

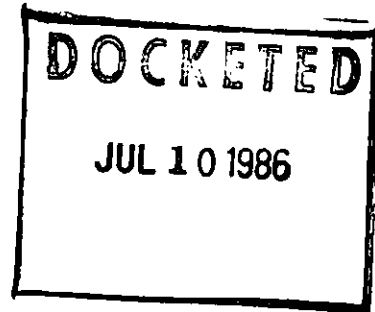


COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

July 8, 1986

IN REPLY PLEASE
REFER TO OUR FILE
A-00105786

Jack Aschinger, Esquire
212 Locust Street
P.O. Box 999
Harrisburg, PA 17108



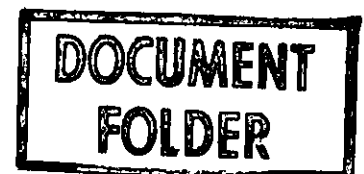
Application of Randall L. Smith, t/d/b/a Smith Bus Company

Enclosed is the compliance order issued by the Commission in the above entitled proceeding.

The Certificate of Public Convenience evincing 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 A Form E as evidence of minimum public liability and property damage insurance coverage as shown on the back of this page.
- II Prepare and file a tariff, instructions for which are enclosed and return to the Pa. Public Utility Commission, Bureau of Non-Rail Transportation, Tariff Section, Room 411 Transportation & Safety Building, Harrisburg, PA 17120

No motor carrier shall operate or engage in any transportation until all of the above requirements have been complied with and a certificate of public convenience 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 Revenue, as a motor bus. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Law.



Public Liability and Property Damage Insurance
Minimum Limits for Pa. Public Utility Commission Authority

Common Carriers and Contract Carriers

		Limit for Bodily Injuries to or Death Of One Person	Limit for Bodily Injuries to or Death of All Persons in Any One Accident	Limit for Loss or Damage in Any One Accident to Property of Others, Excluding Cargo
Passenger Carriers (seating capacity)	7 or less	\$25,000	\$100,000	\$10,000
	8 to 12	25,000	150,000	10,000
	13 to 20	25,000	200,000	10,000
	21 to 30	25,000	250,000	10,000
	31 or more	25,000	300,000	10,000
Property Carrier		25,000	100,000	10,000

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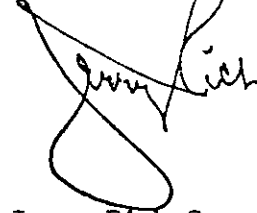
Commission regulations require compliance with all of the the requirements within sixty days of the date of this letter. Failure to comply within the sixty days will cause the Commission to rescind the action of June 26, 1986 and dismiss the application without further proceedings.

If you foresee any problems with any of the requirements please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section (717)787-1227

Tariff Filings: Tariff Section (717)787-5521

Very truly yours,



Jerry Rich, Secretary

Enclosures
Certified Mail
Receipt Requested
cc: Applicant
R.D. #1
Shelocta, PA 15774

Refer to Computer list attached.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

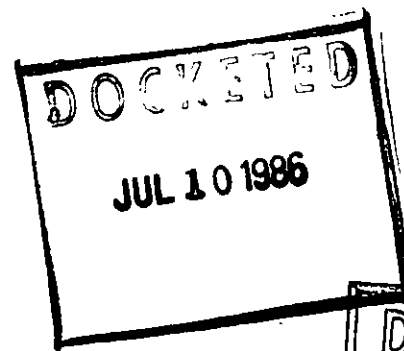
Public Meeting held June 26, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Application of Randall L. Smith,
t/d/b/a Smith Bus Company, for
the right to begin to transport,
as a common carrier, by motor
vehicle, groups and parties of
persons, between points in the
counties of Armstrong, Indiana
and Westmoreland, and from points
in said counties, to other points
in Pennsylvania.

A-00105786



Jack F. Aschinger for Smith Bus Company.

O R D E R



BY THE COMMISSION:

This matter comes before the Commission on an application filed August 27, 1984. Public notice of the application was given in the Pennsylvania Bulletin of November 10, 1984. Additional notice was given the public in the November 19, 1984, editions of The Leader-Times and the Indiana Evening Gazette, both of which are newspapers of general circulation published in Kittanning, Armstrong County, and Indiana, Indiana County, respectively. Notice was also given in the Tribune-Review, edition of November 20, 1984, which is a newspaper published in Greensburg, Westmoreland County.

Protests were filed by Butler Motor Transit, Inc.; DeBolt-Somerset Bus Company; Lincoln Coach Lines; Mary Lanich, George Lanich and Paul Lanich, copartners, t/d/b/a Lanich Bus Lines; 88 Transit Lines, Inc.; Lodestar Bus Lines, Inc. and Eugene T. Falbo, t/d/b/a Mountain View Tourways. All protests were withdrawn predicated upon our acceptance of a restrictive amendment entered by the applicant which stipulates that only charter service will be provided with no right, power or privilege granted to provide tour, sight-seeing or special excursion service. All transportation is limited to the use of school bus type equipment with transportation from the township of Burrell and the facilities of Homer Center High School in the township of Centre, Indiana County and the borough of Elderton, Armstrong County, to points in Pennsylvania within one hundred (100) miles of the point of origin.

The now unopposed application, as amended, is certified to the Commission for its decision. The record consists of 234 pages of testimony taken at hearing May 30, 1985. The applicant has requested that the application be considered based upon the record at hearing and does not wish to supplement the record with verified statements.

The witnesses appearing at the hearing of May 30, 1985 are as follows: Randall L. Smith, the applicant; Dr. Gerald Clawson, superintendent of Blairsville School District; Richard Boone, past president of Blairsville Kiwanis Club; Dr. Louis Baldassare, superintendent of Homer Center School District; Gerald A. Fouse, principal of Elderton Elementary School; John C. Boyland, principal of Third Ward Elementary School in the borough of Blairsville; The Reverend Vaughn Taylor, Pastor of the Elderton Lutheran Parish; Edwin B. Kimmel, representing Elderton Lions Club, a fire company and American Legion; Robert Grant; Jack Quinn, a teacher in the Armstrong County School District and a member of the Elderton-Plum Creek Recreation Board; and Ralph Muir, a member of the Penn View Mountain Hunting Club.

After due consideration of the record, we find:

1. The applicant operates as a proprietorship under the registered fictitious name Smith Bus Company. The applicant is now engaged in the primary business of providing pupil transportation to and from school. The applicant's primary place of business is located at Shelocta, Indiana County.
2. The applicant owns 61 school buses of different seating capacities. It operates two maintenance facilities at Elderton and Blairsville. Initially, six buses will be placed into common carrier service.
3. The applicant seeks to begin providing charter service for locales in proximity to his current base of school bus operations. The service will be offered to the public from the points specified to points in Pennsylvania within one hundred miles of the three points of origin.
4. As the application has been amended, Smith has agreed to provide only charter service for groups and parties and to exclude tour, sight-seeing and special excursion trips which are offered on an individual ticket basis. Smith has further stipulated that only school bus type vehicles will be used.
5. Smith Bus Company reports operating profit of \$24,150.83 from gross revenue of \$110,379.15 for the first quarter of 1985. The applicant's most recent available balance sheet dated December 31, 1983 reports total assets of \$559,900 with total liabilities of and excess of assets by \$31,545.

6. The support entered by the 10 witnesses at hearing and 29 additional persons responding to a questionnaire prepared by the applicant, is evidence representative of a desire to have the proposed service available from the three specific townships to points within 100 miles using the more economical school bus type equipment.

7. The applicant has the equipment and fitness necessary to render the proposed service, as it has been amended.

8. In order that the applicant may provide the common carrier service, vehicles to be used in common carrier service must be registered as commercial vehicles with surrender of the school bus or SA plate.

9. Approval of the application, as amended, is necessary for the accommodation and convenience of the public; THEREFORE,

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

To transport, as a common carrier, groups and parties of persons, from points in the township of Burrell, and the facilities of Homer Center High School in the township of Centre, Indiana County, and the borough of Elderton, Armstrong County, to points in Pennsylvania within an airline distance of one hundred (100) statute miles of the point of origin.

subject to the following conditions:

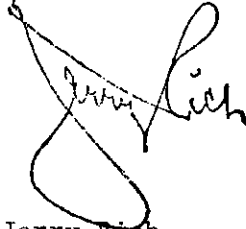
1. That the service herein authorized is limited to charter service with no right, power or privilege granted to provide tour, sight-seeing or special excursion service.
2. That all transportation herein authorized is limited to the use of school bus type equipment.

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 upon compliance with the requirements of the Public Utility Code and the rules and regulations of the Commission relating to the filing of evidence of insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate shall issue evidencing the Commission's approval of the right to operate as above determined.

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

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich". The signature is written in dark ink and is positioned above the printed name.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: June 26, 1986

ORDER ENTERED: JUL 8 1986