

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Metro Transportation, LLC: Commission Docket No.  
for the right to transport : A-2015-2520130  
as a common carrier, by motor vehicle, :  
persons in call or demand service :

**MOTION OF JOINT PROTESTANTS TO COMPEL DISCOVERY RESPONSES OF  
METRO TRANSPORTATION, LLC**

***NOTICE: A MOTION TO COMPEL DISCOVERY RESPONSES HAS BEEN FILED IN THE ABOVE CAPTIONED DOCKET. If you wish to file an Answer with the Pennsylvania Public Utilities Commission you must do so **within twenty (20) days** after this Motion is served. You are warned that if you fail to do so the Motion may be granted and your application may be dismissed without further notice.***

AND NOW, comes Joint Protestants Reading City Cab, LLC; Amigo Cab, LLC; and Express Taxi, LLC. ("Joint Protestants" or "Protestants"), pursuant to the Pennsylvania Rules of Civil Procedure and the Rules and Regulations of the Pennsylvania Public Utility Commission, files this Motion to Compel Discovery Responses of Applicant Metro Transportation, LLC ("Applicant"). In support thereof, Protestant submits the following:

1. On or about January 15, 2016, Applicant filed an Application for Motor Common Carrier of Persons in Call or Demand Service.
2. On or about February 12, 2016, Joint Protestants filed their respective Protests to the Application.

3. On or about March 25, 2016, a Pre-Hearing Order was issued, scheduling the Application was for a hearing before the Honorable Administrative Law Judge Elizabeth H. Barnes on May 25, 2016 at 10:00 a.m.

4. On or about April 15, 2016, Joint Protestants served their first set of Interrogatories and Requests for Production of Documents upon Applicant. Joint Protestants filed the Certificate of Service for these discovery requests at the above captioned docket, in accordance with Commission regulations. The discovery requests each contained a Notice that responses were due within twenty (20) days of service.


5. As of the date of this motion, over twenty (20) days have past since discovery was served and Applicant has failed to respond to discovery with any answers or objections.

6. At this point in time, the posture of the case is such that, even if discovery responses were received immediately, Joint Protestants would still not have enough time to prepare a case for the scheduled Initial Hearing.

WHEREFORE, Joint Protestants respectfully request that this Honorable Commission dismiss the application of Metro Transportation, LLC.

Dated: 5/6/16

Respectfully submitted,



\_\_\_\_\_  
John W. Sweet, Esq.  
Supreme Court ID 320182  
620 South 13th Street  
Harrisburg, PA 17104  
*Counsel for Joint Protestants*

**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing ***Motion to Compel Discovery Responses*** by placing a true and correct copy thereof in the United States Mail, first class postage prepaid, addressed as follows:

**VIA U.S. MAIL**

<p>KUSA TOLLA METRO TRANSPORTATION LLC 207 W SUN HILL ROAD MANHIEM PA 17545 717-682-8815 <i>Accepts e-Service</i></p> <p>STEPHEN G WELZ ESQUIRE LAW OFFICE OF STEPHEN G WELZ PC 999 BERKSHIRE BLVD SUITE 290 WYOMISSING PA 19610-1254 610-378-5272 <i>Accepts e-Service</i> <i>(For Reading Yellow Cab Inc, Reading Checker Cab Inc, Reading Metro Taxi Cab Inc)</i></p>	<p>PAUL S. GUARNIERI MALONE MIDDLEMAN P.C. 11676 PERRY HIGHWAY, SUITE 3100 WEXFORD, PA 15090 <i>(For Erie Transportation Services Inc t/d/b/a Erie Yellow Cab)</i></p> <p>AYAL SALAME CAPITAL CITY CAB SERVICE 362 SOUTH FRONT STREET STEELTON PA 17113</p>
--	---

Dated: 5/6/16

Respectfully submitted,



John W. Sweet, Esq.  
Supreme Court ID 320182  
620 South 13th Street  
Harrisburg, PA 17104  
*Counsel for Joint Protestants*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Metro Transportation, LLC:            Commission Docket No.  
for the right to transport                                :            A-2015-2520130  
as a common carrier, by motor vehicle,            :  
persons in call or demand service                 :

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, Protestant  
Keystone Cab Service, Inc.'s Motion to Compel Discovery is GRANTED. It is hereby  
ORDERED that the Application of Metro Transportation, LLC is DISMISSED.

BY THE COURT:

\_\_\_\_\_