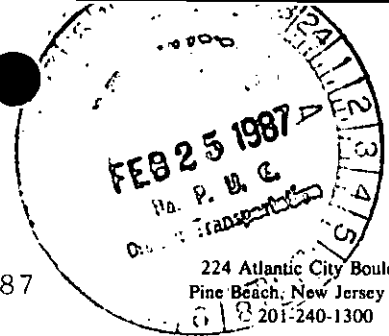


MICHAEL A. TIER
ATTORNEY AT LAW

Suite 1300
1401 Arch Street
Philadelphia, Pennsylvania 19102
215-568-0188

February 19, 1987



RECEIVED

FEB 25 1987

SECRETARYS OFFICE
Public Utility Commission

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

Re: Protest of Carol Lines, Inc.
Application of Bucks County Transport, Inc.
A-00107294

FILE

Dear Secretary Rich:

Carol Lines, Inc. hereby files this Protest to the above-captioned application and submits the following information:

1. The name of the Applicant is Bucks County Transport, Inc., Docket No. A-00107294.

2. The name, business address and telephone number of the Protestant is Carol Lines, Inc., 4450 Rising Sun Avenue, Philadelphia, Pennsylvania 19140, (215) 457-4461.

3. The name, business address and telephone number of Protestant's attorney is Michael A. Tier, Esquire, Suite 1300, 1401 Arch Street, Philadelphia, Pennsylvania 19102, (215) 568-0188.

4. Protestant's interest in the proposed application is that he has rights to a substantial portion of the area requested by Applicant as set forth in Protestant's schedule of rights attached hereto. Protestant avers that the approval of the application would have a serious financial impact on Protestant in that Applicant would be competing directly with Protestant.

5. The Commission Docket Number under which Protestant operates and a copy of his rights which are set forth in Exhibit "A", are attached hereto.

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
FEB 25 1987
ENTRY No. *12*


MICHAEL A. TIER

6. Protestant would withdraw his Protest if Applicant would delete those portions of the territory in which Protestant presently has the rights to operate.

7. Applicant reserves the right to raise other grounds to this Protest.

8. I certify that a copy of this Protest has been sent to Applicant's attorney, James D. Campbell, Jr., Esquire, 130 State Street, P.O. Box 1000, Harrisburg, Pennsylvania 17108.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'MAT' with a stylized flourish.

Michael A. Tier, Esquire
Attorney for Protestant

MAT/jd
Attachment

cc: Bucks County Transport, Inc.
James D. Campbell, Jr., Esquire
Carol Lines, Inc.

To transport, as a common carrier, 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;

subject to the following condition:

That all service rendered herein is subject to the regulations as stated at 52 Pa. Code §29.353 (1) and (2).

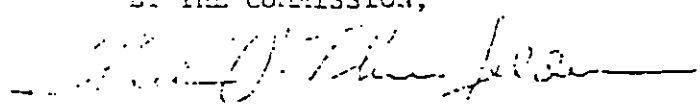
IT IS FURTHER ORDERED: That the application in all other respects be denied for lack of proof of necessity.

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 the 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 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 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,


William P. Thierfelder
Secretary

(SEAL)

ORDER ADOPTED: September 4, 1981

ORDER ENTERED: SEP 21 1981

RECEIVED

APR 27 1984

Philadelphia Office
Bureau of Safety & Compliance

EXHIBIT A

Carol Lines, Inc.

A. 101488, F.2

To transport groups and parties of persons in school bus-type equipment for public and private schools, adult retarded groups affiliated with the Federation of Jewish Agencies, bands of the Philadelphia String Band Manners Association and groups of the Veterans of Foreign Wars, Posts 2319 and 821 and senior citizens groups associated with the Catholic Archdiocese of Philadelphia, between points in said county to the cities of Lancaster and Reading, and to points in Pennsylvania within a radius of 50 miles from 6800 Rising Sun Avenue, Philadelphia, Pennsylvania, subject to the following condition: Provided that no right, power or privilege is granted to provide tours and sight-seeing service or special excursions.

RECEIVED

DEC 10 1984

Philadelphia Office
Bureau of Safety & Compliance

RECEIVED

JUN 25 1984

Philadelphia Office
Bureau of Safety & Compliance

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 February 19, 1987

CR 122447 A

DOCUMENT
FOLDER

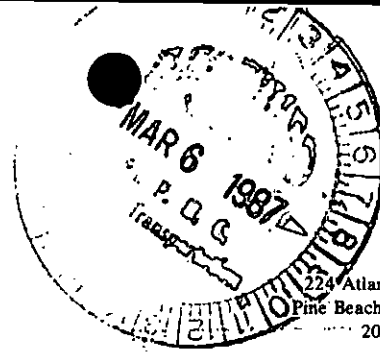
DOCKETED
FEB 25 1987

In re application of Bucks County Transport, Inc.
A-00107294.....\$125.00

ck 9090 Revenue account 001780-017601-102 (ck)
Checks \$125.00 Currency _____
Utility account 50:26

C. Joseph Meisinger
For Department of Revenue

MICHAEL A. TIER
ATTORNEY AT LAW



224 Atlantic City Boulevard
Pine Beach, New Jersey 08741
201-240-1300

Suite 1300
1401 Arch Street
Philadelphia, Pennsylvania 19102
215-568-0188

March 4, 1987

RECEIVED

MAR 5 1987

**SECRETARYS OFFICE
Public Utility Commission**

A-107294

Re: Application of Bucks County Transport, Inc.

Dear Secretary Rich:

FILE

On behalf of Tracey Tours the following protest against the Grant of Authority for Brokerage Rights to Bucks County Transport, Inc. is registered and Protestant states in support thereof:

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

Tracey Tours
P.O. Box 24372
Philadelphia, Pa. 19120
(215) 457-8660

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

Michael A. Tier, Esquire
Suite 1300
1401 Arch Street
Philadelphia, Pa. 19102
(215) 568-0188

3. The docket number for Protestant's authority is A.103812 F.1

4. Protestant's Brokerage authority allows the arrangement of transportation of persons throughout Pennsylvania by motor vehicle.

5. Applicant seeks territorial authority in order to act as a broker authorized to arrange the transportation of persons in Bucks County in motor vehicles.

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
MAR 10 1987
ENTRY No. *ML*

MICHAEL A. TIER

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

a. The applicant's request encompasses Protestant's sole authority.

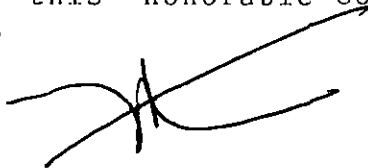
b. The Protestant, individually is providing an adequate and efficient service to the public in the area in which authority has been granted them.

c. If applicant were granted the authority, it would cause the accounts of Protestant to be divided, thereby adversely affecting Protestant's ability to serve the public generally and would have an adverse affect on the Protestant.

d. There are a sufficient number of Brokers in the area, able and willing to serve the public in the type service proposed by the applicant; there is no need for any additional grant of authority.

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

Date: 3/4/87



MICHAEL A. TIER, Attorney for
Protestant, Tracey Tours

CERTIFICATE OF SERVICE

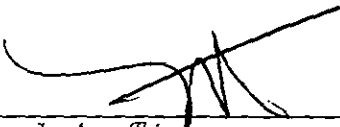
The undersigned hereby certifies that he, on the date indicated below, served a copy of the foregoing Protest upon the parties also listed below at the different addresses indicated by placing same with the U.S. Postal Service, first-class mail, postage prepaid.

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

and

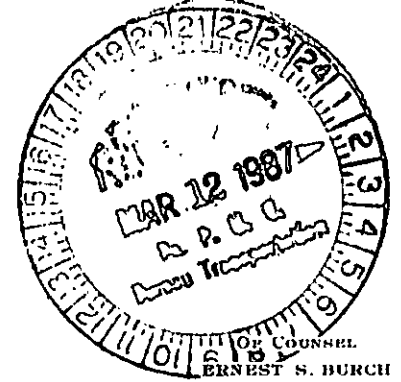
Bucks County Transport, Inc.
70 W. Oakland venue
Doylestown, Pa. 18901

Date: 3/4/87



Michael A. Tier

LAW OFFICES
CAMPBELL, SPITZER, DAVIS & TURGEON
100 STATE STREET
P. O. BOX 1000
HARRISBURG, PENNSYLVANIA 17108
TELEPHONE (717) 232-1870



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

March 11, 1987

RECEIVED

MAR 12 1987

SECRETARY'S OFFICE
Public Utility Commission FILE

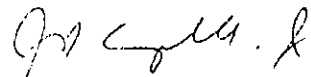
Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, Pennsylvania 17120

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

Dear Secretary Rich:

Please find enclosed herewith the original and two copies of a Motion to Dismiss Protest filed in the above captioned matter. A copy has been provided to protestant's counsel.

Sincerely,


James D. Campbell, Jr.

JDC:nlp
Enclosures

cc: Michael A. Tier, Esquire
Vincent J. Volpe

DOCUMENT
FOLDER

4. Applicant respectfully submits that the protestant lacks standing in this proceeding.

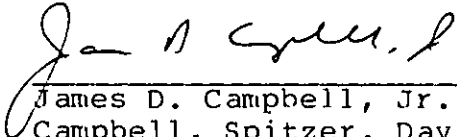
5. The protest of Carol Lines, Inc. is the only protest which has been filed in this matter.

WHEREFORE, Bucks County Transport, Inc., applicant in the above captioned matter, requests that the protest of Carol Lines, Inc. to its application, captioned as above, be dismissed.

Respectfully submitted,

BUCKS COUNTY TRANSPORT, INC.

Dated: March 11, 1987 BY:


James D. Campbell, Jr.
Campbell, Spitzer, Davis & Turgeon
130 State Street
Post Office Box 1000
Harrisburg, Pennsylvania 17108
(717)-232-1876
Counsel for Applicant

CERTIFICATE OF SERVICE

I hereby certify that I am this 11th day of March, 1987,
serving by first class mail the foregoing document upon the
persons listed below:

MICHAEL A. TIER, ESQUIRE
SUITE 1300
1401 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19102



James D. Campbell, Jr.
Counsel for Applicant



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

April 17, 1987

IN REPLY PLEASE
REFER TO OUR FILE

A-00107294

(See attached list)

Application of Bucks County Transport, Inc.

For a brokerage license evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, for the transportation of persons, between points in the county of Bucks.

NOTICE

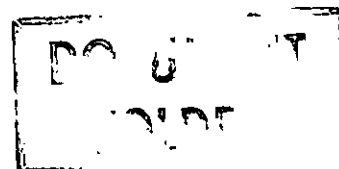
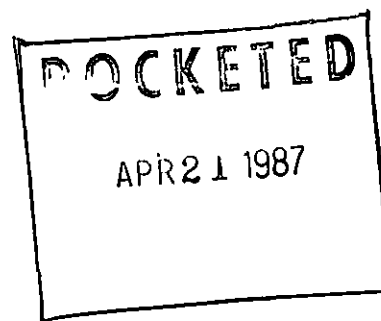
The Public Utility Code directs that hearings shall be commenced in this case by the Administrative Law Judge within 90 days after the proceeding is initiated.

In compliance with this directive, an initial hearing is hereby scheduled for Thursday, May 28, 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 Robert Christianson. Judge Christianson 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 Christianson
Bureau of Trans.
Mrs. Pappas
Mrs. Howell
Mr. Bramson
File Room



A-00107294
BUCKS COUNTY TRANSPORT

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

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

MICHAEL A. TIER
ATTORNEY AT LAW

ORIGINAL

Suite 1300
1401 Arch Street
Philadelphia, Pennsylvania 19102
215-568-0188

224 Atlantic City Boulevard
Pine Beach, New Jersey 08741
201-240-1300

May 14, 1987

RECEIVED

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

MAY 20 1987

SECRETARY'S OFFICE
Public Utility Commission

Re: APPLICATION OF BUCKS COUNTY
TRANSPORT, INC.
DOCKET NO. 107294

Dear Secretary Rich:

Enclosed for filing is protestants motion to dismiss
the application of Bucks County Transport, Inc. I enclosed an
original and two copies.

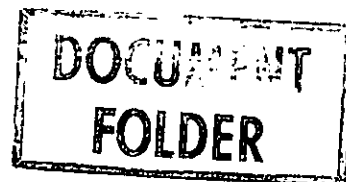
Sincerely,



Michael A. Tier

MT\mmt

cc: J. CAMPBELL, ESQ.
R. THISTLE
CAROL LINES



ORIGINAL RECEIVED

MAY 20 1987

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

IN RE: APPLICATION OF BUCKS
COUNTY TRANSPORT, INC.

DOCKET NO. A-107294

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

Protestants Carol Lines, Inc., and Tracey Tours, Inc., by their attorney, Michael A. Tier, Esquire, presents this Motion to Dismiss and relies thereon upon the following presentment:

1. Applicant, Bucks County Transport, Inc., - Broker at A-107294 is affiliated with Bucks County Transport, Inc., carrier at A.

2. The affiliation of Bucks County Transport, Inc.. among other regards, is by:

- a) Common Ownership;
- b) Common Maintenance;
- c) Common Management;
- d) Common Support Personnel, Professional

Services, and Service Personnel;

- e) Common Plant Facilities;
- f) Common Finances; and
- g) such other like associations.

DOCKETED
MAY 21 1987

DOCUMENT
FOLDER

Services, and Service Personnel;

- e) Common Plant Facilities;
- f) Common Finances; and
- g) such other like associations.

3. Bucks County Transport, Inc., under A-107294, Brokerage services for the transportation of passengers, between points in Bucks County and under A-107294 Bucks County Transport, Inc. seeks authority to transport persons in paratransit service in Bucks County as a carrier (provider).

4. Bucks County Transport, Inc. seeks to provide:

- a) Brokerage authority for transportation of passengers, between points in Bucks County at A.107294 by the Pennsylvania Public Utility Commission;
- b) Transportation authority to transport persons in paratransit in Bucks County at A-107294 by the Pennsylvania Public Utility Commission.

5. Bucks County Transport, Inc. has:

- a) Operated without proper licensure in 1985 and 1986.

b) While so operating Bucks County Transport, Inc., in its sole discretion, determined who was to perform transportation services.

c) Said services were performed by "hand picked" carriers all to the benefit of Bucks County Transport, Inc. and to the great detriment of certificated Paratransit Carriers.

d) The destructive results to Bucks County Paratransit Carriers was solely the result of the limitless authority exercised by Bucks County Transport, Inc.

6. The granting of authority to Bucks County Transit, Inc., as requested, would result in:

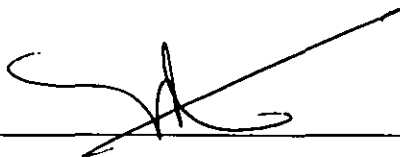
a) Serious conflicts of interest not intended by the P.U.C.

b) Substantial control of a segment of the industry sufficiently serviced by the present authority holders would be so effected as to justify restraint of trade and anti-trust litigation;

- c) Raise issues for litigation concerning the direction of private and public funds by parent/subsidiary companies;
- d) Raise constitutional issues; and
- e) Will, by admission of Applicant, substantially impact on the Protestants.

All these issues, and any litigation therefrom, will involve the Pennsylvania Public Utility Commission itself.

WHEREFORE, Protestant requests Your Honorable Court to dismiss this application.



MICHAEL A. TIER. ESQUIRE
Attorney for Protestant

Dated: 5-12-87

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION BUCKS COUNTY
TRANSPORT, INC.

DOCKET NO: 107294

PROTESTANT'S CAROL LINES, INC. AND TRACEY TOURS,
MEMORANDUM OF LAW IN SUPPORT OF THEIR
MOTION TO DISMISS THE APPLICATION OF BUCKS COUNTY TRANSPORT, INC.

FACTUAL BACKGROUND

Applicant, Bucks County Transport, Inc. - Broker, is a quasi government agency affiliated with Bucks County Transport, Inc., a carrier. Presently, Bucks County Transport, Inc. seeks authority to provide:

- a) Brokerage authority for transportation of passengers, between points in Bucks County at A.107294 by the Pennsylvania Public Utility Commission;
- b) Transportation authority to transport persons in paratransit service in Bucks County at A.107294 by the Pennsylvania Public Utility Commission.

A formal complaint was filed against Bucks County Transportation, Inc. by the law staff for operating as a Broker without a grant of authority from the Pennsylvania Public Utility Commission. During the period of time Bucks County Transport operated as a Broker, it directed transportation for its own benefit and to the detriment of all other certificated

carriers. Applicant now seeks at A. 107294 (Brokerage Application) to legitimize, under color of PUC authority, to cause the same detrimental effect on certificated PUC carriers and to further compound such abuse by obtaining carrier authority for the same industry it seeks to control.

Review of averred facts would indicate the "complete exercise of control" by Bucks County Transport, Inc. during a period when it operated as a Broker. It now seeks to compound that abuse.

Carol Lines, Inc. and Tracey Tours, Protestants, now file a Motion to Dismiss on a theory of conflict on interest. and an application sought contrary to Pennsylvania Public Utility Commission policy. In that regard, the issue of the propriety of a grant of common carrier authority to a broker with authority to direct transportation for common carriers is now before the Court.

DISCUSSION

"As a general rule, a Public Utility has the duty to give the public reasonable and adequate service at a reasonable rate and without delay". 73 C.J.S., para.7 (at Page 998). Broadly speaking, a Public Utility is intended to serve the public. In

consideration of such grant of authority, the Commission is obligated to review the effect any grant of application may have upon the public, its needs, and providing full and complete service to the public. At the same instant, the Commission may not arbitrarily discriminate against the grant of authority. 73 C.J.S. 2nd, para. B (at page 999). Before arriving at the underlying issue of whether an additional common carrier might affect the public need, either positively or negatively, this Commission must first determine the very basic issue whether the grant of authority of common carriage, as an additional right to an broker, is within the Commission's policy guidelines, or whether such grant would, de facto, and in a non-arbitrary manner, constitute a situation or condition which is not in the best interest of the public. In arriving at a conclusion to this issue, the Commission is urged to consider the following.

A long line of cases and Commission holdings has established the obligation of the Public Utility Commission to exercise its powers and discretion reasonably applies to the patrons of the Utility as well as the Utility. The primary object of public service laws is at all times to serve the interest of the public.

See Ridley Township vs. Pennsylvania Public Utility Commission, 94 Atlantic Second, 168, 172, Pa. Super 472. In that regard,

as with the instant case before Bar, the Commission must consider whether a marriage of a broker and common carrier is in the best interest of the public. The propriety of permitting competition in the same field is peculiarly within the discretion of the Pennsylvania Public Utility Commission notwithstanding that control of utilities are regulated monopolies, as opposed to destructive and unrestrained competition. This has been a policy of Pennsylvania recognized by legislative enactment and judicial interpretation. See Yellow Cab Company of Pittsburgh vs. Pennsylvania Public Utility Commission, 54 Atlantic Second 301, 161 Pa. Supra 41.

In determining the competitive edge a brokerage/common carriage marriage may have, the Commission is urged to follow the early guidance of the Yellow Cab Company of Pittsburgh vs. Pennsylvania Public Utility Commission, Supra, wherein the Court indicated competition will not be permitted among Public Utilities to such an extent as would defeat the purpose of the grant of franchise and injure the public interest, but a certain latitude is granted the Public Utility Commission as to the extent of competition among franchise utilities which will best serve the public. There can be no doubt the Public Utility Commission of the Commonwealth of Pennsylvania has, within the

last several years, moved to a more competitive position among the utilities. This is most notably seen in the transportation field. However, this grant of competition has been on a horizontal plane, and not a vertical plane; that is, the competition has been within one class, (i.e. taxicabs, paratransit, shippers, etc.), and not a horizontal plane from broker to transportation provider. Therein lies the critical difference between encouraging healthy competition and destructive competition, which the Yellow Cab case bespoke.

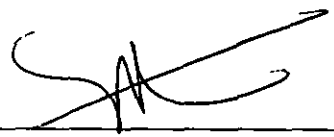
The wisdom of the Yellow Cab case, Supra, has not been dismissed by the Commission as a distant and faint echoing from some ancient time. The Commission itself, it would seem, has adopted the wisdom of the Yellow Cab case by its provisions in 66 P.C.A. s2501. In essence, the Code adopts the wisdom of the Yellow Cab case and indicates that a broker, fitting the strict definition appearing therein, shall not at the same time be a provider. Review of averred facts would indicate the "complete exercise of control" by Bucks County Transportation, Inc. during a period when it operated as a Broker. It now seeks to compound that abuse. This clearly being contrary to the Pennsylvania Public Utility Commission Regulations and Law. One provider performs a majority of the transportation work in Bucks County;

which is directed by Applicant, Bucks County Transport, Inc. In such a case, Bucks County Transport, Inc. controls the market as to the provider selected. Their control and selection of the provider is so complete, final, and authoritative as to allow the brokerage to function for at least two (2) years by using only a select few carriers. Such selection in and by itself is not in the public interest from a safety and inspection viewpoint; from maintaining healthy public utility franchises among granted authority; allow unfair competition by a provider/broker; mitigates the authority of the Pennsylvania Public Utility Commission; and permits carrier abuse to thrive among certificate carriers.

Should the Commission adopt, by their failure to grant this Motion to Dismiss, brokerage - provider marriages as acceptable, it would result pure havoc; this is particularly true in the transportation industry. I would ask that the Commission review the most recent brokerage applications by the providers in the City of Philadelphia, (re: paratransit brokerage authorities), as being dictum to grant this motion.

WHEREFORE, I would request that this Honorable Court grant the Motion to Dismiss on the grounds cited in the Motion of Carol Lines, Inc.

DATED: 5/12/87



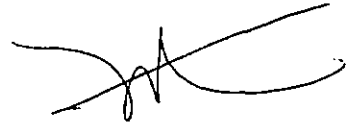
Michael A. Tier, Esquire

CERTIFICATE OF SERVICE

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

James D. Campbell, Esq.
130 State Street
P.O. Box 1000
Harrisburg, Pa. 17108

5-14-87

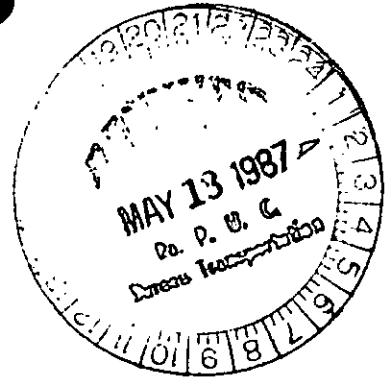


Michael A. Tier

LAW OFFICES
CAMPBELL, SPITZER, DAVIS & TURGEON
130 STATE STREET
P. O. BOX 1000
HARRISBURG, PENNSYLVANIA 17108
TELEPHONE (717) 232-1876

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

May 18, 1987



RECEIVED

MAY 18 1987

SECRETARYS OFFICE
Public Utility Commission

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

In Re: Application of Bucks County Transport, Inc.

A-107204

Dear Secretary Rich:

Please find enclosed herewith the original and two (2) copies of applications filed by Bucks County Transport, Inc. for Emergency Temporary Authority, and Temporary Authority to render brokerage license service in Bucks County.

I am enclosing a check to cover the filing fees as well as the additional \$25.00 to cover the extension of ETA, if granted, pending the disposition of the Temporary Authority application.

Sincerely,

JDC
James D. Campbell, Jr.

JDC:nlp
Enclosures

cc: Kirk House

DOCUMENT
FOLDER



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
FS 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

DOCUMENT
FOLDER

CAMPBELL

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

May 21, 1987

RECEIVED

MAY 21 1987

**SECRETARYS OFFICE
Public Utility Commission**

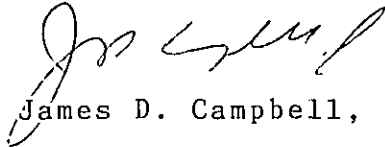
Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, Pennsylvania 17120

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

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 Christianson.

Sincerely,


James D. Campbell, Jr.

JDC:nlp
Enclosures

cc: Michael A. Tier, Esquire
ALJ Robert Christianson

**DOCUMENT
FOLDER**

RECEIVED

MAY 1 1987

SECRETARYS OFFICE
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION County Commission

IN RE: APPLICATION OF BUCKS
COUNTY TRANSPORT, INC.

DOCKET NO. A-107294

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.,

DOCKETED

MAY 22 1987

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 carrier authority at A-107294, Folder 2.

DOCUMENT
FOLDER

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.

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. A Motion to Dismiss the protest of Carol Lines, Inc. was filed and served by Applicant on March 11, 1987. As no answer was ever filed to that Motion, the protest of Carol Lines, Inc. should be deemed dismissed pursuant to the provisions of 52 Pa. Code Sections 5.101 and 5.61.

8. 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.

9. The protest filed by Tracey Tours, Inc. is insufficient in form and substance, and did not comply with the requirements of 52 Pa. Code Sections 5.52 and 3.381. Applicant has not been provided with copies of any relevant authority held by this Protestant.

10. None of the authorities cited in Protestants' Memorandum of Law support a dismissal of this application. In fact, the Memorandum of Law seems to proceed from the erroneous assumption that "an additional common carrier" would be added, whereas the carrier application here involved is for the transfer of an existing certificate.

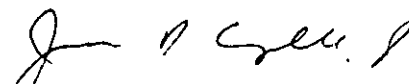
11. Protestants also erroneously contend that there is a complaint pending against Bucks County Transport, Inc. for operating as a broker. There is a complaint pending which avers the provision of a transportation carrier service, which complaint is being vigorously defended by Applicant for the reason that its operations heretofore rendered have not been subject to Commission regulation.

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

Campbell, Spitzer, Davis & Turgeon

Dated: May 21, 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 21st day of May, 1987.



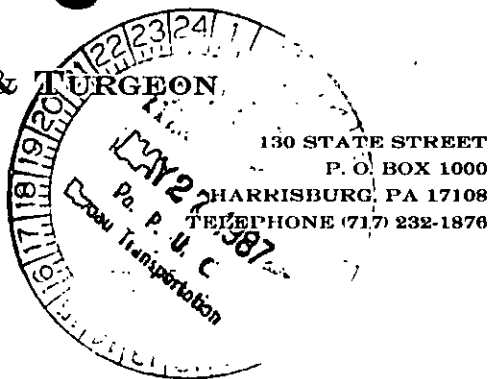
James D. Campbell, Jr.
Counsel for Applicant,
Bucks County Transport, Inc.

LAW OFFICES

CAMPBELL, SPITZER, DAVIS & TURGEON

JAMES D. CAMPBELL, JR.
ROBERT C. SPITZER
MICHAEL G. 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

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:

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

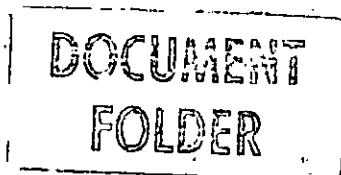
In accordance with the instructions contained in your letter dated May 20, 1987, I enclose herewith revised applications for Emergency Temporary Authority, Temporary Authority, and Extensions thereof, in connection with the broker application and the transfer application filed by the above named company.

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.

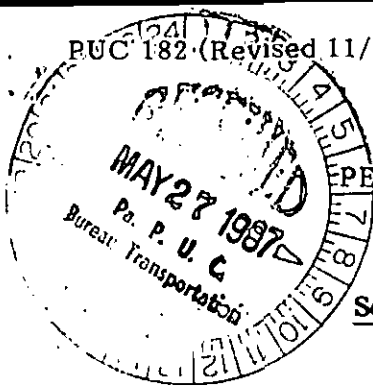
Sincerely,

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



JDC:nlp
Enclosures

cc: Labor Unions
Vincent J. Volpe



PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION

See Instructions before Completing Application

A-107294

Application For:

- EMERGENCY TEMPORARY AUTHORITY
- TEMPORARY AUTHORITY
- EXTENSION OF EMERGENCY TEMPORARY AUTHORITY

1. BUCKS COUNTY TRANSPORT, INC.

(Name of applicant)

(Trade name, if any)

BOX 2619 DOYLESTOWN, PENNSYLVANIA 18901

(Street address)

(City)

(State & Zip Code)

JAMES D. CAMPBELL, JR. (717)-232-1876

2. 130 STATE STREET, P. O. BOX 1000, HARRISBURG, PENNSYLVANIA 17108

(Name, Address & Telephone Number of Applicant's Attorney, if any)

3. Applicant is an individual partnership XXX corporation.

4. Applicant requests authority to provide service as a common or contract carrier by motor vehicle, XX broker or freight forwarder in intrastate commerce; or is proposing to acquire authority by transfer. Give a description of type of service to be provided and area to be served:

Brokerage License - persons, between points in the County of Bucks

5. Applicant does not hold Pa. PUC authority under Docket No. _____ and (does or does not)

operates as a _____ carrier.

(common or contract)

DOCKETED
APPLICANT DOCKET
MAY 27 1987
ENTRY No. no

DOCUMENT FOLDER

TA

DOCKETED
APPLICATION DOCKET
JUN 8 1987
ENTRY No. fan

6. If this application is for temporary authority, applicantXXXX does does not have pending an application for permanent authority to perform the same service as proposed herein. If it has, give docket number, filing date and status. If applicant does not have a pending permanent application currently on file, application for permanent authority must be enclosed.

A-00107294, F. 1

Filed January 27, 1987; pending at present

7. If this application is for emergency temporary authority, and not accompanied by applications for corresponding temporary and permanent authority, state when the applications for temporary and permanent authority will be filed.

This application seeks ETA, extension thereof, and TA pending disposition of permanent application.

8. "Applicant's Statement" shall be prepared by the applicant or authorized representative of the applicant and shall contain the information as stated at Appendix A.
9. "Statements of Supporting Shippers or Witnesses" shall be prepared by the shipper or witness, or an authorized representative of the shipper or witness and shall contain the information as stated at Appendix B.

Applicant further declares that:

10. It is aware that a grant of the requested authority will create no presumption that corresponding permanent authority will be granted.
11. If the requested authority is granted, applicant will comply with the tariff and insurance requirements of the Public Utility Law **before** beginning operation.

BUCKS COUNTY TRANSPORT, INC.

BY: Vincent F. Valpe
(Signature)

EXECUTIVE DIRECTOR
(Corporate Title)

5-22-87

(Date)

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
_____ County : ss:

_____, being duly sworn (affirmed) according to law, deposes and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____
day of _____ 19_____
My Commission Expires _____

Signature of Official Administering Oath

AFFIDAVIT OF APPLICANT (Corporation)

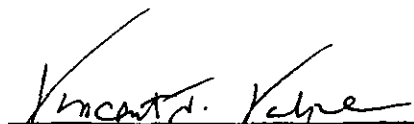
COMMONWEALTH OF PENNSYLVANIA :
BUCKS _____ County : ss:

VINCENT J. VOLPE _____, being duly sworn (affirmed) according to law, deposes and says that he is ^{Executive} Director of Bucks County _____
(Office of Affiant)

Transport, Inc. _____; that he is authorized to and does make this
(Name of Corporation)

affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said Bucks County Transport, Inc. _____ to be able to prove the same
(Name of Corporation)

at the hearing hereof.



Signature of Affiant

Sworn and subscribed before me this 22nd
day of May 1987
My Commission Expires Feb. 14, 1989

Mary L. Dougherty
Notary Public

Doylestown Twp., Bucks County, Pa.
My comm. exp. 2-14-89



Signature of Official Administering Oath

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

STATEMENT IN BEHALF OF APPLICANT

In support of the Application for Emergency Temporary Authority submitted herewith, and the corresponding Application for Temporary Authority, Bucks County Transport, Inc. respectfully requests that said applications be granted for the following reasons:

1. Since it began operations in January, 1986, Applicant has served as the agent and alter ego of the County of Bucks in the connection with the provision of transportation services to the citizens of Bucks County, and in particular subsidized service funded by the Pennsylvania Department of Transportation ("Section 203" Transportation) and transportation funded by the Pennsylvania Department of Public Welfare ("Medical Assistance" Transportation).

2. The purpose of the formation of Applicant as a non-profit corporation was to enable it to take over all of the functions previously performed by the Bucks County Office of Public Transportation Services, an agency of the county, which had previously coordinated, arranged, and at times provided,

transportation for participants in the Section 203 and Medical Assistance Transportation programs. The County Commissioners discontinued operation of the Bucks County Office of Public Transportation Services as of the date that Applicant began its operations. Applicant performs its services pursuant to an Agreement with the County Commissioners.

3. Applicant, for nearly a year and a half, has operated as an instrumentality of Bucks County for the provision of transportation services within the county, in good faith, and in reliance upon previous legal opinions of the staff of the Pennsylvania Public Utility Commission which held that such transportation services were exempt from regulation by the Commission. All of the service in question has been rendered within the municipal boundaries of Bucks County, and the county exercises substantial control over all transportation operations including fares, hours of service, level of service, and other aspects of service.

4. Recently Applicant was designated by The Commonwealth of Pennsylvania, Department of Transportation, as the coordinator for Section 203 Transportation Services within Bucks County. Under regulations recently promulgated by Penn DOT, it has required that coordinators other than municipal corporations shall procure proper authority to act as a broker from the Pennsylvania Public Utility Commission, in order to contract for

services with authorized PUC carriers. In addition, the Pennsylvania Public Utility Commission has brought a Complaint proceeding against Applicant, challenging its right to operate as a carrier of persons, even in the provision of transportation for the county, without holding operating authority from the Commission. (Applicant, in its capacity as an agent of the county, has in the past provided transportation services both directly, through use of its own vehicles, and by contracting with certificated carriers in Bucks County.)

5. If, as a result of the Commission's complaint against Applicant, it is ordered to cease and desist from the provision of services requiring a certificate or license from the Commission, the consequences to citizens of Bucks County will be disastrous. The county would lack a coordinator for the provision of Section 203 service, and the transportation functions presently performed by Applicant with its own vehicles would have to be terminated. Applicant presently provides service in territories not served by any other carrier and/or territories where no other carrier holds operating authority.

6. All of applicant's previous transportation services, whether as broker or carrier, have been provided in good faith, in reliance upon advice of counsel, and in reliance upon opinions of counsel issued by the staff of the Pennsylvania Public Utility Commission. It is contesting the Commission's

complaint against it, based upon its good faith understanding of the law, but at the same time it is more concerned with the maintenance of service to the public in Bucks County than with litigating the question of whether it is right or wrong in its legal position that it operates as an agency and instrumentality of the county and is therefore exempt from regulation. It has filed the present application, and also an application for the transfer of carrier operating rights, to serve a portion of the county where no other carriers presently operate, in order to maintain service to the public in Bucks County, and in particular its senior citizens and handicapped citizens.

7. Under the circumstances, Applicant believes that it has clearly established that it is fit, willing, and able to operate as a broker; and further submits that there is an urgent and immediate need for the issuance of a broker's license.

Respectfully submitted,
Bucks County Transport, Inc.

Dated: 5-22-87

By: Vincent H. Valje

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

STATEMENT IN BEHALF OF THE COUNTY OF BUCKS IN SUPPORT
OF EMERGENCY TEMPORARY AUTHORITY AND TEMPORARY AUTHORITY
APPLICATIONS OF BUCKS COUNTY TRANSPORT, INC.

The County of Bucks, Commonwealth of Pennsylvania, supports the applications filed by Bucks County Transport, Inc. for Emergency Temporary Authority and Temporary Authority to provide service as a broker, for the transportation of passengers, within Bucks County.

My name is William H. Rieser and I am the Chief Clerk of Bucks County. I have been duly authorized by the County Commissioners to support the subject applications and to present this written statement in connection therewith. I have read the supporting statement of the Applicant, Bucks County Transport, Inc., and I am in full agreement with the statements of fact presented therein.

By a decision implemented on the first business day of 1986, Bucks County terminated the direct provision of transportation services as it had previously conducted them, by terminating the Bucks County Office of Public Transportation Services as an official agency of the county. Essentially the same persons who

had manned that operation contemporaneously commenced operation as a separate non-profit corporate entity, providing exactly the same service, coordination, arrangements, and transportation, as the county had previously directly provided to passengers transported in connection with Section 203 Transportation and/or Medical Assistance Transportation. BCT has rendered extremely satisfactory service in its role as agency and instrumentality of the county in connection with the subject transportation. When service problems developed with some of the carriers which were providing the subsidized transportation within the county, BCT undertook arrangements to provide that service itself in order to assure that the needs of our citizens were met.

We respectfully submit that an urgent and immediate need for approval of the subject application exists, for the following reasons:

1. On or about July 1, 1987, the Regulations of the Pennsylvania Department of Transportation dealing with Section 203 Transportation will become effective. Those Regulations require that coordinators of such service who are not municipal corporations must hold brokers authority.

2. The county no longer has the personnel, facilities, expertise, vehicles, or other means necessary to continue provision of Section 203 Transportation if BCT is unable to exercise those functions. It withdrew from the direct provision of transportation services at the time BCT was organized and began operations, precisely so that it could use the resources of BCT for the coordination of Medical Assistance and 203 Transportation.

3. Although the county is presently severely lacking in licensed PUC carriers with whom BCT could contract as a broker, two substantial carriers, Romano's School Bus Service, and Van Trans, Inc. have pending county-wide paratransit applications which we hope will be granted and which would enable BCT to make satisfactory arrangements with responsible and capable carriers for the continuation of the subsidized transportation programs. At the same time, BCT is seeking to acquire certain motor carrier operating authority of its own, in the northern portion of the county, where it is more difficult for carriers such as Romano's and Van Trans to operate profitably. The county, through BCT, intends to enable all certificated carriers to bid on contracts for the

subsidized transportation; but in anticipation of a need for additional motor carrier transportation service in the more remote portions of Northern Bucks County, BCT is seeking motor carrier authority to supplement the other carriers.

We respectfully urge the Commission to approve Emergency Temporary Authority for BCT as soon as possible, and to continue that authority pending the adjudication of its Permanent Authority to act as a broker, so that the service to citizens of our county can be preserved and maintained in an orderly and responsible manner.

We support Applicant's permanent authority application, and we have not supported any similar application.

During 1986, Bucks County Transport, Inc. provided service to over 100,000 Bucks County citizens requiring service between points in Bucks County.

Bucks County employees are represented by:

AFCSME/AFL-CIO
District 88
989 Old Eagle School Road
Wayne, PA 19087
(215)-687-2025

Operating Engineers
Local 835
3031 Walton Road
Norristown, PA 19401
(215)-825-6595

Pennsylvania Nurses Association
3901 Market Street
Suite 70
Box 1931
Philadelphia, PA 19104
(215)-387-3456

Pennsylvania Social
Services Union
1037 Maclay Street
Harrisburg, PA 17103
(717)-923-5787

Bucks County Detective Association
Box 534
Doylestown, PA 18901
(215)-348-6296

Respectfully submitted,

COUNTY OF BUCKS

Dated: 5-22-87

BY:

William Thieser

APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00107294
 CASE NAME Bucks County Transport, Inc.
 HEARING LOCATION Harrisburg, PA.
 HEARING DATE May 28, 1987
 ALJ Christianson

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES NO
 Testimony taken YES NO
 Hearing concluded YES NO
 Further hearing needed YES NO
 Estimated add'l days one day
 RECORD CLOSED YES NO
 Briefs to be filed YES NO
 BENCH DECISION YES NO

RECEIVED

MAY 28 1987

**Office of A. L. J.
Public Utility Commission**

**DOCUMENT
FOLDER**

**DOCKETED
JUN 01 1987**

REMARKS:

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
 PLEASE PRINT CLEARLY
 INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS	APPEARING FOR
<i>Michael A Tier</i> <i>268-0188</i> Telephone No. ()	<i>Suite 1300 - 1401 Arch Street</i> City <i>Phila</i> State <i>Pa</i> Zip <i>19102</i>	<i>Carol Lines - Pa Tracy Town</i>
<i>Campbell Spitzer Davis & Turgeon</i> <i>James D. Campbell, Jr</i> Telephone No. (717) 2321876	<i>130 State St, PO Box 1000</i> City <i>Harrisburg</i> State <i>PA</i> Zip <i>17108</i>	<i>Bucks County Transport, Inc</i> <i>Applicant</i>
Telephone No. ()	City State Zip	

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Blenda J. Fink
Reporter



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

May 29, 1987

IN REPLY PLEASE
REFER TO OUR FILE

A-00107294

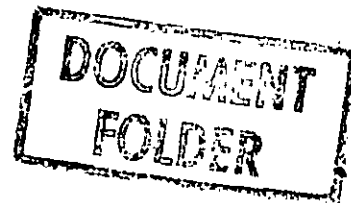
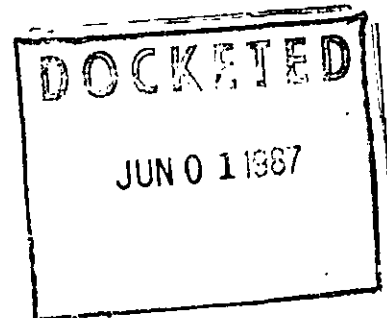
(See letter dated 4/17/87)

Application of Bucks County Transport, Inc.

N O T I C E

This is to inform you that a further hearing on the above-captioned case will be held Tuesday, July 21, 1987, at 10:00 a.m., in available hearing room, Ground Floor, North Office Building, Harrisburg.

cc: Judge Christianson
Bureau of Trans.
Mrs. Pappas
Mrs. Howell
Mr. Bramson
File room



CONFIDENTIAL

RECEIVED

JUN 10 1987

SECRETARYS OFFICE
Public Utility Commission

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

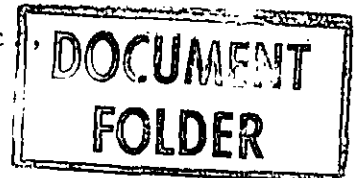
IN RE: APPLICATION OF BUCKS
COUNTY TRANSPORT, INC.

DOCKET NO. A-107294

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

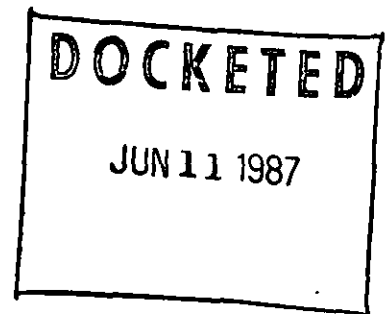
Protestants Carol Lines, Inc., and Tracey Tours, Inc., by their attorney, Michael A. Tier, Esquire, presents this Motion to Dismiss and relies thereon upon the following presentment:

1. Applicant, Bucks County Transport, Inc., - Broker at A-107294 is affiliated with Bucks County Transport, Inc., carrier at A 107294, F2.



2. The affiliation of Bucks County Transport, Inc.. among other regards, is by:

- a) Common Ownership;
- b) Common Maintenance;
- c) Common Management;
- d) Common Support Personnel, Professional Services, and Service Personnel;
- e) Common Plant Facilities;
- f) Common Finances; and
- g) such other like associations.



3. Bucks County Transport, Inc., under A-107294, brokerage services for the transportation of passengers, between points in Bucks County and under A-107294 Bucks County Transport, Inc. seeks authority to transport persons in paratransit service in Bucks County as a carrier (provider).

4. Bucks County Transport, Inc. seeks to provide:

a) Brokerage authority for transportation of passengers, between points in Bucks County at A.107294 by the Pennsylvania Public Utility Commission;

b) Transportation authority to transport persons in paratransit in Bucks County at A 107294,F2 by the Pennsylvania Public Utility Commission.

5. Bucks County Transport, Inc. has:

a) Operated without proper licensure in 1985 and 1986.

b) While so operating Bucks County Transport, Inc., in its sole discretion, determined who was to perform transportation services.

c) Said services were performed by "hand picked" carriers all to the benefit of Bucks County

Transport, Inc. and to the great detriment of certificated Paratransit Carriers.

d) The destructive results to Bucks County Paratransit Carriers was solely the result of the limitless authority exercised by Bucks County Transport, Inc.

6. The granting of authority to Bucks County Transit,

, as requested, would result in:

a) Serious conflicts of interest not intended by the P.U.C.

b) Substantial control of a segment of the industry sufficiently serviced by the present authority holders would be so effected as to justify restraint of trade and anti-trust litigation;

c) Raise issues for litigation concerning the direction of private and public funds by parent/subsidiary companies;

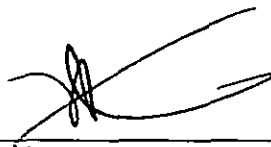
d) Raise constitutional issues; and

e) Will, by admission of Applicant, substantially impact on the Protestants.

*

All these issues, and any litigation therefrom, will involve the Pennsylvania Public Utility Commission itself.

WHEREFORE, Protestant requests Your Honorable Court to dismiss this application.



MICHAEL A. TIER. ESQUIRE
Attorney for Protestant

Dated: 6/8/87

CERTIFICATE OF SERVICE

I CERTIFY THAT A TRUE AND CORRECT COPY OF THE FORGOING MOTION TO DISMISS WAS SERVED BY US MAIL POSTAGE PRE-PAID, UPON THE FOLLOWING INDIVIDUALS AT THE ADDRESSES APPEARING BELOW:

SECRETARY RICH
PA PUC
P.O. BOX 3265
HARRISBURG, PA. 17120

HONORABLE ALLISON K. TURNER, CHIEF ALJ
PA PUC
P.O. BOX 3265
HARRISBURG, PA. 17120

JUDGE MINDLIN
PA PUC
P.O. BOX 3265
HARRISBURG, PA. 17120

JAMES D. CAMPBELL, ESQUIRE
130 SOUTH STATE STREET
HARRISBURG, PA. 17108

RAYMOND THISLTE, ESQUIRE
206 B BENSON EAST
100 OLD YORK ROAD
JENKINTOWN, PA. 19046

6/18/07



June 16, 1987

IN REPLY PLEASE
REFER TO OUR FILE

Penna. Social Services Union
1037 Maclay Street
Harrisburg, PA 17103

Re: Application of Bucks County Transport, Inc. at A-00107294
for Temporary Authority

TO WHOM IT MAY CONCERN:

Please be advised that the above applicant has filed an application for temporary authority to render service as a common carrier or contract carrier in the Commonwealth of Pennsylvania with the Pennsylvania Public Utility Commission. The requested authority is attached.

If you wish to protest this application, the protests are due on or before July 13, 1987 at the above Commission address; and shall conform with the Provisions as set forth in Section 3.383 (5)(ii)(B) of Title 52, PA Code, Chapter 3.

"A union which represents the employes of a motor carrier or supporting shipper, which may be affected by the approval of an application for Temporary Authority, may file a protest to the application. The protests shall be limited to the issue of whether a threatened or existing labor dispute precludes Commission consideration and approval of the Temporary Authority Application."

Very truly yours,

David Ehrhart
Supervisor-Application Section
Bureau of Transportation

DE:nk
Enclosures



June 16, 1987

IN REPLY PLEASE
REFER TO OUR FILE

Operating Engineers
Local 835
3031 Walton Road
Norristown, PA 19401

Re: Application of Bucks County Transport, Inc. at A-00107294
for Temporary Authority.

TO WHOM IT MAY CONCERN:

Please be advised that the above applicant has filed an application for temporary authority to render service as a common carrier or contract carrier in the Commonwealth of Pennsylvania with the Pennsylvania Public Utility Commission. The requested authority is attached.

If you wish to protest this application, the protests are due on or before July 13, 1987 at the above Commission address; and shall conform with the Provisions as set forth in Section 3.383 (5)(ii)(B) of Title 52, PA Code, Chapter 3.

"A union which represents the employes of a motor carrier or supporting shipper, which may be affected by the approval of an application for Temporary Authority, may file a protest to the application. The protests shall be limited to the issue of whether a threatened or existing labor dispute precludes Commission consideration and approval of the Temporary Authority Application."

Very truly yours,

David Ehrhart
Supervisor-Application Section
Bureau of Transportation

DE:nk
Enclosures

June 16 ,1987

IN REPLY PLEASE
REFER TO OUR FILE

Bucks County Detective Association
Box 534
Doylestown, PA 18901

Re: Application of Bucks County Transport, Inc. at A-00107294
for Temporary Authority

TO WHOM IT MAY CONCERN:

Please be advised that the above applicant has filed an application for temporary authority to render service as a common carrier or contract carrier in the Commonwealth of Pennsylvania with the Pennsylvania Public Utility Commission. The requested authority is attached.

If you wish to protest this application, the protests are due on or before July 13, 1987 at the above Commission address; and shall conform with the Provisions as set forth in Section 3.383 (5)(ii)(B) of Title 52, PA Code, Chapter 3.

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Very truly yours,

David Ehrhart
Supervisor-Application Section
Bureau of Transportation

DE:nk
Enclosures

June 16, 1987

IN REPLY PLEASE
REFER TO OUR FILE

Penna. Nurses Association
3901 Market Street
Suite 70, Box 1931
Philadelphia, PA 19104

Re: Application of Bucks County Transport, Inc. at A-00107294
for Temporary Authority.

TO WHOM IT MAY CONCERN:

Please be advised that the above applicant has filed an application for temporary authority to render service as a common carrier or contract carrier in the Commonwealth of Pennsylvania with the Pennsylvania Public Utility Commission. The requested authority is attached.

If you wish to protest this application, the protests are due on or before July 13, 1987 at the above Commission address; and shall conform with the Provisions as set forth in Section 3.383 (5)(ii)(B) of Title 52, PA Code, Chapter 3.

"A union which represents the employes of a motor carrier or supporting shipper, which may be affected by the approval of an application for Temporary Authority, may file a protest to the application. The protests shall be limited to the issue of whether a threatened or existing labor dispute precludes Commission consideration and approval of the Temporary Authority Application."

Very truly yours,

David Ehrhart
Supervisor-Application Section
Bureau of Transportation

DE:nk
Enclosures

June 16, 1987

IN REPLY PLEASE
REFER TO OUR FILE

AFCSME/AFL-CIO
District 88
989 Old Eagle School Road
Wayne, PA 19087

Re: Application of Bucks County Transport, Inc. at A-00107294
for Temporary Authority

TO WHOM IT MAY CONCERN:

Please be advised that the above applicant has filed an application for temporary authority to render service as a common carrier or contract carrier in the Commonwealth of Pennsylvania with the Pennsylvania Public Utility Commission. The requested authority is attached.

If you wish to protest this application, the protests are due on or before July 13, 1987 at the above Commission address; and shall conform with the Provisions as set forth in Section 3.383 (5)(ii)(B) of Title 52, PA Code, Chapter 3.

"A union which represents the employes of a motor carrier or supporting shipper, which may be affected by the approval of an application for Temporary Authority, may file a protest to the application. The protests shall be limited to the issue of whether a threatened or existing labor dispute precludes Commission consideration and approval of the Temporary Authority Application."

Very truly yours,

David Ehrhart
Supervisor-Application Section
Bureau of Transportation

DE:nk
Enclosures

A-00107294 BUCKS COUNTY TRANSPORT, INC. (70 West Oakland Avenue,
Box 2619, Doylestown, Bucks County, PA 18901), a corporation of the
Commonwealth of Pennsylvania - temporary authority - brokerage license -
evidencing the Commission's approval of the right and privilege to operate
as a broker, for the transportation of persons, between points in the
county of Bucks. APPLICATION FOR PERMANENT AUTHORITY APPEARED IN THE
PENNSYLVANIA BULLETIN, VOLUME 17, NO. 7, FEBRUARY 14, 1987. Attorney:
James D. Campbell, Jr., 130 State Street, P.O. Box 1000, Harrisburg,
PA 17109.

June 19, 1987

IN REPLY PLEASE
REFER TO OUR FILE

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

In re: A-00107294 - Application of Bucks County Transport, Inc.

Dear Sir:

The application of Bucks County Transport, Inc. for temporary authority has been captioned as attached and will be submitted for review provided no protests are filed on or before July 13, 1987. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of June 20, 1987.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:11

cc: Applicant
70 West Oakland Avenue
Box 2619
Doylestown, PA 18901

DOCKETED
APPLICATION DOCKET
JUN 19 1987
ENTRY No. <u> </u>

**DOCUMENT
FOLDER**

A-00107294 BUCKS COUNTY TRANSPORT, INC. (70 West Oakland Avenue, Box 2619, Doylestown, Bucks County, PA 18901), a corporation of the Commonwealth of Pennsylvania - temporary authority - brokerage license - evidencing the Commission's approval of the right and privilege to operate as a broker, for the transportation of persons, between points in the county of Bucks. APPLICATION FOR PERMANENT AUTHORITY APPEARED IN THE PENNSYLVANIA BULLETIN, VOLUME 17, NO. 7, FEBRUARY 14, 1987. Attorney: James D. Campbell, Jr., 130 State Street, P.O. Box 1000, Harrisburg, PA 17108.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

JUN 20 1987

BUREAU OF TRANSPORTATION
COMMON CARRIER
JUNE 1987

A-00107294

Application of Bucks County Transport, Inc., a corporation of the Commonwealth of Pennsylvania, for temporary authority, evidencing the Commission's approval of the right and privilege to operate as a broker, for the transportation of persons, between points in the county of Bucks. APPLICATION FOR PERMANENT AUTHORITY APPEARED IN THE PENNSYLVANIA BULLETIN, VOLUME 17, NO. 7, FEBRUARY 14, 1987.

FW:nm
6/9/87

TA Application received: 5/26/87
TA Application docketed: 6/8/87

NH
~~Department~~

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUN 19 1987
ENTRY No. *ML*

JUL 13 1987

TA *2001*

Protests due on No Hearings _____

Protests due on Hearings - (5 days prior to date of hearing)

Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.