



COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA PUBLIC UTILITY COMMISSION
 P.O. BOX 3265, HARRISBURG, PA 17105-3265
 MARCH 17, 2000

IN REPLY PLEASE
 REFER TO OUR FILE

A-00107294F0002AM-C

JAMES D CAMPBELL JR
 3631 NORTH FRONT STREET
 HARRISBURG PA 17110

DOCUMENT
 FOLDER EEF

Application of Bucks County Transport, Inc.,
 Corporation of the Commonwealth of Pennsylvania

DOCKETED

MAR 22 2000

TO WHOM IT MAY CONCERN:

Enclosed is the compliance order issued by the Commission in this proceeding.

The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

Motor carriers operating without complying with the above requirement will be subject to the penalty provisions of the Public Utility Code.

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of March 16, 2000 and dismiss the application without further proceedings.

Very truly yours,

James J. McNulty,
 Secretary

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 Enclosures
 Certified Mail
 Tariff Section: (717) 787-5945

BUCKS COUNTY TRANSPORT INC
 BUCKINGHAM GREEN
 ROUTE 202, PO BOX 510
 HOLICONG PA 18928

EEF

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held March 16, 2000

Commissioners Present:

Robert K. Bloom, Vice Chairman
Nora Mead Brownell
Aaron Wilson, Jr.
Terrance J. Fitzpatrick

Application of Bucks County Transport, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, persons, in paratransit service, between points in the county of Bucks, and from points in said county, to points in the counties of Northampton, Lehigh, Montgomery and Philadelphia, and return; subject to the following condition: That any service provided under the authority granted herein shall be rendered in vehicles having a seating capacity of twenty-nine (29) passengers or less, excluding the driver: SO AS TO PERMIT the transportation of persons, in paratransit service, between points in the county of Bucks, and from points in said county, to points in the counties of Northampton, Lehigh, Montgomery and Philadelphia, and vice versa; subject to the following condition: That any service provided under the authority granted herein shall be provided in vehicles having a seating capacity of twenty-eight (28) passengers or less, excluding the driver.

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Caldwell & Kearns by James D. Campbell, Jr. for the applicant.
Raymond A. Thistle, Jr., for protestants, Suburban Transit Network, Inc. and Willow Grove Yellow Cab Co., Inc., t/d/b/a Bux-Mont Yellow Cab and Bux-Mont Transportation Services Co.

ORDER

DOCKETED

MAR 22 2000

BY THE COMMISSION:

This matter comes before the Commission on an application filed August 23, 1999. Public notice of the application was given in the Pennsylvania Bulletin of October 9, 1999. Protests were filed by Suburban Transit Network, Inc. and Willow Grove Yellow Cab Co., Inc., t/d/b/a Bux-Mont Yellow Cab and Bux-Mont Transportation Services Co.

Both protests were withdrawn upon restrictive amendment that no right is granted to originate service in the county of Montgomery.

The now unopposed application is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by the applicant and nine (9) parties in support.

DISCUSSION AND FINDINGS:

Applicant currently provides paratransit service between points in the county of Bucks, and from points in said county, to points in the counties of Northampton, Lehigh, Montgomery and Philadelphia; provided that the service shall be rendered in vehicles seating twenty-nine (29) passengers or less, excluding the driver. Applicant now seeks only to permit *vice versa* service from points in counties that it may already serve. Nine (9) verified statements were presented representing a need for the *vice versa* authority.

. In circumstances where there is a duplication of rights in that the right to be amended is completely encompassed in the right to be issued, the Commission can eliminate the right being amended. In this situation the right to be amended, is conditioned that the service shall be rendered in vehicles having a seating capacity of twenty-nine (29) passengers or less, excluding the driver. The proposed amendment herein is limited that any service shall be provided in vehicles having a seating capacity of twenty-eight (28) passengers or less, excluding the driver. Elimination of the amended right at first did not seem justified. In a telephone conversation of February 10, 2000, with Vincent J. Volpe, Executive Director of applicant, reveals that applicant does not operate any twenty-nine (29) passenger vehicles. Therefore, elimination of the right to be amended presents no problem.

After complete review of the record, we find:

1. Applicant currently holds authority to transport persons in paratransit service.
2. Applicant seeks to amend its authority and two (2) carriers protested the application.

3. Both protests were withdrawn upon restrictive amendment, as set forth supra.

4. The applicant has the equipment, experience, ability and fitness necessary to render the service, as amended.

5. Nine (9) parties support the application for vice versa service.

6. The evidence of record is sufficient to establish necessity for the service, as amended.

7. Approval of the application, as amended, is necessary for the accommodation and convenience of the public; **THEREFORE,**

IT IS ORDERED: That the right issued under order adopted February 22, 1990, and entered March 1, 1990, shall be amended to read as follows:

To transport, as a common carrier, persons, in paratransit service, between points in the county of Bucks, and from points in said county, to points in the counties of Northampton, Lehigh, Montgomery and Philadelphia, and vice versa;

subject to the following conditions:

(1) That any service provided under the authority granted herein shall be, provided in vehicles having a seating capacity of twenty-eight (28) passengers or less, excluding the driver.

(2) That no right, power of privilege is granted to originate service from points in the county of Montgomery.

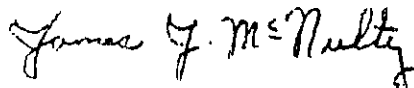
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation authorized by this order until the following is submitted to the Commission:

1. A tariff establishing just and reasonable rates.

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.

IT IS FURTHER ORDERED: That in the event said 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.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: March 16, 2000

ORDER ENTERED: **MAR 17 2000**

0001 .

BUCKS COUNTY TRANSPORT, INC.
BUCKINGHAM GREEN, ROUTE 202
P.O. BOX 510
HOLICONG
SELF

PA 18928

0002

JAMES D. CAMPBELL, JR.
3631 N FRONT STREET
HARRISBURG
APPLICANT

PA 17110

0003

RAYMOND A. THISTLE, JR.
ATTORNEY AT LAW
2840 PINE ROAD UNIT A
HUNTINGDON VALLEY
SUBURBAN TRANSIT NETWORK, INC.

PA 19006-2442

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0004

RAYMOND A. THISTLE, JR.
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2840 PINE ROAD, UNIT A
HUNTINGDON VALLEY
BUX-MONT TRANSPORTATION SERVICES CO.

PA 19006-4242

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A-00107294F0002AM-C c/o
JAMES D CAMPBELL JR
3631 NORTH FRONT STREET
HARRISBURG PA 17110

4a. Article Number

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