

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

Public Meeting held May 21, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Application of PEACHEY’S TRANSPORT SERVICES LLC

A-2026-3060205
A-6428589

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is a Petition for Reconsideration from Staff Action (Petition), filed by PEACHEY’S TRANSPORT SERVICES LLC (Applicant or PEACHEY’S) on February 17, 2026, relative to the above-captioned proceeding.¹ The Secretarial Letter to which the Petition refers was issued on February 13, 2026

¹ According to the Pennsylvania Department of State, “PEACHEY’S TRANSPORT SERVICES LLC” is the Applicant’s registered legal name.

(February 13, 2026 Secretarial Letter).² No Answer to the Petition has been filed. For the reasons that follow, we shall deny the Petition, consistent with this Opinion and Order.

I. History of Proceeding

On January 29, 2026, PEACHEY’S filed an Application for Motor Common Carrier of Persons in Paratransit Service (Application) with the Commission.³ In its Application, PEACHEY’S requested authority to transport people, “primarily members of local Amish communities[,] between numerous points” in Mifflin, Juniata, Snyder, Centre, and Huntingdon counties. Application at 1, 3, 10.⁴ Further, the Verified Statement of Applicant included in PEACHEY’S Application indicated that PEACHEY’S plans to: (1) initially employ eight drivers; and (2) use seven vehicles, each identified as a Chevrolet Express 3500 van. According to the Applicant, PEACHEY’S has a “verbal agreement with local Amish-owned sawmills ... to pickup

² Because the Petition challenges the action taken in the *February 13, 2026 Secretarial Letter* and was filed within twenty (20) days of the issuance of the *February 13, 2026 Secretarial Letter*, we shall regard the Petition as a Petition for Reconsideration from Staff Action, pursuant to 52 Pa. Code § 5.44(a).

³ We note that PEACHEY’S, in its Application, provided an e-mail address. We further note that immediately under the space where PEACHEY’S provided its e-mail address, the Application indicated the following: “*This is the e-mail address to which the Commission will send all official documents issued by the Commission until further notice.*” Application at 2 ¶ 6 (emphasis in original). We further note that the Verification of Application included in PEACHEY’S Application was signed by Galen E. Peachey, identified as the president and sole member of PEACHEY. *Id.* at 2 ¶ 5, at 4 and 9. Additionally, we note that although the Verified Statement of Applicant was also signed by Mr. Peachey, Matthew L Tate is identified as the person making the Verified Statement of Applicant on behalf of PEACHEY’S. *Id.* at 5, and 9 ¶ 1.

⁴ We note that in its Application, the Applicant included: (1) several additional pages to supplement its responses to the Questions in the Verified Statement of Applicant (Supplement to Verified Statement); and (2) a copy of the “SAFETY FITNESS REVIEW PROGRAM” issued by the Commission’s Bureau of Investigation and Enforcement, Inspection Division, revised September 2018. *See* Application at 9-25.

[sic] passengers at their residence and take them to work and return them home each day.” *Id.* at 6 ¶ 6, and 10 ¶¶ 5-6. PEACHEY’S continued:

Employing 8 (eight) and using 7 (seven) will allow for one individual to be on standby in the case of emergency, breakdown or should somebody call off unexpectedly. Each employee shall undergo a criminal background check, child abuse clearances in case passengers under the age of 18 (eighteen) are aboard the transport vehicle. All employed drivers will be added to the insurance policy where the insurance agent will run a drivers history record and accept or deny the employment offer. All driver’s license [sic] will undergo an annual verification check used at PAA/Dealertrack/Vitu website. Additionally, [PEACHEY’S] will use the attached document (found via Google search engine) as a general guide and to remain in compliance with [Commission] Regulations (where applicable).

Id. at 10 ¶ 5. Moreover, included with the Application was an undated Statement of Financial Position (Balance Sheet), wherein the Applicant indicated balances of: (1) \$500 in cash; (2) \$30,000 in motor vehicle equipment; (3) \$30,000 in loans; and (4) \$500 in other liabilities. *Id.* at 8.

On February 6, 2026, the Commission’s Bureau of Technical Utility Services (TUS) issued a Data Request (Data Request), wherein TUS notified PEACHEY’S that additional information was required within ten (10) working days of the date on the letter, in order for TUS to proceed with the Application. Further, the Data Request instructed PEACHEY’S that its responses must include a signed verification with an original signature, pursuant to 52 Pa. Code § 1.36, and supplied a sample Verification. Data Request at 1. Moreover, the Data Request set forth several requests for information, including: (1) an acceptable description of the proposed service

area where PEACHEY’S intends to provide its service;⁵ (2) an adequate answer to Question No. 5 in the Verified Statement of Applicant, regarding evidence of compliance with the provisions set forth in 52 Pa Code §§ 29.503-29.505 (related to the age of drivers, the number of drivers to be employed and why that number is adequate for the proposed service, driver training and hiring standards, the system for driver license checks, the system for criminal record checks, and the conduct of drug/alcohol tests); (3) clarification regarding why the number of vehicles that PEACHEY’S intends to operate is adequate and whether the cited vehicles are registered to PEACHEY’S; (4) a copy of PEACHEY’S complete safety program and vehicle maintenance plan, including, *inter alia*, copies of daily vehicle inspection checklists;⁶ (5) specific information regarding PEACHEY’S insurance provider’s name, policy limits, and costs/premiums;⁷ (6) a revised and compliant Statement of Financial Position (Balance Sheet) that, *inter alia*, is limited to relevant assets and debts held by PEACHEY’S; and (7) supporting documentation to substantiate the exact amounts reported on the Statement of Financial Position (Balance Sheet), including, *inter alia*, copies of: (a) bank statements supporting the exact amounts reported on the Balance Sheet; and (b) vehicle registrations as proof of ownership for any and all vehicles held by PEACHEY’S.⁸ *Id.* at 2-4.

On February 12, 2026, PEACHEY’S filed a timely response to TUS’ Data Request (Reply to Data Request), wherein the Applicant provided, *inter alia*: (1) a copy

⁵ We note that this specific question pertains to Question No. 10 in the Application. *See* Application at 3 ¶ 10.

⁶ We note that this specific question pertains to Question No. 7 in the Verified Statement of Applicant. *See* Application at 7 ¶ 7.

⁷ We note that this specific question pertains to Question No. 8 in the Verified Statement of Applicant. *See* Application at 7 ¶ 8.

⁸ Additionally, TUS, in its Data Request, instructed the Applicant, as follows: “If you have not fully funded and equipped the business, now is the time to do so (before re-submitting your updates). Applicants lacking suitable finances, resources, and equipment will be denied authority.” Data Request at 3.

of TUS' Data Request, with Mr. Peachey's name handwritten into the sample Verification; (2) a copy of a Secretarial Letter dated February 6, 2026, issued to PEACHEY'S, at Docket No. A-2026-3060033 (*February 6, 2026 Secretarial Letter*);⁹ (3) a four-page typed document on PEACHEY'S letterhead entitled "Vehicle Safety Program" (Vehicle Safety Program);¹⁰ (4) two unsigned acknowledgement forms, one entitled "Driver Acknowledgement of Vehicle Safety Program," and one entitled "Drug and Alcohol Policy Acknowledgement" (Acknowledgement Forms); (5) a Statement of Financial Position as of February 6, 2026 (Balance Sheet as of 2/6/26), wherein the Applicant indicated a total assets balance of \$79,279.83, a total liabilities balance comprised entirely of \$80,000.00 in bank loans, and a total member's equity (deficit) balance of \$(720.17);¹¹ (6) a Vehicle Schedule as of February 6, 2026 (Vehicle Schedule as of 2/6/26), wherein ten vehicles were listed;¹² and (7) a two-page list of several checking account transactions from a financial institution between January 20, 2026, and February 6, 2026 (Account Activity Statement).¹³ Reply to Data Request at 1-16.

⁹ On January 23, 2026, at Docket No. A-2026-3060033, PEACHEY'S filed an Application for Motor Common Carrier of Persons Group and Party Service in Vehicles Seating 11 to 15, Including the Driver (Group Application) with the Commission. Thereafter, the Commission issued the *February 6, 2026 Secretarial Letter*, wherein the Commission: (1) indicated that PEACHEY'S: (a) had sought the incorrect authority type for its proposed operations; (b) was provided options on how to proceed; and (c) submitted its Request to Abandon its Group Application (Request to Abandon); and (2) granted the Applicant's Request to Abandon. *See February 6, 2026 Secretarial Letter*.

¹⁰ We note that the Vehicle Safety Program document, generally, refers to compliance standards pursuant to Title 49 of the Code of Federal Regulations. *See Reply to Data Request at 6-9.*

¹¹ The total assets balance is comprised of: (1) \$29,279.83 in cash; and (2) \$50,000 in vehicles. [$\$29,279.83 + \$50,000 = \$79,279.83$]. *See Reply to Data Request at 13.*

¹² We note that on the Vehicle Schedule as of 2/6/26, one vehicle is identified as a Ford Transit, and nine vehicles are identified as a Chevrolet Express. *See Reply to Data Request at 14.*

¹³ We note that the Account Activity Statement does not identify the name of the account holder. *See Reply to Data Request at 15-16.*

On February 13, 2026, the Commission issued the *February 13, 2026 Secretarial Letter*, wherein it dismissed the Application. In pertinent part, the *February 13, 2026 Secretarial Letter* stated, as follows:

- **Failure to establish fitness to operate:**

* * *

In analyzing the [A]pplicant's [A]pplication and supporting statements[,] multiple deficiencies were noted. The [A]pplicant was subsequently issued [the Data Request], seeking necessary policy revisions and suitable evidence to establish its ability to offer safe, efficient, and reasonable transportation. The [A]pplicant was provided with detailed guidance and examples to assist it in providing the necessary corrections and updates.

* * *

Unfortunately, the [A]pplicant's [Reply to Data Request] has failed to properly address multiple Commission concerns.

In [its] response, the [A]pplicant has chiefly relied upon Federal regulations as a blanket response to Commonwealth questions. This information was largely the same information which was submitted with the initial [A]pplication and that had been determined to be insufficient. While overlap does occur in some instances between Federal and State requirements, the [A]pplicant's response is not tailored to Commission concerns, and it leaves some aspects inadequately addressed. In particular, insufficient attention has been paid to the requirements of 52 Pa[.] Code §§ 29.504-29.505.

Other areas neglected by the [A]pplicant's response include a failure to provide necessary clarifications to the [A]pplicant's proposed service area, failure to provide a statement explaining the sufficiency of the number of planned drivers and planned vehicles, failure to provide

adequate evidence of equipment ownership, and failure to provide adequate evidence of financial holdings.

For these reasons[,] the [A]pplication is DISMISSED and DENIED[.]

February 13, 2026 Secretarial Letter at 1-2 (emphasis in original).

Additionally, the *February 13, 2026 Secretarial Letter* informed PEACHEY'S that, if it disagreed with the Commission's determination, then it may submit a Petition for Reconsideration from Staff Action with the Commission's Secretary within twenty (20) days of the date of the *February 13, 2026 Secretarial Letter*. Further, the *February 13, 2026 Secretarial Letter* outlined instructions regarding the form and content of such a Petition for Reconsideration from Staff Action, including references to the inclusion of relevant documentation and a signed verification statement, as set forth in 52 Pa. Code §§ 1.31 and 5.44. *February 13, 2026 Secretarial Letter* at 1-2.

As noted, *supra*, on February 17, 2026, PEACHEY'S timely filed the instant Petition.¹⁴ No response to the Petition has been filed.

¹⁴ Also, on February 17, 2026, PEACHEY'S filed a copy of its Application (Copy of Application). We note that the only difference between the Copy of the Application and PEACHEY'S Application filed on January 29, 2026, is that the Verified Statement of Applicant in the Copy of the Application is missing Mr. Peachey's printed name and title immediately under Mr. Peachey's signature. *See* Copy of Application at 7.

II. Discussion

A. Legal Standards

Petitions for Reconsideration from Staff Action are governed by the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code § 5.44(a), which provides the following:

Actions taken by staff, other than a presiding officer, under authority delegated by the Commission, will be deemed to be the final action of the Commission unless reconsideration is sought from the Commission within 20 days after service of notice of the action, unless a different time period is specified in this chapter or in the act.

52 Pa. Code § 5.44(a).

When evaluating appeals from a Commission staff action, under 52 Pa. Code §§ 5.44, the applicable legal standard is that the moving party has the burden of proof. *See, e.g., Application of Airquest*, Docket No. A-2015-2493073 (Order entered December 8, 2016) (*Application of Airquest*) (request for reconsideration of Secretarial Letter denying application for failure to comply with conditions); *Application of Department of Transportation (Norfolk)*, Docket No. A-2018-3003795 (Order entered November 14, 2019) (request for reconsideration of Secretarial Letter approving application with conditions). In this proceeding, PEACHEY'S is the party seeking affirmative relief from the Commission. Therefore, PEACHEY'S is the party with the burden of proof.

In order to make the determination whether granting a certificate is necessary or proper for the service, accommodation, convenience or safety of the public, the Commission's Regulations, at 52 Pa. Code §§ 3.381-85, and the Commission's Policy

Statement, at 52 Pa. Code § 41.14, establish the evidentiary guidelines and criteria to be examined by the Commission when considering whether to grant or deny an application for authority.

The Commission's Policy Statement at 52 Pa. Code § 41.14 provides as follows:

§ 41.14. Evidentiary criteria used to decide motor common carrier applications – statement of policy.

An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service. In addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally. In evaluating whether a motor carrier applicant can satisfy these fitness standards, the Commission will ordinarily examine the following factors, when applicable:

- (1) Whether an applicant has sufficient capital, equipment, facilities and other resources necessary to serve the territory request.
- (2) Whether an applicant and its employees have sufficient technical expertise and experience to serve the territory requested.
- (3) Whether an applicant has or is able to secure sufficient and continuous insurance coverage for all vehicles to be used or useful in the provision of service to the public.
- (4) Whether an applicant has an appropriate plan to comply with the Commission's driver and vehicle safety regulations and service standards in Chapter 29 (relating to motor carriers of passengers).
- (5) An applicant's record, if any, of compliance with 66 Pa.C.S. (relating to Public Utility Code), this title and the Commission's orders.

(6) Whether an applicant or its drivers have been convicted of a felony crime of moral turpitude and remains subject to supervision by a court or correctional institution.

52 Pa. Code § 41.14.

Finally, pursuant to Section 1103(a) of the Public Utility Code (Code), 66 Pa.C.S. § 1103(a), an application for a certificate of public convenience should be granted only if the Commission finds that “the granting of such certificate is necessary or proper for the service, accommodation, convenience or safety of the public.” 66 Pa.C.S. § 1103(a).

B. Petition

The Petition consists of the following: (1) a two-page typed response to the *February 13, 2026 Secretarial Letter*; (2) a copy of the Applicant’s Supplement to its Verified Statement;¹⁵ and (3) a copy of the *February 13, 2026 Secretarial Letter*. Petition at 1-8.

In response to the *February 13, 2026 Secretarial Letter*, PEACHEY’S states that it has intended to “proceed in good faith, with full transparency, and in strict compliance with all applicable requirements to obtain approval.” Further, the Applicant notes that after it revised its policies, PEACHEY’S submitted its response to TUS’ Data Request. Petition at 1. PEACHEY’S continues, in pertinent part, as follows:

We believe this submission properly addressed the Commission’s concerns. While our prior response referenced

¹⁵ As discussed, *supra*, in its Application, the Applicant included several additional pages to supplement its responses to the Questions in the Verified Statement of Applicant. See Application at 9-11.

federal regulations, we made a deliberate effort to tailor our revisions specifically to the Commission’s requirements, particularly those set forth in 52 Pa. Code §§ 29.503, 29.504, and 29.505.

* * *

Enclosed with this [Petition] are the materials that may have been missing from the most recent filing, including:

- Documentation addressing the requirements of 52 Pa. Code §§ 29.503, 29.504, and 29.505
- Clarification of our proposed service area
- A statement explaining the sufficiency of the number of planned drivers and vehicles
- Evidence of equipment ownership
- Documentation supporting our financial resources

The Applicant closes the Petition by requesting reconsideration of its Application and stating that PEACHEY’S is “fully committed to satisfying all requirements established by the Commission and [is] prepared to address any additional questions or concerns.” Petition at 2.

C. Disposition

In considering the instant Petition, we note that we are not required to consider, expressly or at length, each and every contention raised by a party to our proceedings. *University of Pennsylvania v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984). Any argument that is not specifically addressed herein shall be deemed to have been duly considered and denied without further discussion.

Upon review of the record documents, we will deny the Petition. In analyzing the requirements for an applicant seeking authority to operate as a motor common carrier of persons in paratransit service in the Commonwealth, the applicant

must satisfy the standards in Section 1103(a) of the Code, 66 Pa.C.S. § 1103(a), and in the Commission’s Regulations, by demonstrating, *inter alia*, that it has the equipment necessary to provide the proposed service. 52 Pa. Code § 41.14. Accordingly, one of the Commission Policy Statement factors we use in evaluating the applicant’s fitness is “[w]hether an applicant has sufficient capital, equipment, facilities and other resources necessary to serve the territory requested.” 52 Pa. Code § 41.14(1).

To summarize, PEACHEY’S in its Application, indicated that it intends to use seven vehicles to conduct its requested service. Application at 6 ¶ 6, and 10 ¶ 6. TUS, in its Data Request, directed PEACHEY’S to provide, *inter alia*: (1) a revised and compliant Statement of Financial Position, including information limited to, *inter alia*, all relevant assets held by PEACHEY’S and not the individual members; (2) copies of bank statements; and (3) vehicle registrations as proof of ownership for “any and all claimed vehicles.” Data Request at 3-4 ¶ 7. Thereafter, the *February 13, 2026 Secretarial Letter* denied and dismissed PEACHEY’S Application because PEACHEY’S failed to establish fitness to operate. Of particular note, the *February 13, 2026 Secretarial Letter* stated that the Applicant’s response to TUS’ Data Request failed to provide adequate evidence of equipment ownership and financial holdings. *See February 13, 2026 Secretarial Letter* at 1-2.

In its Petition, PEACHEY’S states that it has included, *inter alia*, evidence of equipment ownership and documentation supporting its financial resources. However, the Applicant provides no evidence of any vehicle registration or vehicle ownership in the name of PEACHEY’S. Further, the Applicant provides no evidence of any financial resources held by PEACHEY’S.¹⁶

¹⁶ As noted, *supra*, the Applicant, in its response to TUS’ Data Request, provided a two-page list of several checking account transactions from a financial institution between January 20, 2026, and February 6, 2026 (*i.e.*, the Account Activity Statement). However, the Account Activity Statement does not identify the name of the account holder. *See Reply to Data Request* at 15-16.

We also note, *sua sponte*, that the Petition, in which PEACHEY’S attempts to correct its initial failure to provide adequate information to satisfy Question No. 5 in the Verified Statement of Applicant, remains incomplete in providing the necessary information. Thus, TUS’ request that PEACHEY’S provide an adequate answer to Question No. 5 in the Verified Statement of Applicant remains unanswered. Moreover, the responses that were provided lack the specific detail necessary to demonstrate that PEACHEY’S is in compliance with Sections 29.503-505 of the Commission’s Regulations, 52 Pa. Code §§ 29.503-505.

The Commission’s Regulation at 52 Pa. Code § 29.503, *Age restrictions*, requires that: (1) an authorized common or contract carrier service may permit a person at least 21 years of age; and (2) an authorized paratransit service may permit a person at least 18 years of age but under 21 years of age to operate a paratransit vehicle if several conditions are met.¹⁷ 52 Pa. Code § 29.503(a)-(b). Upon review of the record documents, PEACHEY’S, to date, has not provided adequate evidence of compliance with the provision set forth in 52 Pa Code § 29.503.

The Commission’s Regulation at 52 Pa. Code § 29.504, *Driver history*, requires that an authorized common or contract service carrier: (1) may not permit a

¹⁷ Specifically, the Commission’s Regulation at 52 Pa. Code § 29.503(b) requires that a paratransit service provider may permit a person at least 18 years of age but under 21 years of age to operate a paratransit vehicle if: (1) the person is registered as a certified emergency medical services vehicle operator (EMSVO) with the Department of Health (DOH); (2) the person carries the DOH-issued registration of their EMSVO certification on board while operating a paratransit vehicle under 28 Pa. Code § 1023.21(h); (3) the carrier verifies that the paratransit driver is in good standing with the DOH and maintain records: (a) for four years as proof of each person’s EMSVO certificate registration; and (b) for inspection by Commission staff upon request; and (4) the carrier notifies TUS within three calendar days of the occurrence of an accident, a driving-related violation, reckless driving, or driving under the influence of alcohol or drugs. 52 Pa. Code § 29.503(b)(1)-(4).

person to operate a vehicle until the carrier obtains and reviews a driver history for each driver from the appropriate agency of every state in which the driver held a motor vehicle operator's license or permit during the proceeding three-year period; (2) obtain and review, at least once every 12 months from the date of the last report, a driver history for each driver operating under its authority from the appropriate agency of the state in which the driver held an operator's license or permit during the time period; and (3) maintain a copy of the driver history for at least two years. *See* 52 Pa. Code § 29.504(a). Upon review of the record documents, PEACHEY'S, to date, has not provided adequate evidence of compliance with the provision set forth in 52 Pa Code § 29.504.

The Commission's Regulation at 52 Pa. Code § 29.505, *Criminal history*, requires that an authorized common or contract service carrier: (1) may not permit a person to operate a vehicle: (a) until the carrier obtains and reviews a criminal history record from the Pennsylvania State Police and from every other state in which the person resided for the last twelve months; and (b) when the person was convicted of a felony or a misdemeanor under the laws of the Commonwealth or under the laws of another jurisdiction, to the extent the conviction relates adversely to that person's suitability to provide service safely and legally; (2) must obtain and review a criminal history record for each driver operating under its authority from the Pennsylvania State Police every two years; and (3) must maintain a copy of the criminal history for at least three years. *See* 52 Pa. Code § 29.505(1)-(4). Upon review of the record documents, PEACHEY'S, to date, has not provided adequate evidence of compliance with the provision set forth in 52 Pa Code § 29.505.

We find that the Petition, in which PEACHEY'S attempts to correct its initial failure to provide the requisite information by including a copy of its Supplement

to its Verified Statement, remains incomplete in providing the necessary information.¹⁸ Namely, PEACHEY'S has not provided specific information to explain its compliance with the Commission's Regulations at 52 Pa. Code §§ 29.503-505 (*i.e.*, its policy regarding driver age restrictions, criminal background checks, driver license/history checks, and the maintenance of such records). Indeed, the Applicant's responses to TUS' Data Request, wherein TUS directs the Applicant to provide, *inter alia*, an adequate Question No. 5 in its Application, do not specify: (1) hiring standards based on age restrictions; (2) how and how often PEACHEY'S will conduct background checks and driver license/history checks; (3) the circumstances that would disqualify an applicant from employment with PEACHEY'S; and (4) how PEACHEY'S will maintain its records of criminal background checks and driver license/history checks. Therefore, we find that the information provided by PEACHEY'S in its Petition is not compliant with the Commission's Regulations at Sections 29.503, 29.504, and 29.505. 52 Pa. Code §§ 29.503-505.

Notwithstanding the Applicant's failure to demonstrate that PEACHEY'S is in compliance with Sections 29.503-505 of the Commission's Regulations, 52 Pa. Code §§ 29.503-505, the Applicant, to date, has failed to provide any documentation demonstrating that PEACHEY'S is the holder of financial resources and the registered owner of a vehicle. Thus, we must infer that PEACHEY'S: (1) does not currently possess financial holdings; and (2) does not own, and does not possess the registration for, a vehicle to provide its requested paratransit service. Therefore, we are unable to conclude that PEACHEY'S satisfies the fitness standards set forth in our Regulations at 52 Pa. Code § 41.14(1). Indeed, given the absence of any documentation to support that PEACHEY'S is the owner of any vehicle assets and/or any financial

¹⁸ As discussed, *supra*, the *February 13, 2026 Secretarial Letter* stated, *inter alia*, that the Applicant's response to TUS' Data Request: (1) primarily relied upon Federal Regulations as a "blanket response to Commonwealth questions;" and (2) was mostly the same information that was submitted with its Application and that had been determined to be insufficient. *February 13, 2026 Secretarial Letter* at 1.

holdings, the Applicant does not demonstrate sufficient evidence to conclude that PEACHEY'S is operationally able to provide its proposed service.

Accordingly, we find that these factors weigh against granting the Petition under the circumstances. We note that, if PEACHEY'S has details and evidence that demonstrate and satisfy all of the fitness standards in the Commission's Policy Statement at 52 Pa. Code § 41.14 (1)-(6), then PEACHEY'S may file a new application with the Commission, if it so chooses.¹⁹

III. Conclusion

For the reasons set forth above, we will deny PEACHEY'S Petition, consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

1. That the Petition for Reconsideration from Staff Action, filed by PEACHEY'S TRANSPORT SERVICES LLC, on February 17, 2026, at Docket No. A-2026-3060205, is denied, consistent with this Opinion and Order.

¹⁹ We note that on March 11, 2026, at Docket No. A-2026-3061069, PEACHEY'S filed a new Application for Motor Common Carrier of Persons in Paratransit Service.

2. That this proceeding, at Docket No. A-2026-3060205, be marked closed.

BY THE COMMISSION,

A handwritten signature in black ink, reading "Matthew L. Homsher". The signature is written in a cursive style with a large initial "M".

Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: May 21, 2026

ORDER ENTERED: May 21, 2026