

CRAIG A. DOLL

ATTORNEY AT LAW
25 WEST SECOND STREET
P.O. Box 403
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August 10, 2020

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
P.O. Box 2365
Harrisburg, PA 17105-3265

Re: Application of Reading Checker Cabs, LLC
A-2020-3020872

Dear Secretary Chiavetta:

Enclosed is the original Protest of Yellow Cab Company of Lebanon, Inc. in the above captioned matter which was e-Filed this date. A copy of this Protest has been served upon the Applicant as set forth on the attached Certificate of Service.

Very truly yours,


Craig A. Doll

Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Reading Checker Cabs, LLC :
for approval to provide taxi service :
between points in Berks, Lebanon, : Commission Docket No. A-2020-3020872
Schuylkill, Dauphin, and Luzerne Counties :

**PROTEST OF
YELLOW CAB COMPANY OF LEBANON, INC.**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Yellow Cab Company of Lebanon, Inc. ("Yellow Cab"), by and through its undersigned counsel, and pursuant to the provisions of 52 Pa. Code §§ 3.381(c) and 5.51, hereby files this Protest to the application of Reading Checker Cabs, LLC ("Reading" or "Applicant") for the authority to provide call or demand (taxi) service in the Counties of Berks, Dauphin, Lebanon, Luzerne and Schuylkill. Yellow Cab respectfully requests that this Commission deny the instant application. In support of this protest and requested relief, Yellow Cab states as follows:

1. The name and business address of Yellow are:

Yellow Cab Company of Lebanon, Inc.
28 East Cumberland Street
Lebanon, PA 17042

2. Yellow Cab's attorney for purposes of this proceeding is:

Craig A. Doll, Esquire
25 West Second Street
P.O. Box 403
Hummelstown, PA 17036-0403
(717) 580-7748 (Direct Dial)
Attorney I.D. #22814
CDoll76342@aol.com

3. Yellow Cab is a certificated carrier, authorized to provide, *inter alia*, call or demand service in portions of the County of Lebanon pursuant to various Commission Orders.¹ Copies of those Commission Orders granting Yellow the authority to operate in an area which conflicts with that sought by Applicant herein are appended hereto and made a part hereof as Exhibit "A".

4. On or about July 17, 2020, Applicant filed an application with the Commission seeking a Certificate of Public Convenience to permit it to provide call or demand service between points in Berks, Lebanon, Schuylkill, Dauphin and Luzerne Counties.

5. Notice of the filing was published in the *Pennsylvania Bulletin*, Vol. 50, page 3998, on August 1, 2020. According to the Notice, protests to this application are due on or before August 17, 2020. This Protest is filed in response to that Notice.

6. This Commission has recognized that the controlling principle relating to standing in this type of proceeding is whether a protestant has some operating authority in actual or potential conflict with the authority sought by an applicant. *Application of Premium Taxi, LLC*, A-00121698 (August 25, 2006); *Application of Unique Limousine Services, Inc.*, A-0104709, F. 2, Am-A (March 7, 2006). As the proposed service territory sought by Applicant includes Lebanon

¹ Yellow Cab was originally issued a Certificate on May 9, 1932 by the Public Service Commission of the Commonwealth of Pennsylvania. All of the orders granting amendments to that original certificate that could be located in the Commission's files and are germane to this proceeding are appended to this Protest. Unfortunately, a search of the Commission's records indicated that several of the files associated with amendments were purged. Consequently, signed copies of all Commission Orders could not be located. All copies appended to this protest were secured from Commission records.

county, it overlaps that of Yellow Cab. As a current certificate holder in the territory which is the subject of this application, Yellow Cab possesses the requisite standing to file this Protest.

7. The information attached to its application does not indicate the number or type of vehicles to be used in providing the service in a five county area, nor how Applicant intends to acquire such vehicles, has failed to set forth the number of employees (i.e. drivers, dispatchers), the experience of Applicant in operating any business, or its ability to secure insurance for any vehicles it may purchase. Applicant has not attached a projected revenue and expense statement, or any other financial information which would indicate Applicant's financial fitness to provide the proposed service particularly in such an expansive service territory. In the absence of any financial information, it is impossible for the Commission to ascertain whether Applicant possesses the requisite financial fitness to render the proposed service. Accordingly, Yellow Cab believes and therefore avers that Applicant does not possess the necessary technical or financial fitness to provide the proposed service.

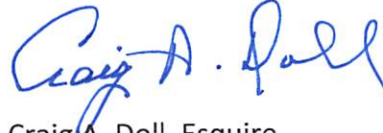
8. Approval of the application will be prejudicial to Yellow Cab since it would authorize additional unnecessary, destructive, and harmful competition into the area to the ultimate detriment to the traveling public by permitting operations by an unqualified individual.

9. Yellow Cab will withdraw this Protest if Applicant restricts its application so as to prohibit the transporting of passengers to, from, or between points in Lebanon County.

10. Yellow Cab hereby requests that Applicant furnish it with a list of witnesses that are prepared to testify on Applicant's behalf.

WHEREFORE, Yellow Cab Company of Lebanon, Inc. respectfully requests that this Honorable Commission deny the application of Reading Checker Cabs, LLC.

Respectfully submitted,



Craig A. Doll, Esquire
25 West Second Street
P.O. Box 403
Hummelstown, PA 17036-0403
(717) 566-9000
cdoll76342@aol.com

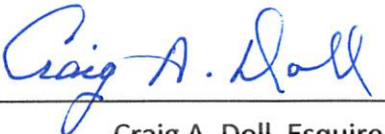
Attorney I.D. # 22814

Attorney for Yellow Cab Company of
Lebanon, Inc.

DATED: August 10, 2020

Attorney's Certificate

Craig A. Doll, Esquire, Attorney for Yellow Cab Company of Lebanon, Inc., does hereby verify that he has been relayed the information contained in the foregoing document; has become acquainted with the facts and information set forth in the document; and that the same are true and correct to the best of his knowledge, information and belief. The foregoing verification is made subject to the penalties of 18 Pa. C.S. §4904.



Craig A. Doll, Esquire

Dated: August 10, 2020

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

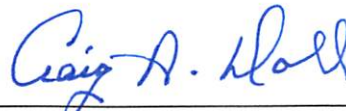
Application of Reading Checker Cabs, LLC :
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Schuylkill, Dauphin, and Luzerne Counties :

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the Protest of Yellow Cab of Lebanon, Inc. to the Application of Reading Checker Cabs, LLC upon the persons listed below via first class mail, postage prepaid in accordance with the provisions of 52 Pa. Code §1.54

First Class Mail

Rajat Sharma
Reading Checker Cabs, LLC
615 Elm Street, Unit 2
Reading, PA 19601



Craig A. Doll, Esquire
25 West Second Street
P.O. Box 403
Hummelstown, PA 17036-0403

(717) 580-7748 (Direct line)

Cdoll76342@aol.com

Attorney for Protestant
Yellow Cab Company of Lebanon, Inc.

DATED: August 10, 2020

A. 23233-1932.
Folder No. 3.

THE PUBLIC SERVICE COMMISSION
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN THE MATTER OF THE APPLICATION OF
YELLOW CAB COMPANY OF LEBANON,
a corporation of the State of
Pennsylvania, under Section 31a),
Article III, and Sections 18 and
19, Article V, of The Public
Service Company Law, for approval
of the continued exercise of the
right to operate motor vehicles
as a common carrier for the trans-
portation of persons upon call or
demand in the City of Lebanon,
Lebanon County. (In renewal of
certificate of public convenience
issued in A. 23233-1930, Folder No. 2).

CERTIFICATE
OF
PUBLIC CONVENIENCE

The Public Service Commission of the Commonwealth of Pennsylvania hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is hereto attached and made a part hereof, found and determined that the granting of said application is necessary and proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

In Testimony Whereof, THE PUBLIC SERVICE COMMISSION OF THE COMMONWEALTH OF PENNSYLVANIA has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 9th day of May, 19 32.

THE PUBLIC SERVICE COMMISSION
OF THE
COMMONWEALTH OF PENNSYLVANIA
EXHIBIT "A"

Attest:

REPAIRED _____
STENOGRAPHER _____
FORM CHECK _____
RECORDS CHECK _____
EXAMINED AND APPROVED _____

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 25233
Folder 3, Amendment A.

Application of YELLOW CAB COMPANY OF LEBANON, INC.,
a corporation of the Commonwealth of Pennsylvania

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of YELLOW CAB COMPANY OF LEBANON, INC., a corporation of the Commonwealth of Pennsylvania, dated July 20, 1950, for modification of the report, order and certificate of public convenience issued in this proceeding under date of May 9, 1952, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE,

NOW, to wit, October 9, 1950, IT IS ORDERED: That the right contained in the report, order and certificate of public convenience issued in this proceeding under date of May 9, 1952, be and is hereby modified and amended so that the said right shall now read as follows:

To transport, as a common carrier, persons upon call or demand in the City of Lebanon and the Townships of North Cornwall, West Cornwall, South Lebanon, Annville, Heidelberg, North Lebanon and Bethel and the Boroughs of Cornwall, Myerstown, Jonestown, Cleona and the Indiantown Gap Military Reservation, Lebanon County.

ATTEST: PENNSYLVANIA
PUBLIC UTILITY COMMISSION

John S. Higgins Jr.
Chairman

John Walter
Secretary

25233
17 1950
5/13/50