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ATTORNEYS AT LAW

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2000 OCT 19 AM 9:39

Heather Disque  
Direct Dial: (215) 299-2027  
Internet Address: hdisque@frof.com

October 17, 2000

**FEDERAL EXPRESS**

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building  
North Street & Commonwealth Avenue  
Harrisburg, PA 17120

RECEIVED

OCT 17 2000  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

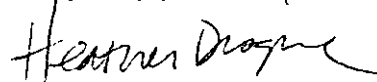
**Re: Application of Liberty Ambulance Response, Inc.  
Docket No. A-00117214**

Dear Secretary McNulty:

Enclosed please find for filing an original and three copies of the Joint Protest of Protestants, Suburban Transit Network, Inc. t/a TransNet and Willow Grove Yellow Cab Co. t/d/b/a Bux-Mont Transportation Services Co. ("Bux-Mont") Against the Grant of the Application for a Certificate of Public Convenience of Liberty Ambulance Response, Inc.

Please date stamp one copy and return it in the enclosed prepaid envelope. Thank you for your courtesy.

Very truly yours,

  
Heather D. Disque

Enclosure

cc: Liberty Ambulance Response, Inc.



31

RECEIVED

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

OCT 17 2000

PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

IN RE: APPLICATION OF : DOCKET A-00117214  
LIBERTY AMBULANCE RESPONSE, INC. :  
:

**DOCKETED**  
OCT 17 2000  
*R*

**JOINT PROTEST OF PROTESTANTS,  
SUBURBAN TRANSIT NETWORK, INC. t/a TRANSNET  
AND WILLOW GROVE YELLOW CAB CO. t/d/b/a BUX-MONT  
TRANSPORTATION SERVICES CO. ("BUX-MONT") AGAINST  
THE GRANT OF THE APPLICATION FOR A CERTIFICATE OF  
PUBLIC CONVENIENCE OF LIBERTY AMBULANCE RESPONSE, INC.**

AND NOW COME the Protestants identified below, by their attorneys, and file this Joint Protest against the grant of the above captioned application for a certificate of public convenience, the basis of which is as follows:

2000 OCT 19 AM 9:39

1. Applicant's name and docket number of the application:

Liberty Ambulance Response, Inc.  
51 Gibraltar Drive, Suite 1F  
Morris Plains, NJ 07950-1254  
Docket A-00117214

2. Names, business addresses and telephone numbers of the Protestants:

(a) Suburban Transit Network, Inc.  
(hereinafter referred to as TransNet)  
980 Harvest Drive, Suite 100  
Blue Bell, PA 19422  
(215) 542-7433

(b) Willow Grove Yellow Cab Company Inc. t/d/b/a  
Bux-Mont Transportation Services Co.  
(hereinafter referred to as Bux-Mont)  
701 Lincoln Avenue  
Willow Grove, PA 19090

**DOCUMENT  
FOLDER**

(215) 659-8865

3. Name, business address, telephone and fax numbers of Protestants' attorneys:

Barnett Satinsky, Esquire  
Heather D. Disque, Esquire  
Fox, Rothschild, O'Brien and Frankel, LLP  
2000 Market Street – Tenth Floor  
Philadelphia, PA 19103 - 3291  
(215) 299-2000 (telephone)  
(215) 299-2150 (fax)

4. Name, business address, telephone and fax numbers of Applicant's attorney:

Not applicable.

5. Statement of the nature of Protestants' interests in the application and statement of adverse impact upon Protestants and the public:

(a) Nature of Protestants' interests

The Applicant seeks the following authority:  
persons in paratransit service, between points in the counties of Delaware, Montgomery and Philadelphia.

(1) Protestant TransNet holds authority from the Commission at Docket A-00102219, F.2 and operates thereunder to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the county of Montgomery. Protestant TransNet also holds authority at Docket A00102219, F.1, Am-A for the transportation, as a common carrier, of persons in paratransit service from points in the county of Montgomery, to points in the counties of Chester, Delaware, Philadelphia and Bucks and return.

(2) Protestant Bux-Mont holds authority from the Commission at Docket A-00087075 and six folders and operates thereunder. Docket A-00087075, F.5, Am. A authorizes Protestant to render paratransit service between points in the borough of Hatboro, and the townships of Upper Moreland, Horsham and that part of Abington, bounded and described as follows: Beginning at the intersection of Moreland Road and North Hills Avenue; thence on North Hills Avenue to Fitzwatertown Road; thence northwardly on Fitzwatertown Road to a line running along Patane Avenue, as it would be extended westwardly; thence on the said line to Patane Avenue beginning at Lindburgh Avenue; thence on a line at Patane Avenue, which would be extended to the Reading Railroad to Glendale Avenue; thence on Glendale Avenue to Edgehill Road; thence on Edgehill Road to

Moreland Road; thence on Moreland Road to North Hills Avenue, the place of beginning, all in the county of Montgomery, the borough of Ivyland, and the townships of Warminster, Warrington, Warwick, and that part of Upper Southampton described and bounded as follows: Beginning at the intersection of Davisville and Bristol Roads, thence east on Bristol Road to its intersection with Chinquapin Road, south on Chinquapin Road to its imaginary intersection with Stump Road (becoming Buck Road), south on Buck Road to its intersection with County Line Road, thence west on County Line Road to Davisville Road, thence north on Davisville road to the point of its beginning, all in the county of Bucks.

(b) Adverse impact

If Liberty Ambulance Response, Inc. is granted the authority to provide paratransit service between points in the county of Montgomery and from points in the county of Montgomery to points in the counties of Delaware and Philadelphia, counties in which Protestants currently render paratransit service, it will effect Protestants ability to render a service to the public in their authorized territory. A grant of this application will jeopardize traffic of Protestants in a substantial portion of their authorized paratransit territory and in turn will jeopardize their service to the public generally. Such occurrence would adversely effect the Protestants and the public.

There is no need for the certificate of public convenience requested. Further, Protestants challenge the fitness of the Applicant to perform the proposed service .

6. List of all commission docket numbers under which Protestants operate: (with pertinent authorities designated and attached hereto)

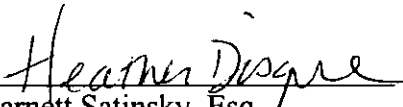
(a) TransNet

Docket Number A-00102219, Folder 1 (Attached)  
Docket Number A-00102219, Folder 1, Amendment A (Attached)  
Docket Number A-00102219, Folder 3 (Broker's License)

(b) Bux-Mont

Docket Number A-00087075, Folders 1,2,3,4,5,6 (Call and Demand and property in Taxicabs)  
Docket Number A-000087075. Folder 5, Amendment A (Paratransit) (Attached)

7. Proposed restriction:  
In order to protect their interests, Protestants propose that Liberty Ambulance Response, Inc. limit the scope of its application so that it will not provide paratransit service between points in the county of Montgomery and from points in the county of Montgomery to points in the counties of Delaware and Philadelphia and return.



Heather Disque

Barnett Satinsky, Esq.

Heather D. Disque, Esq.

Fox, Rothschild, O'Brien & Frankel, LLP

2000 Market Street, Tenth Floor

Philadelphia, PA 19103-3291

(215) 299-2000

Attorneys for Protestants

Suburban Transit Network, Inc. t/a TransNet and

Willow Grove Yellow Cab Co. t/d/b/a Bux-Mont

Transportation Services Co.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

Public Meeting held April 7, 1994

Commissioners Present:

David W. Rolka, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
John M. Quain  
Lisa Crutchfield  
John Hanger

Request of Montgomery County Paratransit  
Association, Inc. for a name change.

A-00102219  
Ps. 1, 3

O R D E R

BY THE COMMISSION:

This matter comes before the Commission upon letter-request of Montgomery County Paratransit Association, Inc. that its common carrier certificate and brokerage license be changed to stand in the name of Suburban Transit Network, Inc. pursuant to 52 Pa. Code §3.381(a)(6)(1).

Upon review of the request, it appears that the necessary filings have been made and that there has been no change in the ownership or control of the business; THEREFORE,

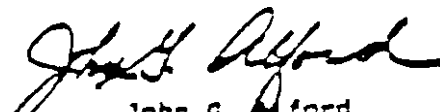
IT IS ORDERED: That the request be and is hereby approved and that the certificate and license issued to Montgomery County Paratransit Association, Inc. be changed to stand in the name of Suburban Transit Network, Inc.

IT IS FURTHER ORDERED: That the certificate and license holder shall effect the name change on its insurance and tariff filings with the Commission.

IT IS FURTHER ORDERED: That in the event said certificate and license holder has not effected the name change on its insurance and tariff filings within thirty (30) days from the date of service of this order, the request shall be deemed denied without further proceedings.

IT IS FURTHER ORDERED: That upon compliance with the requirements of this order, the certificate and license shall be endorsed in the name of Suburban Transit Network, Inc.

BY THE COMMISSION,

  
John G. Clifford  
Secretary

(SEAL)

ORDER ADOPTED: April 7, 1994

ORDER ENTERED: /APR 13 1994

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

A. 102219

Application of Montgomery County Paratransit Authority, a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit, between points in the County of Montgomery; subject to the following conditions: That the service herein authorized is limited to transportation in vehicles having a seating capacity of not less than ten (10) nor more than fifteen (15) persons, including the driver; that the service herein authorized is limited to transportation for which advance reservations are made in a vehicle not reserved for individual use; that no right, power or privilege is granted to provide scheduled route service as defined in the Pennsylvania Code, Title 52, Chapter 29.14; that no right, power or privilege is granted to provide call or demand service as defined in the Pennsylvania Code, Title 52, Chapter 29.15; and that no right, power or privilege is granted to transport persons in group and party service, as defined in the Pennsylvania Code, Title 52, Chapter 29.16.

Application of Montgomery County Paratransit Authority, a corporation of the Commonwealth of Pennsylvania, for a brokerage license evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, for the transportation of persons and their baggage, in paratransit service, between points in the County of Montgomery.

A. 102219,  
P.2

O R D E R

In accordance with the provisions of Act 294 of 1978 (66 Pa. C.S. §222(h)), the decision of Administrative Law Judge Pallastone dated October 27, 1980 has become final without further Commission action; THEREFORE,

IT IS ORDERED:

1. That the application of Montgomery County Paratransit Authority as Docket No. A. 102219, P.1., be and is hereby approved and that a certificate be issued to applicant granting the following terms:

To transport, as a common carrier, by motor vehicle, persons, in paratransit service, between points in the County of Montgomery;

subject to the following conditions:

- A. That the service herein authorized is limited to the transportation of vehicles having a seating capacity of not less than 10 and no more than 15 persons, including the driver;
- B. That the service herein authorized is limited to transportation for which advance reservations are made in a vehicle not reserved for individual use;
- C. That no right, power or privilege is granted to provide scheduled route service as defined in the Pennsylvania Code, Title 52, Chapter 29.14;
- D. That no right, power or privilege is granted to provide call or demand service as provided in the Pennsylvania Code, Title 52, Chapter 29.15;
- E. That no right, power or privilege is granted to transport persons, in group or party service, as defined in the Pennsylvania Code, Title 52, Chapter 29.16;
- F. That the applicant is restricted to no more than two vehicles in its operations.

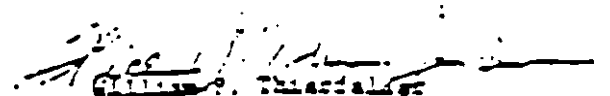
2. That the applicant shall not engage in any transportation ground service until it shall have complied with the requirements of the Public Utility Law and the rules and regulations of the Commission relating to the filing and acceptance of a tariff establishing just and reasonable rates, and filing proof of the required insurance.

3. 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.

4. That in the event said applicant has not, on or before sixty (60) days from the date of service of this Order, complied with the requirements set forth, the application shall be dismissed without further proceedings.

5. That the application of Montgomery County Paratransit Authority as A. 102219, T.2., be and is hereby denied.

BY THE COMMISSION,

  
William P. Throckmoler  
Secretary

(574)

ORDER DATED: DEC 18 1980

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Application of Montgomery County  
Paratransit Association, Inc.  
Amendment to permit the transportation of persons, in paratransit service, from points in the county of Montgomery, to points in the counties of Chester, Delaware, Philadelphia and Bucks, and return; subject to the following conditions: That the applicant shall comply with all the rules and regulations as set forth in Title 52, Pa. Code 29.353 and 29.354; and so as to eliminate condition number (6) which reads as follows: That the applicant is restricted to no more than two vehicles in its operation.

A. 102219, F. 1, Am-A

O R D E R

In accordance with the provisions of Act 294 of 1978 (66 Pa. C.S. §332(b)), the decision of Administrative Law Judge Martin R. Fountain dated June 13, 1985 has become final without further Commission action; THEREFORE,

IT IS ORDERED:

1. That the application of Montgomery County Paratransit Association, Inc. docketed at A. 102219, F. 1, Am-A be and is hereby approved and that the certificate issued to applicant at A. 102219, F. 1 on December 18, 1980 be amended to include the following rights:

To transport, as a common carrier, persons in paratransit service from points in the county of Montgomery, to points in the counties of Chester, Delaware, Philadelphia and Bucks and return.

2. That applicant's request to eliminate certain restrictions from its existing authority be and is hereby granted. Therefore, the Commission's order entered December 18, 1980 at A. 102219, be and is hereby modified and amended to delete therefrom the following restriction:

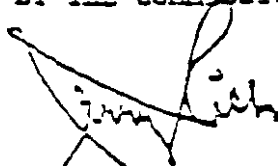
F. That the applicant is restricted to no more than two vehicles in its operations.

3. That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

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

5. That in the event said applicant has not, on or before 60 days from the date of service of this order, complied with the requirements set forth above, application shall be dismissed without further proceedings.

BY THE COMMISSION,

  
Jerry Rich  
Secretary

(SEAL)

ORDER ENTERED: July 23, 1985

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

Public Meeting held August 15, 1991

Commissioners Present:

William H. Smith, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
Wendell F. Holland, Commissioner  
David W. Rolka, Commissioner

Request of Willow Grove Yellow Cab Co., Inc.,  
t/d/b/a Bux-Mont Yellow Cab.

A-00087075  
Ps. 1, 2, 3, 4,  
5 and 6

O R D E R

BY THE COMMISSION:

This matter comes before the Commission upon letter-request of Willow Grove Yellow Cab Co., Inc., t/d/b/a Bux-Mont Yellow Cab that its certificates of public convenience be changed to stand in the name of Willow Grove Yellow Cab Co., Inc., t/d/b/a Bux-Mont Yellow Cab and t/d/b/a Bux-Mont Transportation Services Co. pursuant to 52 Pa. Code §3.381(a)(6).

Upon review of the request, it appears that the necessary filings have been made and that there has been no change in the ownership or control of the business; THEREFORE,

IT IS ORDERED: That the request be and is hereby approved and that the certificates issued to Willow Grove Yellow Cab Co., Inc., t/d/b/a Bux-Mont Yellow Cab be changed to stand in the name of Willow Grove Yellow Cab Co., Inc., t/d/b/a Bux-Mont Yellow Cab and t/d/b/a Bux-Mont Transportation Services Co.

IT IS FURTHER ORDERED: That the certificate holder shall effect the name change on its tariff filings with the Commission.

IT IS FURTHER ORDERED: That in the event said certificate holder shall not effect the name change on its tariff filings within thirty (30) days from the date of service of this order, the request shall be deemed denied without out further proceedings.

IT IS FURTHER ORDERED: That upon compliance with the requirements of this order, the certificates shall be endorsed in the name of Willow Grove

Yellow Cab Co., Inc., t/d/b/a Bux-Mont Yellow Cab and t/d/b/a Bux-Mont  
Transportation Services Co.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich". The signature is written in a cursive style with a large, looping initial "J".

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: August 15, 1991

ORDER ENTERED: August 20, 1991

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held October 19, 1964

Commissioners Present:

Linda C. Taliaferro, Chairman  
Michael Johnson  
James H. Cavley  
Frank Fischl  
Bill Shane

Application of Willow Grove Yellow Cab Co., Inc.,\* a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, to transport, by motor vehicle persons in paratransit operations, between points in the townships of Upper Merion and Horsham, Montgomery County, and between points in the township of Abington, Montgomery County, bounded and described as follows: Beginning at the intersection of Merion Road and North Hills Avenue; thence from North Hills Avenue to Fitzwater Road; thence northwardly on Fitzwater Road to a line running along Patane Avenue as it would be extended westwardly; thence on the said line to Patane Avenue beginning at Lindburgh Avenue; thence on a line at Patane Avenue, which would be extended to the Reading Railroad to Glendale Avenue; thence on Glendale Avenue to Edgemoor Road; thence on Edgemoor Road to Merion Road; thence on Merion Road to North Hills Avenue, the place of beginning; and between points in the townships of Warminster, Warrington and Warwick, and the borough of Ivyland, all in the county of Bucks, subject to the following conditions: (1) That the service herein authorized is limited to transportation in vehicles having a seating capacity of no more than fifteen (15) persons, including the driver; (2) That no right, power or privilege is granted to render a scheduled or fixed route service in an area in which said service is provided by a certificated carrier; (3) That no right, power or privilege is granted to render group or party service as described in the Pennsylvania Code, Title 52, Paragraph 29.16;

A-00027075  
F. 5  
Am-A

\* Willow Grove Yellow Cab, Inc. assumed the fictitious name of Bux-Mont Yellow Cab, and any reference to the applicant hereinafter shall include said fictitious name.

and (4) That no right, power or privilege is granted to transport handicapped or wheelchair patients in vehicles with side-opening doors and ramps: SO AS TO PERMIT the transportation of persons in paratransit service, between points in the borough of Easton, and the townships of Upper Moreland, Horsham and that part of Abington, bounded and described as follows: Beginning at the intersection of Moreland Road and North Hills Avenue; thence on North Hills Avenue to Fieswaterstown Road; thence northwardly on Fieswaterstown Road to a line running along Pacane Avenue, as it would be extended westwardly; thence on the said line to Pacane Avenue beginning at Lindburgh Avenue; thence on a line at Pacane Avenue, which would be extended to the Reading Railroad to Glendale Avenue; thence on Glendale Avenue to Edgemoor Road; thence on Edgemoor Road to Moreland Road; thence on Moreland Road to North Hills Avenue, the place of beginning, all in the county of Montgomery, the borough of Ivyland, and the townships of Warminster, Warrington, Warwick, and that part of Upper Southampton described and bounded as follows: Beginning at the intersection of Davisville and Bristol Roads, thence east on Bristol Road to its intersection with Chinquapin Road, south on Chinquapin Road to its imaginary intersection with Stump Road (becoming Buck Road), south on Buck Road to its intersection with County Line Road, thence west on County Line Road to Davisville Road, thence north on Davisville Road to the point of its beginning, all in the county of Bucks.

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Somerson & Home, P.C. by Val Fleck Wilson for the applicant.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed October 13, 1983. Public notice of the application was given in the Pennsylvania Bulletin of April 7, 1984. Additional public notice was given in the Times Herald, Montgomery County, and the Intelligencer, Bucks County, newspapers of general circulation within the area of application. No protests have been filed.

The application is unopposed and the record is certified to the Commission for its decision without an oral hearing. The record consists of verified statements submitted by the applicant and 16 supporting individuals.

#### DISCUSSION AND FINDINGS

The applicant, Willow Grove Yellow Cab Co., Inc., a/d/b/a Burn-Mont Yellow Cab, is a currently certificated common carrier, providing transportation as a paratransit carrier pursuant to a certificate of public convenience issued April 14, 1978. The applicant seeks by the instant application to expand its current operational area to include transportation between points in the borough of Eastboro; and that part of Upper Southampton described and bounded as follows: Beginning at the intersection of Davisville and Bristol Roads, thence east on Bristol Road to its intersection with Chinquapin Road, south on Chinquapin Road to its imaginary intersection with Stump Road (becoming Buck Road), south on Buck Road to its intersection with County Line Road, thence west on County Line Road to Davisville Road, thence north on Davisville Road to point of beginning, all in the county of Bucks.

The applicant also seeks to eliminate the condition currently present in its operating authority that prevents the applicant from transporting handicapped or wheelchair patients in vehicles with side-opening doors and ramps, in its current authorized area of operation, which consists of the townships of Upper Merion, Hottel and that part of Abington, bounded and described as beginning at the intersection of Moraland Road and North Hills Avenue; thence on North Hills Avenue to Fienwaterstown Road; thence northwardly on Fienwaterstown Road to a line running along Patana Avenue, as it would be extended westwardly; thence on the said line to Patana Avenue beginning at Lindbergh Avenue; thence on a line at Patana Avenue, which would be extended to the Reading Railroad to Glendale Avenue; thence on Glendale Avenue to Edgemoor Road; thence on Edgemoor Road to Moraland Road; thence on Moraland Road to North Hills Avenue, the place of beginning, all in Montgomery County; and the borough of Ivyland and the townships of Warrington, Warrington and Warwick, Bucks County. The removal of the condition is prompted by the change in the regulations of the Pennsylvania Department of Transportation with regards to qualifying for its Reduced Fare Program for senior citizens.

In addition to being a certificated paratransit carrier, the applicant also holds certificates of public convenience to provide call or demand service (Folder 2, 3, and 4) and to transport property in taxicabs (Folder 6). To provide the authorized service, the applicant operates 18 taxicabs, seven 14-passenger vans, one 12-passenger van and three 11-passenger vans with all equipment radio-dispatched.

The 16 statements of support entered demonstrate a need for service in the additional area of operation proposed by the instant application. The 16 individuals who have entered statements indicate that they intend to utilize the proposed service from as few as one time per week to as many as 12 times per week. The applicant will be relied upon for transportation to and from doctors' offices, social agencies, places of employment and shopping centers.

We find:

1. That the applicant is fit, willing and able to provide the proposed transportation.
2. That the applicant has demonstrated that there exists a public need for the proposed service.
3. That approval of the application is necessary for the accommodation and convenience of the public; ~~THEREFORE~~,

**IT IS ORDERED:** That the application be and is hereby approved, and that the certificate issued to the applicant on April 14, 1978, be amended so that the authority shall now read as follows:

To transport, as a common carrier, persons, in paratransit service, between points in the borough of Hatboro, and the townships of Upper Moreland, Horsham and that part of Abington, bounded and described as follows:

Beginning at the intersection of Moreland Road and North Hills Avenue; thence on North Hills Avenue to Firwatertown Road; thence northwardly on Firwatertown Road to a line running along Patane Avenue, as it would be extended westwardly; thence on the said line to Patane Avenue beginning at Lindburgh Avenue; thence on a line at Patane Avenue, which would be extended to the Reading Railroad to Glendale Avenue; thence on Glendale Avenue to Edgemoor Road; thence on Edgemoor Road to Moreland Road; thence on Moreland Road to North Hills Avenue, the place of beginning, all in the county of Montgomery, the borough of Ivyland and the townships of Warminster, Warrington, Warwick, and that part of Upper Southampton described and bounded as follows: Beginning at the intersection of Davisville and Bristol Roads, thence east on Bristol Road to its intersection with Chinquapin Road, south on Chinquapin Road to its imaginary intersection with Scump Road (becoming Buck Road), south on Buck Road to its intersection with County Line Road.

thence west on County Line Road to Davisville Road, thence north on Davisville Road to the point of its beginning, all in the county of Bucks.

subject to the following conditions:

That the applicant shall comply with all rules and regulations as set forth in 52 Pa. Code §29.353 and §29.354.

That the service herein authorized shall be rendered without the use of dome lights or tamblers.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

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

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 the certificates of public convenience issued to the applicant at folders 1, 2, 3, 4, 5 and 6 be amended to stand in the name of Willow Grove Yellow Cab Co., Inc., t/d/b/a Bux-Mont Yellow Cab.

BY THE COMMISSION,

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: October 19, 1984

ORDER ENTERED: JAN 22 1985

**VERIFICATION**

I, Patricia Moir, hereby state that the facts above set forth in the Joint Protest of Protestants. Suburban Transit Network, Inc. t/a TransNet and Willow Grove Yellow Cab Company t/d/b/a Bux-Mont Transportation Services Co. (Bux-Mont) Against the Grant of the Application for a Certificate of Public Convenience of Liberty Ambulance Response, Inc., are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

BY: SUBURBAN TRANSIT NETWORK, INC.  
T/A TRANSNET

  
PATRICIA MOIR

DATE: 10/11/00

**VERIFICATION**

I, Anthony Valenza, hereby state that the facts above set forth in the Joint Protest of Protesants, Suburban Transit Network, Inc. t/a TransNet and Willow Grove Yellow Cab Company t/d/b/a Bux-Mont Transportation Services Co. (Bux-Mont) Against the Grant of the Application for a Certificate of Public Convenience of Liberty Ambulance Response, Inc., are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

BY: WILLOW GROVE YELLOW CAB CO. t/d/b/a  
BUX-MONT TRANSPORTATION SERVICES CO.

  
ANTHONY VALENZA

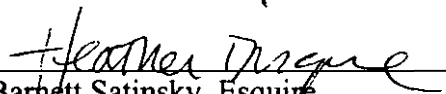
DATE: 10/11/00

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 17th day of October, 2000 served true copies of Protestants, Suburban Transit Network, Inc. t/a TransNet's and Willow Grove Yellow Cab Co. t/d/b/a Bux-Mont Transportation Services Co.'s ("Bux-Mont") Joint Protest Against the Grant of the Application for a Certificate of Public Convenience of Liberty Ambulance Response, Inc. upon the participants, listed below, in accordance with the requirements of 52 Pa. Code § 1.54.

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Room B-20, North Office Building  
North Street and Commonwealth Avenue  
Harrisburg, PA 17120  
*(By Federal Express)*

Liberty Ambulance Response, Inc.  
51 Gibraltar Drive, Suite 1F  
Morris Plains, NJ 07950-1254  
*(By First Class Mail, Postage Prepaid)*

  
Barnett Satinsky, Esquire  
Heather D. Disque, Esquire  
Fox, Rothschild, O'Brien & Frankel, LLP  
2000 Market Street, 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291

Attorney for Protestants  
Suburban Transit Network, Inc. t/a TransNet  
and Willow Grove Yellow Cab Co. t/d/b/a/  
Bux-Mont Transportation Services Co.

Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF  
LIBERTY AMBULANCE RESPONSE, INC.

DOCKET NO.  
A-00107214T 19 OCT 3:16

PROTEST

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

In accordance with 52 Pa. Code §3.381, protest of the above application is hereby made on behalf of the below-named motor carrier(s).

CARRIER	ADDRESS	DOCKET NO.
Walsh Cab Co., Inc.	2752 Mt. Carmel Avenue Glenside, PA 19038	A-98302

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on the following grounds:

- (1) That the service proposed will be detrimental to the authorized and/or proposed service of the above-named motor carrier(s), by diverting revenues and profits from protestant(s), by causing destructive competition and for other reasons contrary to the public interest.
- (2) That there is no public need for the proposed service, nor would the approval of the application for such proposed service be necessary or proper for the service, accommodation, convenience or safety of the public.
- (3) Applicant is unfit to receive a grant of the operating authority sought or any part thereof.

A copy or excerpt of the pertinent operating rights of the above-named motor carrier(s) is attached hereto as Appendix 1. If Protestant(s) has/have determined the nature of a restrictive amendment which, if accepted by the Commission, will result in the withdrawal of the protest of the carrier(s) above-named, the amendment is attached hereto as Appendix 2. If no proposed amendment is attached, no amendment yet known to Protestants is acceptable.

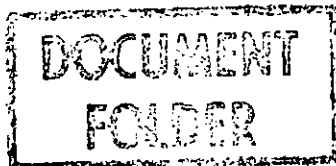
PURSUANT TO SECTION 333(c) OF THE PUBLIC UTILITY CODE (66 PA. C.S. §333[c]), WE HEREBY REQUEST A LIST OF THE WITNESSES EXPECTED TO TESTIFY IN THE ABOVE-ENTITLED PROCEEDING, TOGETHER WITH THE SUBJECT MATTER OF THEIR ANTICIPATED TESTIMONY.

I hereby certify that a copy of this Notice of Protest has, on this date, been served upon applicant and its counsel (if any) by mailing a copy of same to the address(es) set forth in the *Pennsylvania Bulletin* dated 09/29/00.

cc: Liberty Ambulance Response, Inc.  
Walsh Cab Co., Inc.

By: *James W. Patterson*  
 JAMES W. PATTERSON, ESQUIRE  
 Attorney for Protestant(s)  
 Saul Ewing LLP  
 3800 Centre Square West  
 Philadelphia, PA 19102  
 (215) 972-7824

Date: October 11, 2000  
Due: October 23, 2000



20

**WALSH CAB CO., INC.**

**Operating Authority (Paratransit Service)**

**A-98302, F.2, Am-A**

To transport persons, in paratransit service, between points in the township of Lower Moreland and the borough of Bryn Athyn, Montgomery County, and from said area to points in the township of Cheltenham and the borough of Jenkintown, Montgomery County and return and between points in the township of Cheltenham and the borough of Jenkintown, and from said area to points in the township of Lower Moreland, and the borough of Bryn Athyn, Montgomery County, and return.

subject to the following conditions:

The service granted herein is to be rendered without the use of dome lights or taximeters.

The service herein authorized shall be rendered in compliance with the rules and regulations as stated at 52 Pa. Code, Sections 29.353 and 29.354.

**A-98302, F.2, Am-B**

To transport, as a common carrier, persons in paratransit service, between points in the townships of Abington, Springfield, Upper Dublin and Whitemarsh and that portion of the township of Cheltenham north of Rice's Mill Road and east of Church Road, and the boroughs of Ambler and Rockledge, all in Montgomery County, and the City and County of Philadelphia.

subject to the following conditions:

That the service herein authorized is not to be rendered in vehicles equipped with taximeters.

That no right, power or privilege is granted to transport handicapped or wheelchair patients in vehicles with side-opening doors and ramps.

**A-98302, F.2, Am-C**

To transport, as a common carrier, person in paratransit service, from points in the townships of Lower Moreland, Cheltenham, Abington, Springfield, Upper Dublin and Whitemarsh, and the boroughs of Bryn Athyn, Jenkintown, Ambler and Rockledge,

Walsh Cab Co., Inc.  
Operating Authority (Continued)

Montgomery County, and that portion of the City and County of Philadelphia bounded as follows: the Montgomery County-Philadelphia County Line (Northwestern Avenue), the Schuylkill River, School House Lane, Germantown Avenue, Church Lane, Wister Street, Stenton Avenue, Vernon Road, Cheltenham Avenue, Ivyhill Road, and Stenton Avenue, to points in that part of Philadelphia bounded on the east by Sixth Street, on the west by 18<sup>th</sup> Street, on the south by Locust Street, on the north by Vine Street, and to the Hospital of the University of Pennsylvania, 34<sup>th</sup> & Spruce Streets, and to the Veteran's Hospital, 40<sup>th</sup> and Market Streets, and return.

subject to the following conditions:

The service granted herein is to be rendered without the use of dome lights or taximeters.

The service herein authorized shall be rendered in compliance with the rules and regulations as stated at 52 Pa. Code, Section 29.353 and 29.354.

**A-98302, F.2, Am-D**

To transport, as a common carrier, persons in paratransit service, from points in the township of Lower Moreland, and the township of Cheltenham, except that portion of the township of Cheltenham north of Rice's Mill Road and east of Church Road, and the boroughs of Bryn Athyn and Jenkintown, Montgomery County, to points in the City and County of Philadelphia, and return.

subject to the following conditions:

That the service herein authorized is not to be rendered in vehicles equipped with taximeters.

That no right, power or privilege is granted to transport handicapped or wheelchair patients in vehicles with side-opening doors or ramps.

Walsh Cab Co., Inc.  
Operating Authority (Continued)

A-98302, F.2, Am-E

To transport, as a common carrier, persons in paratransit service, between points in the City and County of Philadelphia limited to the use of vehicles equipped with wheelchair lifts, ramps, or other facilities to accommodate wheelchairs.

subject to the following condition:

That no service is to be provided in vehicles equipped with taximeters.

A-98302, F.2, Am-F

To transport, as a common carrier, persons in paratransit service between points in the townships of Abington, Springfield, Upper Dublin and Whitemarsh and that portion of the township of Cheltenham north of Rice's Mill Road and east of Church Road, and the boroughs of Ambler and Rockledge, all in Montgomery County, limited to the use of vehicles specially having wheelchair lifts, ramps or other facilities for the transportation of wheelchairs.



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge

P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

DOCUMENT  
FOLDER

November 30, 2000

In Re: A-00117214

(See attached list)

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Application of Liberty Ambulance Response, Inc.

NOTICE

It appears that the above-captioned matter could be processed by mediation between or among the parties. Mediation is an informal, non-adjudicatory process. The mediator does not make a decision. Instead, the mediator serves as an impartial facilitator who helps the parties resolve their disputes. In other words, mediation is a process which allows the parties to control the outcome of their dispute, as opposed to a hearing where the Administrative Law Judge and the Commission control the outcome.

Moreover, mediation is different from a settlement conference which is based on competitive negotiations. In mediation, the parties agree to work together toward a final resolution of their differences considering how any solution must address the interests of all parties.

There is no stenographer at a mediation session and discussions are **confidential**, unless otherwise provided for by law. The mediation is not binding (except for an agreement reached) and any party may withdraw from the mediation at any time. Mediation is an efficient and economical procedure compared to a hearing which is often expensive and time-consuming.

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There can be no mediation unless the party with the burden of proof, and all other necessary parties, consent to mediate. If the party with the burden of proof consents, in proceedings subject to a statutory deadline for adjudication, that party must also agree, in writing, to extend the statutory deadline by, at least, 60 days.

The Commission's file will reflect that you consent to the mediation process, unless the mediator named below hears from you to the contrary, in writing, within 15 days of the date of this letter. The mediator's name and address are as follows:

Mediator:            **Bruce Bigelow**  
                         Pennsylvania Public Utility Commission  
                         P.O. Box 3265  
                         Harrisburg, PA 17105-3265  
                         Telephone: (717) 783-5413  
                         Fax: (717) 787-0481

By consenting to mediate, the Commission understands that you have made a commitment to act in good faith toward resolving the dispute in this matter. If you cannot make this commitment, you should not consent to use the mediation process.

If the parties agree to mediation, you will receive notification by mail of the date, time and place set for the mediation conference. If you have any questions regarding mediation, please call the mediator at the number provided above.

If you are a person with a disability, and you wish to attend the mediation session, we may be able to make arrangements for your special needs. Please call Norma Lewis at the Public Utility Commission:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing impaired: 1-800-654-5988.

pc: Mediator Bigelow  
Ann M. Humes, Mediation Assistant  
Beth Plantz  
Docket Section  
Calendar File

SERVICE LIST

**A-00117214      Application of Liberty Ambulance Response, Inc.**

LIBERTY AMBULANCE RESPONSE INC  
51 GIBRALTAR DRIVE SUITE 1F  
MORRIS PLAINS NJ 07950-1254  
**(215) 634-5556**

JAMES W PATTERSON ESQUIRE  
SAUL EWING LLP  
3800 CENTRE SQUARE WEST  
PHILADELPHIA PA 19102  
**(215) 972-7824**

BARNETT SATINSKY ESQUIRE  
HEATHER D DISQUE ESQUIRE  
FOX ROTHSCHILD O'BRIEN & FRANKEL LLP  
2000 MARKET STREET - TENTH FLOOR  
PHILADELPHIA PA 19103-3291  
**(215) 299-2000**

DOCUMENT  
FOLDER

FOX • ROTHSCHILD  
O'BRIEN & FRANKEL LLP  
ATTORNEYS AT LAW

2000 MARKET STREET • PHILADELPHIA, PA 19103-3291  
215-299-2000 • FAX 215-299-2150 • www.frof.com

Barnett Satinsky  
Direct Dial: (215) 299-2088  
Internet Address: bsatinsky@frof.com

LOGKETA  
JAN 05 2001

December 13, 2000

VIA FIRST CLASS MAIL  
AND TELECOPY

Mr. Bruce Bigelow  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

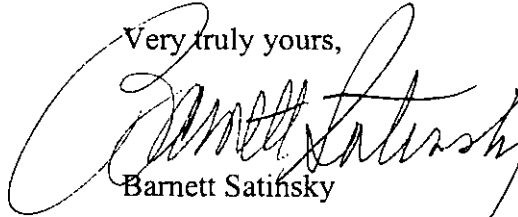
**Re: Application of Liberty Ambulance Response, Inc.  
Docket No. A-00117214**

Dear Mr. Bigelow:

I represent Protestants, Suburban Transit Network, Inc. t/a TransNet ("Transnet") and Willow Grove Yellow Cab Co. t/d/b/a Bux-Mont Transportation Services Co. ("Bux-Mont") in the above referenced matter. We do not consent to mediation in this matter at this time.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

  
Barnett Satinsky

cc: James J. McNulty, Secretary  
Liberty Ambulance Response, Inc.  
James W. Patterson, Esquire

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**COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Office Of Administrative Law Judge  
P.O. Box 3265, Harrisburg, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

**DOCUMENT  
FOLDER**

December 15, 2000

In Re: **A-00117214**

(See attached list)

**Application of Liberty Ambulance Response, Inc.**

For the right to begin to transport, as a common carrier, by motor vehicle, persons, in paratransit service, between points in the counties of Delaware, Montgomery and Philadelphia, limited to the transportation of persons who require assistance for personal mobility to or from the vehicle.

**Hearing Notice**

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: **Initial**

Date: **Thursday, February 1, 2001**

Time: **10:00 a.m.**

Location: **In an available hearing room  
Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, Pennsylvania**

Presiding: **Administrative Law Judge Allison K. Turner  
1302 Philadelphia State Office Building  
1400 West Spring Garden Street  
Philadelphia, PA 19130  
Telephone: (215) 560-2105  
Fax: (215) 560-3133**

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Attention: You may lose the case if you not come to this hearing and present facts on the issues raised.

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Except for those individuals representing themselves, the Commission's rules require that all parties have an attorney; therefore, you should have an attorney of your choice file an entry of appearance before the scheduled hearing.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call Norma Lewis at the Public Utility Commission:

- Scheduling Office: 717-787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Turner  
Steve Springer, Scheduling Officer  
Beth Plantz  
Docket Section  
Calendar File

**A-00117214 Application of Liberty Ambulance Response, Inc.**

LIBERTY AMBULANCE RESPONSE INC  
51 GIBRALTAR DRIVE SUITE 1F  
MORRIS PLAINS NJ 07950-1254  
**(215) 634-5556**

JAMES W PATTERSON ESQUIRE  
SAUL EWING LLP  
3800 CENTRE SQUARE WEST  
PHILADELPHIA PA 19102  
**(215) 972-7824**

BARNETT SATINSKY ESQUIRE  
HEATHER D DISQUE ESQUIRE  
FOX ROTHSCHILD O'BRIEN & FRANKEL LLP  
2000 MARKET STREET - TENTH FLOOR  
PHILADELPHIA PA 19103-3291  
**(215) 299-2000**

FOX • ROTHSCHILD  
O'BRIEN & FRANKEL LLP

ATTORNEYS AT LAW

2000 MARKET STREET • PHILADELPHIA, PA 19103-3291  
215-299-2000 • FAX 215-299-2150 • www.frof.com

David T. Games  
Direct Dial: (215) 299-2034  
Internet Address: dgames@frof.com

DOCUMENT  
FOLDER

ORIGINAL

December 20, 2000

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Liberty Ambulance Response, Inc.  
Docket Number: A-00117214**

Dear Secretary McNulty:

Enclosed please find for filing an original and three (3) copies of Joint Protestants, Suburban Transit Network, Inc. T/A Transnet and Willow Grove Yellow Cab Co., Inc. t/d/b/a Bux-Mont Transportation Services Co. ("Bux-Mont") Motion to Compel Against Applicant Liberty Ambulance Response, Inc., copies of which are being served on all parties of record. Please return a time-stamped copy in the self-addressed stamped envelope provided.

Thank you for your courtesy.

Sincerely,

  
David T. Games

/dmm  
Enclosure  
cc: Liberty Ambulance Response, Inc.

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GENERAL COUNSEL'S OFFICE  
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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

**DOCKETED**

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IN RE: APPLICATION OF  
LIBERTY AMBULANCE RESPONSE, INC.

DOCKET A-00117214

**ORIGINAL**

**MOTION OF JOINT PROTESTANTS, SUBURBAN TRANSIT NETWORK, INC.,  
T/A TRANSNET AND WILLOW GROVE YELLOW CAB CO., INC. t/d/b/a BUX-MONT  
TRANSPORTATION SERVICES CO. ("BUX-MONT") MOTION  
TO COMPEL APPLICANT LIBERTY AMBULANCE RESPONSE, INC.  
TO ANSWER PROTESTANT'S FIRST SET OF INTERROGATORIES**

Suburban Transit Network, Inc., t/a Transnet ("Transnet") and Willow Grove Yellow Cab Co., Inc. t/d/b/a Bux-Mont Transportation Services Co. ("Bux-Mont"), by its attorney files this Motion to Compel Answers to its First Set of Interrogatories against Liberty Ambulance Response, Inc., the basis of which is as follows:

1. Applicant's name and docket number of the application

Liberty Ambulance Response, Inc.  
51 Gibraltar Drive, Suite 1F  
Morris Plains, NJ 07950-1254  
Docket A-00117214

**DOCUMENT  
FOLDER**

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2. Name, business address and telephone number of protestant:

(a) Suburban Transit Network, Inc., t/a Transnet  
(hereinafter referred to as Transnet)  
Union Meeting Corporate Center  
980 Harvest Drive, Suite 100  
Blue Bell, PA 19422-1955  
(215) 542-7433

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(b) Willow Grove Yellow Cab Co., Inc. t/d/b/a  
Bux-Mont Transportation Services Co.  
(hereinafter referred to as Bux-Mont)  
701 Lincoln Avenue  
Willow Grove, PA 19090  
(215) 659-8865

3. Name, business address, fax and telephone number of protestant's attorney:

Barnett Satinsky, Esquire  
David T. Garnes, Esquire  
Fox, Rothschild, O'Brien & Frankel  
2000 Market Street, 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291  
Fax No. (215) 299-2150  
Direct Dial (215) 299-2027

4. The application of Liberty Ambulance Inc. was filed on July 24, 2000 seeking authority to transport persons in paratransit service between points in the counties of Delaware, Montgomery and Philadelphia.

5. Notice of the application was published in the Pennsylvania Bulletin dated September 30, 2000.

6. Protests to the application were due on or before October 23, 2000.

7. Protestants timely filed a protest to Liberty's application on October 17, 2000, serving a copy thereof.

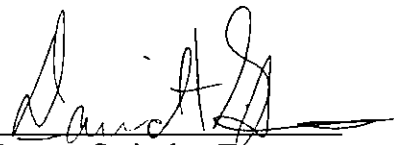
8. On November 6, 2000, protestant served applicant with its First Set of Interrogatories, attached hereto as Exhibit "A".

9. Applicant's response to the interrogatories was due within 20 days of service of the request.

11. Applicant has failed to provide the Protestants with a set of answers to its interrogatories within 20 days of service of the request.

WHEREFORE, protestant Suburban Transit Network, Inc. and Bux-Mont respectfully requests an Order compelling Liberty Ambulance Response, Inc. to immediately answer protestant's First Set of Interrogatories.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barnett Satinsky", written over a horizontal line.

Barnett Satinsky, Esq.

David T. Garnes, Esq.

Fox, Rothschild, O'Brien & Frankel, LLP

2000 Market Street, Tenth Floor

Philadelphia, PA 19103-3291

(215) 299-2000

Attorneys for Protestants

Suburban Transit Network, Inc. t/a TransNet and

Willow Grove Yellow Cab Co., Inc. t/d/b/a Bux-

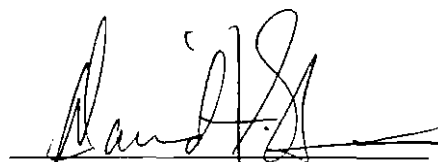
Mont Transportation Services Co.

CERTIFICATE OF SERVICE

I hereby certify that I have on this day served a true copy of the forgoing Motion of Suburban Transit Network, Inc., t/a TransNet and Willow Grove Yellow Cab Co., Inc. t/d/b/a Bux-Mont Transportation Services Co.'s Motion to Compel Liberty Ambulance Response, Inc. to Answer Protestant's First Set of Interrogatories upon the participants listed below, in accordance with the requirements of 52 Pa. Code § 1.54 by placing a copy thereof with the United States Postal Service, first-class mail, postage prepaid.

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Liberty Ambulance Response, Inc.  
51 Gibraltar Drive, Suite 1F  
Morris Plains, NJ 07950-1254



Barnett Satinsky, Esq.  
David T. Ganes, Esq.  
Fox, Rothschild, O'Brien & Frankel, LLP  
2000 Market Street, Tenth Floor  
Philadelphia, PA 19103-3291  
(215) 299-2000

Attorneys for Protestants  
Suburban Transit Network, Inc. t/a TransNet  
and Willow Grove Yellow Cab Co., Inc.  
t/d/b/a Bux-Mont Transportation Services  
Co.

Dated: 12/20/00

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF : DOCKET A-00117214  
LIBERTY AMBULANCE RESPONSE, INC. :  
:

**PROTESTANTS, SUBURBAN TRANSIT NETWORK, INC. t/a/ TRANSNET'S AND  
WILLOW GROVE YELLOW CAB COMPANY t/d/b/a BUX-MONT  
TRANSPORTATION SERVICES CO.'S ("BUX-MONT")  
FIRST SET OF INTERROGATORIES DIRECTED  
TO LIBERTY AMBULANCE RESPONSE, INC.**

Pursuant to the provisions of section 333(d) of the Public Utility Code 66 Pa. C.S.A. § 333(d), Suburban Transit Network, Inc. and Bux-Mont Transportation Services Co., (hereinafter referred to as "the Protestants"), by their attorneys, submit and propound the following Interrogatories to Applicant, Liberty Ambulance Response, Inc. The Interrogatories are to be answered separately and fully in writing, under oath, WITHIN 20 DAYS of service hereof, pursuant to 52 Pa. Code § 5.342(d).

These Interrogatories are continuing, and any information secured or discovered subsequent to the filing of your answers is to be supplied by supplemental answers.

I. DEFINITIONS

1. "Applicant" or "Liberty" means applicant, Liberty Ambulance Response, Inc.

2. "You", "your" or "Applicant" means applicant unless otherwise noted, including but not limited to any divisions, departments, subsidiaries, affiliates, predecessors, present or former officers, directors, owners, supervisors, managers, employees, servants, workmen, representatives or agents of each entity and all other persons acting or purporting to act on behalf of each entity and all other persons acting or purporting to act on behalf of each such entity or person.

3. The term "documents" means all writings of any kind including the originals of all non-identical copies, whether different from the originals by reason of any notation made on such copies or otherwise (including without limitation), correspondence, memoranda, notes, diaries, statistics, letters, telegrams, minutes, contracts, reports, studies, checks, statements, receipts, returns, summaries, pamphlets, books, prospectuses, inter-office and intra-office communications, offers, notations of any sort of conversations, telephone calls, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, telefax, invoices, worksheets, and all drafts, alterations, modifications, changes and amendments

of any of the foregoing, graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, records, motion pictures) and electronic, mechanical or electric records or representations of any kind (including without limitation, tapes, cassettes, discs, recordings).

4. The term "all documents" means every document as above defined known to you and every such document which can be located or discovered by reasonably diligent efforts.

5. The phrase "within the scope of this application" refers to the authority as sought in the application to the Commission as shown in the PA Bulletin published in this proceeding.

6. The term "Identify" or "identification", when used in reference to an individual person, means to state his full name, his present or last-known address, his present or last-known position and business affiliation, and his position or affiliation with any party herein at any relevant time.

7. The term "identify", when used in reference to a corporation, partnership, or other business entity, means to state its full name and address, and, in the case of a corporation, the state of incorporation and the address of its principal place of business.

8. The word "identify" when used in reference to a document means to:

- (i) State the date, author, recipient, and type of document (e.g. invoice, delivery receipt, etc.) or some other means of distinguishing the document);
- (ii) Set forth or attach to the answer a true copy of the document;
- (iii) Identify each person who prepared the document;
- (iv) Identify each person who participated in the preparation of the document;
- (v) State the present location of the document; and
- (vi) Identify each person having custody or control of the document.

9. The term "identify" when used in reference to an oral communication means to:

- (i) State the date, place or places, and parties to the oral communication or some other means of identifying the oral communication;
- (ii) Set forth the substance of the oral communication;

- (iii) State the medium through which the oral communication was made (e.g. in person or by telephone);
- (iv) Identify each person who participated in the oral communication;
- (v) Identify each person hearing the oral communication;
- (vi) State whether any written note or memorandum of the oral communication was made, and if so, identify the written note or memorandum in the manner required to identify a document by definition 8. above.

10. "Person" or "persons" means all individuals and entities, including, without limitation, individuals, representative persons, associations, companies, corporations, partnerships, limited partnerships, joint ventures, trusts, estates, public agencies, departments, divisions, bureaus and boards.

11. "Affiliation" means wherein the deponent owns any stock in another entity; holds an office in another entity, holds a position of management in another entity or has a financial interest in another entity.

12. All words of masculine gender shall include the feminine gender thereof and the singular shall include the plural.

## II. INSTRUCTIONS

In answering each Interrogatory:

1. Identify each document and oral communication which forms the basis in whole or in part for each answer or which corroborates the answer or the substance thereof, stating separately each item required by definition 8. above.

2. State whether the information furnished is within the personal knowledge of the Applicant, and, if not, identify each person (if known) to whom the information is a matter of personal knowledge.

3. If the answer to an Interrogatory is not presently known to the Applicant, so state, and in addition, respond to the Interrogatory within ten (10) days after the date on which such answer becomes known to the Applicant.

## III. INTERROGATORIES

- 1. Identify the owner(s) of Liberty. For each owner, provide the following.
  - (a) Percentage of ownership interest;

(b) Position(s) held.

2. What experience do you have in the business of transportation of passengers by motor vehicle.

3. Does Applicant presently transport passengers in Pennsylvania intrastate, either directly or indirectly. If so, please explain.

4. What type of transportation, if any, does applicant currently render;

(a) in interstate commerce (give percentage of total transportation revenue);

(b) in Pennsylvania intrastate commerce (give percentage of total transportation revenue).

5. Has Applicant transported within the past 3 years passengers in Pennsylvania interstate transportation, either directly or indirectly. If so, please explain.

6. Identify all locations proposed to be occupied by Applicant in the conduct of its Pennsylvania intrastate transportation operation.

7. Identify and attach copies of any authority and/or tariffs for paratransit rights granted to Liberty by the Pennsylvania Public Utility Commission, if any.

8. Has the Applicant ever been the subject of any complaint to the Pennsylvania Public Utility Commission regarding any regulated activity conducted by Applicant? If so please state,

- (a) when the complaint occurred;
- (b) the identity of the complainant;
- (c) the nature of the complaint;
- (d) the final disposition of the complaint; and
- (e) produce copies of the complaint and any final order or settlement resolving the complaint.

9. Does/do the owner(s) of Applicant have any affiliation with any other Pennsylvania Public Utility Commission authorized motor carrier? If so describe the affiliation.

10. Identify by name and address the accountant of Applicant and other persons responsible for keeping financial records of applicant.

11. Identify all persons who are employed by Applicant and who are expected to testify on behalf of Applicant and give a summary of his/her expected testimony.

12. Identify all persons who are expected to testify on behalf of Applicant as supporting witnesses and give a summary of their expected testimony as well as the name and address of any organization they are representing.

13. State for each supporting witness you named in interrogatory number 12, the following:

- (a) number of trips you intend to provide for each witness;
  
- (b) frequency of trips (each day, week, month, year);
  
- (c) the origin and destination points;
  
- (d) the transportation service now being used by each witness;
  
- (e) any special needs of witness;
  
- (f) whether the service of any carrier presently being used by supporting witness will be terminated or curtailed upon your becoming a certified carrier. If so, give name of the carrier and how much revenue it will lose.

14. Set forth a list of all vehicles now owned, leased or controlled by Applicant, including, with respect to each identify:

- (a) the year, make and model;
  
- (b) the seating capacity;
  
- (c) the air-conditioning, wheelchair capability, and any other features.

15. What vehicles does Applicant propose to use if the application for the certificate of authority is granted and state the following:

- (a) the year, make and model;
  
- (c) the seating capacity;
  
- (c) the air-conditioning, wheelchair capability, and any other features.

16. Identify any written or oral contracts or understandings Applicant has to provide transportation service or related service to

- (a) hospitals;
- (b) other medical institutions;
- (c) any private organization;
- (d) any agency of the Commonwealth of Pennsylvania; and
- (d) any public organization.

17. Furnish protestant with:


- (a) your latest balance sheet and profit and loss statement;
- (b) the present application you filed with the Pennsylvania Public Utility Commission;
- (c) any other papers filed with the Pennsylvania Public Utility Commission;
- (d) a description of the money charges you intend to make for the transportation services you intend to perform;

- (e) a description of any subsidy by a government agency (federal, state or local) which you expect to receive for your transportation and how much.

18. Furnish copies of all advertising by Applicant including, but not limited to, brochures, yellow pages, newspapers, flyers, web pages and direct mail.

19. (a) Do you intend to utilize the first full day of hearing assigned?

(b) Do you intend to utilize more than the first full day of hearing assigned?



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Barnett Satinsky, Esquire  
David T. Games, Esquire  
Fox, Rothschild, O'Brien & Frankel, LLP  
2000 Market Street, 10<sup>th</sup> Floor  
Philadelphia, PA 19103-3291

Attorney for Protestants  
Suburban Transit Network, Inc. t/a TransNet  
and Willow Grove Yellow Cab Co. t/d/b/a/  
Bux-Mont Transportation Services Co.

VERIFICATION

Liberty Ambulance Response, Inc., by its duly authorized officer, states that it is familiar with the information set forth in the foregoing Answers to Interrogatories; and that such Answers are true and correct to the best of its knowledge, information and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa C. S. § 4904 relating to unsworn falsification to authorities.

LIBERTY AMBULANCE  
RESPONSE. INC.

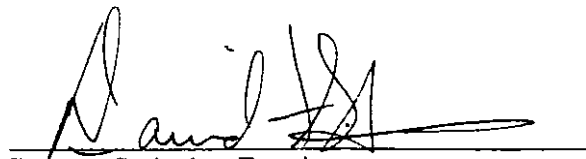
By: \_\_\_\_\_  
Title

DATED: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that I have this 6<sup>th</sup> day of November, 2000 served true copies of Protestants, Suburban Transit Network, Inc. t/a TransNet's and Willow Grove Yellow Cab Co. t/d/b/a Bux-Mont Transportation Services Co.'s ("Bux-Mont") First Set of Interrogatories directed to Liberty Ambulance Response, Inc. upon the participant, listed below, in accordance with the requirements of 52 Pa. Code § 1.54.

Liberty Ambulance Response, Inc.  
51 Gibraltar Drive, Suite 1F  
Morris Plains, NJ 07950-1254  
*(By First Class Mail, Postage Prepaid)*



Barnett Satinsky, Esquire  
David T. Games, Esquire  
Fox, Rothschild, O'Brien & Frankel, LLP  
2000 Market Street, 10<sup>th</sup> Floor  
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