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June 23, 2021

VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Application of First Horizon Transportation Corporation;
Docket No. A-2021-3024620

Dear Secretary Chiavetta:

Enclosed for filing please find the Restrictive Amendment between the Applicant, First Horizon Transportation Corporation and Joint Protestants, Bucks County Transport, Inc., Bux-Mont Transportation, Inc., Easton Coach Company, Suburban Transit Network, Inc., and Tri County Transit Service, Inc. in the above-captioned proceeding.

Copies are being served in accordance with the attached Certificate of Service. Please contact me with any questions or concerns.

Respectfully submitted,



Tanya C. Leshko

TCL/tlg
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of First Horizon Transportation Corporation for the right to begin to transport, as a common carrier, by motor vehicle, members of First Horizon Homecare Agency in paratransit service, from points in the Counties of Bucks, Chester, Delaware and Montgomery, and the City and County of Philadelphia to points in Pennsylvania, and return. :
: Docket No. A-2021-3024620
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RESTRICTIVE AMENDMENT

AND NOW, come Applicant First Horizon Transportation Corporation (“Applicant”), and Joint Protestants Bucks County Transport, Inc., Bux-Mont Transportation, Inc., Easton Coach Company, Suburban Transit Network, Inc. and Tri County Transit Service, Inc. (“Joint Protestants”) by and through their respective attorneys, and file this Restrictive Amendment in the above-captioned matter as follows:

1. The above-captioned Application is hereby amended to clearly identify and specify the territory requested so that the authority sought shall read as follows:

To transport, as a common carrier, by motor vehicle persons in non-emergency paratransit service for members of First Horizon Homecare Agency, in vehicles staffed with a driver and either a nurse or nurses aide (i) to or from healthcare facilities or (ii) to or from locations necessary to obtain goods required for managing their medical conditions, from points in the counties of Chester and Philadelphia to points in Pennsylvania and return.

2. Based upon the Restrictive Amendment set forth in Paragraph 1 above, and conditioned upon its acceptance and approval by the Pennsylvania Public Utility Commission (“Commission”) and any order issued being consistent therewith, Joint Protestants agree to withdraw their Protest to the Application as amended, subject to the following two conditions and requirements: (i) in the event that any aspect of this Restrictive Amendment and Stipulation is

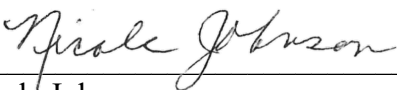
rejected by the Commission for any reason, the Joint Protest shall be deemed immediately reinstated, this proceeding shall be scheduled for hearing to permit Joint Protestants to present evidence in an on-the-record proceeding in opposition to approval of the Application, and neither the Restrictive Amendment, nor the fact that the parties agreed to submit it to the Commission, shall be used against any party in any subsequent hearing or proceeding; and (ii) in the event that any aspect of this Restrictive Amendment and Stipulation is rejected by the Commission for any reason, the Joint Protestants shall have the right to request reconsideration before the Commission or to appeal before any and all appropriate courts, or both, and in any such proceedings Applicant shall not raise any objections as to party status or standing of the Joint Protestants.

3. The Restrictive Amendment set forth in Paragraph 1 is in the public interest because it will allow the Applicant to provide paratransit service in a manner consistent with its operating objectives, and it will resolve the Protests to the Application while avoiding the time and expense of further litigation.


4. Joint Protestants desire to remain parties of record so as to receive copies of any orders or other documentation issued by the Commission in the proceeding.

WHEREFORE, the parties, in consideration of the promises mutually set forth above and intending to be legally bound, have executed this Restrictive Amendment as of this 23 day of June 2021.

FIRST HORIZON TRANSPORTATION CORPORATION

By 
Nicole Johnson
First Horizon Transportation Corporation
7325 Risingon Avenue
Philadelphia, PA 19111

**BUCKS COUNTY TRANSPORT, INC.,
BUX-MONT TRANSPORTATION, INC.,
EASTON COACH COMPANY,
SUBURBAN TRANSIT NETWORK, INC.
AND TRI COUNTY TRANSIT SERVICE,
INC.**

By 
Tanya C. Leshko, Esquire
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409 North Second Street, Suite 500
Harrisburg, PA 17101

*Attorney for Bucks County Transport, Inc.,
Bux-Mont Transportation, Inc., Easton
Coach Company, Suburban Transit
Network, Inc. and Tri County Transit
Service, Inc.*

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: Docket No. A-2021-3024620
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CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the foregoing document upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code § 1.54.

Via Email:

Nicole Johnson First Horizon Transportation Corporation 7325 Risingson Ave. Philadelphia, PA 19111 firsthorizonmt@gmail.com	Hon. F. Joseph Brady Administrative Law Judge 801 Market Street Philadelphia, PA 19107 fbrady@pa.gov
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Date: June 23, 2021



Tanya C. Leshko