

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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|------------------------|---|---------------------------|
| IN RE: APPLICATION OF  | : |                           |
| READING CITY CABS, LLC | : | Docket No. A-2016-2524649 |
|                        | : | (Amended)                 |
|                        | : |                           |

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**PROTEST OF J & J LEASING & RENTALS, INC.**

Comes now, Protestant, J & J Leasing & Rentals, Inc., with address and place of business as 445 Business Park Lane, Allentown, Pennsylvania 18109, by and through its attorney, and in accordance with the Rules of Practice of the Commission, submits this, its Protest, to the above captioned Application, for a certificate of public convenience, and states the basis of which is as follows:

1. Applicant's name and Application docket number are: Reading City Cab, LLC, 2304 Walnut St., Harrisburg, PA 17104, and Docket No. A-2016-2524649 (Amended).

2. Protestant's business name, address, and telephone are: J & J Leasing & Rentals, Inc., 445 Business Park Lane, Allentown, Pennsylvania 18109, telephone (610) 776-1516.

3. Protestant's attorney's name, address, and telephone are: Kenneth A. Olsen, Esq., 33 Philhower Road, Lebanon, NJ 08833, telephone (908) 832-9207, fax (908) 832-9207.

4. The name and address of Applicant's attorney is: John W. Sweet, Esq., 620 South 13 Street, Harrisburg, PA 17104.

5. The nature of Protestant's interests in the Application and statement of adverse impact upon Protestant and the public is as follows:

(A) The nature of Protestant's interests is the scope of authority sought in the application, with respect to Lehigh and Northampton Counties.

Applicant seeks authority to transport persons, upon call or demand, from

points in Berks and Lancaster Counties, to points in Pennsylvania, and return. Protestant presently holds operating authority from this Commission under Certificate of Public Convenience issued in No. A-633859, and operates thereunder to transport as a common carrier, by motor vehicle, persons, in call or demand service, to and/or from points within Lehigh and Northampton Counties. Protestant presently also holds operating authority from this Commission under Certificate No. A-00105282, Folder 1, Am-A and Am-C, to transport as a common carrier, by motor vehicle, persons, in limousine service, between points in the counties of Lehigh and Northampton, and from points in said counties to points in Pennsylvania, and return; and from points in the counties of Carbon, Luzerne and Monroe, and from points in said counties to points in Pennsylvania, and return. Moreover, Protestant presently holds operating authority under Certificate No. A-00105282, Folder 3, to transport as a common carrier, by motor vehicle, persons in paratransit service between points in the Counties of Lehigh and Northampton, and from points in said counties to points in Pennsylvania, and return. Furthermore, Protestant presently holds operating authority under Certificate No. A-00105282, Folder 4, to transport persons in airport transfer service, from points in the Counties of Lehigh and Northampton, to the Lehigh Valley International Airport.

**(B)** The adverse impact of the Application on Protestant is that, if Applicant is granted the authority to transport persons, upon call or demand, in Lehigh and Northampton Counties, an area in which Protestant currently renders service, it will adversely affect Protestant's ability to render a call and demand service to

the public in its authorized territory. A grant of the Application will jeopardize Protestant's traffic in a substantial portion of its authorized territory, thereby jeopardizing its service to the public.

There is no need for the certificate of public convenience requested.

(C) Further, Protestant challenges the Applicant's fitness to perform the proposed service due to: (1) Applicant's failure to demonstrate that it has sufficient capital, equipment, facilities, and other resources necessary to safely and lawfully serve the requested territory; (2) Applicant's failure to demonstrate it and its employees have sufficient technical expertise and experience to serve the requested territory; (3) Applicant's failure to demonstrate its ability to secure adequate and continuous insurance coverage; and (4) Applicant's failure to demonstrate it has appropriate plans or policies required to comply with Commission orders and regulations, the Commission's driver and vehicle safety regulations and service standards, and the Commission's regulations regarding driver criminal and moral turpitude convictions history.

6. The Commission's docket numbers under which Protestant operates its authorized paratransit, limousine, call and demand service, and airport transfer service is Certificate No. A-633859; Certificate No. A-00105282, Folder 1, Am-A and Am-C; and Folders 3 and 4 (a extract of which is attached hereto as Exhibit A).

7. A restriction to the Application that would protect Protestant's interest herein and result in the withdrawal of the instant Protest would be for Applicant to restrict the

Application against providing call or demand services in Lehigh and Northampton Counties, as such would not adversely impact upon the present operations and authority of Protestant.

8. Pursuant to 66 Pa. C. S. § 333(c), demand is hereby made upon Applicant to provide Protestant's attorney with a list identifying the names, addresses, and group or company affiliation of any or all witnesses expected to testify at hearing in this Application proceeding, together with the subject matter of their expected testimony and supporting documents.

WHEREFORE, the above premises be considered, Protestant respectfully prays this (corrected) Application be dismissed and denied.

Dated: March 18, 2016

By: s/ Kenneth A. Olsen  
Kenneth A. Olsen  
Attorney for Protestant  
33 Philhower Road  
Lebanon, New Jersey 08833  
Phone (908) 832-9207  
Pennsylvania Attorney ID No. 29681

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, Protest of J & J Leasing & Rentals, Inc., upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
(Via efile)

John W. Sweet, Esq.  
620 South 13 Street  
Harrisburg, PA 17104  
Attorney for Applicant  
(Via First Class Mail, postage prepaid)

Dated: March 18, 2016

By: s/ Kenneth A. Olsen  
Kenneth A. Olsen  
Attorney for Protestant  
33 Philhower Road  
Lebanon, New Jersey 08833  
Phone (908) 832-9207  
Pennsylvania Attorney ID No. 29681

**EXHIBIT A**

Certificate No. A-00105282  
Folder 1, Am-A and Am-C

To transport as a common carrier, by motor vehicle, persons, in limousine service, between points in the Counties of Lehigh and Northampton, and from points in said counties to points in Pennsylvania, and return; and

To transport as a common carrier, by motor vehicle, persons, in limousine service, between points in the Counties of Carbon, Luzerne and Monroe, and from points in said counties to points in Pennsylvania, and return.

Certificate No. A-633859

To transport as a common carrier, by motor vehicle, persons, in call or demand service, to and/or from points within Lehigh and Northampton Counties.

Certificate No. A-00105282, Folder 3

To transport as a common carrier, by motor vehicle, persons, in paratransit service between points in the Counties of Lehigh and Northampton, and from points in said counties to points in Pennsylvania, and return.

Certificate No. A-00105282, Folder 4

To transport as a common carrier, by motor vehicle, persons, in airport transfer service, from points in the Counties of Lehigh and Northampton, to the Lehigh Valley International Airport.