

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Midtown Home Health Care LLC to :  
transport, as a common carrier, by motor vehicle, :  
persons in Paratransit Service, from points in the : A-2026-3059960  
Counties of Bucks, Delaware and Montgomery, and :  
the City and County of Philadelphia, to points in :  
Pennsylvania, and return. :

**INTERIM ORDER #1**

This Order directs Midtown Home Health Care LLC to have an attorney enter his or her appearance on its behalf **on or before April 10, 2026**.

*Procedural History*

On January 20, 2026, Midtown Home Health Care LLC (“Applicant”) filed an Application with the Pennsylvania Public Utility Commission (“Commission”) seeking authority to transport, as a common carrier, by motor vehicle, persons in Paratransit Service, from points in the Counties of Bucks, Delaware and Montgomery, and the City and County of Philadelphia, to points in Pennsylvania, and return.

On February 7, 2026, the Application was published in the Pennsylvania Bulletin, with a protest deadline of February 23, 2026.

On February 23, 2026, a Joint Protest against the Application was filed by Bucks County Transport, Inc., Bux-Mont Transportation, Inc., Easton Coach Company, Suburban Transit Network, and Tri County Transit Service.

On March 2, 2026, a Hearing Notice was issued to the parties, scheduling this matter for an evidentiary hearing on April 23, 2026. Of relevance, the Hearing Notice states the following:

**REPRESENTATION.** If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*. Only an attorney may represent someone else.

March 2, 2026, Hearing Notice.

On March 4, 2026, a Prehearing Order was issued to the parties, providing the parties with the procedural rules that would govern the hearing. Of relevance, the Prehearing Order states the following:

**6. REPRESENTATION.** If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*. And, unless you are an attorney, you may not represent someone else.

March 4, 2026, Prehearing Order.

#### *Attorney Representation*

When the Joint Protest was filed against the Application on February 23, 2026, this proceeding became adversarial in nature. *See* 52 Pa. Code § 1.8. The Commission’s regulations require that persons in adversarial proceedings be represented by an attorney or legal intern. *See* 52 Pa. Code § 1.21(b). The Commission’s regulations define “persons” as including individuals, corporations, partnerships, associations, joint ventures, other business organizations, trusts, trustees, legal representatives, receivers, agencies, governmental entities, municipalities, municipal corporations or other political subdivisions. *See* 52 Pa. Code § 1.8.

It is well-settled in Commission practice that participation in a formal adversarial proceeding before the Commission constitutes the practice of law. *See, e.g., Lesley A. Scheaffer for Leslie W. Scheaffer v. Pa. Pub. Util. Comm'n*, Docket No. F-2016-2577647 (Opinion and Order entered Apr. 3, 2018). As such, that participation is limited to those who either file as individuals and represent themselves or to attorneys who are representing others. *Id.*

Accordingly, upon the filing of the Joint Protest in this matter, the Applicant, a limited liability company, was required to be represented by an attorney. The absence of an attorney where one is required deprives the Commission of jurisdiction to adjudicate the matter. *Adventure Alley CLC, LLC v. PECO Energy Co. and Great Am. Power*, Docket No. C-2014-2430850 (Final Order entered Nov. 25, 2014) (citing *McCain v. Curione, Pa. Bd. of Prob. and Parole*, 527 A.2d 591 (Pa. Cmwlth. 1987)). The Joint Protestants did not raise this issue, however, an issue of subject matter jurisdiction may be raised at any stage of a proceeding *sua sponte* by the presiding officer or by the Commission. *Blackwell v. State Ethics Comm'n*, 567 A.2d 630 (Pa. 1989).

Accordingly, this Order directs the Applicant to have an attorney enter his or her appearance on its behalf **on or before April 10, 2026**. Non-compliance with this Order will result in cancellation of the hearing and dismissal of the Application. *See, e.g., New Fizon Catering, Inc. v. PECO Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered June 24, 2009); *Snyderville Cmty. Dev. Corp. v. Phila. Gas Works*, Docket No. C-20055032 (Opinion and Order entered July 31, 2006) (citing *Treffinger v. PPL Elec. Util. Corp.*, Docket No. C-20027978 (Opinion and Order entered Mar. 3, 2003); *Franconia Mennonite Conf. v. Verizon Pa. Inc.*, Docket No. C-2010-2193709 (Order entered June 6, 2003).

THEREFORE,

IT IS ORDERED:

1. That Midtown Home Health Care LLC shall have an attorney shall enter his or her appearance on its behalf in this proceeding on or before April 10, 2026.



**A-2026-3059960 - APPLICATION OF MIDTOWN HOME HEALTH CARE LLC  
PARATRANSIT APPLICATION**

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MIDTOWN HOME HEALTH CARE LLC  
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PHILADELPHIA PA 19152  
215.516.5075  
[midtown8507@yahoo.com](mailto:midtown8507@yahoo.com)  
Served via eService March 4, 2026

BUCKS COUNTY TRANSPORT, INC.  
BUCKINGHAM GREEN 2  
PO BOX 510  
HOLICONG PA 18928  
**215.794.5554**  
Served via USPS First Class Mail March 4, 2026

BUX-MONT TRANSPORTATION, INC.  
726 FITZWATERTOWN ROAD  
WILLOW GROVE PA 19090  
**215.659.8865**  
Served via USPS First Class Mail March 4, 2026

EASTON COACH COMPANY  
T/A NORRISTOWN TRANSPORTATION COMPANY  
1200 CONROY PLACE  
EASTON PA 18040  
**610.253.4055**  
Served via USPS First Class Mail March 4, 2026

SUBURBAN TRANSIT NETWORK, INC.  
980 HARVEST DRIVE, SUITE 100  
BLUE BELL PA 19422  
**215.542.7433**  
Served via USPS First Class Mail March 4, 2026

TRI COUNTY TRANSIT SERVICE, INC.  
110 INDUSTRIAL PARKWAY  
SANATOGA PA 19464  
[jtammara@suburbantransit.org](mailto:jtammara@suburbantransit.org)  
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Served via eService March 4, 2026

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