

LAW OFFICES  
CAMPBELL, SPITZER, DAVIS & TURGEON  
110 STATE STREET  
P. O. BOX 1000  
HARRISBURG, PENNSYLVANIA 17108  
TELEPHONE (717) 202-1076

OF COUNSEL  
ERNEST S. BURCH

March 3, 1987

JAMES D. CAMPBELL, JR.  
ROBERT C. SPITZER  
MICHAEL Q. DAVIS  
JEANNINE TURGEON  
CLYDE CRADY SWISHER, III

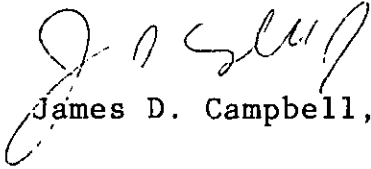
Ms. Frances Walkenshaw  
Application Section  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
Post Office Box 3265  
Harrisburg, Pennsylvania 17120

In Re: Application of Bucks County Transport, Inc., A-00107294, F.2

Dear Ms. Walkenshaw:

Following up our telephone conversation, I have obtained copies of the corporate seals of Bucks County Transport, Inc. and Laidlaw Transit (PA) Inc., and I enclose the same herewith. Please let me know if you need anything further.

Sincerely,

  
James D. Campbell, Jr.

JDC:nlp  
Enclosures

DOCUMENT  
FOLDER

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

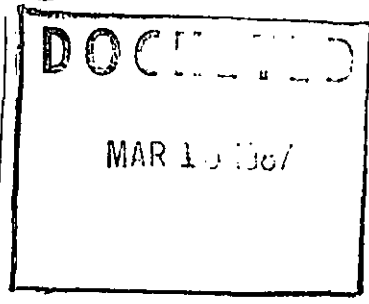


## RECEIPT

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.

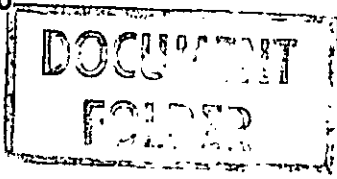
James D. Campbell, Jr.  
130 State St  
P.O. Box 1000  
Harrisburg, PA 17108

Date March 12, 1987



CR 124017 A

In re application of Bucks County Transportation Inc.  
A-00107294, F.2.....\$125.00



ck 9170 Revenue account 001780-017601-102 (ck)  
                  \$125.00  
Checks \_\_\_\_\_ Currency \_\_\_\_\_  
Utility account 50:26

C. Joseph Meisinger  
For Department of Revenue

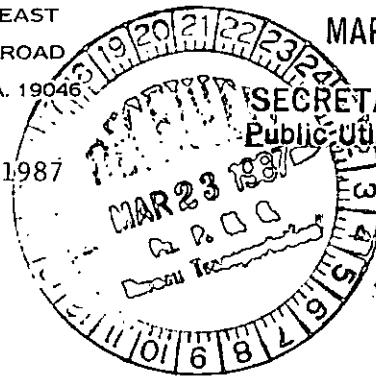
RAYMOND A. THISTLE, JR.

RECEIVED

ATTORNEY AT LAW  
206B BENSON EAST  
100 OLD YORK ROAD  
JENKINTOWN, PA. 19046

MAR 20 1987

March 20, 1987



SECRETARYS OFFICE  
Public Utility Commission

(215) 576-0131

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

Re: Application of Bucks County  
Transport, Inc.  
Docket A-00107294, F.2

FILE

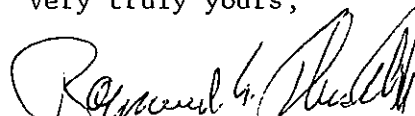
Dear Secretary Rich:

Enclosed herewith for filing are an original plus two copies of a Joint Protest of two citizens and members of the public of Bucks County against the granting of the above application on the basis of lack of fitness of the proposed transferee, Bucks County Transport, Inc.

Proper service has been made per the Certificate of Service.

This letter and protest is being posted at the Jenkintown office of the U.S. Postal Service, on March 20, 1987, with Postal Receipt #3817 attached to the original of the documents. Since protests are not due until March 23, 1987, this is timely filing.

Very truly yours,

  
Raymond A. Thistle, Jr.

RAT:mt

cc: Russell F. Maxwell, Jr.  
Robert L. Hutchinson

RECEIVED

MAR 20 1987

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARYS OFFICE  
Public Utility Commission



IN RE: APPLICATION OF BUCKS COUNTY TRANSPORT, INC.  
DOCKET A-00107294, FOLDER 2

JOINT PROTEST AGAINST APPLICATION  
TO PURCHASE PORTION OF AUTHORITY  
OF LAIDLAW TRANSIT (PA), INC.

FILE

1. The name, address and docket number of applicant and applicant's application are:

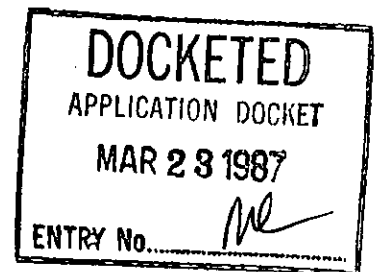
Bucks County Transport, Inc.  
70 West Oakland Avenue  
Doylestown, PA 18901

Docket A-00107294, Folder 2

2. The names, addresses and telephone numbers of joint protestants are:

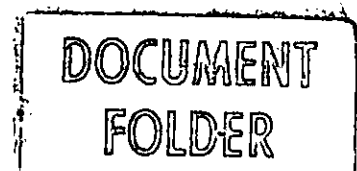
Russell F. Maxwell, Jr.  
P. O. Box 395  
Gwynedd Valley, PA 19437  
(215) 345-5880

Robert L. Hutchinson  
47 Durham Road  
Pennel, PA 19047  
(215) 757-5343



3. Name, business address and telephone number of protestants' attorney are:

Raymond A. Thistle, Jr.  
206B Benson East  
100 Old York Road  
Jenkintown, PA 19046  
(215) 576-0131



4. Nature of protestants' interest in application and adverse impact on protestants:

Protestants are persons who are citizens of the County of Bucks, Commonwealth of Pennsylvania, who have voted therein, who pay taxes therein, who earn their livelihoods therein. As such they fall into the category of those persons included in the words of art used in the public utility law of the Commonwealth and of the rules and regulations of the Pennsylvania Public Utility Commission, such as, but not limited to: "public convenience", "public interest", "public welfare", "service to the public", "adverse to the public interest":

Bucks County Transport, Inc. has not only applied herein for the Commission's approval of the transfer to it of paratransit authority in Bucks County, presently held by Laidlaw Transit (PA), Inc., but also for "brokerage license - persons, between points in the county of Bucks" at Docket A-00107294. This Brokerage application was published in the PA Bulletin of February 14, 1987, at page 781; protests were due March 9, 1987.

These almost concurrent applications both as a Broker of passenger transportation and as a provider of paratransit passenger transportation creates a situation of potential discrimination against others in favor of itself, resulting in an injury and harm to the public and adverse to the public interest. Therefore, the protestants specifically challenge the fitness of the applicant. They do so as members of the public which looks to the Commission for its protection.

Further, there is a pending Commission Complaint proceeding against Bucks County Transport, Inc. which protestant Russell E. Maxwell has a pending Petition for Leave to Intervene (mailed November 26, 1986) and on which no action has yet been taken (PA PUC vs. Bucks County Transport, Inc., Docket C-860967). It alleges transportation service without authority.

Lastly, it is protestants' intent to concurrently file herewith a Petition for Leave to Intervene in Bucks County Transport, Inc. Broker's application.

All of these matters raise serious questions of applicant's fitness which protestants herein raise.

The adverse impact upon protestants is that if applicant were to obtain both a broker's license and a provider's certificate (carrier) competition could well be restrained contrary to the Commission's new enlightened policy and contrary to the best interest of the public.

5. Commission docket numbers under which protestants operate with authorities attached

Although both protestants happen to be certificated motor carriers, they are not protesting in such capacity. They are protesting as members of the public of Bucks County concerned with the fitness of Bucks County Transport, Inc.

Because Bucks County Transport, Inc. has been designated as coordinator for Bucks County by Penn DOT under the #203 Senior Citizen Program, protestants, as citizens and members of the public, are concerned about the further lessening of any competition at all in Bucks County, which is adverse to the public interest.

6. Proposed Restriction

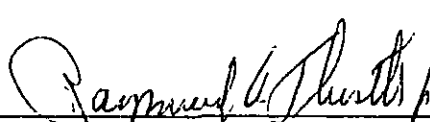
Because protestants are not protesting as carriers, there is no territorial or type-service restriction they seek. They seek only to protect their interests as members of the public from the creation of an injurious situation to the public.

Respectfully Submitted

RUSSELL F. MAXWELL, JR.  
ROBERT L. HUTCHINSON

PROTESTS DUE : March 23, 1987  
PROTESTS POSTED  
WITH RECEIPT  
ATTACHED : March 20, 1987

By

  
Raymond A. Thistle, Jr.  
Attorney for Protestants

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below, he served a copy of the foregoing Joint Protest upon all parties of record at their proper addresses as indicated below, by placing a copy thereof with the United States Postal Service, first class mail, postage prepaid:

Honorable Allison Turner, Chief  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

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

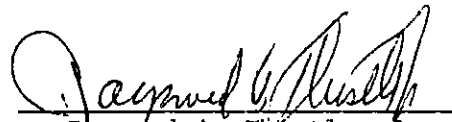
Bucks County Transport, Inc.  
70 West Oakland Avenue  
Doylestown, PA 18901

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

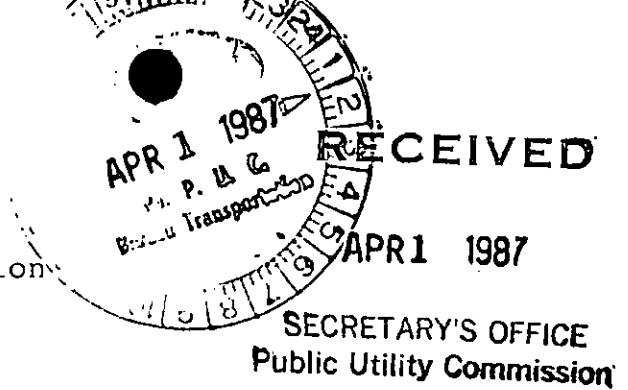
H. Kirk House, Esquire  
Assistant Counsel  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

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

Posted at the U. S. Postal Service Post Office at Jenkintown, PA, with Postal Form #3817, attached to original of the document, on March 20, 1987, for timely filing.

  
\_\_\_\_\_  
Raymond A. Thistle, Jr.  
Attorney for Protestants

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



Re: Application of Bucks County  
Transport Inc. A-107294 F.2

Dear Secretary Rich:

**FILE**

On behalf of Carol Lines Inc., and Tracy Tours the following protest against the Application to Purchase Portion of Authority of Laidlaw Transit (PA), Inc. and states in support thereof:

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

Tracey Tours  
P.O. Box 24732  
Philadelphia, Pa. 19120  
215-457-8660

Carol Lines Inc.  
4550 Rising Sun Ave  
Philadelphia, Pa.  
215-457-4461

2. The name, address and telephone number of the attorney for the Protestants is:

Michael A. Tier  
Suite 1401 Arch Street  
Philadelphia, Pa. 19102  
215 568-0188

3. The docket number for Protestants' authority is A.103812 F.1 and A 101488.

4. Protestants' authority is attached. Further Protestants' adopt the reasonings founded in Commission holding concerning the conflict of interest involved in a broker-provider marriage.

5. Applicant seeks territorial authority for the transportation of individuals in an area and industry which it presently regulates as a section 203 coordinator.

6. Cause and reason for objection and its subsequent Protest to the request for authority are listed below:

a. The applicant's request encompasses substantially all Protestants' authority.

b. The Protestant, individually is providing an adequate and efficient service to the public in the area in which authority has been granted them.

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
APR 2 1987  
ENTRY No. *11*

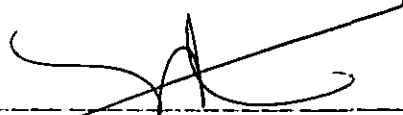
c. If applicant were granted the authority serious questions of conflict of interest would exist.

d. Such grant of authority would conflict against basic PUC policy, would not serve the best interest of the public, and would ultimately result in serious questions of law requiring further litigation.

WHEREFORE, Protestant prays this Honorable Commission to deny the application for authority.

DATED

3/24/87

  
\_\_\_\_\_  
MICHAEL A. TIER, ESQ.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he, on the date indicated below, served a copy of the foregoing Protest upon the parties also listed below at the difference addresses indicated by placing same with the U.S. Postal Service, first-class mail, postage pre-paid.

JAMES D. CAMPBELL, JR. ESQUIRE  
130 STATE STREET  
P.O. BOX 1000  
HARRISBURG, PA. 17108

AND

BUCKS COUNTY TRANSPORT, INC.  
70 W. OAKLAND AVENUE  
DOYLESTOWN, PA. 18901

DATED

3/24/87

  
\_\_\_\_\_  
MICHAEL A. TIER

A-00101488. Folder 3, Am-B CAROL LINES, INC. (4450 Rising Sun Avenue, Philadelphia, Philadelphia County, Pennsylvania 19140), a corporation of the Commonwealth of Pennsylvania - persons, in paratransit service, between points in the township of Cheltenham and the borough of Jenkintown, Montgomery County, and the city and county of Philadelphia, and from said territory to points within an airline distance of ten (10) statute miles of the limits of said territory and return: SO AS TO PERMIT the transportation of persons in paratransit service, in modified motor vehicles equipped with safety locks and ramps, between points in that part of Bucks County in and south of the townships of Bensalem, Middletown, Newtown, Wrightstown, Upper Makefield and Solebury to include the boroughs of Hulmeville, Pennel, Langhorne Manor, Langhorne, Newtown and New Hope; which is to be a transfer of part of the rights authorized under the certificate issued at A-00104097 to Reitter Employment Service, Inc., t/d/b/a Handi-Wheels and Shared Ride Mini-Bus, a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. Attorney: Michael A. Tier, Suite 1300, 1401 Arch Street, Philadelphia, Pennsylvania 19102.

A-00101488, Folder 3, Am-B CAROL LINES, INC. (4450 Rising Sun Avenue, Philadelphia, Philadelphia County, Pennsylvania 19140), a corporation of the Commonwealth of Pennsylvania - persons, in paratransit service, between points in the township of Cheltenham and the borough of Jenkintown, Montgomery County, and the city and county of Philadelphia, and from said territory to points within an airline distance of ten (10) statute miles of the limits of said territory and return: SO AS TO PERMIT the transportation of persons in paratransit service, in modified motor vehicles equipped with safety locks and ramps, between points in that part of Bucks County in and south of the townships of Bensalem, Middletown, Newtown, Wrightstown, Upper Makefield and Solebury to include the boroughs of Hulmeville, Pennel, Langhorne Manor, Langhorne, Newtown and New Hope; which is to be a transfer of part of the rights authorized under the certificate issued at A-00104097 to Reitter Employment Service, Inc., t/d/b/a Handi-Wheels and Shared Ride Mini-Bus, a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. Attorney: Michael A. Tier, Suite 1300, 1401 Arch Street, Philadelphia, Pennsylvania 19102.