salford, Montgomery, Towamencin, Upper Gwynedd, Salford, and Upper Salford, and the village of Harleysville, Montgomery County, and from points in Montgomery County within an airline distance of ten (10) statute miles of the borough of Silverdale, Bucks County to points in Pennsylvania (except that service may be rendered from the borough of Green Lane and the townships of Marlborough in Montgomery County).

3. That no right, power or privilege is granted to render service from the boroughs of Hatboro and Jenkintown, Montgomery County to points in Pennsylvania beyond an airline distance of fifty (50) statute miles of the Philadelphia City Hall and not beyond seventy-five (75) statute miles of the point of origin.

4. That no right, power or privilege is granted to transport groups and parties of persons from the borough of Ambler and the townships of Lower Gwynedd and Worcester, Montgomery County, to points within one hundred (100) miles of the point of origin.

STARR TRANSIT CO., INC.
APPLICATION DOCKET NO. 99608, FOLDER 2, AM-B

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sightseeing trips, between points in that portion of Bucks County situated each on a line consisting of State Highway Route 113 north to its intersection with State Highway Route 611, thence north on State Highway Route 611 to the Delaware River, and from said territory to points in Pennsylvania, and return.

EXHIBIT "A"

CERTIFICATE OF SERVICE

I, Maria L. Goetter, hereby certify that on July 14, 1988, I forwarded by regular mail, postage prepaid, one copy of the Protest filed on behalf of Starr Transit Co., Inc. to the Applicant, D'S Limousine Service, Ltd., Box 296, Orefield, Pennsylvania 18069 and Applicant's attorney, Richard H. Pepper, Esquire, 3 East North Street, Bethlehem, Pennsylvania 18016.


MARIA L. GOETTER

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Richard H. Pepper, Esquire
3 East North St.
Bethlehem, PA 18016

Date July 14, 1988

**DOCUMENT
FOLDER**

CR 130718 A

In re Application of D's Limousine Service
A-00108173.....\$125.00

DOCKETED
JUL 15 1988

Revenue account 001780-017601-102 (ck)

ck 1282 Checks \$125.00 Currency _____

Utility account 50:26

C. Joseph Meisner
For Department of Revenue

ARTHUR L. BERGER
FRANCIS B. HAAS, JR.
G. THOMAS MILLER
DONALD R. WAISEL
RICHARD R. LEFEVER
J. THOMAS MENAKER
CLYDE W. MCINTYRE
S. BERNE SMITH
ROD J. PERA
EDWARD W. ROTHMAN
ROBERT A. MILLS
W. JEFFREY JAMOUNEAU
HERBERT R. NURICK
DAVID E. LEHMAN
NORMAN I. WHITE
F. MURRAY BRYAN
RICHARD W. STEVENSON
WILLIAM A. CHESNUTT
HENRY R. MACNICHOLAS
WILLIAM M. YOUNG, JR.
ROBERT M. CHERRY
DAVID B. DISNEY
H. LEE ROUSSEL
MAURICE A. FRATER
C. GRAINGER BOWMAN
JOHN S. OYLER
DELANO M. LANTZ
HARVEY FREEDENBERG
JASON S. SHAPIRO

ERIC L. BROSSMAN
ROBERT D. STETS
TERRY R. BOSSERT
MARY JANE FORBES
JEFFREY B. CLAY
DAVID M. KLEPPINGER
NEAL S. WEST
FRANKLIN A. MILES, JR.
MICHAEL A. DOCTROW
STEPHEN A. MOORE
DANA S. SCADUTO
ALAN R. BOYNTON, JR.
BRUCE D. BAGLEY
MICHAEL G. JARMAN
GARY F. YENKOWSKI
DIANE M. TOKARSKY
BERNARD A. LABUSKES, JR.
ANNE K. FIORENZA
JOHN M. ABEL
RICHARD S. KAHLBAUGH
KEVIN J. FREDERICK
DAVID M. WATTS, JR.
TRENT HARGROVE
LAWANA M. JOHNS
KATHLEEN E. BOYLE
CARMEN SANTA MARIA
JAY H. FEASTER
DONALD B. KAUFMAN
JAMES L. FRITZ

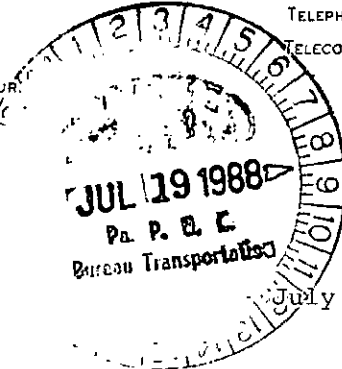
MCNEES, WALLACE & NURICK
ATTORNEYS AT LAW

100 PINE STREET
P. O. BOX 1166

HARRISBURG, PA. 17108-1166

TELEPHONE (717) 232-8000

TELECOPIER (717) 236-2665



July 18, 1988

STERLING G. MCNEES
1923-1959

DAVID M. WALLACE
1942-1967

RETIRED PARTNERS

HARRY H. FRANK
JAMES H. BOOSER
JAMES W. HAGAR
JAMES H. KING
MOSES K. ROSENBERG

OF COUNSEL

GILBERT NURICK
EDWARD C. FIRST, JR.
ROBERT H. GRISWOLD
JEFFERSON C. BARNHART
SAMUEL A. SCHRECKENGAUST, JR.

In re: Application of D'S Limousine Service, Ltd.
A-00108173

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17120

RECEIVED
JUL 18 1988
SECRETARY'S OFFICE
Public Utility Commission

FILE

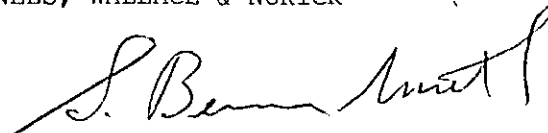
Dear Mr. Rich:

On behalf of Frank Martz Coach Company, we enclose the original and two copies of a protest to the above-captioned application.

As indicated in the certificate of service, a copy has been served upon the applicant and applicant's representative.

Very truly yours,

MCNEES, WALLACE & NURICK

By 
S. Berne Smith

SBS/ec

Enclosures

cc: D'S Limousine Service, Ltd. (w/enc.)
Richard H. Pepper, Esquire (w/enc.)
Mr. Edward J. Patton (w/enc.)
Mr. Frank M. Henry (w/enc.)

DOCUMENT
FOLDER



RECEIVED
JUL 18 1988
SECRETARY'S OFFICE
Public Utility Commission

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

D'S LIMOUSINE SERVICE, LTD.
A.00108173

FILE

PROTEST ON BEHALF OF
FRANK MARTZ COACH COMPANY

S. Berne Smith, Esq.
McNees, Wallace & Nurick
P. O. Box 1166
Harrisburg, PA 17108-1166

Counsel for Protestant

Due: August 1, 1988

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
JUL 19 1988
ENTRY No. 10

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF
D'S LIMOUSINE SERVICE, LTD.
A.00108173

FILE

PROTEST ON BEHALF OF
FRANK MARTZ COACH COMPANY

AND NOW COMES Frank Martz Coach Company and protests this application representing as follows:

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

Frank Martz Coach Company
P. O. Box 1007
Wilkes-Barre, PA 18773
Telephone: (717) 829-6911

2. The name, business address and telephone number of the protestant's attorneys are:

S. Berne Smith, Esq.
McNees, Wallace & Nurick
P. O. Box 1166
Harrisburg, PA 17108-1166
Telephone: (717) 232-8000

3. The authority sought by applicant is attached as Appendix A. The application seeks authority to transport persons in group and party service between points in four counties, including Philadelphia, and from those counties to points in Pennsylvania.

4. The application will be competitive with and detrimental to existing services of Frank Martz Coach Company. Frank Martz Coach Company specializes in the transportation of groups and parties of persons and persons on special excursions and tours or sightseeing service in both intrastate and interstate commerce. Protestant owns, or has access to, a full range of bus equipment, has satisfactory maintenance facilities, skilled and experienced bus drivers and other employees.

5. As pertinent to this proceeding, protestant presently holds authority at A. 20750, Folder 10 and amendments, to transport, inter alia, groups and parties of persons, persons on special excursions and tours or sightseeing trips, between points in Philadelphia County, and from points in the county of Philadelphia to points in portions of Pennsylvania. A copy of the pertinent authority is attached hereto as Appendix B.

6. If Philadelphia County is eliminated as a point of origin, the protest of Martz would be withdrawn.

7. Protestant is holding out to perform service within the scope of this application, and the diversion of revenues presently being enjoyed by protestant would be detrimental and destructive of the public interest. Approval of this application is not necessary or proper for the service, accommodation, convenience, or safety of the public in view of the existing and adequate services of protestant and other carriers.

8. This protest also goes to applicant's fitness.

WHEREFORE, Frank Martz Coach Company respectfully prays that the application be dismissed.

AND, it will ever pray.

FRANK MARTZ COACH COMPANY

By Mc Nees, Wallace & Nurick
McNEES, WALLACE & NURICK

Harrisburg, PA
July 18, 1988

IN RE:
APPLICATION OF
D'S LIMOUSINE SERVICE, LTD.
A-00108173

Authority Sought

A-00108173. D'S Limousine Service, Ltd. (Box 296, Ore-field, Lehigh County, Pa. 18069), a corporation of the Commonwealth of Pennsylvania—persons, in group and party service, between points in the counties of Lehigh, Northampton, Bucks and Philadelphia. *Attorney:* Richard H. Pepper, 3 East North Street, Bethlehem, Pa. 18016.

Pennsylvania Bulletin, Vol. 18, No. 28
Saturday, July 9, 1988, Page 3103

APPENDIX "A"

FRANK MARTZ COACH COMPANY

Operating Authority

GROUP AND PARTY AUTHORITY

A. 20750, Folder 10

Date of Order: May 21, 1935

The transportation of groups and parties of persons, the transportation of persons on special excursions and tour or sight-seeing trips from points in Chinchilla, Clarks Summit, Glenburn, Dalton and Ransom, Lackawanna County, and Lake Winola, Factoryville, Mill City and Tunkhannock, Wyoming County, to other points and places in the Commonwealth of Pennsylvania.

A. 20750. Folder 10, Am-B

Date of Order: February 26, 1968

The report, order and certificate of public convenience issued under date of May 21, 1935, is modified and amended so as to include the following rights:

To transport, as a common carrier, persons on special excursions and tours or sight-seeing trips, from points in the County of Lackawanna, other than Chinchilla, Clarks Summit, Glenburn, Dalton and Ransom, to points in Pennsylvania beyond an airline distance of twenty-five (25) statute miles of the point of origin.

To transport, as a common carrier, groups and parties of persons (not including persons on special excursions and tours or sight-seeing trips) from points in the County of Lackawanna, other than Chinchilla, Clarks Summit, Glenburn, Dalton and Ransom, to points in Pennsylvania beyond an airline distance of fifty (50) statute miles of the point of origin.

A. 20750, Folder 10, Am-C

Date of Order: May 22, 1974

To transport, as a common carrier, by motor vehicles, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from the cities of Wilkes-Barre, Pittston and Nanticoke, and

A. 20750, Folder 10, Am-C (cont'd)

the boroughs of Kingston, Pringle, Luzerne, Courtdale, Dallas, Forty Fort, Wyoming, Exeter, West Pittston, West Wyoming, Swoyersville, Larksville, Edwardsville, Plymouth, Hughestown, Avoca, Duryea, Old Forge, Ashley, Sugar Notch, Warrior Run and Laurel Run, and the townships of Dallas, Lehman, Lake, Plymouth, Plains, Jenkins, Pittston, Wilkes-Barre, Hanover, Exeter, Kingston and Newport to points in Pennsylvania.

A. 20750, Folder 10, Am-D Date of Order: October 21, 1975

To transport, as a common carrier, groups and parties of persons, persons on special excursions and tours or sight-seeing trips, from points in the townships of Conyngham, Dennison, Dorrance, Foster, Hollenback, Slocum, Rice, Wright and Nescopeck, and the boroughs of Conyngham and Nuangola, Luzerne County, to points in Pennsylvania beyond an airline distance of twenty-five (25) statute miles of the point of origin.

A. 20750, Folder 10, Am-E Date of Order: May 7, 1982
Order Adopted: April 22, 1982

To transport as a common carrier, by motor vehicle, groups and parties of persons, persons on special excursions and tours or sight-seeing trips, from points in the counties of Luzerne, Monroe, Wayne, Susquehanna and Wyoming, to points in Pennsylvania.

A. 20750, Folder 10, Am-F Date of Order: September 30, 198

To transport, as a common carrier, by motor vehicle, groups and parties of persons and persons on special excursions and tours or sight-seeing trips, from points in the City and County of Philadelphia, to points in Pennsylvania east of the western boundaries of the following Counties: Adams, Cumberland, Dauphin, Northumberland, Columbia, Wyoming and Susquehanna.

CERTIFICATE OF SERVICE

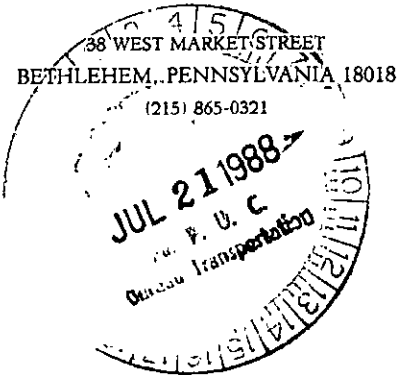
I hereby certify that I have served a copy of the foregoing document upon the applicant, D'S Limousine Service, Ltd., Box 296, Orefield, PA 18069, and applicant's representative, Richard H. Pepper, Esquire, 3 East North Street, Bethlehem, PA 18016, by first class mail, postage prepaid and properly addressed.



S. Berne Smith

Harrisburg, PA
July 18, 1988

KEVIN J. KELLEHER
ATTORNEY AT LAW



July 19, 1988

RECEIVED

JUL 20 1988

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Commonwealth Avenue and North Street
Harrisburg, PA 17120

SECRETARYS OFFICE
Public Utility Commission

Re: APPLICATION OF D'S LIMOUSINE SERVICE, LTD.
Application Docket No. A-00108173
Application Docket No. A-00108173, Folder 2
Application Docket No. A-00108173, Folder 3

FILE

Dear Mr. Rich:

Enclosed you will find three Protests filed on behalf of Elite Limo, LoMa, Inc., AA Limousine Service and J&J Limousine Service, with respect to the above applications.

By copy of this letter, copies of these Protests are served upon the Applicant and its attorney.

Thank you very much.

Yours very truly,


Kevin J. Kelleher

jbk

Enclosure

cc: D's Limousine Service, Ltd.
Richard H. Pepper, Esquire
Elite Limo
LoMa, Inc.
AA Limousine Service
J&J Limousine Service


**DOCUMENT
FOLDER**

a. That the proposed service will be competitive with and detrimental to the existing authorized service of the motor passenger carriers identified above. Adverse impact upon the named motor carriers is set forth in Appendix 1, attached hereto.

b. That there is no public need for the proposed service, nor would the approval of the application for such proposed service be necessary or proper for the service, accommodation, convenience or safety of the public.

c. That the Applicant does not possess the technical and financial ability to provide the proposed service.

I hereby certify that a copy of this Notice of Protest has, on this date, been served upon Applicant and Applicant's attorney, by mailing a copy of this Notice of Protest by U. S. Mail, first-class, postage prepaid, to the addresses set forth in the Pennsylvania Bulletin, Volume 18, Number 28, dated July 9, 1988.



KEVIN J. KELLEHER, ESQUIRE
Attorney for Protestants
38 West Market Street
Bethlehem, PA 18018
(215) 865-0321

Date: July 19, 1988

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

IN THE MATTER OF THE APPLICATION OF

**JOHN M. SUNDAY and DOUGLAS C. KEMMERER,
copartners, trading and doing business as
ELITE LIMO**

**CERTIFICATE
OF
PUBLIC CONVENIENCE**

**A. 00104411
Folder 1**

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

In Testimony 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 8th day of FEBRUARY 19 84.

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

Attest:



*App
6-2*

John Lich

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE APPLICATION OF

LO MA, INC., trading and doing business as
A.B.E. LIMO & BUS SERVICE, a corporation of
the Commonwealth of Pennsylvania

CERTIFICATE
OF
PUBLIC CONVENIENCE

A. 00104134
Folder 1

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

In Testimony 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 17th day of FEBRUARY 19 83.

Attest:

PENNSYLVANIA
PUBLIC UTILITY COMMISSION



John Lich
Secretary

f-2

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Application of Prestige Limousine
Service, Ltd.

A-00104813, F. 2

O R D E R

In accordance with the provisions of Act 294 of 1978 (66 Pa. C.S. §332(h)), the decision of Administrative Law Judge Allison K. Turner dated November 2, 1984 has become final without further Commission action; THEREFORE,

IT IS ORDERED:

1. That the application of Prestige Limousine Service, Ltd. at A. 104813, F. 2, for the transfer of all the rights held by June E. Navarre at A. 104103, F. 1 be and is hereby approved and that a certificate be issued granting the following rights:

To transport, as a common carrier, persons in luxury limousine service, in Cadillac or Lincoln vehicles, having a seating capacity of seven (7) passengers or less, excluding the driver, between points in the city of Allentown, Lehigh County, and within an airline distance of seventy-five (75) statute miles of the limits of said city.

subject to the following conditions:

That no right, power or privilege is granted to provide service between points in Monroe County.

That the applicant shall comply with the provisions set forth in Title 52, Pa. Code §§29.332 and 29.333.

subject to the following general conditions:

A. That the approval hereby given is not to be understood as committing this Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the rights to be acquired by applicant from the present certificate holder equal to

RECEIVED APR 22 1985

the consideration to be paid therefore, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.

- B. That applicant shall not record in its utility accounts any amount representing the rights herein granted, in excess of the actual cost of such rights to the original holder thereof.
- C. That the applicant charge to Account 1550, Other Intangible Property, \$10,000, being the amount of consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under Condition B above.

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 relative to the filing of insurance and the filing and acceptance of a tariff establishing just and reasonable rates.

3. That the certificate holder shall comply with all the provisions of the Public Utility Code as now existing or as may be hereafter amended, and with all pertinent regulations of this Commission now in effect, or as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

4. 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.

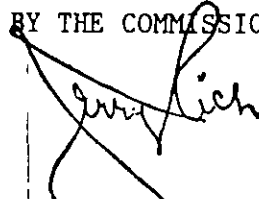
5. That, in the event the applicant has not, on or before 60 days from the date of service of this order, complied with the requirements set forth herein, the application shall be dismissed without further proceeding.

6. That issuance of the certificate be withheld pending submission of transferor's Annual Report for the year 1984, and any accompanying fines; transferor's Assessments Report for the year 1984 and/or transferor's assessment due for fiscal year 1984-85.

7. That issuance of the certificate be withheld pending submission of proof of compliance with the provisions of the Fictitious Names Act.

8. That upon compliance with this order the rights granted the transferor, June E. Navarre at A. 104103, F. 1, be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich", is written over the printed name below.

Jerry Rich
Secretary

(SEAL)

ORDER ENTERED: JAN 14 1985

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Application of Prestige Limousine
Service, Ltd.

A-00104813, F. 3

O R D E R

In accordance with the provisions of Act 294 of 1978 (66 Pa. C.S. §332(h)), the decision of Administrative Law Judge Allison K. Turner dated November 2, 1984 has become final without further Commission action; THEREFORE,

IT IS ORDERED:

1. That the application of Prestige Limousine Service, Ltd. at A. 104813, F. 3, for the transfer of all the rights held by June E. Navarre at A. 104103, F. 2 be and is hereby approved and that a certificate be issued granting the following rights:

To transport, as a common carrier, groups and parties of persons, and persons on special excursions and tours or sight-seeing trips, in vehicles, with a seating capacity not exceeding fourteen (14) persons, not including the driver, between points in the counties of Lehigh and Northampton, and from points in said counties to points within an airline distance of seventy-five (75) statute miles of the limits of said counties.

subject to the following conditions:

That the applicant shall comply with all the rules and regulations as set forth in Title 52, Pa. Code §§29.322 and 29.323.

subject to the following general conditions:

A. That the approval hereby given is not to be understood as committing this Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefore, or equal to any value that may be

placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.

- B. That applicant shall not record in its utility accounts any amount representing the rights herein granted, in excess of the actual cost of such rights to the original holder thereof.
- C. That the applicant charge to Account 1550, Other Intangible Property, \$10,000, being the amount of consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under Condition B above.

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 relative to the filing of insurance and the filing and acceptance of a tariff establishing just and reasonable rates.

3. That the certificate holder shall comply with all the provisions of the Public Utility Code as now existing or as may be hereafter amended, and with all pertinent regulations of this Commission now in effect, or as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

4. 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.

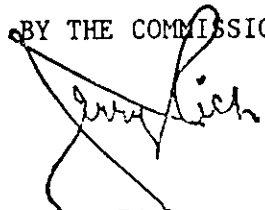
5. That, in the event the applicant has not, on or before 60 days from the date of service of this order, complied with the requirements set forth herein, the application shall be dismissed without further proceeding.

6. That issuance of the certificate be withheld pending submission of transferor's Annual Report for the year 1984, and any accompanying fines; transferor's Assessments Report for the year 1984 and/or transferor's assessment due for fiscal year 1984-85.

7. That issuance of the certificate be withheld pending submission of proof of compliance with the provisions of the Fictitious Names Act.

8. That upon compliance with this order the rights granted the transferor, June E. Navarre at A. 104103, F. 2, be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich", is written over the printed name below.

Jerry Rich
Secretary

(SEAL)

ORDER ENTERED: JAN 14 1985

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE APPLICATION OF

of the Commission, of Pennsylvania

CERTIFICATE

PUBLIC CONVENIENCE

A. J. [unclear]
[unclear]

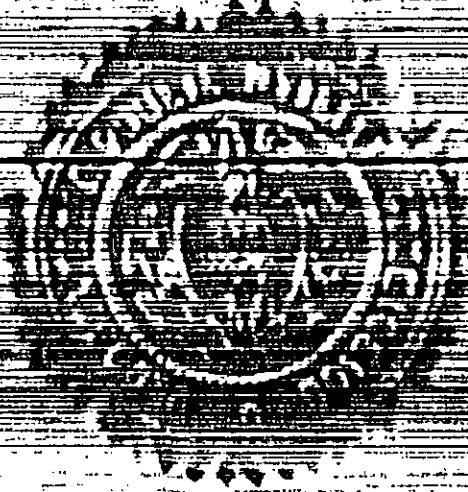
The Pennsylvania Public Utility Commission, hereby certifies that after an investigation and/or hearing had on the above entitled application in 1924, by its report and order made and entered a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, maintenance, protection and safety of the public, and this certificate is issued approving the application as set forth in said report and order.

In Testimony Whereof, the following
has presents to be signed and sealed
Perryburg this 10th day of

UTILITY COMMISSIONER
[unclear]

PERRYBURG
UTILITY COMMISSIONER

POOR ORIGINAL



August 4, 1988

IN REPLY PLEASE
REFER TO OUR FILE

Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

In re: A-00108173 - Application of D's Limousine Service, Ltd.

Dear Sir:

Please be advised that we have not received any/all of the proof of newspaper publications as directed in our letter of July 6, 1988.

If we do not receive the proof of publication, within twenty days of the date of this letter, we will proceed to dismiss your application.

Should you have any questions regarding the above, please contact me at 717-787-5129.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Non-Rail Transportation

DE:nk
cc: Applicant
Box 296
Orefield, PA 18069

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
AUG 4 1988
ENTRY No. _____

August 12, 1988

IN REPLY PLEASE
REFER TO OUR FILE

Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

In re: Application of D's Limousine Service, Ltd. at A-00108173

Dear Sir:

This letter is in reply to your recent communication, advising us that you have failed to publish notice of the application as requested in our letter of July 6, 1988.

You may proceed to publish notice of the above matter as directed in our letter of July 6, 1988, one day the week of August 22, 1988, with the notice that the application will be submitted to the Commission for review provided no protests are filed on or before September 6, 1988.

Proof of the publication must be filed with the Commission on or before August 31, 1988.

Very truly yours,

David Ehrhart
Supervisor-Application Section
Bureau of Transportation

DE:nk

cc: Applicant
Box 296
Orefield, PA 18069

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
AUG 12 1988
ENTRY No. *ME*

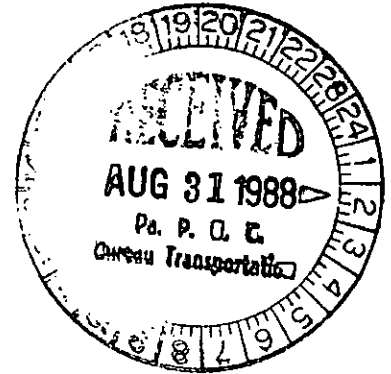
LAW OFFICES
RICHARD HUNTINGTON PEPPER
ATTORNEY AT LAW
THREE EAST NORTH STREET
BETHLEHEM, PENNSYLVANIA

AREA CODE 215
691-1825

REPLY TO:
P. O. BOX 1448
BETHLEHEM, PA. 18016

August 30, 1988

File No. 1951-88



David Ehrhart, Supervisor
Bureau of Non-Rail Transportation
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RE: A-00108173, A-00108173 F-2, A-00108173 F-3
APPLICATION OF D'S LIMOUSINE SERVICE, LTD.

Dear Mr. Ehrhart:

Enclosed please find the proof of publications as requested in the above captioned matter. If you have any questions, please do not hesitate to call.

Thank you for your cooperation.

Very truly yours,


RICHARD H. PEPPER

RHP/dmc
Enclosure
cc: Mr. & Mrs. D.E. Newberry

**DOCUMENT
FOLDER**

NO HEARING APPLICATION
 Notice is hereby given that application has been made to the Public Utility Commission of the Commonwealth of Pennsylvania, under the provisions of the Public Utility Law by
D'S LIMOUSINE SERVICE, LTD.
 (Box 296 Orfield, Lehigh County, PA 18069), a corporation of the Commonwealth of Pennsylvania for a certificate of Public Convenience evidencing the Commission's requisite approval of transportation of persons in group and party service between points in the counties of Lehigh, Northampton, Bucks, and Philadelphia (PUC Docket No. A-0010873).
 This application will be submitted to the Commission without a hearing provided no protests are filed prior to September 6, 1988.
RICHARD H. PEPPER, Esq.
 Attorney for
 D's Limousine Service, Ltd.
 #18165 - Aug. 22

33

FORM OF PROOF OF PUBLICATION OF HEARING OR NO HEARING



Before
PENNSYLVANIA PUBLIC UTILITY COMMISSION

the matter of the application of)
 (name of applicant) for a certificate) Application Docket
 of public convenience evidencing)
 the Commission's approval of) No. A-0010873....., 1988...
 (nature of application).) Folder No.

Commonwealth of... Pa.....)
 County of... Lehigh.....)



On this... 22nd... day of... August....., A. D. 19.. 88....
 before me, the subscriber, a Notary Public in and for said county and state,
 personally appeared... Debra Stevens.....
 (Name of affiant) She
 who, being duly sworn according to law, deposes and says, that he is the
 ... Accounting Manager..... of the... The Morning Call... Inc.....
 (publisher, editor, manager) (name of publication)
 ... Allentown..... in the
 (City or town)
 county of... Lehigh....., and state of... Pa.....;
 and that the annexed is a true copy of a notice in the above matter published
 in said publication in the regular issues of... August 22.....
 (month and day)
 19.. 88....., and..... 19.....
 (month and day)

Debra Stevens
 (Signature of affiant)

Sworn and subscribed before me the day and year aforesaid.

Marie Busolits
 Notary Public
 CLARK BUSOLITS, NOTARY PUBLIC
 ALLENTOWN, LEHIGH COUNTY
 MY COMMISSION EXPIRES MAY 13, 1989

My commission expires... 19.....

DOCUMENT FOLDER

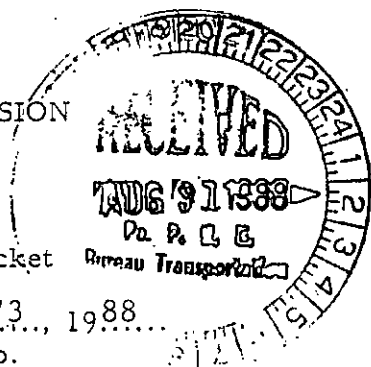
DOCKETED
 APPLICATION DOCKET
 AUG 31 1988
 ENTRY No. *12*

FORM OF PROOF OF PUBLICATION OF HEARING OR NO HEARING

Notice is hereby given that application has been made to the Public Utility Commission of the Commonwealth of Pennsylvania, under the provisions of the Public Utility Law by D's LIMOUSINE SERVICE, LTD (Box 296, Orefield, Lehigh County, PA 18069), a corporation of the Commonwealth of Pennsylvania for a certificate of Public Convenience evidencing the Commission's requisite approval of transportation of persons in group and party service between points in the counties of Lehigh, Northampton, Bucks and Philadelphia. (PUC Docket No. A-00108173). This application will be submitted to the Commission without a hearing provided no protests are filed prior to September 6, 1988.

RICHARD H. PEPPER, ESQUIRE Attorney for D's Limousine Service, Ltd.

Before PENNSYLVANIA PUBLIC UTILITY COMMISSION



In the matter of the application of (name of applicant) for a certificate of public convenience evidencing the Commission's approval of (nature of application).

Application Docket No. A-00108173, 1988 Folder No.

Commonwealth of Pennsylvania County of Northampton

ss:

On this 23rd day of August, A. D. 1988 before me, the subscriber, a Notary Public in and for said county and state, personally appeared Robert G. Baldwin

(Name of affiant)

who, being duly sworn according to law, deposes and says, that he is the

Classified Adv. Manager of the The Express (publisher, editor, manager) (name of publication)

Easton

in the county of Northampton (City or town), and state of Pennsylvania

and that the annexed is a true copy of a notice in the above matter published in said publication in the regular issues of August 22,

(month and day)

1988, and 1988 (month and day)

Handwritten signature of Robert G. Baldwin

(Signature of affiant)

Sworn and subscribed before me the day and year aforesaid.

Handwritten signature of H.C. Stackhouse

Notary Public

My commission expires March 6, 1991

DOCUMENT FOLDER

DOCKETED APPLICATION DOCKET AUG 31 1988 ENTRY No. [Signature]

FORM OF PROOF OF PUBLICATION OF HEARING OR NO HEARING



Before PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOTICE is hereby given that application has been made to the Public Utility Commission of the Commonwealth of Pennsylvania, under the provisions of the Public Utility Law...

In the matter of the application of (name of applicant) for a certificate of public convenience evidencing the Commission's approval of (nature of application).

Application Docket A-00108173 No. A-0010873, 1988... Folder No.

Commonwealth of... Pennsylvania) County of... PHIALDELPHIA)

ss:

On this 24TH day of AUGUST, A. D. 1988 before me, the subscriber, a Notary Public in and for said county and state, personally appeared Virginia D. Graham

(Name of affiant)

who, being duly sworn according to law, deposes and says, that he is the

Legal Advertising Clerk of the Philadelphia Inquirer (publisher, editor, manager) (name of publication)

Philadelphia in the (City or town)

county of Philadelphia, and state of Pennsylvania; and that the annexed is a true copy of a notice in the above matter published in said publication in the regular issues of August (Wednesday) 24 1988, and August 24 1988 (month and day) (month and day)

Virginia D. Graham (Signature of affiant)

Sworn and subscribed before me the day and year aforesaid.

Phyllis E. Feagans Notary Public My Commission Expires Sept. 8, 1990

My commission expires 19

DOCUMENT FOLDER

DOCKETED APPLICATION DOCKET AUG 31 1988 ENTRY No.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
November 22, 1988

In Re: A-00108173

(See attached list)

Application of D's Limousine Service, Ltd.

A Corporation of the Commonwealth of Pennsylvania, for the right to transport, as a common carrier, persons, in group and party service, between points in the counties of Lehigh, Northampton, Bucks and Philadelphia.

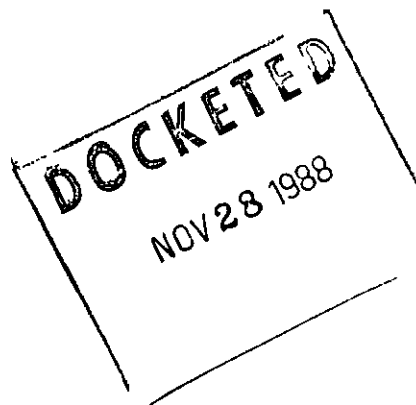
NOTICE

This is to inform you that an initial hearing on the above captioned case will be held Wednesday, January 11, 1989, at 10:00 a.m., in Room 1306, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania.

The presiding officer in this proceeding will be Administrative Law Judge Martin Fountain. Judge Fountain can be contacted at 1302 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130; telephone (215) 560-2105.

If you intend to file exhibits, please be advised that two copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

cc: Judge Fountain
Mrs. Pappas
Mrs. Howell
Mr. Bramson
File Room



Richard H. Pepper, Esquire
P.O. Box 1448
Bethlehem, PA 18016 ✓

D's Limousine Service, Ltd.
P.O. Box 296
Orefield, PA 18609 ✓

David H. Radcliff, Esquire
Graf, Knupp & Andrews, P.C.
407 North Front Street
P.O. Box P ✓
Harrisburg, PA 17108

Richard T. Mulachey, Jr., Esquire
Greenstein, Gorelick, Price &
Silverman
900 Two Penn Center Plaza ✓
Philadelphia, PA 19102

S. Berne Smith, Esquire
McNees, Wallace & Nurick ✓
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108

Kevin J. Kelleher, Esquire ✓
38 West Market Street
Bethlehem, PA 18018



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

January 5, 1989

IN REPLY PLEASE
REFER TO OUR FILE

A-00108173

(See letter dated November 22, 1988)

Application of D's Limousine Service, Ltd.

This is to inform you that at the request of counsel for the applicant, the initial hearing presently scheduled for Wednesday, January 11, 1989 in the subject proceeding has been postponed to Thursday, March 2, 1989, commencing at 10:00 a.m., in Room 1306, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania.

Please change your records accordingly.

cc: Judge Fountain
Mrs. Pappas
Mrs. Howell
Mr. Bramson
File Room

DOCUMENT
FOLDER

JAN 12 1988

DATE: January 15, 1989

108173

SUBJECT: A.10173, F.2 D's Limousine Service, Ltd.

TO: Secretary's Bureau

RECEIVED

JAN 25 1989

**SECRETARY'S OFFICE
Public Utility Commission**

FROM: Nancy Pappas, Chief
Office Services
Administrative Law Judge

On January 17, 1989 a notice of withdrawal was filed by Richard H. Pepper, Esq. Pursuant to 52 Pa. Code §5.94 withdrawal is perfected thirty (30) days after the filing of a notice of withdrawal. This proceeding should be closed at that time.

All parties should be notified that the case is closed at that time and a copy of that notification placed in the document folder.

DOCKETED

JAN 27 1989

CC: Mike Ciarvella

**DOCUMENT
FOLDER**

APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00108173

CASE NAME D's Limousine Service, Ltd.

HEARING LOCATION Philadelphia, PA.

HEARING DATE January 11, 1989

ALJ Fountain

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES NO

Testimony taken YES NO

Hearing concluded YES NO

Further hearing needed YES NO

Estimated add'l days _____

RECORD CLOSED YES NO
Date _____

Briefs to be filed YES NO
Date _____

BENCH DECISION YES NO

REMARKS: Cancelled

RECEIVED

JAN 17 1989

**Office of A. L. J.
Public Utility Commission**

**DOCUMENT
FOLDER**

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
PLEASE PRINT CLEARLY
INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR
	City	State	Zip	
Telephone No. ()				
Telephone No. ()				
Telephone No. ()				

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Reporter _____

LAW OFFICES

RICHARD HUNTINGTON PEPPER

ATTORNEY AT LAW

THREE EAST NORTH STREET

BETHLEHEM, PENNSYLVANIA

GAP

AREA CODE 215
691-1825

REPLY TO:
P. O. BOX 1448
BETHLEHEM, PA. 18016

RECEIVED

January 17, 1989

JAN 19 1989

File No. 1951-88

Office of A. L. J.
Public Utility Commission

RECEIVED

JAN 18 1989

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120
ATTENTION: NANCY PAPPAS

SECRETARY'S OFFICE
Public Utility Commission

RE: Application of D's Limousine Service, Ltd.
PUC Docket No. A-0010173, F.2 and
PUC Docket No. A-0010173, F.3

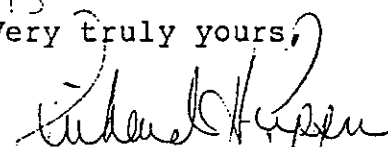
Dear Ms. Pappas:

A 108173-72
A 108173-73

Please be advised the Application of D's Limousine Service, Ltd. has been withdrawn in the above captioned matter. It is my understanding you will notify the Philadelphia office and confirm same. Thank you for your cooperation. Docket No. A-0010173, F.1 is continuing.

A/08173

Very truly yours,


RICHARD H. PEPPER

RHP/dmc

cc: Richard T. Mulcahey, Jr., Esquire
Kevin Kelleher, Esquire
David H. Radcliff, Esquire
S. Berne Smith, Esquire
Pa. Public Utility Commission
Attn. Jerry Rich, Secretary
Raymond A. Thistle, Jr., Esquire
Robert J. Borthwick, Esquire

LAW OFFICES

GREENSTEIN, GORELICK, PRICE & SILVERMAN

900 TWO PENN CENTER PLAZA

PHILADELPHIA, PA 19102

215-564-3880

FAX 215-636-0309

RICHARD T. MULCAHEY, JR.

January 16, 1989

RECEIVED

JAN 18 1989

VIA FEDERAL EXPRESS

The Honorable Sheldon Farber
Administrative Law Judge
Pennsylvania Public Utility Commission
1302 State Office Building
Broad & Spring Garden Streets
Philadelphia, PA 19130

SECRETARY'S OFFICE
Public Utility Commission

RE: Application of D's Limousine Service, Ltd.
PUC Docket No. -A-0010173, F.2

Dear Judge Farber:

A108173

Enclosed herein please find Motion of Protestant Edward Jefremow, t/d/b/a Tiffany's, to Dismiss Application.

Kindly acknowledge receipt of the enclosure by signing the copy of this letter and returning it to the undersigned in the envelope provided. Thank you.

Respectfully,

RICHARD T. MULCAHEY, JR.

RTM:dag
Enclosure

cc: Richard H. Pepper, Esquire - w/encl.
(Via Federal Express)

Pa. Public Utility Commission - w/encl.
Attn: Jerry Rich, Secretary

RECEIVED

JAN 18 1989

SECRETARY'S OFFICE
Public Utility Commission
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

~~RECEIVED~~

~~JAN 18 1989~~

~~SECRETARY'S OFFICE
Public Utility Commission~~

IN RE:

D'S LIMOUSINE SERVICE, LTD. : PUC DOCKET NO. 00108173, F.2

MOTION OF PROTESTANT EDWARD JEFREMOW,
T/D/B/A TIFFANY'S, TO DISMISS APPLICATION

DOCKETED
JAN 19 1989

And now comes Edward Jefremow, t/d/b/a Tiffany's ("Protestant") by his attorneys, Richard T. Mulcahey, Jr., Greenstein, Gorelick, Price & Silverman, 900 Two Penn Center, Philadelphia, PA 19102, and hereby moves for the dismissal of the Application of D's Limousine Service, Ltd. ("Applicant") for failure to answer Interrogatories, and hereby avers as follows:

1. On July 9, 1988, notice of the Application for authority to provide transportation of persons in limousine service between points in the Counties of Bucks, Lehigh, Northampton and Philadelphia was published by Applicant in the Pennsylvania Bulletin. Thereafter, Protestant filed a timely Protest to the instant Application.

2. On September 8, 1988, Protestant sent Interrogatories to Richard H. Pepper, Esquire, counsel for Applicant. A copy of the Interrogatories and letter of transmittal is attached hereto as Exhibit "A".

3. Pursuant to Pennsylvania Public Utility Code, 66 C.S.A. §333(d), Answers to these Interrogatories were due

within twenty days, or no later than September 28, 1988.

4. Thereafter, on January 12, 1989, a letter was sent to Applicant's attorney advising him that Protestant would object to any evidence presented at the hearing scheduled for January 18, 1989 due to the failure of Applicant to provide Protestant with the information requested in the September 8, 1988 Interrogatories.

4. As of January 16, 1989, no Answers to Interrogatories have been received by counsel for Protestant.

WHEREFORE, Protestant hereby respectfully requests that the Application of D's Limousine Service, Ltd., be dismissed for failure to supply requested discovery.

Richard T. Mulcahey, Jr., Esquire
Attorney for Protestant

LAW OFFICES

GREENSTEIN, GORELICK, PRICE & SILVERMAN

900 TWO PENN CENTER PLAZA

PHILADELPHIA, PA 19102

215-564-3880

FAX 215-636-0309

RICHARD T. MULCAHEY, JR.

September 8, 1988

Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

DOCUMENT
FOLDER

RE: Application of D's Limousine Service, Ltd.
PUC Docket No. A-00108173, F.2

Dear Mr. Pepper:

Enclosed herewith please find an original and two copies of Edward Jefremow, t/a/b/a Tiffany's Interrogatories directed to Applicant. Kindly provide me with the Answers to said Interrogatories within the time period provided in the Pennsylvania Public Utility Commission Rules and Regulations.

Sincerely,

RICHARD T. MULCAHEY, JR.

RTM/sr
Enclosures

cc: Edward Jefremow, t/d/b/a Tiffany's

EXHIBIT "A"

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

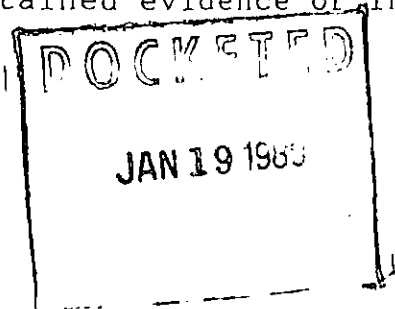
IN RE: APPLICATION OF : APPLICATION DOCKET
D'S LIMOUSINE SERVICE LTD. : NO. A-00108173, F.2

INTERROGATORIES OF
EDWARD JEFREMOW, T/D/B/A TIFFANY'S
ADDRESSED TO APPLICANT

Pursuant to the Pennsylvania Public Utility Code, 66 Pa. C.S.A. Section 333(d), Protestant, Edward Jefremow, t/d/b/a Tiffany's by its attorney, Richard T. Mulcahey, Jr., Esquire, hereby submits the following Interrogatories to the Applicant and requests that the Applicant, within twenty (20) days of service hereof, files and serves full and complete written answers to each Interrogatory under oath.

These Interrogatories shall be deemed to be continuing and any information secured subsequent to the filing of answers thereto, which would have been includable in the answers had it then been known or available, shall be supplied by supplemental answers as soon as such information becomes known or available and, in all events, prior to the hearing of this matter.

As used in these Interrogatories, the following terms are defined as follows: (a) the term "Applicant" shall include, in addition to the named party, its attorneys, agents, servants, employees, representatives, private investigators and others who are in possession of, or who have obtained evidence or information



for, or on behalf of, the Applicant; (b) the term "Person" shall include, without limitation, business and non-profit associations, corporations, proprietorships, joint ventures, departments, public agencies and board or bureaus including any predecessors in interest, subsidiaries or affiliates.

1. Identify the owners of Applicant:

(a) By name, address and percentage of stock or interest held.

(b) By position of employment with Applicant

(c) By position of employment with an employer other than Applicant.

2. Identify:

(a) The incorporation date of Applicant.

(b) The incorporators of Applicant.

(c) The corporate purpose of Applicant.

(d) Any other corporation with which Applicant is affiliated.

3. Identify by name and address the executives of Applicant in respect to their daily operations.

4. Identify by name and address the accountant of Applicant.

5. Identify any authority granted to the Applicant by:

- (a) the Pennsylvania Public Utility Commission;
- (b) the Interstate Commerce Commission; and
- (c) any other governmental regulatory commission.

6. Set forth the list of all vehicles Applicant now owns or leases. Include:

- (a) year, make and model of each such vehicle;
- (b) seating capacity of each such vehicle;
- (c) whether or not each such vehicle is air conditioned;
- (d) whether or not each vehicle is restroom equipped;
- (e) whether or not each such vehicle is equipped to accommodate handicapped individuals; and
- (f) any other special equipment.

7. Please produce a copy of the annual report either filed by you, or to be filed by you, with the Pennsylvania Public Utility Commission and/or the Interstate Commerce Commission, covering the calendar years 1986 and 1987.

8. For each of the calendar years 1986 and 1987 set forth the following information:

(a) percentage of total business performed on an interstate basis;

(b) percentage of total business performed intrastate in Pennsylvania; and

(c) percentage of total business performed intrastate other than in Pennsylvania.

9. For each of the calendar years 1986 and 1987 set forth the total revenues received as a result of the transportation performed in the preceding Interrogatory.

10. Identify by name and address all persons you plan to serve if the captioned Application is granted. If the persons mentioned are a part of or affiliated with another corporation or organization, state the name and address of the organization and the persons in charge thereof.

11. State the amount of traffic or business that would be tendered to the Applicant by the persons mentioned in Interrogatory No. 10 above if the Application were granted. State the number of trips, the frequency of movement, amount of traffic and volume and size of each movement.

12. List the representative origins and destination points of the proposed transportation.

13. What transportation services are now employed by the persons to be served.

14. State in what way present service fails to meet the needs of the persons named in Interrogatory No. 10.

15. List the efforts made by those persons to obtain service from existing carriers, giving

(a) the name of the carrier;

(b) the date the carrier was notified of the need for the transportation service;

(c) the date the transportation service was needed;

(d) the reasons for the failure or refusal to render the transportation; and

(e) when and by whom the transportation was, in fact, provided.

16. State as to the persons supporting this Application whether they have supported Applications for authorities similar to that sought in this Application. If none, so state. If yes, state the names of the carrier, the docket number and the filing date of the Application.

17. Did the persons named in answer to Interrogatory Nos. 10 and 16 above have specific or specialized service needs. If so, be specific and give details.

18. What consequences, if any, will follow if the proposed service is not made available.

19. State the names and addresses of the witnesses Applicant expects to call at the hearing on this Application and the subject matter of their expected testimony.

20. Identify all persons who have been involved on behalf of Applicant in soliciting public witnesses to testify in support of this Application.

21. Please describe in detail, all studies, analyses, projections and forecasts you have prepared or had prepared for you with respect to expected traffic and revenues to be generated in the future by your airport transfer service in or from the area covered by this application.

22. State whether Applicant (as herein defined) has been the subject of any Complaint to the Pennsylvania Public Utility Commission, or to any other state or federal regulatory or

governmental agency concerning the manner, quality or provision of any regulated service or activity conducted by Applicant. If so, please describe in detail the identity of the complainant, the subject matter of the complaint, the date of the complaint, the substance of the complaint, and the ultimate resolution of the complaint.

23. State below the answers to the questions which appear in the Application form filed in the above captioned matter or in lieu thereof provide a conformed copy of the Application and all exhibits and attachments thereto as well as any other correspondence or documents filed with the Commission or any member of its Staff.

RICHARD T. MULCAHEY, JR., ESQUIRE
GREENSTEIN, GORELICK, PRICE
& SILVERMAN
Attorneys for Protestant
900 Two Penn Center Plaza
Philadelphia, PA 19102
(215) 564-3880

Dated: September 8, 1988

LAW OFFICES

GREENSTEIN, GORELICK, PRICE & SILVERMAN

900 TWO PENN CENTER PLAZA

PHILADELPHIA, PA 19102

215-564-3880

FAX 215-636-0309

RICHARD T. MULCAHEY, JR.

January 12, 1989

Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

Re: Application of D's Limousine Service, Ltd.
PUC Docket No. A-00108173,
PUC Docket No. A-00108173, F. 2 and
PUC DOCKET No. A-00108173, F. 3

Dear Mr. Pepper:

As you know, I represent Protestants in all three Application cases. In each Protest, I directed Interrogatories to the Applicant. As of date, I have not received Answers to the same, and I will have no other alternative but to motion for sanctions at the hearings scheduled on January 18 and 25, 1989.

In addition, I have not yet received a list of witnesses who will be appearing in support of the Application which, according to 66 Pa. C.S.A. §333, must be disclosed to me prior to the hearing dates.

Sincerely,

RICHARD T. MULCAHEY, JR.

RTM/sm

EXHIBIT "B"

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE:

D'S LIMOUSINE SERVICE, LTD. : PUC DOCKET NO. 00108173, F.2

O R D E R

AND NOW, this day of , 1989,
upon consideration of the within Motion of Edward Jefremow,
t/d/b/a Tiffany's, it is hereby ORDERED AND DECREED that the
Application of D's Limousine Service, Ltd., is dismissed for
failure to respond to Interrogatories.

Sheldon Farber
Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the within Motion for Dismissal of Application upon the following person on January 16, 1989, by sending a copy of the same by Federal Express:

Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

GREENSTEIN, GORELICK
PRICE & SILVERMAN

By: _____

Richard T. Mulcahey, Jr., Esquire
Attorneys for Protestant
Edward Jefremow, t/d/b/a
Tiffany's

LAW OFFICES

RICHARD HUNTINGTON PEPPER

ATTORNEY AT LAW

THREE EAST NORTH STREET

BETHLEHEM, PENNSYLVANIA

AREA CODE 215
691-1825

REPLY TO:
P. O. BOX 1448
BETHLEHEM, PA. 18016

January 17, 1989

File No. 1951-88

RECEIVED

JAN 18 1989

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120
ATTENTION: NANCY PAPPAS

SECRETARY'S OFFICE
Public Utility Commission

RE: Application of D's Limousine Service, Ltd.
PUC Docket No. A-0010173, F.2 and
PUC Docket No. A-0010173, F.3

Dear Ms. Pappas:

Please be advised the Application of D's Limousine Service, Ltd. has been withdrawn in the above captioned matter. It is my understanding you will notify the Philadelphia office and confirm same. Thank you for your cooperation. Docket No. A-0010173, F.1 is continuing.

A 108173-72
A 108173-73
A 108173

Very truly yours,

Richard H. Pepper
RICHARD H. PEPPER

RHP/dmc

cc: Richard T. Mulcahey, Jr., Esquire
Kevin Kelleher, Esquire
David H. Radcliff, Esquire
S. Berne Smith, Esquire
Pa. Public Utility Commission
Attn. Jerry Rich, Secretary
Raymond A. Thistle, Jr., Esquire
Robert J. Borthwick, Esquire

DOC
JAN 20 1989

LAW OFFICES
RICHARD HUNTINGTON PEPPER
ATTORNEY AT LAW
THREE EAST NORTH STREET
BETHLEHEM, PENNSYLVANIA

ORIGINAL

AREA CODE 215
691-1825

REPLY TO:
P. O. BOX 1448
BETHLEHEM, PA. 18016

January 17, 1989

File No. 1951-88

RECEIVED

JAN 18 1989

Mr. Jerry Rich, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

SECRETARY'S OFFICE
Public Utility Commission

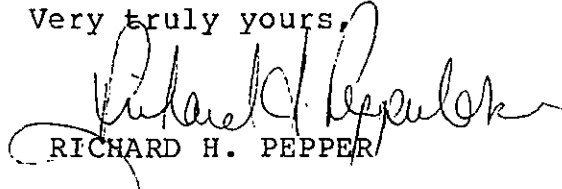
RE: Application of D's Limousine Service, Ltd.
PUC Docket No. A-0010173, F.1

Dear Mr. Rich:

A108173 →

Enclosed please find for filing with the Commission the Restrictive Amendment and Interrogatories of Starr Transit Co., Inc. Addressed to Applicant in the above captioned matter. Thank you for your cooperation.

Very truly yours,


RICHARD H. PEPPER

RHP/dmc

cc: Honorable Martin Fountain
Richard T. Mulcahey, Jr., Esquire
Kevin Kelleher, Esquire
David H. Radcliff, Esquire
S. Berne Smith, Esquire
Mr. D.E. Newberry

100
100

LAW OFFICES
RICHARD HUNTINGTON PEPPER
ATTORNEY AT LAW
THREE EAST NORTH STREET
BETHLEHEM, PENNSYLVANIA

AREA CODE 215
691-1825

REPLY TO:
P. O. BOX 1448
BETHLEHEM, PA. 18016

January 17, 1989

File No. 1951-88

RECEIVED

JAN 18 1989

SECRETARY'S OFFICE
Public Utility Commission

The Honorable Martin Fountain
Administrative Law Judge
Pennsylvania Public Utility Commission
1302 State Office Building
Broad & Spring Garden Streets
Philadelphia, PA 19130

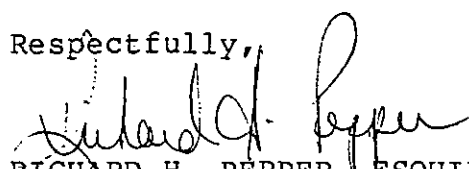
RE: Application of D's Limousine Service, Ltd.
PUC Docket No. A-0010173, F.1

Dear Judge Fountain:

A108173

Enclosed please find the Restrictive Amendment and Interrogatories of Starr Transit Co., Inc. Addressed to Applicant in the above captioned matter.

Respectfully,


RICHARD H. PEPPER, ESQUIRE

RHP/dmc
Enclosure

cc: Richard T. Mulcahey, Jr., Esquire - w/encl.
Kevin Kelleher, Esquire - w/encl.
David H. Radcliff, Esquire - w/encl.
S. Berne Smith, Esquire - w/encl.
Pa. Public Utility Commission - w/encl.
Attn. Jerry Rich, Secretary
Mr. D.E. Newberry

FOUNDER

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

JAN 18 1989

In re:

SECRETARY'S OFFICE
Public Utility Commission

APPLICATION OF

D'S LIMOUSINE SERVICE, LTD.
A-00108173

RESTRICTIVE AMENDMENT

Applicant hereby restrictively amends the above-captioned application so that the authority sought shall read as follows:

Persons, in group and party service, between ^{points} in the counties of Lehigh, Northampton, Bucks and Philadelphia, provided that no right, power or privilege is granted to perform transportation in vehicles having a seating capacity exceeding 15 persons, excluding the driver.

RECEIVED
JAN 20 1989

Dated this 16th day of January, 1989.

D'S LIMOUSINE SERVICE, LTD.

By Richard H. Pepper
Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

Counsel for Applicant

18

ORIGINAL RECEIVED

JAN 18 1989

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION SECRETARY'S OFFICE
Public Utility Commission

IN RE: APPLICATION OF : APPLICATION DOCKET
D'S LIMOUSINE SERVICE, LTD. : NO. A-00108173

INTERROGATORIES OF
STARR TRANSIT CO., INC.
ADDRESSED TO APPLICANT

Pursuant to the Pennsylvania Public Utility Code, 66 Pa. C.S.A. Section 333(d), Protestant, Starr Transit Co., Inc. by its attorney, Richard T. Mulcahey, Jr., Esquire, hereby submits the following Interrogatories to the Applicant and requests that the Applicant, within twenty (20) days of service hereof, files and serves full and complete written answers to each Interrogatory under oath.

These Interrogatories shall be deemed to be continuing and any information secured subsequent to the filing of answers thereto, which would have been includable in the answers had it then been known or available, shall be supplied by supplemental answers as soon as such information becomes known or available and, in all events, prior to the hearing of this matter.

As used in these Interrogatories, the following terms are defined as follows: (a) the term "Applicant" shall include, in addition to the named party, its attorneys, agents, servants, employees, representatives, private investigators and others who are in possession of, or who have obtained evidence or information

RECORDED
JAN 20 1989

for, or on behalf of, the Applicant; (b) the term "Person" shall include, without limitation, business and non-profit associations, corporations, proprietorships, joint ventures, departments, public agencies and board or bureaus including any predecessors in interest, subsidiaries or affiliates.

1. Identify the owners of Applicant:

(a) By name, address and percentage of stock or interest held.

D.E. Newberry (50 shares)
Dorothy B. Newberry (50 shares)
P.O. Box 296
Orefield, PA 18069

(b) By position of employment with Applicant

President: D.E. Newberry
Secretary/Treasurer: Dorothy B. Newberry

(c) By position of employment with an employer other than Applicant.

None

2. Identify:

- (a) The incorporation date of Applicant.

See "Optional Information" filed of record with Application.

- (b) The incorporators of Applicant.

D.E. Newberry
Dorothy Newberry

- (c) The corporate purpose of Applicant.

To provide transportation services and any other lawful business purpose.

- (d) Any other corporation with which Applicant is affiliated.
None

3. Identify by name and address the executives of Applicant in respect to their daily operations.

See Answer 1(b)

4. Identify by name and address the accountant of Applicant. David A. Stortz & Associates
723 Chestnut Street
Emmaus, PA 18049

5. Identify any authority granted to the Applicant by:

- (a) the Pennsylvania Public Utility Commission;
None
- (b) the Interstate Commerce Commission; and
#MC176279
- (c) any other governmental regulatory commission.
None

6. Set forth the list of all vehicles Applicant now owns or leases. Include: See "Optional Information" filed on record.

- (a) year, make and model of each such vehicle;
- (b) seating capacity of each such vehicle;
limos - 9 vans - 12
- (c) whether or not each such vehicle is air conditioned; all are air conditioned
- (d) whether or not each vehicle is restroom equipped; none
- (e) whether or not each such vehicle is equipped to accommodate handicapped individuals; and none
- (f) any other special equipment.
no special equipment other than for comfort of passengers

7. Please produce a copy of the annual report either filed by you, or to be filed by you, with the Pennsylvania Public Utility Commission and/or the Interstate Commerce Commission, covering the calendar years 1986 and 1987.
Objected to as confidential to the extent same is not of public record.

8. For each of the calendar years 1986 and 1987 set forth the following information:

(a) percentage of total business performed on an interstate basis; 100%

(b) percentage of total business performed intrastate in Pennsylvania; and None

(c) percentage of total business performed intrastate other than in Pennsylvania. None

9. For each of the calendar years 1986 and 1987 set forth the total revenues received as a result of the transportation performed in the preceding Interrogatory.
See "Optional Information" filed of record.

10. Identify by name and address all persons you plan to serve if the captioned Application is granted. If the persons mentioned are a part of or affiliated with another corporation or organization, state the name and address of the organization and the persons in charge thereof.

Objected to as requiring disclosure of trade secrets.

11. State the amount of traffic or business that would be tendered to the Applicant by the persons mentioned in Interrogatory No. 10 above if the Application were granted. State the number of trips, the frequency of movement, amount of traffic and volume and size of each movement.

Objected to as requiring disclosure of trade secrets.

12. List the representative origins and destination points of the proposed transportation.

Objected to as requiring disclosure of trade secrets.

13. What transportation services are now employed by the persons to be served.

Interstate transportation of persons in luxury accommodations.

14. State in what way present service fails to meet the needs of the persons named in Interrogatory No. 10.

Customers desire intrastate transportation by Applicant.

15. List the efforts made by those persons to obtain service from existing carriers, giving unknown to Applicant

(a) the name of the carrier;

(b) the date the carrier was notified of the need for the transportation service;

(c) the date the transportation service was needed;

(d) the reasons for the failure or refusal to render the transportation; and

(e) when and by whom the transportation was, in fact, provided.

16. State as to the persons supporting this Application whether they have supported Applications for authorities similar to that sought in this Application. If none, so state. If yes, state the names of the carrier, the docket number and the filing date of the Application.

y

Unknown to Applicant.

17. Did the persons named in answer to Interrogatory Nos. 10 and 16 above have specific or specialized service needs. If so, be specific and give details.

Unknown to Applicant.

18. What consequences, if any, will follow if the proposed service is not made available.

Unknown to Applicant.

19. State the names and addresses of the witnesses Applicant expects to call at the hearing on this Application and the subject matter of their expected testimony.

Unknown at present time.

20. Identify all persons who have been involved on behalf of Applicant in soliciting public witnesses to testify in support of this Application.

D.E. Newberry
Dorothy Newberry

21. Please describe in detail, all studies, analyses, projections and forecasts you have prepared or had prepared for you with respect to expected traffic and revenues to be generated in the future by your airport transfer service in or from the area covered by this application.

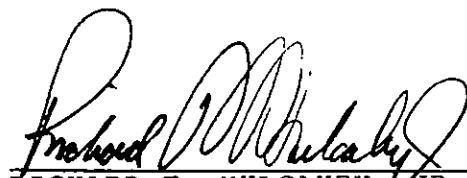
No formal such studies.

22. State whether Applicant (as herein defined) has been the subject of any Complaint to the Pennsylvania Public Utility Commission, or to any other state or federal regulatory or

governmental agency concerning the manner, quality or provision of any regulated service or activity conducted by Applicant. If so, please describe in detail the identity of the complainant, the subject matter of the complaint, the date of the complaint, the substance of the complaint, and the ultimate resolution of the complaint. See Public Records.

23. State below the answers to the questions which appear in the Application form filed in the above captioned matter or in lieu thereof provide a conformed copy of the Application and all exhibits and attachments thereto as well as any other correspondence or documents filed with the Commission or any member of its Staff.

See Public Records.


RICHARD T. MULCAHEY, JR., ESQUIRE
GREENSTEIN, GORELIQ, PRICE
& SILVERMAN
Attorneys for Protestant
900 Two Penn Center Plaza
Philadelphia, PA 19102
(215) 564-3880

Dated: September 8, 1988

GRAF, ANDREWS & RADCLIFF, P.C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF
FREDERICK W. ANDREWS
DAVID H. RADCLIFF

OF COUNSEL
JOHN E. FULLERTON

TELEPHONE: A. C. 717-236-9318

January 19, 1989
File: 10.40

RE: D'S LIMOUSINE SERVICE LTD., A.108173 -
Protest of Trans-Bridge Lines Inc.

RECEIVED

JAN 20 1989

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

SECRETARY'S OFFICE
Public Utility Commission

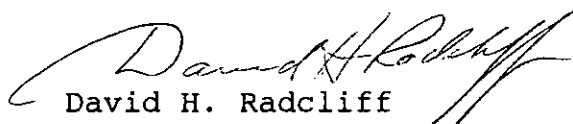
Dear Mr. Rich:

I am in receipt of a restrictive amendment dated January 16, 1989, a copy of which is attached.

In consideration of that restrictive amendment and in reliance upon its inclusion in any grant of authority which may issue in this proceeding, I am authorized to and hereby do withdraw the protest of Trans-Bridge Lines Inc.

By copy of this letter I am notifying Applicant's counsel of the withdrawal of our protest.

Very truly yours,


David H. Radcliff

DHR/kr
Enclosure

cc: Mr. James JeBran
Trans-Bridge Lines Inc.
2012 Industrial Drive
Bethlehem, PA 18017

Richard H. Pepper, Esquire
P.O. Box 1448
Bethlehem, PA 18016

DOCKETED

JAN 23 1989

AGENT

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

D'S LIMOUSINE SERVICE, LTD.
A-00108173

RESTRICTIVE AMENDMENT

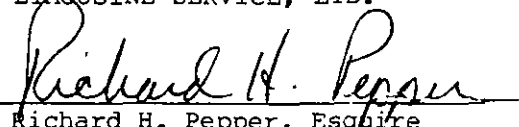
Applicant hereby restrictively amends the above-captioned application so that the authority sought shall read as follows:

Persons, in group and party service, between points in the counties of Lehigh, Northampton, Bucks and Philadelphia, provided that no right, power or privilege is granted to perform transportation in vehicles having a seating capacity exceeding 15 persons, excluding the driver.

Dated this 16th day of January, 1989.

D'S LIMOUSINE SERVICE, LTD.

By


Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

Counsel for Applicant

ORIGINAL

FRANCIS B. HAAS, JR.
G. THOMAS MILLER
DONALD R. WAISEL
RICHARD R. LEFEVER
J. THOMAS MENAKER
CLYDE W. MCINTYRE
S. BERNE SMITH
ROD J. PERA
EDWARD W. ROTHMAN
ROBERT A. MILLS
W. JEFFRY JAMOUNEAU
HERBERT R. NURICK
DAVID E. LEHMAN
NORMAN I. WHITE
F. MURRAY BRYAN
RICHARD W. STEVENSON
WILLIAM A. CHESNUTT
HENRY R. MACNICHOLAS
WILLIAM M. YOUNG, JR.
ROBERT M. CHERRY
DAVID B. DISNEY
H. LEE ROUSSEL
MAURICE A. FRATER
C. GRAINGER BOWMAN
JOHN S. OYLER
DELANO M. LANTZ
HARVEY FREEDENBERG
JASON S. SHAPIRO

ERIC L. BROSSMAN
ROBERT D. STETS
TERRY R. BOSSERT
MARY JANE FORBES
JEFFREY B. CLAY
DAVID M. KLEPPINGER
NEAL S. WEST
FRANKLIN A. MILES, JR.
MICHAEL A. DOCTROW
STEPHEN A. MOORE
DANA S. SCADUTO
ALAN R. BOYNTON, JR.
BRUCE D. BAGLEY
MICHAEL G. JARMAN
GARY F. YENKOWSKI
DIANE M. TOKARSKY
BERNARD A. LABUSKES, JR.
ANNE K. FIORENZA
JOHN M. ABEL
RICHARD S. KAHLBAUGH
KEVIN J. FREDERICK
DAVID M. WATTS, JR.
TRENT HARGROVE
LAWANA M. JOHNS
KATHLEEN E. BOYLE
CARMEN SANTA MARIA
JAY H. FEASTER
DONALD B. KAUFMAN
JAMES I. FRITZ

MCNEES, WALLACE & NURICK
ATTORNEYS AT LAW

100 PINE STREET
P. O. BOX 1166
HARRISBURG, PA. 17108-1166
TELEPHONE (717) 232-8000
TELECOPIER (717) 236-2665

STERLING G. MCNEES
1923-1959

DAVID M. WALLACE
1942-1967

RETIRED PARTNERS

HARRY H. FRANK
JAMES H. BOOSER
JAMES W. HAGAR
JAMES H. KING
MOSES K. ROSENBERG

OF COUNSEL

GILBERT NURICK
EDWARD C. FIRST, JR.
ROBERT H. GRISWOLD
JEFFERSON C. BARNHART
SAMUEL A. SCHRECKENGAUST, JR.

January 19, 1989

In re: D'S Limousine Service, Ltd.
A. 00108173

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

Dear Mr. Rich:

We are counsel for Frank Martz Coach Company, a protestant in the above-captioned proceeding. Under date of January 16, 1989, a restrictive amendment has been entered into by the applicant and filed with the Commission. A copy of the restrictive amendment is attached hereto for reference.

Conditioned upon acceptance of this restrictive amendment by the Commission and any order which is issued being consistent therewith, we are authorized to and do hereby withdraw the protest of Frank Martz Coach Company. We are sending a copy of this letter to counsel for the applicant and to the assigned Administrative Law Judge. If anything further is required, please advise. Because of this restrictive amendment, we will not be attending the hearing now scheduled, but do wish to remain a party of record for the purpose of receiving copies of any orders which may be issued.

DOCKETED

JAN 24 1989

RECEIVED

JAN 20 1989

SECRETARYS OFFICE
Public Utility Commission

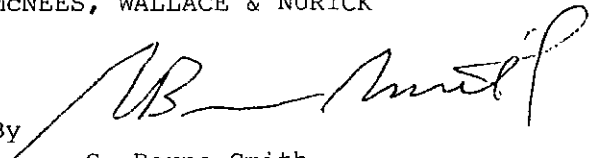
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FOUNDER

January 19, 1989
Page 2

We understand that the exchange of letters and the filing of the restrictive amendment is deemed by the Commission to be a stipulation binding upon the parties. Thank you for your attention to this matter.

Very truly yours,

McNEES, WALLACE & NURICK

By 
S. Berne Smith

SBS/ec
Enclosure

cc: Honorable Martin Fountain (w/enc.)
Richard H. Pepper, Esquire (w/enc.)
Mr. C. Robert Morris (w/enc.)
Mr. Edward J. Patton (w/enc.)
Mr. Frank M. Henry (w/enc.)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF
D'S LIMOUSINE SERVICE, LTD.
A-00108173

RESTRICTIVE AMENDMENT

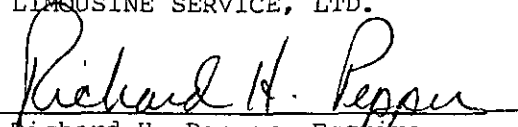
Applicant hereby restrictively amends the above-captioned application so that the authority sought shall read as follows:

Persons, in group and party service, between points in the counties of Lehigh, Northampton, Bucks and Philadelphia, provided that no right, power or privilege is granted to perform transportation in vehicles having a seating capacity exceeding 15 persons, excluding the driver.

Dated this 16th day of January, 1989.

D'S LIMOUSINE SERVICE, LTD.

By


Richard H. Pepper, Esquire
3 East North Street
Bethlehem, PA 18016

Counsel for Applicant

DATE: January 25, 1989

A-108173

SUBJECT: A.10173, F.3 D's Limousine Service, Ltd.

TO: Secretary's Bureau

FROM: Nancy Pappas, Chief
Office Services
Administrative Law Judge

RECEIVED

JAN 25 1989
SECRETARY'S OFFICE
Public Utility Commission

On January 17, 1989 a notice of withdrawal was filed by Richard H. Pepper, Esq. Pursuant to 52 Pa. Code § 5.94 withdrawal is perfected thirty (30) days after the filing of a notice of withdrawal. This proceeding should be closed at that time.

All parties should be notified that the case is closed at that time and a copy of that notification placed in the document folder.

DOCKETED

JAN 27 1989

CC: Mike Ciarvella

DOCUMENT
FOLDER

LAW OFFICES

RICHARD HUNTINGTON PEPPER

ATTORNEY AT LAW

THREE EAST NORTH STREET

BETHLEHEM, PENNSYLVANIA

ATTACHMENT

AREA CODE 215
691-1825

909

REPLY TO:
P. O. BOX 1448
BETHLEHEM, PA. 18016

RECEIVED

JAN 19 1989

Office of A. L. J.
Public Utility Commission

January 17, 1989

File No. 1951-88

RECEIVED

JAN 18 1989

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120
ATTENTION: NANCY PAPPAS

SECRETARY'S OFFICE
Public Utility Commission

RE: Application of D's Limousine Service, Ltd.
PUC Docket No. A-0010173, F.2 and
PUC Docket No. A-0010173, F.3

Dear Ms. Pappas:

Please be advised the Application of D's Limousine Service, Ltd. has been withdrawn in the above captioned matter. It is my understanding you will notify the Philadelphia office and confirm same. Thank you for your cooperation. Docket No. A-0010173, F.1 is continuing.

Very truly yours,

RICHARD H. PEPPER

RHP/dmc

cc: Richard T. Mulcahey, Jr., Esquire
Kevin Kelleher, Esquire
David H. Radcliff, Esquire
S. Berne Smith, Esquire
Pa. Public Utility Commission
Attn. Jerry Rich, Secretary
Raymond A. Thistle, Jr., Esquire
Robert J. Borthwick, Esquire

LAW OFFICES
GREENSTEIN, GORELICK, PRICE & SILVERMAN
900 TWO PENN CENTER PLAZA
PHILADELPHIA, PA 19102
215-564-3880
FAX 215-636-0309

ORIGINAL

RICHARD T. MULCAHEY, JR.

February 1, 1989

RECEIVED

FEB 8 1989

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

SECRETARY'S OFFICE
Public Utility Commission

Attention: Jerry Rich, Secretary

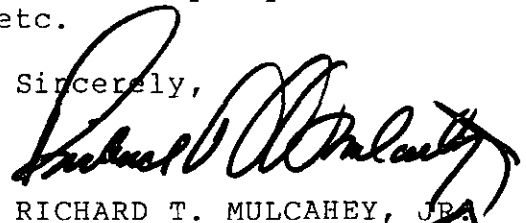
Re: Application of D's Limousine Service, Ltd.
PUC Docket No. A-00108173

Dear Mr. Rich:

Please be advised that this office represents Starr Transit Co., Inc., one of the Protestants to the above captioned Application. The Applicant filed a Restrictive Amendment dated January 6, 1989 addressing the concerns of several Protestants by amending the authority so as to provide transportation in vehicles with seating capacity not exceeding fifteen persons excluding the driver.

Based on acceptance by the Commission of the Restrictive Amendment mentioned hereinabove, Starr Transit withdraws its Protest. However, my client wishes to remain a party of record for receiving correspondence, Orders, etc.

Sincerely,



RICHARD T. MULCAHEY, JR.

RTM/sm

cc: Honorable Martin R. Fountain (Hand Delivered)
Richard H. Pepper, Esquire
Starr Transit Co., Inc.

DOCUMENT
FOLDER

DOCKETED
FEB 08 1989

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
February 27, 1989

In Re: A-00108173

(See letter dated 1/5/89)

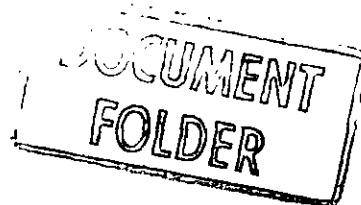
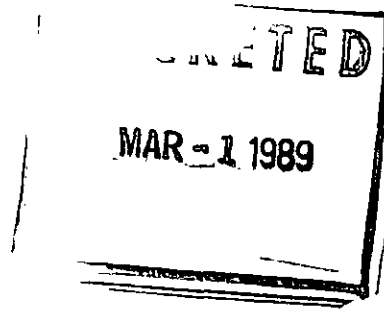
Application of D's Limousine Service, Ltd.

A Corporation of the Commonwealth of Pennsylvania, for the right to transport, as a common carrier, persons, in group and party service, between points in the counties of Lehigh, Northampton, Bucks and Philadelphia.

NOTICE

This is to inform you that the hearing now scheduled to be held on Thursday, March 2, 1989, in the subject proceeding has been postponed to Tuesday, April 11, 1989, at 10:00 a.m., in Room 1306, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania.

cc: Judge Fountain
Mrs. Pappas
Mrs. Howell
Mr. Bramson
File Room



LAW OFFICES
RICHARD HUNTINGTON PEPPER
ATTORNEY AT LAW
THREE EAST NORTH STREET
BETHLEHEM, PENNSYLVANIA

AREA CODE 215
691-1825

REPLY TO:
P. O. BOX 1448
BETHLEHEM, PA. 18016

February 27, 1989

File No. 1951-88

RECEIVED

MAR 1 1989

The Honorable Martin Fountain
Administrative Law Judge
Pennsylvania Public Utility Commission
1302 State Office Building
Broad & Spring Garden Streets
Philadelphia, PA 19130

SECRETARY'S OFFICE
Public Utility Commission

RE: APPLICATION OF D'S LIMOUSINE SERVICE, LTD.
PUC DOCKET NO. A-00108173 (E.1)

Dear Judge Fountain:

Pursuant to our telephone conversation of February 24, 1989, I understand the hearing scheduled for March 2, 1989 has been continued to allow the counsel for the remaining protestors to withdraw their protests. By separate correspondence, you will be receiving copies of the formal withdrawals together with the restrictive Amendment to which we have agreed. I understand that once you have had the opportunity to review and approve the restrictive Amendment, the matter will be scheduled for abbreviated proceedings.

Thank you for your cooperation and assistance.

Very truly yours,

Richard H. Pepper/dn
RICHARD H. PEPPER

RHP/dhn

cc: Richard T. Mucahey, Jr., Esquire
Kevin Kelleher, Esquire
David H. Radcliffe, Esquire
S. Berne Smith, Esquire
Pa. Public Utility Commission
Attn: Jerry Rich, Secretary
Mr. D. E. Newberry

MAR 7 1989

Address

City State Zip

Telephone No. ()

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Telephone No. ()

LAW OFFICES
RICHARD HUNTINGTON PEPPER
ATTORNEY AT LAW
THREE EAST NORTH STREET
BETHLEHEM, PENNSYLVANIA

AREA CODE 215
691-1825

REPLY TO:
P. O. BOX 1448
BETHLEHEM, PA. 18016

March 7, 1989

File No. 1951-88 F.1

RECEIVED

MAR 8 1989

The Honorable Martin Fountain
Administrative Law Judge
Pennsylvania Public Utility Commission
1302 State Office Building
Broad & State Garden Streets
Philadelphia, PA 19130

SECRETARY'S OFFICE
Public Utility Commission

RE: APPLICATION OF D'S LIMOUSINE SERVICE, LTD.
PUC DOCKET NO. A-00108173 F.1

Dear Judge Fountain:

As you may now be aware, all of the protests in the above matter have been withdrawn. By separate correspondence you will soon be receiving for your review a copy of the final Stipulation amending the applicant's request for group and party service rights. I understand the matter has now been scheduled for an abbreviated hearing on Tuesday, April 11, 1989.

I appreciate your patience and assistance in this matter.

DOCUMENT
ORDER

Very truly yours,

Richard H. Pepper
RICHARD H. PEPPER

RHP/dmc

cc: Richard T. Mulcahey, Jr., Esquire
Kevin Kelleher, Esquire
David H. Radcliffe, Esquire
S. Berne Smith, Esquire
Pa. Public Utility Commission
Attn. Jerry Rich, Secretary
Mr. D.E. Newberry

SECRETED
MAR 13 1989

APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00108173
 CASE NAME D's Limousine Service, Ltd.
 HEARING LOCATION Philadelphia, PA.
 HEARING DATE April 11, 1989
 ALJ Fountain

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES ___ NO ___
 Testimony taken YES ___ NO ___
 Hearing concluded YES ___ NO ___
 Further hearing needed YES ___ NO ___
 Estimated add'l days _____
 RECORD CLOSED YES ___ NO ___
 Briefs to be filed YES ___ NO ___
 BENCH DECISION ^{PEPPER} YES ___ NO ___

RECEIVED
APR 13 1989
 Office of A. L. J.
 Public Utility Commission

DOCUMENT FOLDER

REMARKS: ATTY FAILED TO APPEAR,
* PHONED OFFICE, ATTY IN ANOTHER
COUNTY TRYING CASE, SEC. SAID MATTER
CONT'D, BUT FILE HAS NO RECORD OF SUCH.

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
 PLEASE PRINT CLEARLY
 INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR
Telephone No. ()	City	State	Zip	<div style="border: 2px solid black; padding: 5px; text-align: center;"> DOCKETED APR 27 1989 </div>
Telephone No. ()	City	State	Zip	
Telephone No. ()	City	State	Zip	

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Robin L. Clark
 Reporter

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
October 24, 1989

In Re: A-00108173

(See letter dated 2/27/89)

Application of D's Limousine Service, Ltd.

A Corporation of the Commonwealth of Pennsylvania, for the right to transport, as a common carrier, persons, in group and party service, between points in the counties of Lehigh, Northampton, Bucks and Philadelphia.

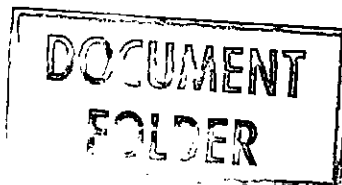
NOTICE

This is to inform you that a hearing on the above captioned case will be held Tuesday, December 12, 1989, at 10:00 a.m., in Room 1306, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania.

cc: Judge Fountain
Mr. Bramson
Mrs. Kelly
Mrs. Howell
File Room

DOCKETED

OCT 27 1989



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
December 5, 1989

In Re: A-00108173

(See letter dated 10/24/89)

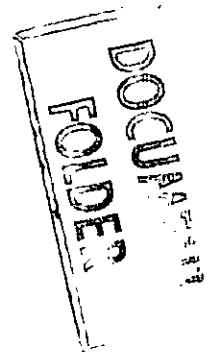
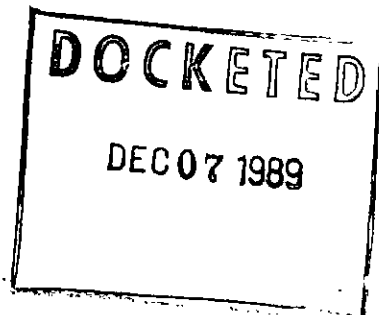
Application of D's Limousine Service, Ltd.

A Corporation of the Commonwealth of Pennsylvania, for the right to transport, as a common carrier, persons, in group and party service, between points in the counties of Lehigh, Northampton, Bucks and Philadelphia.

NOTICE

This is to inform you that the further hearing now scheduled to be held on Tuesday, December 12, 1989, in the subject proceeding has been postponed to Wednesday, February 21, 1990, at 10:00 a.m., in Room 1306, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia.

cc: Judge Fountain
Mr. Bramson
Mrs. Kelly
Mrs. Howell
File Room



APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00108173
 CASE NAME Application of D's Limousine Service, Ltd.
 HEARING LOCATION Philadelphia
 HEARING DATE December 12, 1989
 ALJ Fountain

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES NO

Testimony taken YES NO

Hearing concluded YES NO

Further hearing needed YES NO

Estimated add'l days _____

RECORD CLOSED YES NO

Date _____

Briefs to be filed YES NO

Date _____

BENCH DECISION YES NO

REMARKS: P.P.

RECEIVED

DEC 18 1989

Office of A. L. J.
Public Utility Commission

DOCUMENT FOLDER

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
 PLEASE PRINT CLEARLY
 INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR
	City	State	Zip	
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CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Reporter _____

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APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00108173

CASE NAME D's Limousine Service, Ltd.

HEARING LOCATION Philadelphia, PA.

HEARING DATE Feb. 21, 1990

ALJ Fountain

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES NO

Testimony taken YES NO

Hearing concluded YES NO

Further hearing needed YES NO

Estimated add'l days _____

RECORD CLOSED YES NO

Date _____

Briefs to be filed YES NO

Date _____

BENCH DECISION YES NO

REMARKS: _____

RECEIVED

FEB 23 1990

Office of A. L. J.
Public Utility Commission

DOCKETED
MAR 05 1990

DOCUMENT FOLDER

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
PLEASE PRINT CLEARLY
INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS	APPEARING FOR
RICHARD H. PEPPER Telephone No. (215) 691-1825	3 E. NORTH ST. BT CITY STATE ZIP BETHLEHEM PA 18016-1098	APPLICANT D'S LIMOUSINE SERVICE, LTD.
KEVIN J. KELLEHER, ESQ. Telephone No. (215) 865-0321	3 EAST NORTH ST. P.O. BOX 466 CITY STATE ZIP BETHLEHEM PA 18016-0466	PROTESTANT LOMA, INC., d/b/a ABE LIMO & BUS SERVICE
Telephone No. ()	CITY STATE ZIP	

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Robert J. Stouffer (CRC Inc.)
Reporter

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2

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

6/13/90

1. <u>REPORT DATE:</u> May 29, 1990	:	2. <u>BUREAU AGENDA NO.</u>
3. <u>BUREAU:</u> ALJ	:	MAY-90-ALJ-70
4. <u>SECTION(S):</u>	:	5. <u>PUBLIC MEETING DATE:</u>
6. <u>APPROVED BY:</u> Chief ALJ: Allison K. Turner Director: Ext. 7-6108 Supervisor:	:	May 31, 1990
7. <u>MONITOR:</u>	:	
8. <u>PERSON IN CHARGE:</u> ALJ Chestnut, ALJ Fountain and ALJ Nguyen	:	
9. <u>DOCKET NO:</u> See list below.	:	

10. (a) CAPTION (abbreviate if more than 4 lines)
 (b) Short summary of history & facts, documents & briefs
 (c) Recommendation
- (a) C-881997 Dr. Avrom S. Brown vs. Frank Brigidi
 C-892385 Edward J. Lynch v. Philadelphia Suburban Water
 Company
 (A-00108173 D's Limousine Service, Ltd.
 A-00101623, F002 Gerald C. Dolan t/d/b/a J.D Express
- (b) In accordance with provisions of Act 1978-294 66 C.S.A., §332g. as summarized by Administrative Circular SEC-51, the ALJ must issue a decision within 90 days after the record is closed unless the Commission orders an extension for a period not to exceed an additional 90 days.
- (c) The presiding Judges have requested an additional 90 days within which to issue decisions in the above cases after the records have been closed.

11. MOTION BY: Commissioner Chm. Shane Commissioner Rhodes - Yes
 Commissioner Rolka - Yes
SECONDED: Commissioner Smith Commissioner

CONTENT OF MOTION: That the requests be granted.

