

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets

KJR

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
December 5, 1990	:	JAN-91-T-21*
3. <u>BUREAU:</u>	:	
Transportation	:	
4. <u>SECTION</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	January 4, 1991
6. <u>APPROVED BY:</u>	:	
Director: Ernst 7-2154	:	
Supervisor: Bigelow/Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
Hoshour 7-5513	:	
9. <u>DOCKET NO.:</u>	:	
A-00109547	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		

(a) Application of Reading Yellow Cab, Inc., Reading, Berks County, a corporation of the Commonwealth of Pennsylvania, for the transfer of all of the operating rights of Gerald Long under the certificate issued at A-00107965, subject to the same limitations and conditions.

(b) The applicant seeks to acquire by transfer the single call or demand right issued to the transferor for the total consideration of \$1,500. No tangible assets are involved.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the transfer application; and cancel by supplemental order the certificate issued to the transferor.

WH:rs

**DOCKETED**  
FEB 05 1991

**DOCKETED**  
FOL 1-22

11. <u>MOTION BY:</u>	Commissioner Chm. Smith	Commissioner Fischl - Yes
<u>SECONDED:</u>	Commissioner Rhodes	Commissioner Holland - Yes
		Commissioner

CONTENT OF MOTION: Staff recommendation adopted.



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

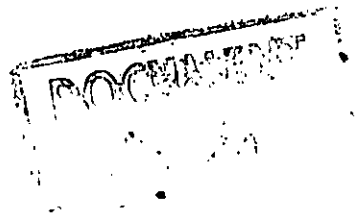
KJR

January 10, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

A-00109547

David A. Radcliff, Esquire  
Graf, Andrews & Radcliff  
417 North Front Street  
Harrisburg, PA 17101



Application of Reading Yellow Cab, Inc., a corporation of the Commonwealth of Pennsylvania

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

The Certificate of Public Convenience evidencing the Commission's approval of the right to operate will not be issued until the applicant has complied with the following insurance and tariff requirements:

- I. Arrange through an insurance agent to have an insurance company file with the Commission a Form E as evidence of minimum public liability and property damage insurance coverage as shown on the back of this sheet.
- II. Prepare and file a tariff according to the enclosed instructions except applicants for transfer of authority must file a tariff adoption supplement which will be forwarded by separate cover at a later date.

**DOCKETED**  
JAN 14 1991

Minimum Limits for PA Public Utility Commission Authorized Service

Passenger Carriers:

- 15 passengers or less: \$35,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.
- \$25,000 first party medical benefits, \$10,000 first party wage loss benefits and \$1,500 first party funeral benefits for all passengers and pedestrians.
- \$10,000 first party medical benefits, \$5,000 first party wage loss benefits, and \$1,500 first party funeral benefits for drivers (PA registered vehicles only).
- 16 to 28 passengers: \$1,000,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.
- 29 passengers or more: \$5,000,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.

Property Carriers:

- Common or Contract: \$300,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.
- \$10,000 first party medical benefits, \$5,000 first party wage loss benefits, and \$1,500 first party funeral benefits (PA registered vehicles only).
- Common only: \$5,000 per accident per vehicle for loss or damage to cargo.

No motor carrier shall operate or engage in any transportation until compliance with all of the above requirements and a certificate of public convenience has been issued authorizing actual operations. You are advised that any equipment to be used in rendering the service authorized under the certificate must be registered with the Bureau of Motor Vehicles, Department of Transportation, as a bus or taxi. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Code.

Commission regulations require compliance with all of the requirements within sixty days of the date of this letter. Failure to comply within the sixty days will cause the Commission to rescind the action of January 4, 1991 and dismiss the application without further proceedings.

If you foresee problems in meeting these requirements, please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section  
(717) 783-5933

Tariff Filings: Mr. Joseph Machulsky-Tariff Section  
(717) 787-5521

Very truly yours,



Jerry Rich, Secretary

fao  
Enclosures  
Certified Mail  
Receipt Requested

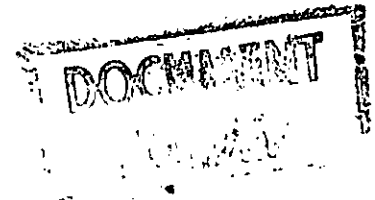
Reading Yellow Cab Inc.  
543 Elm Street  
Reading, PA 19601

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held January 4, 1991

Commissioners Present:

William H. Smith, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
Frank Fischl, Commissioner  
Wendell F. Holland, Commissioner



Application of Reading Yellow Cab, Inc., a corporation of the Commonwealth of Pennsylvania, for the transfer of all of the operating rights of Gerald Long under the certificate issued at A-00107965, subject to the same limitations and conditions.

A-00109547

\_\_\_\_\_  
David H. Radcliff for the applicant.

**DOCKETED**  
JAN 14 1991

\_\_\_\_\_  
O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed September 7, 1990. Public notice of the application was given in the Pennsylvania Bulletin of December 1, 1990. No protests were filed. The unopposed application is certified to the Commission for its decision without an oral hearing.

Reading Yellow Cab, Inc. (applicant) is a Pennsylvania corporation domiciled at 543 Elm Street, Reading, Berks County. The applicant was incorporated as a Pennsylvania corporation on June 18, 1990. The officers of the applicant are Frederick O. Brubaker, chairman of the board; Curtis G. Stricker, president and treasurer; and Patricia A. Schleicher, secretary. The stockholders of the applicant are Deborah Stricker, 48 shares of common stock; Patricia A. Schleicher, 16 shares of common stock; Susan Innes, 16 shares of common stock; and Barbara L. Wyke, 16 shares of common stock.

The applicant is affiliated with Reading Metro Taxi Cab, Inc. (Reading Metro) through common officers. Curtis Stricker is president and treasurer of both corporations and Frederick O. Brubaker, chairman of the board of the applicant is also the Executor of the Estate of Donald Freiler, which holds all of the authorized stock of Reading Metro Taxicab, Inc.

Reading Metro is authorized to provide call or demand service in the city of Reading, and within ten (10) miles of the limits of said city, and 15 boroughs and three townships also in Berks County.

By the instant application, the applicant seeks to acquire by transfer the single call or demand right issued to Gerald Long (transferor) under the certificate issued at A-00107965. Said right authorizes the transportation of persons, upon call or demand in the city of Reading. Berks County.

The total consideration for the single call or demand right is \$1,500. No tangible assets are involved. The sales agreement of July 10, 1990, requires that the total consideration be paid to the transferor upon approval of the application.

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

We find:

1. That the applicant is fit, willing and able to provide the service proposed.

2. That transfer of the authority is in the public interest and is necessary for the continued accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the transfer application be and is hereby approved and that a certificate be issued granting the following right:

To transport, as a common carrier, persons, upon call or demand in the city of Reading, Berks County.

subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the right to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the right herein granted in excess of the actual cost of said right to the original holder thereof.

3. That the applicant charge to Account 1550, Other Intangible Property, \$1,500, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above; and subject to further adjustment due to any normal interim transactions to the date of actual transfer.
4. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. Section 1102(a)(3).

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and 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.

IT IS FURTHER ORDERED: That upon compliance with this order, the right granted the transferor, Gerald Long at A-00107965 be cancelled and the record be marked closed.

BY THE COMMISSION,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: January 4, 1991

ORDER ENTERED: JAN 10 1991



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

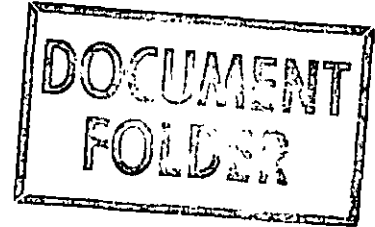
AMH

January 28, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

R-16

David H. Radcliff, Esquire  
417 North Front Street  
Harrisburg, PA 17101



Re: A-00109547 - Reading Yellow Cab, Inc.

Dear Mr. Radcliff:

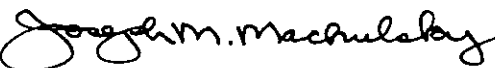
Under date of 1-10-91, the Secretary's office transmitted to you the Commission's compliance order adopted 1-4-91, evidencing approval of the above application which is in effect a transfer of the rights formerly held by Gerald Long at A-00107965. The letter transmitting the order directs attention to the requirement for the filing of a tariff.

Pa. Code, Title 52, Section 23.13(c) provides that in the case of change of ownership, etc., if feasible to do so, the tariffs of the former operator shall be adopted by the new operator, and no change in rates is permitted to cover the transfer of rights.

In this instance it is not possible to meet the tariff requirements by the adoption of the former tariff for the reason that the present tariff's description of operating authority does not conform with the approval of this application.

It will be necessary, therefore, to file a new tariff which should be designated Call or Demand Pa. P.U.C. No. 1. The tariff should name the same rates, rules and regulations as were filed by the former operator and may be issued to become effective on one day's notice under authority of Pa. Code, Title 52, Section 23.42.

Very truly yours,  
Barry L. Ernst, Director  
Bureau of Transportation

  
By: Joseph M. Machulsky, Chief  
Financial Document Section

cc: Reading Yellow Cab Co., Inc.  
543 Elm Street  
Reading, PA 19601

Contact Person: M. Dove  
(717) 787-5945