

- SECOND:** That no right, power or privilege is granted to render any service originating at points in the Boroughs of Bally, Bechtelville and Boyertown and the Townships of Hereford, Washington and Colebrookdale.
- THIRD:** That no right, power or privilege is granted to transport groups or parties of persons originating in Tamaqua and destined to points and places on the motor bus routes of the East Penn Transportation Company.
- FOURTH:** That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and/or rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
- FIFTH:** That the accounts of the transferee will reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the 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.

Am-H

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points on the following routes, excluding the Borough of Hummelstown, to points in Pennsylvania and return:

Beginning at the Trailways Terminal on Chestnut Street in the City of Harrisburg, Dauphin County, thence via Highway Route 322 to its junction with Old Highway Route 422 west of the Borough of Hummelstown, thence via Old Highway Route 422 through the Borough of Hummelstown to its intersection with New Highway Route 422, thence via Highway Route 422 to the Lebanon-Berks County line.

Beginning at the intersection of Highway Route 422 and Highway Route 06218 in the Borough of Womelsdorf, Berks County, thence via Highway Routes 06218 and 06049 to the intersection of Highway Route 06049 and Highway Route 1119, thence via Highway Route 1119 to the Village of Newmanstown, Lebanon County, thence via Highway Route 38014 to its intersection with Highway Route 38011 in the Village of Sheridan, thence continuing on Highway Route 38011 to the Borough of Richland, thence via Highway Route 38015 to its intersection with Highway Route 422 in the Village of Millardsville.

Am-I

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 the Borough of Schuylkill Haven, the Villages of Arnots Addition, Mt. Laffee, New Street, Marlin, Wadesville, East Mines and Doudentown, and the Townships of East Norwegian, Norwegian and Hew Castle, Schuylkill County, to points in Pennsylvania;

subject to the following condition:

That no right, power or privilege is granted to transport groups or parties of persons to or from the Villages of Greytown and Schoentown, Schuylkill County.

To transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and tours or sightseeing trips from the Borough of New Ringgold and the Village of Reynolds and points in the Townships of West Brunswick, East Brunswick, West Penn and Rahn, Schuylkill County, to other points or places in Pennsylvania;

the right immediately above to be subject to the following condition:

That the right, power or privilege herein granted shall not include the transportation of persons to or from the Boroughs of Tamaqua and Coaldale and that portion of Rahn Township between said boroughs as far as and including the Village of Seek along the highway leading from Pottsville and Tamaqua to Mauch Chuck (now Jim Thorpe) nor to or from points on Highway Route 29 in Rahn Township between the Borough of Tamaqua and the intersection of Highway Route 29 with Owl Creek Secondary Highway Route 13020;

Am-J

1. The transportation of groups or parties of persons, the transportation of persons on special excursions and tours or sight-seeing trips from points in Harrisburg, Steelton, Highspire, Middletown, Paxtang, Hummelstown, Penbrook, Linglestown and Rockville, and from any points within the termini of the routes as formerly certificated on or before May, 1934, to Harrisburg Railways Company, Dauphin County, to various points and places within twenty-five (25) miles, by the usually traveled highways, of the limits of the city of Harrisburg.

2. 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 city of Harrisburg, Dauphin County, to points within an airline distance of seventy-five (75) statute miles of the limits of said city.

3. 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 city of Harrisburg, the boroughs of Penbrook, Paxtang, Steelton, Highspire and Middletown, the villages of Rutherford, Lawnton, Oberlin, Enhaut and Bressler, and points in the townships of Susquehanna, Swatara and Lower Paxton, Dauphin County, on the routes as formerly certificated on or before May 25, 1953, to Harrisburg Railways Company and points within one (1) mile thereof, to points in Pennsylvania;

with right no. 3 above subject to the following conditions:

That no right, power or privilege is granted to transport persons on special excursions and tours or sight-seeing trips from Harrisburg or Paxtang to points on the routes of Reading Transportation Company as certificated to said company on or before May 25, 1953, except as authorized under rights numbers 1 and 2 above.

That no right, power or privilege is granted to transport groups and parties of persons, persons on special excursions and tours or sight-seeing trips from points west of the Susquehanna River.

4. To transport, as a common carrier, by motor vehicle, groups and parties of persons from the borough of Mechanicsburg and the villages of Churchtown and Boiling Springs, Cumberland County, to points in Pennsylvania; and from the city of Harrisburg, Dauphin County, to points on routes formerly authorized to Valley Transportation Company (Old) and Valley Railways Company, as of March 12, 1935.

5. 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 the boroughs of New Cumberland, Lemoyne, Camp Hill, Shiremanstown, Wormleysburg, West Fairview and Carlisle and the townships of East Pennsboro, Lower Allen, Upper Allen, Hampden, Monroe, Silver Springs, Middlesex, South Middleton and North Middleton, Cumberland County, the township of Fairview, York County, the townships of Penn and Rye, Perry County, and the boroughs of Marysville and Duncannon, Perry County, to points in Pennsylvania;

with rights nos. 4 and 5 above subject to the following conditions:

That no right, power or privilege is granted to transport group or parties of persons from the city of Harrisburg as a point of origin to Williams Grove in the county of Cumberland.

That no right, power or privilege is granted to transport group or parties of persons from a point of origin in the city of Harrisburg to a point of destination within said city.

6. To transport, as a common carrier, groups and parties of persons, persons on special excursions and tours or sight-seeing trips from the townships of Huntingdon, Menallen, Butler, Franklin and Tyrone and the boroughs of Bendersville and Arendtsville, Adams County, to points in Pennsylvania.
7. To transport, as a common carrier, persons in special excursions from the city of York, York County, to the Liberty Bell Racing Association Race Track in the city of Philadelphia, and return;

Am-K

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 city of Harrisburg, Dauphin County, and within an airline distance of 10 statute miles of the Harrisburg City Line, excluding points west of the Susquehanna River, to points in Pennsylvania;

and subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport persons from points within 10 miles, by the usually traveled highways, of the limits of the city of Harrisburg, Dauphin County, located or situated on the routes of the Harrisburg Railways Company; namely, the boroughs of Highspire, Middletown, and Linglestown and the villages of Enhaut, Oberlin and Bressler to points of destination within 25 miles, by the usually traveled highways, of the limits of the city of Harrisburg, except groups of school children for service in connection with their school activities and other groups from any point of origin in the above area to Williams Grove and Willow Mills, Cumberland County, and Hershey, Dauphin County.

SECOND: That no right, power, or privilege is granted to render service between points on the routes, existing on October 8, 1935, of Harrisburg Railways Company and between points on routes of Valley Transportation Company, existing on October 8, 1935, except that applicant may render service to the borough of Carlisle, Cumberland County.

THIRD: That no right, power or privilege is granted to render service to the boroughs of Camp Hill and New Cumberland, Cumberland County.

FOURTH: That no right, power, or privilege is granted to transport persons on special excursions between points on the routes of the Reading Company served by passenger service, or of the Reading Transportation Company, with the exception of the City of Philadelphia, Philadelphia County, and Hershey, Dauphin County.

Am-L

To transport, as a common carrier by motor vehicles, groups and parties of persons, persons on special excursions, and tour or sightseeing trips from points in the townships of Halifax, Jackson, Wayne, Jefferson, Rush, Middle Paxton, East Hanover, Derry, Conewago and Londonderry, Dauphin County, and the County of Lebanon, to points in Pennsylvania.

Am-M

To transport, as a common carrier, groups and parties of persons, and persons on special excursions and tours or sight-seeing trips, from points in the county of Schuylkill, to points in Pennsylvania.

Am-N

To transport, as a common carrier, by motor vehicle, groups and parties of persons on special excursions and tours or sightseeing trips, for Adventure Unlimited, Ltd., from points in the counties of Philadelphia, Delaware, Montgomery and Chester, to points in Pennsylvania, and return, provided, however:

- (1) that no right, power or privilege is granted to perform service in conventional school bus type equipment; and
- (2) that service is limited to transportation of broker tours at Adventure Unlimited, Ltd.

Am-O

To transport, as a common carrier, groups and parties of persons, and persons on special excursions and tours or sightseeing trips, between points in the county of Lancaster and from points in said county to points in Pennsylvania and return;

subject to the following conditions:

That no right, power or privilege is granted to transport persons on special excursions or sightseeing trips between points in Lancaster County.

That no right, power or privilege is granted to transport persons on special excursions and tours or sightseeing trips which originate at motels in Lancaster County.

That all service herein authorized shall be rendered in compliance with the rules and regulations contained at 52 Pa. Code §29.321, §29.322, §29.323 and §29.324.

Am-P

To transport, as a common carrier, groups and parties of persons, and persons on special excursions and tours or sight-seeing trips, from points in the county of York, to points in Pennsylvania;

subject to the following condition:

That all service herein authorized shall be rendered in compliance with the rules and regulations contained at 52 Pa. Code §29.321, §29.322, §29.323 and §29.324.

OVERLAND COACH SERVICE, INC.
A-00107194

OPERATING AUTHORITY

To transport, groups and parties of persons, and persons on special excursions and tours or sight-seeing trips, from points in the county of York, to points in Pennsylvania;

subject to the following condition:

Provided that no right, power or privilege is granted to originate service at points in the boroughs of Dillsburg, Goldsboro, Lewisberry and York Haven, and the townships of Carroll, Fairview, Monaghan and Newberry, York County;


CAPITOL INTERNATIONAL TOURS, INC.
A-00104161, Folder 1

OPERATING AUTHORITY

To operate, as a broker, for the transportation of persons, and their baggage, between points in Pennsylvania.

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing protest upon applicant, Kleins' Bus Service, Inc., P. O. Box 246, Route 422, Douglassville, PA 19518 and on applicant's representative, J. Bruce Walter, Esquire, 410 North Third Street, P. O. Box 1146, Harrisburg, PA 17108-1146, by first-class mail, postage prepaid and properly addressed.


S. Berne Smith

Harrisburg, PA
February 17, 1988

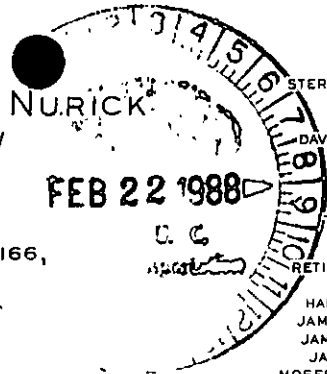
ARTHUR L. BERGER
FRANCIS B. HAAS, JR.
G. THOMAS MILLER
DONALD R. WAISEL
RICHARD R. LEFEVER
J. THOMAS MENAKER
CLYDE W. MCINTYRE
S. BERNE SMITH
ROD J. PERA
EDWARD W. ROTHMAN
ROBERT A. MILLS
W. JEFFRY JAMOUNEAU
HERBERT R. NURICK
DAVID E. LEHMAN
NORMAN I. WHITE
F. MURRAY BRYAN
RICHARD W. STEVENSON
WILLIAM 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
ELIZABETH A. DOUGHERTY
ALAN R. BOYNTON, JR.
BRUCE D. BAGLEY
MICHAEL G. JARMAN
GARY F. YENKOWSKI
DIANE M. TOKARSKY
JAMES J. DODD-O
BERNARD A. LABUSKES, JR.
ANNE K. FIORENZA
JOHN M. ABEL
RICHARD S. KAHLBAUGH
KEVIN J. FREDERICK
DAVID M. WATTS, JR.
TRENT HARGROVE
KATHLEEN E. BOYLE
CARMEN SANTA MARIA
SCOTT T. MUMMA
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

FEB 22 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.

February 18, 1988

In re: Application of Kleins' Bus Service, Inc.
A-00106803, Folder 1, Am-B

FILE

RECEIVED

FEB 19 1988

SECRETARY'S OFFICE
Public Utility Commission

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

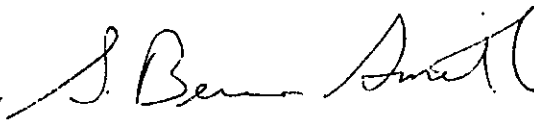
Dear Mr. Rich:

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: Kleins' Bus Service, Inc. (w/enc.)
J. Bruce Walter, Esquire (w/enc.)
Mr. Edward J. Patton (w/enc.)
Mr. Frank M. Henry (w/enc.)

DOCUMENT
FOLDER



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

KLEINS' BUS SERVICE, INC.
A. 00106803, Folder 1, Am-B

RECEIVED

FEB 19 1988

**SECRETARY'S OFFICE
Public Utility Commission**

PROTEST ON BEHALF OF
FRANK MARTZ COACH COMPANY

FILE

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

Counsel for Protestant

Due: February 22, 1988

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
FEB 22 1988
ENTRY No.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

KLEINS' BUS SERVICE, INC.
A. 00106803, Folder 1, Am-B

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 the facilities owned or used by Boscov's Department Stores,

including facilities in Luzerne County, and from said facilities 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, from points in Luzerne County to points in Pennsylvania. A copy of the pertinent authority is attached hereto as Appendix B.

6. Protestant will withdraw its protest if the application is amended so as to eliminate conflicting origins in Luzerne County. Protestant believes that the application may have been misdescribed and that applicant may be interested in performing service limited to transportation services for Boscov's Travel Center. The application as published is not limited to such a service, but would permit applicant to serve any members of the general public willing to originate a trip at the facilities (the shopping center parking lot) where Boscov's Department Stores are located. As an alternative to eliminating origins in the county of Luzerne,

willing to discuss with applicant a clarification and restriction of the application so as to limit service to be performed for Boscov's Travel Center.

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 McNees, Wallace & Nurick
MCNEES, WALLACE & NURICK

Harrisburg, PA
February 18, 1988

In re:

APPLICATION OF

KLEINS' BUS SERVICE, INC.
A. 00106803, Folder 1, Am-B

Authority Sought

A-00106803, Folder 1, Am-B. Kleins' Bus Service, Inc. (P. O. Box 246, Route 422, Douglassville, Berks County, Pa. 19518), a corporation of the Commonwealth of Pennsylvania—groups and parties of persons between points in the townships of Douglass, Union, Amity, Colebrookdale, Earl, Oley, Alsace, Muhlenberg, Bern, Lower Heidelberg, South Heidelberg, Spring, Brecknock, Cumru, Lower Alsace, Robeson, Caernarvon and Exeter, the boroughs of Sinking Springs, Wyomissing, Adamstown, Mohnton, Shillington, Kenhorst, West Reading, Wyomissing Hills, Laureidale, Temple, St. Lawrence, Mt. Penn, Wernersville, Leesport, Birdsboro and West Lawn and the city of Reading, Berks County, the boroughs of Elverson, and the townships of North Coventry and Warwick, Chester County, the borough of Pottstown, and the townships of Lower Pottsgrove, Upper Pottsgrove and West Pottsgrove, Montgomery County, the townships of Caernarvon, Brecknock, East Cocalico and West Cocalico, the boroughs of Denver and Adamstown, Lancaster County, and from points in said territory, to points in Pennsylvania, and return: *so as to permit* the transportation of persons, in group and party service between the facilities owned or utilized by Boscov's Department Stores, located in West Lebanon Township, Lebanon County, Norwegian Township, Schuylkill County, Monroe Township, Snyder County, city of Wilkes-Barre and township of Hazle, Luzerne County, Hampden Township, Cumberland County, Lower Paxton Township, Dauphin County, city of Lancaster, Lancaster County, city of York, York County and the borough of Norristown, Montgomery County, and from said facilities, to points in Pennsylvania. Attorney: J. Bruce Walter, 410 North Third Street, P. O. Box 1146, Harrisburg, Pa. 17108-1146.

Pennsylvania Bulletin, Vol. 8, No. 5
Saturday, January 30, 1988, Page 523

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

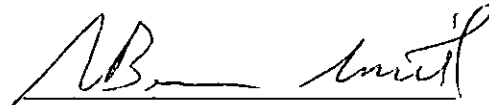
To transport as a common carrier, by motor vehicle, groups and parties of persons, persons on special excursions and tours or sight-seeing trips, from points in the counties of Luzerne, Monroe, Wayne, Susquehanna and Wyoming, to points in Pennsylvania.

A. 20750, Folder 10, Am-F Date of Order: September 30, 1983

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 protest upon applicant, Kleins' Bus Service, Inc., P. O. Box 246, Route 422, Douglassville, PA 19518 and on applicant's representative, J. Bruce Walter, Esquire, 410 North Third Street, P. O. Box 1146, Harrisburg, PA 17108-1146, by first-class mail, postage prepaid and properly addressed.


S. Berne Smith

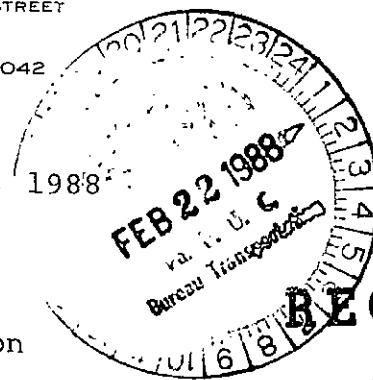
Harrisburg, PA
February 18, 1988

SIEGRIST, KOLLER, BRIGHTBILL & LONG
ATTORNEYS AT LAW
315 SOUTH EIGHTH STREET
P O BOX 1604
LEBANON, PA. 17042
(717) 272-6646

DAVID J. BRIGHTBILL
THOMAS S. LONG

EUGENE D. SIEGRIST
1900-1957
OF COUNSEL
ROBERT E. SIEGRIST
JAMES R. KOLLER

February 19, 1988



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

RECEIVED

FEB 19 1988

Re: Application of
KLEINS' BUS SERVICE, INC.
A-00106803, Folder 1, Am-B

FILE

SECRETARYS OFFICE
Public Utility Commission

Dear Sir:

On behalf of Donald B. and Effie G. Fisher, Protestants, I enclose original and two (2) copies of a Protest to the above captioned application.

A Certificate of Service is attached to the Protest. I also enclose a notice of my entry of appearance on behalf of the Protestants.

If anything additional is required, please contact me.

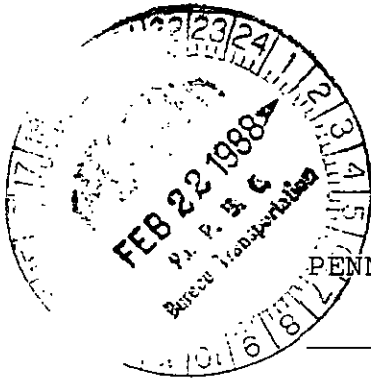
Very truly yours,

SIEGRIST, KOLLER, BRIGHTBILL & LONG


David J. Brightbill

jsw
Encls.

**DOCUMENT
FOLDER**



RECEIVED

FEB 19 1988

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
SECRETARYS OFFICE
Public Utility Commission

IN RE:

FILE

APPLICATION OF

KLEINS' BUS SERVICE, INC.

A-00106803, Folder 1, Am-B

PROTEST ON BEHALF OF
DONALD B. AND EFFIE G. FISHER

AND NOW COMES Donald B. and Effie G. Fisher and protest
this application representing as follows:

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

Donald B. and Effie G. Fisher
1715 Grace Avenue
Lebanon, PA 17042
Telephone: (717) 865-4001

2. The name, business address and telephone number of
the Protestants' attorneys are as follows:

David J. Brightbill, Esq.
Siegrist, Koller, Brightbill & Long
315 South Eighth Street
P. O. Box 1604
Lebanon, PA 17042
Telephone: (717) 272-6646

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
FEB 22 1988
ENTRY No. <u>dlk</u>

3. The authority sought by Applicant is attached hereto as Appendix "A".

4. The application will be competitive with and detrimental to existing services of Donald B. and Effie G. Fisher. Protestants perform transportation of persons in group and party service in the territory encompassed by the application. Protestants own, or have access to, a full range of bus equipment, have satisfactory maintenance facilities, skilled and experienced bus drivers, and other employees.

5. As pertinent to this proceeding, Protestants presently hold authority set forth in Appendix "B", attached hereto.

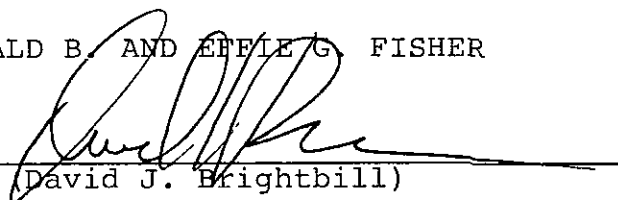
6. Protestants do not know of any restrictive amendment which would eliminate its opposition to approval of this application.

7. Protestants are performing service within the scope of this application, and the diversion of revenues presently being enjoyed by Protestants 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 Protestants and other carriers. Applicant's fitness is also at issue.

WHEREFORE, Donald B. and Effie G. Fisher respectfully pray that this application be dismissed.

DONALD B. AND EFFIE G. FISHER

By


(David J. Brightbill)

315 South Eighth Street
P. O. Box 1604
Lebanon, PA 17042
February 19, 1988.

County of Berks
A-00106803, Folder 1, Am-B, Klein Bus Service, Inc. (P. O. Box 248, Route 422, Douglassville, Berks County, Pa. 19518), a corporation of the Commonwealth of Pennsylvania, groups and parties of persons between points in the townships of Oboglass, Union, Ardly, Colebrookdale, Earl, Oley, Alsace, Muhlenberg, Bern, Lower Heidelberg, South Heidelberg, Spring, Brecknock, Cumru, Lower Alsace, Robeson, Gaornarvon and Exeter, the boroughs of Sinking Springs, Wyomissing, Adamstown, Mohnton, Shillington, Kenhorst, West Reading, Wyomissing Hills, Laureldale, Temple, St. Lawrence, Mt. Penn, Warnersville, Leesport, Birdsboro and West Lawn and the city of Reading, Berks County, the boroughs of Elverson, and the townships of North Coventry and Warwick, Chester County, the borough of Pottstown and the townships of Lower Pottsgrove, Upper Pottsgrove and West Pottsgrove, Montgomery County, the townships of Gaornarvon, Brecknock, East Cocaloo and West Cocaloo, the boroughs of Denver and Adamstown, Lancaster County, and from points in said territory, to points in Pennsylvania, and return, so as to permit the transportation of persons, in group and party service between the facilities owned or utilized by Boscov's Department Stores, located in West Lebanon Township, Lebanon County, Norwegian Township, Schuylkill County, Monroe Township, Snyder County, city of Wilkes-Barre and township of Hazle, Luzerne County, Hampden Township, Cumberland County, Lower Paxton Township, Dauphin County, city of Lancaster, Lancaster County, city of York, York County, and the borough of Norristown, Montgomery County, and from said facilities, to points in Pennsylvania. Attorney: J. Bruce Walter, 410 North Third Street, P. O. Box 1146, Harrisburg, Pa. 17108-1146.

Applications of the following for amendment in the certificate of public convenience approving the operating of motor vehicles as common carriers for transportation of persons by transfer of rights as detailed under each application.

A-00102559, Folder 2, Am-A, El. Cab Co. (10210 Bustleton Avenue, Philadelphia, Philadelphia County)

O. 5, SATURDAY, JANUARY 30, 1998

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Prepared By _____
Date _____
Form Check _____
Record Check _____
Examined and Approved _____

Public Meeting held June 10, 1975
Harrisburg, PA.

COMMISSIONERS PRESENT:

Acting Chairman Kelly-Approval
Commissioner Bloom-Approval
Commissioner Carter-Approval

Application Docket No. 98817 - Application of DONALD B. AND
EFFIE G. FISHER, tenants by entireties

REPORT AND ORDER
APPROVING SERVICE AS A MOTOR CARRIER

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of DONALD B. AND EFFIE G. FISHER, tenants by entireties, dated July 26, 1974, to operate motor vehicles as a common carrier, and upon protest, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and it appearing that applicant amended the application whereby protest was withdrawn, the Commission finds and determines that approval of the application, limited to the following right:

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips, from terminal facilities located at Legislative Route 33005, north of the village of Sand Hill, North Lebanon Township, Lebanon County, to points in Pennsylvania.

and subject to the following conditions is necessary or proper for the service, accommodation or convenience of the public:

FIRST: That the authority granted herein is limited to service provided in conventional school bus type equipment.

SECOND: That the certificate holder shall comply with all the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Bus and Taxicab Regulations effective April 15, 1946, or as may hereafter be revised, and any other rules and regulations 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.

DOCKETED
APPLICATION NO. 98817
JUN 17 1975
ENTRY No. _____

NOW, to wit, June 10, 1975, IT IS ORDERED: That upon compliance with the requirements of the Public Utility Law relating to insurance and 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.

RECORDED

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty 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.

BY THE COMMISSION,

(SEAL)

Will Ketner
Will Ketner
Secretary

Order Adopted: June 10, 1975
Order Entered: June 12, 1975

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held March 14, 1980

Commissioners Present:

Susan M. Shanaman, Chairman
Michael Johnson
Linda C. Taliaferro

Application of Donald B. Fisher and
Effie G. Fisher

A. 98817, F. 1,
Am-B

David J. Brightbill, Esquire, for Donald B. Fisher and Effie G. Fisher
Keith L. Kilgare, Esquire, for Thomas R. Rank and Nancy Jo Perry,
t/d/b/a R & B Transportation
S. Berne Smith, Esquire, for Capital Bus Company

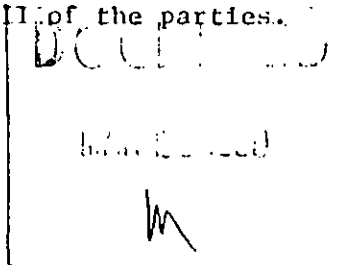
O R D E R

BY THE COMMISSION:

On July 1, 1978, an application was filed by Donald B. Fisher and Effie G. Fisher (Fisher) for amendment of their common carrier certificate so as to permit the transportation of groups and parties of persons on special excursions and tours or sight-seeing trips, from points within the Townships of Bethel, Swatara, East Hanover, South Heidelberg, and the boroughs of Jonestown, Cornwall and Mt. Gretna, Lebanon County, to points in Pennsylvania.

Protests were filed by Thomas R. Rank and Nancy Jo Perry, t/d/b/a R & P Transportation and Capitol Bus Company (Capitol). The application was later amended by the addition of two restrictive amendments and by the exclusion of certain points from the service territory. The application was consolidated for hearing purposes with an application filed on April 14, 1978 by the protestant, R & P Transportation. Both applications sought the same type of rights with substantially the same service territory.

Hearings were held on October 23, 1978, December 12, 1979 and February 22, 1979 before Administrative Law Judge Harry G. Banzhoff and in his Initial Decision issued on August 15, 1979, Judge Banzhoff approved the application, as amended. Exceptions to the Initial Decision were filed by Capitol Bus Company and reply exceptions were filed by the applicants. Briefs were filed by all of the parties.



At the hearings, Donald Fisher testified that he had received eleven requests for the proposed service. In addition, the applicants presented four public witnesses who testified in support of the application. We find that the request testimony evidences a need for the proposed service.

With regard to the applicant's fitness and ability to provide the proposed service, Mr. Fisher has had a number of school contracts for bus service, has held a certificate of public convenience for charter and tour service, and has been in school transportation for fourteen (14) years. Mr. Fisher also presented evidence of ample equipment and facilities available to provide the proposed service, as well as evidence establishing the financial fitness of the business. We find that the testimony and other evidence presented establishes fitness to perform the proposed service.

Capitol has excepted to the authority granted to the applicant in the Initial Decision, contending that it erroneously grants the applicant greater authority than that requested in the amended application. Capitol has also excepted to the approval of the application, as amended. Capitol argues that the record does not support the grant of any authority and has requested that the application be denied.

Upon review of the record, we find that the authority granted in the Initial Decision does not concur with the authority requested in the amended application and that the Initial Decision should be modified. We find, however, that the evidence presented by the applicant clearly supports the requested authority, as amended.

For these reasons, we adopt the Initial Decision as modified herein, and grant the application. We also grant Capitol's Exception No. 1; THEREFORE,

IT IS ORDERED:

1. That Ordering Paragraph No. 1 of the Initial Decision of the Administrative Law Judge is modified so as to grant the applicant the following rights:

To transport, as a common carrier, groups and parties of persons on special excursions and tours or sight-seeing trips from points in the townships of Bethel, East Hanover and Swatara, and the boroughs of Jonestown and Cornwall, Lebanon County, to points in Pennsylvania, subject to the following conditions:

1. That no right, power or privilege is granted to perform any transportation from the Indiantown Gap Military Reservation;

2. That Transportation is restricted to service performed in conventional school bus-type equipment.
3. That the Initial Decision approving the application is adopted, as amended, as the action of this Commission.
4. That exception No. 1 of the exceptions filed by Capitol Bus Company is granted.
5. That, upon reconsideration of the Commission's action of October 4, 1979, said action is hereby adopted.

BY THE COMMISSION,



William P. Thierfelder
Secretary

(SEAL)

ORDER ADOPTED: March 14, 1980

ORDER ENTERED: **MAR 24 1980**

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held May 24, 1979

Commissioners Present:

W. Wilson Goode, Chairman
Louis J. Carter
Michael Johnson

Application of Donald B. and Effie G.
Fisher, tenants by entireties, for
approval of the transfer to it of all
of the operating rights held by A. P.
Bucks & Sons, Inc., at A. 94973, F. 1.

A-00098817
F. 1
Am-C

O R D E R

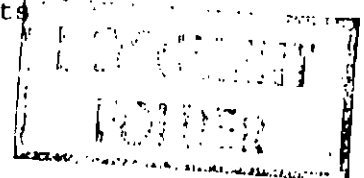
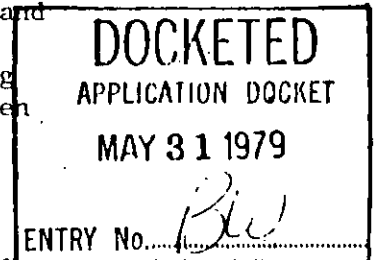
BY THE COMMISSION:

By application docketed April 10, 1979, Donald B. and Effie G. Fisher, tenants by entireties, seeks approval of the transfer to it of all the rights granted to A. P. Bucks & Sons, Inc., a corporation of the State of Delaware, under the certificate issued at A. 94973, F. 1.

We find the applicant to be fit to be granted the operating authority sought herein and that approval of the application is necessary and proper for the continuance of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by A. P. Bucks & Sons, Inc., a corporation of the State of Delaware, at A. 94973, F. 1, be approved and that the report and order of June 10, 1975 at A. 98817, F. 1, and the certificate issued pursuant thereto be modified and amended to include the following rights:

1. To transport, as a common carrier by motor vehicle, groups and parties of persons from the townships of North Londonderry and South Londonderry, Lebanon County, to points and places in Pennsylvania.
2. To transport, as a common carrier by motor vehicle, groups and parties of persons from the townships of North Annville and South Annville, Lebanon County, and the townships of Conewago, Derry and Londonderry, Dauphin County, to points in Pennsylvania, excluding service from points within an airline distance of ten (10) statute miles of the limits of the city of Harrisburg, Dauphin County.
3. To transport, as a common carrier by motor vehicle, groups and parties of persons and persons on special excursions and sight-seeing tours from points in the borough of Palmyra, Lebanon County, to other points or places in Pennsylvania;



with right No. 3 above subject to the following condition:

That no right, power or privilege is granted to transport persons on special excursions, tours or sight-seeing trips between points on the certificated scheduled route of Reading Company and Reading Transportation Company (the latter now Capitol Bus Company) over which regularly scheduled passenger service is provided.

4. 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 township of Annville, Lebanon County, to points in Pennsylvania;

with all of the above rights subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the operating authority granted herein or subsequently granted to the applicant, to the extent that it is duplicative, shall not be construed as conferring more than one operating right.
4. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 29, as now existing or as may hereafter be amended, and


any other rules and regulations 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.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty 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.

IT IS FURTHER ORDERED: That upon compliance with this order the rights granted the transferor A. P. Bucks & Sons, Inc. at A. 94973, F. 1, be cancelled and the record be marked closed.

BY THE COMMISSION,


William P. Thierfelder
Acting Secretary

(SEAL)

ORDER ADOPTED: May 24, 1979

ORDER ENTERED: **MAY 29 1979**

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held July 8, 1983

Commissioners Present:

Linda C. Taliaferro, Chairman
Michael Johnson
James H. Cawley

Application of Donald B. Fisher and Effie G. Fisher, tenants by entireties, for the additional right to transport, as a common carrier, by motor vehicle, persons, in paratransit service, between points in the County of Lebanon, and within an airline distance of twenty (20) statute miles of the limits of the City of Lebanon, Lebanon County; subject to the following conditions: That the service herein authorized is limited to transportation in vehicles having a seating capacity of not more than twenty-five (25) persons, including the driver; That the service herein authorized is limited to transportation in a vehicle not reserved for individual use, for which advanced reservations are made not later than the previous calendar day; That no right, power or privilege is granted to provide scheduled route service as defined in the Pennsylvania Code, Title 52, Chapter 29.14; That no right, power or privilege is granted to provide call or demand service as defined in the Pennsylvania Code, Title 52, Chapter 29.15.

A-00098817, F. 2

OPINION AND ORDER

BY THE COMMISSION:

Before us for consideration are the Initial Decision of Administrative Law Judge Edward R. Casey, issued May 20, 1983 in the above-captioned matter, and the Exceptions filed thereto by Capital Bus Company and Super Cab, Inc. We shall grant the Exceptions filed by Capital Bus Company, deny the Exceptions filed by Super Cab, Inc., and adopt, in all other respects, the Initial Decision of Administrative Law Judge Edward R. Casey.

On September 13, 1982, Donald B. and Effie G. Fisher (Applicants), applied to the Pennsylvania Public Utility Commission for a certificate of public convenience. The nature of service to be rendered is that of paratransit between points in the County of Lebanon and within an airline distance of twenty statute miles of the limits of the City of Lebanon, Pennsylvania, subject to conditions as are noted in said Application.

On October 6, 1982, Super Cab, Inc. (Protestant or Super Cab) filed a protest against the Application of Donald B. and Effie G. Fisher. Notice of the application was published October 13, 1982. On October 26, 1982, Capital Bus Company (Capital) also filed a protest against the Application of Donald B. and Effie G. Fisher.

A restrictive amendment was filed by Applicants on December 14, 1982 and Capital withdrew its protest on December 15, 1982.

A hearing on the Application of Donald B. and Effie G. Fisher was held before Administrative Law Judge (ALJ) Edward R. Casey on December 22, 1982.

On May 20, 1983, ALJ Casey issued his Initial Decision granting the Application in its entirety as originally filed. On June 1, 1983, Capital filed Exceptions. In its Exceptions, Capital asserts that the ALJ's Initial Decision fails to give effect to the Restrictive Amendment filed by the Applicant on December 14, 1982, in reliance on which the protest of Capital was withdrawn. After acknowledging that the ALJ's failure to give effect to the Restrictive Amendment was apparently an oversight, Capital requests that the Initial Decision of the ALJ be corrected to give effect to the Restrictive Amendment made by Applicant.

Capital argues that the Restrictive Amendment should be given effect in order to clarify the nature and extent of the paratransit authority being granted and conform the paratransit authority sought to the Commission's paratransit regulations.

The Restrictive Amendment subjects the paratransit authority being sought to the following additional conditions:

- (5) That no right, power or privilege is granted to provide group and party service as defined in the Pennsylvania Code, Title 52, §§29.321 - 29.324 inclusive.
- (6) That no right, power or privilege is granted to provide limousine service as defined in the Pennsylvania Code, Title 52, §§29.331 - 29.334 inclusive.
- (7) That no right, power or privilege is granted to provide airport transfer service as defined in the Pennsylvania Code, Title 52, §§29.341 - 29.343 inclusive.

These additional provisions, which are included in the Restrictive Amendment, are consistent with the Commission's regulations regarding the method of operation in paratransit service at 52 Pa. Code §29.353. Moreover, the Applicant supports the Exceptions of Capital and requests that the Initial Decision be modified so that it is consistent with the Restrictive Amendment.^{1/} We agree and shall, accordingly, grant the Exceptions of Capital Bus Company. The authority granted herein shall reflect and be in accordance with the terms of the Restrictive Amendment.

On June 3, 1983, the Protestant, Super Cab, Inc. filed Exceptions to the ALJ's Initial Decision. In its Exceptions, Super Cab argues, inter alia, that the Initial Decision's Findings and Discussion are not founded upon any evidence in the record showing inadequacy of existing service rendered by the Protestant. Therefore, Super Cab asserts that the Applicants have failed to sustain their burden of proof. On June 9, 1983, the Applicant's Reply to Exceptions of Super Cab, Inc. was filed, and requests that the Exceptions be denied.

We have thoroughly reviewed the Exceptions filed by Super Cab and find that they lack merit. As the ALJ noted, the record indicates that the Protestant is now operating two vans in performing its paratransit service (Tr. 96), and one of these is used daily to provide service to the Lebanon County "Meals on Wheels" program under a contract with the Area Agency on Aging. Despite the Protestants contentions that it is meeting the current demand for paratransit service in Lebanon County and that it has the financial means to meet the anticipated increase in demand from the County of Lebanon Transit Authority (COLT), the ALJ appropriately questioned whether Super Cab would be able to provide sufficient paratransit services for all the Human Service Agencies in Lebanon County. We agree with the ALJ that where the evidence conflicts over the inadequacy of existing service, the sufficiency of existing service and the extent of competition to be allowed are administrative questions to be left to the sound discretion of the Commission. Motor Freight Express, Inc. v. Pa. P.U.C., 180 Pa. Superior Ct. 294, 119 A.2d 661 (1956).

Further, the ALJ analyzed the effect of having only one paratransit carrier operate in Lebanon County. After noting that the majority of paratransit-type service in Lebanon County will be coordinated in the future by COLT, which is a non-operating provider of transportation services that must rely on a licensed common carrier, the ALJ recognized that COLT could not resort to an alternate carrier for its transportation needs should problems arise. This, the ALJ determined, would have an adverse effect on the "public interest" in Lebanon County. Again, we agree with the ALJ that making available the service of two paratransit carriers, to the people of Lebanon County who must rely on COLT for their transportation needs, would best serve the public interest

^{1/} This position is reflected in a letter filed by the Applicants on June 17, 1983.

and convenience. Pa. P.U.C. v. Purolator Courier Corp., 24 Pa. Commonwealth Ct. 30, 355 A.2d 850 (1976); Chemical Leaman Tank Lines, Inc. v. Pa. P.U.C., 201 Pa. Superior Ct. 196, 191 A.2d 876 (1963);
THEREFORE,

IT IS ORDERED:

1. That Administrative Law Judge Edward R. Casey's Initial Decision, issued May 20, 1983, is hereby adopted as our action, to the extent that it is consistent with this Opinion and Order.

2. That the Exceptions filed by Capital Bus Company are hereby granted.

3. That the Exceptions filed by Super Cab, Inc. are hereby denied.

4. That the Application of Donald B. and Effie G. Fisher, tenants by entireties, at A-00098817, F. 2, be and is hereby approved, and that a certificate be issued granting the following rights:

To transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the County of Lebanon, and within an airline distance of twenty (20) statute miles of the limits of the City of Lebanon, Lebanon County, Pennsylvania.

Subject to the following conditions:

- (A) That the service herein authorized is limited to transportation in vehicles having a seating capacity of not less than five (5) nor more than twenty-five (25) persons, including the driver.
- (B) That the service herein authorized is limited to transportation in a vehicle not reserved for individual use, for which advanced reservations are made not later than the previous calendar day. 52 P.C. §29.353(1).
- (C) That no right, power or privilege is granted to provide call or demand service as defined in the Pennsylvania Code, Title 52, §§29.311 - 29.316 inclusive.
- (D) That no right, power or privilege is granted to provide scheduled route service as defined in the Pennsylvania Code, Title 52, §§29.301 - 29.305 inclusive.

- (E) That no right, power or privilege is granted to provide group and party service as defined in the Pennsylvania Code, Title 52, §§29.321 - 29.324 inclusive.
- (F) That no right, power or privilege is granted to provide limousine service as defined in the Pennsylvania Code, Title 52, §§29.331 - 29.334 inclusive.
- (G) That no right, power or privilege is granted to provide airport transfer service as defined in the Pennsylvania Code, Title 52, §§29.341 - 29.343 inclusive.

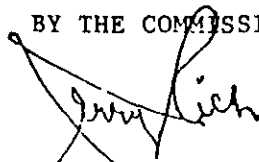
5. That the Applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Public Utility Code and the rules and regulations of this Commission relative to the filing of insurance and the filing and acceptance of a tariff establishing just and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

6. 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.

7. 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.

8. That in the event said Applicant has not, on or before sixty (60) days from the date of service of this Opinion and Order, complied with the requirements set forth herein, the application shall be dismissed without further proceedings.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: July 8, 1983
AUG 11 1983
ORDER ENTERED:

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held May 8, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Application of Donald B. Fisher and Effie G. Fisher, Tenants by Entireties, for amendment to their common carrier certificate, which grants the right, to transport, by motor vehicle, persons in paratransit service, between points in the county of Lebanon, and within an airline distance of twenty (20) statute miles of the limits of the city of Lebanon, Lebanon County, Pennsylvania; subject to the following conditions: That the service herein authorized is limited to the transportation in vehicles having a seating capacity of not less than five (5) nor more than twenty-five (25) persons, including the driver; That the service herein authorized is limited to the transportation in a vehicle not reserved for individual use, for which advanced reservations are made not later than the previous calendar day. 52 Code §29.353(1); That no right, power or privilege is granted to provide call or demand service as defined in the Pennsylvania Code, 52 §29.311-§29.316 inclusive; That no right, power or privilege is granted to provide scheduled route service as defined in the Pennsylvania Code, Title 52, §29.301 - §29.305 inclusive; That no right, power or privilege is granted to provide group and party service as defined in the Pennsylvania Code, Title 52, §29.321 - §29.324 inclusive; That no right, power or privilege is granted to provide limousine service as defined in the Pennsylvania Code, Title 52 §29.331 - §29.334 inclusive; and That no right, power or privilege is granted to provide airport transfer service as defined in the Pennsylvania Code, Title 52 §29.341 - §29.343 inclusive: SO AS TO PERMIT the transportation of persons, in paratransit service, from points in the county of Lebanon, to the Philadelphia International Airport, located in the city and county of Philadelphia

A-00098817, F. 3
(formerly F. 2, Am-A)

and the township of Tinicum, Delaware County, and vice versa: That the service herein authorized is limited to the transportation in vehicles having a seating capacity of not more than twenty-five (25) persons, including the driver; and That the service herein authorized is limited to transportation in a vehicle not reserved for individual use, for which advanced reservations are made not later than the previous calendar day.

David A. Kreider for Donald B. Fisher and Effie G. Fisher, Tenants by Entireties.

TENTATIVE DECISION

BY THE COMMISSION:

This matter comes before the Commission on an application filed January 25, 1985. Public notice of the application was given in the Pennsylvania Bulletin of February 23, 1985. Additional notice was given in the Lebanon Daily News, edition of March 6, 1985, which is a newspaper of general circulation published in Lebanon, Lebanon County. Protests were filed by Metro Transportation Co., t/d/b/a Yellow Cab Co. and Yellow Limousine Service, Inc. The protests were withdrawn predicated upon our acceptance of a restrictive amendment which limits the proposed service for that provided to clients of D. B. Fisher Tours and Travel Agency, Inc.

The now unopposed application, as amended, is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by the applicant and 17 supporting parties.

DISCUSSION AND FINDINGS

By the instant application, the applicant seeks to amend its Folder 2 authority which is paratransit authority, to permit the transportation of persons from points in Lebanon County to the Philadelphia International Airport and vice versa. The applicant now holds paratransit authority to provide service between points in the county of Lebanon and within an airline distance of 20 statute miles of the limits of the city of Lebanon. The applicant also holds authority at Folder 1 to provide group and party service. At the outset of the proceeding, with the filing of the application, Fisher stipulated that it will provide the service in vehicles having a seating capacity of not more than 25 persons including the driver and that the service is limited to a vehicle not reserved for individual use for which advanced reservations are made no later than the previous calendar day. As a result of the protests of Yellow Limousine Service, Inc. and Metro Transportation Company, t/d/b/a Yellow Cab Co., the application was amended so that service is limited to clients of D. B. Fisher Tours and Travel Agency, Inc.

Initially we have several concerns with this amended application. Foremost is the categorization of the service as paratransit rather than airport transfer service when it is clear the primary thrust of the application is to make service available between Lebanon County and the Philadelphia International Airport. It is our determination that the proposed service should be considered as airport transfer service with application of the rules and regulations of the Commission contained in 52 Pa. Code §§29.341 through 29.343. Determination of the proposed service as airport transfer makes unnecessary the stipulation in the initial application that the service be provided in vehicles not reserved for individual use as airport transfer service is required by regulation to be provided on a nonexclusive, individual charge basis. The remainder of the initial stipulations concerning vehicle size is left unchanged although the Commission's regulations relative to airport transfer service does not specify size or type of vehicle.

Our second major concern with this application involves the weight to be given to the protests of Yellow Limousine Service, Inc. and Metro Transportation Co., t/d/b/a Yellow Cab Co. Both protestants are Philadelphia based transportation companies providing call or demand and limousine service. Yellow Limousine Service, Inc., is restricted to operations in Philadelphia and an area immediately surrounding the city. Yellow Cab Co., is authorized to provide call or demand service in the city of Philadelphia and an area immediately surrounding the city. It is our determination that the protests should be given little weight as no conflict is evident between the applicant's proposed service and the service authorized Yellow Limousine Service, Inc. Although Yellow Cab Co. may serve the Philadelphia International Airport, we find little or no conflict with the proposed service for the transportation of persons exclusively between the airport and points in Lebanon County. It is our conclusion that the restrictive amendment limiting service to clients of D. B. Fisher Tours and Travel Agency, Inc. should be disregarded.

Our decision to not honor the restrictive amendment is also based upon past Commission case history wherein an applicant for group and party service sought to provide service exclusively for a licensed broker as a result of a restrictive amendment entered to secure the withdrawal of protests. In the application of Marconis Tours, Inc., at A-00105692, we found that a grant of common carrier authority to exclusively serve a licensed broker was not in the public interest as it may cause the broker to engage in discrimination contrary to the Commission's regulations governing brokers. In the Marconis case, there was an established affiliation between the carrier applicant and the broker. It appears a similar situation exists here as we cannot help but speculate that the Donald B. Fisher of the carrier applicant is the same D. B. Fisher of D. B. Fisher Tours and Travel Agency. Additionally, in this case we are faced with the fact that the travel agency is not licensed as a broker to do business in Pennsylvania. A brokers license would be required for the arranging of ground transportation from and to the airport.

Because of our concern regarding the affiliation of interest between the applicant and the travel agency, we encourage the applicant to become fully familiar with the provisions of the Public Utility Code at Chapter 21 relative to relations with affiliated interests. As well, we strongly urge D. B. Fisher Tours and Travel Agency, Inc. to take steps necessary to insure compliance with the Public Utility Code relative to passenger brokers of transportation.

In consideration of the foregoing, we find that the application should be considered as airport transfer service not limited to clients of the travel agency. The applicant has the support of 17 supporting witnesses which profess a need for the proposed service from points in Lebanon County to the Philadelphia International Airport and vice versa. This support is representative of Lebanon County. Although we would normally require publication due to the change in classification to insure due process, there are no currently authorized limousine or airport transfer carriers in Lebanon County. We have no difficulty finding that approval of the application as modified to airport transfer service sans the restrictive amendment is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved granting the following additional right:

To transport as a common carrier, persons in airport transfer service from points in the county of Lebanon to the Philadelphia International Airport in the city and county of Philadelphia and the township of Tinicum, Delaware County;

subject to the following conditions:

That the service is limited to that provided in vehicles with a seating capacity of not more than 25 persons including the driver.

That the service authorized herein shall be rendered in compliance with the regulations as stated at 52 Pa. Code §29.342.

IT IS FURTHER ORDERED: That the Commission's records in this application proceeding be changed to Docket A-00098817, Folder 3, and be noted as airport transfer service.

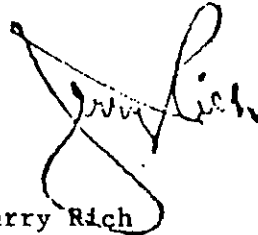
IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That unless exceptions are filed within 20 days of the date of entry of the order, the order shall become final without further action.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Public Utility Code and the rules and regulations of the Commission relating to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event the applicant has not, on or before sixty (60) days from the date the order is made final, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich". The signature is written in dark ink and is positioned above the printed name and title.

Jerry Rich
Secretary

(SEAL)

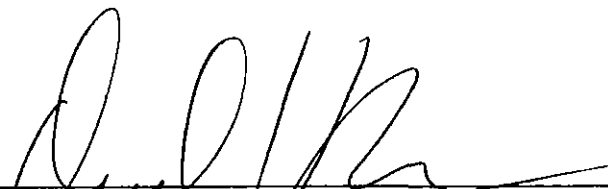
ORDER ADOPTED: May 8, 1986

ORDER ENTERED: MAY 12 1986

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing document upon the Applicant, Kleins' Bus Service, Inc., P. O. Box 246, Route 422, Douglassville, PA 19518, and Applicant's attorney, J. Bruce Walter, Esq., 410 North Third Street, P. O. Box 1146, Harrisburg, PA 17108-1146, by regular first class mail, postage prepaid, and properly addressed.

Dated this 19th day of February, 1988.



(David J. Brightbill)

Siegrist, Koller, Brightbill & Long
315 South Eighth Street
P. O. Box 1604
Lebanon, PA 17042
Telephone: (717) 272-6646

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE:
APPLICATION OF
KLEINS' BUS SERVICE, INC.
A-00106803, Folder 1, Am-B

RECEIVED

FEB 19 1988

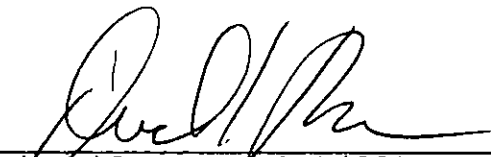
SECRETARYS OFFICE
Public Utility Commission

NOTICE OF APPEARANCE

Please enter my appearance in the above-designated matter on behalf of Donald B. and Effie G. Fisher, Protestants.

I am authorized to accept service on behalf of said Protestants in this matter.

On the basis of this notice, I request a copy of each document hereafter issued by the Pennsylvania Public Utility Commission in this matter.



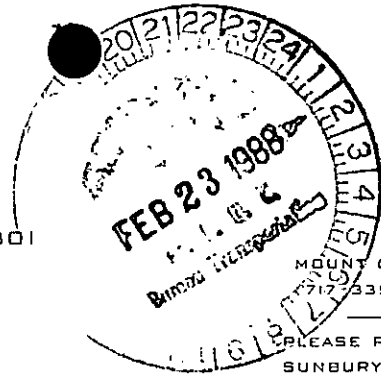
(David J. Brightbill) I.D. #06245
Siegrist, Koller, Brightbill & Long
315 South Eighth Street
P. O. Box 1604
Lebanon, PA 17042
Telephone: (717) 272-6646

DATED: February 19, 1988.

LAW OFFICES
WALSH & MENAPACE
ARCH AT FRONT
P. O. BOX 556
SUNBURY, PENNSYLVANIA 17801

AREA CODE 717-286-6500

ROBERT L. WALSH
ROBERT J. MENAPACE



February 19, 1988

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

RECEIVED

FEB 23 1988

Re: Application of Kleins' Bus Service, Inc.
P.O. Box 246
Route 422
Douglasville, PA 19518

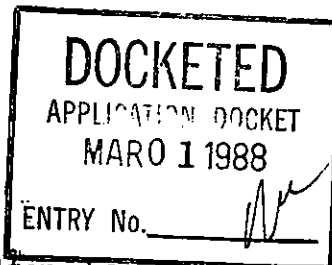
SECRETARYS OFFICE
Public Utility Commission

FILE

Dear Mr. Rich:

This office represents BKW Coach Lines, Inc., of P.O. Box 254, Hummels Wharf, Pennsylvania 17831, telephone (717) 743-7575. Please be advised that my client protests granting of the application of rights by the above captioned carrier. The reason for the protest is that the rights, if granted, would be competitive with existing services provided by BKW Coach Lines, Inc. In the opinion of my client, the rights would also be duplicative of those services already adequately provided for at reasonable rates by existing certificated carriers.

Yours very truly,



ROBERT L. WALSH

RLW/jlh

cc - J. Bruce Walter, Esq.
410 N. Third Street
Harrisburg, PA 17108-1146

Kleins' Bus Service, Inc.
P.O. Box 246
Route 422
Douglasville, PA 19518



RHOADS & SINON

ATTORNEYS AT LAW

410 NORTH THIRD STREET

P.O. BOX 1146

HARRISBURG, PA 17108-1146

TELEPHONE (717) 233-5731

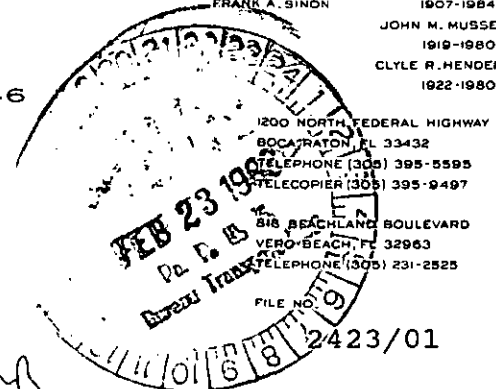
TELECOPIER (717) 232-1459

OF COUNSEL
FRANK A. SINON

PAUL H. RHOADS
1907-1984
JOHN M. MUSSELMAN
1919-1980
CLYLE R. HENDERSHOT
1922-1980

HENRY W. RHOADS
ROBERT H. LONG, JR.
GERALD K. MORRISON
SHERILL T. MOYER
JAN P. PADEN
RICHARD B. WOOD
LAWRENCE B. ABRAMS III *
J. BRUCE WALTER
JOHN P. MANBECK
FRANK J. LEBER
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DONNA M. J. CLARK
PAUL A. LUNDBERG *
ADAM G. HEFFNER **
LEE ANN FIVEASH **
JOHN T. MULHALL, III
LUCY E. KNISELEY



A-106803
F/AWB

*ALSO ADMITTED TO THE FLORIDA BAR
**ADMITTED TO THE FLORIDA BAR ONLY

Re: Kleins' Bus Service, Inc.

February 22, 1988

RECEIVED

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

FILE FEB 23 1988

SECRETARYS OFFICE
Public Utility Commission

Dear Secretary Rich:

Enclosed please find the proofs of publication relating to the Counties of Dauphin, York, Lebanon and Luzerne, in reference to the above application.

Very truly yours,

RHOADS & SINON

By: *J. Bruce Walter*
J. Bruce Walter

Enclosures

**DOCUMENT
FOLDER**

FORM OF PROOF OF PUBLICATION OF HEARING OR NO HEARING

RECEIVED FEB 23 1988
 P. & T. Transportation
 FEB 23 1988

Before the
 Pennsylvania Public Utility Commission

SECRETARYS OFFICE
 Public Utility Commission

In the matter of the application of)
 Kleins' Bus Service, Inc. for a)
 certificate of public convenience)
 evidencing the Commission's approval)
 for the transportation of persons in)
 group and party service between the)
 facilities owned or utilized by)
 Boscov's Department Stores, located)
 in West Lebanon Township, Lebanon)
 County, Norwegian Township,)
 Schuylkill County, Monroe Township,)
 Snyder County, City of Wilkes-Barre)
 and Township of Hazle, Luzerne)
 County, Hampden Township, Cumberland)
 County, Lower Paxton Township,)
 Dauphin County, City of Lancaster,)
 Lancaster County, City of York, York)
 County and the Borough of)
 Norristown, Montgomery County, and)
 from said facilities, to points in)
 Pennsylvania.)

Application Docket

No. 106803

FILE

Commonwealth of Pennsylvania)

County of Lebanon)

SS:

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 Kleins' Bus Service, Inc., P.O. Box 246, Route 422, Douglassville, Pennsylvania 19518, a corporation of the Commonwealth of Pennsylvania: The transportation of person in group and party service between the facilities owned or utilized by Boscov's Department Stores, located in West Lebanon Township, Lebanon County, Norwegian Township, Schuylkill County, Monroe Township, Snyder County, City of Wilkes-Barre and Township of Hazle, Luzerne County, Hampden Township, Cumberland County, Lower Paxton Township, Dauphin County, City of Lancaster, Lancaster County, City of York, York County and the Borough of Norristown, Montgomery County and from said facilities, to points in Pennsylvania. Attorney: J. Bruce Walter, Rhoads & Simon, P.O. Box 1146, Harrisburg, Pennsylvania 17108. This application will be submitted to the Commission without a hearing provided no protests are filed prior to February 22, 1988. 09:5643

On this 9th day of February, A.D. 1988,
 me, the subscriber, a Notary Public in and for said county and
 state, personally appeared BLAKE L. SANDERSON who, being
 (Name of affiant)
 duly sworn according to law, deposes and says, that he is the
GENERAL MANAGER of the Daily News, Lebanon, County
 (publisher, editor, manager)
 of Lebanon, 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 issue of FEBRUARY 9, 1988.

Blake L. Sanderson
 (Signature of Affiant)

Arlene S. Deck
 Notary Public

DOCKETED
 APPL SWORN AND DOCKETED
 FEB 24 1988
 ENTRY No.

subscribed before me the day and year aforesaid.

My Commission expires August 19, 1989.

DOCUMENT
 FOLDER

ARLENE S. DECK, NOTARY PUBLIC
 LEBANON, LEBANON COUNTY
 MY COMMISSION EXPIRES AUG. 19, 1989
 Member, Pennsylvania Association of Notaries

FEB. 8, 11
033-5731

FORM OF PROOF OF PUBLICATION OF
HEARING OR NO HEARING



Before the
Pennsylvania Public Utility Commission

In the matter of the application of)
Kleins' Bus Service, Inc. for a)
certificate of public convenience)
evidencing the Commission's approval)
for the transportation of persons in)
group and party service between the)
facilities owned or utilized by)
Boscov's Department Stores, located)
in West Lebanon Township, Lebanon)
County, Norwegian Township,)
Schuylkill County, Monroe Township,)
Snyder County, City of Wilkes-Barre)
and Township of Hazle, Luzerne)
County, Hampden Township, Cumberland)
County, Lower Paxton Township,)
Dauphin County, City of Lancaster,)
Lancaster County, City of York, York)
County and the Borough of)
Norrstown, Montgomery County, and)
from said facilities, to points in)
Pennsylvania.)

Application Docket

No. 106803

NOTICE
FORM OF NEWSPAPER
PUBLICATION ON
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 Kleins' Bus Service, Inc., P.O. Box 246, Route 422, Douglassville, Pennsylvania 19518, a corporation of the Commonwealth of Pennsylvania. The transportation of persons in group and party service between the facilities owned or utilized by Boscov's Department Stores, located in West Lebanon Township, Lebanon County, Norwegian Township, Schuylkill County, Monroe Township, Snyder County, City of Wilkes-Barre and Township of Hazle, Luzerne County, Hampden Township, Cumberland County, Lower Paxton Township, Dauphin County, City of Lancaster, Lancaster County, City of York, York County and the Borough of Norristown, Montgomery County, and from said facilities, to points in Pennsylvania. Attorney: J. Burce Walter, Rhoads & Simon, P.O. Box 1146, Harrisburg, Pennsylvania 17108.

FILE

SS:

This application will be submitted to the Commission without a hearing provided no protests are filed prior to February 22, 1988.

Commonwealth of Pennsylvania)

County of York)

On this 8 day of February, A.D. 1988
me, the subscriber, a Notary Public in and for said county and
state, personally appeared Robert L. Young who, being
(Name of affiant)
duly sworn according to law, deposes and says, that he is the
Publisher of the York Dispatch, York, County
(publisher, editor, manager)
of York, 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 issue of February 8, 1988.

DOCKETED
APPLICATION DOCKET
Sworn and subscribed before me the day and year aforesaid.
FEB 24 1988
ENTRY No.

Robert L. Young
(Signature of Affiant)

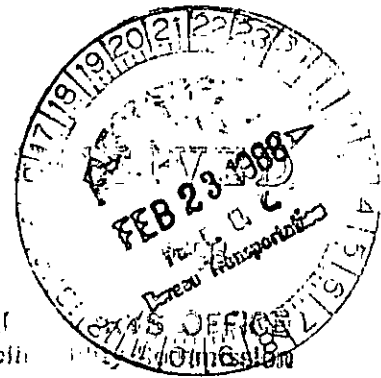
Neola L. Firestone
Notary Public

My Commission expires April 14, 1991, 19 .

**DOCUMENT
FOLDER**

NEOLA L. FIRESTONE, NOTARY PUBLIC
SPRINGETTSBURY TOWNSHIP, YORK COUNTY
MY COMMISSION EXPIRES APRIL 14, 1991
Member, Pennsylvania Association of Notaries

FORM OF PROOF OF PUBLICATION OF
HEARING OR NO HEARING



Before the
Pennsylvania Public Utility Commission

In the matter of the application of)
Kleins' Bus Service, Inc. for a)
certificate of public convenience)
evidencing the Commission's approval)
for the transportation of persons in)
group and party service between the)
facilities owned or utilized by)
Boscov's Department Stores, located)
in West Lebanon Township, Lebanon)
County, Norwegian Township,)
Schuylkill County, Monroe Township,)
Snyder County, City of Wilkes-Barre)
and Township of Hazle, Luzerne)
County, Hampden Township, Cumberland)
County, Lower Paxton Township,)
Dauphin County, City of Lancaster,)
Lancaster County, City of York, York)
County and the Borough of)
Norristown, Montgomery County, and)
from said facilities, to points in)
Pennsylvania.)

Application Docket

No. 106803

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 Kleins' Bus Service, Inc., P.O. Box 246, Route 422, Douglassville, Pennsylvania 19518, a corporation of the Commonwealth of Pennsylvania. The transportation of persons in group and party service between the facilities owned or utilized by Boscov's Department Stores, located in West Lebanon Township, Lebanon County, Norwegian Township, Schuylkill County, Monroe Township, Snyder County, City of Wilkes-Barre and Township of Hazle, Luzerne County, Hampden Township, Cumberland County, Lower Paxton Township, Dauphin County, City of Lancaster, Lancaster County, City of York, York County and the Borough of Norristown, Montgomery County, and from said facilities, to points in Pennsylvania. Attorney: J. Bruce Walter, Rhoads & Simon, P.O. Box 1146, Harrisburg, Pennsylvania 17108. This application will be submitted to the Commission without a hearing provided no protests are filed prior to February 22, 1988.

FILE

Commonwealth of Pennsylvania)

SS:

County of Dauphin)

On this 17th day of February, A.D. 1988, before me, the subscriber, a Notary Public in and for said county and state, personally appeared James A. Shoop who, being
(Name of affiant)

duly sworn according to law, deposes and says, that he is the Advertising Sales Manager of the Patriot & Evening News, (publisher, editor, manager) Harrisburg, County of Dauphin, 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 issue of February 11th, 1988.

James A. Shoop
(Signature of Affiant)

DOCKETED
APPROVED AND FILED
FEB 24 1988
ENTRY No.

David C. Brian
Notary Public
HARRISBURG, DAUPHIN COUNTY
MY COMMISSION EXPIRES AUG. 5, 1988
Member, Pennsylvania Association of Notaries

My Commission expires _____ 19__

DOCUMENT FOLDER

DOCUMENT FOLDER

Proof of Publication
The Times Leader

RECEIVED

FEB 23 1988

(Under Act No. 587, approved May 16th, 1929)

SECRETARYS OFFICE
Public Utility Commission

STATE OF PENNSYLVANIA, ss:
COUNTY OF LUZERNE

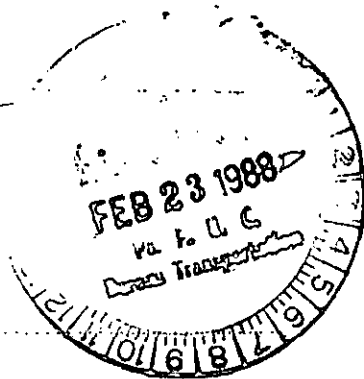
Brenda Mc Dermott being duly sworn according to law, deposes and says that ^{he}_{she} is bookkeeper for the Times Leader of Wilkes-Barre, Pa., a daily newspaper published in the city of Wilkes-Barre, County of Luzerne and State aforesaid, by THE WILKES-BARRE TIMES LEADER; that the said TIMES LEADER was established in 1939, and that the printed notice for publication hereto attached is exactly as printed in the regular editions of the TIMES LEADER on the following dates, viz:

February 10, 1988 **FILE**

Affiant further deposes and says that the TIMES LEADER is a newspaper of general circulation, and that neither the affiant nor the TIMES LEADER is interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

Brenda Mc Dermott
Sworn to before me this *10* day
of *February*, 19*88*
Mary E. Swan

LUZERNE NOTARY PUBLIC
Wilkes-Barre, Luzerne County, Pa.
My Commission Expires Nov. 4, 1990



Form of Newspaper Publication On
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 Kleins' Bus Service, Inc., P.O. Box 246, Route 422, Douglassville, Pennsylvania 19518, a corporation of the Commonwealth of Pennsylvania. The transportation of persons in group and party service between the facilities owned or utilized by *Boscov's Department Stores*, located in West Lebanon Township, Lebanon County, Norwegian Township, Schuylkill County, Monroe Township, Snyder County, City of Wilkes-Barre and Township of Hazle, Luzerne County, Hampden Township, Cumberland County, Lower Paxton Township, Dauphin County, City of Lancaster, Lancaster County, City of York, York County and the Borough of Norrisstown, Montgomery County, and from said facilities, to points in Pennsylvania. Attorney: J. Bruce Walter, Rhoads & Simon, P.O. Box 1146, Harrisburg, Pennsylvania 17108.
This application will be submitted to the Commission without a hearing provided no protests are filed prior to February 22, 1988.

The Times Leader

For publishing attached notice on above stated dates \$

Publishers Receipt for Advertising Costs:

The TIMES LEADER, a newspaper of general circulation, hereby acknowledges receipt of the costs as above and certifies that the same have been duly paid.

DOCUMENT FOLDER
Times Leader
Per. _____

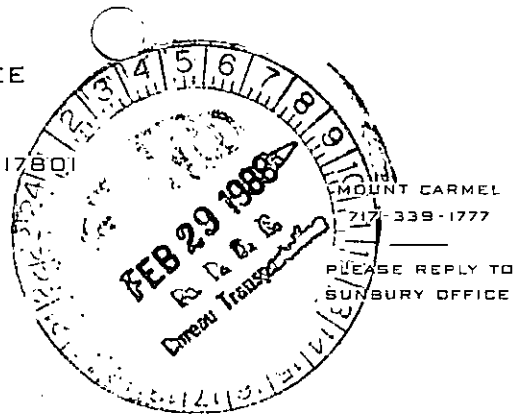
DOCKETED
APPLICATION DOCKET
FEB 24 1988
ENTRY No. *111*

LAW OFFICES
WALSH & MENAPACE
ARCH AT FRONT
P. O. BOX 556
SUNBURY, PENNSYLVANIA 17801

AREA CODE 717-286-6500

February 24, 1988

ROBERT L. WALSH
ROBERT J. MENAPACE



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

Attention: Nancy Kauffman

Re: Kleins' Bus Service, Inc.
Docket No. A-00106803
Folder No. 1
AM-B

Dear Ms. Kauffman:

A protest was filed by BKW Coach Lines, Inc. and the Application No. was inadvertently omitted. The protest was filed on February 19, 1988 and it should have been filed under the above Application No. Please so note the records.

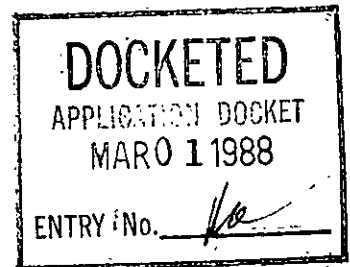
Yours very truly,

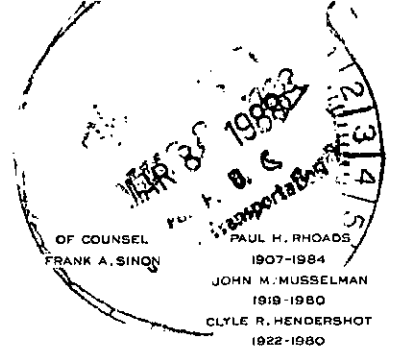
R. L. Walsh

ROBERT L. WALSH

RLW:ksb
cc: J. Bruce Walter, Esq.

**DOCUMENT
FOLDER**





RHOADS & SINON

ATTORNEYS AT LAW

410 NORTH THIRD STREET

P. O. BOX 1146

HARRISBURG, PA 17108-1146

TELEPHONE (717) 233-5731

TELECOPIER (717) 232-1459

HENRY W. RHOADS
ROBERT H. LONG, JR.
GERALD K. MORRISON
SHERILL T. MOYER
JAN P. PADEN
RICHARD B. WOOD
LAWRENCE B. ABRAMS III*
J. BRUCE WALTER
JOHN P. MANBECK
FRANK J. LEBER
R. STEPHEN SHIBLA
J. CLINTON SCOTT*
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NATHAN H. WATERS, JR.
HARVEY R. SCHNEIDER, P.A.**
DAVID B. DOWLING
EVELYN S. HARRIS

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HENRY G. BARR
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DAVID G. TWADDELL
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MARC S. STEIN
DEAN H. DUSINBERRE
DONNA M. J. CLARK
ADAM G. HEFFNER**
JOHN T. MULHALL, III*
LUCY E. KNISELEY
DAVID A. ZALPH**
GLORIA J. DAVIS

OF COUNSEL
FRANK A. SINON
PAUL H. RHOADS
1907-1984
JOHN M. MUSSELMAN
1919-1980
CLYLE R. HENDERSHOT
1922-1980

1200 NORTH FEDERAL HIGHWAY
BOCA RATON, FL 33432
TELEPHONE (407) 395-5595
TELECOPIER (407) 395-9497

1480 36TH STREET
VERO BEACH, FL 32960
TELEPHONE (407) 562-0005
TELECOPIER (407) 562-0002

FILE NO.

DIRECT DIAL NO.

*ALSO ADMITTED TO THE FLORIDA BAR
**ADMITTED TO THE FLORIDA BAR ONLY

Re: Application of Kleins' Bus Service, Inc.,
A.106803, F.1, Am-B

March 7, 1988

RECEIVED

MAR 8 1988

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

FILE

SECRETARYS OFFICE
Public Utility Commission

Dear Secretary Rich:

Enclosed you will please find an original and two (2) copies of the Motion to Dismiss the protest of BKW Coachlines, Inc. to the above referenced application.

Very truly yours,

RHOADS & SINON

By: *J. Bruce Walter*
J. Bruce Walter

Enclosures

cc: Robert L. Walsh, Esquire
Walsh & Menapace
Kleins' Bus Service, Inc.
Attn: Mr. William Klein



Before the
Pennsylvania Public Utility Commission

In Re: Application of Kleins' Bus Service, Inc.
A.106803, F.1, Am-B

MOTION TO DISMISS

RECEIVED
MAR 8 1988
SECRETARYS OFFICE
Public Utility Commission

1. The Application of Kleins' Bus Service, Inc. docketed at A.106803, F.1, Am-B was published in the Pennsylvania Bulletin of January 30, 1988.

FILE

2. A letter erroneously dated February 19, 1988 (actually February 9), purporting to be a protest filed on behalf of BKW Coachlines, Inc. was filed with the Commission and served upon counsel for the applicant.

The "protest" wholly failed to meet the requirements of 52 Pa. Code §3.31(a)c in that it failed to provide:

(a) The docket number of the applicant;

(b) It failed to provide a statement of the nature of the protestant's interest in the application, including a statement of any adverse impact which the approval of the application can be expected to have on the protestant;

(c) A list of the Commission docket numbers which the protestant operates accompanied by a copy of any portion or portions of protestant's authority upon which the protest is predicated;

(d) A statement of any restrictions to the application which will protect the protestant's interest, including a

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
MAR 08 1988
ENTRY No. *112*

concise statement of any amendment which would result in withdrawal of the protest.

3. Having failed to timely file a protest with the required content, the protestant should not be allowed to participate in the proceeding as a party intervenor.

4. Applicant's counsel, by letter dated February 24, 1988, informally requested the provisions of the docket number of the BKW Coachlines, Inc. together with a copy of the applicable authority of BKW Coachlines. No response has been received from said letter, attached hereto as Exhibit "A".

WHEREFORE, applicant, Kleins' Bus Service, Inc., requests that the Commission dismiss the above referenced application.

Respectfully submitted,

RHOADS & SINON

By: 

J. Bruce Walter

Dated: March 7, 1988

RHOADS & SINON

ATTORNEYS AT LAW
410 NORTH THIRD STREET

P.O. BOX 1146

HARRISBURG, PA 17108-1146

TELEPHONE (717) 233-5731

TELECOPIER (717) 232-1459

HENRY W. RHOADS
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LEE ANN FIVEASH**
JOHN T. MULHALL, III

OF COUNSEL
FRANK A. SINON

PAUL H. RHOADS
1907-1984
JOHN M. MUSSELMAN
1919-1980
CLYDE R. HENDERSHOT
1922-1980

1200 NORTH FEDERAL HIGHWAY
BOCA RATON, FL 33432
TELEPHONE (305) 395-5595
TELECOPIER (305) 395-9497

818 BEACHLAND BOULEVARD
VERO BEACH, FL 32963
TELEPHONE (305) 231-2525

FILE NO.

*ALSO ADMITTED TO THE FLORIDA BAR
**ADMITTED TO THE FLORIDA BAR ONLY

Re: Application of Kleins' Bus Service, Inc.

February 24, 1988

Robert L. Walsh, Esquire
Walsh & Menapace
Arch Street at Front Street
P.O. Box 556
Sunbury, PA 17801

Dear Mr. Walsh:

I am in receipt of your letter of February 9, 1988 purporting to be a protest filed on behalf of BKW Coachlines, Inc. to the application of Kleins' Bus Service, Inc. The Public Utility Commission has issued regulations as 52 Pa. Code §3.381(c) which set forth the content required in a protest to a motor carrier application. The one item which is universally enforced is the requirement that the protestant provide the docket number and a copy of the relevant authority upon which its protest is predicated. I have no desire to engage in a procedural argument with you, but will file a motion to dismiss the protest, if I do not receive a copy of the appropriate authority within seven days of the date of this letter.

Very truly yours,

RHOADS & SINON

By: 

J. Bruce Walter

cc: Kleins' Bus Service, Inc.
Attn: Mr. William Klein

EXHIBIT "A"

RECEIVED

MAR 14 1988
SECRETARY'S OFFICE
Public Utility Commission

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION

FILE

In Re: A-00106803, Folder 1, Am-B. KLEINS' BUS SERVICE, INC. (P.O. Box 246, Route 422, Douglassville, Berks County, Pa. 19518), a corporation of the Commonwealth of Pennsylvania - groups and parties of persons between points in the townships of Douglass, Union, Amity, Colebrookdale, Earl, Oley, Alsace, Muhlenberg, Bern, Lower Heidelberg, South Heidelberg, Spring, Brecknock, Cumru, Lower Alsace, Robeson, Caernarvon and Exeter, the boroughs of Sinking Springs, Wyomissing, Adamstown, Mohnton, Shillington, Kenhorst, West Reading, Wyomissing Hills, Laureldale, Temple, St. Lawrence, Mt. Penn, Wernersville, Leesport, Birdsboro and West Lawn and the city of Reading, Berks County, the boroughs of Elverson, and the townships of North Coventry and Warwick, Chester County, the borough of Pottstown, and the townships of Lower Pottsgrove, Upper Pottsgrove and West Pottsgrove, Montgomery County, the townships of Caernarvon, Brecknock, East Cocalico and West Cocalico, the boroughs of Denver and Adamstown, Lancaster County, and from points in said territory, to points in Pennsylvania, and return: SO AS TO PERMIT the transportation of persons, in group and party service between the facilities owned or utilized by Boscov's Department Stores, located in West Lebanon Township, Lebanon County, Norwegian Township, Schuylkill County, Monroe Township, Snyder County, city of Wilkes-Barre and township of Hazle, Luzerne County, Hampden Township, Cumberland County, Lower Paxton Township, Dauphin County, city of Lancaster, Lancaster County, city of York, York County and the borough of Norristown, Montgomery County, and from said facilities, to points in Pennsylvania.

Applicant's Attorney: J. Bruce Walter, Esquire
410 North Third Street
P.O. Box 1146
Harrisburg, Pa. 17108-1146

Pennsylvania Bulletin reference: January 30, 1988, page 523

SUPPLEMENTAL PROTEST OF
B. K. W. COACH LINE, A.33483

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

B. K. W. COACH LINE
P.O. Box 254
Hummels Wharf, PA 17831
(717) 743-7575

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
MAR 15 1988
ENTRY NO. *102*

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

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

Telephone: (717) 236-9318

3. Protestant possesses authority at A.33483, Folder 4, Am-D and Folder 4, Am-E a summary of which is attached hereto and marked Exhibit A and thereby made a part hereof. Thereunder, protestant may provide service from Boscov's Department Store in Monroe Township, Snyder County to points in Pennsylvania.

4. Absent knowledge as to whether or not Boscov's intends to support this application, or whether other witnesses may be involved attempting to speak for Boscov's, a meaningful traffic exhibit does not appear feasible.

5. Protestant will withdraw the protest if the application is amended so as to exclude Monroe Township, Snyder County.

6. Pursuant to Sec. 333(c) of the Public Utility Code, Protestant requests that it be furnished with the names and addresses of all witnesses to be presented, and the company names of said witnesses and company addresses.

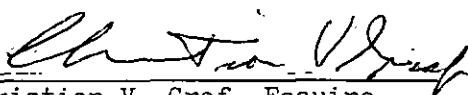
7. Protestant provides an adequate and satisfactory service within the scope of its authority and approval will adversely affect it.

8. A letter of protest was filed on February 19, 1988, by Attorney Robert L. Walsh which was deficient and resulted in a Motion to Dismiss. This Supplemental Protest is filed to correct the deficiency and to accord B. K. W. Coach Line an opportunity to appear. Since the deficiencies have been corrected and no hearing has been set, and further, since there are other protestants, applicant will not be adversely affected by acceptance of this Supplemental Protest.

WHEREFORE, Protestant prays the motion to strike its prior protest either be withdrawn or denied and protestant be permitted to fully participate in this proceeding.

AND IT WILL EVER PRAY.

B. K. W. COACH LINE

BY: 
Christian V. Graf, Esquire
Its Attorney

March 11, 1988

B. K. W. COACH LINE

OPERATING AUTHORITY

A. 33483, Folder 4, Am-D

To transport, as a common carrier, groups or parties of persons, persons on special excursions and tours or sight-seeing trips from the Borough of Shamokin Dam, Snyder County, and points within an airline distance of fifteen (15) miles of the limits of said borough, excluding points in the Townships of Lower Mahanoy (except the Village of Dalmatia), Jordan and Jackson, the City of Shamokin and the Borough of Milton, Northumberland County, and the Borough of Danville, Montour County to points in Pennsylvania.

To transport, as a common carrier, groups or parties of persons from the Village of McAllisterville and Richfield, Juniata County, the Townships of Chapman and Franklin, Snyder County, and the Township of Upper Mahanoy, Northumberland County, to points in Pennsylvania.

A. 33438, Folder 4, Am-E

To transport as a common carrier, groups and parties of persons, persons on special excursions and tours or sight-seeing trips from the Boroughs of Middleburg and Beaver Springs, Snyder County, and points on U. S. Highway Route 522 and within an airline distance of five (5) statute miles of said route between the aforesaid boroughs to points in Pennsylvania.

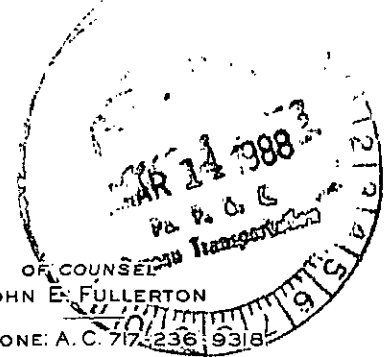
To transport as a common carrier, groups or parties of persons, persons on special excursions and tours or sight-seeing trips from points in the Townships of Lower Mahanoy, Jordan and Jackson, the City of Shamokin and the Borough of Milton, Northumberland County, and the Borough of Danville, Montour County, located within fifteen (15) miles of the limits of the Borough of Shamokin Dam, Snyder County, to points within thirty (30) miles of the point of origin.

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

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

March 11, 1988
File: 1213.0

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



RE: KLEIN'S BUS SERVICE, INC., A.106803, F.1, Am-B - Protest of B.K.W.
Coach Line

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

RECEIVED
MAR 14 1988
SECRETARY'S OFFICE
Public Utility Commission

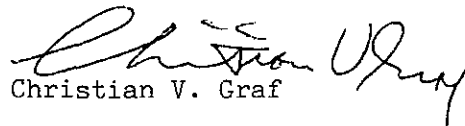
FILE

Dear Mr. Rich:

A letter protest to the above application was previously filed by Attorney Robert L. Walsh on February 19, 1988, a subsequent Motion to Strike was filed by applicant's attorney. We have spoken to Mr. Walter and now have prepared a Supplemental Protest which we are enclosing herewith and forwarding copies to the parties listed below. We are hopeful that Mr. Walter will withdraw his Motion to Strike the protest.

Please enter our appearance as attorneys for B. K. W. Coach Line.

Very truly yours,


Christian V. Graf

CVG/kr
Enclosure

cc: Robert L. Walsh, Esquire
P.O. Box 556
Sunbury, PA 17801

B. K. W. Coach Line
P.O. box 254
Hummels Wharf, PA 17831

Klein's Bus Service, Inc.
P.O. Box 246, Route 422
Douglassville, PA 19518

J. Bruce Walter, Esquire
410 North Third Street
P.O. Box 1146
Harrisburg, PA 17108-1146

David H. Radcliff, Esquire

DOCUMENT
FOLDER

RHOADS & SINON
ATTORNEYS AT LAW
410 NORTH THIRD STREET
P.O. BOX 1146

ORIGINAL

OF COUNSEL
FRANK A. SINON
PAUL H. RHOADS
1907-1984
JOHN M. MUSSELMAN
1919-1980
CLYLE R. HENDERSHOT
1922-1980

HENRY W. RHOADS
ROBERT H. LONG, JR.
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NATHAN H. WATERS, JR.
HARVEY R. SCHNEIDER, P.A.**
DAVID B. DOWLING
EVELYN S. HARRIS

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ROBERT L. BEALS**
DAVID O. TWADDELL
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STANLEY A. SMITH
THOMAS A. FRENCH
MARC S. STEIN
DEAN H. DUSINBERRE
DONNA M. J. CLARK
ADAM G. HEFFNER**
JOHN T. MULHALL, III*
LUCY E. KNISELEY
DAVID A. ZALPH**
GLORIA J. DAVIS

HARRISBURG, PA 17108-1146
TELEPHONE (717) 233-5731
TELECOPIER (717) 232-1459

1200 NORTH FEDERAL HIGHWAY
BOCA RATON, FL 33432
TELEPHONE (407) 395-5595
TELECOPIER (407) 395-9497

1480 36TH STREET
VERO BEACH, FL 32980
TELEPHONE (407) 562-0005
TELECOPIER (407) 562-0002

FILE NO 2423/01
DIRECT DIAL NO.

*ALSO ADMITTED TO THE FLORIDA BAR
**ADMITTED TO THE FLORIDA BAR ONLY

Re: Application of Kleins' Bus Service, Inc.,
A.106803, F.1, Am-B

March 15, 1988

RECEIVED

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

MAR 17 1988

Dear Secretary Rich:

SECRETARY'S OFFICE
Public Utility Commission

I am in receipt of the supplemental protest of BKW Coach Lines filed by Christian V. Graf, Esquire. That protest which provides the authority of BKW Coach Lines, the docket number for the authority of BKW Coach Lines and a proposed amendment renders the motion to strike protest filed on behalf of the applicant, Kleins' Bus Service, Inc., moot.

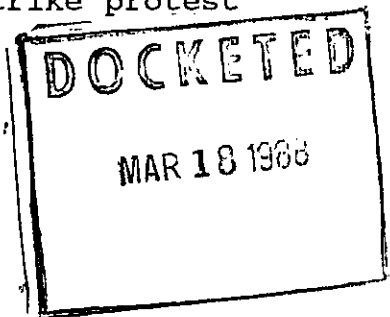
Accordingly, please consider the motion to strike protest as withdrawn.

Very truly yours,

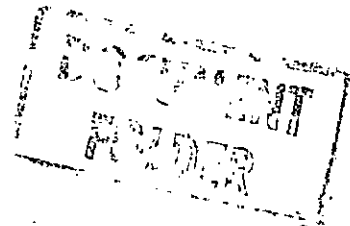
RHOADS & SINON

By:

Bruce
J. Bruce Walter



cc: Christian V. Graf, Esquire
Graf, Andrews & Radcliff, P.C.
Robert L. Walsh, Esquire
Kleins' Bus Service, Inc.
Attn: Mr. William Klein



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA. 17120
JULY 27, 1988

IN REPLY PLEASE
REFER TO OUR FILE

A-00106803

KLEINS' BUS SERVICE, INC.
P.O. BOX 334, ROUTE 422
DOUGLASSVILLE PA 19518

NOTICE OF SUSPENSION OF PUC OPERATING RIGHTS

EFFECTIVE JULY 31, 1988

FOR EXPIRATION OR CANCELLATION OF

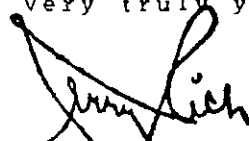
BODILY INJURY AND PROPERTY DAMAGE LIABILITY INSURANCE

This is to notify you that as of the above effective date, the authority granted to you by the Pennsylvania Public Utility Commission is hereby suspended as more thoroughly described on the attached sheet.

Please be advised that you may not operate until we have received evidence of renewed insurance coverage.

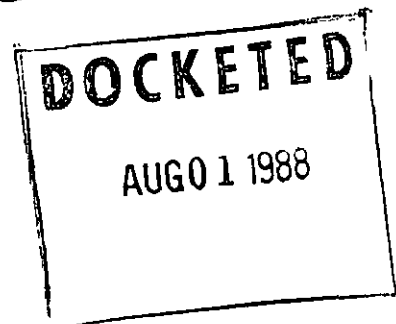
Upon receipt and acceptance of the required certificate of Insurance, you will receive written notification that the suspension is lifted and that you may resume operations.

Very truly yours,


Jerry Rich
Secretary


cc: Enforcement Division

Certified Mail



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

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

3. Article Addressed to: A106803 Queens Bus Service PO Box 246 TX	4. Article Number 44073
5. Signature - Addressee X <i>[Signature]</i>	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature - Agent X	8. Addressee's Address <i>(ONLY if requested and fee paid)</i> 
7. Date of Delivery	<i>alh</i>

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA. 17120
AUGUST 04, 1988

IN REPLY PLEASE
REFER TO OUR FILE

A-00106803

KLEINS' BUS SERVICE, INC.
P.O. BOX 334, ROUTE 422
DOUGLASSVILLE PA 19518

NOTICE TO LIFT SUSPENSION

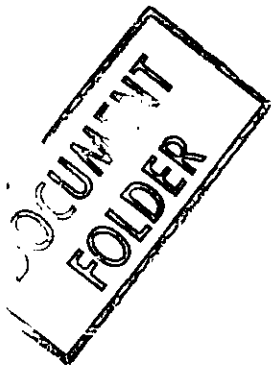
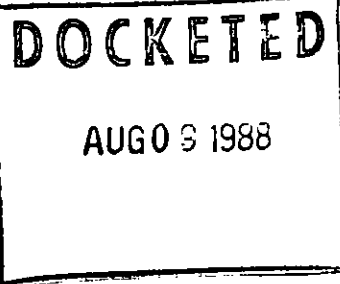
This is to notify you that we have received proof of insurance coverage. Therefore, you may disregard the Notice of Suspension previously issued.

Very truly yours,

W. A. Margues

Insurance Section
(717) 787-1227

cc: Enforcement Division



RHOADS & SINON

ATTORNEYS AT LAW

410 NORTH THIRD STREET

P.O. BOX 1146

HARRISBURG, PA 17108-1146

TELEPHONE (717) 233-5731

TELECOPIER (717) 232-1459

**OF COUNSEL
FRANK A. SINON**

**PAUL H. RHOADS
1907-1984
JOHN M. MUSSELMAN
1919-1980
CLYLE R. HENDERSHOT
1922-1980**

**1200 NORTH FEDERAL HIGHWAY
BOCA RATON, FL 33432
TELEPHONE (305) 395-5595
TELECOPIER (305) 395-9497**

**1460 36TH STREET
VERO BEACH, FL 32960
TELEPHONE (305) 562-0002
TELECOPIER (305) 562-0005**

FILE NO.

DIRECT DIAL NO.

**HENRY W. RHOADS
ROBERT H. LONG, JR.
GERALD K. MORRISON
SHERILL T. MOYER
JAN P. PADEN
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JOHN T. MULHALL, III*
LUCY E. KNISELEY
DAVID A. ZALPH**
GLORIA J. DAVIS**

***ALSO ADMITTED TO THE FLORIDA BAR**

****ADMITTED TO THE FLORIDA BAR ONLY**

**Re: Application of Kleins' Bus Service, Inc.,
A.106803, F.1, Am-B**

October 27, 1988

RECEIVED

OCT 28 1988

**SECRETARYS OFFICE
Public Utility Commission**

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

Dear Secretary Rich:

Please be advised that on behalf of the above referenced applicant, we hereby waive the requirement that a hearing be commenced by an Administrative Law Judge within 90 days after the proceeding is initiated, set forth in §332 of the Public Utility Code.

DOCKETED

NOV 02 1988

Very truly yours,

RHOADS & SINON

By:

J. Bruce Walter

JBW/dar

cc: Kleins' Bus Service, Inc.

**DOCUMENT
FOLDER**



COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA PUBLIC UTILITY COMMISSION
 P. O. BOX 3265, HARRISBURG, Pa. 17120
 November 2, 1988

FILE

IN REPLY PLEASE
 REFER TO OUR FILE
 A-106803, F.1, Am-B

J. Bruce Walter, Esquire
 Rhoads & Sinon
 P O Box 1146
 Harrisburg, PA

DOCKETED
NOV 09 1988

Application of Klein's Bus Service, Inc.

The Office of Administrative Law Judge is in receipt of a request from the applicant in this case for a waiver of the requirement contained in Section 332(g) of the Public Utility Code, 66 Pa. C.S. §332(g) that hearings be commenced within 90 days after a proceeding is initiated. This request is granted.

Because of the waiver of Section 332(g) in this proceeding, no hearings will be scheduled for 30 days. At the end of that period, a hearing will be scheduled and no further extension of the waiver will be entertained. If you are not prepared to proceed in this matter at the expiration of the waiver, a withdrawal of the application, pursuant to 52 Pa. Code 5.94, should be filed with this Commission.*

Very truly yours,

**DOCUMENT
 FOLDER**

Allison K. Turner
 Allison K. Turner, Chief
 Administrative Law Judge

* (30 Days, or to December 16, 1988)

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
January 10, 1989

In Re: A-00106803, F001, Am-B

(See attached list)

Application of Klein's Bus Service, Inc.

For amendment so as to permit the transportation of persons, in group and party service between the facilities owned or utilized by Boscov's Department Stores, located in West Lebanon Township, Lebanon County, *** and the borough of Norristown, Montgomery County, and from said facilities, to points in Pennsylvania.

NOTICE

This is to inform you that an initial hearing on the above captioned case will be held Wednesday, March 1, 1989, at 10:00 a.m., in available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, Pennsylvania.

The presiding officer in this proceeding will be Administrative Law Judge George Kashi. Judge Kashi can be contacted at P.O. Box 3265, Harrisburg, Pennsylvania 17120; telephone (717) 783-5452.

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 Kashi
Mrs. Pappas
Mrs. Howell
Mr. Bramson
File Room

COCKETED
JAN 13 1989

DOCUMENT
FOLDER

J. Bruce Walter, Esquire
Rhoads & Sinon
410 North Third Street
P.O. Box 1146
Harrisburg, PA 17108

Klein's Bus Service, Inc.
P.O. Box 246, Rt. 422
Douglassville, PA 19518

Christian V. Graf, Esquire
David H. Radcliff, Esquire
Graf, Andrews & Radcliff, P.C.
407 North Front Street
Harrisburg, PA 17101

Lloyd R. Persun, Esquire
P.O. Box 729
1801 North Front Street
Harrisburg, PA 17108

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

David J. Brightbill, Esquire
315 South Eight Street
P.O. Box 1604
Lebanon, PA 17042

Robert L. Walsh, Esquire
Walsh & Menapace
P.O. Box 556
Sunbury, PA 17801

LAW OFFICES
WALSH & MENAPACE
ARCH AT FRONT
P. O. BOX 556
SUNBURY, PENNSYLVANIA 17801

ORIGINAL

ROBERT L. WALSH
ROBERT J. MENAPACE
MARY F. LESHINSKIE

AREA CODE 717-286-6500

MOUNT CARMEL
717-338-1777

PLEASE REPLY TO
SUNBURY OFFICE

January 12, 1989

RECEIVED

JAN 13 1989

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

SECRETARY'S OFFICE
Public Utility Commission

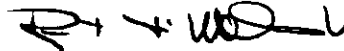
Re: Application of Klein's Bus Service, Inc.
A-00106803, F001, Am-B

Gentlemen:

Please be advised that I will not be in attendance at the above captioned matter which is scheduled for hearing on Wednesday, March 1, 1989 at 10:00 in Harrisburg. Attorney Christian V. Graf will be representing the interest of BKW Coach Lines, Inc. in this matter.

If you have any questions please call.

Yours very truly,



ROBERT L. WALSH

RECEIVED
JAN 17 1989

RLW:ksb

cc: Robert Wilhour
Christian V. Graf

RECEIVED
F001