



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

IN REPLY PLEASE
REFER TO OUR FILE

June 25, 2007

P-00072314
A-00107942
A-00107942F0002

MARK S JENNINGS ESQUIRE
303 TENTH STREET
HONESDALE PA 18431

PENNSYLVANIA PUBLIC UTILITY COMMISSION,
BUREAU OF TRANSPORTATION AND SAFETY
V.
MAPLE CITY TRANSIT, INC.

To Whom it May Concern:

This is to advise you that an Emergency Order has been signed by
Commissioner Kim Pizzigrilli on **June 25, 2007** in the above entitled
proceeding.

An Emergency Order has been enclosed for your records.

Very truly yours,

James J. McNulty
Secretary

DOCKETED
JUN 27 2007

Rpb
Certified Mail
Receipt Requested

MAPLE CITY TRANSIT INC
1371 BRIDGE STREET
HONESDALE PA 18431

**DOCUMENT
FOLDER**

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

DOCUMENT
FOLDER

Pennsylvania Public Utility
Commission, Bureau of
Transportation and Safety

v.

Docket Nos. P-00072314
A-00107942, F.001, F.002

Maple City Transit, Inc.

DOCKETED
JUN 27 2007

EMERGENCY ORDER

On March 6, 2007, the Bureau of Transportation and Safety ("Bureau") initiated a complaint (Docket No. A-00107942C0701) against Maple City Transit, Inc. ("Maple City") based on Maple City's failure to pay outstanding assessments of \$379, in violation of the Public Utility Code at 66 Pa. C.S. §510(c). See Docket No. A-00107942C0701. The complaint was served on Maple City on March 13, 2007. The complaint notified Maple City that it must file an answer within twenty (20) days of service of the complaint. The complaint further advised Maple City that failure to file an answer to the complaint could result in the revocation of its certificate, the placement of an administrative hold on its motor vehicle registrations, and notifications to the Pennsylvania Department of Revenue and Maple City's insurance carriers that the certificated had been revoked.

Despite the seriousness of relief sought in the March 6, 2007 Bureau complaint, Maple City failed to file an answer to the complaint. Therefore, at a public meeting on

May 30, 2007, the Commission issued an Order sustaining the complaint, canceling Maple City's certificate, and fining Maple City an additional \$100 for failing to comply with the provisions of 66 Pa. C.S. §510(c). The Order was entered on June 5, 2007 and served on Maple City on June 18, 2007.

Following revocation of its certificate, Maple City filed a Petition for Emergency Relief on June 20, 2007. In its Petition, Maple City alleges that it believed it had paid its 2006 assessment in a timely fashion and that any failure to pay was inadvertent. Maple City alleges that it has held a certificate for many years and has always maintained appropriate insurance filings with the Commission. Further, Maple City alleges that it is the only public carrier in Wayne County and that many of its customers are elderly and infirm people in need of medical attention, who use Maple City's service to attend doctor's appointments. As the only public transportation in Wayne County, Maple City alleges that termination of its operations for an extended period would potentially jeopardize its continued ability to operate.¹ Additionally, termination of Maple City's certificate would jeopardize the livelihoods of approximately four people employed by Maple City. Maple City alleges that it took immediate action to pay its assessment and fine following revocation, sending a representative to the Commission on June 19, 2007, to make payment. Finally, Maple City alleges that granting emergency relief would allow it to continue to serve the public until the Commission is able to act on its Petition for Reinstatement, which has already been filed.

Commission regulations governing the issuances of emergency relief define "emergency" as a "situation which presents a clear and present danger to life or property

¹ Maple City does not provide documentation to support this allegation.

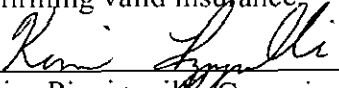
or which is uncontested and requires action prior to the next scheduled public meeting.”

52 Pa. Code §3.1. Here, an emergency exists, albeit through the fault of the carrier. Nonetheless, this does not negate the emergency. The Bureau of Transportation and Safety confirmed that Maple City is the sole provider of public transportation in all of Wayne County. Maple City’s customers include elderly and infirm people in need of transportation. It is also confirmed that Brenda Lee, corporate officer of Maple City, paid Maple City’s outstanding assessment and fine on June 19, 2007. However, as of June 2, 2007, Maple City’s insurance was canceled. Therefore, Maple City does not currently have appropriate insurance documentation on file with the Commission.

Given the paramount interest in this situation, the needs of the traveling public, I believe that emergency relief is warranted only until such time as the Commission makes a decision on Maple City’s Petition for Reinstatement. Emergency relief is limited to Maple City’s paratransit and call and demand service, Folders 1 and 2 of its authority. Further, I direct that Maple City file a new certificate of insurance, Form E, **prior** to resuming operations.

THEREFORE, IT IS ORDERED:

1. That the Petition for Emergency Relief is granted consistent with this Order, subject to receipt of Form E confirming valid insurance.



Kim Pizzingrilli, Commissioner

Date: 6/25/07

Time: 2:55pm