



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

May 20, 1987

IN REPLY PLEASE  
REFER TO OUR FILE

A. 107294  
F.S. 1 + 2

James D. Campbell, Jr., Esquire  
130 State Street  
P.O. Box 1000  
Harrisburg, PA 17108

Re: Temporary and Emergency Temporary Authority Applications of  
Bucks County Transport, Inc. (A-00107294, Folders 1 and 2)

Dear Mr. Campbell:

We are returning both applications for Emergency Temporary and Temporary Authority Applications and filing fees in the amounts of \$125.00 (2) due to the fact that new forms have been in effect since January of 1987 and require more information.

Also, please be advised that since permanent applications are on file for both applications the filing fees would only be \$100.00 for each set.

Sincerely,

Frances Walkinshaw  
Application Examiner  
Bureau of Transportation  
(717) 783-3037

Enclosures



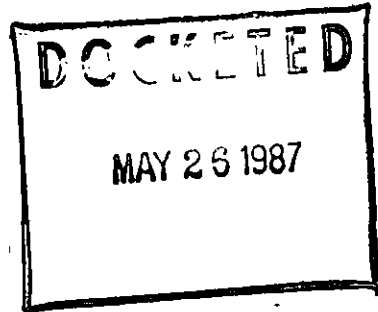


COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

May 21, 1987

IN REPLY PLEASE  
REFER TO OUR FILE

A-00107294, F002



(See attached list)

Application of Bucks County Transport, Inc.

Right to begin to transport, by motor vehicle, persons in paratransit service, between points in that portion of Bucks County located on and north of Pennsylvania Highway Route 563, and in the townships of Nockamixon, \*\*\* and Upper Makefield, and the borough of Sellersville, Perkasie, New Hope and Reigelsville; which is to be a transfer of the rights authorized under the certificate issued at A-00099648, Folder 7 to Laidlaw Transit (PA) Inc., subject to the same limitations and condition.

N O T I C E

This is to inform you that an initial hearing on the above-captioned case will be held Tuesday, July 7, 1987, at 10:00 a.m., in available hearing room, Ground Floor, North Office Building, Harrisburg.

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

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

cc: Judge Mindlin  
Bureau of Trans.  
Mrs. Pappas  
Mrs. Howell  
Mr. Bramson  
File Room



A-00107294, F002  
Bucks County Transport

X James D. Campbell, Jr., Esquire  
Campbell, Spitzer, Davis & Turgeon  
P O Box 1000  
Harrisburg, PA 17108

A Bucks County Transport, Inc.  
70 West Oakland Avenue  
Doylestown, PA 18901

X Raymond A. Thistle, Jr., Esquire  
206B Benson East  
100 Old York Road  
Jenkintown, PA 19046

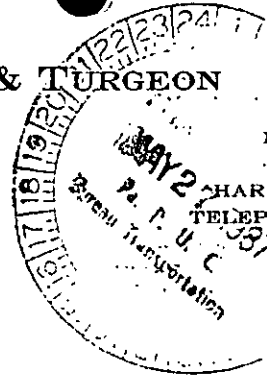
X Michael A. Tier, Esquire  
Suite 1300  
1401 Arch Street  
Philadelphia, PA 19102  
-----

LAW OFFICES

CAMPBELL, SPITZER, DAVIS & TURGEON

JAMES D. CAMPBELL, JR.  
ROBERT C. SPITZER  
MICHAEL Q. DAVIS  
JEANNINE TURGEON  
JAMES W. ABRAHAM

May 26, 1987



130 STATE STREET  
P. O. BOX 1000  
HARRISBURG, PA 17108  
TELEPHONE (717) 232-1876

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MAY 26 1987

SECRETARYS OFFICE  
Public Utility Commission

*A-107294  
F.S. 1 + 2*

Frances Walkinshaw  
Application Examiner  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
Post Office Box 3265  
Harrisburg, Pennsylvania 17120

In Re: Bucks County Transport, Inc.

Dear Ms. Walkinshaw:

In accordance with the instructions contained in your letter dated May 20, 1987, I enclose herewith revised applications for Emergency Temporary Authority, Temporary Authority, and Extensions thereof, in connection with the broker application and the transfer application filed by the above named company.

Also in accordance with your instructions, I have enclosed checks in the amount of \$100.00 each to cover the enclosed applications.

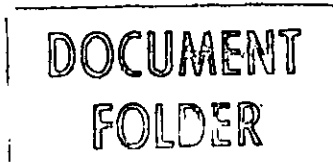
Copies of both applications have been provided to each of the labor unions identified at page 5 of the statement from Bucks County in support of the applications for Emergency Temporary Authority and Temporary Authority to operate as a broker, which is incorporated by reference into the statement of Bucks County in support of the transfer application ETA and TA.

Sincerely,

*J. D. Campbell, Jr.*  
James D. Campbell, Jr.

JDC:nlp  
Enclosures

cc: Labor Unions  
Vincent J. Volpe



ORIGINAL

LAW OFFICES

CAMPBELL, SPITZER, DAVIS & TURGEON

JAMES D. CAMPBELL, JR.  
ROBERT C. SPITZER  
MICHAEL Q. DAVIS  
JEANNINE TURGEON  
  
JAMES W. ABRAHAM

130 STATE STREET  
P. O. BOX 1000  
HARRISBURG, PA 17108  
TELEPHONE (717) 232-1876

June 15, 1987

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JUN 15 1987

Mr. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
Post Office Box 3255  
Harrisburg, Pennsylvania 17120

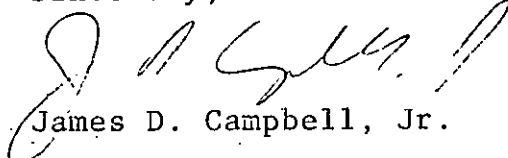
SECRETARY'S OFFICE  
Public Utility Commission

In Re: Application of Bucks County Transport, Inc  
A-107294, Folder 2

Dear Secretary Rich:

Please find enclosed herewith the original and two (2) copies of an Answer to Protestants' Motion to Dismiss Application filed in the above captioned matter. I have provided copies to counsel of record and to Judge Mindlin.

Sincerely,

  
James D. Campbell, Jr.

JDC:nlp  
Enclosures

cc: Michael A. Tier, Esquire  
ALJ Morris Mindlin  
Raymond A. Thistle, Jr., Esquire

DOCUMENT  
FOLDER

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF BUCKS  
COUNTY TRANSPORT, INC.

DOCKET NO. A-107294, F.2

RECEIVED

ANSWER OF BUCKS COUNTY TRANSPORT, INC.  
TO MOTION OF PROTESTANTS TRACEY TOURS AND  
CAROL LINES, INC. TO DISMISS THE APPLICATION  
OF BUCKS COUNTY TRANSPORT, INC.,

JUN 15 1987

SECRETARY'S OFFICE  
Public Utility Commission

NOW COMES, Bucks County Transport, Inc., by its attorneys,  
and makes answer to Protestants' Motion as follows:

1. Bucks County Transport, Inc., Applicant in the captioned proceeding, is the same entity which has made application to the Commission for broker authority at A-107294. Since these Protestants filed an identical Motion to the Broker Application, and since a copy of the subject pleading was served upon Judge Mindlin, it is assumed that the Motion is directed against Applicant's Folder 2 Application, although the docket number in the caption of Protestants' Motion does not identify Folder 2.

2. Bucks County Transport, Inc. is a single entity.

3. It is admitted that Bucks County Transport, Inc. has pending applications for both brokerage authority and common carrier paratransit authority.

DOCUMENT  
FOLDER

DOCKETED  
JUN 15 1987

4. The brokerage application seeks county wide authority. The other pending application seeks transfer of paratransit authority within a small segment of the county not served by Protestants.

5. The averments of paragraph 5 of the Motion are denied. As the alter ego of the county of Bucks, Bucks County Transport, Inc. was established as a non-profit corporation in order to take over the operations of the county's former transportation department. It has so operated, in reliance upon opinions of counsel, including the Commission's legal counsel, indicating that such services are exempt from regulation from the Commission.

6. The granting of authorities sought by Bucks County Transport, Inc. would only benefit the citizens of Bucks County. As a broker, it would serve as the coordinator for transportation subsidized by Pennsylvania state agencies, and assure that qualified carriers rendered the required service to the public. It needs to hold broker's authority in order to properly execute its functions as the designated coordinator for Bucks County for the aforesaid transportation. Applicant has advised Protestants, as well as all other carriers in Bucks County, that it will contract with any properly authorized carrier which can render satisfactory, responsible service to

the public within its certificated area of operations. Applicant's purpose in securing paratransit authority by transfer from LaidLaw Transit (PA), Inc. is to assure that there will be some carrier ready, willing, and able to provide service within the geographical territory under consideration, as LaidLaw intends to get out of the paratransit business in that territory, and there are no other carriers holding the authority to serve that territory.

IN FURTHER ANSWER TO THE MOTION TO DISMISS, APPLICANT SUBMITS THE FOLLOWING:

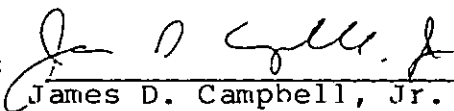
7. The present Motion to Dismiss, filed by Protestants, is untimely and was due to be filed within twenty days after the date of service of the application. 52 Pa. Code Section 5.61.

8. Insofar as the subject Motion is made by Tracey Tours, Inc., it is surprising, confusing, and frivolous inasmuch as Tracey Tours, Inc. itself holds both brokerage authority at A.103812 and common carrier group and party authority at A.106120.

WHEREFORE, Applicant respectfully requests the Commission to  
dismiss the Motion of Protestants.

Campbell, Spitzer, Davis & Turgeon

Dated: June 15, 1987

By:   
James D. Campbell, Jr.  
130 State Street  
Post Office Box 1000  
Harrisburg, Pennsylvania 17108  
(717)-232-1876

Attorney for Applicant  
Bucks County Transport, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served two true copies of the foregoing document upon the Protestants in this proceeding, as well as the presiding officer and other parties of record, in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service, by a participant).

Dated this 15th day of June, 1987.



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James D. Campbell, Jr.  
Counsel for Applicant,  
Bucks County Transport, Inc.

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JUN 17 1987

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

Application of Bucks County : Docket No.  
Transport, Inc. : A-107294, F. 2

RULING UPON MOTION  
TO DISMISS APPLICATION

This proceeding involves an application for common-carrier certification. Protestants, Tracey Tours and Carol Lines, Inc., have filed a Motion to Dismiss the application. The Applicant has filed an Answer.

The Motion to Dismiss, clearly, is a "speaking" demurrer. As such, it is without warrant.

THEREFORE, the Motion is denied.

Dated: June 16, 1987



MORRIS MINDLIN  
Administrative Law Judge

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FOLDER

DOCKETED  
JUN 18 1987

Parties of Record:

James D. Campbell, Jr., Esquire  
Campbell, Spitzer, Davis & Turgeon  
P.O. Box 1000  
Harrisburg, PA 17108

Bucks County Transport, Inc.  
70 West Oakland Avenue  
Doylestown, PA 18901

Raymond A. Thistle, Jr., Esquire  
206B Benson East  
100 Old York Road  
Jenkintown, PA 19046

Michael A. Tier, Esquire  
Suite 1300  
1401 Arch Street  
Philadelphia, PA 19102

cc: Chief ALJ/Pappas/Scheduler  
Ms. Lyons  
New Filing