

Lauren M. Burge
412.566.2146
lburge@eckertseamans.com

March 6, 2025

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pa. Public Utility Commission
400 North Street
Harrisburg, PA 17120

Re: Petition of WHC PA LLC t/a Z Trip Pittsburgh for Emergency Order,
Docket Nos. C-2024-3050978 and A-2019-3012496

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Petition of WHC PA LLC t/a Z Trip Pittsburgh for Emergency Order with regard to the above-referenced matters. Copies to be served in accordance with the attached Certificate of Service.

Sincerely,

/s/ Lauren M. Burge

Lauren M. Burge

Enclosure

cc: Chairman Stephen M. DeFrank
Vice Chair Kimberly M. Barrow
Commissioner Ralph V. Yanora
Commissioner Kathryn L. Zerfuss
Commissioner John F. Coleman
Jennifer Berrier, Executive Director
Cert. of Service w/enc.

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the enclosed Petition for Emergency Order upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email Only

Allison Kaster, Esq.
Bureau of Investigation & Enforcement
PA Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120
akaster@pa.gov

Date: March 6, 2025

/s/ Lauren M. Burge

Lauren M. Burge, Esquire

*Counsel for
WHC PA LLC t/a Z Trip Pittsburgh*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of WHC PA LLC t/a Z Trip : Docket Nos. C-2024-3050978
Pittsburgh For Emergency Order : A-2019-3012496

**PETITION OF WHA PA LLC T/A Z TRIP PITTSBURGH
FOR EMERGENCY ORDER**

Pursuant to 52 Pa. Code §§ 3.1-3.3, WHC PA LLC t/a Z Trip Pittsburgh (“Z Trip”) files this Petition for Emergency Order seeking the issuance of *ex parte* emergency relief by the Pennsylvania Public Utility Commission (“Commission” or “PUC”) reinstating Z Trip’s Certificate of Public Convenience pending reconsideration of the original Cancellation Notice and permitting Z Trip to continue offering Call or Demand service as a common carrier. As discussed below, the need for emergency relief is immediate and the requirements for emergency relief have been met. In support hereof, Z Trip avers as follows:

I. BACKGROUND

1. Z Trip is a common carrier that transports people upon Call or Demand within Pittsburgh, Pennsylvania and surrounding areas, as defined in its tariff. Z Trip – formerly known as The Yellow Cab Company of Pittsburgh – is the largest taxi company outside of Philadelphia, with over 150 taxis serving the greater Pittsburgh region.

2. Z Trip was issued a Certificate of Public Convenience (“CPC”) by the Commission to provide taxi and limousine service on December 3, 2019. *See* Docket No. A-2019-3012496.¹

3. Many people in Pittsburgh and surrounding areas depend on Z Trip for transportation to work, school, or medical appointments, and to access groceries and other essential services. Importantly, Z Trip contracts with the Pittsburgh Public Schools to provide transportation to students who otherwise do not have access to bus service for transportation to school, and/or to provide student transportation when there is a shortage of school buses.

4. On December 3, 2024, a Complaint was served by the Commission’s Bureau of Investigation and Enforcement (“I&E”) on Z Trip which alleged that a Z Trip driver failed to provide service at a scheduled pickup time in violation of 52 Pa. C.S. § 29.313(a). The complaint requested that the Commission impose a \$500 fine on Z Trip for this alleged violation.²

5. Although Z Trip received the Complaint and corresponded with Commission staff in good faith regarding the Complaint, Z Trip inadvertently failed to file a formal Answer or remit the \$500 fine within 20 days of service of the Complaint.

6. On March 4, 2025, the Commission issued a Cancellation Notice which cancelled Z Trip’s CPC as a result of its failure to respond to the December 3, 2024 Complaint.

7. Z Trip is submitting payment of the \$500 fine to the Commission via certified check in a good faith effort to resolve this matter, which will be delivered to the Commission by

¹ Z Trip also has been issued CPCs to provide paratransit service (issued May 4, 2020) and to offer service as a transportation network company (issued Dec. 14, 2023).

² Docket No. C-2024-3050978.

March 7, 2025.³ Given the circumstances described below, Z Trip submits this Petition for Emergency Order, and will subsequently file a Petition for Reconsideration. However, Z Trip requests that the Commission act expeditiously to issue an Emergency Order reinstating Z Trip's CPC pending reconsideration of the original Cancellation Notice so it may continue providing Call or Demand service in Pittsburgh and the surrounding region, which many customers rely on for access to work, school, and other essential services.

II. APPLICABLE LEGAL STANDARDS

8. Section 3.3 of the Commission's regulations authorizes the issuance of *ex parte* Emergency Orders. 52 Pa. Code § 3.3.

9. A petition for emergency order must be supported by a verified statement of facts which establish the existence of an emergency, including facts to support that: (1) the petitioner's right to relief is clear; (2) the need for relief is immediate; (3) the injury would be irreparable if relief is not granted; and (4) the relief requested is not injurious to the public interest. 52 Pa. Code § 3.2(b).

10. An emergency is defined by the Commission's regulations as "[a] situation which presents a clear and present danger to life or property or which is uncontested and requires action prior to the next scheduled public meeting." 52 Pa. Code § 3.1.

III. BASIS FOR EMERGENCY RELIEF

11. This Petition presents a clear basis for the issuance of emergency relief by the Commission. Z Trip does not dispute that it inadvertently failed to file a formal response to the complaint within 20 days. However, this was simply the result of administrative oversight and

³ Z Trip also identified a second outstanding complaint by I&E against Z Trip at Docket No. C-2024-3051331. Z Trip has likewise submitted payment to the Commission of the \$100 fine in this complaint via certified check to be delivered to the Commission by March 7, 2025.

not any willful disregard of the complaint or the Commission's regulations. In fact, Z Trip corresponded with Commission Staff while investigating the complaint, showing a good faith effort to address the alleged violation. In the past, Z Trip has timely responded to complaints; as such, there is no pattern or standard course of conduct that would warrant the extreme penalty of outright cancelling Z Trip's CPC.

12. The impact of Z Trip's CPC being cancelled will be significant. As noted above, Z Trip is the largest taxi company outside the City of Philadelphia, and many customers in Pittsburgh rely on Z Trip's services for transportation to work, school, medical appointments, grocery stores, and other essential services. Particularly, Z Trip contracts with Pittsburgh Public Schools to provide transportation to students who lack access to bus service or where there is a shortage of school buses. Cancelling Z Trip's CPC will mean that Z Trip will have to cease its Call or Demand operations, leaving its customers, including school children, without access to reliable transportation. This is particularly concerning during late winter, when Pittsburgh may endure cold temperatures, snow and other winter weather, and those who rely on Z Trip may be left outside for long stretches without reliable transportation. Therefore, this situation may be properly classified as an emergency.

13. **Z Trip's right to relief is clear.** It is not necessary to determine the merits of the controversy in order to find that a petitioner's right to relief is clear; rather, the only required determination is that the petition raises substantial legal questions. *T.W. Phillips Gas and Oil v. Peoples Natural Gas*, 492 A.2d 776 (Pa. Cmwlth. 1985). The *de minimis* nature of Z Trip's failure to formally respond to the complaint and the fact that the fine is now being paid, coupled with the oversized impact of the outright cancellation of Z Trip's CPC, supports the issuance of an Emergency Order.

14. **The need for relief is immediate.** As discussed above, cancellation of Z Trip's CPC – forcing Z Trip to shut down its Call or Demand service – leaves many people, including students, without reliable transportation, particularly during late winter months. Each day that passes without relief causes greater harm to these individuals, and to Z Trip. While Z Trip does plan to also file a Petition for Reconsideration, review of such a Petition may take an indefinite amount of time, while those who rely on Z Trip need immediate relief.

15. **The lack of emergency relief may cause irreparable injury** to Z Trip and its customers, who may be left without out transportation to work, school or other essential services. It may mean that some students are unable to attend school, and vulnerable individuals may be forced to wait outside for long periods during winter months without the reliable transportation provided by Z Trip.

16. **The requested relief is in the public interest.** Given that Z Trip's lack of response was inadvertent and due simply to administrative error, there is no remaining concern that would justify the extreme step of cancelling of Z Trip's CPC. It is in the public interest for Z Trip's CPC to be reinstated to its customers may once again have access to reliable transportation.

VI. CONCLUSION

Pursuant to 52 Pa. Code § 3.2 and based upon the foregoing, Z Trip's Petition for Emergency Order should be granted. Z Trip has demonstrated that the significant potential impact of its CPC being cancelled and forcing its Call or Demand operations to cease service, which will leave many people without transportation to work, school or other essential services, particularly during late winter, is an emergency situation. Outright cancellation of Z Trip's CPC in this instance is extreme, given that Z Trip inadvertently did not formally respond to the

complaint within 20 days, but corresponded with Commission staff about the complaint and has since submitted the \$500 fine. The right to relief is clear, as Z Trip has taken steps to address the complaint and pay the fine. The need for relief is immediate, and irreparable harm may be caused by a failure to allow Z Trip to continue providing transportation service, particularly to students during winter; and the request for relief is in the public interest.

WHEREFORE, Z Trip respectfully requests that the Pennsylvania Public Utility Commission: (a) Issue an *ex parte* Emergency Order reinstating Z Trip's Certificate of Public Convenience pending a reconsideration of the original Cancellation Notice and permitting Z Trip to continue offering Call or Demand service; and (b) grant any other relief in the public interest.

Respectfully submitted,



Ray F. Middleman (Attorney ID # 40999)
Lauren M. Burge (Attorney ID # 311570)
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
(412) 566-6000 (phone)
(412) 566-6099 (fax)
rmiddleman@eckertseamans.com
lburge@eckertseamans.com

Date: March 6, 2025

Counsel for WHC PA LLC t/a Z Trip Pittsburgh


**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of WHC PA LLC t/a Z Trip : Docket Nos. C-2024-3050978
Pittsburgh For Emergency Order : A-2019-3012496

Verified Statement of Facts

I, Chad Stepanik, hereby state that: (1) I am General Manager for WHC PA LLC t/a Z Trip (“Z Trip”) (2) I have reviewed the statements set forth in Z Trip’s Petition for Emergency Order as to their accuracy; and (3) the facts set forth in the foregoing Petition are true and correct to the best of my knowledge, information and belief. I understand that statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: March 6, 2025



Chad Stepanik
General Manager
WHC PA LLC t/a Z Trip

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition of WHC PA LLC t/a Z Trip : Docket Nos. C-2024-3050978
Pittsburgh For Emergency Order : A-2019-3012496

EMERGENCY ORDER

AND NOW, this ___ day of _____ 2025, upon consideration of the Petition for
Emergency Order filed by WHC PA LLC t/a Z Trip (“Z Trip”), it is hereby ordered that the
Petition is granted and Z Trip’s Certificate of Public Convenience is reinstated.
