



COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA PUBLIC UTILITY COMMISSION

COMMONWEALTH KEYSTONE BUILDING

400 NORTH STREET

HARRISBURG, PENNSYLVANIA 17120

<http://www.puc.pa.gov>

March 1, 2024

A-6426812
A-2024-3045516

**HIS LOVING HAND HOME CARE LLC
610 OLD YORK RD
SUITE 400
JENKINTOWN PA 19046**

RE: Application of His Loving Hand Home Care, LLC, 610 Old York Rd., Ste. 400, Jenkintown, Montgomery County, PA 19046. 267-971-2974

To Whom It May Concern:

The purpose of this Letter is to advise you that your Application, Docket No. A-2024-3045516 has been **DENIED** by the Pennsylvania Public Utility Commission (Commission). The Commission has determined that a Certificate of Public Convenience **WILL NOT BE GRANTED** for the following reason(s):

- **Failure to establish fitness to operate: non-compliant driver license check policy –**

On January 24, 2024, the applicant was issued a data request seeking revisions for several deficiencies in its original filing. In its request, the Commission provided the relevant statutory citations for the applicant to reference when preparing its revisions. Applicant's revisions were received on February 14, 2024. The revisions resolved certain issues; however, the Commission still required additional clarification on others.

A second data request was issued on February 14, 2024, to solicit the revisions for multiple outstanding deficiencies. Of particular relevance is that the applicant was advised that its policy for license checks was still inadequate. Specifically, the applicant was alerted that it was not seeking limousine or call or demand authority and that this was the basis for the relevant required revisions.

As had been submitted, the applicant's policy failed to comply with the common carrier requirements of 52 Pa Code § 29.504(a)(2) for paratransit drivers, and rather complied with the less stringent requirements of 52 Pa Code § 29.504(b)(2), which is specific to call or demand and limousine drivers.

The applicant's response to the Commission's second supplemental request for an acceptable policy, submitted on February 29, 2024, again failed to make suitable revisions. Therefore, the driver policy, with regards to the statutorily mandated requirements of 52 Pa Code § 29.504(a)(2), remains inadequate and unacceptable.

For these reasons the application is DISMISSED and DENIED

APPEAL RIGHTS

ALL Parties to proceedings pending before the Commission must open and use an e-filing account through the Commission's website, OR you may submit your filing by overnight delivery. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery.

If you disagree with this determination, you may send a Petition for Reconsideration to: Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Such a Petition is a written statement asking the Commission to change its determination.

The Petition must be filed with the Commission within twenty (20) days of the date of this letter. If no timely request for reconsideration is made, this action will be deemed to be the final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request, (2) the case docket number(s) (they are provided for you at the top right hand corner of this letter), (3) the name of the person on whose behalf the petition is made, (4) copies of relevant documentation, and (5) a verification with original signature. See 52 Pa. Code §§-1.31 and 5.44.

Below is a sample Verification:

VERIFICATION

I, (YOUR NAME GOES HERE), hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) 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. § 4904 (relating to unsworn falsification to authorities).

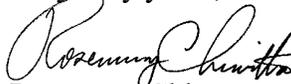
(Applicant is not now engaged in intrastate transportation of property or passengers for compensation in this Commonwealth except as authorized by the Pennsylvania Public Utility Commission certificate or permit, and will not engage in the transportation for which approval is herein sought, unless and until the transportation is authorized by your Honorable Commission.)

(SIGN AND DATE)

CONCLUSION

If you believe that you have received this letter in error, please contact the Compliance Office of the Motor Carrier Services in the Bureau of Technical Utility Services at 717-787-3834 within ten (10) days of the date of this letter.

Very truly yours,


Rosemary Chiavetta
Secretary