

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CASE NO. A-2019-3007048

THREE RIVERS TRANSPORTATION, LLC T/A TRANSPORT VIP

Applicant

v.

ROVER COMMUNITY TRANSPORTATION, INC.

Protestant

MOTION TO PROCEED WITHOUT HEARING

AND NOW COMES, Applicant, Three Rivers Transportation, LLC, by and through its counsel, Brad N. Sommer, Esquire, and files a Motion to Proceed Without Hearing requesting that the application be referred to the Commission's Bureau of Technical Utility Services for further review under 52 Pa. Code § 3.381(c)(1)(iii)(A):

1. On January 9, 2019, an Application by Three Rivers Transportation, LLC was filed for approval to expand its territory as a passenger carrier in the Commonwealth of Pennsylvania. Having been in the transportation industry throughout Pennsylvania since 2002, Applicant applied for approval for the additional right to transport, as a common carrier, persons in paratransit service, wheelchair and stretcher vans, for nonambulatory medical and other transportation in which the persons do not have access to, own or are unable to operate a motor vehicle, between points in Pennsylvania, and return. The Application seeks to expand the territory for paratransit services.

2. On May 2, 2019, Protestant, Rover Community Transportation, Inc., by and through its counsel, Charles E. Thomas, III, filed its Protest to the above referenced application arguing that approval of the application would be “unnecessary or improper for the service, accommodation, convenience or safety of the public and would be contrary to public interest.”

3. On June 7, 2017, the above-captioned matter was scheduled for a hearing on Thursday, July 25, 2019, at 10:00 am, 2nd Floor Hearing Room, Piatt Place, Suite 220, 301 Fifth Avenue, Pittsburgh, PA 15222.

4. On July 23, 2019, Protestant filed a Notice of Withdrawal of Protest with the Commission’s Secretary’s Bureau after receiving additional information and documentation provided by Applicant which were sufficient to resolve Protestant’s concerns with the Application.

5. On July 24, 2019, Administrative Law Judge Conrad A. Johnson directed Applicant to file a Motion with the Secretary stating whether the Applicant wishes to proceed on the application in accordance with 52 Pa. Code § 3.381(c)(1)(iii)(A) (without a hearing) or in accordance with 52 Pa. Code § 3.381(c)(1)(iii)(B) (with a hearing).

6. Pursuant to the Order, Applicant requests that this matter proceed in accordance with 52 Pa. Code § 3.381(c)(1)(iii)(A).

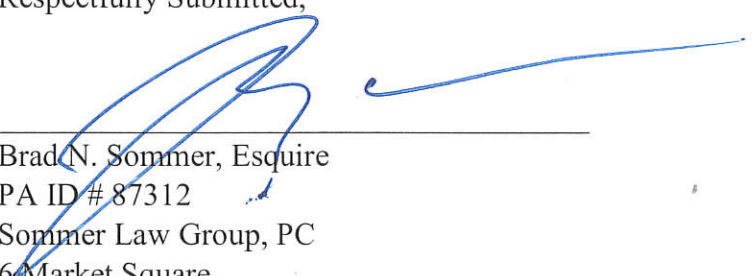
7. Under 52 Pa. Code § 3.381(c)(1)(iii)(A), the Commission may take the following action:

(A) Consider the application without holding an oral hearing if it deems the facts are sufficient as in the application or as determined from additional information as the Commission may require of the applicant. An application processed under this section, without oral hearing, will be determined on the basis of verified statements submitted by the applicant and other interested parties.

CONCLUSION

WHEREFORE, Applicant respectfully requests that the Application be referred to the Commission's Bureau of Technical Utility Services for further review without a hearing under 52 Pa. Code § 3.381(c)(1)(iii)(A).

Respectfully Submitted,



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