


PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

84

1. REPORT DATE: October 17, 1994	2. BUREAU AGENDA NO.: NOV-94-T-932*
3. BUREAU: Transportation	
4. SECTION(S): Technical Review	5. PUBLIC MEETING DATE: November 10, 1994
6. APPROVED BY:  Director: Ernst 7-2154 Supervisor: Marzolf 3-5945	DOCKETED DEC 01 1994
7. PERSONS IN CHARGE: Zeigler 3-5946	
8. DOCKET NO.: A-00108292, F. 1, Am-A	

LDA

9. (a) CAPTION (abbreviate if more than 4 lines)
(b) Short summary of history & facts, documents & briefs
(c) Recommendation

(a) Application of James Danielewicz, t/d/b/a Limousines for Less, Stroudsburg, Monroe County, for amendment to his common carrier certificate: SO AS TO PERMIT the transportation of persons in limousine service between points in the counties of Monroe and Pike, and from points in said counties to points within an airline distance of 50 statute miles of the limits thereof, and vice versa.

(b) The application was opposed by several carriers which later withdrew predicated upon our acceptance of a restrictive amendment which limits the applicant to service from points in the counties of Monroe and Pike to points within 10 miles of the limits thereof and vice versa and excludes service originating in the counties of Lehigh and Northampton except as presently authorized and excludes service originating from points in the county of Monroe which are located more than 10 statute miles of the limits of the borough of Stroudsburg. The applicant, as a currently certificated carrier, has the experience and equipment necessary to render the proposed service, as amended. The applicant has the support of persons residing in the application territory who would find the availability of the applicant's proposed service desirable in meeting their transportation requirements. Approval of the application, as amended, is proper for the accommodation and convenience of the public.

(c) The Bureau of Transportation recommends the Commission adopt the proposed order approving the application, as amended.

10. MOTION BY: Commissioner Chm. Rolka
SECONDDED: Commissioner Rhodes

Commissioner Quain - Yes
Commissioner Crutchfield - Yes
Commissioner Banger - Yes

CONTENT OF MOTION: Staff recommendation adopted.

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FOLDER



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

DMM

IN REPLY PLEASE
REFER TO OUR FILE

November 23, 1994

A-00108292F0001Am-A

▪
JAMES D CAMPBELL JR ESQUIRE
3631 NORTH FRONT STREET
HARRISBURG PA 17110
▪

Application of James Danielewicz, t/d/b/a Limousines for Less

Dear Mr. Campbell:

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

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

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

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of November 10, 1994 and dismiss the application without further proceedings.

Very truly yours,

John G. Alford
Secretary

DOCUMENT
FOLDER

enclosures
certified mail

Tariff Contact Person: Joseph Machulsky (717) 787-5521
JAMES DANIELEWICZ
T/A LIMOUSINES FOR LESS
315 CLERMONT AVENUE
STROUDSBURG PA 18360

BUCKETED

DEC 19 1994

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held November 10, 1994

Commissioners Present:

David W. Rolka, Chairman
Joseph Rhodes, Jr., Vice-Chairman
John M. Quain
Lisa Crutchfield
John Hanger

Application of James Danielewicz, t/d/b/a Limousines for Less, for amendment to his common carrier certificate, which grants the right, to transport, by motor vehicle, persons in limousine service from points in the borough of Stroudsburg, Monroe County, and from points within an airline distance of 10 statute miles of the limits of the said borough of Stroudsburg, to the Allentown/Bethlehem/Easton Airport, and vice versa: SO AS TO PERMIT the transportation of persons in limousine service between points in the counties of Monroe and Pike, and from points in said counties to points within an airline distance of fifty (50) statute miles of the limits thereof, and vice versa.

A-00108292
F. 1
Am-A

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DOCKETED

DEC 19 1994

James D. Campbell, Jr. for the applicant.

Richard T. Mulcahey, Jr. for J & J Leasing and Rentals, Inc., LoMa, Inc., t/d/b/a A.B.E. Limousine & Bus Service, Aero Chauffeured Limo & Minibus Svc., and Corporate Livery, Inc.

Joseph P. Hanyon for Pocono Limousine Services, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed November 23, 1993. Public notice of the application was given in the Pennsylvania Bulletin of December 18, 1993. Protests were filed by J & J Leasing and Rentals, Inc., LoMa, Inc.,

t/d/b/a A.B.E. Limousine & Bus Service, t/d/b/a Aero Chauffeured Limo & Minibus Svc., Corporate Livery, Inc. and Pocono Limousine Services, Inc.

All protests were withdrawn predicated upon our acceptance of a restrictive amendment which limits the applicant to service from the counties of Monroe and Pike to points within an airline distance of 10 statute miles of the limits thereof, and vice versa; excludes service originating in the counties of Lehigh and Northampton except as currently authorized; and excludes service from points in the county of Monroe which are located more than ten (10) miles of the limits of Stroudsburg, Monroe County.

The now unopposed application, as amended, is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by the applicant and his supporting witnesses.

James Danielewicz, set forth in his verified statement that he is a sole proprietor operating as Limousines for Less which is a duly registered trade name. He is not affiliated with any other carriers. As finally amended, the applicant seeks authority to transport persons in limousine service between points in the counties of Monroe and Pike and from points in the said counties to points within an airline distance of 10 statute miles of the limits thereof and vice versa; provided that no right, power or privilege is granted to originate service in the counties of Lehigh and Northampton except as presently authorized and that no right, power or privilege is granted to originate service from points in the county of Monroe which are located more than 10 statute miles of the limits of the borough of Stroudsburg.

Currently, the applicant provides service under his authority which permits transportation from points within an airline distance of 10 miles of the limits of Stroudsburg to the Allentown/Bethlehem/Easton Airport and vice versa. He recently received airport transfer authority which permits service from points in the counties of Monroe, Pike, Wayne, Lackawanna and Carbon to the Wilkes-Barre/Scranton Airport, the Allentown/Bethlehem/Easton Airport and the Philadelphia International Airport.

The applicant's administrative offices and terminal facilities are located at 315 Clermont Avenue in the borough of Stroudsburg, Monroe County. He will provide service using a 1985 white Lincoln stretch limousine, a 1985 black Lincoln stretch limousine, a 1988 Silver Lincoln stretch limousine, a 1988 blue Town Car, a 1988 silver Town Car and a 1992 GMC 15-passenger van. All equipment is routinely maintained and safety inspected. As a currently certificated carrier, there is a presumption of fitness. The applicant also incorporates by reference his annual reports on file.

Hazle Cavanaugh, Stroudsburg, set forth in her verified statement that she supports the application for personal limousine transportation. She would like the service to originate at her home for entertainment purposes.

Beth S. Stevens, Stroudsburg, Monroe County, set forth in her verified statement that she desires the applicant's service for personal transportation using the service approximately once per month. She would like to have the service originate at her home for destinations in Monroe and Pike Counties.

Verna Hartzell, East Stroudsburg, Monroe County, set forth in her verified statement that she would use the proposed service on an irregular basis primarily for special events and holiday trips. She would want the service for her personal transportation from her home to points within the application territory.

Cinda Lee Kane, Paintersville, Monroe County, set forth in her verified statement that she would use the service several times per year for transportation from her home to points in the application territory.

John Woychick, set forth in his verified statement that he resides in Stroudsburg, Monroe County. He would use the applicant's service for both personal and business uses.

Anne Gush, Stroudsburg, Monroe County, set forth in her verified statement that she is supporting the application on a personal basis for transportation from her home to such points as the Stroud Mall, the Pagota Restaurant and the Shawnee Inn.

Mr. Barbara Luzzi, Effort, Monroe County, set forth in her verified statement that she would use the proposed service approximately once a month for transportation from her home to such points as weddings, and dinearounds, as well as transportation to the Allentown/Bethlehem/Easton Airport.

Larry Vitellaro, Greentown, Pike County, set forth in his verified statement that he is owner of Pocono Pizza which is located in Hawley, Wayne County. He would use the applicant's service for personal transportation both from his residence in Pike County and his place of business in Wayne County.

Jack Swedelson, Paupack, Pike County, would use the applicant's service for personal individual transportation from his home in Pike County to such points as the Allentown/Bethlehem/Easton Airport, the Ceasers Brookdale which is in Mount Pocono, Monroe County and the crossing outlets in Tannersville, Monroe County.

Tom Regenski, owner and operator of Gresham Lakeview Motel, Hawley, Wayne County, set forth in his verified statement that he requires limousine service for the transportation of his customers to and from neighboring airports and places of interest. He would also use the service for his own personal use.

Marlene Regenski, owner of Gresham's Ice Cream, Hawley, Wayne County, would use the proposed service on a monthly basis. Point of origin would be Hawley, Wayne County with destinations in Pike and Monroe Counties.

Darry J. Compton, owner of a body shop in Hawley, set forth in his verified statement that he would use the transportation for personal reasons for transportation primarily to the airport and for nights out on the town.

Rosemary Maula, East Stroudsburg, Monroe County, set forth in her verified statement that she would use the applicant's service for personal transportation approximately three times per month. Service would originate at her home in East Stroudsburg for travel to such points as Fernwood Resort and Peppy's Restaurant.

Mara Mucciolo, Moscow, Lackawanna County, would use the service several times per month. She would like to have transportation available to originate from her home in Moscow for transportation to various points of interest in Monroe and Pike Counties.

Daren Sebring, East Stroudsburg, Monroe County, set forth in his verified statement that he is a corporate pilot and a member of Resorts U.S.A. which is located in Bushkill, Pike County. He would like to have the service available both on an individual basis and for corporate management transportation to and from surrounding airports.

DISCUSSION AND FINDINGS

The applicant seeks to expand his common carrier authority with additional limousine rights which will allow him to transport persons between points in the counties of Monroe and Pike and from points in the said counties to points within an airline distance of 10 statute miles of their limits, and vice versa. He has excluded from this service any transportation originating in the counties of Lehigh and Northampton except as presently authorized and from points in the county of Monroe which are located more than 10 statute miles from the limits of the borough of Stroudsburg. The applicant, as a currently certificated carrier, has the experience and equipment necessary to render the expanded service.

The applicant has the support of several witnesses who have stated a desire to have the service available to meet their personal needs for limousine transportation. Several of the witnesses have testified to using the applicant for business purposes. We determine that the support entered is representative of the type of service proposed in the application territory as amended.

We find:

1. The applicant has the experience, equipment and financial capacity to render the proposed service, as amended.

2. The applicant stands ready, willing and able to render additional service.

3. The applicant has the unqualified support of residents in the application territory who would find the availability of limousine service desirable in aiding them in meeting their transportation needs.

4. Approval of the amended application is proper for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved and that the certificate issued May 11, 1990, be amended to include the following right:

To transport, as a common carrier, persons in limousine service between points in the counties of Monroe and Pike and from points in the said counties to points within an airline distance of ten (10) statute miles of the limits thereof, and vice versa;

subject to the following conditions:

- (a) That no right, power or privilege is granted to originate service in the counties of Lehigh and Northampton.
- (b) That no right, power or privilege is granted to originate service from points in the county of Monroe which are located more than ten (10) statute miles from the limits of the borough of Stroudsburg, Monroe County.

IT IS FURTHER ORDERED: That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the applicant, shall not be construed as conferring more than one operating right.

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

- 1. 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.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: November 10, 1994

ORDER ENTERED: NOV 23 1994

SENDER:
 • Complete items 1 and/or 2 for additional services.
 • Complete items 3, and 4a & b.
 • Print your name and address on the reverse of this form so that we can return this card to you.
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.
 • Write "Return Receipt Requested" on the mailpiece below the article number.
 • The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):
 1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

3. Article Addressed to:
 A-00108292FIAM-A
 James D Campbell JR

4a. Article Number
 P 922 860 168

4b. Service Type
 CERTIFIED

7. Date of Delivery
 11/25/94

5. Signature - (Addressee)
 Andrew G. Mark

8. Addressee's Address
 (ONLY if requested and fee paid.)

6. Signature - (Agent)

PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

SENDER:
 • Complete items 1 and/or 2 for additional services.
 • Complete items 3, and 4a & b.
 • Print your name and address on the reverse of this form so that we can return this card to you.
 • Attach this form to the front of the mailpiece, or on the back if space does not permit.
 • Write "Return Receipt Requested" on the mailpiece below the article number.
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I also wish to receive the following services (for an extra fee):
 1. Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

3. Article Addressed to:
 A-00108292FIAM-A
 Richard T. Mulcahey JR ESQ

4a. Article Number
 P 922 860 169

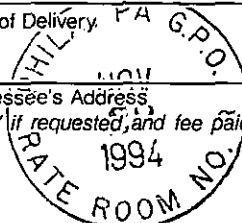
4b. Service Type
 CERTIFIED

7. Date of Delivery
 11/25/94

5. Signature - (Addressee)

8. Addressee's Address
 (ONLY if requested, and fee paid.)

6. Signature - (Agent)
 R. Reynolds



PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

SENDER:
 • Complete items 1 and/or 2 for additional services.
 • Complete items 3, and 4a & b.
 • Print your name and address on the reverse of this form so that we can return this card to you.
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I also wish to receive the following services (for an extra fee):
 Addressee's Address
 2. Restricted Delivery
 Consult postmaster for fee.

3. Article Addressed to:
 A-00108292FIAM-A
 JOSEPH P. HAN YON ESQ

4a. Article Number
 P 922 860 170

4b. Service Type
 CERTIFIED

7. Date of Delivery
 11/25/94

5. Signature - (Addressee)

8. Addressee's Address
 (ONLY if requested and fee paid.)

6. Signature - (Agent)

PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

0001
DANIELEWICZ, JAMES
T/A LIMOUSINES FOR LESS
315 CLERMONT AVENUE
STROUDSBURG PA 18360
SELF

0002
JAMES D CAMPBELL JR ESQ ✓
3631 NORTH FRONT STREET
HARRISBURG PA 17110-1533
APPLICANT

0003
RICHARD T MULCAHEY JR ESQ
TWO PENN CENTER PLAZA, SUITE 1400
1500 JOHN F KENNEDY BLVD
PHILADELPHIA PA 19102
J & J LEASING & RENTALS INC PROTESTANT P

0004
RICHARD T MULCAHEY JR ESQ ✓
TWO PENN CENTER PLAZA, SUITE 1400
1500 JOHN F KENNEDY BLVD
PHILADELPHIA PA 19102
LOMA INC PROTESTANT P

0005
RICHARD T MULCAHEY JR ESQ
TWO PENN CENTER PLAZA, SUITE 1400
1500 JOHN F KENNEDY BLVD
PHILADELPHIA PA 19102
CORPORATE LIVERY INC PROTESTANT P

0006
JOSEPH P. HANYON, ESQUIRE ✓
MOUNT POCONO PROFESSIONAL CENTRE
FOUR FORK STREET/SUITE 2030
MOUNT POCONO PA 18344
POCONO LIMO SERVICES, INC/PROTESTANT P

0007
JAMES D. CAMPBELL, JR., ESQUIRE
3631 NORTH FRONT STREET
HARRISBURG PA 17110-1533
MOTION TO DISM-POCONO LIMO P