

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

In re: Granny's Helping Hands PA, Inc. t/a Let's Go
Transportation, LLC

Docket No. A-2015-2469125

**PROTEST OF LANGHORNE CAB CO., INC.
TO THE APPLICATION OF GRANNY'S HELPING HANDS PA, INC.**

Pursuant to Sections 5.51-4 of the Pennsylvania Code, 52 Pa. Code § 5.51-4, Langhorne Cab Co., Inc. (hereinafter "Cab Company" or "Protester") protests the filing of the Application for Approval to Begin Operating as a Common Carrier for Transportation of Persons (hereinafter "Application"), made by In re: Granny's Helping Hands PA, Inc. t/a Let's Go Transportation, LLC (hereinafter "Applicant"), Docket No. A-2015-2469125, and in support thereof states as follows:

1. Cab Company is a certified public utility, taxicab service provider, in the Commonwealth of Pennsylvania, located at 71 Durham Road, Penndel, Pennsylvania 19047, operating under a current Certificate of Public Convenience, P.U.C.A.-62733 (hereinafter "Certificate"). A true and correct copy of the Certificate is marked and attached hereto as Exhibit "A."

2. Pursuant to the Certificate, the Cab Company operates as a certified public utility:

To transport, as a common carrier, persons upon call or demand, from points in the towns of Fairless Hills, Levittown, Morrisville, Tullytown and Yardley; the Boroughs of Langhorne, Langhorne Manor, Penndel, Hulmeville, and Newtown; the Townships of Newtown, Middletown, Makefield and Falls, all within Bucks County.

Exhibit "A."

3. On February 2, 2015, Applicant filed an Application with the Pennsylvania Public Utility Commission (hereinafter "Commission"), seeking approval:

[F]or the right to begin to transport by motor vehicle, persons, upon call or demand in the Counties of Delaware, Montgomery, Chester and Bucks.¹

4. Notice of said Application was made in the Pennsylvania Bulletin on April 4, 2015.

¹ As reflected on the docket of the above-captioned matter, on March 5, 2015, Applicant amended its Application to include taxi service in the proposed areas of operation.

5. Some and/or all of the Cab Company's operating area is located between points and/or within boundaries where Applicant seeks to operate.

6. Section 1103 of the PUC Code, 66 Pa.C.S. § 1103(a), states that:"[a] certificate of public convenience shall be granted by order of the [C]ommission, **only if** the [C]ommission shall find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public." (Emphasis supplied).

7. In addition, Section 41.14 of the Pennsylvania Code provides:

An applicant seeking motor common carrier authority has a burden of demonstrating that approval of the application will serve a useful public purpose, responsive to a public demand or need.

An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service, and, in addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally.

52 Pa. Code § 41.14(a) and (b).

8. The applicant's ability or fitness referenced in Section 41.14 consists of three essential elements: (1) sufficient technical and operating knowledge, staff and facilities to provide the proposed service; (2) sufficient financial ability to provide reliable and safe service; and (3) a propensity to operate safely and legally. In re: Perry Hassman, 55 Pa. P.U.C. 661-663 (1982).

9. Protestant objects to the granting of this Application on the ground that BTI cannot meet its burden under 52 Pa. Code § 41.14.

10. Applicant has made no showing of a useful public purpose for the issuance of additional rights for on-demand taxicab service in the Cab Company's operating area.

11. Applicant has made no showing of public need for the issuance of additional rights for on-demand taxicab service in the Cab Company's operating area.

12. Applicant does not possess the technical fitness to operate a taxicab service.

13. Applicant does not possess the financial fitness to operate a taxicab service.

14. Applicant has also made no showing that it will operate in a legal manner.

15. Applicant has also made no showing that it will operate in a safe manner.

16. Ultimately, Cab Company will be adversely affected in that its business will decline, if said

application is granted.

17. This is a timely protest and, therefore, Cab Company is entitled to participate in this proceeding as an intervenor.

18. Protestant will agree to withdraw its protest if Applicant agrees not to operate in Cab Company's authorized area.

19. Pursuant to Section 333 of the PUC Code, 66 Pa.C.S. § 333, a demand is hereby made upon Applicant to furnish Cab Company's counsel with a list of the names and addresses of any and all witnesses that Applicant intends to call and a brief summary of their proposed testimony.

20. Additionally, a demand is hereby made upon Applicant to furnish Cab Company's counsel with proof of need for service of an additional provider of services as set forth in the Application.

21. Also, a demand is hereby made upon Applicant to furnish Cab Company's counsel with:

- a. Proof of Applicant's technical fitness to operate a taxicab service;
- b. Proof of Applicant's financial fitness to operate a taxicab service;
- c. Proof of Applicant's ability to operate a taxicab service in a legal manner; and
- d. Proof of Applicant's ability to operate a taxicab service in a safe manner.

WHEREFORE, for all of the above reasons, Cab Company files the instant protest and requests that the said Application be denied and dismissed.

Respectfully submitted,
KALIKHMAN & RAYZ, LLC

/s/

Eric Rayz, Esquire
Attorney(s) for Langhorne Cab Co., Inc.
1051 County Line Road, Suite "A"
Huntingdon Valley, PA 19006
Phone: (215) 364-5030
Fax: (215) 364-5039
E-mail: erayz@kalraylaw.com

Date: April 9, 2015

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

In re: Granny's Helping Hands PA, Inc. t/a Let's Go Transportation, LLC	Docket No. A-2015-2469125
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CERTIFICATE OF SERVICE

I, Eric Rayz, Esquire, hereby certify that a true and correct copy of the foregoing PROTEST were served on the following parties via FIRST CLASS U.S. MAIL on or about the date indicated below:

In re: Granny's Helping Hands PA, Inc. t/a Let's Go Transportation, LLC
P.O. Box 725
Lansdowne, PA 19050

Respectfully submitted,
KALIKHMAN & RAYZ, LLC

/s/

Eric Rayz, Esquire
Attorney(s) for Langhorne Cab Co., Inc.
1051 County Line Road, Suite "A"
Huntingdon Valley, PA 19006
Phone: (215) 364-5030
Fax: (215) 364-5039
E-mail: erayz@kalraylaw.com

Date: April 9, 2015

EXHIBIT “A”

Certificate No. A-00062733, F.1, Am-C

Call or Demand-Pa. PUC No.1

LANGHORNE CAB CO., INC.

Call or Demand Tariff Naming Rates, Rules and Regulations Governing the Transportation of Persons in Call or Demand Service Between Points in Pennsylvania

To transport, as a common carrier, persons upon call or demand, from points in the towns of Fairless Hills, Levittown, Morrisville, Tullytown and Yardley; the Boroughs of Langhorne, Langhorne Manor, Pennel, Hulmeville, and Newtown; the Townships of Newtown, Middletown, Makefield and Falls; all within Bucks County.

Issued: February 18, 2008

Effective: February 19, 2008

Issued under authority of 52 Pa. Code 23.42

By: Tina L. Hutchinson
Langhorne Cab Company, Inc..
71 Durham Road
Pennel, Pa., 19047
215-757-2041

RECEIVED

FEB 18 2008

BUREAU OF
TRANSPORTATION & SAFETY

Official Filed Tariff