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July 28, 2023

VIA E-FILING

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

Re: Application of Gentle Options NEMT LLC.
Docket No. A-2023-3040184

Dear Secretary Chiavetta:

Enclosed for filing please find the Restrictive Amendment between the Applicant, Gentle Options NEMT LLC and Joint Protestants, Bucks County Transport, Inc., Bux-Mont Transportation, Inc., Easton Coach Company, Suburban Transit Network, Inc., Tri County Transit Service, Inc. and Rover Community Transportation, 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/kas
Enclosure
cc: Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Gentle Options NEMT LLC :
for the right to begin transport, as a common :
carrier, by motor vehicle, persons in non- :
emergency medical paratransit service, from : Docket No. A-2023-3040184
the points in the Counties of Bucks, Chester, :
Delaware and Montgomery and the City and :
County of Philadelphia, to points in :
Pennsylvania, and return. :

RESTRICTIVE AMENDMENT AND STIPULATION

AND NOW, comes Applicant Gentle Options NEMT LLC (“Applicant”), and Joint Protestants Bucks County Transportation, Inc., Bux-Mont Transportation, Inc., Easton Coach Company, Suburban Transit Network, Inc., Tri County Transit Service, Inc., and Rover Community Transportation, Inc. (“Joint Protestants”), by and through their respective attorneys, and file this Restrictive Amendment and Stipulation 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 paratransit service, from points in the City and County of Philadelphia and the County of Delaware to points in Pennsylvania and return; and persons who receive personal care services (PCS) or other home care services reimbursed by a Medicaid waiver program or other public payment program from Gentle Options Quality Care LLC, in addition to receiving transportation services from Gentle Options NEMT LLC, from points in the counties of Bucks, Montgomery and Chester Counties 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 respective Protests 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 Protests 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 a party 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 28th day of July 2023.

GENTLE OPTIONS NEMT LLC

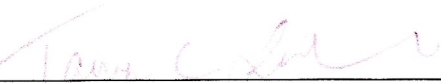
**BUCKS COUNTY TRANSPORT, INC.,
BUX-MONT TRANSPORTATION, INC.,
EASTON COACH COMPANY,
SUBURBAN TRANSIT NETWORK, INC.,
TRI COUNTY TRANSIT SERVICE, INC., AND
ROVER COMMUNITY TRANSPORTATION,
INC.**

By _____


David P. Temple, Esq.
Gallagher Law PC
1600 Market Street
Suite 1320
Philadelphia, PA 19103

Attorney for Gentle Options NEMT LLC

By _____


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

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Pennsylvania and return.

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:

Hon. F. Joseph Brady
Administrative law Judge
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
801 Market Street, 4th Floor, Suite 4063
Philadelphia, PA 19107
fbrady@pa.gov
pmcneal@pa.gov

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Suite 1320
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Date: July 28, 2023



Tanya C. Leshko