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November 6, 2017

FILED ELECTRONICALLY

10045.104

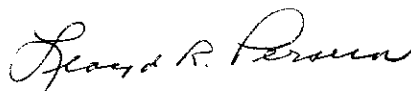
**Re: Application of DXT Transportation, Inc.
A-2017-2629426**

Rosemary Chiavetta, Secretary
PA Public Utility Commission
2nd Floor, Commonwealth Keystone Building
Harrisburg, PA 17110

Dear Secretary Chiavetta:

We file herewith on behalf of MTR Transportation, Inc., t/d/b/a K-Cab Co., Protestant, its original Protest to this Application. A Certificate of Service is attached to the Protest.

Very truly yours,



Lloyd R. Persun

LRP:pg
Attachment

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: : A-2017-2629426
:
DXT Transportation, Inc. : **FILED ELECTRONICALLY**

PROTEST OF MTR TRANSPORTATION, INC. t/d/b/a K-CAB CO.

AND NOW, this 6th day of November, 2017, MTR TRANSPORTATION, INC., t/d/b/a K-CAB CO., Protestant, by its attorneys, files this Protest to this Application and in support thereof avers as follows:

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

MTR Transportation, Inc.
t/d/b/a K-Cab Co.
P.O. Box 274
Mifflinville, PA 18631
(570) 784-1550

2. The name, address and telephone number of Protestant's attorneys are:

Lloyd R. Persun, Esquire
Persun & Hamlin, P.C.
P.O. Box 659
Mechanicsburg, PA 17055-0659
(717) 620-2440

3. Protestant possesses authority at A-00116855 and various folders and amendments thereunder with which the Application conflicts. Protestant's said operating authority is described on Exhibit "A" attached hereto and made a part hereof and conflicts with the service proposed by Applicant in this Application.

4. Protestant provides service in its territory as authorized by the Commission.

5. Absent reliable, probative and substantial evidence presented by Applicant in an on-the-record proceeding, Protestant does not believe that Applicant possesses the technical and financial ability to provide the proposed service in a safe, reliable, and legal manner. In particular, Applicant must demonstrate, *inter alia*, that: (1) Applicant has sufficient capital, equipment, facilities and other resources necessary to serve the territory requested; (2) Applicant and its employees have sufficient technical expertise and experience to serve the territory requested; (3) Applicant has or is able to secure sufficient and continuous insurance coverage for all vehicles to be used or useful in the provision of service to the public; (4) Applicant has an appropriate plan to comply with the Commission's driver and vehicle safety regulations and service standards; (5) Applicant is in compliance with the Pennsylvania Public Utility Code, 66 Pa. C.S. §§101 *et seq.*, the Commission's Rules and Regulations at 52 Pa. Code, and Commission orders; and (6) Applicant and its drivers are free from convictions of a felony or crime of moral turpitude and are not subject to supervision by a court or correctional institution. Accordingly, there is no on-the-record evidence that Applicant can meet the criteria in 52 Pa. Code §41.14.

6. Approval of the Application would endanger or impair the operations of existing carriers, including Protestant, to the extent that, on balance, the granting of authority would be contrary to the public interest.

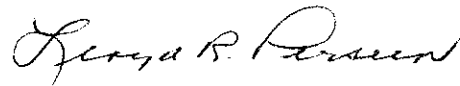
7. Approval of the Application is not necessary or proper for the accommodation, service, necessity or safety of the public, 66 Pa. C.S.A. §1103(a), and would be contrary to the public interest.

8. Protestant would agree to withdraw its Protest if Applicant would restrictively amend its Application by removing Protestant's authorized service territory from

Applicant's proposed service territory, subject to the conditions that: (i) the Commission accept or approve such restrictive amendment and (ii) Protestant remain a party of record to receive copies of all notices, pleadings, Initial Decisions, Orders, Secretarial Letters, etc. in this case.

WHEREFORE, Protestant respectfully requests that the Application be dismissed or denied with prejudice or, in the alternative, that the Application be scheduled for hearing as an on-the-record proceeding and that Protestant be permitted to participate in that proceeding as a party.

Respectfully submitted,



Lloyd R. Persun, Esquire

Persun & Hamlin, P.C.

P.O. Box 659

Mechanicsburg, PA 17055-0659

717-620-2440

Attorneys for MTR Transportation, Inc.,
t/d/b/a K-Cab Co., Protestant

A-00116855, Folder 2. MTR Transportation, Inc., t/d/b/a K-Cab Co. (6725 Keefers Lane, Bloomsburg, Columbia County, PA 17815), a corporation of the Commonwealth of Pennsylvania--additional right--(1) persons, in paratransit service, between points in the town of Bloomsburg, the borough of Catawissa, and the townships of Montour, Hemlock, Franklin, Catawissa, Mt. Pleasant, Scott, Main, Greenwood and Madison, Columbia County, and the borough of Danville and the townships of Cooper, Derry, Mahoning, Valley and West Hemlock, Montour County, and the borough of Riverside, Northumberland County, and from points in said town, boroughs and townships to points in Pennsylvania, and return; subject to the following condition: that the service herein authorized shall be rendered without the use of domelights or taximeters; and (2) persons, in paratransit service, between points in Columbia County and the township of Salem, Luzerne County, and from points in said county and township, to points in Pennsylvania, and return.

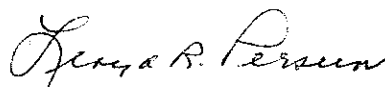
A-00116855, Folder 3. MTR Transportation, Inc., t/d/b/a K-Cab Co. (6725 Keefers Lane, Bloomsburg, Columbia County, PA 17815), a corporation of the Commonwealth of Pennsylvania--additional right--persons, upon call or demand; (1) in the town of Bloomsburg, Columbia County; (2) in the townships of Montour, Hemlock, Franklin, Catawissa, Mt. Pleasant, Scott and Main, Columbia County; (3) in the borough of Catawissa, Columbia County; (4) in the borough of Berwick, Columbia County, and within an airline distance of 15 statute miles of the limits of said borough; (5) the township of Cooper and Mahoning, Montour County; (6) in the borough of Danville, Montour County; and (7) in the borough of Riverside, Northumberland County.

A-00116855. MTR Transportation, Inc., t/d/b/a K-Cab Co. (6725 Keefers Lane, Bloomsburg, Columbia County, PA 17815), a corporation of the Commonwealth of Pennsylvania--additional right--as a common carrier, property excluding household goods and use between points in Pennsylvania.

CERTIFICATE OF SERVICE

I, Lloyd R. Persun, Esquire, hereby certify that a copy of the foregoing Protest was served on November 6, 2017 by United States mail, first class, postage prepaid, upon the following addressed as follows:

DXT Transportation, Inc.
2 North Broad Street
West Hazleton, PA 18202



Lloyd R. Persun, Esquire
Attorney for MTR Transportation, Inc.
t/d/b/a K-Cab Co.