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September 19, 2014

Re: Three Rivers Limousine Service, Inc.
Docket No. A-00113458
Docket No. A-2014-2412182
Our File 2318-6

RECEIVED

SEP 19 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Ms. Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

MAILED WITH U.S. POSTAL SERVICE
CERTIFICATE OF MAILING FORM 3817

Dear Ms. Chiavetta:

We enclose for filing on behalf of Three Rivers Limousine Service, Inc., an original and two (2) copies of a Petition for Reconsideration in connection with the above application.

Please acknowledge receipt and filing of the enclosed on the duplicate copy of this letter of transmittal and return it to the undersigned in the self-addressed, stamped envelope provided.

Very truly yours,

VUONO & GRAY, LLC


William A. Gray

as/142403

Enclosure

cc: Three Rivers Limousine Service, Inc.

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

DOCKET NO. A-2014-2412182

THREE RIVERS LIMOUSINE SERVICE, INC.

SEP 19 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PETITION FOR RECONSIDERATION

AND NOW COMES Petitioner, Three Rivers Limousine Service, Inc., by its attorneys, Vuono & Gray, LLC, and files this Petition for Reconsideration stating as follows:

1. Petitioner is Three Rivers Limousine Service, Inc., with offices at 1830 Painters Run Road, Pittsburgh, PA 15241.
2. Petitioner was certificated on May 7, 1997. It is presently authorized to provide paratransit service.
3. Petitioner filed an application on March 12, 2014, seeking the right to transport persons in limousine service, from points in Allegheny County, to points in Pennsylvania, excluding areas that are under the jurisdiction of the Philadelphia Parking Authority.
4. No protests were filed to this application and it was assigned to the Bureau of Technical Utility Services for further handling.

5. Petitioner filed a verified statement in support of its application dated May 27, 2014, and in that verified statement described its business experience in providing transportation service for approximately 30 years and also described its facilities, record maintenance plan, communication network, hiring standards for drivers, criminal background check procedures, driver training program, policies regarding alcohol and drug use by drivers and other matters required by the verified statement. Petitioner attached to its verified statement a list of the vehicles that it presently uses to provide service, consisting of eight vehicles. Petitioner stated in its verified statement that it did not yet own the vehicle(s) that it would utilize to provide the limousine service sought by the application but would secure at least one such vehicle on approval of the application.

6. By Order adopted September 11, 2014, the Commission denied Petitioner's application. A true and correct copy of the Order is attached as Exhibit "A" and made a part hereof.

7. The Order denying Petitioner's application was based on the fact that it "lacks the equipment and financial fitness necessary to render the additional service."

8. The Commission Order denying the application failed to consider long-standing Commission precedent holding that for existing companies seeking additional authority there is a presumption of financial fitness. *South Hills Movers, Inc. v. Pa. PUC*, 601 A.2d 1308 (Pa. Cmwlth. 1992); *Application of Blue Bird Coach Lines, Inc.*, 72 Pa. P.U.C. 262 (1990); and *Re V.I.P. Travel Service, Inc.*, 56 Pa. P.U.C. 625 (1982). More recently, in *Application of Cranberry Taxi, Inc. t/d/b/a Veteran's Taxi*, A-2010-2168756

(Opinion and Order adopted June 21, 2012), the Commission stated: “We additionally agree with the ALJ that the Applicant is technically and financially fit to provide the proposed service, particularly because the Applicant’s ability and fitness were established when it was authorized to operate in its current service territory, and in the absence of contrary proof, it must be concluded that those elements continue to exist.”

9. Petitioner has been providing service without interruption for many years and has never been unable to secure additional vehicles when required.

10. Subsequent to filing its application and prior to receipt of the Order denying the application, Petitioner leased two limousines from Ally Leasing to provide the service sought by this application, specifically 2014 Cadillac limousines. Copies of the vehicle registration cards for these limousines are attached as Exhibit “B”.

11. While this application was being processed by the Bureau of Technical Utility Service it requested Petitioner to correct the spelling of its name and correct its registered address, which Petitioner immediately did. A copy of the Articles of Amendment filed with the Department of State is attached hereto as Exhibit “C”. If any additional information would have been required, it would have been provided.

12. Petitioner has the ability to begin providing the limousine service requested by this application.

WHEREFORE, Petitioner, Three Rivers Limousine Service, Inc., by its attorneys, Vuono & Gray, LLC, respectfully requests that the Commission grant this Petition for

Reconsideration, rescind the Order adopted September 11, 2014 at Docket No. A-2014-2412182 and grant the application as filed.

Respectfully submitted,

VUONO & GRAY, LLC

By: 

William A. Gray, Esq.

Attorney for Petitioner

THREE RIVERS LIMOUSINE
SERVICE, INC.

VUONO & GRAY, LLC
310 Grant Street, Suite 2310
Pittsburgh, PA 15219
(412) 471-1800

Dated: September 19, 2014

/141966

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held September 11, 2014

Commissioners Present:

**Robert F. Powelson, Chairman
John F. Coleman, Jr., Vice Chairman
James H. Cawley
Pamela A. Witmer
Gladys M. Brown**

Application of Three Rivers Limosine Service, Inc., for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Allegheny County, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-00113458
A-2014-2412182

ORDER

BY THE COMMISSION:

This matter comes before the Commission on an application filed March 12, 2014. Public notice of the application was given in the *Pennsylvania Bulletin* of May 10, 2014, with protests due by May 27, 2014. No protests were filed. The unopposed application is certified to the Commission for its decision without oral hearing. The record consists of the application and the applicant's verified statements.

DISCUSSION AND FINDINGS

Three Rivers Limosine Service, Inc. (applicant or Three Rivers), has operated as a certificated carrier since May 7, 1997.

Three Rivers submitted a vehicle list in support of its application; however, none of the eight submitted vehicles are acceptable to be utilized in the proposed limousine service. Seven of the submitted vehicles are 15 passenger vehicles, and the remaining vehicle does not comply with the requirements of 52 Pa. Code, Section 29.333(e). Accordingly, the applicant will be required to demonstrate that it has obtained a suitable vehicle to render the requested service.

Applicant's most current balance sheet dated December 31, 2013, demonstrates cash assets of \$33,326 and total assets of \$55,373. Applicant's listed current liabilities are \$30,233, and its total liabilities are \$232,314. The applicant had indicated an additional \$257,519 in assets in the form of a corporation named Audio Workx, Inc., however, this company is not held by the

applicant; rather it is an asset of the applicant's president. Applicant's liabilities exceed its assets by \$176,941. Applicant's fluid assets are only \$3,093 greater than its current liabilities and the applicant has not yet obtained vehicles suitable for providing the requested service; **THEREFORE,**

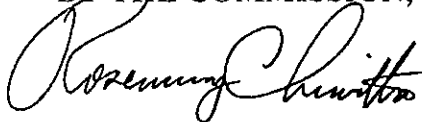
After complete review of the record, we find:

1. Applicant seeks the right to provide limousine service and no protests were filed.
2. Applicant lacks the equipment and financial fitness necessary to render the additional service; **THEREFORE,**

IT IS ORDERED:

1. That the application of Three Rivers Limosine Service, Inc., for the right to begin to transport, as a common carrier, by motor vehicle, persons in limousine service, from points in Allegheny County, to points in Pennsylvania, and return, excluding areas under the jurisdiction of the Philadelphia Parking Authority, be denied and dismissed.

BY THE COMMISSION,



Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: September 11, 2014

ORDER ENTERED: September 11, 2014

COMMONWEALTH OF PENNSYLVANIA REGISTRATION CREDENTIAL

C 70364332

EXPIRY: MAY 31, 2015 VALID: 09/08/14

PLATE: HXT5868
TITLE: 73773364701 VA
VIN: 1G6AW5SX2E0124372
YR/MAKE: 2014 CADILLAC
TYPE: SDN
WID: 14251 3400 003809-001
TITLE BRANDS:
EMISSION INSPECTION REQUIRED/DIESEL EXEMPT COUNTY: ALLEGHENY

THREE RIVERS LIMOUSINE SERVICE INC
1830 PAINTERS RUN RD
PITTSBURGH PA
15241

SIGNATURE

I hereby acknowledge this day that I have received notice of the provisions of Section 3709 of the Vehicle Code



Detach here

or

Detach here

COMMONWEALTH OF PENNSYLVANIA REGISTRATION CREDENTIAL

EXPIRY: AUG 31, 2015 VALID: 08/29/14

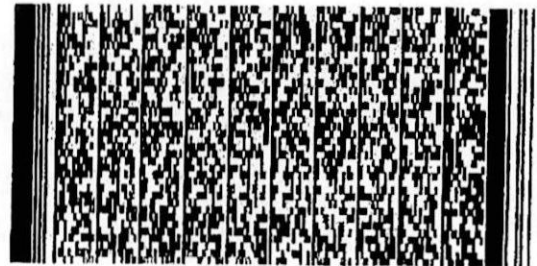
PLATE: HYS0218
TITLE: 73330366301 VA
VIN: 3GYFNPE30ES591930
YR/MAKE: 2014 CADILLAC
TYPE: SM
WID: 14241 2600 080005-001

EMISSIONS INSPECTION REQUIRED/DIESEL VEHICLES EXEMPT COUNTY: ALLEGHENY

THREE RIVERS LIMOUSINE
SERVICE INC
1830 PAINTERS RUN RD
PITTSBURGH PA 15241

SIGNATURE

I hereby acknowledge this day that I have received notice of the provisions of Section 3709 of the Vehicle Code.



PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU

Articles of Amendment-Domestic Corporation
(15 Pa.C.S.)

Business Corporation (§ 1915)
 Nonprofit Corporation (§ 5915)

Name William A. Gray, Esq.; Vuono & Gray, LLC		
Address 310 Grant Avenue, Suite 2310, Grant Building		
City Pittsburgh	State PA	Zip Code 15219-2383

Document will be returned to the name and address you enter to the left.

Commonwealth of Pennsylvania
ARTICLES OF AMENDMENT-BUSINESS 4 Page(s)



Fee: \$70

In compliance with the requirements of the applicable provisions (relating to articles of amendment), the undersigned, desiring to amend its articles, hereby states that:

1. The name of the corporation is:
Three Rivers Limosine Service, Inc.

2. The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) Number and Street	City	State	Zip	County
1 Martha Street	Pittsburgh	PA	15223	Allegheny

(b) Name of Commercial Registered Office Provider _____ County _____
c/o _____

3. The statute by or under which it was incorporated: Business Corporation Law Act of May 5, 1933, as amended.

4. The date of its incorporation: November 5, 1980

5. Check, and if appropriate complete, one of the following:

The amendment shall be effective upon filing these Articles of Amendment in the Department of State.

The amendment shall be effective on: _____ at _____
Date Hour

PA DEPT. OF STATE

AUG 18 2014

6. Check one of the following:

The amendment was adopted by the shareholders or members pursuant to 15 Pa.C.S. § 1914(a) and (b) or § 5914(a).

The amendment was adopted by the board of directors pursuant to 15 Pa. C.S. § 1914(c) or § 5914(b).

7. Check, and if appropriate, complete one of the following:

The amendment adopted by the corporation, set forth in full, is as follows

The corporate name is changed to: Three Rivers Limousine Service, Inc.

The registered office address is changed to: 1830 Painters Run Road, Pittsburgh, PA 15241

The amendment adopted by the corporation is set forth in full in Exhibit A attached hereto and made a part hereof.

8. Check if the amendment restates the Articles:

The restated Articles of Incorporation supersede the original articles and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this

12th day of August

2014

Three Rivers Limosine Service, Inc.

Name of Corporation

Nicholas H. Romah, Jr.

Signature

Nicholas H. Romah, Jr., President

Title

RECEIVED

SEP 19 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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09/19/2014

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From: Vuono & Gray, LLC

310 Grant Street, Suite 2310

Pittsburgh PA 15219-2383

Re: _____

To: Rosemary Chiavetta, Secretary

Pennsylvania Public Utility Commission

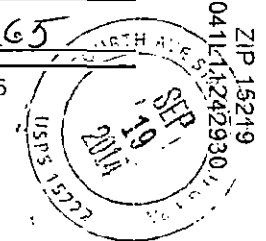
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PS Form 3817, April 2007 PSN 7530-02-000-9065

Law Offices
VUONO & GRAY, LLC
310 Grant Street, Suite 2310
Pittsburgh, PA 15219-2383

TO:
Ms. Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commis
P.O. Box 3265
Harrisburg, PA 17105-3265