

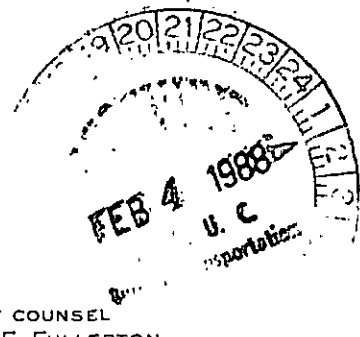
GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

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

OF COUNSEL
JOHN E. FULLERTON

TELEPHONE: A. C. 717-236-9318

February 3, 1988
File: 1159.1



RE: KLEINS' BUS SERVICE, INC., A. 106803, Folder 1, Am-B -
Protest of R & J Transportation, Inc.

RECEIVED

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

FILE

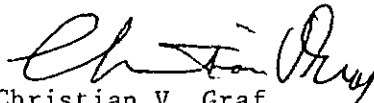
FEB 4 1988

SECRETARYS OFFICE
Public Utility Commission

Dear Mr. Rich:

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

Very truly yours,


Christian V. Graf

CVG:tcr
Enclosures

cc: Kleins' 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

Jay Newswanger, President
R & J Transportation, Inc.
R.D. 4, Box 4389A
Pottsville, PA 17901

David H. Radcliff, Esquire



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION

RECEIVED

FEB 4 1988

SECRETARYS OFFICE
Public Utility Commission

In Re: A-00106803, Folder 1, Am-B. KLEINS' BUS SERVICE, INC. (Public Utility Commission
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

PROTEST OF
R & J TRANSPORTATION, INC.
A. 102322

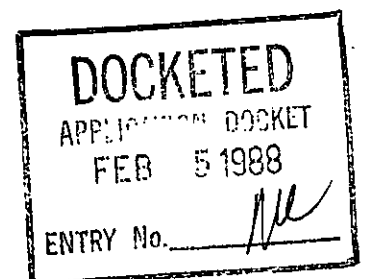
1. The name, address and telephone number of Protestant are:

R & J TRANSPORTATION, INC.
R.D. 4, Box 4389A
Pottsville, PA 17901
Telephone: A.C. 717, 385-4488

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: A.C. 717, 236-9318

DOCUMENT
FOLDER



DOCKETED
APPLICATION DOCKET
FEB 5 1988
ENTRY No. *11*

3. Protestant possesses authority at A.00102322, Folder 2, Am-A, a copy of which is attached as Exhibit A. Thereunder Protestant not only can provide service from the facilities of Boscov's Department Store in Norwegian Township, Schuylkill County, to points in Pennsylvania but, in fact, has provided service most recently for 3 busloads to the Philadelphia Flower Show.

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 this protest if the application is amended so as to exclude Norwegian Township, Schuylkill County, from the scope of the application.

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.

WHEREFORE, absent an appropriate amendment, Protestant prays the application may be dismissed.

AND IT WILL EVER PRAY.

R & J TRANSPORTATION, INC.

By: Christian V. Graf
Christian V. Graf, Esquire
Its Attorney

February 3, 1988

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held November 13, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Application of R & J Transportation, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right 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 Wayne, Schuylkill County, and from the terminal facilities of R & J Transportation, Inc. at the junction of Pennsylvania Highway Route 183 and Legislative Route 53004, in the township of North Manheim, Schuylkill County, to points in Pennsylvania: SO AS TO PERMIT the transportation of persons, in group and party service, between points in the county of Schuylkill, and from points in said county, to points in Pennsylvania.

A-00102322
F. 2
Am-A

Christian V. Graf for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed December 5, 1985. Public notice of the application was given in the Pennsylvania Bulletin of December 21, 1985. Additional notice was given in the Pottsville Republican, edition of December 30, 1985, which is a newspaper of general circulation published in Pottsville, Schuylkill County. A protest filed by Capitol Bus Company was later withdrawn predicated upon our acceptance of a restrictive amendment which excludes service in parts of Schuylkill County which are located in Butler Township north of Pennsylvania Highway Route 61, the boroughs of Girardville

and Frackville, the townships of West Mahanoy, Ryan, Blythe and East Brunswick, and all other points in Schuylkill County which are north and/or east of the named areas.

The now unopposed application, as it has been amended, is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by Jay L. Newswanger, president of the applicant and 16 persons in support of the application.

DISCUSSION AND FINDINGS

The applicant seeks to extend its group and party operations in the county of Schuylkill by serving additional townships and boroughs which are south of the portion of Schuylkill County excluded by the restrictive amendment. The applicant now operates from facilities in the township of North Manheim, Schuylkill County. At that facility, it has telephone communications and accepts collect calls from potential customers. R & J operates six charter coaches and 44 school bus-type units. All equipment is safety inspected and maintained on a regular basis. The company maintains a \$5,000,000 blanket public liability and property damage insurance policy and all drivers are familiar with Department of Transportation safety regulations.

Upon approval of the application, R & J will furnish either school bus or coach-type equipment. R & J will provide service to any point in Pennsylvania from the amended territory. It is expected that related services such as hotel accommodations and meals will be provided if the group requests such a service. Tour guides will also be furnished upon request. In addition to charter service, the applicant does, from time to time, offer individually ticketed tours to points of interest.

R & J enjoys a secure financial position with cash of \$20,547. Current liabilities do exceed total current assets, but R & J has not been delinquent in payments and is meeting its obligations as they occur. The applicant reports total assets of \$637,180 with total liabilities of \$566,229.

The 16 supporting verified statements are representative of a desire to have the additional service available from points in southwestern Schuylkill County. The witnesses are representative of professional, commercial and social organizations. Several area businesses which arrange charter trips also appear in support of this application. The witnesses are located at such points in Schuylkill County as Pine Grove, Cressona, Schuylkill Haven, Orwigsburg, Palo Alto, Pottsville, Minersville, St. Clair, Gordon and Ashland. It is our determination that the evidence provided by the supporting statements is sufficient to sustain the application as it has been amended.

The authority to issue in this proceeding has been modified for the sake of clarity. The territory authorized is described as that portion of Schuylkill County south and west of the townships of West Mahanoy, Ryan, Blythe, East Brunswick, and that part of Butler south of

Pennsylvania Route 61, and the boroughs of Frackville and Girardville. This language specifically describes the part of Schuylkill County the applicant may serve and makes unnecessary the restrictive amendment which excludes service in parts of the county north and east of the named townships and boroughs.

The authority to issue, as amended, as modified, entirely encompasses the authority now held by the applicant. The authority here is issued in lieu of the authority now held.

We find:

1. The applicant has the necessary equipment, experience and fitness to render the proposed service, as amended, as modified.
2. The applicant has the support of 16 parties which desire additional group and party service availability as proposed by the applicant.
3. The authority requested as amended and modified entirely encompasses authority now held by the applicant.
4. Approval of the application, as amended, as modified, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application, as amended, as modified, be and is hereby approved and the certificate issued to the applicant on January 23, 1983, be amended so that the authority granted by the order entered November 16, 1982, shall now read as follows:


To transport, as a common carrier, persons in group and party service, between points in the county of Schuylkill, located south and west of the townships of West Mahanoy, Ryan, Blythe, East Brunswick, and that part of Butler south of Pennsylvania Route 61, and the boroughs of Frackville and Girardville, and from points in the said territory, to points in Pennsylvania.

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 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 of service of the order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: November 13, 1986

ORDER ENTERED: NOV 18 1986

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

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

Klein's Bus Service, Inc.
P.O. Box 246, Route 422
Douglassville, PA 19318

Date February 3, 1988

CR 127387 A

DOCKETED
FEB 05 1988

In re application of Klein's Bus Service, Inc.
A-00106803, F.1, Am-B.....\$125.00

J. T.
HIDE

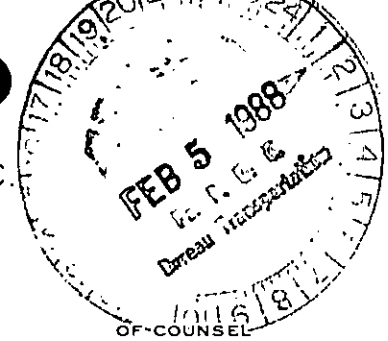
Revenue account 001780-017601-102 (ck)
ck 4417 Checks \$125.00 Currency _____
Utility account 50:26

C. Joseph Meisinger

For Department of Revenue

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

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



JOHN E. FULLERTON

TELEPHONE: A. C. 717-236-9318

February 4, 1988
File: 747.11

RE: KLEINS' BUS SERVICES, INC., A. 106803, F.1, Am-B - Protest of
H. E. Rohrer, Inc., d/b/a Rohrer Bus Service

RECEIVED

FEB 5 1988

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

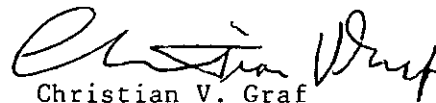
FILE

**SECRETARY'S OFFICE
Public Utility Commission**

Dear Mr. Rich:

On behalf of H. E. Rohrer, Inc., d/b/a Rohrer Bus Service, I enclose the original and one copy of a protest to the above-captioned application. Copies are being forwarded to applicant, applicant's attorney and to protestant.

Very truly yours,


Christian V. Graf

CVG:tc
Enclosure

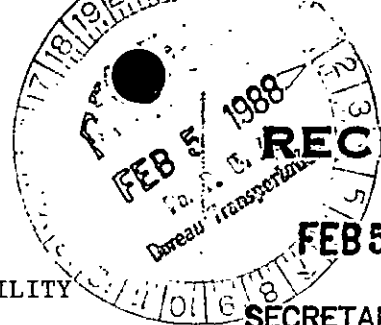
cc: Kleins' Bus Service, Inc.
P.O. Box 246
Route 422
Douglassville, PA 19518

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

John Schrantz, Vice-President
H. E. Rohrer, Inc., d/b/a Rohrer Bus Service
R.D. #3, P.O. Box 1062
Duncannon, PA 17020

David H. Radcliff, Esquire

**DOCUMENT
FOLDER**



RECEIVED

FEB 5 1988

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION

SECRETARY'S OFFICE
Public Utility Commission

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

FILE

Pennsylvania Bulletin reference: January 30, 1988, page 523

PROTEST OF
H. E. ROHRER, INC., d/b/a ROHRER BUS SERVICE
A. 97618

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

H. E. ROHRER, INC., d/b/a ROHRER BUS SERVICE
R. D. # 3, P.O. Box 1062
Duncannon, Pennsylvania 17020

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
FEB 5 1988
ENTRY No. *12*

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, Pennsylvania 17101
Telephone: A.C. 717, 236-9318

3. Protestant possesses authority at A. 97618, Folder 1, Am-D with which this application stands in conflict. Under this authority, copy attached as Exhibit A, Protestant not only can provide service from the facilities of Boscov's Department Store in Hampden Township, Cumberland County, but, in fact, has provided such service. It also may provide service from Lower Paxton Township, Dauphin County, and stands ready and willing to do so.

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 this protest if the application is amended so as to exclude Hampden Township, Cumberland County; and Lower Paxton Township, Dauphin County.

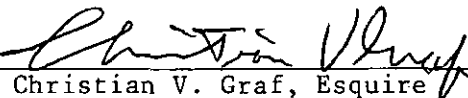
6. Pursuant to Sec. 333(c) of the Public Utility Code, Protestant requests that it be furnished with the names and addresses of all witnesses to be presented, and the company names of said witnesses and company addresses.

WHEREFORE, absent an appropriate amendment, Protestant prays the application may be dismissed.

AND IT WILL EVER PRAY.

H. E. ROHRER, INC., d/b/a ROHRER BUS SERVICE

By: _____


Christian V. Graf, Esquire
Its Attorney

February 4, 1988

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Applicaton of H. E. Rohrer, Inc., t/d/b/a Rohrer Bus Service, a corporation of the Commonwealth of Pennsylvania, for amend-ment to his common carrier certificate, inter alia, which grants the right to transport, by motor vehicle, groups and parties of persons for the Harrisburg Jewish Community Center, the Hemlock Girl Scout Council of Harrisburg and the Penn Laurel Girl Scout Council of York, from points in the counties of Dauphin, York, and that part of the county of Cumberland north and east of Legislative Route 21012, excluding the borough of Mechanicsburg, to points in Pennsylvania; subject to the fol-lowing condition: That the service herein authorized is limited to the use of school bus type equipment: SO AS TO PERMIT the transportation of groups and parties of persons from points in the county of Cumber-land; from the townships of Susquehanna, Swatara, South Hanover, West Hanover, Lower Swatara, Lower Paxton and Derry and the boroughs of Middletown, Royalton, High-spire, Steelton, Paxtang, Penbrook and Hummelstown and the city of Harrisburg, all in the county of Dauphin; and from points in the borough of Marysville, county of Perry; to other points in Penn-sylvania.

A-00097618
F. 1
Am-D

O R D E R

In accordance with the provisions of Act 294 of 1978 (66 Pa.C.S. §332(h)), the decision of Administrative Law Judge Morris J. Solomon dated May 5, 1986 has become final without further Commission action; THEREFORE,

IT IS ORDERED:

1. That the application of H. E. Rohrer, Inc., trading and doing business as Rohrer Bus Service, at Docket No. A-00097618, F. 1, Am-D, be and is hereby approved and that the certificate issued to Applicant at Docket No. A-00097618, F. 1, on March 28, 1973, as amended, be further amended to include the following rights:

To transport, as a common carrier by motor vehicle groups and parties of persons and persons on tour and sightseeing trips and special excursions,

From points in the Boroughs of West Fairview, Wormleysburg, Lemoyne, New Cumberland, Camp Hill and Shiremanstown and the Townships of East Pennsboro, Hampden, Silver Spring, Monroe, Upper Allen and Lower Allen, Cumberland County; and

From points in the Townships of Susquehanna, Swatara, South Hanover, West Hanover, Lower Swatara, Lower Paxton and Derry and the Boroughs of Middletown, Royalton, Highspire, Steelton, Paxtang, Penbrook and Hummelstown and the City of Harrisburg, Dauphin County;

To points in Pennsylvania.

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

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

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

BY THE COMMISSION,

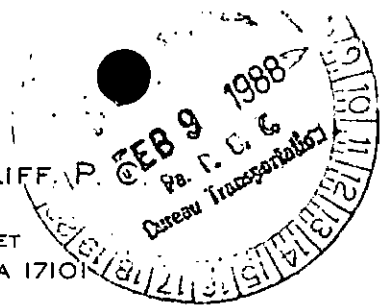


Jerry Rich
Secretary

(SEAL)

ORDER ENTERED: June 11, 1986

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



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

OF COUNSEL
JOHN E. FULLERTON

TELEPHONE: A. C. 717-236-9318

February 4, 1988

File: 642.35

RE: KLEINS' BUS SERVICE, INC., A. 106803, Folder 1, Am-B -
Protest of Catawese Coach Lines, Inc.

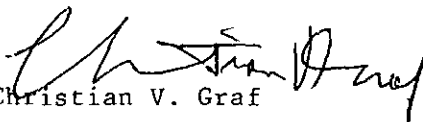
Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120

RECEIVED
FEB 8 - 1988
SECRETARY'S OFFICE
Public Utility Commission

Dear Mr. Rich:

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

Very truly yours,


Christian V. Graf

CVG:tc
Enclosures

cc: Kleins' Bus Service, Inc.
P.O. Box 246
Route 422
Douglassville, PA 19518

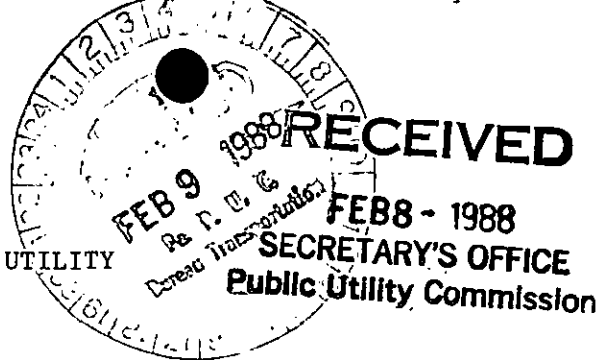
J. Bruce Walter, Esquire
410 North Third Street
P.O. Box 1146
Harrisburg, PA 17108-1146

Charles W. Napierski, President
Catawese Coach Lines, Inc.
545 North Second Street
Shamokin, PA 17872

David H. Radcliff, Esquire

**DOCUMENT
FOLDER**

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION



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.

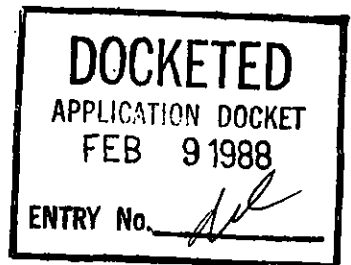
Applicant's Attorney: J. Bruce Walter, Esquire
410 North Third Street
P.O. Box 1146
Harrisburg, Pa. 17108-1146

Pennsylvania Bulletin reference: January 30, 1988, page 523

PROTEST OF
CATAWESE COACH LINES, INC.
A. 14729

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

CATAWESE COACH LINES, INC.
545 North Second Street
Shamokin, Pennsylvania 17872
Telephone: A.C. 717, 784-6206



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, Pennsylvania 17101
Telephone: A.C. 717, 236-9318



3. Protestant possesses authority at A. 14729, Folder 14, Am-H, copy attached as Exhibit A. Thereunder Protestant possesses authority to serve from the facilities owned or utilized by Boscov's Department Stores located in Monroe Township, Snyder County, to points in Pennsylvania. Accordingly, as to this location Protestant can provide all of the service sought by the Applicant.

4. Protestant offers an adequate and satisfactory service and there is no need for an additional competitor.

5. Since the application is worded so as to permit service for other groups leaving from the Boscov facilities and, hence, is not limited to transportation for Boscov's Department Stores, Protestant is unable to prepare a meaningful traffic exhibit.

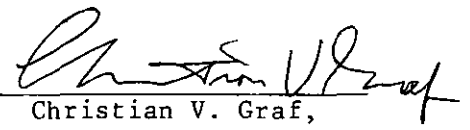
6. Pursuant to Sec. 333(c) of the Public Utility Code, Protestant requests Applicant or its attorney to furnish to Protestant's attorney the names and addresses and company names and addresses of all witnesses whom Applicant intends to call.

7. Protestant will withdraw this protest if the application is amended so as to exclude from the scope thereof Monroe Township, Snyder County.

Absent an appropriate amendment, Protestant prays the application may be dismissed.

AND IT WILL EVER PRAY.

CATAWESE COACH LINES, INC.

By: 
Christian V. Graf,
Its Attorney

February 4, 1988

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held January 5, 1984

Commissioners Present:

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

Application of Catawese Coach Lines, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants, inter alia, to transport, by motor vehicle, groups and parties of persons, from points in the township of Mahoning, Montour County, to points in Pennsylvania: SO AS TO PERMIT the transportation by motor vehicle, groups and parties of persons, persons on tour, sight-seeing trips, and special excursions, from points in the counties of Snyder, Union and Northumberland (except the cities of Sunbury and Shamokin, the boroughs of Northumberland, Kulpmont, Marion Heights and Mt. Carmel and the townships of Coal, Mt. Carmel and Ralpho) to points in Pennsylvania.

A-00014729
F. 14
Am-H

Graf, Knupp & Andrews, P.C. by Christian V. Graf for the applicant.
Rubin, Quinn & Moss by James W. Patterson for Susquehanna Transit Company.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed May 5, 1983. Public notice of the application was given in the Pennsylvania Bulletin of July 9, 1983. Additional public notice was given in the Milton Standard, Northumberland County; Middleburg Post, Snyder County; and Mifflinburg Telegraph, Union County, newspapers of general circulation within the area of application. A protest was filed by Susquehanna Transit Company, which was later withdrawn upon reconsideration without amendment.

EXHIBIT A

The application is now unopposed and the record is certified to the Commission for its decision without an oral hearing. The record consists of verified statements submitted by the applicant and 15 supporting parties.

Beverly Napierski, secretary-treasurer, director and stockholder of Catawese Coach Lines, Inc. (Catawese or applicant), 545 North Second Street, Shamokin, Northumberland County, sets forth that she is familiar with the authority, facilities and operations of the applicant and is authorized to provide the following information. The applicant is currently authorized to provide group and party service in various counties in Pennsylvania. It operates a terminal at the aforementioned address which has parking facilities for 18 charter coaches, a shop and garage staffed by four mechanics, general offices and dispatch facilities. It also maintains a charter office in Williamsport, Lycoming County. No additional facilities will be necessary to provide the proposed service.

The applicant currently operates 17 charter coaches, all of which are restroom equipped, air conditioned and are equipped with public address systems, radios and tape decks. Thirteen of the coaches are equipped with cardtables. One coach is equipped with a galley for providing food service. Several of the vehicles are also equipped with CB radios and large storage compartments. Catawese operates three 39-passenger coaches, one 46-passenger coach, twelve 47-passenger coaches and one 49-passenger coach. All of this equipment can be characterized as deluxe cruiser equipment. Catawese carries public liability and property damage insurance in the amount of \$1,000,000, with a \$5,000,000 umbrella.

Catawese is currently providing group and party service, including escorted tour services. Catawese has the capabilities of providing, in addition to transportation, the arranging of overnight lodging, side trips and tours, costs of admission and meals when desired. Many of their tours are for athletic events which include tickets to the event. Deluxe tours generally include dining arrangements, all-inclusive tour and sight-seeing packages, superior class overnight accommodations and are escorted. Catawese provides economy tours including transportation, accommodations and admissions with meals and guides available when necessary.

The applicant's unaudited balance sheet indicates that as of July 31, 1983, it had total current assets of \$254,313, total assets of \$1,446,016, total current liabilities of \$463,230, long term debt of \$871,220, and total stockholders' equity of \$105,155. The income statement for the first seven months of 1983, indicates that from total income of \$1,141,360, the applicant had a gross profit after expenses of \$349,319.

Mary Deppen, manager of the Lower Northumberland County Auto Club sets forth in support of the application that the auto club consists of car owners who often make group trips by bus to points of interest.

The club has relied upon Catawese in the past for trips to such points as Winchester, Virginia; Washington, D.C. and New York City. It is anticipated that the applicant would be relied upon for three trips per year from Dalmatia, Northumberland County, to such points as the New Process Company in Warren, shopping malls in Reading and Lancaster, department stores in Allentown, flower shows in Philadelphia, Longwood Gardens, dinner shows at Encore Theater, Valley Forge, Hazleton and the Host Dinner Theater near Harrisburg. The group seeks a carrier than can provide careful drivers and deluxe equipment such as that provided by the applicant in the past.

Phylis Helwig is in charge of arranging transportation for the Ramblers Club of Milton, Northumberland County. The club would utilize the applicant three or four times per year to various points in Pennsylvania including the city of Philadelphia, Longwood Gardens, Hershey Park, Lancaster County Dutch Tour, Old Bedford Village, shopping tours to Reading and Lancaster and shows such as the Ice Capades or Ice Follies. It would also seek to utilize the applicant to dinner theaters located in Hazleton, Harrisburg and Valley Forge. The group seeks a carrier that can provide clean, modern and comfortable equipment.

John Farr, state policeman based at the Milton Barracks, sets forth that he is responsible for arranging bus trips for other members of the barracks to athletic events or to family type entertainment. It is anticipated that the applicant would be utilized approximately two times per year requiring a 47-passenger bus. Trips would originate at the Milton Barracks and would be destined to such points as Philadelphia, Hershey, Host Dinner Theater and to sporting events in Philadelphia and Penn State. A carrier is sought that can provide luxury service with deluxe coaches equipped with restrooms and air conditioning.

Marge Danley, secretary-treasurer of Pennsylvania Ridgerunners, states in support of the instant application that her organization consists of members living in Lycoming and Northumberland County. It would rely upon the applicant for service from Milton and Watsontown in Northumberland County. They have relied upon the applicant for service in the past and anticipate that they would travel approximately 20 times per year to Pennsylvania points. They are seeking a carrier that has luxury type vehicles that are clean and comfortable.

Sharon Reed, employee of Central Susquehanna Intermediate Unit No. 16, Lewisburg, Union County, states that her organization requires transportation for handicapped children from such points as Middleburg, Lewisburg, Selinsgrove and Mifflinburg. The destination for the annual trip would be the Pennsylvania State University at State College. The unit requires a carrier that can provide comfortable buses with extremely careful and considerate drivers.

Mary Levitan, is responsible for arranging transportation on behalf of the Pennsylvania Blind Association, the Milton Women's Club and the Susquehanna Valley Chapter of Haddassah of Milton. All three groups require a carrier which can provide service from Milton to

various points in Pennsylvania. These groups are seeking a carrier that has luxury coaches that are equipped with reclining seats, restrooms and picture windows and are operated by courteous and friendly drivers.

Miriam Landis, is in charge of transportation for the Snyder-Union County Democratic Women's Club, that requires a carrier that can provide pickups in Lewisburg, Union County and at the Susquehanna Mall near Selinsgrove, Snyder County. The Women's Club has utilized the applicant in the past for interstate trips and has found their service to be excellent. They seek a carrier that has luxury coaches and courteous, competent drivers.

Terri Manival, transportation coordinator for The Phillies Club of Beavertown, Snyder County, states that his group is primarily interested in going to sporting events in Philadelphia and Pittsburgh. It would rely upon the applicant for two trips to Philadelphia and possibly one to Pittsburgh during the baseball season and to one game at Penn State, State College. The group requires a carrier that is equipped with deluxe buses.

Anthony Jordan, a member of the Penn's Creek Fire Company, Middleburg, Snyder County, states that he is responsible for arranging transportation for the fire company and its members. Catawese would be utilized three or four times per year for trips from Middleburg to such points as Grantville, Hershey Park, sporting events in Philadelphia, Pocono Downs and football games at Penn State University. Past service provided by the applicant has demonstrated that it is capable of providing the service required by the members of the fire company.

Marie Rice, states that she is responsible for organizing church trips for the Witmer Church, Star Route, Selinsgrove, and indicates that the church members would utilize Catawese approximately three times per year. Trips from Selinsgrove would be destined to the Passion Play at Downingtown, concerts in Philadelphia, Hershey Park and possible shopping trips to Allentown and Reading. A carrier is required that can provide clean and comfortable buses.

Donald Egan, employee of the Susque Employee Traveling Group states that he is transportation coordinator for the group and is responsible for arranging bus trips. He anticipates utilizing the applicant four times per year to points in Pennsylvania, including such points as Philadelphia, Hershey, Reading, Lancaster, Gettysburg and Biglerville. It is also possible that the group would travel to Valley Forge to tour the battlefield and to the Valley Forge Music Fair. The group requires a carrier capable of providing luxury type coaches with air conditioning and restrooms.

Timothy Shaffer, is responsible for arranging transportation for the Freeburg Phillies baseball fans. He anticipates that the group would utilize the applicant to baseball games in Pittsburgh and Philadelphia. They would require a 46 passenger bus which is equipped with restrooms and air conditioning. Service provided by the applicant in the past has been satisfactory.

Donald Wilner, transportation organizer for the Evangelical Hospital Employee Recreation Group states that the employees of the hospital would utilize the applicant approximately three or four times per year. From the hospital in Lewisburg, the group would travel to Reading and Allentown for shopping, dinner theaters in Hazleton and the Host Inn dinner theater near Harrisburg. Also trips would be planned to Hershey for shows and to the park. The group desires a carrier that will provide them with clean, comfortable buses that are air conditioned and have restrooms. The group has been informed by individuals that have utilized the applicant in the past that the applicant has the equipment and services required by their group.

Carol Schmure states that she is in charge of arranging transportation for the Penn Wheelers Square Dance Group, Laurelton, Union County. The group has relied upon the applicant in the past for service to points in other states and has found their service very pleasant. They anticipate relying upon Catawese for service at least five times per year from Union County to Philadelphia, Dushore, Sullivan County, Lancaster, Pittsburgh, Bernville and Bethlehem. They seek a carrier that can provide clean, comfortable and bathroom equipped coaches.

Mary Brubaker, operates Mary's Travel Service which has a broker's license to arrange group trips. She has utilized the applicant for interstate trips and has been satisfied with their service. She anticipates that she would utilize Catawese at least once a month to points in Pennsylvania. Trips would originate primarily in Port Trevorton and would be destined to Hershey, Hazleton, Longwood Gardens, Lancaster, Reading, Pittsburgh, Warren, Wellsboro and Philadelphia. Her clients require service in deluxe cruisers that are air conditioned and restroom equipped.

DISCUSSION AND FINDINGS

Catawese Coach Lines, Inc. is currently authorized to provide group and party service from various points in the counties of Bradford, Sullivan, Columbia, Montour, Schuylkill, Lycoming and Northumberland. It now seeks to expand its territorial area to include all of the counties of Snyder and Union, and all of Northumberland except for two cities, four boroughs and three townships. The aforementioned municipalities have been excluded since the applicant is currently authorized to provide service from them.

The applicant and its predecessor have been providing group and party service within the Commonwealth since 1935. The record indicates that the applicant is highly qualified to provide the additional service proposed herein. Catawese has available experienced personnel and vehicles equipped with the amenities most often requested by the riding public, that being restrooms and air conditioning.

The individuals which have submitted verified statements on their own behalf or on behalf of organizations have expressed a desire for the applicant's service since it has provided transportation in the

past which has been exemplary. Those individuals that have not utilized the applicant, indicate that they are supporting the applicant because they are aware of the types of trips that will be available and that the applicant has the equipment available to provide the transportation they or their organizations require.

We find:

1. That the applicant possesses the equipment, experience and fitness necessary to provide the proposed transportation.

2. That the applicant has demonstrated that a public need exists for the proposed transportation.

3. That approval of the application will be an accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved, and that the certificate issued to the applicant on June 11, 1935, as amended, be further amended to include the following right:

To transport, as a common carrier, groups and parties of persons, persons on tours, sight-seeing trips, and special excursions from points in the counties of Snyder, Union and Northumberland, to points in Pennsylvania.

subject to the following condition:

That no right, power or privilege is granted to provide service from cities of Sunbury and Shamokin, the boroughs of Northumberland, Kulpmont, Marion Heights and Mt. Carmel and the townships of Coal, Mt. Carmel and Ralpho, Northumberland County.

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 a tariff establishing just and reasonable rates.

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

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.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich". The signature is written in a cursive style with a large, sweeping loop at the end.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: January 5, 1984

ORDER ENTERED: JAN 13 1984

SHEARER, METTE, EVANS & WOODSIDE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

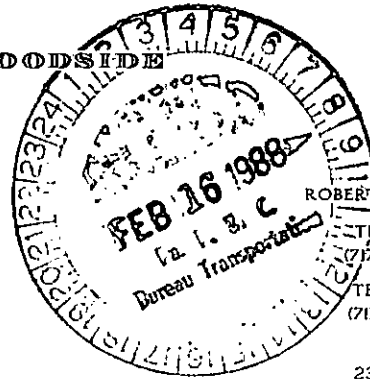
1801 NORTH FRONT STREET

P. O. BOX 729

HARRISBURG, PA 17108-0729

February 11, 1988

WALTER W. SHEARER	HOWELL C. METTE
JAMES W. EVANS	ROBERT MOORE
CHARLES B. ZWALLY	PETER J. RESSLER
LLOYD R. PERSUN	CRAIG A. STONE
JAMES A. ULSH	JACK M. STOVER
C. PETER CARLUCCI, JR.	R. SCOTT SHEARER
TIMOTHY I. MARK	JAMES J. KUTZ
DANIEL L. SULLIVAN	STEVEN D. SNYDER
CHRISTOPHER C. CONNER	ELYSE ROGERS KEINTZ
THOMAS J. SNISCAK	RICHARD E. FREEBURN
ANDREW H. DOWLING	PAULA J. LEICHT
PAULA J. McDERMOTT	



ROBERT E. WOODSIDE

TELEPHONE
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IRS NO.
23-1985005

71.15

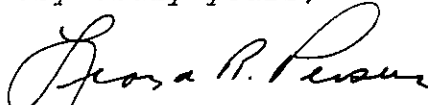
Re: Application of Kleins' Bus Service, Inc.
A.106803, F.1, Am-B

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

Dear Sir:

We file herewith on behalf of Wolf's Bus Lines, Inc. the original and two copies of its Protest to this Application. Please acknowledge receipt of this Protest by stamping and returning the enclosed copy of this letter.

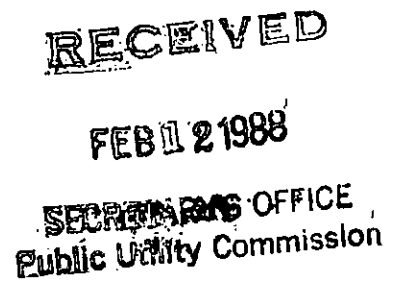
Very truly yours,


LLOYD R. PERSUN

LRP:hmc

Enclosures

HAND DELIVERED



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of :
Kleins' Bus Service, Inc. :

A.00106803, *F. 1, Am-B*

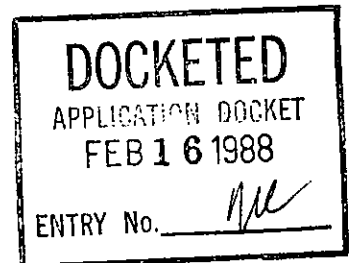
PROTEST OF WOLF'S BUS LINES, INC.

AND NOW, this 11th day of February, 1988, Wolf's Bus Lines, Inc., by its attorneys, Lloyd R. Persun, Esquire and Shearer, Mette, Evans & Woodside, files this Protest to the above-captioned Application (hereinafter the "Application") and in support thereof avers as follows:

1. The name, address and telephone number of

Protestant are:

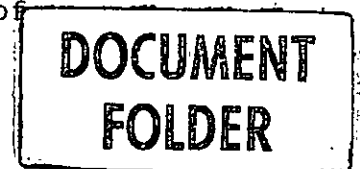
Wolf's Bus Lines, Inc.
P.O. Box 235
York Springs, PA 17271
717-528-4125



2. The name, address and telephone number of

Protestant's attorneys are:

Lloyd R. Persun, Esquire
Shearer, Mette, Evans & Woodside
1801 North Front Street
P.O. Box 729
Harrisburg, PA 17108-0729



RECEIVED

FEB 12 1988

SECRETARIES OFFICE
Public Utility Commission

3. Protestant possesses authority at A.93832, and various folders and amendments thereunder, with which the Application conflicts. Protestant's said operating authority is described on Exhibit "A" attached hereto and made a part hereof.

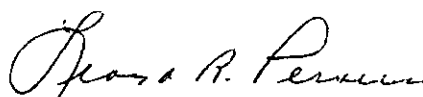
4. To the extent of such conflict, there is no need for the service which is proposed in the Application (the "proposed service"). Protestant is not aware of any amendment in or restriction to the proposed service which would satisfy its interests. However, Protestant is willing to discuss the possibility of a restrictive amendment with Applicant and its attorney on the condition that any restrictive amendment be accepted and approved by your Commission.

5. Approval of the Application is not necessary or proper for the accommodation, service, necessity or safety of the public.

6. Approval of the Application is contrary to the public interest. Entry of a new carrier into the area of conflict between Applicant's proposed service and Protestant's existing operating authority will endanger or impair the operations of existing carriers including Protestant.

WHEREFORE, Protestant respectfully requests that the Application be dismissed with prejudice, or, in the alternative, that the Application be scheduled for hearing as an on-the-record proceeding and that Protestant be permitted to participate in that proceeding as a party.

Respectfully submitted,



Lloyd R. Persun, Esquire
Shearer, Mette, Evans & Woodside
1801 North Front Street
P.O. Box 729
Harrisburg, PA 17108-0729
Attorneys for Wolf's Bus
Lines, Inc., Protestant

February 11, 1988

EXHIBIT "A"

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 Orrstown and the Township of Southampton, Franklin County, to points in Pennsylvania (A.93832, Folder 1);

To transport, as a common carrier, by motor vehicle, groups and parties of persons from points in the Townships of Greene, Letterkenny, Hamilton, Saint Thomas, Autrim, Quincy and Guilford, Franklin County, to points within one hundred (100) miles of the point of origin (A.93832, Folder 1, Am-C);

To transport, as a common carrier, by motor vehicle, groups and parties of persons from the Borough of Chambersburg and the Village of Scotland, Franklin County, to points within two hundred (200) miles of the point of origin (A.93832, Folder 1, Am-C);

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 Borough of Greencastle, Franklin County, to points within fifty (50) miles of the point of origin (A.93832, Folder 1, Am-C);

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 Townships of Washington and Quincy and the Borough of Waynesboro, Franklin County, to points in Pennsylvania (A.93832, Folder 1, Am-C);

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 Borough of Chambersburg, Franklin County, to other points in said Borough (A.93832, Folder 1, Am-C);

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 County of Franklin on and south of Highway Route 30 within eighteen (18) miles of Memorial Square in the Borough of Chambersburg to points in Pennsylvania (A.93832, Folder 1, Am-C);

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 County of Franklin north of Highway Route 30 within five (5) miles of Memorial Square in the Borough of Chambersburg to points in Pennsylvania (A.93832, Folder 1, Am-C); and

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 Township of Southampton, Franklin County, to points in Pennsylvania (A.93832, Folder 1, Am-C).

To transport, as a common carrier, by motor vehicle, groups and parties of persons from points in the Townships of Monroe, Hampden, Upper Allen, Lower Allen and East Pennsboro and the Boroughs of Shiremanstown, West Fairview, Camp Hill, Wormleysburg, Lemoyne and New Cumberland, Cumberland County; the Townships of Reed, Halifax, Wayne, Jefferson, Rush, Middle Paxton, Susquehanna, Lower Paxton, West Hanover, East Hanover, South Hanover, Swatara, Lower Swatara, Derry, Londonderry and Conewago and the Boroughs of Halifax, Dauphin, Penbrook, Paxtang, Steelton, Highspire, Middletown, Royaltown and Hummelstown and the City of Harrisburg, Dauphin County; the Township of Franklin, York County; and the Townships of Latimore and Huntingdon, Adams County, to points in Pennsylvania subject to the following condition:

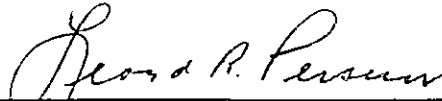
That no right, power or privilege is granted herein to transport groups and parties of persons from points in those portions of the Townships of Conewago, Derry and Londonderry, Dauphin County, which are located beyond an airline distance of ten (10) statute miles of the limits of the City of Harrisburg, Dauphin County.
(A.93832, Folder 1, Am-D)

CERTIFICATE OF SERVICE

I, Lloyd R. Persun, Esquire, hereby certify that a copy of the foregoing Protest was served on February 11, 1988 by United States mail, first class, postage prepaid, upon the following, addressed as follows:

Kleins' Bus Service, Inc.
P.O. Box 246
Douglasville, PA 19518-0246

J. Bruce Walter, Esquire
Rhoads & Sinon
P.O. Box 1146
Harrisburg, PA 17108-1146



Lloyd R. Persun, Esquire
Attorney for Wolf's Bus Lines,
Inc., Protestant

February 11, 1988

RHOADS & SINON

ATTORNEYS AT LAW

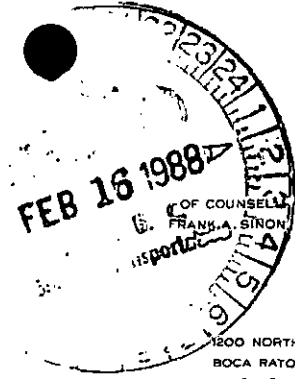
410 NORTH THIRD STREET

P.O. BOX 1148

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 *
CHARLES L. SIRCK *
PAUL A. LUNDEEN
JACK F. HURLEY, JR.
NATHAN H. WATERS, JR.
HARVEY R. SCHNEIDER, P.A. **
DAVID B. DOWLING
EVELYN S. HARRIS
DAVID F. O'LEARY

HENRY G. BARR
ROBERT L. BEALS **
DAVID O. TWADDELL
CHARLES J. FERRY
JENS H. DAMGAARD *
BRADLEY J. GUNNISON *
JOEL R. BURCAT
DRAKE D. NICHOLAS
STANLEY A. SMITH
THOMAS A. FRENCH
MARC S. STEIN
DEAN H. DUSINBERRE
DONNA M. J. CLARK
PAUL A. LUNDBERG *
ADAM G. HEFFNER **
LEE ANN FIVEASH **
JOHN T. MULHALL, III
LUCY E. KNISELEY

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) 395-5585
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., A.106803

February 12, 1988

RECEIVED

FEB 16 1988

SECRETARYS OFFICE
Public Utility Commission

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

Dear Secretary Rich:

Enclosed you will please find the proofs of publication relating to Lancaster and Montgomery County in the above referenced application.

Very truly yours,

RHOADS & SINON

By:

J. Bruce Walter

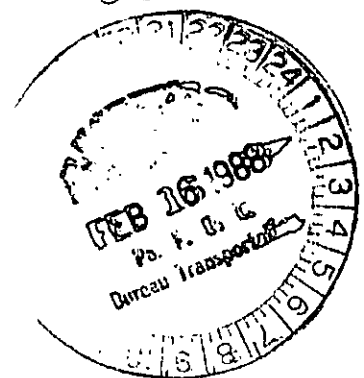
Enclosure

cc: Kleins' Bus Service, Inc.

**DOCUMENT
FOLDER**

FORM OF PROOF OF PUBLICATION OF HEARING OR NO HEARING

85633



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

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. Bruce Walter, Rhoads & Sinon, 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.

Commonwealth of Pennsylvania

SS:

County of Lancaster

On this 8th day of February, A.D. 1988, before me, the subscriber, a Notary Public in and for said county and state, personally appeared Dolly J. Benner who, being (Name of affiant) duly sworn according to law, deposes and says, that he is the Billing Clerk of the Intelligencer Journal, (publisher, editor, manager) Lancaster, County of Lancaster, 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 8th, 1988.

Dolly J. Benner
 (Signature of Affiant)

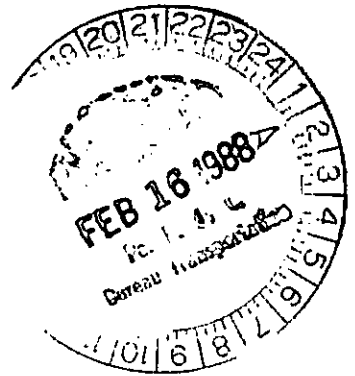
Nancy J. Fittory
 Notary Public

DOCKETED
 Sworn and subscribed before me the day and year aforesaid.
 FEB 16 1988
 ENTRY No.
 My Commission expires

DOCUMENT FOLDER

MAKES 91 ATTORNEY
 Notary Public, Lancaster, Lancaster County
 My Commission Expires March 26, 1990

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

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 Hazel, 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 & Sinon, P.O. Box 1146, Harrisburg, Pennsylvania 17108.

Commonwealth of Pennsylvania)

County of Montgomery)

On this 9th day of February
me, the subscriber, a Notary Public in an
state, personally appeared DAVID S. JOHNSON

(Name of affiant)
duly sworn according to law, deposes and
Publisher of the Times
(publisher, editor, manager)

County of Montgomery, 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 9th, 1988.

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istown,

David S. Johnson
(Signature of Affiant)

Judith M. Smythe
Notary Public

and subscribed before me the day and year aforesaid.

DOCKETED
APPLICATION DOCKET
FEB 16 1988
ENTRY No. 111

My Commission expires 9/30/89, 19__.

DOCUMENT
FOLDER

ARTHUR L. BERGER
FRANCIS B. HAAS, JR.
G. THOMAS MILLER
DONALD R. WASEL
RICHARD R. LEFEVER
J. THOMAS MENAKER
CLYDE W. MCINTYRE
S. BERNE SMITH
ROD J. PERA
EDWARD W. ROTHMAN
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W. JEFFRY JAMOUNEAU
HERBERT R. NURICK
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F. MURRAY BRYAN
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H. LEE ROUSSEL
MAURICE A. FRATER
C. GRAINGER BOWMAN
JOHN S. OYLER
DELANO M. LANTZ
HARVEY FREEDENBERG
JASON S. SHAPIRO
ERIC L. BROSSMAN

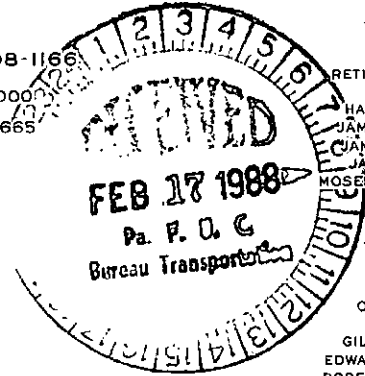
ROBERT D. STETS
TERRY R. BOSSERT
MARY JANE FORBES
JEFFREY B. CLAY
DAVID M. KLEPPINGER
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TRENT HARGROVE
KATHLEEN E. BOYLE
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SCOTT T. MUMMA
JAY H. FEASTER
DONALD B. KAUFMAN
JAMES L. FRITZ

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

STERLING G. McNEES
1923-1959

DAVID M. WALLACE
1942-1967



RETIRE PARTNERS
HARRY H. FRANK
JAMES H. BOOSER
JAMES W. HAGAR
JAMES H. KING
ROSE K. ROSENBERG

OF COUNSEL

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

February 16, 1988

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

RECEIVED

FEB 16 1988

SECRETARYS OFFICE
Public Utility Commission

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

Dear Mr. Rich:

On behalf of Penn Highway Transit Company and Conestoga Tours, Inc., 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,

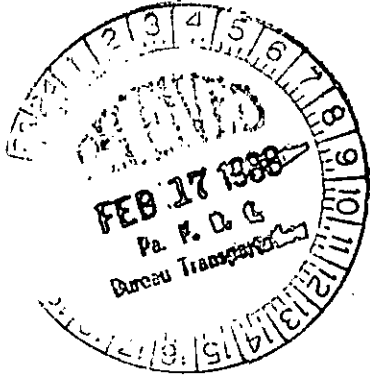
McNEES, WALLACE & NURICK

By


S. Berne Smith

SBS/ec
Enclosures
cc: Kleins' Bus Service, Inc. (w/enc.)
J. Bruce Walter, Esquire (w/enc.)
Mr. Thomas W. Meredith, Jr. (w/enc.)

DOCUMENT
FOLDER



RECEIVED

FEB 16 1988

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARYS OFFICE
Public Utility Commission

In re:

APPLICATION OF

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

PROTEST ON BEHALF OF PENN HIGHWAY TRANSIT COMPANY
AND CONESTOGA TOURS, INC.

S. Berne Smith, Esquire
McNEES, WALLACE & NURICK
100 Pine Street
P. O. Box 1166
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Protestants

Due: February 22, 1988

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
FEB 17 1988
ENTRY No.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

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

PROTEST ON BEHALF OF PENN HIGHWAY TRANSIT COMPANY
AND CONESTOGA TOURS, INC.

COMES NOW, Penn Highway Transit Company and Conestoga Tours, Inc.
(hereinafter "Penn Highway," "Conestoga Tours," or "Protestants"),
Protestants, by their counsel, and protest the above-captioned application
representing as follows:

1. The names, business addresses, and telephone numbers of the
Protestants are as follows:

Penn Highway Transit Company
825 East Chestnut Street
Lancaster, PA 17602
(717) 392-1983

and

Conestoga Tours, Inc.
825 East Chestnut Street
Lancaster, PA 17602
(717) 392-1983

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

S. Berne Smith, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
Harrisburg, PA 17108
(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 utilized by Boscov's Department Stores, located in some 11 municipalities throughout eastern Pennsylvania, including Lancaster County, and from said facilities to points in Pennsylvania.

4. The application will be competitive with and detrimental to existing services of Penn Highway and Conestoga Tours. Protestants are affiliated companies. Penn Highway specializes in the transportation of groups and parties of persons in both intrastate and interstate commerce. Penn Highway owns, or has access to, a full range of bus equipment, has satisfactory maintenance facilities, skilled and experienced bus drivers, and other employees. Conestoga Tours is a licensed tour broker holding authority from Pennsylvania Public Utility Commission and specializes in setting up and marketing tours and special excursions for the general public and charters equipment from Penn Highway to perform the actual transportation service.

5. As pertinent to this proceeding, Penn Highway presently holds authority at A. 8508, Folder 10 and amendments to transport groups and parties of persons and persons on special excursions and tour or sightseeing trips, from various points in Lancaster County including the city of Lancaster to points in Pennsylvania. A copy of the pertinent authority of Penn Highway is attached hereto as Appendix B. Conestoga Tours is a licensed PUC broker at A. 87612, permitting it to broker

transportation between points in the county of Lancaster and from points in said county to points in Pennsylvania, and vice versa. A copy of its pertinent authority is attached hereto as Appendix C.

6. Protestants will withdraw their protests if the application is amended so as to eliminate Lancaster County origins. Protestants believe 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 Lancaster County origins, Protestants are 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. Protestants are holding out to perform 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 transportation entities.

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

WHEREFORE, Penn Highway Transit Company and Conestoga Tours, Inc.
respectfully pray that the application be dismissed.

And, they will ever pray.

PENN HIGHWAY TRANSIT COMPANY
CONESTOGA TOURS, INC.

By Mc Nees, Wallace & Nurick
McNees, Wallace & Nurick

Harrisburg, PA
February 16, 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, 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. 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

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 8508
(Folder No. 10)

Application of PENN HIGHWAY TRANSIT COMPANY

SUPPLEMENTAL REPORT AND ORDER MODIFYING
CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter now comes before the Public Service Commission of the Commonwealth of Pennsylvania, upon petition of PENN HIGHWAY TRANSIT COMPANY, a corporation of the Commonwealth of Pennsylvania, dated June 11, 1937, for modification of the report, order and certificate of public convenience issued in this proceeding, under date of February 19, 1935, and upon protest, and having been duly heard and submitted by the part and full investigation of the matters and things involved have been had, the Commission finds and determines that approval of the proposed modification insofar as it refers to transportation of persons from the City of Lancaster and the Borough of Landisville, is necessary or proper for the service, accommodation or convenience of the public; THEREFORE,

NOW, to wit, October 5, 1937, IT IS ORDERED: That the second condition contained in the report, order and certificate of public convenience issued in this proceeding, on February 19, 1935, be and is hereby modified and amended to read as follows:

SECOND: That the rights, powers and privileges hereby granted are limited and restricted to the transportation of groups or parties of persons, to special excursions, and to tour or sight-seeing trips, all of which transportation originates at or in the City of Lancaster, the Borough of Landisville and the Villages of White Horse and Witmer, Lancaster County.

IT IS FURTHER ORDERED: That the prayer of the petition insofar as it refers to rights other than those approved herein be and is hereby refused.

IT IS FURTHER ORDERED: That Penn Highway Transit Company, its agents and employees, shall not engage in transportation hire between points in the Commonwealth of Pennsylvania in a manner not authorized by this or other certificates of public convenience issued to them.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

Joseph P. Shuman
Secretary

D. J. [Signature]
Chairman

APPENDIX B

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held June 11, 1987

Commissioners Present:

Bill Shane, Chairman
Linda C. Taliaferro
Frank Fischl

Application of Penn Highway Transit Company,
a corporation of the Commonwealth of
Pennsylvania, for amendment to its common
carrier certificate: SO AS TO PERMIT
the transfer to it of all of the rights
authorized under the certificate issued
at A-00024339, F. 13, to Conestoga
Transportation Company, subject to the
same limitations and conditions.

A-00008508
F. 10
Am-B

Jeremy Kahn and Dwight L. Koerber, Jr., for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on February 9, 1987, and published in the Pennsylvania Bulletin of February 28, 1987. There are no protests and the record is now certified to the Commission for its decision without oral hearing.

Penn Highway Transit Company (or applicant) is a Pennsylvania corporation with a business address of 825 East Chestnut Street in the city of Lancaster, Lancaster County. It is directly related to the Conestoga Transportation Company which is the transferor in this proceeding. All of the stock of the applicant corporation is owned by Conestoga Rentals Company.

The directors of Penn Highway, T. W. Meredith, Jr., D. L. Gerke, and B. E. Meredith, are also directors of Conestoga Transportation. C. G. Nissley is also a director of Conestoga Transportation. T. W. Meredith, Jr., is president of Penn Highway and Chief Executive Officer of Conestoga

Transportation. D. L. Gerke is Vice President of Penn Highway and President of Conestoga Transportation. J. E. Rineer is Secretary of both carriers. D. E. Meredith is Assistant Secretary of Conestoga Transportation.

There are 19,197 outstanding shares of stock in Conestoga Transportation Company held by 235 individual shareholders. The three directors of Penn Highway, T. W. Meredith, Jr., D. L. Gerke, and B. E. Meredith, own 8,644 shares or 45 percent, giving them effective control of the applicant corporation.

The transferor, Conestoga Transportation owns 100 percent of the Conestoga Rentals Company, which in turn, owns all 400 shares of stock of Penn Highway Transit, the applicant.

Penn Highway Transit has held a common carrier certificate from this Commission since February 19, 1935, which gives it the right to transport groups and parties of persons from specifically named points of origin in Lancaster County to points throughout Pennsylvania. It has been operating with ten buses of 46 and 47 passenger seating capacity, and ten maxi-vans each having seating capacity for ten persons.

As of December 31, 1985, the applicant had current assets of \$243,364, total assets of \$1,762,131, with current liabilities of \$153,419 and total liabilities of \$1,512,016, leaving shareholders' equity of \$250,115. During 1985, it generated revenues from operations of \$644,294 and incurred operating expenses of \$563,644, resulting in net operating revenues of \$80,650.

The Conestoga Transportation Company (transferor) has held the pertinent group and party bus authority at Folder 13 since February 5, 1935. It also has held scheduled route authority at Folder 58 since October 13, 1971. It is significant to note here that the applicant has also placed a companion application before us docketed at A-00008508, F. 15, seeking the transfer to it of all of the transferor's Folder 58 authority. In effect, between the two applications, the applicant seeks to acquire all of the transferor's existing authority.

The transferor has been active in the business, having generated revenues from the Pennsylvania operating authority of \$220,142 in 1983; \$243,674 in 1984; and \$191,712 in 1985. It has submitted all reports in a timely fashion, including the 1986 annual report, and its insurance coverage is currently in force.

It is the sole intention of all parties concerned to consolidate the operations of two commonly owned entities into one carrier operation, that being the applicant, Penn Highway Transit Company. Upon reviewing the Folder 13 authority held by the transferor, we note the lead authority gives it the right to provide group and party service from the boroughs of Columbia and Mountville, Lancaster County, to points in Pennsylvania. It has authority at Folder 13, Am-A, to provide group and party service from numerous townships in Lancaster County to points in Pennsylvania. The right held at Folder 13, Am-B, consists of authority to provide group and

party service from all points in Lancaster County (with certain exceptions). This latter right fully encompasses the authority contained in the first two rights. In the interests of elimination of unnecessary duplication of authority and maintaining an orderly record, we see no reason to carry the first two rights forward in this transfer proceeding. Only the authority now held by the transferor at Folder 13, Am-B, will be conveyed in this order, with no diminishing effect on the service capabilities of the applicant.

By the terms of a Sale and Purchase Agreement made between the applicant and the transferor on January 30, 1987, the applicant will pay the transferor the sum of \$10 cash for all of the authority at Folder 58 and the authority held at Folder 13, Am-A and Am-B. No reference is made to the lead right at Folder 13. Since the lead authority is encompassed within other rights at Folder 13, and the fact that it is fully intended to fuse all of the transferor's authority into the applicant's operation, we see no cause for concern. The nominal purchase price has been reached as the result of the consolidation of the two commonly controlled carriers.

We find:

1. That a continuing public need for service under the right to be transferred herein does exist.
2. That the applicant is fit, ready, willing and able to render the service.
3. That approval of the application is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of the rights held by Conestoga Transportation Company at A-00024339, F. 13, be and is hereby approved and that the certificate issued to the applicant on February 5, 1935, as amended, be further amended to include the following rights.

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips, from points in the county of Lancaster to points in Pennsylvania and return, excluding transportation from points in the boroughs of Adamstown, Terre Hill and Marietta, and the townships of Brecknock, Caernarvon, Mt. Joy, East Donegal, West Donegal and Conoy, and that part of the township of East Earl, located east of Highway Route 897;

with the above subject to the following general conditions:

- (a) 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 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.

- (b) 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.
- (c) That the applicant charge to Account 1550, Other Intangible Property, \$10, being the amount of the consideration payable for it for the rights and going concern value attributable thereto; less any amount recorded under Condition 2 above.
- (d) That the certificate holder shall comply with all of the provisions of the Public Utility Code as now existing or as may hereafter be amended, and 52 Pa. Code §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.
- (e) That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 Pa. C.S.A. §1102(3).

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.

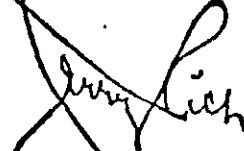
IT IS FURTHER ORDERED: That in the event the applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the transferor's assessment for 1987.

IT IS FURTHER ORDERED: That upon compliance with this order, the rights granted the transferor, Conestoga Transportation Company at A-00024339, F. 13, be cancelled and the record marked closed.

IT IS FURTHER ORDERED: 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.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: June 11, 1987

ORDER ENTERED: JUN 22 1987

COMM CHECK
RECORD CHECK
EXAMINED AND APPROVED

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. A.57612

Application of CONESTOGA TOURS, INC.,
a corporation of the Commonwealth of
Pennsylvania.

REPORT AND ORDER
APPROVING BROKERAGE LICENSE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of CONESTOGA TOURS, INC., a corporation of the Commonwealth of Pennsylvania, dated, August 24, 1960, for approval of the right to operate as a broker, and upon protests, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, the Commission finds and determines that approval of the application is necessary or proper for the service, accommodation or convenience of the public, limited to the following right:

To operate as a broker to sell or offer for sale, furnish, provide or arrange for the transportation of persons and their baggage by motor vehicle, without assuming custody of such persons and baggage as a motor carrier, between points in the County of Lancaster and from points in said County to points in Pennsylvania, and vice versa;

and subject to the following conditions, is consistent with the public interest and in accordance with the policy declared in Section 801 of the Public Utility Law:

That the license 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 License.

NOW, to wit, February 20, 1961, IT IS ORDERED: That upon compliance with the requirements of Section 806 of the Public Utility Law and with the rules and regulations promulgated by the Commission thereunder, a brokerage license issue evidencing the Commission's approval of the right to operate, as above determined.

APPENDIX C

INDEXED
EXAMINATION DOCKET
MARCH 2 1961

A.87612

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.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

William F. Kae

Secretary

Les Schwab

Chairman

A. 87612

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

In the matter of the Application of

CONESTOGA TOURS, INC., a corpora-
tion of the Commonwealth of
Pennsylvania

BROKERAGE
LICENSE

The Pennsylvania Public Utility Commission hereby certifies that after an investigation had on the above entitled application, it has, by its order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said license will be consistent with the public interest and the policy declared in Section 801 of the Public Utility Law, and this license is issued evidencing its approval of the said application as set forth in said order.

IN TESTIMONY WHEREOF, The Pennsylvania Public Utility Commission has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 28th day of March, 1961.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

Leahward
Chairman

William T. Gove

RECORD
FOLDER

DOCKETED
APPLICATION DOCKET
MAR 28 1961

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 16, 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
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RICHARD W. STEVENSON
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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

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 17, 1988

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

RECEIVED

FEB 17 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 Capitol Bus Company, Overland Coach Service, Inc., and Capitol International Tours, Inc., 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.

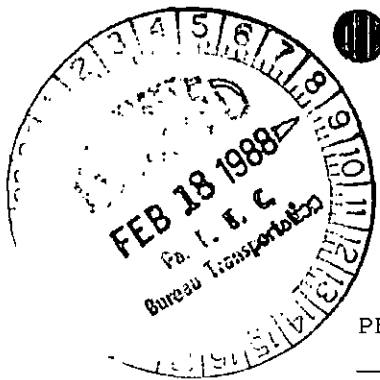
Very truly yours,

MCNEES, WALLACE & NURICK

By 
S. Berne Smith

SBS/ec
Enclosures
cc: Kleins' Bus Service, Inc. (w/enc.)
J. Bruce Walter, Esquire (w/enc.)
Mr. Joshua N. Bennett (w/enc.)
Mr. Gerald W. Smith (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 17 1988

SECRETARY'S OFFICE
Public Utility Commission

PROTEST ON BEHALF OF CAPITOL BUS COMPANY,
OVERLAND COACH SERVICE, INC., AND
CAPITOL INTERNATIONAL TOURS, INC.

**DOCUMENT
FOLDER**

S. Berne Smith, Esquire
McNEES, WALLACE & NURICK
100 Pine Street
P. O. Box 1166
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Protestants

Due: February 22, 1988

DOCKETED
APPLICATION DOCKET
FEB 17 1988
ENTRY No.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

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

PROTEST ON BEHALF OF CAPITOL BUS COMPANY,
OVERLAND COACH SERVICE, INC., AND
CAPITOL INTERNATIONAL TOURS, INC.

COMES NOW, Capitol Bus Company, Overland Coach Service, Inc. and Capitol International Tours, Inc. (hereinafter "Capitol," "Overland," "CIT," or "Protestants"), Protestants, by their counsel, and protest the above-captioned application representing as follows:

1. The names, business addresses, and telephone numbers of the Protestants are as follows:

Capitol Bus Company
Overland Coach Service, Inc.
Capitol International Tours, Inc.
1061 South Cameron Street
Harrisburg, PA 17104
(717) 232-7673

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

S. Berne Smith, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
Harrisburg, PA 17108
(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 utilized by Boscov's Department Stores, located in some 11 municipalities throughout eastern Pennsylvania, including facilities located in the counties of Lancaster, York, Dauphin, Lebanon, Cumberland and Schuylkill, and from said facilities to points in Pennsylvania.

4. The application will be competitive with and detrimental to existing services of Capitol, Overland and CIT. Protestants are affiliated companies. Capitol and Overland specialize in the transportation of groups and parties of persons in both intrastate and interstate commerce. Capitol and Overland have access to a full range of bus equipment, have satisfactory maintenance facilities, skilled and experienced bus drivers, and other employees. CIT is a licensed tour broker holding authority from Pennsylvania Public Utility Commission and specializes in setting up and marketing tours and special excursions for the general public and charters equipment from Capitol or Overland to perform the actual transportation service.

5. As pertinent to this proceeding, Capitol Bus presently holds authority at A. 67651, Folder 3 and amendments to transport groups and parties of persons and persons on special excursions and tour or sightseeing trips, from points in the counties of Cumberland, Dauphin, Lancaster, Lebanon and Schuylkill including the origins sought by applicant to points in Pennsylvania. A copy of the pertinent authority of Capitol is

attached hereto as Appendix B. Overland holds authority at A. 107194 to transport groups and parties of persons from various points in York County, including the City of York, to points in Pennsylvania. That authority is attached hereto as Appendix C. Overland's authority is being transferred to Capitol Bus Company in a pending proceeding. CIT is a licensed PUC broker at A. 104161, permitting it to broker transportation between points in Pennsylvania. A copy of its pertinent authority is attached hereto as Appendix D.

6. Protestants will withdraw their protests if the application is amended so as to eliminate conflicting origins. Protestants believe 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 counties of Cumberland, Dauphin, York, Lebanon, Lancaster and Schuylkill, Protestants are 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. Protestants are holding out to perform 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 transportation entities.

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

WHEREFORE, Capitol Bus Company, Overland Coach Service, Inc. and Capitol International Tours, Inc. respectfully pray that the application be dismissed.

And, they will ever pray.

CAPITOL BUS COMPANY
OVERLAND COACH SERVICE, INC.
CAPITOL INTERNATIONAL TOURS, INC.

By McNees, Wallace & Nurick
McNees, Wallace & Nurick

Harrisburg, PA
February 17, 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, 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. *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

Capitol Bus Company
A-00067652, Folder 3

To transport groups and parties of persons, and persons on special excursions and tour or sightseeing trips, from the United States Military Reservation at Indiantown Gap, Lebanon County, and the Borough of Pine Grove, Schuylkill County, to other points in Pennsylvania;

Am-A

To transport, as a common carrier, groups and parties of persons, and persons on special excursions and tour or sightseeing trips, from points in the City of Harrisburg and points in the Township of Lower Paxton, Dauphin County, to points in Pennsylvania;

Am-B

To transport groups and parties of persons from the Borough of Gettysburg, Littlestown, Fairfield, Biglerville, Bendersville, Arendtsville and York Springs, Adams County, and the Borough of Dillsburg, York County, to points in Pennsylvania;

Am-C

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

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 City of Pottsville, Schuylkill County, to points beyond fifty (50) miles of the limits of said city; provided that the certificate holder shall have the right to transport groups of school children attending Pottsville High School to any points in Pennsylvania,

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 City of Pottsville, Schuylkill County, to points on the applicant's presently certificated route between Harrisburg and Scranton within fifty (50) miles of the limits of said City of Pottsville.

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from the Boroughs of Shenandoah and Frackville, Schuylkill County, to points beyond an airline distance of fifty (50) miles of the limits of said borough; excluding the right to render service to any city, borough, town or township, any part of which is located within said fifty (50) mile area,

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from the Boroughs of Shenandoah and Frackville, Schuylkill County, to the Cities of Harrisburg, Dauphin County, and Wilkes-Barre, Luzerne County, and to points located on the applicant's presently certificated route north of the City of Wilkes-Barre, Luzerne County.

Am-D

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from the Borough of Schuylkill Haven, Schuylkill County, to points beyond an airline distance of fifty (50) miles of the limits of said borough,

To transport, as a common carrier, groups and parties of persons and persons on special excursions and tours or sight-seeing trips from the Borough of Schuylkill Haven, Schuylkill County, to points on the applicant's presently certificated routes within an airline distance of fifty (50) miles of the limits of said borough.

Am-E

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 Townships of Upper Allen and Monroe, Cumberland County, the Borough of Franklinton and the Townships of Carroll, Franklin, Washington, Penn and West Manheim, York County, the Boroughs of East Berlin and Abbottstown and the Townships of Latimore, Huntingdon, Tyrone, Butler, Straban, Cumberland, Reading, Hamilton and Berwick, Adams County, to points in Pennsylvania; excluding the right to transport groups and parties of persons and persons on special excursions and tours or sight-seeing trips from points within one (1) mile of the limits of the Borough of Hanover, York County.

Am-F

To transport, as a common carrier by motor vehicle, groups and parties of persons from the Borough of Trankhannock, Wyoming County, to points in Pennsylvania;

Am-G

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 County of Berks, The Borough of Pottstown and Township of West Pottsgrove, Montgomery County, the City of Pottsville and the Boroughs of Pine Grove, Tremont and Tamaqua, Schuylkill County, and the Townships of West Whiteland, Uwchlan, Upper Uwchlan, West Vincent, East Nantmeal, South Coventry, and North Coventry and the Villages of Lionville, Eagle and Pughtown, Chester County, to points in Pennsylvania (Formerly A. 16085, F 88 as redescribed)

Subject to the following conditions

FIRST: That no right, power or privilege is granted to render any service from points which may presently be served by the Brandywine Transit Company in the Townships of Brecknock (except the Village of Knauers), Cumru and Caernarvon, and the Borough of Kenhorst, to points which may be served by Brandywine Transit Company.

FILE

CONTINUED