

May 25, 2016

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105

Re: Tri-Conn Alternative Services, Inc. v. EMS Southwest, Inc.
Complaint Docket No. C-2016-2528321
Our File: 028434-167754

Dear Secretary Chiavetta:

Attached is the Complainant's Objections to Interrogatories and Request for Production of Documents filed on behalf of Tri-Conn Alternative Services, Inc.

If you should have any questions, please contact us. Thank you.

Sincerely,

TUCKER ARENSBERG P.C.



Ryan P. Siney

RPS/jms
Enclosure

cc: Tri-Conn Alternative Services, Inc. (via email)
William A. Gray, Esquire

HBGDB:158025-1 028434-167754

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

TRI-CONN ALTERNATIVE SERVICES, INC.	:	
	:	
	:	
Complainant	:	Complaint Docket
	:	
v.	:	No. C-2016-2528321
	:	
EMS SOUTHWEST, INC.	:	
	:	
	:	
Respondent	:	

**COMPLAINANT’S OBJECTIONS
TO INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS**

AND NOW COMES Complainant, Tri-Conn Alternative Services, Inc. (“Tri-Conn”), by and through its counsel, to state and aver the following objections to the Interrogatories and Request for Production of Documents Directed to Complainant served by Respondent, EMS Southwest, Inc. (“EMS Southwest”):

1. This proceeding arises from Tri-Conn’s belief that EMS Southwest has provided and is continuing to provide paratransit service outside the scope of the authority granted to it by the Pennsylvania Public Utility Commission.

2. EMS Southwest served Interrogatories and Request for Production of Documents Directed to Complainant upon Tri-Conn on May 5, 2016, a copy of which is attached hereto as Exhibit “A” and is incorporated herein by reference.

3. While EMS Southwest’s discovery requests generally seek information related to Tri-Conn’s allegations against EMS Southwest, Interrogatory No. 7 and Interrogatory No. 8 require Tri-Conn to identify revenues from services that are exempt from the jurisdiction of the

Pennsylvania Public Utility Commission, provide copies of Tri-Conn's assessment reports and identify all services rendered by Tri-Conn in reliance upon 52 Pa. Code §41.11.

4. Tri-Conn's revenues and services are not at issue in this proceeding, and therefore Interrogatory No. 7 and Interrogatory No. 8 are irrelevant and improper.

5. Tri-Conn objects to Interrogatory No. 7 and Interrogatory No. 8 on the basis that those Interrogatories are not reasonably calculated to lead to the discovery of admissible evidence, are overly broad, seek information that is irrelevant to this matter and/or request information that is not discoverable pursuant to 52 Pa. Code §5.361(a).

6. Additionally, the information sought by EMS Southwest in Interrogatory No. 7 and Interrogatory No. 8 is sought in bad faith, would cause unreasonable annoyance, embarrassment, oppression, burden or expense to Tri-Conn and would require Tri-Conn to undertake an unreasonable investigation.

WHEREFORE, Complainant, Tri-Conn Alternative Services, Inc., respectfully requests that the foregoing objections be sustained and that no response to Interrogatory No. 7 and Interrogatory No. 8 be required.

Date: May 25, 2016

Respectfully submitted,

TUCKER ARENSBERG, P.C.

By 
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Tri-Conn Alternative Services, Inc.*

HBGDB:158010-1 027503-154183

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Complainant's Objections to Interrogatories and Request for Production of Documents in accordance with the requirements of 52 Pa. Code §1.54 via first class mail, postage prepaid, as follows:

William A. Gray, Esquire
VUONO & GRAY, LLC
310 Grant Street
Suite 2310 Grant Building
Pittsburgh, PA 15219
Attorneys for Respondent

Dated: May 25, 2016

By: 

Ryan P. Siney