

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Fabian Transportation, Inc. : Docket No.: A-2015-2471761
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**ANSWER OF PROTESTANT KEYSTONE CAB SERVICE, INC. TO APPLICANT
FABIAN TRANSPORTATION INC.'S MOTION TO DISMISS PROTEST**

NOW COMES, Keystone Cab Service, Inc. ("Keystone"), by and through its counsel John W. Sweet, Esq., pursuant to 52 Pa. Code § 5.61(a)(1) files this Answer to Fabian Transportation, Inc.'s ("Applicant") Motion to Dismiss Protest and avers in support thereof as follows:

1. ADMITTED.
2. ADMITTED.
3. ADMITTED.
4. ADMITTED.
5. Applicant asserts a conclusion of law to which no response is required.
6. DENIED. Applicant asserts a conclusion of law to which no response is required.

To the extent a response is required, the assertion is DENIED. Applicant admits that it requests operating authority for airport transfer service to Harrisburg International Airport. (Applicant Mot. Dismiss ¶ 1, May 27, 2015). Applicant admits that Keystone currently has airport transfer service authority to Harrisburg International Airport. (Applicant Mot. Dismiss ¶ 4, May 27, 2015). Thus,

Applicant is seeking authority that conflicts with Keystone's, giving Keystone a direct, immediate and substantial interest in the subject matter of the proceeding.

7. DENIED. Applicant asserts a conclusion of law to which no response is required. To the extent a response is required, the assertion is DENIED. Applicant admits that it requests operating authority for airport transfer service to Harrisburg International Airport. (Applicant Mot. Dismiss ¶ 1, May 27, 2015.) Applicant admits that Keystone currently has airport transfer service authority to Harrisburg International Airport. (Applicant Mot. Dismiss ¶ 4, May 27, 2015.) Thus, Applicant is seeking authority that conflicts with Keystone's, giving Keystone a direct, immediate and substantial interest in the subject matter of the proceeding.
8. ADMITTED.
9. DENIED. Applicant asserts a conclusion of law to which no response is required. To the extent an answer is required, the assertion is DENIED. Keystone indicates that it possesses operating authority that would conflict with Applicant's. (Keystone Protest ¶ 3.) Further, Keystone indicates that duplication of existing authority will cause detriment to existing carriers. (Keystone Protest ¶ 6.)
10. DENIED. Applicant asserts a conclusion of law to which no response is required. To the extent an answer is required, the assertion is DENIED. Keystone is not currently aware of any restrictions to the application which would protect the protestant's interest, nor any amendment which would result in a withdrawal of the protest.

11. DENIED. Applicant asserts a conclusion of law to which no response is required. To the extent an answer is required, the assertion is DENIED. Applicant carries the burden to prove that it possesses the financial and technical fitness to perform the service for which it seeks authority. 66 Pa.C.S. 332(a).

WHEREFORE, Protestant, Keystone Cab Service, Inc. respectfully requests that this Honorable Commission deny the Applicant's Motion to Dismiss the Protest of Keystone Cab Services, INC.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Sweet", is written over a horizontal line.

John W. Sweet, Esq.
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s) in the manner indicated.

VIA FIRST CLASS MAIL:

Debra L. Roscioli, Esq.
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Date: June 17, 2015



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