



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
FEBRUARY 1, 1999

IN REPLY PLEASE
REFER TO OUR FILE
A-00114732

DOCUMENT
FOLDER

KENNETH ZIELONIS ESQUIRE
STEVEN & LEE
208 NORTH THIRD STREET
PO BOX 12090
HARRISBURG PA 17108-2090

APPLICATION of LANCASTER EMERGENCY MEDICAL SERVICES ASSOCIATION, INC.,
a CORPORATION of the COMMONWEALTH of PENNSYLVANIA

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

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

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

DOCKETED

FEB 03 1999

PERSONS

SRP

PASSENGER CARRIERS:

15 passengers or less: \$35,000 to cover liability for bodily injury, death or property damage incurred in an accident.

\$25,000 first party medical benefits, \$10,000 first party wage loss benefits and shall conform to 75 Pa. C.S. §§1701-1798 (relating to Motor Vehicle Financial Responsibility Law).

First party coverage of the driver of certificated vehicles shall meet the requirements of 75 Pa. C.S. §1711 (relating to required benefits).

16 to 28 passengers: \$1,000,000 to cover liability for injury, death or property damage incurred in an accident.

29 passengers or more: \$5,000,000 to cover liability for bodily injury, death or property damage incurred in an accident.

PROPERTY CARRIERS:

Bodily Injury: \$300,000 per accident per vehicle to cover liability for bodily injury, death or property damage incurred in an accident.

Insurance coverage of motor carriers of property shall meet the requirements of 75 Pa. C.S. §1701-1798 (relating to Motor Vehicle Financial Responsibility Law).

Cargo: \$5,000 for loss or damage to cargo carried on a motor vehicle.

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

Commission regulations require compliance with all of the requirements within sixty (60) days of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of January 28, 1999, and dismiss the application without further proceedings.

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

INSURANCE FILINGS: Insurance Section
(717) 783-5933

TARIFF FILINGS: Tariff Section
(717) 787-5945

Very truly yours,

James J. McNulty,
Secretary

smk
Enclosures
Certified Mail
Receipt Requested
JOHN MORYKEN PRESIDENT
LANCASTER EMERGENCY MEDICAL SER ASSOC
1829 LINCOLN HIGHWAY EAST
LANCASTER PA 17604-4652

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held January 28, 1999

Commissioners Present:

Robert K. Bloom, Vice Chairman
Nora Mead Brownell
Aaron Wilson, Jr.

Application of Lancaster Emergency Medical Services Association, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, persons in paratransit service, between points in the county of Lancaster, and from points in the said county, to other points in Pennsylvania, and vice versa.

A-00114732

Kenneth Zielonis for the applicant.
Christopher C. Straub for Ephrata Community Ambulance Association, Inc.

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DOCKETED
ORDER FEB 03 1999

BY THE COMMISSION:

This matter comes before the Commission upon an application filed February 26, 1998. Public notice of the application was given in the Pennsylvania Bulletin of March 28, 1998.

A single protest was filed by Ephrata Community Ambulance Association, Inc. The protest was withdrawn predicated upon our acceptance of a restrictive amendment which provides that no service will be provided within a five (5) mile radius of the center of Ephrata Borough, except that the applicant may provide service within said five (5) mile radius to and from Ephrata Hospital or any of its affiliates; any health care institution or continuing care facility owned or controlled by any health care institution that holds, directly or indirectly, a membership or other equity interest in Applicant; or any location to the extent required by the terms of a managed care contract between Applicant and any third party payor.

The now unopposed application, as amended, is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by the applicant and two supporting parties.

DISCUSSION AND FINDINGS:

C. Robert May, executive director of Lancaster Emergency Medical Services Association, Inc., (hereinafter LEMSA), represents the applicant in this proceeding. LEMSA is domiciled at 1829 Lincoln Highway East, Lancaster, Lancaster County. It currently has one handicapped accessible van to provide service.

As evidence of its financial capacity to provide service, the applicant provided a balance sheet dated July 31, 1998, which establishes the applicant's financial capacity to provide the proposed service, as amended.

The two supporting verified statements, from Community Hospital of Lancaster and St. Joseph Hospital, may be characterized as expressing a desire for the proposed paratransit service to provide transportation from home to doctor's appointments in Westmoreland County. Frequency of use ranges from five to twenty-five times per year.

After complete review of the record, We Find:

1. The applicant has the experience, equipment and financial capacity to provide the proposed service as amended.
2. The applicant has the support of two hospitals desiring the proposed paratransit service.
3. Approval of the application, as amended, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the now unopposed application, as amended, be and is hereby approved granting the following right:

To transport, as a common carrier, persons in paratransit service, between points in the county of Lancaster, from points in the said county, to points in Pennsylvania, and vice versa;

subject to the following condition:

That no right, power or privilege is granted to provide service within a five (5) mile radius of the center of Ephrata Borough, Lancaster County; except that the carrier

may provide service within said five (5) mile radius (i) to and from Ephrata Hospital or any of its affiliates; (ii) any health care institution or continuing care facility owned or controlled by any health care institution that holds, directly or indirectly, a membership or other equity interest in Applicant (LEMSA); or (iii) any location to the extent required by the terms of a managed care contract between Applicant (LEMSA) and any third party payor.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted in this order until the following is submitted to the Commission:

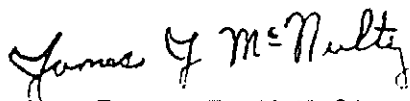
1. Form E evidence of insurance.
2. A tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That upon compliance with the requirements herein before set forth, a certificate shall issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That in the event the applicant has not, on or before sixty (60) days from the date of entry of the order, complied with the requirements herein before set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: January 28, 1999

ORDER ENTERED: **FEB -1 1999**