

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENT NO.</u>
November 26, 1985	:	JAN-86-T-10*
3. <u>BUREAU:</u>	:	
Transportation	:	
4. <u>SECTION(S):</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	
6. <u>APPROVED BY:</u>	:	January 10, 1986
Director: Ernst 7-2154	:	
Supervisor: Bigelow/Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
Honegger 7-4386	:	
9. <u>DOCKET NO:</u>	:	
A-00105781	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		

(a) Application of King Limousine Service, Inc., a corporation of the Commonwealth of Pennsylvania, of King of Prussia, Montgomery County, for the right to begin to transport, as a common carrier, persons in limousine service, between points in the village of King of Prussia, Upper Merion Township, Montgomery County, and within an airline distance of fifty (50) statute miles of the limits thereof.

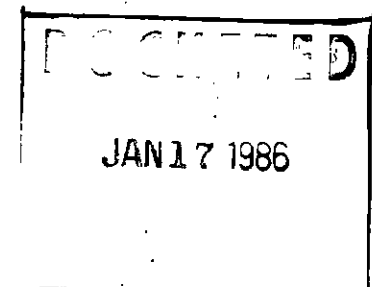
(b) The application was accompanied by a temporary authority application was protested by seven carriers whose interest were subsequently satisfied when the applicant restricted service between points in Philadelphia and further limited service to and from the Philadelphia International Airport. Nine witnesses located in Montgomery and Chester Counties have entered support statements for the proposed transportation. The base of operations has therefore been limited to said counties. The applicant has acquired experience in the transportation of persons by virtue of its interstate authority. It has the appropriate vehicles and resources necessary to provide the proposed transportation. Approval of the application is in the public interest and is an accommodation and convenience to the public.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the application, as amended and further restricted, and dismissing the application for temporary authority.

11. MOTION BY: Commissioner Chm. Taliaferro Commissioner Fischl - Yes.
Commissioner
SECONDED: Commissioner Shane Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

DOCUMENT
FOLDER





COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

January 22, 1986

IN REPLY PLEASE
REFER TO OUR FILE

A-00105781

Gerald Gornish, Esquire
S.E. Corner 15th & Chestnut Sts.
Philadelphia, PA 19102

Application of King Limousine Service, Inc., a corporation of the
Commonwealth of Pennsylvania

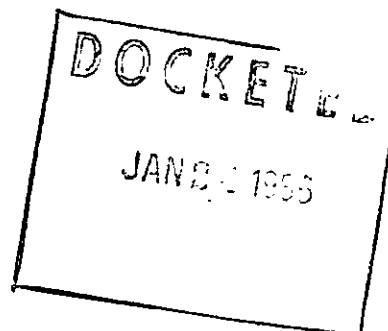
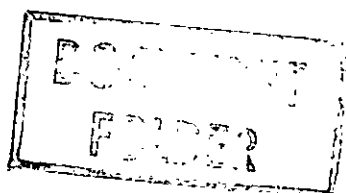
Dear Sir:

Enclosed is the compliance order issued by the Commission in the
above entitled proceeding.

The Certificate of Public Convenience evincencing the Commission's approval
of the right to operate will not be issued until the applicant has complied
with the following insurance and tariff requirements:

- I A Form E as evidence of minimum public liability and
property damage insurance coverage as shown on the back
of this page.
- II Prepare and file a tariff, instructions for which are
enclosed and return to the Pa. Public Utility Commission,
Bureau of Non-Rail Transportation, Tariff Section, Room 411
Transportation & Safety Building, Harrisburg, PA 17120

No motor carrier shall operate or engage in any transportation
until all of the above requirements have been complied with and a certificate
of public convenience issued authorizing actual operations. You are
advised that any equipment to be used in rendering the service authorized
under the certificate must be registered with the Bureau of Motor Vehicles,
Department of Revenue, as a motor bus. Motor carriers
operating without complying with the above requirements will be subject
to the penalty provisions of the Public Utility Law.



Public Liability and Property Damage Insurance
Minimum Limits for Pa. Public Utility Commission Authority

Common Carriers and Contract Carriers

		Limit for Bodily Injuries to or Death Of One Person	Limit for Bodily Injuries to or Death of All Persons in Any One Accident	Limit for Loss or Damage in Any One Accident to Property of Others, Excluding Cargo
Passenger Carriers (seating capacity)	7 or less	\$25,000	\$100,000	\$10,000
	8 to 12	25,000	150,000	10,000
	13 to 20	25,000	200,000	10,000
	21 to 30	25,000	250,000	10,000
	31 or more	25,000	300,000	10,000
Property Carrier		25,000	100,000	10,000

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

A-00105781

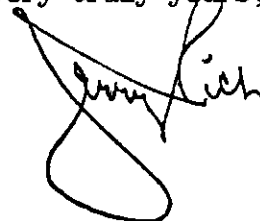
Commission regulations require compliance with all of the requirements within sixty days of the date of this letter. Failure to comply within the sixty days will cause the Commission to rescind the action of January 10, 1986, and dismiss the application without further proceedings.

If you foresee any problems with any of the requirements please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section (717)787-1227

Tariff Filings: Mr. Joseph Machulsky-Tariff Section (717)787-5521

Very truly yours,

A handwritten signature in dark ink, appearing to read "Jerry Rich", written over a large, stylized, looped flourish.

Jerry Rich, Secretary

jr
Enclosures
Certified Mail
Receipt Requested
cc: Applicant
129 W. DeKalb Pike
King of Prussia, PA 19406

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held January 10, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Application of King Limousine Service,
Inc., a corporation of the Commonwealth
of Pennsylvania, for the right to begin
to transport, as a common carrier,
persons in limousine service, between
points in the village of King of
Prussia, Upper Merion Township,
Montgomery County, and within an
airline distance of fifty (50)
statute miles of the limits
thereof.

A-00105781

Gerald Gornish for the applicant.

Alan R. Squires for protestants, Delaware Valley Limousine Operators
Association, Limelight Limousine, Inc., Anthony S. Viscusi, t/d/b/a
Dav-El Livery Service and Best Limousine Company, t/d/b/a Dave's
Limousine Service.

Val Pleet Wilson for protestants,, Harp Brothers, Inc. and Calvin D. Harp.,
t/d/b/a Harp Brothers.

John T. Acton, for protestant, Liberty Cab & Limousine Company, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by way of an application
filed on August 16, 1984 together with an application for temporary
authority. Public notice was given in the Pennsylvania Bulletin of
November 3, 1984. Further public notice also appeared in the Lancaster
New Era, The Express, Easton; Reading Eagle Times; The Morning Call in
Allentown; and Philadelphia Inquirer, all newspapers of daily circulation
in the proposed area of operations. There were seven protests to the
proceeding, all of which were withdrawn when the applicant stipulated it
would provide no service between points in the city of Philadelphia and
that service to and from the Philadelphia International Airport would
be restricted to and from named municipalities and from points within
twenty miles of Philadelphia City Hall and vice versa.

DOCKETED

JAN 10 1986

The now unprotested application has been certified to the Commission for disposition without an oral hearing. The record consists of the applicant's verified statement and support statements from nine witnesses.

DISCUSSION AND FINDINGS

The president of King Limousine Service, Inc. (King or applicant), Robert G. Euler, sets forth the following data in his verified statement. King has its office and terminal facilities at 129 West DeKalb Pike, King of Prussia, PA 19406. The applicant has been granted interstate authority on May 13, 1985 as a common carrier but the nature of said service is not specified.

The facilities at DeKalb Pike will be utilized as a scheduling center as well as an office and terminal. Drivers will either wait to return passengers or come back at a designated time for said purpose. Trips may be scheduled in advance or called in as necessary.

The applicant's current list of equipment pertinent to the subject service consists of four luxury limousines - a 1983 and 1984 Lincoln Continental, a 1985 Cadillac and a 1985 Excaliber. These are all deluxe stretch limousines. Regular maintenance and inspection will be conducted on this equipment. Employees will undergo training and receive instructions on company procedures, safety precautions and requirements of the vehicle code.

The applicant cites a lack of adequate limousine service in the proposed area and states further that individuals and businesses desiring transportation have encountered insufficient public service to meet their stated needs.

As proof of its fiscal ability to sustain the instant transportation, King enters a statement of assets and liabilities dated December 31, 1984 reflecting current assets of \$2,872 and total current assets of \$69,701; total current liabilities of \$48,753, long-term debt of \$36,347 and a deficit stockholders' equity of \$15,399.

Nine witnesses have come forward to express a desire for limousine service. These include eight businesses and an individual based primarily in Montgomery County as follows: Kurt Kurcher, Pottstown Contracting Co., Inc. and Edan Associates all of King of Prussia, Montgomery County; United Coin and Precious Metals of Phoenixville, Chester County; Nelson F. Swartley of Schwenksville, Montgomery County; Belmont Realty Co. and Charlene's Bridal Salon both of Bridgeport, Montgomery County; B. J. Marchese Honda World, of Norristown, Montgomery County; and A. Shear Happening Associates of Conshohocken, Montgomery County. A need for an average of approximately seven trips per month in the proposed area is projected for the various customers, clients and employees of the businesses

entering support statements. We note, however, that the majority of witnesses are based in Montgomery County and one in Chester County. We therefore believe that a necessity has been shown for a base of operations confined to points in these counties and return. With regard to the radial territory proposed, said area will be centered on the applicant's place of business at 129 West DeKalb Pike, King of Prussia, rather than the village of King of Prussia which has no municipal boundaries. This has been concurred in by all parties of record.

In limiting the proposed service to a base of operations beginning or ending in Montgomery and Chester Counties, the first stipulation barring, in part, service to and from named points in Bucks County is no longer applicable and will be hereinafter deleted. We also note that Kulpsville is listed as a township in Bucks County in the first stipulation, and has been hereinafter corrected to a village in Montgomery County with the approval of all principals. The now limited origin and destination points will further render inapplicable that portion of the second stipulation which precludes service between points in the city of Philadelphia and this restriction will be likewise deleted. In addition, a typographical error in said stipulation listing various municipalities in Chester County has been corrected from "all of Chester County" to "all in Chester County" with the concurrence of all protestants.

With regard to the fitness of King, we believe it has the necessary equipment to operate and it has already gained some experience in the transportation business by virtue of its interstate authority. While King's balance sheet shows a deficit shareholder's equity of \$15,399, most of this deficit can be contributed to long-term indebtedness of \$36,347. We therefore believe the financial standing of the applicant is sound.

We find:

1. A need for service has been established from points in Montgomery and Chester Counties to points within 50 miles of the applicant's office in King of Prussia, and return.
2. The applicant has the requisite fitness to provide the proposed transportation, as amended and further restricted.
3. In view of the luxury vehicles to be utilized, the applicant requests a waiver of marking provisions of 52 Pa. Code §29.71.
4. Discrepancies in the first stipulation have been corrected and concurred in by all parties of record.
5. Approval of the proposed service, as amended and further restricted, is an accommodation and convenience to the public; THEREFORE,

IT IS FURTHER ORDERED: That the application, as amended and further restricted, be and is hereby approved as follows:

To transport, as a common carrier, persons in limousine service, between points in the counties of Montgomery and Chester, and from points in said counties to points

within an airline distance of fifty (50) statute miles of the applicant's place of business at 129 West DeKalb Pike, King of Prussia, PA and return.

subject to the following conditions:

1. That no right, power or privilege is granted to transport persons from points in the city of Coatesville, and the townships of Schuylkill and Charlestown, all in Chester County; the boroughs of Pottstown, Collegeville and Norristown, and the townships of Upper Dublin, Whitemarsh, Montgomery, Upper Merion, Plymouth, Upper Moreland and Lower Gwynedd, and the village of Kulpsville in Towamencin Township, all in Montgomery County, to the Philadelphia International Airport in the city and county of Philadelphia and the township of Tinicum, Delaware County, and return.
2. That no right, power or privilege is granted to transport persons from points in the counties of Montgomery and Chester within an airline distance of twenty (20) statute miles of the Philadelphia City Hall to the Philadelphia International Airport in the city and county of Philadelphia and the township of Tinicum, Delaware County, and return.

IT IS FURTHER ORDERED: That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the carrier shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That upon compliance with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relating to the filing of evidence of insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate issue evidencing the Commission's approval of the right to operate as above-determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That the applicant be granted a waiver of the vehicle marking provisions specified at 52 Pa. Code §29.71.

IT IS FURTHER ORDERED: That with the adoption of the permanent authority herein, the application for temporary authority be dismissed.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich".

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: January 10, 1986

ORDER ENTERED: JAN 22 1986