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COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

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 :
Application of Stacia H. Grove, t/d/b/a : Docket No.
Central Pennsylvania Limousine Service : A-00114058
 For the right to begin to transport, as :
 a common carrier, by motor vehicle, :
 persons, in limousine service, between :
 points in the Counties of York, :
 Lancaster and Dauphin, and from points :
 in the said territory, to points in :
 Pennsylvania, and return. :
 :
 Initial Hearing :
 :
 ----- -x

Pages 22 through 170

Hearing Room No. 3
North Office Building
Harrisburg, Pennsylvania

Tuesday, December 16, 1997

Met, pursuant to adjournment, at 10:00 a.m.

BEFORE:

WAYNE L. WEISMANDEL, Administrative Law Judge

APPEARANCES:

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 Nauman, Smith, Shissler & Hall
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 (For the Applicant)

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C O N T E N T S

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E X H I B I T S

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<u>Grove</u>		
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11 ✓	(Credit Report-Stacia Grove)	63 106
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P R O C E E D I N G S

1
2 ADMINISTRATIVE LAW JUDGE WAYNE L. WEISMANDEL: We
3 will open the record.

4 This is the date, time and place set for the initial
5 hearing in the application of Stacia H. Grove, trading and
6 doing business as Central Pennsylvania Limousine Service,
7 Pennsylvania Public Utility Commission Docket No.
8 A-00114058. I am Administrative Law Judge Wayne L.
9 WeismanDEL, assigned by the Commission to preside in this
10 matter.

11 I would like to begin by asking the parties'
12 representatives to enter their appearance on the record at
13 this time.

14 Mr. Dunlap.

15 MR. DUNLAP: Benjamin C. Dunlap, Jr., representing
16 Stacia Grove, applicant.

17 JUDGE WEISMANDEL: And Mr. Pohlman.

18 MR. POHLMAN: Scott W. Pohlman, representing Keystone
19 Limousine, Inc., White Rose Limousine, Inc., Unique
20 Limousine Service, Inc., Salgals, Inc., trading and doing
21 business as Villa Limousine Service, Superior Transportation
22 Services, Inc., and Raymond Bensch.

23 JUDGE WEISMANDEL: I would note for the record that
24 by Initial Decision dated December 1, 1997, the amended
25 protest that was filed by Superior Transportation Services,

1 Inc., trading and doing business as Superior Limousine
2 Service of Harrisburg, was dismissed based on a motion filed
3 by Mr. Dunlap. That Initial Decision was issued December
4 12, 1997, and the parties have been provided copies thereof
5 this morning. So for the purposes of this hearing at least,
6 Superior Limousine is not a party. There have been no other
7 amended protests filed other than those on behalf of
8 Keystone Limousine, Inc., Salgals, Inc., trading and doing
9 business as Villa Limousine Service, Unique Limousine
10 Service, Inc., and White Rose Limousine, Inc., so we have
11 four active protestants.

12 A couple of preliminary things. Mr. Dunlap and Mr.
13 Pohlman and I spoke on the phone the other day, and it's my
14 understanding that while the hearing in this matter is
15 currently scheduled for today and tomorrow, that that
16 schedule is going to be revised in that Mr. Dunlap
17 represented that at least some of the witnesses that he had
18 identified in his prehearing memorandum -- and I believe
19 there were 19 or 20 witnesses identified -- are unavailable
20 either today or tomorrow, some due to illness, some due to
21 other commitments, the holiday season, et cetera; and so it
22 was agreed that we would commence the hearing today and
23 dispense with tomorrow's session and schedule one or two
24 days further at some time to be mutually agreed upon before
25 we adjourn today. In light of that, Mr. Pohlman was advised

1 that it was not necessary for him to bring any protestant
2 witnesses today because whenever Mr. Dunlap finished with
3 those witnesses who are available today, we will recess the
4 hearing until that future date.

5 Is that all an accurate representation of what we
6 agreed to, gentlemen?

7 MR. DUNLAP: Yes.

8 MR. POHLMAN: Yes, sir.

9 JUDGE WEISMANDEL: I will mention this to you now and
10 we'll talk about it at some length later. I would suggest,
11 if it fits your schedule, that we look at the week of
12 February 2 for the additional day or two. As I said, you
13 don't have to comment on that now, we'll talk about it
14 before we leave here today, but at least that's my initial
15 thoughts on the matter.

16 Now, do either of you gentlemen have anything
17 precatory that we need to deal with before we begin taking
18 testimony?

19 MR. DUNLAP: I have two preliminary matters, Your
20 Honor.

21 JUDGE WEISMANDEL: Mr. Dunlap.

22 MR. DUNLAP: One has to do with discovery responses.
23 We had propounded two sets of interrogatories and requests
24 for documents on the protestants. In the first one we asked
25 primarily for financial information, which the protestants

1 have put at issue by contending in their amended protests
2 that the entry of the applicant into the market would impair
3 their ability to operate profitably, so that is relevant
4 information. In their responses they either claimed, one,
5 that the information was proprietary, but I note that the
6 protestants did not file objections, nor did they file any
7 request for protective order within the time required under
8 the rules.

9 The other aspect regarding financial matters is that
10 they claim that this was a matter of public record. These
11 matters are not a matter of public record. I checked
12 specifically with Carmen Bass, who is assessment specialist
13 with the PUC, and she confirmed that financial information
14 submitted to the PUC each year for the annual assessment
15 reports is not a matter of public record and is not released
16 by the Commission. That's information that the protestants
17 would need to submit under 52 Pa. Code §29.43. She also
18 confirmed that as of three years ago, as of 1/1/95, the
19 Commission has not required the filing of annual reports
20 pursuant to 52 Pa. Code § 29.42.

21 Furthermore, in our second set of interrogatories and
22 document requests we asked for various corporate information
23 regarding corporate officers, where businesses were
24 located -- and I do note that they did respond to that this
25 morning about where the business offices were located -- and

1 who are their drivers, trips and so forth, that sort of
2 information. They also either claimed that that information
3 was proprietary, again without filing any objections or
4 requests for protective order, and they also claimed that
5 this information was a matter of public record, but stock
6 ownership, for example, is not contained in the Articles of
7 Incorporation, nor is it contained in the PUC files. I
8 checked the PUC document files, tariff and insurance
9 records, and I note that under 52 Pa. Code §1.72(c)(4) and
10 §1.74 that you need to petition the Commission for access to
11 report folders, which may or may not contain this
12 information. Our contention is, in any case, why should my
13 client have to be put to the expense to petition the
14 Commission for information which may or may not be contained
15 in the report folders when the protestants put these matters
16 at issue and they have it in their own files?

17 Making this especially egregious, regarding the
18 separate matters on the corporate information, my client
19 propounded to the protestants the exact same questions which
20 the protestants propounded on my client, which my client
21 answered fully. Because of this I'm asking for sanctions
22 and asking that the protestants be prohibited from
23 supporting their claim that the entry of the applicant into
24 the field would endanger or impair the operations of the
25 existing common carriers to an extent that, on balance, the

1 granting of authority would be contrary to the public
2 interest.

3 JUDGE WEISMANDEL: Mr. Pohlman.

4 MR. POHLMAN: We have not placed the profitability at
5 question. What we have placed at question is the ability of
6 the companies to operate safely, and when there is a loss or
7 reduction of I guess we would call them the revenues that
8 you obtain from providing service, if there is not an
9 existing or expanded need that is established, those
10 companies that are currently operating, both the ones that
11 are protesting and those that operate in our environment
12 today, will face a decrease in their revenues, so that is
13 going to affect everybody across the board.

14 The financial information, it is our understanding
15 and position that --

16 JUDGE WEISMANDEL: Let me follow up on that a minute.
17 Isn't it true, Mr. Pohlman, that if that argument was
18 accepted in toto, there would never be any new entrants,
19 because by definition a new entrant, unless it never is
20 successful at getting one customer, will necessarily reduce
21 business for other already-existing carriers; isn't that so?

22 MR. POHLMAN: I would say yes, but if there's a need
23 established that's not being met, then it's not going to
24 have an impact upon those people that are already providing
25 the service. If all the companies are out there providing

1 full service to everybody and there is still a need that is
2 not being met, then somebody can successfully enter that
3 market and provide that service and not impact the safety or
4 the public welfare of those people that are there in that
5 community.

6 JUDGE WEISMANDEL: Right, and that is one of the
7 things that the applicant has the burden of proof upon.

8 MR. POHLMAN: Exactly. And so for us to be releasing
9 our individual financial records at this point in time when
10 there's going to be a direct impact upon the protestors --
11 and that is information that has allowed them to compete
12 successfully and profitably and in a position that allows
13 them to serve the community, which is why they are here and
14 operating under the Public Utility Commission. The
15 financials we report regularly, the trip sheets; the
16 majority of the relevant information that is going to
17 pertain to this hearing, the need and what exists and what
18 is being presented and provided to the community, is
19 provided and submitted to the Public Utility Commission, and
20 it is our understanding that that is available for the
21 public to review. That's why it is there, so the Public
22 Utility Commission can overview, supervise and watch what
23 existing carriers are doing. That's why we are all under
24 the authority of the Public Utility Commission.

25 JUDGE WEISMANDEL: Mr. Dunlap has made the

1 representation that he has attempted to acquire that
2 information and been told that it is not available to him.

3 MR. POHLMAN: What we can do, we will get a copy of -
4 - my client has informed me that we'll -- if he's having
5 that much difficulty getting it from the Public Utility
6 Commission, we'll provide him copies of those things which
7 we submit to them for them, but the individual corporate
8 records we do not feel are pertinent.

9 To answer one other question for him, all companies
10 are owned by Jim Salinger and Josie Salinger except for
11 Salgals, and that would be a corporate ownership question.

12 MR. DUNLAP: Are you saying that Keystone is owned by
13 the Salingers, too?

14 MR. POHLMAN: We would rather explain -- on the
15 ownership question, there is a management contract between
16 the two. Keystone is not owned completely by the Salingers,
17 but there is a minute detail or arrangement that we would
18 rather not discuss at this time when it might be mistaken.
19 I would rather have Mr. Salinger properly explain that or
20 provide that to you at a future time rather than today.

21 JUDGE WEISMANDEL: Here's what I propose. I would
22 like you gentlemen to get together -- I presume, Mr. Dunlap,
23 we are going to come back after lunch; you don't anticipate
24 being done before lunch.

25 MR. DUNLAP: Yes.

1 JUDGE WEISMANDEL: What I would like you gentlemen to
2 do is to get together whenever we do take a lunch recess and
3 see if you can agree to either remove some requests or
4 provide information as requested and work the thing out. If
5 you can't, we'll hear from you after lunch and I'll direct
6 what I think is appropriate. I will note, though, that to
7 the best of my knowledge, and it accords with what Mr.
8 Dunlap said, which is that neither objections nor motion for
9 protective order have been submitted to me. So take the
10 opportunity to see if you can't resolve the thing at least
11 with representations that the information -- we're not going
12 to conclude this case today, so I don't think anyone is
13 going to be unduly prejudiced. If you can work it out so
14 that the agreed-upon requested and to-be-provided
15 information will be cared for within a week, I don't think
16 that jeopardizes either side's position here since we're not
17 going to be coming back probably till February. If you
18 can't work it out, then I'll work it out for you, but I
19 would prefer not to. Okay?

20 MR. DUNLAP: Fair enough.

21 JUDGE WEISMANDEL: Does that handle that matter?

22 MR. DUNLAP: Yes. Thank you, Your Honor.

23 JUDGE WEISMANDEL: Anything further, Mr. Dunlap?

24 MR. DUNLAP: Secondly, as I brought up at our
25 telephone conference the other day, it's extremely difficult

1 to get business people to take essentially a half day off
2 work to testify in support of what is a proposed business
3 here. We will try to get all our additional witnesses to
4 come to the continued hearing when that date is set, but, of
5 course, some of them may not be able to come to that one
6 either. Just as an example of a person who would be a very
7 good witness but is only in the area during certain times, I
8 have a letter here, or a memorandum, actually, from John
9 Johns, who is President of New West Products in California,
10 who would use my client's services, if I may approach, Your
11 Honor.

12 (Document handed to Judge Weisman.)

13 JUDGE WEISMANDEL: Thank you.

14 MR. DUNLAP: This is someone, as an example, who I
15 assume it's going to be difficult to get him here February
16 2, but there's a good chance he'll be in the area prior to
17 that time. I would ask for leave to take certain testimony
18 by deposition to enter into the record where supporters
19 cannot attend the further hearing.

20 JUDGE WEISMANDEL: Mr. Pohlman.

21 MR. POHLMAN: We would object to that because this
22 witness is making very controversial statements in his
23 letter to us. I would, rather than that record be submitted
24 to you in its entirety, have you there to rule on positions
25 and statements that are made and objections which will

1 obviously result from statements that he is making in there.
2 Part of the purpose of this is to determine the validity of
3 people's support of an applicant, and if they're not willing
4 to take the time off or they don't feel as though they're
5 going to sufficiently utilize that service, if they don't
6 feel it is that important to them, that's one of the reasons
7 we want them here.

8 MR. DUNLAP: I would note, Your Honor, in response to
9 that, that if there were no protests filed, that applicant's
10 statements could be submitted just by verified statement,
11 which is pretty easy, and just by filing these protests, the
12 protestants put a huge burden on the applicant. We're just
13 asking for leave to -- we will try to get as many people
14 here as we can. There are certain people who we cannot.
15 Mr. Pohlman would be at the deposition and can object to
16 certain testimony, and you can rule as to its admissibility
17 later on at the hearing.

18 (Pause.)

19 JUDGE WEISMANDEL: Again, I think there are
20 procedural rules, and that's obviously what I was looking
21 at. If you want to proceed by deposition, that would, of
22 course, give Mr. Pohlman the opportunity to object, and I
23 would have to then rule on that. I have worked a number of
24 different ways, which I will just mention to you gentlemen,
25 and, again, perhaps you can agree to some procedure. I know

1 I've conducted a hearing wherein some of the witnesses
2 submitted written affidavits and then were available
3 telephonically at the time of the hearing to be questioned
4 on those affidavits, the affidavits then being marked as
5 exhibits and admitted into the record after being
6 authenticated and an opportunity for cross-examination.
7 It's an unwieldy way of doing things, but it works, and it
8 keeps people from having to be physically located -- in that
9 case it happened to be in Philadelphia and a lot of the
10 witnesses were located in the western part of Lancaster
11 County and York County and things like that, and it saved
12 them the trip to Philadelphia for what amounted to usually
13 about a half-an-hour's testimony. So that's one way it can
14 be done.

15 It can also be done by, again, affidavits being
16 prepared and submitted to opposing counsel in advance, and
17 if counsel has no questions, then admitting them as exhibits
18 by stipulation. Again, that is a little less cumbersome
19 procedure, but obviously it requires the acquiescence of
20 counsel for protestants, or, if protestants want to submit
21 witnesses the same way, the acquiescence of counsel for
22 applicant.

23 But there are a number of ways to approach the thing.
24 There is the formal way, which is the way that is set out in
25 the regulations and usually leads to the most rancor and

1 irritability on the part of everyone, and then there are
2 inventive ways that protect both sides rights that counsel
3 can usually come up with that are more efficient and
4 effective, and I would encourage you to see if that's
5 possible. I do have some sympathy with the problem of
6 witnesses having to appear for short periods of time,
7 particularly if it involves some distant travel for them.
8 On the other hand, I think Mr. Pohlman's point is well taken
9 that it's the applicant's burden and it's the applicant who
10 has supposedly arranged for witnesses that will be favorable
11 to the applicant's position, and the burden ultimately falls
12 on the applicant to get the supporting testimony, if it's in
13 fact there, into the record. So I am somewhat sympathetic
14 to that viewpoint.

15 Again, I would encourage you gentlemen to see if you
16 can work something out. If not, the regulations provide a
17 cookbook solution which we can then use.

18 MR. DUNLAP: Thank you for your ideas, Your Honor.

19 JUDGE WEISMANDEL: I'm pretty willing to go along
20 with almost anything that counsel can agree upon, because
21 you fellas know your perspectives and your cases best and
22 what works for you folks, and as long as it doesn't
23 jeopardize the public interest, I'm pretty flexible about
24 being cooperative.

25 MR. DUNLAP: Thank you.

1 JUDGE WEISMANDEL: Anything further, Mr. Dunlap?

2 MR. DUNLAP: Nothing from me, Your Honor.

3 JUDGE WEISMANDEL: Mr. Pohlman, do you have anything
4 preliminarily?

5 MR. POHLMAN: The only preliminary question I have
6 would be with regards to an intervention motion for
7 Superior, but I don't believe this is the proper environment
8 to be doing that, and I'll be filing that with the
9 Commission this afternoon, unless you feel as though I
10 should be presenting that to you now.

11 JUDGE WEISMANDEL: An intervention motion on whose
12 behalf?

13 MR. POHLMAN: Raymond D. Bensch, the owner of
14 Superior Limousine Service of Harrisburg, who was, as you
15 know, one of the protestors under Superior Transportation
16 Services, Inc.

17 JUDGE WEISMANDEL: Well, the problem was, he wasn't.

18 MR. POHLMAN: Correct, but he had filed at that point
19 in time, and Superior Transportation Services, Inc., I
20 firmly believe, would have had an interest in and does have
21 an interest in these hearings. Based on your decision in
22 the telephone call we had, I have prepared an intervention
23 motion for Mr. Bensch under his current authority, under his
24 current operating service, with the position that he
25 represents a service in Dauphin County, it's unduly

1 burdensome to place the protestant, the current protestant
2 and the remaining protestant, in the position he's in. By
3 allowing Mr. Bensch to participate in these proceedings
4 under the proper authority, under the current authority, I
5 don't believe harms the applicant in any way. Mr. Bensch
6 has carried on communications with them; they're aware of
7 his presence. They know that he is an operator in the
8 Dauphin County region. We feel as though his addition to
9 this would not, again, harm them in any way except for to
10 provide another service provider who has protested and will
11 be filing exceptions and intervention petitions accordingly.
12 So I would like to be able to present that at this time, if
13 you feel it is appropriate. Otherwise, I can wait and file
14 it with the Commission later this afternoon.

15 MR. DUNLAP: I'm going to object to that, Your Honor.
16 Mr. Bensch did not file a protest, and now he's just trying
17 to enter in by the back door for what he failed to do
18 initially. It would be to our detriment in that we did not
19 even receive the skeletal discovery response from Mr. Bensch
20 that we received from the other protestants. So it is going
21 to be to our detriment, and Mr. Bensch should not be allowed
22 to do by intervention what he failed to do by formal
23 protest, the procedure that's in the rules for him to be a
24 party.

25 JUDGE WEISMANDEL: I would suggest, Mr. Pohlman, that

1 you go ahead and file your petition; however, given Mr.
2 Dunlap's representation that he is going to oppose that
3 petition, I will tell you quite candidly that I am going to
4 be hard-pressed to find good cause for a late-filed protest
5 here in light of the fact that the certificated carrier
6 ought to know who the certificated carrier is. I think it's
7 going to take some pretty good convincing to convince me
8 that there's good cause for the protest not being timely
9 filed. I think you will agree that there is no doubt that
10 the petition to intervene -- when protests were due by I
11 believe it was July 21, a petition to intervene filed
12 December 16 is clearly not timely, and in the Commission's
13 regulations a late-filed protest does require a showing of
14 good cause. I'm going to be hard-pressed to believe that
15 there's going to be ability to show good cause. You're
16 certainly welcome to take a shot at it if you choose to do
17 so, but I wanted to give you that heads up on the record,
18 and then you and your client can discuss whether it's worth
19 pursuing or not.

20 I will also say that subject to objection at the time
21 by Mr. Dunlap, I wouldn't necessarily go into this hearing
22 thinking that Mr. Bensch couldn't be called by someone as a
23 witness, perhaps.

24 MR. POHLMAN: Correct. Thank you, Your Honor.

25 JUDGE WEISMANDEL: Now, his testimony might be

1 limited. Again, without telling anybody how to try their
2 case, be aware of the fact that he would be merely a witness
3 for the active protestants; he wouldn't be representing his
4 own interest as a party participant.

5 I think that's probably all I ought to say on the
6 subject at this point.

7 MR. POHLMAN: Thank you, Your Honor.

8 JUDGE WEISMANDEL: Anything further, counsel?

9 MR. DUNLAP: I have nothing, Your Honor.

10 JUDGE WEISMANDEL: Mr. Dunlap, I guess we're ready
11 then for your first witness.

12 MR. DUNLAP: I would like to call to the stand Stacia
13 H. Grove as my first witness.

14 JUDGE WEISMANDEL: Ms. Grove, would you come up to
15 the witness stand and please stand and raise your right
16 hand?

17 **Whereupon,**

18 **STACIA H. GROVE**

19 **having been duly sworn, testified as follows:**

20 JUDGE WEISMANDEL: Thank you. Please be seated. I
21 will ask you and I will ask anyone else who is going to
22 testify today, because of the -- I guess in the summer we
23 have it with the air-conditioning and in the winter with the
24 heating; hearing is difficult here, at best, so if you could
25 keep your voice up, I would appreciate it.

1 Thank you.

2 DIRECT EXAMINATION

3 BY MR. DUNLAP:

4 Q. Ms. Grove, would you please state your full name
5 for the record?

6 A. Yes. Stacia H. Grove.

7 Q. What is your address, Ms. Grove?

8 A. 562 East Heatherfield Way, Red Lion,
9 Pennsylvania, 17356.

10 Q. Do you have a business address?

11 A. Yes. That would be the same address.

12 Q. Have you filed before this Commission an
13 application to provide services from York, Lancaster and
14 Dauphin Counties to points in Pennsylvania and return?

15 A. Yes, I have.

16 Q. And that was the one that was filed under
17 Application No. A-00114058?

18 A. Right. That's correct.

19 Q. Have you filed to operate under a fictitious
20 name, Ms. Grove?

21 A. Yes, I have.

22 MR. DUNLAP: At this time I would like to introduce
23 into the record what would be identified and marked as Grove
24 Exhibit No. 1.

25

1 (Whereupon, the document was marked
2 as Grove Exhibit No. 1 for
3 identification.)

4 BY MR. DUNLAP:

5 Q. Do you recognize this document, Ms. Grove?
6 (Document handed to witness.)

7 A. Yes, I do.

8 Q. Would you please identify it for the record?

9 A. It's the application for a fictitious name
10 registration.

11 Q. Did you file this?

12 A. Yes, I did.

13 Q. Under what name are you -- what is the
14 fictitious name listed there?

15 A. Central Pennsylvania Limousine Service.

16 Q. When did you file this?

17 A. January 22, 1997.

18 MR. DUNLAP: I would also note for the record that
19 this is admissible as a public document under 52 Pa. Code
20 §5.406(a)(2), but for the convenience of the Commission I'll
21 submit it into the record.

22 JUDGE WEISMANDEL: I appreciate that.

23 BY MR. DUNLAP:

24 Q. Ms. Grove, Central Pennsylvania Limousine
25 Service, how would that business be set up?

1 A. A sole proprietorship.

2 Q. You are the owner and operator?

3 A. Yes.

4 Q. As far as operating the business, who will be
5 the driver?

6 A. I will be.

7 Q. Who will schedule services?

8 A. I will.

9 Q. Who will keep account books and do billing?

10 A. I will, and I might rely on my husband, Todd, to
11 help me out with that.

12 Q. Who will be doing advertising/marketing?

13 A. I will.

14 Q. Let's look at each one of these components
15 individually, if we may. Have you located a vehicle which
16 you plan to use to provide the proposed services?

17 A. Yes, I have.

18 Q. What is that vehicle?

19 A. Nineteen ninety-eight Chevrolet Suburban.

20 MR. DUNLAP: At this time I'd like to have marked
21 what would be Grove Exhibit No. 2.

22 (Whereupon, the document was marked
23 as Grove Exhibit No. 2 for
24 identification.)
25

1 BY MR. DUNLAP:

2 Q. Do you recognize what's been marked as Grove
3 Exhibit No. 2?

4 (Document handed to witness.)

5 A. Yes, I do.

6 Q. Would you please identify it for the record?

7 A. It's a booklet for the 1998 Suburban.

8 Q. And this is the same vehicle that you propose to
9 use to provide limousine services?

10 A. Yes, it is.

11 Q. Where did you obtain this booklet?

12 A. From a dealership.

13 Q. Does this vehicle fit the definition of a luxury
14 vehicle under 52 Pa. Code §29.333?

15 A. Yes, it does.

16 Q. What kind of luxury features do you anticipate
17 having in your vehicle?

18 A. With this vehicle they're probably too numerous
19 to mention. A few: leather interior, reading lights for
20 maps, cup holders, additional cargo space.

21 Q. Do you anticipate having a CD player?

22 A. Yes; yes, it would.

23 Q. Do you anticipate having an AM/FM radio?

24 A. Yes.

25 Q. Do you know what the wheel base is of this

1 vehicle, Ms. Grove?

2 A. Yes, I do.

3 Q. Is that found in the book anywhere?

4 A. Yeah, it is.

5 (Witness perusing document.)

6 A. I didn't find it yet, but it's 115 inches.

7 Q. It's 115?

8 A. Right.

9 Q. And it is in the book here, too?

10 A. Yeah. Yeah, it's in the book -- oh, no, I'm
11 sorry; that's incorrect. It's 131.5 inches.

12 Q. You found it in the book?

13 A. Yeah. It's five pages from the end.

14 Q. Five pages from the end?

15 A. From the back.

16 Q. Why did you choose this vehicle, Ms. Grove?

17 A. For the luxuries.

18 Q. What about seating capacity?

19 A. Seating capacity, cargo space, to haul luggage.

20 MR. DUNLAP: If Your Honor does not mind, what I
21 propose to do is to move all the exhibits into evidence at
22 the end of her testimony, just to save time.

23 JUDGE WEISMANDEL: Fine.

24 BY MR. DUNLAP:

25 Q. Ms. Grove, have you thought about how you will

1 finance this vehicle, the purchase of this vehicle, for your
2 proposed limousine service?

3 A. Yes, I have. Probably a lease.

4 Q. Have you been pre-approved to lease this
5 vehicle?

6 A. Yes, I have.

7 MR. DUNLAP: At this time I'd like to introduce what
8 will be marked as Grove Exhibit No. 3.

9 (Whereupon, the document was marked
10 as Grove Exhibit No. 3 for
11 identification.)

12 BY MR. DUNLAP:

13 Q. Do you recognize what has been marked as Grove
14 Exhibit No. 3?

15 (Document handed to witness.)

16 A. Yes, I do.

17 Q. Would you please identify it for the record?

18 A. It's a pre-approval for an auto lease from
19 CoreStates Dealer Services.

20 Q. In what amount?

21 A. For the amount of \$36,888.00.

22 Q. And this is a letter dated?

23 A. December 1, 1997.

24 Q. Now, I note on this one it says a '97 Chevrolet
25 Suburban. Is that correct?

- 1 A. Yes. That's what it has on mine also.
- 2 Q. Do you anticipate getting a '97 or a '98?
- 3 A. A 1998.
- 4 Q. Are they approximately the same price?
- 5 A. Yes. They might vary \$500.00 to \$1,000.00 more.
- 6 Q. It's approximately the same?
- 7 A. Right.
- 8 MR. DUNLAP: I note, for the record, that Mr. Pohlman
- 9 has agreed to stipulate as to the authenticity of this
- 10 letter.
- 11 BY MR. DUNLAP:
- 12 Q. Do you anticipate purchasing a second vehicle at
- 13 any point?
- 14 A. Yes, I do.
- 15 Q. What vehicle might that be?
- 16 A. A stretch limousine.
- 17 Q. Any other vehicle that you're considering as a
- 18 second vehicle?
- 19 A. Yes. A 1998 Ford Super Wagon.
- 20 Q. Do both of those fit the definitions of a luxury
- 21 vehicle under the Commission's code?
- 22 A. Yes, they do.
- 23 Q. Have you been pre-approved to lease a second
- 24 vehicle?
- 25 A. Yes, I have.

1 MR. DUNLAP: At this time I'd like to have marked
2 Grove Exhibit No. 3.

3 JUDGE WEISMANDEL: Four.

4 MR. DUNLAP: Number 4. I'm sorry for my confusion
5 here, but I note that my secretary -- we had received one
6 December 1 letter that had the '98, and my secretary put
7 these together mistakenly, so what I would like to do is,
8 the December 1 letter regarding the Chevrolet Suburban is
9 attached to this, and I'd like that to be -- could we
10 replace Grove Exhibit No. 3 with that?

11 JUDGE WEISMANDEL: Mr. Pohlman, do you have any
12 problem with that?

13 MR. POHLMAN: Sure. Or do you want to just make it
14 3A so that they're both there?

15 MR. DUNLAP: That's fine, too; let's do that. So the
16 first page of this will be Grove Exhibit No. 4, and the
17 second page Grove Exhibit No. 3A.

18 JUDGE WEISMANDEL: Why don't you separate them so
19 they are two distinct documents?

20 MR. DUNLAP: Okay; we'll do that.

21 (Pause.)

22 (Whereupon, the documents were marked
23 as Grove Exhibits Nos. 3A and 4 for
24 identification.)
25

1 BY MR. DUNLAP:

2 Q. Ms. Grove, let's first look at what has been
3 marked as Grove Exhibit No. 3A. Do you recognize that
4 document?

5 (Document handed to witness.)

6 A. Yes, I do.

7 Q. Would you please identify it for the record?

8 A. It's a pre-approval from CoreStates Dealer
9 Services for a vehicle.

10 Q. For what vehicle?

11 A. For a 1998 Chevy Suburban and also a 1998 Ford
12 Super Wagon.

13 Q. No, no. We're just looking at 3A right now.
14 There's two pieces of paper there. Just 3A. What is 3A
15 for?

16 A. For a 1998 Chevy Suburban.

17 Q. Did you receive this from CoreStates Bank?

18 A. Yes, I did.

19 Q. And I note that the vehicle here says '98?

20 A. Yes.

21 Q. Is that a correction from the letter that's
22 Exhibit 3?

23 A. Yes, it is.

24 Q. Does this mean then that you're approved for a
25 '98 Chevrolet Suburban?

1 A. Right, for a 1998.

2 MR. DUNLAP: I will note also that Mr. Pohlman
3 stipulated as to the authenticity of this document.

4 BY MR. DUNLAP:

5 Q. Now let's move on to Exhibit No. 4, Ms. Grove.
6 I'm sorry about the confusion there. Do you recognize Grove
7 Exhibit No. 4?

8 A. Yes.

9 Q. What is that?

10 A. It is a pre-approval for a 1998 Ford Super Wagon
11 from CoreStates Dealer Services.

12 Q. What is the amount that you've been pre-approved
13 for for this second vehicle?

14 A. \$27,905.00.

15 MR. DUNLAP: I also note that Mr. Pohlman has
16 stipulated to the authenticity of what has been marked as
17 Grove Exhibit No. 4.

18 BY MR. DUNLAP:

19 Q. As far as a second vehicle, have you yet
20 received a pre-approval for a stretch limousine?

21 A. No, I have not.

22 Q. Why is that, Ms. Grove?

23 A. I'm going to try to find one possibly with
24 10,000 miles or approximately a year old.

25 Q. What do you need to do to get pre-approval of

1 such a vehicle?

2 A. Basically shop around and find the vehicle I
3 want.

4 Q. So, in other words, you need to locate the
5 vehicle before you can get pre-approval?

6 A. Right.

7 Q. With having been pre-approved for two separate
8 vehicles in the amounts of \$36,888.00 and \$27,905.00, do you
9 anticipate any problem getting approval for a lease of a
10 stretch limousine?

11 A. No, I don't.

12 Q. Also, Ms. Grove, as part of your application you
13 need to demonstrate the propensity to operate safely and
14 legally. Do you hold a valid driver's license?

15 A. Yes, I do.

16 MR. DUNLAP: At this time I'd like to introduce and
17 have marked Grove Exhibit No. 5.

18 (Whereupon, the document was marked
19 as Grove Exhibit No. 5 for
20 identification.)

21 BY MR. DUNLAP:

22 Q. Ms. Grove, do you recognize this document?

23 (Document handed to witness.)

24 A. Yes, I do.

25 Q. Please identify it for the record.

1 A. It is my Pennsylvania driver's license.

2 Q. Is that a valid driver's license?

3 A. Yes, it is.

4 Q. When does it expire, Ms. Grove?

5 A. 7/31/1998.

6 Q. Is this a true and correct copy of your driver's
7 license?

8 A. Yes, it is.

9 Q. Ms. Grove, let's get into your driving record.
10 How would you characterize your driving record?

11 A. Excellent.

12 Q. Do you have any citations or have you been
13 involved in any accidents?

14 A. No, I don't. No, I haven't.

15 MR. DUNLAP: At this time I'd like to have marked for
16 the record what would be Grove Exhibit No. 6.

17 (Whereupon, the document was marked
18 as Grove Exhibit No. 6 for
19 identification.)

20 BY MR. DUNLAP:

21 Q. Ms. Grove, do you recognize this document,
22 what's been marked as Grove Exhibit No. 6?

23 (Document handed to witness.)

24 A. Yes, I do.

25 Q. Would you please identify it for the record?

1 A. Yes. It's a three-year driving record issued by
2 the Pennsylvania Department of Transportation.

3 Q. What does it show?

4 A. It shows that I have no citations, no accidents,
5 no restrictions.

6 Q. What is the date of this record?

7 A. September 30, 1997.

8 Q. You did note that it's a three-year driving
9 record?

10 A. Yes.

11 Q. Have you had been involved in any accidents or
12 received any citations since the issuance of this report?

13 A. No, I haven't.

14 MR. DUNLAP: Once again, I will note for the record
15 that this is admissible as a public document under 52 Pa.
16 Code §5.406(a)(2), but, once again, for the convenience of
17 the Commission and the parties, I've had it marked.

18 BY MR. DUNLAP:

19 Q. Ms. Grove, do you have any criminal record?

20 A. No, I don't.

21 Q. Have you ever been arrested?

22 A. No, I haven't.

23 Q. Have you ever been convicted -- so you've never
24 been convicted of a crime, then, either, if you haven't been
25 arrested.

1 A. No, I haven't.

2 MR. DUNLAP: I'd like to now introduce what would be
3 marked as Grove Exhibit No. 7.

4 (Whereupon, the document was marked
5 as Grove Exhibit No. 7 for
6 identification.)

7 BY MR. DUNLAP:

8 Q. Ms. Grove, do you recognize this document?

9 (Document handed to witness.)

10 A. Yes, I do.

11 Q. Would you please identify it for the record?

12 A. Yes. It's a criminal record check.

13 Q. What does this show?

14 A. This shows that I have no criminal record.

15 Q. What is the date that this report was issued?

16 A. October 7, 1997.

17 Q. What time period does this cover?

18 (Witness perusing document.)

19 A. I really don't know, to tell you the truth.

20 Q. I'm sorry; it does not say on here.

21 Is this a true and correct copy of what you received
22 from the Pennsylvania State Police?

23 A. Yes, it is.

24 Q. Going back a bit, the report from PennDOT, was
25 that a true and correct copy of what you received from

1 PennDOT regarding your driving record?

2 A. Yes, it was.

3 Q. Have you had any arrests or convictions since
4 the issuance of this report which has been marked as Grove
5 Exhibit No. 7?

6 A. No, I have not.

7 MR. DUNLAP: Once again, this is a public document
8 under the code.

9 BY MR. DUNLAP:

10 Q. Ms. Grove, have you been pre-approved for
11 commercial insurance coverage for your proposed limousine
12 service?

13 A. Yes, I have.

14 Q. Who is that from?

15 A. Insurance Brokers of York, M. Chris Williams.

16 MR. DUNLAP: I'd like to have marked Grove Exhibit
17 No. 8.

18 (Whereupon, the document was marked
19 as Grove Exhibit No. 8 for
20 identification.)

21 BY MR. DUNLAP:

22 Q. Do you recognize this document, Ms. Grove?

23 (Document handed to witness.)

24 A. Yes, I do.

25 Q. Please identify it for the record.

1 A. Yes. It's a letter from M. Chris Williams
2 advising me that I can receive commercial insurance.

3 Q. At what point can you receive commercial
4 insurance?

5 A. When I receive my Certificate of Public
6 Convenience.

7 Q. Is this a true and correct copy of the letter
8 that you received?

9 A. Yes, it is.

10 MR. DUNLAP: Once again, I would note for the record
11 that Mr. Pohlman agreed to stipulate as to the authenticity
12 of this letter.

13 BY MR. DUNLAP:

14 Q. What amount of coverage did you speak about with
15 Mr. Williams and are you approved for?

16 A. One-and-a-half million dollars.

17 Q. Why did you choose that amount of coverage?

18 A. My plans are to travel interstate, and that is
19 the minimum coverage required for ICC.

20 Q. Let's go on to the business operations of your
21 proposed service. What work background do you have that's
22 relevant to providing the proposed limousine service?

23 A. After graduating from high school I worked for
24 Jack R. Hoffman, Incorporated. I did various duties,
25 including payroll, bookkeeping, scheduling of deliveries,

1 kept various accounts for him.

2 Q. What kind of business was Jack R. Hoffman,
3 Incorporated?

4 A. A contractor.

5 Q. What time period did you work there?

6 A. Nineteen eighty to 1983.

7 Q. Why did you end your employment at that time?

8 A. He had passed away.

9 Q. Did you have any other work experience that's
10 relevant to providing limousine service?

11 A. Yes, I did. I worked for Continental Food
12 Service, I'm not sure of the exact date, 1988 through
13 approximately 1991. I was in charge of several duties,
14 including customer service. I met with up to an average of
15 probably 200 customers a day. I drove approximately 125
16 miles per day, all types of weather. I was in charge of
17 handling inventory and also maintenance of my vehicle.

18 Q. By maintenance of the vehicle, what did that
19 entail?

20 A. Making sure it was clean, making sure it had the
21 proper amount of air in the tires, making sure the
22 headlights worked, the windshield wipers worked. General
23 maintenance.

24 Q. First of all, Continental Food Services, where
25 is that based?

1 A. In York.

2 Q. Is that a food service business? How would you
3 characterize it?

4 A. Yes; catering.

5 Q. Catering to individuals, to companies?

6 A. Right. A lunch truck.

7 Q. A lunch truck type operation?

8 A. Right.

9 Q. What other work experience have you had, Ms.
10 Grove?

11 A. I worked for a custom home builder for several
12 years. I did all his painting and wallpapering, interior
13 decorating type services.

14 Q. Did you deal with clients?

15 A. Yes, I did.

16 Q. What are you doing right now, Ms. Grove?

17 A. I am presently at home with my two small
18 children.

19 Q. Ms. Grove, do you anticipate receiving help from
20 anyone in running the business operations of your company,
21 of your proposed service?

22 A. Can you repeat that? I'm sorry.

23 Q. Do you anticipate receiving help from anyone?

24 A. Yes, I do.

25 Q. Who would that be?

1 A. From my husband, Todd.

2 Q. What does he do?

3 A. He runs operations for a company called Monarch
4 Products Company.

5 Q. Where is that located?

6 A. In York Haven.

7 Q. Do you anticipate doing anything to further your
8 business skills?

9 A. Yes, I do. I plan on taking a few business
10 courses once I receive my certificate.

11 Q. Ms. Grove, you've shown your technical ability
12 to operate the proposed service through your work experience
13 and your clean driving record and criminal background.
14 Let's get into your financial ability to provide the
15 proposed service.

16 MR. DUNLAP: At this time I'd like to have marked
17 Grove Exhibit No. 9.

18 (Whereupon, the document was marked
19 as Grove Exhibit No. 9 for
20 identification.)

21 BY MR. DUNLAP:

22 Q. Do you recognize this document, Ms. Grove?

23 (Document handed to witness.)

24 A. Yes, I do.

25 Q. Would you please identify it for the record?

1 A. Yes. It's a statement from the sales
2 representative at the local bank that we deal with. It's a
3 letter verifying our account balances with the York Bank.

4 MR. DUNLAP: Before we get into the details of this,
5 I will note for the record that Mr. Pohlman agreed to
6 stipulate as to the authenticity of this letter.

7 BY MR. DUNLAP:

8 Q. What does it show regarding your checking and
9 savings account balances?

10 A. It shows our checking account has a balance of
11 \$1,148.06.

12 Q. And your savings account?

13 A. It shows \$8,822.52.

14 Q. Now, the date of this letter was October 9,
15 1997; is that correct?

16 A. Right. Correct.

17 Q. Have there been any substantial changes in those
18 amounts since October 9 of this year?

19 A. No, no substantial changes.

20 Q. What does it show regarding the redemption value
21 of your savings bonds?

22 A. It shows \$3,838.34.

23 Q. Has there been any substantial change in that
24 amount since the issuance of this letter?

25 A. No.

1 Q. Does this letter reflect the equity you have in
2 your home?

3 A. Yes, it does.

4 Q. What is that?

5 A. \$36,360.46.

6 Q. Has there been any substantial change in the
7 amount of equity that you have in your home? Have you taken
8 on any home equity debt or any loans since the issuance of
9 this letter?

10 A. No.

11 Q. Have you been pre-approved from York Bank for a
12 home equity line of credit?

13 A. Yes, we have.

14 Q. In what amount?

15 A. Twenty-thousand dollars.

16 Q. Is that reflected in this letter?

17 A. Yes, it is.

18 Q. Have you been pre-approved for an unsecured line
19 of credit?

20 A. Yes, we have.

21 Q. In what amount?

22 A. Ten thousand dollars.

23 Q. Is that reflected in this letter?

24 A. Yes, it is.

25 Q. These assets, will they all be available to

1 operate your proposed limousine service if need be?

2 A. Yes, they will.

3 Q. Do you have other assets, Ms. Grove?

4 A. (No response.)

5 Q. Let's hold that a moment. Let's moved on to
6 Grove Exhibit No. 10.

7 (Whereupon, the document was marked
8 as Grove Exhibit No. 10 for
9 identification.)

10 BY MR. DUNLAP:

11 Q. Do you recognize this document, Ms. Grove?

12 (Document handed to witness.)

13 A. Yes, I do.

14 Q. Would you please identify it for the record?

15 A. Yes. It's a Dean Witter Liquid Asset Fund.

16 Q. What does this document show?

17 A. It's showing we have a \$10,000.00 balance.

18 Q. Is this account -- whose name is this account
19 in?

20 A. Mine and my husband's, Todd.

21 Q. From whom did you obtain this report?

22 A. From our broker.

23 Q. Is it a true and correct copy?

24 A. Yes, it is.

25 Q. Has there been any substantial change in the

1 amount of monies in this account since the date of the
2 report?

3 A. No, it hasn't.

4 Q. What is the date of the report?

5 A. November 2 -- oh, no; I'm sorry. October 27,
6 1997.

7 Q. Would these assets be available for the
8 operation of the proposed service if need be?

9 A. Yes, they will.

10 MR. DUNLAP: I would next like to introduce Grove
11 Exhibit No. 11.

12 (Whereupon, the document was marked
13 as Grove Exhibit No. 11 for
14 identification.)

15 BY MR. DUNLAP:

16 Q. Do you recognize this document, Ms. Grove?

17 (Document handed to witness.)

18 A. Yes, I do.

19 Q. Please identify it for the record.

20 A. It's a credit report.

21 Q. For whom?

22 A. For myself.

23 Q. How did you obtain this report?

24 A. I obtained it from the York/Adams County Credit
25 Bureau.

1 Q. What is the date of the report?

2 A. September 30, 1997.

3 Q. Is this a true and correct copy of what you
4 received from the credit bureau?

5 A. Yes, it is.

6 Q. What does this report show, Ms. Grove? Right
7 now just give a general characterization.

8 A. That I have excellent credit.

9 Q. Do you know, on the first page where it has R01,
10 various letters and then 01, what that means?

11 A. Do you want to repeat that?

12 Q. On the first page, on the right-hand column, it
13 has R01, I01, M01. Do you know what those 01 numbers mean?

14 A. No, I'm not sure I do.

15 Q. Might they mean that you pay your bills on time?

16 A. Yes. That's what it is. I'm sorry.

17 Q. And then on the second page, look at the last
18 entry on the right-hand column, it has RUR; do you know what
19 that stands for?

20 A. Yes. That's a revolving line of credit.

21 Q. And then on the additional pages, the next two
22 pages, it has various companies listed. Do you know what
23 those are?

24 A. Yes. Those are places where I have applied for
25 credit, creditors.

1 Q. Does this reflect that they checked?

2 A. Yes.

3 Q. And then on the following pages, a similar
4 report under your maiden name?

5 A. Yes.

6 Q. What do those pages show under your maiden name?
7 Just a general characterization.

8 A. That I pay my bills on time.

9 Q. Now that we have covered your financial ability
10 to operate and provide the proposed service, let's move on
11 to advertising and marketing aspects of your proposed
12 service. Who will you target to provide your proposed
13 limousine service?

14 A. I am going to offer my services to the general
15 public, but I would say I would be probably targeting
16 weddings, homecomings, proms, airport, that type of service.

17 Q. Do you anticipate providing any different
18 services which are not being provided in the community
19 currently?

20 A. Yes, I do.

21 Q. What might those be?

22 A. I plan on offering my services for ski trips and
23 also for hunting trips.

24 Q. Have you thought about ways that you might
25 specifically target them, those companies?

1 A. Yes, I've thought of ways.

2 Q. Do you care to get into those now?

3 A. No, I would rather not.

4 Q. Why is that?

5 A. (No response.)

6 Q. Might that be because you do not want to give
7 competitors ideas about how to target these groups?

8 A. Exactly; yes.

9 Q. Have you examined the tariffs of the protestants
10 on file with the Commission?

11 A. Yes, I have.

12 MR. DUNLAP: I note that those tariffs need not be
13 produced or marked as evidence as they're public documents
14 under the code, §5.406(a)(1).

15 BY MR. DUNLAP:

16 Q. After examining those tariffs, how do the rates
17 that you propose or that you think that you'll be using, how
18 do those compare to the tariffs on file of the protestants?

19 A. I expect my rates to be competitive, possibly a
20 little bit lower, but very competitive.

21 Q. By offering your proposed service, do you feel
22 that you'll fulfill any future needs in the area?

23 A. Yes, I do.

24 Q. What might that be?

25 A. Well, I feel the counties that I applied for are

1 growing in number and that this is a way I'll be able to --

2 Q. Do you feel as the counties grow, that there
3 will be a need for more services?

4 A. Yes.

5 Q. Will your proposed service be providing any sort
6 of back-up service to current services?

7 A. I would like to be able to work with someone as
8 a back-up service, sure.

9 Q. But during peak times when it might be difficult
10 to get a limousine, such as during homecoming season, do you
11 feel that you will be a valuable back-up service to the
12 community during peak times?

13 A. Yes, I do.

14 Q. Why do you want to operate your proposed
15 service, Ms. Grove?

16 A. For employment for myself.

17 Q. Will that be a benefit to you?

18 A. Yes, it will.

19 Q. Is there any other reason why you want to
20 operate your proposed service?

21 A. Other than the fact that I think there is a
22 definite need out there for the service, I would like to be
23 able to offer it.

24 Q. At this time I'd like to move on to -- have you
25 looked at the protestants and the various services they

1 offer, where they do operations and so forth, Ms. Grove?

2 A. Yes, I have.

3 Q. Let's discuss that a bit.

4 MR. DUNLAP: At this time I'd like to introduce and
5 have marked Grove Exhibit No. 12.

6 (Whereupon, the document was marked
7 as Grove Exhibit No. 12 for
8 identification.)

9 BY MR. DUNLAP:

10 Q. Do you recognize this document, Ms. Grove?

11 (Document handed to witness.)

12 A. Yes, I do.

13 Q. Would you please identify it for the record?

14 A. Yes. It's a rate sheet for Unique Limousine
15 Service.

16 Q. When and where did you obtain this rate sheet?

17 A. I obtained it in January of 1997 at a bridal
18 show.

19 Q. Where was the bridal show?

20 A. At the York Fairgrounds in York, Pennsylvania.

21 Q. Is this a true and correct copy of the rate
22 sheet that you obtained?

23 A. Yes, it is.

24 Q. What does this rate sheet show?

25 A. It shows that Unique Limousine Service is

1 operating out of Harrisburg, York, Mount Joy and Lancaster.

2 MR. DUNLAP: Next I'd like to introduce and mark
3 Grove Exhibit No. 13.

4 (Whereupon, the document was marked
5 as Grove Exhibit No. 13 for
6 identification.)

7 BY MR. DUNLAP:

8 Q. Do you recognize this document, Ms. Grove?

9 (Document handed to witness.)

10 A. Yes, I do.

11 Q. Would you please identify it for the record?

12 A. Yes. It is an advertisement in the Bell
13 Atlantic Harrisburg Metropolitan Directory, May of 1997 to
14 April of 1998.

15 Q. And that's the first page?

16 A. Yes.

17 Q. What is the second page?

18 A. The second page is also an advertisement in the
19 York Directory, April 1997.

20 Q. Is that a GTE Directory?

21 A. GTE Directory; correct.

22 Q. And what about the third page?

23 A. The third page is a Bell Atlantic Lancaster
24 Directory, an advertisement, October 1997 to September 1998.

25 Q. And you said that was a Lancaster Directory; is

1 that correct?

2 A. Yes; correct.

3 Q. Are these true and correct copies of the pages
4 from those directories?

5 A. Yes, they are.

6 Q. Let's turn to the York Directory page, which is
7 the second, I believe. Look at the Unique ad. Is there
8 anything there that you would like to point out to the
9 Commission?

10 A. Yes. It's advertising Unique Limousine,
11 formerly White Rose Limousine.

12 Q. What about the listings, the regular Yellow Page
13 listings on that page for Unique and White Rose, is there
14 anything there you'd like to point out?

15 A. Yes. It's also listing Unique Limousine as 1327
16 North Duke Street, York, 845-8223, and also has White Rose
17 Limousine at the same address and same phone number.

18 Q. Let's turn the page for the Lancaster Directory,
19 which is the third page, I believe. Look at the listings
20 for Unique Limousine and Keystone Limousine. Is there
21 anything there you'd like to point out to the Commission?

22 A. Yes. The address, 988 Stony Battery Road,
23 Lancaster, is the same as Unique and listed the same for
24 Keystone.

25 Q. What about the phone numbers?

1 A. The phone numbers are exactly the same.

2 Q. Look at the Unique ad on that page. Does that
3 list a PUC number?

4 A. Yes, it does.

5 Q. What is the number it has listed?

6 A. The number is A 104709.

7 Q. Look at the first page, the Unique ad. This is
8 the Harrisburg Directory. Does that have a PUC number
9 listed?

10 A. Yes, it does.

11 Q. What is that?

12 A. It's the same exact number, A 104709.

13 Q. At this time I'm going to refer you to the
14 certificate of authority for Unique Limousine which was
15 attached to its amended protest.

16 MR. DUNLAP: I note that this is a public document
17 under 52 Pa. Code §5.406(a)(1) which need not be further
18 produced or marked for identification.

19 BY MR. DUNLAP:

20 Q. Would you please read the certificate of service
21 which Unique has attached to its amended protest?

22 A. Yes. It's number A-00104709, Unique Limousine
23 Service, Incorporated, 3737 North Sixth Street, Harrisburg,
24 Pennsylvania, 17110, "A corporation" --

25 Q. Could you slow down just a tad, please, in

1 reading?

2 A. I'm sorry. "A corporation of the Commonwealth
3 of Pennsylvania, persons, in luxury limousine service, in
4 vehicles with a seating capacity of ten passengers or less,
5 excluding the driver, between points in the Counties of
6 Dauphin and Cumberland, and from points in said counties to
7 points in Pennsylvania and vice versa."

8 Q. In that certificate of authority which Unique
9 has attached to its amended protest, is either Lancaster or
10 York County listed within the areas where Unique holds
11 authority?

12 A. No, they're not.

13 Q. Did you travel to the offices of the companies
14 listed in the phone books, any of them?

15 A. Yes, I did.

16 MR. DUNLAP: At this time I'd like to have marked for
17 identification Grove Exhibit No. 14.

18 (Whereupon, the document was marked
19 as Grove Exhibit No. 14 for
20 identification.)

21 BY MR. DUNLAP:

22 Q. Do you recognize, Ms. Grove, what's been marked
23 for identification as Grove Exhibit No. 14?

24 (Document handed to witness.)

25 A. Yes, I do.

1 Q. Would you please identify it for the record?

2 A. Yes. It's the building at 1327 North Duke
3 Street, York, Pennsylvania.

4 Q. Who took this photo?

5 A. I did.

6 Q. When did you take it?

7 A. November 1997.

8 Q. Is the photo a true and accurate depiction of
9 the building at that address?

10 A. Yes, it is.

11 Q. What name is on the building, Ms. Grove?

12 A. Unique Limousine.

13 Q. Does the building anywhere say White Rose
14 Limousine? Is that anywhere on the building?

15 A. No, it does not.

16 MR. DUNLAP: I would now like to have marked for
17 identification Grove Exhibit No. 15.

18 (Whereupon, the document was marked
19 as Grove Exhibit No. 15 for
20 identification.)

21 MR. POHLMAN: Are all three of these 15?

22 MR. DUNLAP: Yes.

23 JUDGE WEISMANDEL: For the record, that is three
24 photographs, all marked as Grove Exhibit No. 15.

25

1 BY MR. DUNLAP:

2 Q. Do you recognize these photographs, what's been
3 marked for identification as Grove Exhibit No. 15, Ms.
4 Grove?

5 (Document handed to witness.)

6 A. Yes, I do.

7 Q. Would you please identify it for the record?

8 A. Yes. It is a building at 988 Stony Battery
9 Road, Lancaster, Pennsylvania.

10 Q. These three photographs, who took them?

11 A. I took them.

12 Q. When did you take them?

13 A. November of 1997.

14 Q. Are these true and accurate depictions of the
15 building at that address?

16 A. Yes, they are.

17 Q. What name is on the building?

18 A. Unique Limousine.

19 Q. Was Keystone Limousine listed anywhere on the
20 building?

21 A. No, it was not.

22 MR. DUNLAP: Do you feel the need, Your Honor, to
23 mark them A, B and C?

24 JUDGE WEISMANDEL: No, I don't think so.

25 MR. DUNLAP: I would like to now have marked for

1 identification Grove Exhibit No. 16.

2 (Whereupon, the document was marked
3 as Grove Exhibit No. 16 for
4 identification.)

5 BY MR. DUNLAP:

6 Q. Do you recognize what has been marked for
7 identification as Grove Exhibit No. 16, Ms. Grove?

8 (Document handed to witness.)

9 A. Yes, I do.

10 Q. Would you please identify it for the record?

11 A. Yes. It's a business card.

12 Q. Whose name is on the business card?

13 A. Unique Limousine.

14 Q. And what names?

15 A. Jim and Josie Salinger.

16 Q. How did you obtain this business card?

17 A. When I was taking a picture of the building, I
18 think it was somebody inside cleaning out the cars had given
19 me a business card.

20 Q. Is this a true and correct copy of the business
21 card you were given?

22 A. Yes, it is.

23 MR. DUNLAP: I will now move on to mark for
24 identification Grove Exhibit No. 17.

25

1 (Whereupon, the document was marked
2 as Grove Exhibit No. 17 for
3 identification.)

4 BY MR. DUNLAP:

5 Q. Do you recognize what has been marked for
6 identification as Grove Exhibit No. 17, Ms. Grove?

7 (Document handed to witness.)

8 A. Yes, I do.

9 Q. Will you please identify it for the record?

10 A. Yes. It's a business card.

11 Q. How did you obtain this business card?

12 A. From a driver of the vehicle that I had ridden
13 in.

14 Q. Was that a Unique vehicle?

15 A. Yes, it was.

16 Q. Is this a true and correct copy of the business
17 card you received?

18 A. Yes, it is.

19 Q. Whose name is on the business card?

20 A. Ron Stough.

21 MR. POHLMAN: Excuse me; may I interrupt? Did she
22 say that she rented one?

23 MR. DUNLAP: She said she rented one.

24 MR. POHLMAN: Rode in. All right. Thank you.
25

1 BY MR. DUNLAP:

2 Q. This is a Unique Limousine business card?

3 A. Yes, it is.

4 MR. DUNLAP: I would like to now refer to the amended
5 protest of Keystone Limousine, the certificate of authority
6 that was attached to it, which, once again, is a public
7 document under 52 Pa. Code §5.406(a)(1) and need not be
8 produced or marked for identification and submitted as an
9 exhibit.

10 BY MR. DUNLAP:

11 Q. On the certificate of authority, which page --
12 point out for the Commission which page this would be of the
13 exhibit.

14 (Document handed to witness.)

15 Q. Could you count Exhibit A just so it's clear to
16 everyone.

17 A. It's the third page.

18 Q. Whose name is listed on that?

19 A. Ronald E. Stough, Vice President.

20 Q. Of what company?

21 A. Keystone Limousine, Incorporated.

22 MR. DUNLAP: At this time I would like to move Grove
23 Exhibits Nos. 1 through 17 into the record, subject to
24 cross-examination and proffer Ms. Grove for cross-
25 examination.

1 JUDGE WEISMANDEL: Mr. Pohlman, do you have any
2 objections preliminarily to what's marked for identification
3 as Grove Exhibits 1 through and including 17, which is a
4 total of 18 exhibits because there's a 3 and a 3A.

5 MR. DUNLAP: Correct.

6 MR. POHLMAN: I have no objection at this time.

7 JUDGE WEISMANDEL: Then subject to cross-examination
8 and further objection resulting therefrom, what have been
9 previously been marked for identification as Grove Exhibits
10 1 through and including 17, a total of 18 exhibits, are
11 admitted.

12 MR. DUNLAP: Thank you. Your Honor, at this time I
13 would request, before we move on to cross-examination, that
14 we take just a five-minute bathroom break.

15 JUDGE WEISMANDEL: Sounds good.

16 (Recess.)

17 JUDGE WEISMANDEL: Back on the record.

18 Ms. Grove, I remind you that you are under oath.

19 Mr. Pohlman.

20 **CROSS-EXAMINATION**

21 BY MR. POHLMAN:

22 Q. Good morning, Ms. Grove. I guess the first
23 place I would like to start with is the vehicle that you
24 intend to use and utilize for your proposed service. The
25 suburban that you plan to use, how many seats do you intend

1 to utilize or plan to have in that vehicle?

2 A. There are eight seats total, seven seats plus
3 the driver.

4 Q. To get to the back set of seats, how does a
5 passenger get there? Do they have to crawl over seats or
6 can they just enter a door and walk in?

7 A. You can -- no, they do not have to crawl over
8 seats.

9 Q. So are there three sets of doors, or can you
10 describe to us the way the seats are positioned in that
11 vehicle? Would you like to refer to the exhibit that you
12 were using before, which I believe is Exhibit --

13 MR. DUNLAP: Two. Do you still have that up there?

14 BY MR. POHLMAN:

15 Q. Exhibit Grove 2.

16 A. Yes, I have it here.

17 Q. Can you describe for us the location of the
18 seats in that vehicle, or the rows of seats?

19 A. Yes. There would be a set of bucket seats in
20 the front, a bench seat in the middle, and a bench seat in
21 the rear.

22 Q. Could you describe to us where the doors are
23 located?

24 A. The first set of doors would be to the driver
25 and the passenger seat in the front, and the second set of

1 doors would be to the bench seat in the middle and to the
2 bench seat in the rear.

3 Q. To the bench seat in the rear, you then have to
4 somehow manipulate yourself beyond the bench seat in the
5 middle; is that correct?

6 A. No, that's not correct.

7 Q. Could you describe for us how you get to the
8 bench seat in the back?

9 A. Yes. You need to take one seat and you need to
10 pull the flat part of the seat up and lay the -- well, in
11 the new vehicles today they've changed some things. You can
12 either slide the seat up or you can fold that seat up and
13 there is an opening for the rear passengers to get in.

14 Q. You have entered as Exhibit Grove 3 the monthly
15 lease arrangement that you intend to utilize with the '98
16 Chevy Suburban; is that correct?

17 A. Could you repeat that? I'm sorry.

18 Q. Grove 3 is your monthly lease agreement --

19 A. Right.

20 Q. -- for the Suburban at an approved amount of
21 \$36,888.00. Could you tell us what your monthly rate would
22 be for that vehicle?

23 A. Approximately \$602.00.

24 Q. Could you tell us what your lease arrangement is
25 with regards to mileage on that vehicle? Is there a limit?

1 A. I have not made any arrangements yet with this
2 vehicle.

3 Q. So beyond them approving you for a lease, there
4 has been no further discussions?

5 A. No.

6 Q. Do you understand that in a typical lease
7 arrangement there is a mileage quota or a mileage cost on
8 vehicles?

9 A. Yes, I do.

10 Q. You have also testified that you plan to
11 purchase or lease a Ford Super Wagon; is that correct?

12 A. Yes.

13 Q. How many seats do you plan on utilizing in that
14 vehicle?

15 A. That vehicle comes anywhere from 8 to 15
16 passengers. I have not made a final decision on that.

17 Q. Do you know what the monthly lease would be on
18 that vehicle?

19 A. No, I don't.

20 Q. No estimate either?

21 A. No. I wouldn't feel comfortable giving an
22 estimate.

23 Q. You have proposed a third vehicle, a stretch
24 limousine. What avenues are you utilizing to find a vehicle
25 with less than 10,000 miles?

1 A. I don't understand your question.

2 Q. Where do you think you will find a limousine
3 with less than 10,000 miles as a used vehicle?

4 A. I'm sorry; can you rephrase it?

5 Q. Have you looked for a limousine with less than
6 10,000 miles?

7 A. No, I have not.

8 Q. Do you have any potential places to go purchase
9 a vehicle with less than 10,000 miles?

10 A. Yes, I do.

11 Q. Could you tell us what those locations are?

12 A. Yes. Grant Motors.

13 Q. Has Grant Motors provided you with any estimates
14 as to the purchase price of that vehicle?

15 A. No, not of that vehicle.

16 Q. Would you intend to lease that vehicle also?

17 A. I can't answer that at this time.

18 Q. You have testified that you have an insurance
19 carrier that is willing -- I'm sorry; let me rephrase the
20 question. Does the leasing company know and understand that
21 you will be utilizing the vehicles for commercial purposes?

22 A. Yes, they do.

23 Q. In your discussions with your insurance carrier,
24 has he provided you with an estimate of the cost per month
25 that it will cost you to operate and maintain the insurance

1 needed?

2 A. Not a per month cost, no.

3 Q. Have you ever had the opportunity to drive for
4 or transport passengers that you did not know in your
5 vehicle?

6 A. Could you repeat that? I'm sorry.

7 Q. Have you ever transported passengers in your
8 vehicle that you did not know?

9 A. No.

10 Q. Was the vehicle that you were driving when you
11 were associated with Continental Food Services a commercial
12 vehicle?

13 A. Yes, it was.

14 Q. You testified that you drove approximately 125
15 miles per day?

16 A. Correct.

17 Q. Was that a round trip?

18 A. (No response.)

19 Q. Let me rephrase. A round-about trip to a number
20 of different spots?

21 A. Correct; yes.

22 Q. Were those all located in York County?

23 A. Yes, they were.

24 Q. On a pre-set route, you always went to the same
25 spots each day?

1 A. Basically, yes.

2 Q. Was there anybody that supervised your
3 maintenance of the vehicle?

4 A. Yes.

5 Q. When you worked for Jack R. Hoffman, Inc. from
6 1980 to 1983, was that your father's company or a relation's
7 company?

8 A. Yes, it was.

9 Q. And that company was a contracting company?

10 A. Yes.

11 Q. By handling accounts or maintaining accounts,
12 was that the accounts receivables?

13 A. Accounts receivable, accounts payable.

14 Q. Some of the billings?

15 A. Payroll. Sure. Yes.

16 Q. How many people were employed by that company?

17 A. I'd say approximately eight.

18 Q. You had testified that you have small children
19 at home. How many children do you have?

20 A. Two.

21 Q. Are they in what grade or what age?

22 A. Their age is five-and-a-half and three-and-a-
23 half.

24 Q. Do either one of them attend schooling of any
25 sort?

1 A. No.

2 Q. Day care of any sort?

3 A. No.

4 Q. You will be answering the phone for this
5 company; correct?

6 A. That I have not determined yet.

7 Q. You will also be serving as the primary driver
8 for this company; is that correct?

9 A. Yes.

10 Q. And you plan to attend business classes once the
11 company is established or authority is potentially granted?

12 A. Yes.

13 Q. If you don't answer the phones, who will answer
14 the phones, or do you have any ideas towards that direction?

15 A. Possibly an answering service.

16 Q. You testified that your financial records have
17 not changed substantially since October 9. Do you consider
18 a one thousand dollar change to be substantial?

19 A. No, I don't.

20 Q. What do you consider to be a substantial change?

21 A. Several thousand dollars.

22 Q. Three thousand dollars would be a substantial
23 change?

24 A. Maybe four or five thousand dollars.

25 Q. Five thousand dollars would be a substantial

1 change. So in categorizing that, if they've changed
2 \$4,500.00, you would not consider that substantial?

3 A. I would consider that substantial.

4 Q. Do you feel comfortable telling us how much
5 they've changed as a lump sum figure?

6 A. No, I do not.

7 Q. Have they changed \$3,000.00?

8 THE WITNESS: Can I ask a question?

9 JUDGE WEISMANDEL: Ask me and I'll see if I want to
10 repeat it.

11 THE WITNESS: When he asked if I would be comfortable
12 telling them the change and I said no, and now he asked if
13 it changed \$3,000.00, so that's asking me.

14 JUDGE WEISMANDEL: Yes, it is, in another way. First
15 he gives you the courtesy of asking you if you are
16 comfortable. He has now dispensed with the courtesy.

17 THE WITNESS: Okay.

18 JUDGE WEISMANDEL: There's been no objection made to
19 the question.

20 THE WITNESS: Okay.

21 MR. DUNLAP: I'm not going to object.

22 JUDGE WEISMANDEL: Answer the question.

23 BY MR. POHLMAN:

24 Q. Have they changed \$3,000.00?

25 A. No, they haven't.

1 Q. They have not decreased by \$3,000.00?

2 A. No, they haven't.

3 Q. Have they decreased by \$2,500.00?

4 A. No, they haven't.

5 Q. Decreased by \$2,000.00?

6 A. No.

7 Q. Decreased by a thousand dollars?

8 A. I would be safe to say yes.

9 Q. What current debts besides those that -- well,
10 we haven't had any disclosed. Do you have any current debts
11 besides the mortgage on your home?

12 A. Yes. We have a lease, a vehicle lease.

13 Q. Could you tell us the amount of that lease?

14 A. Yes. One hundred and seventy-two dollars.

15 Q. When does that lease terminate?

16 A. January of 1998.

17 Q. What type of vehicle is that?

18 A. Nineteen ninety-six Chevrolet Tahoe.

19 Q. Do you own any other vehicles?

20 A. Yes, we do.

21 Q. And that would be what type of car?

22 A. A 1989 GMC pickup truck.

23 Q. Any beyond those two?

24 A. No.

25 Q. Is that owned free and clear?

1 A. Yes, it is.

2 Q. So the only debts besides the mortgage on the
3 home is the one lease on the vehicle?

4 A. Yes.

5 Q. Have you calculated or reviewed any of the costs
6 associated with Yellow Pages advertising?

7 A. Yes, I have.

8 Q. Could you tell us what those costs were for the
9 York Yellow Pages?

10 A. Yes. Approximately thirty -- this is going by
11 my memory. Approximately \$37.00 for a one-quarter inch ad,
12 approximately \$165.00 for a larger size ad, per month.

13 Q. What size ad do you plan on using, the more
14 expensive one or the lesser?

15 A. That hasn't been determined yet.

16 Q. Your advertising in the Harrisburg directories
17 and the associated costs there?

18 A. No, I haven't.

19 Q. And in Lancaster, have you established any
20 costs?

21 A. No, I haven't.

22 Q. Have you looked into any TV advertising?

23 A. No, I haven't.

24 Q. Radio advertising?

25 A. No.

1 Q. Magazines?

2 A. No.

3 Q. Newspapers?

4 A. No.

5 Q. What destination do you intend to take people on
6 their ski trips?

7 A. That's going to be up to the customers.

8 Q. Would these be one-day trips or weekend trips?

9 A. That hasn't been determined yet.

10 Q. And the hunting trips, do you have any proposed
11 destinations?

12 A. No. That hasn't been determined yet.

13 Q. Do you feel comfortable having people that might
14 return with game traveling in your vehicles?

15 A. Yes, I do.

16 Q. In reviewing the tariff rates that you propose
17 to be competitive or lower, what costs or expenses did you
18 associate to establish what rate you will charge?

19 A. Could you repeat it or rephrase?

20 Q. Did you base your decision to charge -- let me
21 paraphrase if I may. Your testimony was that you would use
22 competitive or lower rates as your rates for service; is
23 that correct?

24 A. Correct.

25 Q. What costs have you used to establish your

1 rates?

2 A. I've taken into consideration insurance costs,
3 gasoline costs, maintenance costs. I've taken everything
4 into consideration.

5 Q. Do you have any proposed numbers for those
6 costs, for example, the maintenance cost?

7 A. No, I don't.

8 Q. Do you have a proposed number for the amount of
9 gas that you anticipate using?

10 A. No, I don't.

11 Q. Do you have any maintenance contracts
12 established for your vehicles?

13 A. No, I don't.

14 MR. DUNLAP: I'm going to object to that. She
15 doesn't even have a vehicle leased yet. This is all a
16 proposal. How could she have a maintenance contract?

17 JUDGE WEISMANDEL: I'll overrule that objection. I
18 think the witness -- and, I'll ask the witness.

19 I understood that question with respect to
20 maintenance contracts to be analogous to the pre-approvals
21 that you have, et cetera. Did you understand the question
22 the same way and did you answer it with that understanding
23 in mind?

24 THE WITNESS: Yeah. I was going to answer it, "Well,
25 I don't have any vehicles yet, how can I have a maintenance

1 agreement," but for simplicity I just said no, I don't.

2 JUDGE WEISMANDEL: Mr. Pohlman, perhaps you want to
3 rephrase the question.

4 MR. POHLMAN: I will do that.

5 BY MR. POHLMAN:

6 Q. Have you made any plans or spoken to anybody
7 about potential maintenance arrangements?

8 A. Yes, I have.

9 Q. Can you tell us who that was with?

10 A. To tell you the truth, it was -- they were phone
11 calls made from the phone book. I don't recall who they
12 were made to. I was just checking things out.

13 Q. Did they provide proposed costs to you?

14 A. No, they didn't.

15 Q. So were you just asking them if they would
16 service the type of vehicles you have?

17 A. Correct.

18 Q. But providing no costs?

19 A. Correct.

20 MR. POHLMAN: We have no more questions at this time.

21 JUDGE WEISMANDEL: Thank you.

22 Ms. Grove, I have just a couple questions. I
23 understood, and correct me if I understood improperly, that
24 at least initially you intend to, if your certificate is
25 issued, you intend to commence business with the one

1 vehicle, the '98 Chevrolet Suburban; is that correct?

2 THE WITNESS: When you say commence you mean begin?

3 JUDGE WEISMANDEL: Yes, ma'am.

4 THE WITNESS: Yes.

5 JUDGE WEISMANDEL: And then at some point in the
6 future add the Ford --

7 THE WITNESS: Oh, no, not at some point, right away.

8 JUDGE WEISMANDEL: So you do intend to start with
9 both --

10 THE WITNESS: Yes.

11 JUDGE WEISMANDEL: -- in the beginning of the
12 business?

13 THE WITNESS: Yes.

14 JUDGE WEISMANDEL: Where would those vehicles be
15 kept?

16 THE WITNESS: I have looked at several garage type
17 units in our area, but I have not made any plans for
18 anything yet. I'm looking around to see what type of
19 storage I want to keep them in.

20 JUDGE WEISMANDEL: When you say garage, I can think
21 of two meanings to that word, and I want to try and nail
22 down which one we're talking about. A garage where one
23 keeps one's private automobile at their home --

24 THE WITNESS: No.

25 JUDGE WEISMANDEL: -- as opposed to a garage, service

1 station. Which sense were you using?

2 THE WITNESS: This would be -- can I say a storage
3 unit?

4 JUDGE WEISMANDEL: Would these be rented units?

5 THE WITNESS: Yes.

6 JUDGE WEISMANDEL: Have you inquired into the rental
7 cost?

8 THE WITNESS: Yes, I have.

9 JUDGE WEISMANDEL: What is that cost?

10 THE WITNESS: The one that I was really impressed
11 with was approximately \$165.00 a month. It's very clean,
12 heated, new.

13 JUDGE WEISMANDEL: How far distant is that from your
14 home?

15 THE WITNESS: Two miles.

16 JUDGE WEISMANDEL: If you anticipate having two
17 vehicles almost immediately upon beginning business, who is
18 going to operate the other vehicle when you're operating
19 one?

20 THE WITNESS: I have thought about that. My plans
21 are to have a part-time driver to be able to cover runs that
22 I couldn't make, or if we needed, say, perhaps two vehicles
23 for a wedding and they wanted to rent both vehicles. I have
24 considered a part-time driver.

25 JUDGE WEISMANDEL: Have you considered or do you have

1 some idea of what kind of salary you would have to pay or
2 wage arrangement you would have to make?

3 THE WITNESS: Yeah, I have an idea.

4 JUDGE WEISMANDEL: What do you anticipate that cost
5 to be?

6 THE WITNESS: The cost to pay the driver?

7 JUDGE WEISMANDEL: Yes, ma'am.

8 THE WITNESS: Approximately \$7.00 to \$8.00 per hour.

9 JUDGE WEISMANDEL: Have you included such other costs
10 as taxes and unemployment compensation, et cetera, et
11 cetera?

12 THE WITNESS: They haven't been a number one priority
13 right now, this has been, but, yeah, I've spoken to several
14 people about taxes.

15 JUDGE WEISMANDEL: I'm talking about for an employee
16 now.

17 THE WITNESS: Right. Yeah, I've looked into that a
18 little bit. Like I said, this is my priority right now.

19 JUDGE WEISMANDEL: In response to some questions that
20 Mr. Pohlman asked I think you indicated that you had thought
21 about mechanical repairs and maintenance to the vehicles,
22 but I got the impression that those thoughts hadn't been
23 pursued very far at this point. Is that correct?

24 THE WITNESS: Yeah, that's correct.

25 JUDGE WEISMANDEL: Do you know if you are required

1 under the lease arrangements for the two vehicles, the Chevy
2 and the Ford, if you are required to have certain
3 maintenance performed at certain intervals?

4 THE WITNESS: No, that is not required as far as I
5 know.

6 JUDGE WEISMANDEL: Are both of those vehicles -- do
7 you intend to lease both of those vehicles from the same
8 dealership or not?

9 THE WITNESS: Not necessarily.

10 JUDGE WEISMANDEL: Do you in fact have a specific
11 dealership in mind from which you intend to lease the Chevy?

12 THE WITNESS: Yes, we do.

13 JUDGE WEISMANDEL: Does that dealership have a
14 service department?

15 THE WITNESS: Yes, it does.

16 JUDGE WEISMANDEL: Would you consider using that
17 service department for routine maintenance?

18 THE WITNESS: Sure, I would consider it.

19 JUDGE WEISMANDEL: How about the Ford, do you have a
20 specific dealer in mind --

21 THE WITNESS: Yes, I do.

22 JUDGE WEISMANDEL: -- from which to lease that
23 vehicle?

24 THE WITNESS: Yes.

25 JUDGE WEISMANDEL: Does that dealer also have a

1 service department?

2 THE WITNESS: Yes, they do.

3 JUDGE WEISMANDEL: Would you consider that dealership
4 as a maintenance source?

5 THE WITNESS: Yes, I would consider it.

6 JUDGE WEISMANDEL: But you haven't really pursued
7 with them the cost, et cetera?

8 THE WITNESS: No.

9 JUDGE WEISMANDEL: Have you been approached at all by
10 persons desiring to use a limousine service?

11 THE WITNESS: Yes, I have.

12 JUDGE WEISMANDEL: Have you accommodated those
13 persons in any way? Have you rendered any service?

14 THE WITNESS: No. I've told them who they could
15 possibly call in the Yellow Pages.

16 JUDGE WEISMANDEL: I think you said that you do
17 intend ultimately to operate interstate; is that correct?

18 THE WITNESS: Yes.

19 JUDGE WEISMANDEL: Do you have an application filed
20 with the federal authorities?

21 THE WITNESS: No, I don't. I have the application.

22 JUDGE WEISMANDEL: But you haven't filed it?

23 THE WITNESS: Right.

24 JUDGE WEISMANDEL: But you intend to do so?

25 THE WITNESS: Yes.

1 JUDGE WEISMANDEL: Mr. Dunlap, do you have any
2 further questions in light of the questions that I asked?

3 MR. DUNLAP: I have a few in light of that and also a
4 few redirect also.

5 JUDGE WEISMANDEL: Then, Mr. Pohlman, I'll obviously
6 give you a chance also.

7 Go ahead.

8 **REDIRECT EXAMINATION**

9 BY MR. DUNLAP:

10 Q. Let's go back to, first of all, some of the
11 questions Mr. Pohlman asked you. He had asked you regarding
12 insurance costs and you said you did not obtain a monthly
13 rate for the commercial insurance; is that correct?

14 A. Correct.

15 Q. Did you receive any other kind of rate which
16 would give you some idea whether it's something you could
17 afford or not?

18 A. Yes, I did.

19 Q. Could you discuss that?

20 A. No, I'd rather not.

21 Q. Regarding the exact cost?

22 A. It was given to me on an older vehicle, and I
23 don't think it would be relevant to discuss it being that
24 I'm talking about a newer vehicle now.

25 Q. When you approached the insurance company for a

1 million and a half, did you get an idea of whether you could
2 afford insurance coverage for the kind of vehicle which
3 you're going to drive?

4 A. Yes. Yes, I did.

5 Q. You did?

6 A. Yes.

7 Q. Was it something that you could afford, that you
8 looked at in your business plan?

9 A. Yes, it was.

10 Q. Did you misunderstand my question at first that
11 you answered that you were looking at an older vehicle? Do
12 you understand my question? I just want to be clear that
13 when you talked to the insurance company, you talked to them
14 about receiving auto insurance on the kind of vehicles that
15 you're going to be using to provide your proposed service.

16 A. Yes.

17 Q. And you did do that?

18 A. Yes.

19 Q. Now, in your past employment did you have to
20 deal with people who you did not know?

21 A. Yes, I did.

22 Q. Was that on an ongoing basis?

23 A. Yes.

24 Q. Would that be -- with Continental Food Service
25 did you have people that you dealt with on an ongoing basis

1 who you didn't know?

2 A. Yes.

3 Q. What about when you were a laborer, when you did
4 wallpapering and so forth, did you know those people whose
5 homes you were working at?

6 A. No, I didn't.

7 Q. At Jack Hoffman, when you were dealing with
8 people for accounts and so forth, did you know those people?

9 MR. POHLMAN: Your Honor, I'd like to object to these
10 questions as beyond the scope of my cross-examination. This
11 was all presented in the prior testimony of the witness.

12 MR. DUNLAP: Your Honor, he was asking questions
13 regarding whether she has ever driven anyone that she knows,
14 and what I'm getting at is that she has dealt with people in
15 other relevant business relationships who she did not know
16 and can do that, so I think it's very relevant.

17 JUDGE WEISMANDEL: I think the point has been made,
18 also.

19 MR. DUNLAP: All right.

20 BY MR. DUNLAP:

21 Q. Just to finish that line of questioning, when
22 you were dealing with Jack R. Hoffman, with accounts, when
23 you were dealing with accounts receivable, billing and so
24 forth, did you know those people?

25 A. Not personally.

1 Q. Not personally?

2 A. No.

3 Q. Did you ever have any trouble dealing with
4 members of the public who you didn't know?

5 A. No.

6 Q. Do you feel yourself to be an outgoing person?

7 A. Yes, I do.

8 Q. Are you able to get along with different kinds
9 of people?

10 A. Yes.

11 MR. POHLMAN: Your Honor, I'm going to object again.
12 It's beyond my cross-examination as a result of his direct.

13 JUDGE WEISMANDEL: I think that is pushing the
14 envelope, Mr. Dunlap.

15 MR. DUNLAP: I'll move on then.

16 BY MR. DUNLAP:

17 Q. Mr. Pohlman asked you about your children and
18 whether you have them in day care and so forth. With your
19 proposed service, who would keep your children when you're
20 operating a vehicle? Have you thought about that at all?

21 A. Well, it seems like by the time I get my license
22 one of them might be in school.

23 Q. Let's back up a little bit.

24 JUDGE WEISMANDEL: We won't interpret that as a
25 criticism of the Commission.

1 (Laughter.)

2 MR. DUNLAP: Thank you.

3 BY MR. DUNLAP:

4 Q. Limousine services, what time of the day and
5 when might those sort of services -- when do you anticipate
6 there being a prime time for providing limousine services?

7 A. Prime time probably would be on weekends.

8 Q. Evenings versus days? Would it be evenings more
9 so than days?

10 A. Days.

11 Q. Days also. Weekends would you have people
12 available to watch your children?

13 A. Yes, I would.

14 Q. Does the fact that this limousine service -- is
15 this a flexible business arrangement for you? Would it be
16 flexible; you could work it around your schedule and you
17 could work keeping the children and so forth around
18 providing the services? If I wasn't clear on that, please
19 let me know.

20 A. No, I think I understand. I know it's a 24-hour
21 job, but I think I would have the flexibility with it being
22 my own business.

23 Q. Would you have people back you up to watch the
24 children and so forth during those times?

25 A. Sure.

1 Q. Who might those be?

2 A. My husband, my mother. That's who they're with
3 right now.

4 Q. Is it a benefit to you in obtaining a
5 certificate of authority to operate the proposed business
6 that you would have a lot of flexibility? Is that a benefit
7 to you versus another business where you --

8 A. Yes, I'd say it would be.

9 Q. I just want to be clear. Just so we're clear
10 that you have the financial ability to operate this. Mr.
11 Pohlman asked you questions regarding whether there are any
12 significant changes in your personal accounts. I know it's
13 very uncomfortable for you talking about personal finances
14 here, that's something that not a lot of us like to do in
15 public, but I just want to make sure that it's on the record
16 that you have the financial ability to operate this.

17 You characterized the change in your accounts as
18 between one and two thousand dollars?

19 A. Yes.

20 Q. How many of those accounts which you discussed,
21 various accounts, changed that amount of money?

22 A. One.

23 Q. Just one. Which would that be?

24 A. That would be our Christmas Club.

25 Q. Is that your savings account?

1 A. Yeah. Savings account.

2 Q. Mr. Pohlman also asked you whether you would be
3 comfortable hauling game in your car if you provided
4 services to hunters, as you are proposing. Does anyone in
5 your family hunt?

6 A. Yes. Everybody in my family hunts.

7 Q. Are you comfortable being around game because of
8 that?

9 A. Sure.

10 Q. Moving on to some of the questions that Judge
11 Weismandel asked. You had talked about providing a part-
12 time driver, perhaps, with the second vehicle. The part-
13 time driver, would that be someone you would have on a
14 normal basis, or would that just be fill-in when you're
15 otherwise occupied?

16 A. That would be fill-in.

17 Q. Do you anticipate needing that sort of person
18 very often, at least to start?

19 A. That's a hard question to answer.

20 Q. I guess you hope so.

21 A. I hope so.

22 Q. I didn't mean to put words in your mouth. I'm
23 sorry. I was being a little facetious there.

24 Do you anticipate using someone on a part-time basis
25 frequently in the beginning, or would it just be an

1 infrequent thing?

2 A. I would say infrequent.

3 Q. You talked a little bit about unemployment
4 taxes, workers' comp, for this person, who did you talk to?
5 You said you had done it in a general way and know what you
6 would need; is that correct?

7 A. Most of my information I've gotten for
8 everything has been through the Pennsylvania Entrepreneurial
9 Guide. It lists associations and organizations that you can
10 call.

11 Q. From maintaining your personal vehicles, are you
12 aware of what it costs to maintain a vehicle such as a van
13 in general, a Suburban van?

14 A. Yes.

15 Q. So you do have a general idea of what it's going
16 to cost you to do this?

17 A. Yes.

18 MR. DUNLAP: Nothing further.

19 JUDGE WEISMANDEL: Mr. Pohlman, anything further?

20 MR. POHLMAN: A few questions, Your Honor.

21 **REXCROSS-EXAMINATION**

22 BY MR. POHLMAN:

23 Q. The insurance cost figure that you're utilizing,
24 can you give us that figure in a year cost? Would you have
25 any absolute cost that you were quoted on insurance?

1 A. The first quote I got was for a much older car
2 and that was for approximately \$4,000.00 per year.

3 Q. Did you take that figure forward as to what you
4 think it would be for a new car?

5 A. No. I had discussed the newer car, which I
6 think the quote was around \$6,300.00.

7 Q. Is that for one vehicle or two vehicles?

8 A. That's for one vehicle.

9 Q. Mr. Dunlap mentioned in one of his questions a
10 business plan. Have you actually produced a business plan?

11 A. No, I haven't.

12 Q. How many trips do you anticipate per day?

13 A. (No response.)

14 Q. Let me expand that to maybe per week.

15 MR. DUNLAP: I think this is beyond the scope -- I
16 object, Your Honor. This is beyond the scope of my
17 redirect.

18 JUDGE WEISMANDEL: I think this is something that
19 probably should have been covered earlier.

20 MR. POHLMAN: I can ask it directly this way.

21 BY MR. POHLMAN:

22 Q. How many times do you anticipate you'll need a
23 babysitter during the week?

24 THE WITNESS: Do I have to answer that?

25 JUDGE WEISMANDEL: Yes, ma'am.

1 THE WITNESS: I don't know.

2 BY MR. POHLMAN:

3 Q. Have you included the fees for obtaining your
4 application in your business projections?

5 A. Can you repeat that? I'm sorry.

6 Q. Have you included the fees of your application
7 in your business projections, the fees associated with
8 obtaining your application in your business projections?

9 A. No, I haven't.

10 MR. POHLMAN: I have no more questions.

11 JUDGE WEISMANDEL: Thank you, Ms. Grove.

12 (Witness excused.)

13 JUDGE WEISMANDEL: Mr. Pohlman, now that you've had a
14 chance to cross-examine, any objection to what has been
15 previously conditionally admitted as Grove Exhibits 1
16 through and including 17?

17 MR. POHLMAN: No objection.

18 JUDGE WEISMANDEL: Then they are all admitted without
19 objection, a total of 18 exhibits.

20 (Whereupon, the documents marked as
21 Grove Exhibits Nos. 1 through 3, 3A,
22 and 4 through 17 were received in
23 evidence.)

24 JUDGE WEISMANDEL: I think this would be a good time
25 to break for lunch. I have 12:07. Why don't we reconvene

1 promptly at 1:15. I would remind you gentlemen that you
2 have certain topics to try and discuss over the lunch hour.

3 MR. POHLMAN: Your Honor, would it be possible to
4 discuss the rescheduled hearing at this point in time just
5 in case Mr. Salinger has to attend to business functions
6 this afternoon and he's not able to be here?

7 JUDGE WEISMANDEL: Sure. That's off the record
8 anyhow, so that's fine.

9 We'll recess until 1:15.

10 (Whereupon, at 12:07 p.m., the hearing was adjourned,
11 to be reconvened at 1:15 p.m., this same day.)

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AFTERNOON SESSION

(1:18 p.m.)

JUDGE WEISMANDEL: We will reopen the record.

Counsel have informed me that they have consulted with the various parties that they represent and tomorrow's scheduled hearing date is being replaced. The hearing will be continued at the end of today's session until Tuesday, February 24, 1998 at 10:00 a.m. We will also schedule Wednesday, February 25, 1998 if that date is also needed. The scheduling office will get notice out to counsel confirming those dates, but I have talked to them and those dates are available both on my schedule and as far as hearing rooms go.

A couple other things before we get started this afternoon. Did you gentlemen get a chance to talk about the various matters that we had discussed this morning, first of all, the discovery problems?

MR. POHLMAN: Yes, we did, Your Honor. We are going to provide them with information that we discussed. Hopefully that will be sufficient for Mr. Dunlap's needs. If not, we'll discuss that at that time, but we intend to provide them with an agreed-upon list of information.

MR. DUNLAP: Not quite. We agreed preliminarily that as far as the financial data questions, Mr. Pohlman is going to supply me with the information that the protestants

1 supply to the PUC to see if that's sufficient. He's agreed
2 to supply that by January 5. Now, not knowing what
3 information the protestants supply to the PUC, I can't say
4 at this time whether that would be sufficient or not, but
5 we've agreed to look at that preliminarily and then see if
6 we need to come back.

7 As far as the other questions --

8 JUDGE WEISMANDEL: Before you come back, call Mr.
9 Pohlman and tell him what else you need, if any.

10 MR. DUNLAP: I will certainly do that to avoid
11 embroiling you in it unless absolutely need be.

12 Regarding the other questions, Mr. Pohlman has either
13 agreed to supply the information or we've dropped our
14 requests in one or two cases.

15 JUDGE WEISMANDEL: So that's all been resolved.

16 MR. DUNLAP: Well, not completely. Two questions.
17 The two things that we could not agree upon are we requested
18 that the protestants identify each limousine trip furnished
19 by each protestant within the last six months by date,
20 client's name, address and telephone number, point of
21 origin, intermediate stops, destination and price charged;
22 alternatively, provide copies of trip sheets for each run.
23 This is important to our case because we believe that Unique
24 is misleading the public as to where it's operating; that it
25 is operating in areas where it does not hold a certificate

1 of authority and is therefore misleading the public, and so
2 this information is important in that regard.

3 JUDGE WEISMANDEL: Mr. Dunlap, how is that
4 necessarily relevant to your application's case? This isn't
5 an investigatory or prosecutory proceeding against any of
6 the protestants.

7 MR. DUNLAP: I understand that, but I think it does
8 go to show their good faith and clean hands in bringing
9 their protest.

10 JUDGE WEISMANDEL: Mr. Pohlman, what's the problem
11 with the trip tickets?

12 (Pause.)

13 MR. POHLMAN: We don't have trouble with the actual
14 trip tickets themselves. What we don't want to be providing
15 is the list of people that we're picking up because that is,
16 in fact, our customer base. Mr. Salinger just informed me
17 that we can provide a document that represents the trips in
18 those counties or those areas, but to give the actual
19 customer list, we don't want to do that.

20 MR. DUNLAP: We're not interested in exact customers,
21 Your Honor, just where they operate.

22 JUDGE WEISMANDEL: Does Mr. Pohlman's representation
23 sound, at least on first blush, sufficient, Mr. Dunlap?

24 MR. DUNLAP: It sounds sufficient. As I understand
25 it, they will be supplying the trip information without the

1 customers' names and identification.

2 MR. POHLMAN: Can I have Mr. Salinger describe the
3 document exactly so we don't have any problem?

4 JUDGE WEISMANDEL: Sure. I don't think this needs to
5 be on the record. We'll give the court reporter a break.

6 (Discussion off the record.)

7 JUDGE WEISMANDEL: Back on the record.

8 It has been agreed that Mr. Pohlman, on behalf of the
9 four protestants that he represents, will provide trip
10 information by county, specifically Lancaster, York and
11 Dauphin Counties, by January 5 to Mr. Dunlap. Mr. Dunlap
12 will then review that information and if it is satisfactory,
13 that will end the matter, if it remains less than desired,
14 he will contact Mr. Pohlman and the parties, like with the
15 financial information, will attempt to resolve it. If they
16 are not successful, then I will be brought in and we'll get
17 a resolution.

18 Is that accurate, gentlemen?

19 MR. DUNLAP: Yes.

20 MR. POHLMAN: That's accurate.

21 JUDGE WEISMANDEL: What progress, if any, with
22 respect to witness appearances?

23 MR. DUNLAP: I will check to see who is available,
24 and Mr. Pohlman has agreed to be flexible in that regard on
25 people who are not.

1 JUDGE WEISMANDEL: The only thing I would ask, just
2 to make my life a little easier, if you're going to use the
3 telephonic appearance, if you will, of anybody, let me know
4 sometime before the 24th so that I make sure that I have
5 proper phone numbers and times, et cetera. Get those
6 details ironed out with the witnesses so that we don't waste
7 a lot of time trying to contact people, et cetera, if that
8 becomes necessary.

9 MR. DUNLAP: How far ahead of time would you like
10 that, Your Honor?

11 JUDGE WEISMANDEL: I'm sorry?

12 MR. DUNLAP: How far ahead of time would you like
13 that? A week, would that be sufficient?

14 JUDGE WEISMANDEL: A couple of days. A week would be
15 great, a couple of days at least previous, and I guess since
16 we're talking about a Tuesday, no later than the previous
17 Friday so that we can make the necessary arrangements.

18 MR. DUNLAP: There was one other issue, Your Honor,
19 regarding discovery.

20 JUDGE WEISMANDEL: Yes, sir.

21 MR. DUNLAP: The other one that we were not able to
22 agree on was we had asked that each protestant describe in
23 detail and furnish copies of all studies, analyses,
24 projections and forecasts that the protestant has prepared
25 with respect to expected traffic, revenues and expenses to

1 be generated in the future by their service either with or
2 without the granting -- well, to be generated in the future
3 by their service. This is directly relevant in that the
4 protestants have put at issue that the entry of the
5 applicant into the market or into the field will hurt their
6 ability to generate sufficient revenues to provide the
7 service safely and in the public interest, and so if they
8 have any studies or analyses or forecasts that they've put
9 together regarding expected business, it's completely
10 relevant to that issue.

11 MR. POHLMAN: It is not our intention to release any
12 of that information, which is business information and we
13 would be giving it openly to a competitor at this point.

14 MR. DUNLAP: I note again, Your Honor, that Mr.
15 Pohlman did not file any objections when we filed this
16 within the time period and did not file for a proprietary
17 order, protective order.

18 JUDGE WEISMANDEL: Let me ask a couple questions, Mr.
19 Pohlman. First of all, do you know, are there such analyses
20 or studies?

21 MR. POHLMAN: We don't know at this time. The other
22 business partner that would be involved would be the one
23 that handles most of those issues, so for me to answer at
24 this time would be inappropriate. What I can do is I can
25 check and see what records we do have and what Josie

1 Salinger does maintain as business projections. I can do
2 that much sooner than the 5th, provide that information to
3 Mr. Dunlap, and go from there.

4 JUDGE WEISMANDEL: It seems to me that that
5 information can be properly redacted so that you're not
6 jeopardizing anything that's proprietary information, and
7 yet it can still serve as the basis of some information for
8 Mr. Dunlap to be able to conduct intelligent cross-
9 examination as to the issue that your clients bear in this
10 matter. This is one of these cases where we've got a split
11 burden of proof; as to two issues, in the cosmic sense, the
12 applicant has the burden, but as to the third, the
13 protestants have the burden, so I think it can be properly
14 redacted, if there is such material available, so that
15 you're not compromising legitimate confidential information
16 of your clients, and yet give him a chance to at least be
17 able to conduct some kind of meaningful cross-examination.

18 MR. POHLMAN: I guess my reply would be, let me go
19 back and see if that information is available. At that time
20 I will give Mr. Dunlap a call, by the end of the week, and
21 let him know if it is or is not. If it is, I will be
22 redacting it as needed and supply it with the January 5
23 material.

24 JUDGE WEISMANDEL: Okay. Mr. Dunlap, come January 6,
25 you'll be in a position to determine whether you need to

1 file a motion to compel.

2 MR. DUNLAP: Pretty much so, unless I perhaps get it
3 the end of the day on the 5th, I might need another day or
4 two.

5 JUDGE WEISMANDEL: You get my point.

6 MR. DUNLAP: Yes. I get your point. Sorry. I'm
7 being facetious.

8 JUDGE WEISMANDEL: No problem.

9 Is there anything else that we need to go over at
10 this time, gentlemen?

11 MR. DUNLAP: Nothing, Your Honor.

12 MR. POHLMAN: No.

13 JUDGE WEISMANDEL: Okay, I guess, Mr. Dunlap, we are
14 ready for your next witness.

15 MR. DUNLAP: We had planned originally to put on Mr.
16 Grove next, but some of our witnesses who are in support of
17 Ms. Grove's application need to get back to their
18 businesses, so we're going to go a little bit out of order,
19 if that's okay.

20 I would like to call at this time to the stand
21 Priscilla Hoffman.

22 JUDGE WEISMANDEL: Ms. Hoffman, would you raise your
23 right hand, please?

24

25

1 Whereupon,

2

PRISCILLA I. HOFFMAN

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having been duly sworn, testified as follows:

4

JUDGE WEISMANDEL: Thank you. Again, I would remind
5 you, if you can, keep your voice up so that I can hear.

6

Thank you.

7

Go ahead, Mr. Dunlap.

8

DIRECT EXAMINATION

9

BY MR. DUNLAP:

10

Q. Ms. Hoffman, would you please state your full
11 name for the record?

12

A. Priscilla I. Hoffman.

13

Q. Could you spell that, please, for the court
14 reporter?

15

A. P-r-i-s-c-i-l-l-a H-o-f-f-m-a-n.

16

Q. What is your address, Ms. Hoffman?

17

A. 1422 South George Street, York.

18

Q. And your occupation?

19

A. I own three dance studios, and I'm the director
20 and instructor.

21

Q. Are those under common name?

22

A. B*Dazzled; yes.

23

Q. What are the locations of those businesses?

24

A. There are two in the same building in Red Lion,

25

30 North Main Street, Red Lion, and one adjoining my home,

1 1422 South George Street in York.

2 Q. How many students do you have?

3 A. At any given time, between 150 and 250.

4 Q. Do you have recitals on a regular basis?

5 A. I hesitate to call them recitals, but we have
6 shows on a regular basis.

7 Q. These are children, I take it?

8 A. Uh-huh, children and adults.

9 Q. And adults.

10 A. Uh-huh.

11 Q. Do you have other business interests, Ms.
12 Hoffman?

13 A. At the present time we don't, but the way that
14 I'm related to this case will be that I eventually plan on
15 opening a travel agency, and I am a certified travel agent.

16 Q. At the current time, and do you need
17 additional --

18 A. I would need licensing and bonding.

19 Q. Are you currently working to obtain that?

20 A. I don't work in the travel industry right now.
21 I put together a few trips, like for my students, we're
22 going to Disney World in April and I helped coordinate that,
23 and we did the same thing about two years ago. I've only
24 actively worked in the travel industry for six weeks during
25 my internship, but the reason that I went to travel school

1 and that I haven't worked in it is because my business took
2 off just about the time that I was interested in that, and I
3 figure when I get old and grey and can't dance anymore, I'll
4 have something to fall back on, which isn't too far around
5 the corner.

6 Q. But you are, you said, planning to open your own
7 travel agency when you obtain licensing at some point?

8 A. Yes. We would like to, yes.

9 Q. In operating a travel agency and in other
10 business pursuits, such as when you have recitals and
11 parents are going to come, and so forth, to something
12 special, would you recommend the services of Stacia Grove if
13 her application is granted?

14 A. Oh, definitely. Definitely.

15 Q. How would you characterize Ms. Grove's
16 character?

17 A. Well, I would say that she's very honest and
18 earnest in her interests as far as running this limousine
19 service. She's been wanting to do it for a lot of years,
20 and because of getting married and raising her kids, just
21 hasn't had the opportunity to do it. I know she's waited a
22 long time and I'll be happy to see that she can finally put
23 it all together.

24 Q. You worked with Ms. Grove in the past; is that
25 correct?

1 A. Yes.

2 Q. Where was that?

3 A. In Continental Food Service. I was promoted to
4 supervisor, so I was her supervisor in the business, and I
5 trained her and had to check on her and that kind of thing.

6 Q. How was her performance in that business?

7 A. Excellent. We had to maintain sales in the food
8 service business, we had to be able to handle money,
9 maintain the vehicles and orders; you know, you had to be
10 able to work with the public on an everyday basis, probably
11 40 stops a day within a short period of time. You had to
12 manage your time because each stop had its own -- you know,
13 like if you had to be at a place at 12:01, they expected you
14 there at 12:01, so you had to be able to drive safely
15 without getting speeding tickets on your way to the next
16 stop. Otherwise, if you didn't have your license current
17 because you lost it because of speeding, it wouldn't do you
18 any good to be in the business.

19 Q. It would be a little difficult to get from
20 location to location.

21 A. Yes. You couldn't exactly hire a driver to
22 drive for you.

23 Q. Were you in the courtroom this morning when Ms.
24 Grove spoke about maintaining the vehicles in that business?

25 A. Uh-huh.

1 Q. How would you characterize her maintenance of
2 the vehicles?

3 A. Well, if she didn't maintain the vehicle, then
4 she would lose her job. It was the driver's responsibility,
5 the sales person's responsibility, to make sure that the
6 vehicle was working properly on a daily basis, they were
7 spic and span before they left the lot, and when they came
8 home, everything had to be clean and ready to go for the
9 next morning, well-stocked.

10 Q. Ms. Hoffman, have you used limousine services in
11 the past?

12 A. I have only done that one time, and it was for a
13 birthday related trip around town.

14 Q. Do you recall who you used?

15 A. It was done through like a specialty store.
16 They made all the contacts. All I did was go in and I told
17 them I needed a limousine. The store no longer is in
18 existence, so I can't even recall -- I know it was in the
19 Colonial Shopping Center in York, but I can't recall what
20 the store was called.

21 Q. That's fine. Do you anticipate using limousine
22 services in the future?

23 A. I would love to, especially if I get the travel
24 agency going. I would love to be able to refer clients to
25 the limousine service.

1 Q. Do you have any personal matters upcoming in
2 your life that you might --

3 A. I have a wedding, my daughter is getting married
4 next year, and there's a certain birthday party coming up we
5 may be able to use one for. I can't predict where I'll go
6 in the future, but I imagine there will be opportunity that
7 we can use the service.

8 Q. Would you tend to use the service more often if
9 you knew the person running it?

10 A. I definitely would.

11 Q. And again, you would use Ms. Grove's services?

12 A. I definitely would.

13 MR. DUNLAP: Nothing further, Your Honor.

14 JUDGE WEISMANDEL: Mr. Pohlman.

15 **CROSS-EXAMINATION**

16 BY MR. POHLMAN:

17 Q. Ms. Hoffman, are you related to Ms. Grove in any
18 way?

19 A. Yes, I am.

20 Q. How would that be?

21 A. This is my sister.

22 Q. Are you the older sister or the younger sister?

23 A. She's my younger sister.

24 Q. How old are the students that attend your dance
25 studio?

1 JUDGE WEISMANDEL: Mr. Gill, would you raise your
2 right hand, please?

3 Whereupon,

4 DONALD P. GILL

5 having been duly sworn, testified as follows:

6 JUDGE WEISMANDEL: Thank you. Please be seated, sir.

7 DIRECT EXAMINATION

8 BY MR. DUNLAP:

9 Q. Mr. Gill, would you please state your full name
10 for the record and spell it, please?

11 A. Sure. It's Donald P. Gill, G-i-l-l.

12 Q. What is your address, Mr. Gill?

13 A. 1422 South George Street in York.

14 Q. What is your occupation?

15 A. I own a construction company that specializes in
16 exterior insulation and finish systems.

17 Q. Can you try to keep your voice up just a bit,
18 Mr. Gill?

19 A. Sure.

20 Q. Thank you.

21 What is the name of that company?

22 A. Double Diamond Finishing Systems.

23 Q. What is its address?

24 A. 1422 South George Street.

25 Q. Is that in York?

1 A. In York, PA.

2 Q. Mr. Gill, have you used limousine services in
3 the past?

4 A. Yes, I have.

5 Q. On what occasions did you use them?

6 A. We used them to take my daughter to the prom.

7 Q. Do you remember who you used?

8 A. No. It's been seven, eight, ten years ago.

9 Q. Do you use limousine services for anything else?

10 A. No.

11 Q. You've never gone to dinner or anything --

12 A. Oh, yes, we went to Baltimore one time, to Inner
13 Harbor, for dinner. That was about the same time period.

14 Q. Do you anticipate using limousine services in
15 the future?

16 A. Sure.

17 Q. In what way?

18 A. I have my daughter's wedding coming up, and I
19 have a younger daughter, too, that I'm sure will be using it
20 for the same purpose.

21 Q. Would you use these services in connection with
22 your business in any way?

23 A. Potentially. Clients flying into a local
24 airport, we could pick them up in that. I haven't had the
25 need for it yet, but I'm sure the day will come.

1 Q. Would you recommend Ms. Grove to your clients?

2 A. Yes, I would.

3 Q. How long have you known Ms. Grove?

4 A. Two years.

5 Q. How would you characterize her? Describe her
6 character.

7 A. Honest, trustworthy, does what she says she's
8 going to do.

9 Q. For the personal reasons in which you anticipate
10 using limousine services in the future, would you use Ms.
11 Grove for those if her application were granted?

12 A. Yes.

13 MR. DUNLAP: Nothing further, Your Honor.

14 JUDGE WEISMANDEL: Mr. Pohlman.

15 **CROSS-EXAMINATION**

16 BY MR. POHLMAN:

17 Q. Mr. Gill, what airports would you have potential
18 customers flying into?

19 A. Harrisburg.

20 Q. How long have you been in business?

21 A. Two years.

22 Q. Diamond Finishing Systems, what type of product
23 do you render?

24 A. It's exterior stucco on commercial buildings.

25 Q. What type of customer do you intend or think

1 might be coming into the airport?

2 A. I work for general contractors, the largest ones
3 in the area, and my area covers anywhere from Washington,
4 D.C. to Allentown to Chambersburg, north of Harrisburg, so
5 it could be a contractor flying in from out of town.

6 Q. In the past two years have you ever had to pick
7 up a contractor at the airport?

8 A. Yes, I have.

9 Q. How many times is that?

10 A. Two or three.

11 Q. For the future wedding of your daughters, what
12 type of limousine do you envision yourself using?

13 A. A stretch.

14 Q. Have you looked into the cost of renting a
15 limousine?

16 A. Not yet. She just became engaged on
17 Thanksgiving.

18 Q. But for any other business uses, you haven't
19 looked at the cost of utilizing limousines?

20 A. No.

21 MR. POHLMAN: No more questions.

22 MR. DUNLAP: Just one redirect.

23 JUDGE WEISMANDEL: Go ahead, Mr. Dunlap.

24

25

REDIRECT EXAMINATION

1
2 BY MR. DUNLAP:

3 Q. Mr. Pohlman asked you about your clients and the
4 type of clients and so forth. How would you characterize
5 the size of the jobs that you work on?

6 A. Large.

7 Q. By large meaning?

8 A. Large commercial projects. Very little in
9 residential size. The projects I do are typically stores,
10 shopping centers.

11 Q. A lot of money involved in these projects?

12 A. A lot of money, yes. Millions of dollars. Not
13 particularly with my contract, but total contract costs can
14 go anywhere from a million to ten million.

15 MR. DUNLAP: Thank you.

REXCROSS-EXAMINATION

16
17 BY MR. POHLMAN:

18 Q. Your contract costs would be how much?

19 A. No. The total costs of the project, period,
20 could be one million to ten million.

21 Q. And your costs or you estimates of bids for
22 those?

23 A. Fifty thousand to two hundred thousand.

24 MR. POHLMAN: Thank you.

25 JUDGE WEISMANDEL: Thank you, Mr. Gill.

(Witness excused.)

1
2 MR. DUNLAP: Your Honor, if I could have just two
3 minutes. One witness just came in, and I received something
4 from Mr. Pohlman just this morning that I would like to show
5 her before she takes the stand. If I could just have a few
6 moments.

7 JUDGE WEISMANDEL: Sure.

8 (Pause.)

9 MR. DUNLAP: At this time I would like to call to the
10 stand Barbara Lepley.

11 JUDGE WEISMANDEL: Ms. Lepley, would you raise your
12 right hand, please?

13 Whereupon,

14 **BARBARA ANN LEPLEY**

15 **having been duly sworn, testified as follows:**

16 JUDGE WEISMANDEL: Thank you. Please be seated.

17 **DIRECT EXAMINATION**

18 BY MR. DUNLAP:

19 Q. Ms. Lepley, would you please state your full
20 name for the record and spell your last name, please, for
21 the court reporter?

22 A. Barbara Ann Lepley, L-e-p-l-e-y.

23 Q. What is your address, Ms. Lepley?

24 A. 279 Teila Drive in Dallastown.

25 Q. What is your occupation, Ms. Lepley?

FORM 2

1 A. I am a market representative and business
2 development rep for Manor Care Health Services.

3 Q. Where is that located?

4 A. The corporate office is in Gaithersburg. I work
5 out of York, Pennsylvania.

6 Q. Where does Manor Care have facilities in the
7 area? Let's limit it to Lancaster, York and Dauphin
8 Counties.

9 A. Dauphin County would be two, York County, four,
10 Lancaster, one, Elizabethtown, one, Lebanon County, one.

11 Q. You said Lancaster County, one, Elizabethtown,
12 one. Does that mean two in Lancaster County or --

13 A. No. That's one in Lancaster and one in
14 Elizabethtown.

15 Q. What position do you hold there?

16 A. I'm market representative and --

17 Q. I'm sorry; you said that. What does your
18 position entail?

19 A. Actually working with referral sources,
20 expansion of business, existing business, development of new
21 business sites and locations.

22 Q. Does this entail entertaining clients, bringing
23 clients in and showing them around from out of the area?

24 A. Most frequently we bring educational speakers in
25 from around the country to do presentations or seminars into

1 the specific markets.

2 Q. Have you ever used limousine services in the
3 past, Ms. Lepley?

4 A. For personal reasons, yes.

5 Q. What were some of those?

6 A. Actually, for our children's school events, such
7 as proms or homecomings.

8 Q. Do you remember how many times you've used them?

9 A. For those types of events, three.

10 Q. Did you have any trouble booking services for
11 those events?

12 A. Yes.

13 Q. You did?

14 A. Yes.

15 Q. Could you describe that, please, what happened?

16 A. The difficulty would be finding a service that
17 could meet our dates, the needed dates that we would have.
18 Often they were booked.

19 Q. This was where, from York County or Lancaster
20 County?

21 A. Actually, I remember distinctly going through
22 the phone book and trying several -- almost every listing
23 within the Yellow Pages of the phone book in York. It would
24 include listings in York and Lancaster and Littlestown, I
25 believe.

1 Q. Do you remember how many services you had to
2 call before you finally found someone?

3 A. Would that mean how many listings I would have
4 gone through?

5 Q. Yes; how many listings?

6 A. Probably as many as there were in the Yellow
7 Pages. More than four.

8 Q. Were you able to finally find someone?

9 A. Yes.

10 Q. Did you have any troubles, like were you able to
11 find the grade that you wanted of service, or did you have
12 to have some other grade that was available?

13 A. We were able to most frequently finally find one
14 that would work. It was at the nth hour, but yes, we could.

15 Q. But was the grade that you wanted, the grade of
16 limousine service, available, or did you have to go perhaps
17 up a grade?

18 A. I think we came down a grade.

19 Q. Down a grade.

20 A. Uh-huh.

21 Q. Would you say that any of these times -- were
22 there any of these times that you were not able to book a
23 limousine service? I'm sorry if I'm not --

24 A. No, that's fine. No, not to my recollection.
25 We were able to book, but --

1 Q. All three times?

2 A. Uh-huh.

3 Q. Did you ever try to rent a van for business
4 purposes?

5 A. I personally didn't, but the team that I'm on
6 tried to rent a van, this is probably three years ago, to
7 take us from York, at that time, to a location in Maryland.
8 We had some difficulty. As a matter -- I'm not even sure if
9 we were able to, because I wasn't personally handling it,
10 but I know we had difficulty.

11 Q. Did you ever use, personally use, the services
12 of any of the protestants?

13 A. Yes.

14 Q. Which one would that be?

15 A. It was Unique Limousine.

16 Q. From where did you use their services, from
17 where to where?

18 A. We were picked up at a location in Lancaster
19 County and made a stop at a restaurant in York County.

20 Q. Did they bring you back to Lancaster County?

21 A. Yes. I'm sorry. And then returned back to
22 Lancaster.

23 Q. What was the date of this?

24 A. It was the day before Thanksgiving. That would
25 have been the 26th of November.

1 Q. How did you secure Unique Limousine's services?

2 A. I placed a telephone call to their number listed
3 in the telephone book.

4 Q. Did you call Unique Limousine directly?

5 A. Yes.

6 Q. You did not use a reservation service then?

7 A. I'm not -- no; no. I called directly to Unique.

8 MR. DUNLAP: Because we're going out of order, this
9 will be Grove Exhibit No. 23.

10 (Whereupon, the document was marked
11 as Grove Exhibit No. 23 for
12 identification.)

13 BY MR. DUNLAP:

14 Q. Do you recognize this document, Ms. Lepley?
15 (Document handed to witness.)

16 A. Yes, I do.

17 Q. Would you please identify it for the record?

18 A. It appears to be a copy of the receipt that was
19 mailed to me from our use of the limousine service on the
20 26th.

21 Q. Is this a true and correct copy of the receipt
22 you received?

23 A. Yes.

24 Q. With the exception of your Visa number being
25 blacked out?

FORM 2

1 A. Yes.

2 MR. DUNLAP: Next will be Grove Exhibit No. 24.

3 (Whereupon, the document was marked
4 as Grove Exhibit No. 24 for
5 identification.)

6 BY MR. DUNLAP:

7 Q. Do you recognize these photographs, Ms. Lepley?
8 (Documents handed to witness.)

9 A. Yes, I do.

10 Q. Would you please identify them for the record?

11 A. Individually or just as a group?

12 Q. Just talk about them generally, first of all.

13 A. These are pictures that were taken on the night
14 of the 26th during our journey from Lancaster to York and
15 back to Lancaster.

16 Q. Who took these photographs?

17 A. If they're in the same order, the first --

18 Q. Let's go through them. Let's mark them A, B and
19 C. The first --

20 A. The picture showing with the Sherwood Knoll
21 sign, number one, is that what you mean?

22 Q. Yes.

23 A. That picture would have been taken by Stacia
24 Grove.

25 Q. And B, the next page?

1 A. Myself.

2 Q. And C?

3 A. Myself.

4 Q. Sherwood Knoll, is that the location you took
5 the limousine from?

6 A. That's the name of the Comfort Inn in Lancaster,
7 yes.

8 Q. Do these photos show a true and accurate
9 depiction of the limousines and the area in which they were
10 taken?

11 A. They appear to.

12 Q. The license numbers on B and C, look at the
13 license plates. Does it show a company name on the license
14 plate on either B or C?

15 A. If I had my glasses, I could probably tell you
16 that.

17 Q. Do you have your glasses with you?

18 A. No, I don't. I can read the letters on the
19 plate, but I can't read the -- I'm sorry; I can't.

20 Q. The photos show what they show.

21 A. Okay.

22 Q. The letters on the plate, could you read those,
23 please?

24 A. The license plate itself?

25 Q. The license plate.

1 A. UF-12722.

2 Q. Might that be an L-N?

3 A. It could -- I can't; I'm sorry. As I said, I
4 don't have my glasses.

5 JUDGE WEISMANDEL: Fortunately, this is not a vision
6 test.

7 THE WITNESS: Thank you.

8 MR. DUNLAP: I'd like to have marked for
9 identification Grove Exhibit No. 25. I'd like to introduce
10 this into the record as a public document under 52 Pa. Code
11 §5.406(a)(2), which was a vehicle check on the license tag
12 number LN-12722, which shows, on the fifth page, that that
13 automobile is owned by Unique Limousine, Inc.

14 (Whereupon, the document was marked
15 as Grove Exhibit No. 25 for
16 identification.)

17 MR. DUNLAP: I have nothing further, Your Honor.

18 JUDGE WEISMANDEL: Mr. Pohlman.

19 CROSS-EXAMINATION

20 BY MR. POHLMAN:

21 Q. Ms. Lepley, were you in a stretch limousine or a
22 Lincoln Town Car on November 26?

23 A. A Lincoln Town Car.

24 Q. How was your trip?

25 A. It was fine.

1 Q. How was the chauffeur?

2 A. Quite pleasant, actually.

3 MR. POHLMAN: Thank you. No more questions.

4 MR. DUNLAP: At this time I would like to move
5 Exhibits 23 through 25 into the record.

6 MR. POHLMAN: No objection.

7 JUDGE WEISMANDEL: What has been previously marked
8 for identification as Grove Exhibits 23, 24 and 25 are
9 admitted without objection.

10 (Whereupon, the documents marked as
11 Grove Exhibits Nos. 23 through 25
12 were received in evidence.)

13 JUDGE WEISMANDEL: Ms. Lepley, I have a few
14 questions. If I understood your testimony correctly, you
15 testified that you have used limousines on three occasions
16 personally having to do with proms and homecomings. Was
17 this occasion on November 26, 1997 in connection with a prom
18 or a homecoming?

19 THE WITNESS: No, it wasn't.

20 JUDGE WEISMANDEL: Can you tell me how you came to be
21 involved in this trip?

22 THE WITNESS: Certainly. I was asked by Stacia to
23 employ or secure the service of the limousine company and
24 did so.

25 JUDGE WEISMANDEL: Were you asked by Ms. Grove to

1 arrange for limousine transportation or specifically for
2 limousine transportation by Unique Limousine?

3 THE WITNESS: Specifically Unique Limousine.

4 JUDGE WEISMANDEL: I gather from what you said about
5 who took the photographs, you were accompanied on this trip
6 by Ms. Grove?

7 THE WITNESS: Half way.

8 JUDGE WEISMANDEL: Explain, please.

9 THE WITNESS: My husband and I actually were picked
10 up, and it was just my husband and I, in Lancaster County.
11 We met a group of friends in York County at a restaurant.
12 Stacia Grove was among them, and Stacia rode back with us to
13 Lancaster from York.

14 JUDGE WEISMANDEL: I believe you said you live in
15 Dallastown?

16 THE WITNESS: Uh-huh.

17 JUDGE WEISMANDEL: That's in York County, is it not?

18 THE WITNESS: Yes, it is.

19 JUDGE WEISMANDEL: And you work in York County?

20 THE WITNESS: With some frequency.

21 JUDGE WEISMANDEL: Why were you booking a limousine
22 from an origin point in Lancaster County?

23 THE WITNESS: I was asked to do so by Stacia.

24 JUDGE WEISMANDEL: Do counsel have any other
25 questions for this witness?

1 MR. DUNLAP: No.

2 MR. POHLMAN: No questions, Your Honor.

3 JUDGE WEISMANDEL: Thank you.

4 (Witness excused.)

5 MR. DUNLAP: Next I'd like to call to the stand Mark
6 King.

7 JUDGE WEISMANDEL: Mr. King, would you raise your
8 right hand, please?

9 Whereupon,

10 **MARK STEPHEN KING, JR.**

11 **having been duly sworn, testified as follows:**

12 JUDGE WEISMANDEL: Thank you.

13 **DIRECT EXAMINATION**

14 BY MR. DUNLAP:

15 Q. Would you please state your full name for the
16 record, Mr. King?

17 A. Mark Stephen King, Jr.

18 Q. Please try to speak a little slowly and keep
19 your voice up, please, so the court reporter and everyone
20 else can hear you.

21 A. All right.

22 Q. What is your address, Mr. King?

23 A. 111 Keymar Drive.

24 Q. Where is that?

25 A. York, Pennsylvania.

1 Q. What is your occupation, Mr. King?

2 A. I'm a student at Penn State York and I work
3 part-time at a restaurant and at a bowling alley.

4 Q. Mr. King, have you used limousine services in
5 the past?

6 A. Yes, I have.

7 Q. When was that?

8 A. Homecoming of '96.

9 Q. Describe for us, the Commission, if you will,
10 what you had to go through to locate a limousine?

11 A. I called about a month-and-a-half before the
12 actual event, I called everybody in York, all the limousine
13 services in York, to find, for that night, a limousine.

14 Q. Do you remember approximately how many services
15 you called?

16 A. Nine or ten, somewhere around there. And then
17 to get the limousine service that I got, I had to ask my
18 father's girlfriend at the time for numbers around the area
19 because she lives in Lebanon, so I got numbers from her.

20 Q. Were you finally able to locate a limousine
21 service?

22 A. Yes, I was.

23 Q. Where was that service from?

24 A. Mechanicsburg.

25 Q. Did you have to pay any extra to obtain the

1 service from Lancaster?

2 A. Yeah. The payment started from the time they
3 left Mechanicsburg to York.

4 JUDGE WEISMANDEL: Excuse me, I'm going to interrupt
5 here because I think I heard two different things. You said
6 Mechanicsburg, did you not?

7 THE WITNESS: Uh-huh.

8 JUDGE WEISMANDEL: And I believe, Mr. Dunlap, you
9 said Lancaster?

10 MS. GROVE: Yes, he did.

11 MR. DUNLAP: Oh, I did?

12 MS GROVE: Yes.

13 JUDGE WEISMANDEL: I just want to keep the record
14 clear.

15 MR. DUNLAP: Thank you.

16 JUDGE WEISMANDEL: It was Mechanicsburg?

17 THE WITNESS: Yeah.

18 JUDGE WEISMANDEL: Thank you.

19 MR. DUNLAP: Thank you for correcting me.

20 BY MR. DUNLAP:

21 Q. So the service you obtained was from
22 Mechanicsburg. You were explaining about that you had to
23 pay extra?

24 A. Uh-huh. The fee started as soon as they left
25 Mechanicsburg to York, which I think is about 45 minutes to

1 an hour.

2 Q. Did you pay by the hour?

3 A. Yes.

4 Q. So in total you had to pay about an-hour-and-a-
5 half extra?

6 A. Yes.

7 Q. Do you anticipate using limousine services in
8 the future?

9 A. Yeah, if the right occasion comes up.

10 Q. What might those occasions be?

11 A. Maybe one day I'll get married or something.

12 Q. If you use limousine services in the future,
13 would you use Ms. Grove's service if her application were
14 approved?

15 A. Yes.

16 MR. DUNLAP: No further questions.

17 JUDGE WEISMANDEL: Mr. Pohlman.

18 **CROSS-EXAMINATION**

19 BY MR. POHLMAN:

20 Q. Mr. King, do you remember who it was you used
21 for that service?

22 A. No, I don't.

23 Q. Do you remember what the cost was?

24 A. It was about -- for each of us, we had to pay
25 about \$175.00 apiece.

1 Q. How many people were in the car?

2 A. Three of us paid for it.

3 Q. Are you sure that that's the amount?

4 A. It could be a little lower, but it was somewhere
5 around there.

6 Q. Do you remember what type of limousine you were
7 riding in?

8 A. Stretch.

9 MR. POHLMAN: No more questions.

10 MR. DUNLAP: Just one redirect, Your Honor.

11 JUDGE WEISMANDEL: Mr. Dunlap.

12 **REDIRECT EXAMINATION**

13 BY MR. DUNLAP:

14 Q. Do you recall how long during that evening, how
15 many hours you used that service?

16 A. Myself, we used it two hours or so, and then our
17 parents took it out afterwards until the dance was over, and
18 which we were totally done around midnight.

19 Q. Did the limousine then come and pick you up
20 after the dance?

21 A. Yes.

22 Q. So you used it throughout the evening?

23 A. Yeah, basically.

24 Q. And then plus the extra hour-and-a-half for
25 travel time for the limousine?

1 A. Yes.

2 MR. DUNLAP: Thank you.

3 JUDGE WEISMANDEL: Recross?

4 MR. POHLMAN: No questions.

5 JUDGE WEISMANDEL: Mr. King, before you leave, for
6 the record, how old are you, sir?

7 THE WITNESS: I'm 19.

8 JUDGE WEISMANDEL: Thank you.

9 (Witness excused.)

10 MR. DUNLAP: I would next like to call to the stand
11 Margaret Bayliss.

12 Your Honor, I see two of our witnesses getting up.
13 Is it all right if they leave?

14 JUDGE WEISMANDEL: I have no objection.

15 Mr. Pohlman, do you see any reason for I guess it
16 would be Mr. Gill and Ms. Hoffman --

17 MR. POHLMAN: No.

18 JUDGE WEISMANDEL: Thank you very much.

19 Ms. Bayliss, would you raise your right hand, please?

20 **Whereupon,**

21 **MARGARET MARY BAYLISS**

22 **having been duly sworn, testified as follows:**

23 JUDGE WEISMANDEL: Thank you. Please be seated.

24

25

DIRECT EXAMINATION

BY MR. DUNLAP:

Q. Ms. Bayliss, would you please state your full name for the record and spell your last name, please?

A. Margaret Mary Bayliss, B-a-y-l-i-s-s.

Q. What is your address, Ms. Bayliss?

A. 445 Chestnut Lane, York, Pennsylvania.

Q. And your occupation?

A. I have three children and a husband.

Q. What does your husband do?

A. My husband is director of maternal fetal medicine at York Hospital and also associate director of the residency program for obstetricians and gynecologists.

Q. Quite a mouthful.

A. I know. I had to really study it to remember.

Q. Ms. Bayliss, have you ever used limousine services in the past?

A. Yes, we have.

Q. What did you use them for?

A. The times in York?

Q. Yes.

A. In York my husband and I went to Little Italy for our anniversary, so that way we could both drink and not have to drive, so we got a limo to take us down to Little Italy and then back home again.

FORM 2

1 JUDGE WEISMANDEL: Excuse me. I'm sort of prejudiced
2 since I grew up in New York City and there's a Little Italy
3 there, too. Perhaps you want to identify what city Little
4 Italy --

5 THE WITNESS: Baltimore.

6 JUDGE WEISMANDEL: Thank you.

7 BY MR. DUNLAP:

8 Q. Do you use limousine services at any other time?

9 A. We use -- my husband, also close to New York
10 City, is from Connecticut, and a lot of times when we travel
11 by flight, Connecticut Limousine Service we use all the time
12 versus driving up there.

13 Q. To go to --

14 A. His parents' home.

15 Q. From York?

16 A. No. Usually from LaGuardia and places like
17 that.

18 Q. Do you anticipate using Ms. Grove's services if
19 her application is granted?

20 A. Absolutely.

21 Q. In what way might you use her services?

22 A. Well, we have one daughter who will be
23 graduating and prom. My husband often interviews
24 prospective physicians for York Hospital for his program.
25 And just for my husband and I, we both like to go out.

1 Since we don't like drinking and driving, that would tend to
2 leave us both an enjoyable evening.

3 Q. When your husband entertains business
4 colleagues, who makes the arrangements?

5 A. I would.

6 Q. So you would be making the arrangements for
7 booking limousine services?

8 A. Yes, for when he would want to interview a
9 prospective physician. If we want to take a physician and
10 his wife out to dinner in the evening, that would be nice if
11 we could pick them up at the hotel and have them brought to
12 the restaurant.

13 Q. Would you use limousine services to get back and
14 forth to the airport on this end?

15 A. Yes.

16 Q. And again, would you use Ms. Grove's services if
17 they were available and if her application is granted?

18 A. Absolutely.

19 Q. How do you know Ms. Grove?

20 A. Ms. Grove and I met when I moved to York about
21 three-and-a-half years ago. Her nephew and my daughter were
22 good friends; through school functions, we always tended to
23 be at the same activities and we just developed a friendship
24 then.

25 Q. How would you describe Ms. Grove's character?

1 A. I would describe her character as kind, very
2 honest, someone I can trust.

3 Q. Has she ever driven you or other people that you
4 know?

5 A. She has not driven me personally, but, even more
6 important, I have allowed her to drive my children, which is
7 very high priority for me.

8 Q. That entails a lot of trust on your part?

9 A. The highest amount of trust.

10 MR. DUNLAP: Nothing further.

11 JUDGE WEISMANDEL: Mr. Pohlman.

12 **CROSS-EXAMINATION**

13 BY MR. POHLMAN:

14 Q. Ms. Bayliss, how long ago was it that you last
15 used a limousine?

16 A. It was not this past anniversary, it was a year-
17 and-a-half ago.

18 Q. What type of limousine was that? By type I mean
19 a sedan, a stretch limousine, a van.

20 A. That time I believe it was a limo. The other
21 times it was a Suburban, but that time it was a limo, I
22 believe.

23 Q. You have used a Suburban in the past?

24 A. Absolutely.

25 Q. Can you tell me whose service that was?

- 1 A. Those were all Connecticut Limousine Service.
- 2 Q. And that's out of --
- 3 A. Connecticut.
- 4 Q. Coming down to York?
- 5 A. No. New York City, Connecticut.
- 6 Q. You only used them up in that region?
- 7 A. Those ones, yes.
- 8 Q. Is that actually Connecticut Shuttle Service?
- 9 A. No. I believe it's Connecticut Limousine
- 10 Service.
- 11 Q. But that's all up in New York City?
- 12 A. And Connecticut; yes.
- 13 Q. Have you called for limousine service recently?
- 14 A. Recently? No.
- 15 Q. By recently I mean the past year-and-a-half
- 16 since your last --
- 17 A. No. That time I said a year-and-a-half ago was
- 18 the last time.
- 19 Q. How old are your children?
- 20 A. I have a daughter who is 17, I have another
- 21 daughter who is 12, and I have a son who is 10.
- 22 Q. So you anticipate -- I think she's close to prom
- 23 season?
- 24 A. Yes.
- 25 Q. Prom age?

1 A. Yes. Of course, the 12-year-old is sort of
2 heading that way, too, sooner than I'd like, but --

3 Q. Do you anticipate using a stretch limousine at
4 that time or a Suburban type vehicle?

5 A. At that time I would use whatever Stacia had if
6 she was in business. That would make no difference to me.
7 I just would like someone else to be doing the driving.

8 Q. So if there's a limousine service available, you
9 would utilize whatever service is available?

10 A. Yes; that's correct.

11 MR. POHLMAN: No further questions.

12 MR. DUNLAP: Nothing further, Your Honor.

13 JUDGE WEISMANDEL: Ms. Bayliss, when was the trip to
14 Baltimore, if you can recall?

15 THE WITNESS: June 23, a year-and-a-half ago.

16 JUDGE WEISMANDEL: Ninety-six?

17 THE WITNESS: Yes.

18 JUDGE WEISMANDEL: June of '96?

19 THE WITNESS: Yes. It's my anniversary. The date
20 stuck in my head.

21 JUDGE WEISMANDEL: Do you recall who you used at that
22 time?

23 THE WITNESS: I believe it was Diane's or Diana's.
24 Diane's, I believe.

25 JUDGE WEISMANDEL: Did you have any difficulty making

1 arrangements for that trip?

2 THE WITNESS: No, actually, because a friend of mine
3 sort of got it in a silent auction, so I didn't have to call
4 anybody.

5 JUDGE WEISMANDEL: How was the service?

6 THE WITNESS: It was fine. It was great.

7 JUDGE WEISMANDEL: Mr. Dunlap, any questions in light
8 of what I've asked?

9 MR. DUNLAP: No.

10 JUDGE WEISMANDEL: Mr. Pohlman?

11 MR. POHLMAN: No questions.

12 JUDGE WEISMANDEL: Thank you, ma'am.

13 (Witness excused.)

14 MR. DUNLAP: Our last witness will be Mr. Grove, our
15 last witness for today. If we could take a short break?

16 JUDGE WEISMANDEL: I was going to suggest, why don't
17 we take 15 minutes. I have 2:15, give or take 30 seconds.
18 We'll recess until 2:30.

19 (Recess.)

20 JUDGE WEISMANDEL: Let's go back on the record.
21 Mr. Dunlap.

22 MR. DUNLAP: For our last witness this afternoon,
23 Your Honor, I would like to call Todd Grove to the stand.

24 JUDGE WEISMANDEL: Mr. Grove, would you raise your
25 right hand please?

1 Whereupon,

2 TODD G. GROVE

3 having been duly sworn, testified as follows:

4 JUDGE WEISMANDEL: Thank you. Please be seated, sir.

5 DIRECT EXAMINATION

6 BY MR. DUNLAP:

7 Q. Mr. Grove, would you please state your full name
8 for the record?

9 A. Todd G. Grove.

10 Q. What is your address, Mr. Grove?

11 A. 562 East Heatherfield Way, Red Lion,
12 Pennsylvania.

13 Q. You are the husband of the applicant; is that
14 correct?

15 A. Yes, I am.

16 Q. What is your occupation, Mr. Grove?

17 A. Sales representative for a company by the name
18 of Monarch Products Company, Incorporated.

19 Q. Where is that company located?

20 A. York Haven, Pennsylvania.

21 Q. What are your duties at Monarch Products?

22 A. Various duties. I'm in charge of the entire
23 estimating department, also in charge of all daily
24 production, delivery of our finished product, and also I get
25 involved in the billing aspect of it also.

1 Q. What services, Mr. Grove, do you anticipate
2 providing to your wife's company, Central Pennsylvania
3 Limousine Services, should her application be granted?

4 A. Advise her in anything she would need to do on
5 the business aspects of the business.

6 Q. Has a formal relationship of what position you
7 might hold been determined yet?

8 A. Not at this time, no.

9 Q. This morning we were talking a little bit about
10 your children. Does your job provide you flexibility
11 regarding taking care of your children should Ms. Grove be
12 needed to go out for services?

13 A. Yes, it does. I would be available to come home
14 at any time and I could continue doing my work out of our
15 home and also watching the children.

16 Q. Also this morning we were talking a little bit
17 about the vehicles that would be available, and your wife
18 talked about buying a Suburban initially.

19 A. Uh-huh.

20 Q. Would that Suburban have other uses?

21 A. It would be used for the family usages also, for
22 day-to-day uses at home for whatever purpose it's needed.

23 Q. Do you see that as the primary vehicle to be
24 used in the limousine service?

25 A. No, I do not. I see a stretch limousine will be

1 the primary use, the Suburban would be a second vehicle or a
2 specialized vehicle.

3 Q. So would having these two different kinds of
4 vehicles provide you flexibility depending upon what --

5 A. Sure; whatever the customers' needs would be, we
6 have both options available to them.

7 Q. Now, this morning your wife testified about
8 marital assets. Do you concur with her statement that
9 marital assets that you hold jointly would be available to
10 Central Pennsylvania Limousine Services?

11 A. Yes, I do.

12 MR. DUNLAP: At this time I'd like to mark for
13 identification Grove Exhibit No. 18.

14 JUDGE WEISMANDEL: So marked for identification.

15 (Whereupon, the document was marked
16 as Grove Exhibit No. 18 for
17 identification.)

18 BY MR. DUNLAP:

19 Q. Do you recognize this document, Mr. Grove?
20 (Document handed to witness.)

21 A. Yes, I do. This is a statement of earnings
22 provided to me by my employer.

23 Q. And that's your identification of it for the
24 record?

25 A. Yes, it is.

1 Q. What is your yearly salary, Mr. Grove?

2 A. This year it's probably going to be in the range
3 of \$57,000. There is no exact salary determined.

4 Q. Is this a true and correct copy of your earnings
5 statements for the time period indicated, from the period
6 ending 9/13/1997 through 10/4/1997?

7 A. Yes, it is.

8 MR. DUNLAP: I would next like to mark for
9 identification Grove Exhibit No. 19.

10 JUDGE WEISMANDEL: So marked.

11 (Whereupon, the document was marked
12 as Grove Exhibit No. 19 for
13 identification.)

14 BY MR. DUNLAP:

15 Q. Do you recognize this document, Mr. Grove?
16 (Document handed to witness.)

17 A. Yes, I do.

18 Q. What is this?

19 A. This is a report given to me by my employer
20 listing the account balance for my profit sharing.

21 Q. Is this a true and correct copy of your
22 statement for the period 1/1/96 to 12/31/96?

23 A. For this period ending 12/31/96, yes.

24 Q. How often do you receive these reports?

25 A. Once a year.

1 Q. Do you anticipate any substantial changes in
2 this amount to the end of the year this year which is coming
3 up?

4 A. Yes, I do. I think the amount is going to be
5 greatly increased.

6 Q. Why is that?

7 A. Based on employer contributions and also the
8 funds where these monies are invested, based on the stock
9 market over the last year, I think they are going to be
10 greatly increased.

11 Q. Would these amounts be available for Central
12 Pennsylvania Limousine Services if need be?

13 A. To the best of my knowledge, yes. I will not
14 receive another one of these reports until probably March.

15 Q. But what you have in there you can use, if need
16 be?

17 A. For the use of Central Pennsylvania?

18 Q. Yes.

19 A. Yes, these are available for that use.

20 MR. DUNLAP: Next I would like to mark for
21 identification Grove Exhibit No. 20.

22 JUDGE WEISMANDEL: So marked.

23 (Whereupon, the document was marked
24 as Grove Exhibit No. 20 for
25 identification.)

1 BY MR. DUNLAP:

2 Q. Do you recognize this document, what's been
3 marked for identification as Grove Exhibit No. 20, Mr.
4 Grove?

5 (Document handed to witness.)

6 A. Yes, I do. This is a credit report.

7 Q. Who is this credit report on?

8 A. For myself.

9 Q. What is the date of the credit report?

10 A. 9/30/97.

11 Q. How was this credit report obtained?

12 A. My wife obtained it for me, with my permission,
13 for use for Central Pennsylvania Limousine Service.

14 Q. Is this a true and correct copy of what you
15 received from the credit agency?

16 A. Yes, it is.

17 Q. What does it show in general, Mr. Grove?

18 A. Basically, it shows payment history for any
19 loans or any -- I even think this includes some utilities on
20 here also. It shows that all payments are made on time.

21 Q. And the numbers in the right-hand column on the
22 first two pages where it has the R01, I01, what does that
23 mean?

24 A. They stand for that payments are made on time.

25 Q. On the third and fourth pages where companies

1 are listed, do you know what that might be?

2 A. Those are companies who have done credit reports
3 on myself.

4 Q. Do you mean credit checks?

5 A. Or credit checks; I'm sorry.

6 Q. And on the second page, in the last column, --

7 A. The second page?

8 Q. Second page, the last one in the right-hand
9 column, it says RUR. Do you know what that means?

10 A. Revolving line of credit.

11 MR. DUNLAP: Next I would like to mark for
12 identification Grove Exhibits Nos. 21 and 22.

13 JUDGE WEISMANDEL: So marked.

14 (Whereupon, the documents were marked
15 as Grove Exhibits Nos. 21 and 22 for
16 identification.)

17 BY MR. DUNLAP:

18 Q. Do you recognize these documents, Mr. Grove?

19 (Documents handed to witness.)

20 A. Yes, I do.

21 Q. Would you please identify them for the record.

22 A. Yes. These are Dun & Bradstreet reports done on
23 Keystone Limousine and also White Rose Limousine.

24 Q. How did you obtain these reports?

25 A. Specifically how I actually get these reports

1 from this company?

2 Q. Yes.

3 A. This is a company that we use for doing
4 background checks and credit checks on potential customers
5 of ours basically just to retain this. We have an account
6 already set up with this company. All I have to do is make
7 a telephone call to them, give our account number and also
8 the telephone number of the party or parties that we want
9 them to do the information report on.

10 Q. Are these Exhibits 21 and 22 true and correct
11 copies of what you received from Dun & Bradstreet on
12 Keystone Limousine Service, which is 21, and White Rose
13 Limousine, which is 22?

14 A. Yes.

15 Q. Do you use Dun & Bradstreet reports in the
16 regular course of your business?

17 A. Yes, I do.

18 Q. So it's an ongoing thing?

19 A. Yes. We use them quite frequently.

20 Q. And you explained how you obtain them and also
21 how you use them. Are these reports utilized as a reliable
22 source of information by your company?

23 A. Yes, they are; very reliable.

24 Q. And you said they're used regularly?

25 A. Yes.

1 Q. Do you keep these records once they're obtained?

2 A. Yes, we do.

3 Q. And you already said that these were true and
4 correct copies of what you received on Keystone and White
5 Rose; is that correct?

6 A. Yes, it is.

7 Q. Looking at Exhibit No. 21, what does that show
8 about Keystone Limousine?

9 A. Under the "Special Events" portion shown on the
10 first page, it highlights, "The captioned business was
11 purchased by Unique Limousine Service, Inc., Harrisburg, PA,
12 in January of 1997. The business now operates as a branch
13 location for Unique Limousine Service, Inc. The captioned
14 phone is disconnected and the new number forwards to Unique
15 Limousine. Details of the purchase were not available."

16 Q. Moving on to Exhibit 22, what does that show
17 about White Rose Limousine?

18 A. In the same section, "Special Events," "On
19 November 12, 1997, inside sources stated that this company
20 no longer operates as a separate entity because it was
21 purchased by Unique Limousine, Harrisburg, PA. This
22 location is now operating as a branch of Unique Limousine,
23 duns #18-286-4876. Please refer to that report for
24 additional information."

25 MR. DUNLAP: I have nothing further, and at this time

1 I would like to move Grove Exhibits Nos. 18 through 22 into
2 the record subject to cross-examination.

3 MR. POHLMAN: I would object to the entrance of
4 Exhibits Grove 21 and 22 as they are hearsay. We have no
5 proof as to the matter of whether or not the material on
6 these is valid; there has been no authenticity as to who
7 collected this; and to enter it I think would be unduly
8 prejudicial to the protestants where it lists documentation
9 that contains false information.

10 MR. DUNLAP: In response, we've laid the foundation
11 that these are business records utilized by Mr. Grove's
12 company in its regular course of business, how he obtains
13 it, how he uses it, and that his company utilizes it as a
14 reliable source of information. I would also like to state
15 that under Pittsburgh & LE Railroad Company vs. Pennsylvania
16 Public Utility Commission, a case which has been cited as
17 170 PA. Super 411, 85 A2d 646, a 1952 case, that the strict
18 rules of evidence relating to admissibility or exclusion of
19 evidence need not be rigidly applied in PUC proceedings,
20 although the essential principles should be observed.

21 MR. POHLMAN: I would have to respond that if his
22 business relies upon these as reliable information, they may
23 do so, but I do not feel as though the Court should do that
24 when I'm looking at false information represented on this
25 documentation. Reliability in establishing foundation is

1 based upon the people that are collecting it. For them to
2 have a business record or to be a business record exclusion,
3 it needs to be utilized -- the person maintaining that
4 material has to be personally responsible for that, as you
5 know, and in these cases we don't know who's collecting it
6 or who is personally responsible. This is not, in
7 comparison, similar to somebody maintaining a salary, this
8 is somebody going out and doing investigative reporting, and
9 there's errors and nobody's personally responsible for them.

10 MR. DUNLAP: Mr. Salinger will have -- just finally,
11 Mr. Salinger will have the opportunity, of course, to
12 counter this on his case in chief.

13 JUDGE WEISMANDEL: Mr. Grove, were these two Dun &
14 Bradstreet reports which have been marked for identification
15 as Grove Exhibits 21 and 22 obtained for the use of Monarch
16 Products Company?

17 THE WITNESS: No. They were obtained for the use of
18 Central Pennsylvania Limousine Service, with the permission
19 of Monarch Products Company.

20 JUDGE WEISMANDEL: But they weren't obtained for use
21 by Monarch in its business?

22 THE WITNESS: In reference to Keystone Limousine and
23 White Rose?

24 JUDGE WEISMANDEL: Yes.

25 THE WITNESS: No, they were not.

1 JUDGE WEISMANDEL: I'm going to sustain the objection
2 to these two documents. I think there's at least one level,
3 and for the "Special Events" section that was pointed out
4 particularly by the witness you have a double level of
5 hearsay, and I don't believe we should stray quite that far
6 afield from the rules of evidence. I think Mr. Pohlman's
7 objection is well founded, and I will grant his objection.
8 What has been previously marked for identification as Grove
9 Exhibits 21 and 22 will not be admitted into evidence.

10 (Whereupon, the documents marked as
11 Grove Exhibits Nos. 20 and 21 were
12 rejected as evidence.)

13 MR. DUNLAP: Just for purposes of the record, I would
14 just except to that.

15 JUDGE WEISMANDEL: Understood.

16 How about with respect to 18, 19 and 20, Mr. Pohlman?

17 MR. POHLMAN: No problem.

18 JUDGE WEISMANDEL: Then what have been previously
19 marked for identification as Grove Exhibits 18, 19 and 20
20 are admitted without objection.

21 (Whereupon, the documents marked as
22 Grove Exhibits Nos. 18 through 20
23 were received in evidence.)

24 JUDGE WEISMANDEL: Cross-examination, Mr. Pohlman?
25

CROSS-EXAMINATION

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BY MR. POHLMAN:

Q. Mr. Grove, how many hours a week do you work on average at Monarch Products Company?

A. On average, 50 to 55.

Q. Are all those hours located at your place of employment?

A. Not all hours, no.

Q. How many hours would you say you're away from the York Haven address?

A. It varies. It's seasonal. Sometimes all hours are there, sometimes there are some home hours. The majority of time most of them are at the place of business, though.

Q. We also have as Grove Exhibit 19 an employee report regarding Monarch Products, Inc. profit sharing plan?

A. Yes.

Q. Are there any penalties associated with you withdrawing that money early?

A. No. I am 100 percent vested in that plan.

Q. So you're entitled to the complete ending balance at any point in time?

A. To the best of my knowledge, yes.

Q. Have you withdrawn monies from that fund at any point in the past?

1 A. No. No, I have not.

2 Q. What type of product does Monarch Products
3 produce?

4 A. Manufacturer of precast concrete. Underground
5 utility structures, basically.

6 Q. Do you have any personal individual debts?

7 A. No, I do not.

8 Q. So in combination with your wife you have the
9 house debt and --

10 A. Yes, just the combination of the mortgage and
11 also the lease on the vehicle.

12 Q. Have you used a limousine at any time in the
13 past?

14 A. Myself, personally?

15 Q. Yes.

16 A. No, I have not.

17 MR. POHLMAN: No more questions.

18 JUDGE WEISMANDEL: Redirect?

19 MR. DUNLAP: I have no redirect.

20 JUDGE WEISMANDEL: Mr. Grove, you testified, if I got
21 it right, that a stretch limo would be the primary vehicle
22 used by Central Pennsylvania Limousine Service if its
23 application is approved.

24 THE WITNESS: That is my assumption, yes. I think it
25 all depends on what the public demand is, what the occasion

1 is. If it would be a wedding or something of that sort, I
2 think the client would want to use a stretch limousine.

3 JUDGE WEISMANDEL: How does that square with the
4 testimony presented this morning that the first two vehicles
5 to be acquired would be the Chevy Suburban and Ford wagon?

6 THE WITNESS: The Chevy Suburban is going to be the
7 first acquired vehicle. That is what our plans are to
8 purchase here in January of '98 once the lease runs out on
9 our current vehicle, so that will be the first vehicle we do
10 have. As to what we purchase after that, nothing has been
11 firmly decided, whether it be a van or an actual limousine.

12 JUDGE WEISMANDEL: You just said that you're planning
13 on acquiring the Chevy Suburban in January of '98.

14 THE WITNESS: That is correct.

15 JUDGE WEISMANDEL: Is the acquisition of that vehicle
16 dependent in any way upon approval of your wife's
17 application?

18 THE WITNESS: No, it is not.

19 JUDGE WEISMANDEL: So whether that's approved or not,
20 you're going to get that vehicle?

21 THE WITNESS: We are going to purchase that vehicle,
22 yes.

23 JUDGE WEISMANDEL: And presumably then, if the
24 application were not approved, you would use that as a
25 family vehicle?

1 THE WITNESS: We would use that as a family vehicle,
2 as a personal vehicle; yes.

3 JUDGE WEISMANDEL: How long have you been employed as
4 a sales representative for Monarch Products?

5 THE WITNESS: I've been employed for Monarch Products
6 since 1981.

7 JUDGE WEISMANDEL: Sixteen years, roughly?

8 THE WITNESS: Yes, sir.

9 JUDGE WEISMANDEL: Employment before that?

10 THE WITNESS: Basically, no. I went right out of
11 school to Monarch Products.

12 JUDGE WEISMANDEL: When you say right out of school,
13 what --

14 THE WITNESS: Right out of high school.

15 JUDGE WEISMANDEL: Out of high school.

16 THE WITNESS: Out of high school; yes.

17 JUDGE WEISMANDEL: Do either counsel have any
18 questions in light of the questions I asked Mr. Grove?

19 MR. DUNLAP: Just one or two.

20 JUDGE WEISMANDEL: Mr. Dunlap.

21 **REDIRECT EXAMINATION**

22 BY MR. DUNLAP:

23 Q. Mr. Grove, you were in the courtroom for your
24 wife's testimony this morning?

25 A. Yes, I was.

1 Q. Did you hear her testify that the second vehicle
2 was undecided whether it would be the Ford vehicle on which
3 a quote was obtained or a stretch limousine?

4 A. I can't say the exact time when that question
5 was answered, no. I believe --

6 Q. But you remember the gist of that --

7 A. The gist of the conversation, yes.

8 Q. Do you concur with that, with her statement?

9 A. Yes, basically.

10 Q. Did you hear her testify that a quote was not
11 obtained on a stretch limousine because she would need to
12 locate one first before she could obtain a quote?

13 A. Yes, I did.

14 Q. Do you concur with that?

15 A. Yes, I do.

16 MR. DUNLAP: Thank you.

17 MR. POHLMAN: I have no questions.

18 JUDGE WEISMANDEL: Thank you, Mr. Grove.

19 THE WITNESS: Thank you.

20 (Witness excused.)

21 MR. DUNLAP: That's it for today.

22 JUDGE WEISMANDEL: That concludes the witnesses for
23 today; is that correct?

24 MR. DUNLAP: That's correct.

25 JUDGE WEISMANDEL: All right. Thank you all. We

1 will recess this hearing until 10:00 a.m. on February 24,
2 1998. Counsel will receive confirmatory notice to that
3 effect. I trust that you'll be able to resolve the matters
4 on or around January 5 that we discussed earlier in a
5 mutually satisfactory and agreeable manner. If not, let me
6 know. You know where I am. I don't intend to be going
7 anywhere, so I'll be able to be contacted.

8 Thank you all very much, and we're in recess until
9 the 24th of February.

10 MR. DUNLAP: Thank you, Your Honor.

11 MR. POHLMAN: Thank you.

12 (Whereupon, at 2:52 p.m., the hearing was adjourned,
13 to be reconvened at 10:00 a.m. on Tuesday, February 24,
14 1998, in Harrisburg, Pennsylvania.)

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C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

COMMONWEALTH REPORTING COMPANY, INC.

By: Judith A. Valencik
Judith A. Valencik

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