



Protestants challenged the Applicant's financial and technical fitness to provide the proposed service.

By Notice dated September 18, 2023, the parties were notified that a telephonic hearing had been scheduled for November 7, 2023, and that the case had been assigned to Administrative Law Judge Chad Allensworth. By Notice dated November 1, 2023, the parties were informed that the November 7, 2023, hearing had been canceled. Subsequently, by Judge Change Notice dated February 22, 2024, the parties were informed that the case had been reassigned to me. Following the issuance of the Judge Change Notice, the parties engaged in protracted settlement negotiations.

Subsequently, by Notice dated April 25, 2024, the Commission scheduled a telephonic hearing for June 12, 2024. This hearing was convened on June 12<sup>th</sup> as scheduled. During the hearing, the parties confirmed that they had been engaged in settlement discussions and that the Protestants had presented an offer to the Applicant for its consideration. We agreed to continue the hearing to allow time for further settlement discussions to occur. Tr. 16.

On July 30, 2025, I convened a Prehearing Conference for the purpose of discussing the status of the proceeding and to determine if the parties were ready to establish a litigation schedule. During the Prehearing Conference, we discussed the fact that previous paratransit authority held by the Applicant for several other Pennsylvania Counties at Docket No. A-2019-3014953, had been canceled by the Commission via Secretarial Letter dated March 8, 2024. The cancellation of the Applicant's prior paratransit authority was part of a proceeding at Docket No. M-2024-3045178, involving the cancellation of the authority of a number of carriers due to their failure to maintain evidence of necessary insurance coverage. We agreed during the Prehearing Conference to hold an informal, off-the-record call the following week to further discuss the Applicant's intentions with the instant application proceeding.

On August 7, 2025, the parties and I further discussed the instant application and the Applicant's intentions moving forward. Counsel for the Applicant indicated that, in light of the cancellation of the Applicant's prior paratransit authority, she would address with the Applicant whether or not to withdraw the instant application. Tr. 23.

Subsequently, by e-mail dated August 11, 2025, I was informed by counsel to the Applicant that the Applicant had, in fact, decided to withdraw the instant application.<sup>1</sup> By e-mail dated August 12, 2025, counsel to the Joint Protestants informed me that the Protestants did not object to the Applicant's request to withdraw its application.

I closed the record on August 12, 2025. The Applicant's Petition for Leave to Withdraw its application is ripe for review.

#### FINDINGS OF FACT

1. The Applicant is Heartland Medical Transportation, Inc.
2. On June 22, 2023, the Applicant filed an application with the Commission by which it sought authority to provide paratransit service in the Pennsylvania Counties of Bucks, Chester and Montgomery.
3. Notice of the Application was published in the *Pennsylvania Bulletin* on August 5, 2023. 53 Pa.B. 4509 (Aug. 5, 2023).

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<sup>1</sup> I will treat the Applicant's August 11, 2025, e-mail request as a Petition for Leave to Withdraw a Pleading.

4. On August 21, 2023, a Joint Protest was filed on behalf of Bucks County Transport, Inc., Bux-Mont Transportation, Inc., Easton Coach Company, Suburban Transit Network, Inc. and Tri-County Transit Service, Inc.

5. On August 11, 2025, I received an e-mail from the Applicant's counsel requesting that the application be withdrawn.

6. On August 12, 2025, I received an e-mail from counsel to the Joint Protestants stating that the Protestants did not object to the withdrawal of the application.

### DISCUSSION

The Commission's regulation and 52 Pa. Code § 5.94 provides, in relevant part:

#### **§ 5.94. Withdrawal of pleadings in a contested proceeding.**

(a) Except as provided in subsection (b), a party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days of service. After considering the petition, an objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted.

52 Pa. Code § 5.94(a).

Here, the Applicant requests that the instant paratransit application be withdrawn. It made this request in light of the recent cancellation by the Commission of

previous paratransit authority held by the Applicant at Docket No. A-2019-3014953. The Joint Protestants do not object to this request.

I see no point in requiring either party to further pursue this matter at this time. Withdrawal of the instant application does not result in the termination of any existing paratransit service, so there is no harm or prejudice to either party or the public in allowing the withdrawal.

The Applicant is advised that this docket number will be closed, and if it desires in the future to seek new paratransit authority, a new application will need to be filed and published in the *Pennsylvania Bulletin*.

#### CONCLUSIONS OF LAW

1. Withdrawal of a pleading in a contested proceeding is permitted under Commission regulations. 52 Pa. Code § 5.94.
2. Allowing the withdrawal of the application in this proceeding is in the public interest.

#### ORDER

THEREFORE,

IT IS ORDERED:

1. That the Petition for Leave to Withdraw the application at Docket No. A-2023-3041628 is granted.

2. That the application filed by Heartland Medical Transportation, Inc. at Docket No. A-2023-3041628 is withdrawn.

3. That the Secretary mark the proceeding at Docket No. A-2023-3041628 closed.

Date: September 11, 2025

\_\_\_\_\_/s/  
Steven K. Haas  
Administrative Law Judge