

JOHN A. PILLAR
ATTORNEY AT LAW

680 WASHINGTON ROAD
SUITE B101
PITTSBURGH, PENNSYLVANIA 15228
(412) 343-0970 • FAX (412) 343-0971

November 8, 2001

Re: Sugarcreek Township Ambulance Service
Docket A-00118316

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2001 NOV 14 AM 10: 22
PA PUC
SECRETARY'S BUREAU

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

Dear Mr. McNulty:

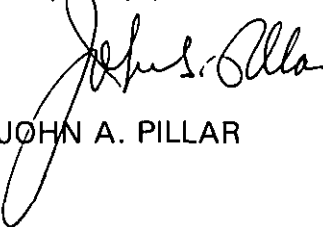
Enclosed is a protest filed on behalf of the following to the above-captioned application:

Byers Taxi Service, Inc.

A copy of this protest has been served on applicant's representative named below in accordance with the Commission's Rules of Practice.

Please acknowledge receipt of the enclosures on the duplicate of this letter of transmittal and return it in the stamped, self-addressed envelope provided.

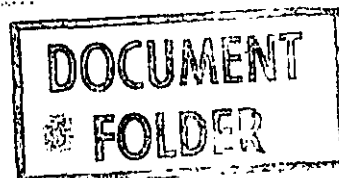
Very truly yours,



JOHN A. PILLAR

sw
Enclosure
cc: Sugarcreek Township Ambulance Service (w/encl.)

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TRANSPORTATION & SAFETY
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PENNSYLVANIA PUBLIC UTILITY COMMISSION
PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

In re: Application of)
SUGARCREEK TOWNSHIP) Docket No. A-00118316
AMBULANCE SERVICE)
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PROTEST

In accordance with the Rules of Practice of the Pennsylvania Public Utility Commission, the carrier(s) named herein desire(s) to protest the above application and, in support thereof, state(s) as follows:

1. A copy of the application as published in the Pennsylvania Bulletin is attached hereto as Appendix "A".
2. The name and address of the protestant(s) are set forth in Appendix "B" hereto.
3. The name, address and telephone number of protestant(s)' attorney:

JOHN A. PILLAR, ESQ.
680 Washington Road
Suite B101
Pittsburgh, PA 15228
(412) 343-0970

4. Protestant(s) hold(s) authority in conflict with this application as summarized in Appendix "B" attached hereto. A true and correct copy of the pertinent portions of authority held by protestant(s), or a summary thereof, is attached hereto as Appendix "C".

DOCUMENT
FOLDER

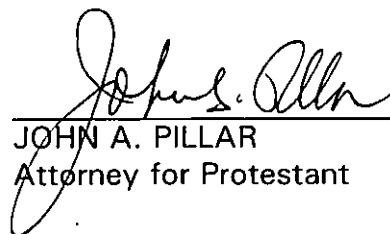
5. Protestant(s) is/are presently providing service in the application area and/or is/are willing and able to provide such service. To the extent of protestant(s) authority, there is no need or demand for additional service and the proposed service is not necessary or proper for the service, accommodation, convenience or safety of the public. Protestant(s) reserve the right to present evidence of destructive competition and/or adverse impact which would be contrary to the public interest depending on the nature and scope of the evidence presented by Applicant.

6. Protestant(s) hereby request(s) that the application be set for oral hearing. If an oral hearing is held, protestant(s) represent(s) that it/they will appear and present evidence pertinent to the application.

7. Pursuant to Section 333(c) of the Public Utility Code (66 Pa. C.S.A. Sec. 333(c)), protestant(s) hereby request(s) a list of the witnesses expected to testify in the above entitled proceeding, together with the subject matter of their anticipated testimony, and complaints, if any, or other evidence pertaining to the service of the protestant(s).

8. If a restrictive amendment will satisfy the interest(s) of protestant(s), a proposed amendment is attached hereto as Appendix "D".

Respectfully submitted,



JOHN A. PILLAR
Attorney for Protestant

Due Date: November 12, 2001

A-00118316. Sugarcreek Township Ambulance Service (R. D. 1, Box 178, East Brady, Armstrong County, PA 16028), a corporation of the Commonwealth of Pennsylvania, persons in paratransit service, in wheelchair and stretcher transport, for medical reasons, between points in the counties of Armstrong, Butler and Clarion, and from points in said counties, to points in Pennsylvania, and return.

PENNSYLVANIA BULLETIN

October 20, 2001

APPENDIX "B"

**Re: SUGARCREEK TOWNSHIP
AMBULANCE SERVICE
Docket A-00118316**

The foregoing protest to the above application is filed on behalf of:

BYERS TAXI SERVICE, INC.

115 Franklin Avenue
Vandergrift, PA 15690

Byers Taxi Service, Inc. holds authority from this Commission at Docket A-00105054. As pertinent to the application involved herein, Byers Taxi Service holds authority to transport persons, in paratransit service, from points in the boroughs of Leechburg, North Apollo and Apollo, Armstrong County, and the townships of Kiskiminetas, Parks, Gilpin, Burrell, Bethel and South Bend, Armstrong County, to points in the counties of Allegheny, Armstrong, Butler, Indiana and Westmoreland, and return; and between points in the boroughs of Leechburg, North Apollo and Apollo and the townships of Kiskiminetas, Parks, Gilpin, Burrell, Bethel and South Bend, Armstrong County. The authority held by Byers Taxi Service, Inc. is attached hereto as Appendix "C".

BYERS TAXI SERVICE, INC.
Docket No. A-00105054

Docket No. A-00105054, F.1

To transport, as a common carrier by motor vehicle, persons upon call or demand in the boroughs of Vandergrift, Oklahoma and East Vandergrift, the village of West Vandergrift and the townships of Allegheny and Washington, Westmoreland County, and the villages of North Vandergrift and Riverview, Armstrong County.

To transport, as a common carrier by motor vehicle, persons upon call or demand in the borough of Apollo, Armstrong County, and within an airline distance of three (3) statute miles of the limits of the said borough.

To transport, as a common carrier by motor vehicle, persons upon call or demand, in the townships of Bell and Upper Burrell, Westmoreland County, and the townships of Bethel, Burrell, Gilpin, Kiskiminetas, Parks and South Bend, Armstrong County.

Docket No. A-00105054, F.2

To transport, as a common carrier, persons, in paratransit service, between points in the boroughs of Vandergrift, East Vandergrift and West Leechburg and the townships of Allegheny, Washington and Upper Burrell, Westmoreland County; the boroughs of Leechburg, North Apollo and Apollo and the townships of Kiskiminetas, Parks, Gilpin, Burrell, Bethel and South Bend, Armstrong County.

Docket No. A-00105054, F.2, Am-A

To transport, as a common carrier, persons, in paratransit service from points in the boroughs of Vandergrift, East Vandergrift and West Leechburg, Westmoreland County, the townships of Allegheny, Washington and Upper Burrell, Westmoreland County, the boroughs of Leechburg, North Apollo and Apollo, Armstrong County, and the townships of Kiskiminetas, Parks, Gilpin, Burrell, Bethel and South Bend, Armstrong County, to points in the counties of Allegheny, Armstrong, Butler, Indiana, and Westmoreland, and return.

APPENDIX "D"

**Re: SUGARCREEK TOWNSHIP
AMBULANCE SERVICE
Docket A-00118316**

Protestant, Byers Taxi Service, Inc., will consider withdrawing its opposition to the within application if the application is restricted against service between or from the area in Armstrong County serviced by Protestant.

ECKERT SEAMANS CHERIN & MELLOTT, LLC

USX Tower
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
Telephone: 412.566.6000
Facsimile: 412.566.6099
www.escm.com

November 12, 2001

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Via Federal Express

NOV 12 2001

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Prothonotary
Pennsylvania Public Utility Commission
North Office Building, State Capital
Commonwealth Avenue
Basement Floor, PUC Filing Office
Harrisburg, PA 17120

Boston

Haddonfield, NJ

Harrisburg

Morgantown, WV

Philadelphia

Pittsburgh

Washington, D.C.

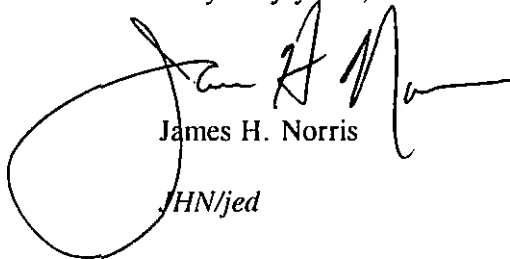
**Re: Sugarcreek Township Ambulance Service
Application Docket No. A-00118316**

Dear Prothonotary:

Enclosed for filing with the Commission, please find the original and three (3) copies of the Protest of Barker Brothers, Inc. *t/d/b/a* Pittsburgh North Aire Ride in the above matter. Pursuant to 52 Pa. Code Sections 1.11 and 1.12, this Protest is deemed to be filed as of November 12, 2001.

In addition, I have enclosed an extra copy of the Protest. Please time and date stamp this extra copy and return it to me in the enclosed envelope. Thank you for your assistance. If you have any questions concerning this filing, please contact me at 412-566-6159.

Very truly yours,

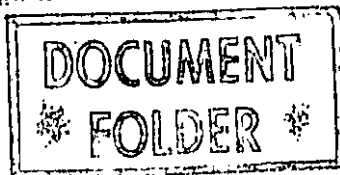


James H. Norris

JHN/jed

Enclosures

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TRANSPORTATION & SAFETY
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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

NOV 12 2001

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

SUGARCREEK TOWNSHIP :
AMBULANCE SERVICE :
: Application Docket
: No. A-00118316

PROTEST OF BARKER BROTHERS, INC. t/d/b/a
PITTSBURGH NORTH AIRE RIDE

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AND NOW, comes Barker Brothers, Inc. t/d/b/a Pittsburgh North Aire Ride

("Aire Ride") pursuant to 52 Pa. Code §§ 3.381(c)(1) and 5.51 to 5.53 and files its Protest to the above Application, a Statement of which follows:

1. The name, business address and telephone number of Protestant are as

follows:

Barker Brothers, Inc.
t/d/b/a Pittsburgh North Aire Ride
R.D. #2, Box 51
Kittanning, PA 16201
(724) 548-8536

2. The name, business address and telephone number of Protestant's

attorney are as follows:

James H. Norris, Esquire
Eckert Seamans Cherin & Mellott
44th Floor, 600 Grant Street
Pittsburgh, PA 15219
(412) 566-6159

3. Aire Ride is a carrier authorized by the Pennsylvania Public Utility

Commission ("Pa. P.U.C.") to provide Paratransit service from points within an airline distance of fifty (50) statute miles of the Armstrong County Courthouse in the borough of

Kittanning, Armstrong County, and from points in said territory to points in Pennsylvania, and

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return. Applicant now seeks authority to provide Paratransit service in the area served by Aire Ride. Approval of the Application will have a substantial negative impact on Protestant's operation by, inter alia, decreasing passengers and revenue available to Protestant and may result in destructive competition. Approval of the Application is contrary to the public interest. Aire Ride provides adequate and satisfactory service within the area for which it is authorized to provide service. There is no need for the proposed service in the area served by Aire Ride.

4. Aire Ride is currently authorized to operate (1) paratransit service under authority at Pa. P.U.C. docket number A-00109425, Folder 1, (2) call or demand service under authority at Pa. P.U.C. docket number A-00109425, Folder 2, (3) airport transfer service under authority at Pa. P.U.C. docket number A-00109425, Folder 3 and (4) group and party service pursuant to the letter of this Commission dated January 13, 1999. Copies of the Authority, Certificates of Public Convenience and January 13, 1999 letter relating to Aire Ride's authority are attached hereto as Exhibit 1.

5. At this time, Aire Ride is not aware of any restriction or amendment of the Application which would result in the withdrawal of this Protest.

WHEREFORE, Aire Ride respectfully requests that your Honorable Commission deny the Application of Sugarcreek Township Ambulance Service.

Respectfully submitted,

ECKERT SEAMANS CHERIN & MELLOTT

By: 

James H. Norris
Pa. I.D. No. 28348
44th Floor, 600 Grant Street
Pittsburgh, Pennsylvania 15219
(412) 566-6159

Dated: November 12, 2001

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held April 11, 1991

Commissioners Present:

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

Application of Barker Brothers, Inc.,
a corporation of the Commonwealth of
Pennsylvania, for the right to begin to
transport, as a common carrier, by motor
vehicle, persons in paratransit service
between points within an airline distance
of fifty (50) statute miles of the
Armstrong County Courthouse in the
borough of Kittanning, Armstrong County,
and from points in said territory, to
points in Pennsylvania, and return;
excluding service between points in the
county of Allegheny.

A-00109425

Eckert, Seamans, Cherin & Mellott by James H. Norris for the applicant.
John E. Fullerton for J & D's, Inc.

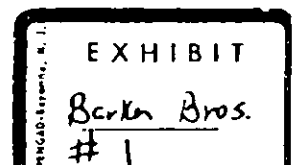
O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed July 11, 1990. Public notice of the application was given in the Pennsylvania Bulletin of August 11, 1990. A single protest filed by J & D's, Inc., was later withdrawn predicated upon our acceptance of a restrictive amendment which provides that no right, power or privilege be granted to transport persons from points in Centre County or between points in Centre County.

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 31 supporting parties.

William J. Barker, president of Barker Brothers, Inc., set forth in his verified statement that Barker Brothers, Inc., is a Pennsylvania corporation with its offices at R.D. 2, Kittanning, Armstrong County. The owners



of Barker Brothers, Inc., are also part owners of Barker, Inc., which has operated school bus service in Armstrong and Indiana Counties for the past 30 years. Barker Brothers seeks to transport persons in paratransit service between points which are within a 50-mile radius of the Armstrong County Courthouse which is located in the borough of Kittanning, Armstrong County. It will also provide transportation from points in this territory to points in Pennsylvania and return but excluding service which is wholly within the county of Allegheny.

Barker Brothers, Inc. will share terminal facilities with Barker, Inc. These facilities provide maintenance, fuel service, vehicle cleaning, parking, administration, scheduling, dispatching and training. At this location is an FM two-way radio system which allows the company to handle business, rider problems, equipment problems, and road conditions within a 90-mile radius of the terminal. The applicant will place four vehicles into service-being a 1990 Dodge Maxi Van which is equipped with a wheelchair lift and three 1985 12-passenger vans.

All equipment is routinely maintained and safety inspected. A safety program is in place which includes quarterly safety meetings and training of new drivers.

As evidence of its financial capacity to initiate service, the applicant provided a balance sheet as of November 30, 1990, reporting total assets of \$41,096.66 with total liabilities of \$19,418.96.

Tom C. Simmons, operations manager and programs director for Mid-County Transit Authority, Kittanning, Armstrong County, set forth in his verified statement that the transit authority fully supports the application of Barker Brothers, Inc., to provide alternative transportation services in and for the county of Armstrong and surrounding counties. Although Mid-County Transit Authority operates as a public transit provider for fixed-route service and shared-ride service with 203 funding, additional service is desirable in these rural counties.

Betty Beale, executive director of United Cerebral Palsy of Western Pennsylvania, Inc., Spring Church, Armstrong County, set forth in her verified statement that the supporting party is a provider of early intervention and attending care services within Armstrong and Indiana Counties. It provides services to children and adults in Armstrong, Indiana and Westmoreland Counties. The availability of the applicant's service to provide transportation to medical and therapeutic appointments would be desirable.

Larry J. McCluskey, transportation coordinator for ARIN Intermediate Unit 28, Shellocta, Indiana County, set forth in his verified statement that the supporting party is a regional educational service agency within Armstrong and Indiana Counties. Limited public transportation exists in Armstrong and Indiana Counties and additional public transportation is needed. Service is needed to doctor or medical facilities in the evenings or on weekends, to hospitals in the Pittsburgh area, and for persons traveling to work at the Progressive Workshops in either Indiana or Armstrong Counties.

Larry J. McCluskey, also entered a statement as area manager for the Armstrong-Indiana Special Olympics, Indiana, Indiana County, which set forth that many activities in which the agency is involved occur on weekends and during the summer months during which time school transportation is not available. In addition, because many Special Olympic events are not school sponsored activities, school districts cannot provide transportation. Adults involved in the Special Olympics have little or no access to transportation to these events. The availability of the applicant's paratransit service would greatly aid travel needs.

Walter P. Jack, Jr., rehabilitation services coordinator, and Leonard M. Meneely, executive director, entered a joint statement on behalf of the Progressive Workshop of Armstrong County setting forth that the agency is a vocational rehabilitation facility which provides vocational rehabilitation, personal work adjustment training and job placement services to mentally and physically handicapped individuals. The Progressive Workshop of Armstrong County would find the availability of a paratransit service desirable in meeting the needs of their clients. There is a requirement for transportation of approximately 45 individuals in the areas of Sugarcreek and Manor Townships, Rural Valley, Elderton, Apollo, Leechburg, Vandergrift, and Worthington, all in Armstrong County, and Chicora, in Butler County.

James St. Clair, set forth in a letter that he is a handicapped individual residing in Indiana, Indiana County, who desires the availability of a paratransit service with a wheelchair, lift-equipped van. He requires service to doctors or social activities. Although his parents have a van equipped with a lift, public transportation is desirable when that vehicle is not available.

Mary Kay Emigh, set forth in a letter that she resides at 210 Barclay Heights, Indiana, Indiana County. She has multiple sclerosis and is without transportation. She needs transportation to the YMCA for swimming and rehabilitation. She requires transportation in a vehicle equipped with a wheelchair lift.

Scott Guella, set forth in a letter that he resides in Indiana, Indiana County and that he has spina bifida. He is confined to a wheelchair and desires transportation in a van equipped with a wheelchair lift. Of his own knowledge, he knows that such transportation is badly needed in Indiana County.

Larry Glossner, transportation officer for Central Intermediate Unit No. 10, West Decatur, Clearfield County, set forth in his verified statement that transportation in wheelchair lift equipped vans is desirable in Clearfield County as these types of vehicles are in short supply.

DeWayne B. Greenlee, transportation coordinator for Riverview Intermediate Unit, Shippenville, Clarion County, set forth in his verified statement that Riverview Intermediate Unit serves schools in the counties of Clarion, Forest, Jefferson, Venango and parts of the counties of Armstrong, Butler, Clearfield, Crawford, Elk, Indiana and Warren. Several times, people have called requesting transportation, but Riverview Intermediate Unit has

been unable to provide that transportation. The availability of a licensed paratransit operator in this territory would meet the needs of persons in this rural location.

Drew Grivna, executive director of the Association for Retarded Citizens, Beaver County Chapter, Inc., Monaca, Beaver County, set forth in his verified statement that the ARC Beaver County, Inc., is a private, non-profit organization which provides services to mentally-retarded individuals in the community. Quality transportation of handicapped individuals is needed within Beaver County. A prime concern has been the unmet needs of individuals residing in the more rural areas of Beaver County such as North Sewickley, Raccoon Township and Enon Valley.

Rachel Grubbs, president of Association for Retarded Citizens, Inc., Jefferson County, set forth in her verified statement that transportation in this rural area is much needed for retarded citizens.

Michael C. Gruitza, a member of the Pennsylvania House of Representatives set forth in his verified statement that he supports the application of Barker Brothers, Inc., for paratransit service within a 50-airmile radius of Armstrong County Courthouse in Kittanning. He indicates that the availability of this service would benefit handicapped and disabled persons in this region.

John C. Jordan, intensive case manager for the Allegheny Valley Mental Health/Mental Retardation Program, New Kensington, Westmoreland County, set forth in his verified statement that there is an unmet need for transportation in this area and that Allegheny Valley Mental Health/Mental Retardation Program supports the availability of paratransit service.

Andrew Billow, Jr. representing the 72nd Legislative District in Armstrong, Cambria and Indiana Counties, set forth in his verified statement that he supports the application to provide paratransit service within a 50-airmile radius of Armstrong County Courthouse in Kittanning. The provision of this service would benefit handicapped and disabled persons residing within this area.

Anthony L. Collozzo, a member of the Pennsylvania House of Representatives, for the Cannonsburg, Washington County area, set forth in his verified statement that the availability of paratransit service will fill existing gaps in transportation services in this area, particularly for those who must use wheelchairs or otherwise have limited ability to walk and move about.

Patricia Carone, a member of the Pennsylvania House of Representatives, representing the 12th Legislative District comprised of Lawrence and Butler Counties, set forth in a verified statement that she strongly supports the application for paratransit service as this service would benefit handicapped and disabled persons in the region.

Congressman William F. Clinger, Jr., set forth in his verified statement that he supports the availability of the applicant's service due to

the rural nature of much of this area and that public transportation is very limited or does not exist at all. The transportation needs of many people, particularly the handicapped individuals, are not being met. The availability of paratransit service would aid in meeting this need.

Timothy M. Cornell, chairman of transportation committee, Health and Human Service Council for Butler County, set forth in his verified statement that the Health and Human Service Council is an organization of 48 health, service, governmental agencies which promotes and coordinates services to citizens in Butler County. A persistent problem facing citizens of Butler County is the availability of transportation.

Amy Lou Beck, set forth in her verified statement that she represents the Special Olympics of Pennsylvania in DuBois, Jefferson County. The Special Olympics program covers a very rural and large area and the availability of paratransit service would aid persons in this territory in meeting their transportation requirements. The organization now has 213 registered persons with mental retardation and at least another 200 persons who cannot avail themselves of the Special Olympics program due to lack of transportation.

Dorothy G. Fornaf, a registered nurse working with the Elks Home Service Nurse Agency, with service being provided in the counties of Forest, Clarion, Crawford, Venango and Mercer, set forth that her clients have varying degrees of handicap, some of which require vans with lifts to accommodate their wheelchairs. Due to rural locations, many must be transported to cities such as Pittsburgh to obtain necessary evaluations and treatment. There is a need for paratransit service.

David W. Jordan, a resident of Greensburg, Westmoreland County, set forth in a verified statement that due to physical limitations, it is very difficult for him to use available transportation which lacks specialized service. It is his personal experience that he is one of many citizens in the area needing a paratransit service which has vehicles equipped with wheelchair lifts.

Allen G. Kukovich, a member of the Pennsylvania House of Representatives, representing Westmoreland County, set forth in his verified statement that he believes the proposed service would benefit people with disabilities in this region. It would help wheelchair users or those with limited motor skills to get from many rural and suburban locations to therapy or medical facilities.

Frank LaGrotta, a member of the Pennsylvania House of Representatives, representing the counties of Beaver, Lawrence and Mercer, set forth in his verified statement that the availability of the proposed service would benefit persons in the territory.

Susan Laughlin, a member of the Pennsylvania House of Representatives, representing Beaver County, set forth in her verified statement that the provision of general transportation is vital to many individuals. Additional paratransit service in the area requested by the applicant would

provide significant independence for citizens who have disabilities and handicaps.

Ronald D. Painter, chief administrative officer for the Tri-County Private Industry Council, Inc., Butler, Butler County, set forth in his verified statement that the agency endorses the application for paratransit service. The Tri-County Private Industry Council provides services in the counties of Butler, Armstrong and Indiana.

Timothy L. Pesci, a member of the Pennsylvania House of Representatives, representing Armstrong County, set forth in his verified statement that the proposed service would benefit handicapped and disabled persons.

Patrick J. Stapleton, a member of the Senate of Pennsylvania, representing the counties of Armstrong, Clearfield, Indiana, Clarion and Jefferson, set forth in his verified statement that a real need exists for paratransit service in the 41st Senatorial District.

Thomas A. Tangretti, a member of the Pennsylvania House of Representatives, representing Westmoreland County, set forth in his verified statement that he believes service would benefit handicapped and disabled persons in this region. The proposed service in the northern tip of Westmoreland County would be most helpful.

Samuel J. Wagner, Stephen E. Hale and Gerald L. Cussins, Jr., Commissioners for Forest County, set forth in a letter that the availability of a paratransit service in Forest County is desirable.

David R. Wright, a member of the Pennsylvania House of Representatives, representing Armstrong and Clarion Counties, set forth in his verified statement that he believes the proposed service would help those persons that are wheelchairbound or have limited motor skills to get from many suburban and rural locations to therapy or medical facilities.

DISCUSSION AND FINDINGS

Barker Brothers, Inc., seeks to initiate certificated service in Pennsylvania providing paratransit service between points within an airline distance of 50 statute miles of the Armstrong County Courthouse which is located in the borough of Kittanning, Armstrong County. It will provide service from this area to points in Pennsylvania and return. The applicant has excluded service between points in Allegheny County. By virtue of the applicant's affiliation with Barker, Inc., a business which is involved in school student transportation, it has the availability of facilities which are adequate to maintain the certificated service. Barker Brothers, Inc. will place four vehicles into operation, one of which is a van which is modified with a wheelchair lift. The applicant has provided evidence of its financial capacity to start up and maintain common carrier operations.

The applicant has entered 31 supporting verified statements from persons in the application territory. These statements may be characterized as individuals and persons representing social service organizations and

public officials who desire the availability of paratransit service. The statements entered are representative of the counties of Armstrong, Indiana, Westmoreland, Butler, Clearfield, Clarion, Forest, Jefferson, Venango, Elk, Beaver, Mercer, Washington and Lawrence, all of which are entirely or partially within the 50-mile radius proposed by the applicant. Two statements were entered which state a requirement for service in the counties of Warren and Crawford, however, those counties are beyond the 50-mile territory. The applicant has not provided statements which specifically mention Allegheny County, Cambria County, Somerset County or Washington County. Three statements have been entered, however, which speak to a need for service within the entire 50-mile radius. It is our determination after examination of the record that the applicant has provided representative evidence which is sufficient to cover the territory proposed. All the statements indicate a need for paratransit service in this area, particularly service provided in vans equipped with doors and ramps to accommodate wheelchairs.

Turning our attention to the restrictive amendment which was entered to secure the withdrawal of the one protestant, we find that its inclusion in the authority to issue is unnecessary. The restrictive amendment excludes service between points in Centre County and from points in Centre County. Centre County is a point beyond the 50-mile territory proposed by the applicant. The applicant is not permitted to provide service between points in Centre County by virtue of the way the application has been filed. Service cannot be provided from Centre County unless the service originated in a county within the 50-mile radius of the Armstrong County Courthouse. The only service which would be authorized from Centre County would be "return" service from that county for transportation which originated in the 50-mile radius.

We find:

1. The applicant has transportation experience, has equipment and has the financial capacity to render the proposed service.
2. The applicant has garnered public support for this application and that support is representative of the territory proposed.
3. Inclusion of the restrictive amendment to secure the withdrawal of the single protest is unnecessary as Centre County, which is subject in the restrictive amendment, is a county beyond the 50-mile radius of the Armstrong County Courthouse as proposed in the application.
4. Approval of the application to authorize Barker Brothers, Inc., to provide paratransit service in this territory is proper for the accommodation and convenience of the public; THEREFORE,

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

To transport, as a common carrier, persons in paratransit service between points within an airline distance of fifty (50) statute miles of the Armstrong

County Courthouse in the borough of Kittanning, Armstrong County, and from points in the said territory to points in Pennsylvania, and return;

subject to the following condition:

That no right, power or privilege is granted to provide service between points in the county of Allegheny.

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

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 the Commission relating to the filing of evidence of insurance and the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That upon compliance with the requirements hereinbefore set forth, 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,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: April 11, 1991

ORDER ENTERED: APR '9 1991

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE APPLICATION OF: A. 00109425, Folder 1

BARKER BROTHERS, INC., a corporation of the Commonwealth of PA

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing, it has, by its report and order made and entered, found and determined that the granting of the application is necessary or proper for the service, accomodation, convenience and safety of the public and hereby issues to the applicant this **CERTIFICATE OF PUBLIC CONVENIENCE** evidencing the Commission's approval of the right to operate as a common carrier.

In Witness Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 18th day of JUNE, 1991.



Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held April 9, 1992

Commissioners Present:

David W. Rolka, Chairman
Wendell F. Holland

Application of Barker Brothers, Inc., a corporation of the Commonwealth of Pennsylvania, for the additional right to transport as a common carrier, by motor-vehicle, persons in call or demand service, in the boroughs of Elderton, Ford City, Ford Cliff, Freeport, Rural Valley, Kittanning, West Kittanning, Atwood, Manorville, Applewold and Worthington, and the townships of West Franklin, East Franklin, Rayburn, Valley, Cowanshannock, Plum Creek, Kittanning, Manor, North Buffalo, Cadogan and South Buffalo, all in Armstrong County; and in the boroughs of Brackenridge and Tarentum and the townships of Harrison, Fawn, Frazer and East Deer, Allegheny County; which is to be a transfer of the right authorized under the certificate issued at A-00105421, F. 1, to John M. Dunham, t/d/b/a John M. Dunham Transportation, subject to the same limitations and conditions.

A-00109425
F. 2

James H. Norris for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application for transfer of operating authority filed on January 24, 1992, and published in the Pennsylvania Bulletin of March 14, 1992. There are no protests and the record is now certified to the Commission for its decision without oral hearing.

In addition to this application for permanent authority, the applicant also filed applications for emergency temporary authority and temporary authority to operate the right of the transferor, pending disposition of this permanent authority application. The application for emergency temporary authority, docketed at Folder 6000, was denied by our order adopted on February 27, 1992, for failure to have established an immediate need. The

application for temporary authority is pending and will be dismissed as the result of the disposition of the instant application for permanent authority.

The authority which is the subject of transfer here, consists of call or demand taxi service in certain townships and boroughs in Armstrong and Allegheny Counties. In addition to this authority, John M. Dunham, t/d/b/a John M. Dunham Transportation (or transferor), holds other authority at A-00109425, F. 2, authorizing him to provide airport transfer service from the borough of Kittanning, Armstrong County, and within a 35 airline mile radius thereof, to the Allegheny County Airport and the Greater Pittsburgh International Airport in Allegheny County. In addition to this application for transfer of the call or demand authority at F. 1, the applicant also filed a companion application docketed at A-00109425, F. 3, for transfer of the airport transfer authority held by the transferor at F. 2. By virtue of both applications, the transferor is relinquishing all of its Pa. P.U.C. operating rights.

Barker Brothers, Inc. (or applicant) currently holds a certificate at A-00109425, F. 1, which authorizes it to provide paratransit service between points within a 50 airline mile radius of the Armstrong County Courthouse in the borough of Kittanning, Armstrong County, and from that area to points in Pennsylvania, and return. It conducts operations from a facility located at R.D. #2, Kittanning, Armstrong County.

William J. Barker, president of the applicant corporation, states that the owners of the applicant are also part owners of Barker, Inc., which has operated school bus service in Armstrong and Indiana Counties for the past 30 years. Other than this affiliation, neither the applicant nor its stockholders are in control of or affiliated with any other carriers regulated by this Commission.

The applicant proposes to begin furnishing service immediately upon approval of this application with three four door sedans and one seven passenger van. An unaudited balance sheet shows that as of September 30, 1991, the applicant had current assets of \$44,714, total assets of \$71,164, with current liabilities of \$32,759 and total liabilities of \$33,559, leaving stockholders' equity of \$37,605.

Under the terms of a sales agreement dated January 16, 1992, the applicant is purchasing both of the transferor's rights at Folders 1 and 2, together with a computer system, for the total sum of \$25,000. The sum of \$3,500 is allocated to the computer system, with \$10,750 allocated to each of the two operating rights. Settlement will be made within 14 days of receipt of our order approving the application.

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing public need, which may be overcome only by evidence to the contrary. In re: Byerly,

440 Pa. 521 (1970); Hostetter v. Pa. P.U.C., 160 Super. Ct. 94 (1947). Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

We find:

1. That the applicant is fit, willing and able to provide the service proposed.

2. That transfer of the authority is in the public interest and is necessary for the continued accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that a certificate be issued granting the applicant the right to operate as follows:

To transport, as a common carrier, persons upon call or demand, in the boroughs of Elderton, Ford City, Ford Cliff, Freeport, Rural Valley, Kittanning, West Kittanning, Atwood, Manorville, Applewold and Worthington, and the townships of West Franklin, East Franklin, Rayburn, Valley, Cowanshannock, Plum Creek, Kittanning, Manor, North Buffalo, Cadogan and South Buffalo, all in Armstrong County; and in the boroughs of Brackenridge and Tarentum and the townships of Harrison, Fawn, Frazer and East Deer, Allegheny County;

subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$10,750, being the amount of the consideration payable by it for the rights and going concern value

attributable thereto; less any amount recorded under condition 2 above; and subject to further adjustment due to any normal interim transactions to the date of actual transfer.

4. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
5. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. Section 1102(a)(3).

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 Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1991 Annual Report of the transferor.

IT IS FURTHER ORDERED: That upon compliance with the requirements as set forth, a certificate 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 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 pending application for temporary authority be and is hereby dismissed.

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

IT IS FURTHER ORDERED: That upon compliance with this order, the right granted the transferor, John M. Dunham, t/d/b/a John M. Dunham Transportation, at A-00105421, P. 1, be cancelled and the record be marked closed.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: April 9, 1992

ORDER ENTERED: APR 13 1992

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

A-00109425, Folder 2

IN THE MATTER OF THE APPLICATION OF:

BARKER BROTHERS, INC.

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing, it has, by its report and order made and entered, found and determined that the granting of the application is necessary or proper for the service, accomodation, convenience and safety of the public and hereby issues to the applicant this **CERTIFICATE OF PUBLIC CONVENIENCE** evidencing the Commission's approval of the right to operate as a common carrier.

In Witness Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 27th day of APRIL, 1992.



John H. Alford

Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held April 9, 1992

Commissioners Present:

David W. Rolka, Chairman
Wendell F. Holland

Application of Barker Brothers, Inc.
for the transfer of a portion of the
operating rights of John M. Dunham,
t/d/b/a John M. Dunham Transportation
under the certificate issued at
A-00105421, P. 2 subject to the same
limitations and conditions.

A-00109425
F. 3

James H. Norris for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed January 24, 1992. Public notice of the application was given in the Pennsylvania Bulletin of March 14, 1992. The unopposed application is certified to the Commission for its decision without oral hearing and dismissing the temporary application.

In addition to this application for permanent authority, the applicant also filed applications for emergency temporary authority and temporary authority to operate the right of the transferor, pending disposition of this permanent authority application. The application for emergency temporary authority, docketed at Folder 6000, was denied by our order adopted on February 27, 1992, for failure to have established an immediate need. The application for temporary authority is pending and will be dismissed as the result of the disposition of the instant application for permanent authority.

The authority which is the subject of transfer here, consists of airport transfer service from the borough of Kittanning, Armstrong County, and within a 35 airline mile radius thereof, to the Allegheny County Airport and the Greater Pittsburgh International Airport in Allegheny County. In addition to this authority, John M. Dunham, t/d/b/a John M. Dunham Transportation (or transferor), holds other authority at A-00109425, P. 2, authorizing him to provide call or demand taxi service in certain townships and boroughs in Armstrong and Allegheny Counties. In addition to the application for transfer of the call or demand authority at F. 2, the applicant filed this

companion application docketed at A-00109425, F. 3. By virtue of both applications, the transferor is relinquishing all of its Pa. P.U.C. operating rights.

Barker Brothers, Inc. (Barkers) is a Pennsylvania corporation domiciled at R.D. #2, Box 51, Kittanning, Armstrong County. Applicant will operate three sedans and one passenger van. The applicant submitted an unaudited financial statement which shows total assets of \$71,164 with total liabilities of \$33,559 leaving stockholders' equity of \$37,605..

William J. Barker, president of the applicant corporation, states that the owners of the applicant are also part owners of Barker, Inc., which has operated school bus service in Armstrong and Indiana Counties for the past 30 years. Other than this affiliation, neither the applicant nor its stockholders are in control of or affiliated with any other carriers regulated by this Commission.

Under the terms of a sales agreement dated January 16, 1992, the applicant is purchasing both of the transferor's rights at Folders 1 and 2, together with a computer system, for the total sum of \$25,000. The sum of \$3,500 is allocated to the computer system, with \$10,750 allocated to each of the two operating rights. Settlement will be made within 14 days of receipt of our order approving the application.

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing public need, which may be overcome only by evidence to the contrary. In re: Byerly, 440 Pa. 521 (1970); Hostetter v. Pa. P.U.C., 160 Super. Ct. 94 (1947). Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

We find:

1. The applicant is fit, willing and able to provide the service proposed.
2. Transfer of the authority is in the public interest and is necessary for the continued accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the transfer application be and is hereby approved and that a certificate be issued granting the following right(s):

To transport, as a common carrier, persons in airport transfer service, from points in the borough of Kittanning, Armstrong County, and within an airline distance of 35 statute miles of the limits thereof, to the Allegheny County

Airport, in the borough of West Mifflin,
Allegheny County, and the Greater Pittsburgh
International Airport, in the township of Moon,
Allegheny County;

subject to the following conditions:

That no right, power or privilege is granted
to provide service from points in Westmoreland
County lying on and south of Pennsylvania
Highway Route 286.

That no right, power or privilege is granted
to provide service between points in Allegheny
County.

subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$12,500, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above; and subject to further adjustment due to any normal interim transactions to the date of actual transfer.
4. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the

actual cost of such rights to the original holder thereof.

5. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
6. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. §1102(a)(3).

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has 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.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1991 Annual Report of the transferor.

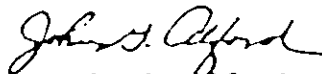
IT IS FURTHER ORDERED: That upon compliance with the requirements above set forth, a certificate issue evidencing the Commission's approval of the right to operate as above-determined.

IT IS FURTHER ORDERED: That the temporary authority application be dismissed.

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 upon compliance with this order, the rights granted the transferor, John M. Dunham, t/d/b/a John M. Dunham Transportation at A-00105421, F. 2 be cancelled and the record be marked closed.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: April 9, 1992

ORDER ENTERED: APR 13 1992

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

A-00109425, Folder 3

IN THE MATTER OF THE APPLICATION OF:

BARKER BROTHERS, INC.

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing, it has, by its report and order made and entered, found and determined that the granting of the application is necessary or proper for the service, accomodation, convenience and safety of the public and hereby issues to the applicant this **CERTIFICATE OF PUBLIC CONVENIENCE** evidencing the Commission's approval of the right to operate as a common carrier.

In Witness Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 27th day of APRIL, 192.



John H. Alford

Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held June 4, 1992

Commissioners Present:

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

Request of Barker Brothers, Inc.
to add a trade name.

A-00109425
Fs. 1, 2, 3

O R D E R

BY THE COMMISSION:

This matter comes before the Commission upon letter-request of Barker Brothers, Inc. that its certificates of public convenience be changed to stand in the name of Barker Brothers, Inc., t/d/b/a Pittsburgh North Aire Ride pursuant to 52 Pa. Code §3.381(a)(6)(11).

Upon review of the request, it appears that the necessary filings have been made; THEREFORE,

IT IS ORDERED: That the request be and is hereby approved and that the certificates issued to Barker Brothers, Inc. be changed to stand in the name of Barker Brothers, Inc., t/d/b/a Pittsburgh North Aire Ride.

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

IT IS FURTHER ORDERED: That in the event said certificates holder has not effected 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 further proceedings.

IT IS FURTHER ORDERED: That upon compliance with the requirements of this order, the certificates shall be endorsed in the name of Barker Brothers, Inc., t/d/b/a Pittsburgh North Aire Ride.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: June 4, 1992

ORDER ENTERED: June 11, 1992

VERIFICATION

I, William J. Barker, President of Barker Brothers, Inc., do hereby verify that I am authorized to and do make this Verification for Barker Brothers, Inc.; that I have read the foregoing Protest and that the facts set forth herein are true and correct (or are true and correct to the best of my knowledge, information and belief); and I expect the said Barker Brothers, Inc. to be able to prove the same at any hearing hereof.

I understand that the statements herein are subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.



William J. Barker

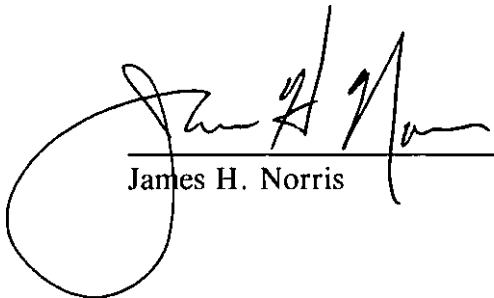
Dated: November, 9, 2001

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of November, 2001, a true and correct copy of the foregoing Protest was served upon the following person in accordance with the requirements of 52 Pa. Code § 1.54:

By First Class U.S. Mail/Postage Prepaid:

Sugarcreek Township Ambulance Service
R.D. 1, Box 178
East Brady, PA 16208


James H. Norris

Law Offices

VUONO & GRAY, LLC

John A. Vuono
William A. Gray
Mark T. Vuono*
Dennis J. Kusturiss
Christine M. Dolfi
Louise R. Schrage
*Also Admitted in Florida

2310 Grant Building
Pittsburgh, PA 15219-2383
(412) 471-1800

Richard R. Wilson
of Counsel

Facsimile
(412) 471-4477

November 13, 2001

Re: Sugarcreek Township Ambulance Service
Docket No. A-00118316

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

MAILED WITH U.S. POSTAL SERVICE
CERTIFICATE OF MAILING FORM 3817

Dear Mr. McNulty:

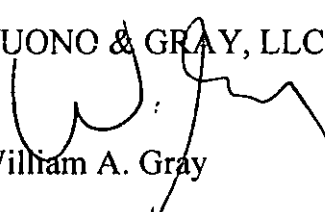
We enclose for filing with the Commission the signed original of a protest to the above application.

Please acknowledge receipt and filing of the enclosed on the duplicate copy of this letter of transmittal and return it to the undersigned in the self-addressed, stamped envelope provided.

Very truly yours,

VUONO & GRAY, LLC

William A. Gray



RECEIVED
BUREAU OF
TRANSPORTATION & SAFETY
2001 NOV 16 PM 1:19

pZ/18661

Enclosure

cc: Sugarcreek Township Ambulance Service (By certified mail)
Ford City Hose Company #1 Ambulance Service

RECEIVED

NOV 13 2001
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCUMENT
FOLDER

121

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

NOV 13 2001

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DOCKET NO. A-00118316

SUGARCREEK TOWNSHIP AMBULANCE SERVICE

PROTEST AND REQUEST
FOR ORAL HEARING

DOCKETED

NOV 13 2001

TZ

RECEIVED
BUREAU OF
TRAINING & SAFETY
2001 NOV 16 PM 1:19

The motor carrier shown on Appendix A hereof (herein called protestant) protests the above application and requests that the application be assigned for oral hearing and in support thereof respectfully represents as follows:

1. By this application, notice of which has been published in the Pennsylvania Bulletin, applicant seeks authority as set forth in Appendix A.
2. Protestant has pending unopposed an application at the docket number shown in Appendix A and the relevant portions of the authority are attached to the protest. Unless otherwise indicated in Appendix A, protestant will withdraw the protest only in the event an amendment is made which will totally eliminate the conflict between the authority sought by the application and the authority sought by protestant in its pending unopposed application.

DOCUMENT
FOLDER

3. Approval of this application is neither necessary nor proper for the service, accommodation, safety or convenience of the public since (a) protestant and other existing carriers are providing/will provide adequate service to the public in the areas involved in the application, (b) there is no need for the service proposed by applicant and approval of the application will result in the diversion from existing carriers of revenue necessary to sustain their existing operations, and (c) approval of the application will adversely affect existing carriers which have a substantial investment in facilities and equipment and are willing and able to provide service in the application area.

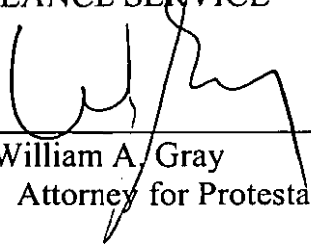
4. Protestant requests that the application be set for oral hearing and that applicant be required to prove by competent evidence the elements of proof required by statute. If an oral hearing is held, protestant will appear and present evidence of protestant's own operations and particular interests unless this application is amended so as to eliminate those interests as set forth in this protest.

WHEREFORE, protestant requests that the granting of the application be withheld; the proceeding be assigned for oral hearing with leave to protestant to participate fully therein; and applicant be required to make available at the hearing

competent witnesses for examination on all material and relevant facts bearing on the application.

Respectfully submitted,

FORD CITY HOSE COMPANY #1
AMBULANCE SERVICE

By: 
William A. Gray
Attorney for Protestant

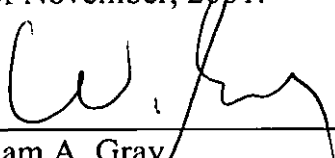
VUONO & GRAY, LLC
2310 Grant Building
Pittsburgh, PA 15219-2383
(412) 471-1800
Of Counsel

Dated: November 13, 2001

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the above protest and request an oral hearing upon applicant or upon applicant's attorney or representative as shown in the Pennsylvania Bulletin notice.

Dated at Pittsburgh, PA, this 13th day of November, 2001.


William A. Gray

/18661

RECEIVED
NOV 13 2001
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Sugarcreek Township Ambulance Service
Docket No. A-00118316

APPENDIX A

SCOPE OF AUTHORITY SOUGHT:

By application published in the Pennsylvania Bulletin on October 20, 2001,
applicant seeks authority to operate as a common carrier, transporting:

Persons in paratransit service, in wheelchair and stretcher transport, for
medical reasons, between points in the counties of Armstrong, Butler and
Clarion, and from points in said counties, to points in Pennsylvania, and
return.

INTEREST OF PROTESTANT:

For City Hose Company #1 Ambulance Service, P. O. Box 447, Ford City, PA
16226, (724) 763-4176 has pending unopposed an application at Docket No. A-
00118316. A copy of the authority sought by this unopposed application is attached.
The interest of Ford City involves service between points in and from points in
Armstrong County.

FORD CITY HOSE COMPANY #1 AMBULANCE SERVICE, INC.

Docket No. A-00117373

Persons in paratransit service, between points in the counties of Armstrong, and from points in said county, to points in Pennsylvania, and return.

Subject to the following conditions:

- (a) That service is limited to the use of vehicles modified to handle wheelchairs, and operated by a licensed ambulance service.
- (b) That service is limited to equipment operated only by state certified emergency medical technicians or paramedics.
- (c) That service is limited to the transportation of persons who are non-ambulatory, or persons who, due to chronic or acute physical or mental conditions, require pre-trip preparations such as assistance in being dressed or lifted, or medical monitoring, or the use of medical appliances or equipment, or a medical escort during transit.
- (d) Service is limited to medical trips, including (without limitation) for appointments, evaluations, treatments or procedures.