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January 17, 2018

Via Electronic Filing

Rosemary Chiavetta, Secretary
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

Re: Application of Eagle Ride Taxi Cab, LLC
Docket No. A-2017-2621976

Dear Secretary Chiavetta:

Enclosed for electronic filing please find Eagle Ridge Taxi Cab, LLC's Motion to Compel with regard to the above-referenced matter. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,



Karen O. Moury

KOM/lww
Enclosure

cc: Hon. David A. Salapa w/enc.
Certificate of Service w/enc.

CERTIFICATE OF SERVICE

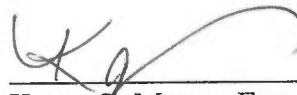
I hereby certify that this day I served a copy of Eagle Ride Taxi Cab LLC's Motion to Compel upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and First Class Mail

Anthony J. DelGrosso, Esq.
The Law Office of Anthony J. DelGrosso
PO Box 62405
Harrisburg, PA 17106
AJDelGrosso@gmail.com

Hon. David A. Salapa
Administrative Law Judge
PA Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265
dsalapa@pa.gov

Dated: January 17, 2018



Karen O. Moury, Esq.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Eagle Ride Taxi Cab LLC : Docket No. A-2017-2621976

NOTICE TO PLEAD

To: Anthony J. DelGrosso, Esq.
Law Office of Anthony J. DelGrosso
P.O. Box 62405
Harrisburg, PA 17106-2405

You are hereby notified that pursuant to 52 Pa. Code 5.342(g), a written response to the enclosed Motion to Compel filed by Eagle Ride Taxi Cab LLC is due within five (5) days from service hereof or a judgment may be entered against you.

Respectfully submitted,



Karen O. Moury
PA Attorney I.D. # 36879
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213 Market St., 8th Fl.
Harrisburg, PA 17101
717.237.6036
kmoury@eckertseamans.com

Dated: January 17, 2018

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Eagle Ride Taxi Cab LLC : Docket No. A-2017-2621976

**MOTION TO COMPEL
OF EAGLE RIDE TAXI CAB LLC**

TO THE HONORABLE DAVID A. SALAPA:

Pursuant to Sections 5.103 and 5.342(g) of the Commission's regulations, 52 Pa. Code §§ 5.103 and 5.342(g), Eagle Ride Taxi Cab LLC ("Eagle Ride" or "Applicant") files this Motion to Compel.¹ On December 19, 2017, Eagle Ride served Discovery Requests, Set I, directed to EZ Taxi LLC, Express Taxi LLC, Reading City Cab, LLC, and Amigo Cab, LLC ("Joint Protestants"). No objections were filed. Although responses were due on January 8, 2018, no responses have been served. Counsel for Eagle Ride inquired with counsel for the Joint Protestants on January 12, 2018 regarding the status of the responses, noting an intent to file a Motion to Compel on January 17, 2018 if responses were not received by then. No response to that communication has been received. Eagle Ride respectfully requests that Administrative Law Judge ("ALJ") Salapa issue an Order granting this Motion to Compel, requiring the Joint Protestants to serve responses to Eagle Ride Discovery Requests, Set I, within three days. In support hereof, Eagle Ride further avers as follows:

¹ Although Section 5.342(g) addresses motions to compel, this provision of the regulation envisions the prior filing of objections to interrogatories, which did not occur here. Therefore, Eagle Ride is also relying on Section 5.103, which governs the filing of other motions. The only significance of citing these two provisions is that the motions to compel must be answered within five days, whereas the response period for other motions is twenty days. Eagle Ride believes that the response period is governed by Section 5.342(g). However, to the extent necessary, since the presiding officer may shorten the period of time for responding to motions pursuant to Section 5.103(c), Eagle Ride requests that the period of time be shortened to five days to be consistent with the motion to compel provisions and to allow for this matter to be resolved prior to the hearing scheduled for February 6, 2018. For that reason, Eagle Ride has set forth a five-day response period in the Notice to Plead accompanying this Motion to Compel.

I. BACKGROUND AND INTRODUCTION

1. Eagle Ride filed its Application seeking authority to provide call or demand service in the City of Lancaster, Pennsylvania and within an airline distance of 15 statute miles of the limits of the City of Lancaster on August 30, 2017. No Verified Statement was supplied by Eagle Ride, who was not represented by legal counsel, at that time.²

2. The Application was published in the *Pennsylvania Bulletin* on September 30, 2017 at 47 Pa.B. 6155, with Protests due by October 16, 2017.

3. Autocab, Inc. filed a Protest on October 10, 2017.

4. The Joint Protestants filed a Joint Protest on October 12, 2017.

5. On October 31, 2017, Eagle Ride supplemented its Application by filing a Verified Statement, which was served on the Joint Protestants.

6. On October 31, 2017, Eagle Ride also filed a Motion to Dismiss the Joint Protest, noting that the Joint Protest is to avoid competition.³ Although the Joint Protest refers to the absence of financial and technical information submitted with the Application, and purports to oppose the Application on that basis,⁴ it is clear that the Joint Protestants simply desire to preclude the entry of another call or demand carrier in the City of Lancaster. Notably, the Joint Protest contains no specific averments regarding any claims that Eagle Ride lacks technical or financial fitness. Rather, the Joint Protest alleges the Applicant has not shown that approval of the

² It is Eagle Ride's belief that since the Application was filed shortly the Commission's new regulations governing the entry of call or demand carriers in Pennsylvania went into effect on June 3, 2017, the Application was not rejected due to the omission of the Verified Statement.

³ On the same date, Eagle Ride filed a Motion to Dismiss the Protest filed by Autocab, Inc., which did not file an Answer to the Motion to Dismiss. Rather, by correspondence filed on November 20, 2017, Autocab, Inc. withdrew its protest based on the filing of Eagle Ride's Verified Statement on October 31, 2017.

⁴ Joint Protest, ¶¶ 8-9.

application is necessary for service to the public and further that the entry of a new carrier would endanger or impair the operations of the Joint Protestants.

7. On November 6, 2017, the Joint Protestants filed an Answer to the Motion to Dismiss, citing the lack of a Verified Statement being filed with the Application and asserting an entitlement to conduct discovery to determine whether the information provided in the Verified Statement is supported by additional evidence.⁵

8. On November 14, 2017, Eagle Ride served discovery responses on the Joint Protestants, responding to requests that were served prior to the filing of Eagle Ride's Verified Statement. No additional discovery requests have been served by the Joint Protestants.

9. By Hearing Notice dated December 5, 2017, the Application was scheduled for a hearing on February 6, 2018 at 10:00 a.m.

10. On December 13, 2017, the ALJ issued an Interim Order denying Eagle Ride's Motion to Dismiss.

11. On December 19, 2017, Eagle Ride served Discovery Requests, Set I, on the Joint Protestants, which are the subject of this Motion to Compel and attached as Attachment A.

12. The Joint Protestants did not file objections within 10 days after service of the Discovery Requests, or by December 29, 2018, as required by Section 5.342(e) of the Commission's regulations. 52 Pa. Code § 5.342(e).

13. The Joint Protestants did not file responses within 20 days after service of the Discovery Requests, or by January 8, 2018, as required by Section 5.342(d).

14. On January 12, 2018, counsel for Eagle Ride inquired via electronic mail with counsel for the Joint Protestants regarding the status of discovery responses, noting that if

⁵ Answer ¶ 28.

responses were not served, a Motion to Compel would be filed on January 17, 2018. This electronic mail is attached as Attachment B. No response was received to this communication and the responses to Discovery Requests, Set I, have not been served on Eagle Ride.

II. ARGUMENT

A. Applicable Legal Standards.

15. Section 5.321(c) of the Commission's regulations permit parties to obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party, including the existence, description, nature, content, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of a discoverable matter. 52 Pa. Code § 5.321(c).

16. Section 5.321(f) of the Commission's regulations permit the use of written interrogatories as a method for obtaining discovery. 52 Pa. Code § 5.321(f).

B. Eagle Ride's Discovery Requests Comport with the Commission's Regulations.

17. A review of Eagle Ride's Discovery Requests (Attachment A) shows that they comport with the scope and method of discovery set forth in the Commission's regulations.

18. Eagle Ride's Discovery Requests ask the Joint Protestants to identify the witnesses they plan to call during the hearings and describe the topics that each witness will address. In addition, Eagle Ride's Discovery Requests seek information regarding the specific challenges that the Joint Protestants plan to raise and evidence that the Joint Protestants plan to offer in support of any claims concerning each paragraph of the Verified Statement. Eagle Ride's Discovery Requests also seek other evidence that the Joint Protestants plan to offer as exhibits during the hearing. In addition, the Discovery Requests elicit information about the current operations of

each of the Joint Protestants. Finally, the Discovery Requests seek information supporting the assertions in the Joint Protest concerning financial fitness, technical fitness, and a need for additional taxicab services, as well as indications of whether the Joint Protestants agree that competition improves customer service and creates even greater demand for transportation.

C. Eagle Ride Has Afforded the Joint Protestants Sufficient Time to Respond to Discovery Requests, Set I.

19. Eagle Ride served Discovery Requests, Set I, on December 19, 2017, with the expectation that the information would be furnished within twenty days as required by the Commission's regulations or by January 8, 2018, approximately one month before the hearing scheduled for February 6, 2018.

20. Eagle Ride afforded the Joint Protestants some flexibility by waiting until the end of the week that the responses were due to inquire about their status and contacted counsel for the Joint Protestants on January 12, 2018.

21. Eagle Ride also afforded counsel for the Joint Protestants five days to serve responses before filing this Motion to Compel, without receiving any response even as to the status of receiving the requested information.

22. While Eagle Ride is reluctant to involve the ALJ in this dispute, any further delay in filing this Motion to Compel would result in Eagle Ride being prejudiced in its hearing preparations by not having the information sufficiently in advance of February 6, 2018.

23. A delay of the hearing scheduled for February 6, 2018 is not acceptable to Eagle Ride, which is eager to begin operating as a taxicab company in the City of Lancaster. Any further delays in this proceeding would unfairly affect Eagle Ride, especially in view of the Joint Protestants' continuation of the Joint Protest following the filing of the Verified Statement and their lack of any discovery aimed at the assertions in the Verified Statement.

D. This Motion to Compel Can Be Granted Without Delaying the Hearing.

24. In an effort to keep the Application on track for a hearing on February 6, 2018, Eagle Ride is offering a proposed procedural schedule for addressing this Motion to Compel, which is set forth in the table below:

Action	Date
Motion to Compel	January 17, 2018
Answer to Motion to Compel	January 22, 2018
Order Granting Motion to Compel	January 25, 2018
Discovery Responses	January 29, 2018

25. If discovery responses are not timely served in accordance with an Order granting the Motion to Compel, this proposed schedule would afford Eagle Ride an opportunity to file a Motion for Sanctions on January 30, 2018, seeking to have the Joint Protestants precluded from cross-examining Eagle Ride's witness, and from presenting testimony and exhibits of their own during the hearings on February 6, 2018.

26. To the extent that the ALJ issues an Order later than January 25, 2018, Eagle Ride will respond timely and appropriately, as necessary, including the presentation of an oral Motion for Sanctions at the hearing on February 6, 2018.

III. CONCLUSION

WHEREFORE, based upon the foregoing, Eagle Ride Taxi Cab LLC respectfully requests that Administrative Law Judge Salapa issue an Order granting this Motion to Compel and directing EZ Taxi LLC, Express Taxi LLC, Reading City Cab, LLC, and Amigo Cab, LLC, to respond to Eagle Ride's Discovery Requests, Set I, within three days.

Respectfully submitted,



Karen O. Moury

I.D. No. 36879

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Harrisburg, PA 17101

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kmoury@eckertseamans.com

Dated: January 17, 2018

Counsel for Eagle Ride Taxi Cab LLC

ATTACHMENT A

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Eagle Ride Taxi Cab LLC : Docket No. A-2017-2621976

**EAGLE RIDE TAXI CAB LLC'S DISCOVERY REQUESTS
DIRECTED TO EZ TAXI LLC, EXPRESS TAXI LLC,
READING CITY CAB, LLC AND AMIGO CAB, LLC, SET I**

Pursuant to 52 Pa. Code §§ 5.341, 5.342 and 5.349, Eagle Ride Taxi Cab LLC ("Eagle Ride") hereby propounds the following interrogatories and requests for documents upon EZ Taxi LLC, Express Taxi LLC, Reading City Cab, LLC, and Amigo Cab, LLC ("Joint Protestants") to be answered by those officers, employees or agents of Joint Protestants who may be cognizant of the requested information and who are authorized to answer on behalf of the Joint Protestants.

These interrogatories and requests for documents are propounded on a continuing basis so as to require you to submit supplemental answers and/or documents should additional information become known that would have been includable in your answers and document production had they been known or available, or should information and/or documents supplied in the answers or production prove to be incorrect or incomplete. Eagle Ride reserves the right to propound additional interrogatories and to request additional documents as and if additional information is required.

Additional Instructions

A. Each request for admission or interrogatory shall be accorded a separate answer on a separate piece of paper, and each subpart thereof shall be accorded a separate answer. Each request for admission or interrogatory or subpart thereof shall be specifically admitted or denied, and discovery inquiries or subparts thereof should not be combined for the purpose of supplying a common answer.

- B. Restate the discovery inquiry immediately preceding each response.
- C. Identify the name, title, and business address of each person(s) providing each response and provide the data on which the response was created.
- D. In answering this discovery, utilize all information and documents that are available to you, including information in the possession of any of your agents, employees or attorneys, or otherwise subject to your custody or control.
- E. If you object to any part of an interrogatory or request, answer all parts of such interrogatories or requests to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.
- F. If you claim any form of privilege or other protection from disclosure as a ground for withholding information responsive to an interrogatory or request for production or any part thereof, please explain your claim with sufficient specificity to permit Eagle Ride to make a full determination as to whether your claim is valid.
- G. In each instance, the interrogatory or request shall be construed so as to require the most inclusive answer or production.
- H. Please attach written material to any answer for which written material is requested and/or available. If such written material is not available, state where it may be obtained. Please label the written material with the number of the interrogatory to which it pertains.
- I. Please provide responses as they are completed; it is not necessary to delay providing completed responses while others are not completed.

Definitions

As used in these Interrogatories and Requests for Production of Documents, the following terms have the meaning as set forth below:

1. “You” or “your” means EZ Taxi LLC, Express Taxi LLC, Reading City Cab, LLC, and Amigo Cab, LLC or the witness, as the context requires.

2. “List”, “describe”, “explain”, “specify” or “state” shall mean to set forth fully, in detail, and unambiguously each and every fact of which the Joint Protestants or its officers, employees, agents or representatives, have knowledge which is relevant to the answer called for by the interrogatory.

3. The terms “document” or “documents” as used herein shall have the same meaning and scope as in Rule 4009 of the Pennsylvania Rules of Civil Procedure and shall include, without limitation, any writings and documentary material of any kind whatsoever, both originals and copies (regardless of origin and whether or not including additional writing thereon or attached thereto), and any and all drafts, preliminary versions, alterations, modifications, revisions, changes and written comments of and concerning such material, including but not limited to: correspondence, letters, memoranda, notes, reports, directions, studies, investigations, questionnaires and surveys, inspections, permits, citizen complaints, papers, files, books, manuals, instructions, records, pamphlets, forms, contracts, contract amendments or supplements, contract offers, tenders, acceptances, counteroffers or negotiating agreements, notices, confirmations, telegrams, communications sent or received, print-outs, diary entries, calendars, tables, compilations, tabulations, charts, graphs, maps, recommendations, ledgers, accounts, worksheets, photographs, tape recordings, movie pictures, videotapes, transcripts, logs, workpapers, minutes, summaries, notations and records of any sort (printed, recorded or otherwise) of any oral communication whether sent or received or neither, and other written records or recordings, in whatever form, stored or contained in or on whatever medium including computerized or digital memory or magnetic media that: (a) are now or were formerly in your possession, custody or

control; or (b) are known or believed to be responsive to these interrogatories, regardless of who has or formerly had custody, possession or control.

4. The terms “identify” and “identity” when used with respect to an entity mean to state its full name and the address of its principal place of business.

5. The term to “state the basis” for an allegation, contention, conclusion, position or answer means (a) to identify and specify the sources therefore, and (b) to identify and specify all facts on which you rely or intend to rely in support of the allegation, contention, conclusion, position or answer, and (c) to set forth and explain the nature and application to the relevant facts of all pertinent legal theories upon which you rely for your knowledge, information and/or belief that there are good grounds to support such allegation, contention, conclusion, position or answer.

6. The terms “and” and “or” have both conjunctive and disjunctive meanings as necessary to bring within the scope of the interrogatories and request any information or documents that might otherwise be construed to be outside their scope; “all” and “any” mean both “each” and “every”.

7. The terms “relates to” or “relating to” mean referring to, concerning, responding to, containing, regarding, discussing, describing, reflecting, analyzing, constituting, disclosing, embodying, defining, stating, explaining, summarizing, or in any way pertaining to.

8. The term “including” means “including, but not limited to.”

9. The term “Joint Protest” means the Joint Protest filed by EZ Taxi LLC, Express Taxi LLC, Reading City Cab, LLC, and Amigo Cab, LLC on October 12, 2017.

10. The term “Commission” means the Pennsylvania Public Utility Commission.

11. The term “Verified Statement” means the Verified Statement filed with the Commission by Eagle Ride on October 31, 2017.

INTERROGATORIES

1. Please identify each witness you plan to call during the hearings in this proceeding and describe in detail the topics that each witness will address.

2. For each witness identified in response to Eagle Ride I-1, please describe the witness' qualifications and the docket number of all cases in which the witness has testified before the Commission in the past five years.

3. Reference Eagle Ride's Verified Statement ¶ 3. Please identify any issues that you plan to pursue regarding the assertions set forth therein, including specific challenges and evidence that you intend to offer in support of any claims concerning this paragraph. Also, please provide copies of any documents that you plan to offer into evidence as exhibits related to these claims.

4. Reference Eagle Ride's Verified Statement ¶ 4. Please identify any issue that you plan to pursue regarding the assertions set forth therein, including specific challenges and evidence that you intend to offer in support of any claims concerning this paragraph. Also, please provide copies of any documents that you plan to offer into evidence as exhibits related to these claims.

5. Reference Eagle Ride's Verified Statement ¶ 5. Please identify any issue that you plan to pursue regarding the assertions set forth therein, including specific challenges and evidence that you intend to offer in support of any claims concerning this paragraph. Also, please provide copies of any documents that you plan to offer into evidence as exhibits related to these claims.

6. Reference Eagle Ride's Verified Statement ¶ 6. Please identify any issue that you plan to pursue regarding the assertions set forth therein, including specific challenges and evidence that you intend to offer in support of any claims concerning this paragraph. Also, please provide copies of any documents that you plan to offer into evidence as exhibits related to these claims.

7. Reference Eagle Ride's Verified Statement ¶ 7. Please identify any issue that you plan to pursue regarding the assertions set forth therein, including specific challenges and evidence that you intend to offer in support of any claims concerning this paragraph. Also, please provide copies of any documents that you plan to offer into evidence as exhibits related to these claims.

8. Reference Eagle Ride's Verified Statement ¶ 8. Please identify any issue that you plan to pursue regarding the assertions set forth therein, including specific challenges and evidence that you intend to offer in support of any claims concerning this paragraph. Also, please provide copies of any documents that you plan to offer into evidence as exhibits related to these claims.

9. Reference Eagle Ride's Verified Statement ¶ 9 and the attached Statement of Financial Position. Please identify any issue that you plan to pursue regarding the assertions set forth therein, including specific challenges and evidence that you intend to offer in support of any claims concerning this paragraph. Also, please provide copies of any documents that you plan to offer into evidence as exhibits related to these claims.

10. Please provide copies of any other documents that you plan to offer into evidence as exhibits during the hearings in this proceeding.

11. Reference Joint Protest ¶ 4.

(a) Please identify the owner(s) and manager (s) by name(s) and business address(es) of EZ Taxi LLC.

(b) Please provide a copy of EZ Taxi LLC's current tariff on file with the Commission.

(c) Please provide a copy of EZ Taxi LLC's Annual Reports filed with the Commission for calendar years 2014, 2015 and 2016.

(d) Please identify by application docket number the protests that EZ Taxi LLC has filed with the Commission from 2012 through 2017.

(e) Please indicate whether EZ Taxi LLC is currently providing taxicab service between points in the City of Lancaster.

(f) Please indicate whether EZ Taxi LLC is currently providing taxicab service within a 15-mile radius of the City of Lancaster.

(g) If the answer to (e) or (f) is yes, please indicate how many vehicles are in use by EZ Taxi, LLC between points the City of Lancaster and within a 15-mile radius of the City of Lancaster. Also, identify the year, make, model and mileage of each vehicle.

(h) If the answer to (e) or (f) is yes, please indicate how many drivers are used by EZ Taxi, LLC (as employees and independent contractors) between points the City of Lancaster and within a 15-mile radius of the City of Lancaster.

(i) If the answer to (e) or (f) is yes, please indicate your gross operating revenues for 2016 and 2017 (year-to-date) for transportation services provided between points within the City of Lancaster and within a 15-mile radius of the City of Lancaster.

(j) Please provide a list of all informal complaints and formal complaints filed with the Commission against EZ Taxi LLC, including the subject matter and disposition thereof, case or docket numbers and copies of all documents.

(k) Please indicate whether EZ Taxi, LLC has terminated or separated any employees within the past five years. Identify when the employees were terminated or separated and explain the reason for the termination or separation.

(l) Have any of the owners or managers of EZ Taxi, LLC ever been convicted of a crime? If so, please provide the date of each conviction and identify each crime for which they were convicted.

12. Reference Joint Protest ¶ 5.

(a) Please identify the owner(s) and manager (s) by name(s) and business address(es) of Express Taxi LLC.

(b) Please provide a copy of Express Taxi LLC's current tariff on file with the Commission.

(c) Please provide a copy of Express Taxi LLC's Annual Reports filed with the Commission for calendar years 2014, 2015 and 2016.

(d) Please identify by application docket number the protests that Express Taxi LLC has filed with the Commission from 2012 through 2017.

(e) Please indicate whether Express Taxi LLC is currently providing taxicab service between points in the City of Lancaster.

(f) Please indicate whether Express Taxi LLC is currently providing taxicab service within a 15-mile radius of the City of Lancaster.

(g) If the answer to (e) or (f) is yes, please indicate how many taxicabs are in use by Express Taxi LLC between points the City of Lancaster and within a 15-mile radius of the City of Lancaster. Also, identify the year, make, model and mileage of each vehicle.

(h) If the answer to (e) or (f) is yes, please indicate how many drivers are used by Express Taxi LLC (as employees and independent contractors) between points the City of Lancaster and within a 15-mile radius of the City of Lancaster.

(i) If the answer to (e) or (f) is yes, please indicate your gross operating revenues for 2016 and 2017 (year-to-date) for transportation services provided between points within the City of Lancaster and within a 15-mile radius of the City of Lancaster.

(j) Please provide a list of all informal complaints and formal complaints filed with Commission against Express Taxi LLC, including the subject matter and disposition thereof, case or docket numbers and copies of all documents.

(k) Please indicate whether Express Taxi LLC has terminated or separated any employees within the past five years. Identify when the employees were terminated or separated and explain the reason for the termination or separation.

(l) Have any of the owners or managers of Express Taxi LLC ever been convicted of a crime? If so, please provide the date of each conviction and identify each crime for which they were convicted.

13. Reference Joint Protest ¶ 6.

(a) Please identify the owner(s) and manager (s) by name(s) and business address(es) of Reading City Cab, LLC.

(b) Please provide a copy of Reading City Cab, LLC's current tariff on file with the Commission.

(c) Please provide a copy of Reading City Cab, LLC's Annual Reports filed with the Commission for calendar years 2014, 2015 and 2016.

(d) Please identify by application docket number the protests that Reading City Cab, LLC has filed with the Commission from 2012 through 2017.

(e) Please indicate whether Reading City Cab, LLC is currently providing taxicab service between points in the City of Lancaster.

(f) Please indicate whether Reading City Cab, LLC is currently providing taxicab service within a 15-mile radius of the City of Lancaster.

(g) If the answer to (e) or (f) is yes, please indicate how many taxicabs are in use by Reading City Cab, LLC between points the City of Lancaster and within a 15-mile radius of the City of Lancaster. Also, identify the year, make, model and mileage of each vehicle.

(h) If the answer to (e) or (f) is yes, please indicate how many drivers are used by Reading City Cab, LLC (as employees and independent contractors) between points the City of Lancaster and within a 15-mile radius of the City of Lancaster.

(i) If the answer to (e) or (f) is yes, please indicate your gross operating revenues for 2016 and 2017 (year-to-date) for transportation services provided between points within the City of Lancaster and within a 15-mile radius of the City of Lancaster.

(j) Please provide a list of all informal complaints and formal complaints filed with Commission against Reading City Cab, LLC, including the subject matter and disposition thereof, case or docket numbers and copies of all documents.

(k) Please indicate whether Reading City Cab, LLC has terminated or separated any employees within the past five years. Identify when the employees were terminated or separated and explain the reason for the termination or separation.

(l) Have any of the owners or managers of Reading City Cab, LLC ever been convicted of a crime? If so, please provide the date of each conviction and identify each crime for which they were convicted.

14. Reference Joint Protest ¶ 7.

(a) Please identify the owner(s) and manager (s) by name(s) and business address(es) of Amigo Cab, LLC.

(b) Please provide a copy of Amigo Cab, LLC's current tariff on file with the Commission.

(c) Please provide a copy of Amigo Cab, LLC's Annual Reports filed with the Commission for calendar years 2014, 2015 and 2016.

(d) Please identify by application docket number the protests that Amigo Cab, LLC has filed with the Commission from 2012 through 2017.

(e) Please indicate whether Amigo Cab, LLC is currently providing taxicab service between points in the City of Lancaster.

(f) Please indicate whether Amigo Cab, LLC is currently providing taxicab service within a 15-mile radius of the City of Lancaster.

(g) If the answer to (e) or (f) is yes, please indicate how many taxicabs are in use by Amigo Cab, LLC between points the City of Lancaster and within a 15-mile radius of the City of Lancaster. Also, identify the year, make, model and mileage of each vehicle.

(h) If the answer to (e) or (f) is yes, please indicate how many drivers are used by Amigo Cab, LLC (as employees and independent contractors) between points the City of Lancaster and within a 15-mile radius of the City of Lancaster.

(i) If the answer to (e) or (f) is yes, please indicate your gross operating revenues for 2016 and 2017 (year-to-date) for transportation services provided between points within the City of Lancaster and within a 15-mile radius of the City of Lancaster.

(j) Please provide a list of all informal complaints and formal complaints filed with Commission against Amigo Cab, LLC, including the subject matter and disposition thereof, case or docket numbers and copies of all documents.

(k) Please indicate whether Amigo Cab, LLC has terminated or separated any employees within the past five years. Identify when the employees were terminated or separated and explain the reason for the termination or separation.

(l) Have any of the owners or managers of Amigo Cab, LLC ever been convicted of a crime? If so, please provide the date of each conviction and identify each crime for which they were convicted.

15. Reference Joint Protest ¶ 8. Please explain the basis for the claim that Applicant does not possess the requisite financial fitness to provide the proposed service. Provide all supporting documentation.

16. Reference Joint Protest ¶ 9. Please explain the basis for the claim that Applicant does not possess the requisite technical fitness to provide the proposed service. Provide all supporting documentation.

17. Reference Joint Protest ¶ 10. Please explain the relevance of the claim that approval of the Application is not necessary or proper for the service, accommodation, convenience or safety of the public and would be contrary to public interest. Also, provide the basis for the claim and all supporting documentation.

18. Reference Eagle Ride's Response to Joint Protestants-I-12. Please indicate whether the Joint Protestants agree that the City of Lancaster has experienced a growth in population since 2010. If the Joint Protestants do not agree, please explain.

19. Reference Eagle Ride's Response to Joint Protestants-I-12. Please indicate whether the Joint Protestants agree that downtown Lancaster is an important employment center with approximately 15,000 people working in the City. If the Joint Protestants do not agree, please explain.

20. Reference Eagle Ride's Response to Joint Protestants-I-12. Please indicate whether the Joint Protestants agree that new shopping centers as identified in the response have either

opened within the past three months or are expected to open within the next six months. If the Joint Protestants do not agree, please explain.

21. Reference Eagle Ride's Response to Joint Protestants-I-12. Please indicate whether the Joint Protestants agree that competition among taxicab carriers promotes innovation and improves customer service. If the Joint Protestants do not agree, please explain.

22. Reference Eagle Ride's Response to Joint Protestants-I-12. Please indicate whether the Joint Protestants agree that customer access to improved services creates even greater demand for transportation. If the Joint Protestants do not agree, please explain.

Respectfully submitted,



Karen O. Moury
PA Attorney I.D. # 36879
Eckert Seamans Cherin & Mellott, LLC
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Harrisburg, PA 17101
717.237.6036
kmoury@eckertseamans.com

Dated: December 19, 2017

Counsel for Eagle Ride Taxi Cab LLC

ATTACHMENT B

Karen O. Moury

From: Karen O. Moury
Sent: Friday, January 12, 2018 3:07 PM
To: 'Tony DelGrosso'
Subject: FW: App. of Eagle Ride Taxi Cab - A-2017-2621976 - Discovery Requests
Attachments: EAGLE RIDE DISC REQ.pdf; EAGLE RIDE DISCOVERY (SET I) TO JOINT PROTESTANTS (L0736873xA35AE).docx

Tony,

Please let me know when you anticipate serving the Joint Protestants' discovery responses, which were due January 8. With the hearing date quickly approaching and the information needed for hearing preparations, we will need to file a Motion to Compel on January 17 if we have not received at least most of the information.

Thank you.

Karen

From: Lori Walter
Sent: Tuesday, December 19, 2017 2:17 PM
To: ajdelgrosso@gmail.com
Cc: Karen O. Moury
Subject: App. of Eagle Ride Taxi Cab - A-2017-2621976 - Discovery Requests

Attached please find Eagle Ride Taxi's Discovery Requests to EX Taxi, LLC, Express Taxi LLC, Reading City Cab, LLC and Amigo Cab, LLC, Set I. Hard copies to follow via first class mail.

Lori W. Walter | Legal Assistant to
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Deanne M. O'Dell, Esq.
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