



Fox Rothschild ^{LLP}
ATTORNEYS AT LAW

2000 Market Street, 20th Floor
Philadelphia, PA 19103-3222
T: 215.299.2000 F: 215.299.2150
www.foxrothschild.com

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

June 12, 2018

VIA ELECTRONIC FILING

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

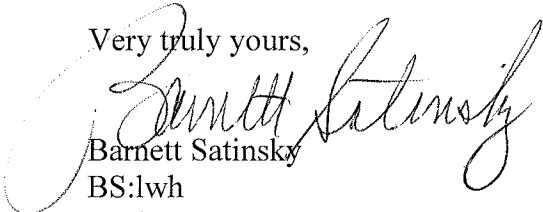
Re: Application of BGP, LLC, t/a PA Transportation Services
Docket Number: A-2018-3002220

Dear Secretary Chiavetta:

Enclosed for filing is the Joint Protest of Suburban Transit Network, Inc. t/a TransNet, Bux-Mont Transportation, Inc. f/k/a Willow Grove Yellow Cab Co., Inc., Easton Coach Company t/a Norristown Transportation Company, Tri County Transit Service, Inc., and Bucks County Transport, Inc., to the Application for a Certificate of Public Convenience by BGP, LLC, t/a PA Transportation Services, a copy of which is being served on Applicant.

Thank you for your cooperation.

Very truly yours,


Barnett Satinsky

BS:lwh

Enclosure

cc: Mr. Hiren Patel (*Applicant*) (w/encl.)
(*via e-Service: hiren@patransportationservices.com*)
Ms. Susan Kopystecki (w/encl.) (*via email*)
Mr. Samuel Valenza (w/encl.) (*via email*)
Mr. Mark E. Glatz (w/encl.) (*via email*)
Mr. James Tammara (w/encl.) (*via email*)
Mr. James Raymond (w/encl.) (*via email*)

A Pennsylvania Limited Liability Partnership

California Colorado Connecticut Delaware District of Columbia Florida Illinois
Minnesota Nevada New Jersey New York Pennsylvania Texas Washington

- (b) Bux-Mont Transportation, Inc. f/k/a Willow Grove Yellow Cab Co., Inc.¹
(hereinafter referred to as "Bux-Mont")
701 Lincoln Avenue
Willow Grove, PA 19090
(215) 659-8865
- (c) Easton Coach Company
t/a Norristown Transportation Company
(hereinafter referred to as "ECC")
1200 Conroy Place
Easton, PA 18040
(610) 253-4055
- (d) Tri County Transit Service, Inc.
(hereinafter referred to as "Tri County")
110 Industrial Parkway
Sanatoga, PA 19464
(610) 495-5640
- (e) Bucks County Transport, Inc.
(hereinafter referred to as "BCT")
Buckingham Green II
P.O. Box 510
Holicong, PA 18928
(215) 794-5554

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

Barnett Satinsky, Esquire
Fox Rothschild LLP
2000 Market Street, 20th Floor
Philadelphia, PA 19103 – 3222
(215) 299-2088 (telephone)
(215) 299-2150 (fax)

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

Unknown.

¹ The name change of Bux-Mont Transportation, Inc. (formerly known as Willow Grove Yellow Cab Co., Inc.) was filed with the Secretary of the Commonwealth on 9/28/17; the Secretary of the Commission was notified of the name change on 10/19/17.

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

(a) Nature of Protestants' interests

The Applicant seeks the following authority:

The right to transport as a common carrier, by motor vehicle, persons in paratransit service, between points in the Counties of Bucks, Lehigh, Montgomery and Northampton, and the City and County of Philadelphia to points in Pennsylvania, and return.

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

(2) Protestant Bux-Mont holds authority from the Commission at Docket A-00087075 and six folders and operates thereunder. Docket A-00087075, F.5, Am. A authorizes Protestant to render paratransit service between points in the borough of Hatboro, and the townships of Upper Moreland, Horsham and that part of Abington, bounded and described as follows: Beginning at the intersection of Moreland Road and North Hills Avenue; thence on North Hills Avenue to Fitzwatertown Road; thence northwardly on Fitzwatertown Road to a line running along Patane Avenue, as it would be extended westwardly; thence on the said line to Patane Avenue beginning at Lindburgh Avenue; thence on a line at Patane Avenue which would be extended to the Reading Railroad to Glendale Avenue; thence on Glendale Avenue to Edgehill Road; thence on Edgehill Road to Moreland Road; thence on Moreland Road to North Hills Avenue, the place of beginning, all in the county of Montgomery, the borough of Ivyland, and the townships of Warminster, Warrington, Warwick, and that part of Upper Southampton described and bounded as follows: Beginning at the intersection of Davisville and Bristol Roads, thence east on Bristol Road to its intersection with Chinquapin Road, south on Chinquapin Road to its imaginary intersection with Stump Road (becoming Buck Road), south on Buck Road to its intersection with County Line Road, thence west on County Line Road to Davisville Road, thence north on Davisville road to the point of its beginning, all in the county of Bucks. Protestant Bux-Mont also holds authority at Docket A-00087075, F.5 to transport, as a common carrier, persons, in paratransit

service, from points in the Townships of Abington, Cheltenham, Horsham, Lower Moreland, Upper Dublin, Upper Moreland, and the Boroughs of Ambler, Bryn Athyn, Hatboro, Jenkintown and Rockledge, as well as those portions of Lower Gwynedd Township east of Bethlehem Pike, those portions of Springfield and Whitmarsh Townships north of Stention [sic] Road, and that portion of Whitpain Township east of Mont Pleasant Road and north of Morris Road, all in Montgomery County; and in the Townships of Lower Southampton, Upper Southampton, Warminster, Warrington, Warwick, and the Borough of Ivyland, all in Bucks County: to points in Bucks, Montgomery and Philadelphia Counties, and return.

- (3) Protestant ECC holds authority from the Commission at Docket A-00118835/A-2014-2415540 to transport, as a common carrier by motor vehicle, persons in paratransit service between points in the borough of Norristown and within an airline distance of five miles of the limits of said borough, and in the township of Whitmarsh, Montgomery County; subject to the following condition: Provided that no right, power or privilege is granted to perform transportation to, from, or between points in Chester County.
- (4) Protestant Tri County holds authority from the Commission at Docket A-00112826, F.2 and operates thereunder to transport, as a common carrier by motor vehicle, persons in paratransit service between points in the borough of Pottstown, Montgomery County, and within an airline distance of fifteen (15) statute miles of the limits of said borough.
- (5) Protestant BCT holds authority from the Commission at Docket A-00107294, F.2, Am-C and operates thereunder to transport, as a common carrier, persons, in paratransit service, between points in the County of Bucks, and from points in said county, to points in the counties of Northampton, Lehigh, Montgomery and Philadelphia, and vice versa; subject to the following condition:
 - (1) That any service shall be provided in vehicles having a seating capacity of twenty-eight (28) passengers or less, excluding the driver; and
 - (2) That no right, power or privilege is granted to originate service from points in the county of Montgomery.

(b) Lack of Fitness of Applicant

While Applicant has provided a verified statement containing information, the statement does not meet requirements of 52 Pa. Code §3.381 (c)(1)(iii)(A)(II) and (III). The generic statements contained in the Application do not provide an adequate basis for findings of financial and technical fitness. Consequently, absent adequate record presentations,

Joint Protestants challenge the technical and financial ability of Applicant to perform the proposed service for reasons including, but not limited to, the Applicant's failure to adequately demonstrate 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 secured or is able to secure sufficient and continuous insurance coverage; 4) Applicant has an appropriate plan to comply with the applicable driver and vehicle safety regulations and service standards; 5) Applicant is in compliance with Commission orders and regulations; 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.

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

(a) TransNet

Docket Number A-00102219, Folder 1 (Order entered 4/13/1994)

Docket Number A-00102219, Folder 1, Amendment A (Order entered 7/23/1985)

Docket Number A-00102219, Folder 1, Amendment C (Order entered 5/13/1998)

Docket Number A-00102219, Folder 2 (Paratransit) (Order entered 12/18/1980)

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

(b) Bux-Mont

Docket Number A-00087075, Folders 1, 2, 3, 4, 5, 6 (Name change)

Docket Number A-00087075, Folders 2, 3, 3 Am-A, 4 (Call or Demand)

Docket Number A-00087075, Folders 5/A-2009-2123552, 5 Am-A (Paratransit) (Orders entered 1/22/1985 and 1/13/2012)

Docket Number A-00087075, Folder 6 (Property)

Docket Number A-00087075, Folder 7 (Limousine)

(c) ECC

Docket Number A-00118835, Folder 1 (Group and Party)

Docket Number A-00118835, Folder 2 (Group and Party)

Docket A-2014-2415524 (Paratransit) (Order entered 10/22/2014)

Docket A-2014-2415529 (Paratransit) (Order entered 10/22/2014)

Docket A-2014-2415532 (Paratransit) (Order entered 10/22/2014)

Docket A-2014-2415540 (Paratransit) (Order entered 10/22/2014)

Docket A-2014-2415508 (Call or Demand)

Docket A-2014-2415520 (Call or Demand)

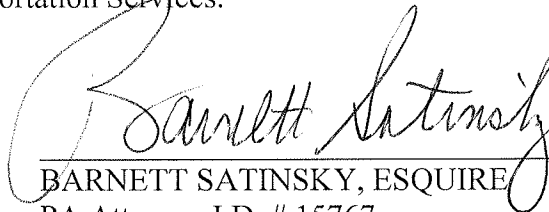
Docket A-2014-2415552 (Call or Demand)

- (d) Tri County Transit Service, Inc.
Docket Number A-00112826, Folder 2 (Order entered 5/13/1996)

- (e) Bucks County Transport, Inc.
Docket Number A-00107294, Folder 2, Am-C (Paratransit) (Order entered 3/17/2000)
Docket Number A-00107294, Folder 3, Am-A (Group and Party)

7. Approval of this Application, as currently constituted, is not necessary or proper for the service, accommodation, convenience or safety of the public and would be contrary to the public interest. The elimination of trips originating from the Counties of Bucks, Lehigh, Montgomery and Northampton, and the City and County of Philadelphia, may satisfy Joint Protestants' interests, however, other types of restrictions may also be considered.

WHEREFORE, Joint Protestants respectfully request that the Pennsylvania Public Utility Commission deny and dismiss: 1) the Application of BGP, LLC, t/a PA Transportation Services, for permanent authority; 2) as well as any temporary authority application that has or may be filed by BGP, LLC, t/a PA Transportation Services.



BARNETT SATINSKY, ESQUIRE

PA Attorney I.D. # 15767

FOX ROTHSCHILD LLP

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Philadelphia, PA 19103-3222

(215) 299-2088 (telephone)

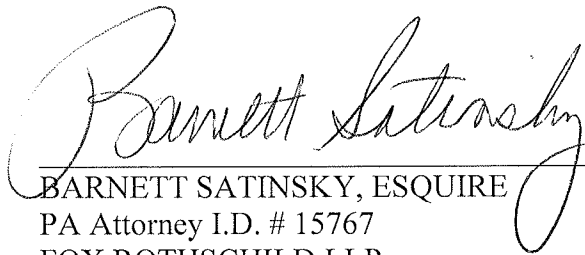
(215) 299-2150 (fax)

bsatinsky@foxrothschild.com

Attorneys for Joint Protestants
Suburban Transit Network, Inc. t/a TransNet,
Bux-Mont Transportation, Inc. f/k/a Willow Grove Yellow
Cab Co., Inc., Easton Coach Company t/a Norristown
Transportation Company, Tri County Transit Service, Inc.,
and Bucks County Transport, Inc.

June 12, 2018

Mr. Hiren Patel
BGP, LLC, t/a PA Transportation Services
4329 Rexford Drive
Bethlehem, PA 18020
(Applicant)
(via e-Service: hiren@patransportationservices.com)



BARNETT SATINSKY, ESQUIRE

PA Attorney I.D. # 15767

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Philadelphia, PA 19103-3222

(215) 299-2088 (telephone)

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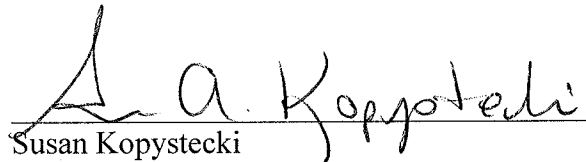
bsatinsky@foxrothschild.com

Attorneys for Joint Protestants
Suburban Transit Network, Inc. t/a TransNet,
Bux-Mont Transportation, Inc. f/k/a Willow Grove Yellow
Cab Co., Inc., Easton Coach Company t/a Norristown
Transportation Company, Tri County Transit Service, Inc.,
and Bucks County Transport, Inc.

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERIFICATION

I, Susan Kopystecki, hereby state that I am Executive Director of Suburban Transit Network, Inc. t/a TransNet ("TransNet"); that I am authorized to make this verification on its behalf; that the facts above set forth in the Protest to this Application are true and correct to the best of my knowledge, information and belief with respect to TransNet; and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.

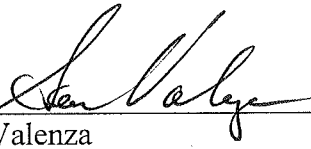

Susan Kopystecki

Dated: June 12, 2018

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERIFICATION

I, Sam Valenza, hereby state that I am Chief Operating Officer of Willow Grove Yellow Cab Co., Inc. t/d/b/a Bux-Mont Yellow Cab and t/d/b/a Bux-Mont Transportation Services Co. ("Bux-Mont"); that I am authorized to make this verification on its behalf; that the facts above set forth in the Protest to this Application, are true and correct to the best of my knowledge, information and belief with respect to Bux-Mont; and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.



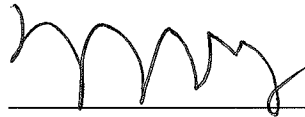
Sam Valenza

Dated: June 12, 2018

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERIFICATION

I, Mark E. Glatz, hereby state that I am Executive Vice President of Easton Coach Company (“ECC”); that I am authorized to make this verification on its behalf; that the facts above set forth in the Protest to this Application are true and correct to the best of my knowledge, information and belief with respect to ECC; and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.



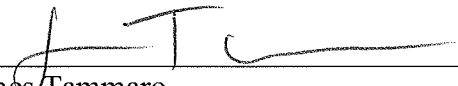
Mark E. Glatz

Dated: June 12, 2018

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERIFICATION

I, James Tammaro, hereby state that I am Manager of Tri County Transit Services, Inc.; that I am authorized to make this verification on its behalf; that the facts above set forth in the Protest to this Application are true and correct to the best of my knowledge, information and belief with respect to Tri County Transit Services, Inc.; and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.



James Tammaro

Dated: June 12, 2018

**COMMONWEALTH OF PENNSYLVANIA
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

VERIFICATION

I, James A. Raymond, hereby state that I am Chief Financial Officer of Bucks County Transport, Inc. ("BCT"); that I am authorized to make this verification on its behalf; that the facts above set forth in the Protest to this Application are true and correct to the best of my knowledge, information and belief with respect to BCT; and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. § 4904 relating to unsworn falsification to authorities.



James A. Raymond

Dated:

June 12, 2018