

BLAIR F. GREEN
ATTORNEY AT LAW
125 NORTH MCKEAN STREET
KITTANNING, PA. 16201-1517
TEL. (412) 543-2219
FAX (412) 543-2310

July 1, 1992



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
ATTN Richard H. White
Technical Review Section
P O Box 3265
Harrisburg PA 17105-3265

Re: A-00099448, F. 1, Am-C
Application of Toy Trucking Company

Dear Mr. White:

In reference to your letter to me of May 29, 1992, be advised that on June 4, 1992, I mailed a letter to the seven attorneys representing all of the protestants in the case. I enclose a copy of a letter to all of them and one copy of the new restrictive amendment with "to or from" in it instead of two and from sent to each.

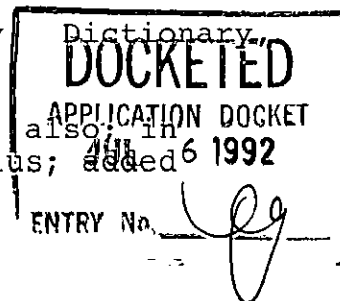
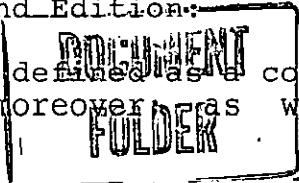
I enclose copies of all of six letters I received back, not receiving one from John Fullerton who had dropped out early in the game. As you can see, from the replies of the six attorneys I received, William J. Lavelle, John A. Pillar, Herbert R. Nurick, Sally A. Davoren, David H. Radcliff and Dwight L. Koerber, Jr., the responses ran for and against the change.

If you will note, many of the people represented by the attorneys saying no did not really have the standing to contest this application in the first place under their rights.

As to the technicality represented by to or from and to and from I can only refer to the dictionary which I feel the Courts would go by.

In Websters New Twentieth Century
unabridged, Second Edition:

"and" is defined as a conjunction. "1. also; in addition, moreover as well as, 2. plus; added to;" as



Commonwealth of Pennsylvania -2- July 1, 1992

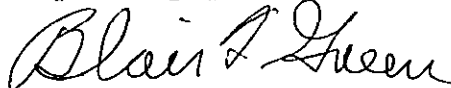
"'or' is defined as a conjunction, a coordinating conjunction introducing an alternative; specifically (a) introducing the second of two choices... (b) introducing any of the choices in a series."

If you look at these definitions, and means also, in addition, as well as plus, added to so, to and from could well mean to the facilities of the shippers and from the facilities of the shippers for the 125 miles.

Or means the alternative or the second of two or several choices and in this context, when the rest of the rights are to points within 125 statute miles of Worthington to points in Pennsylvania, I do not really see how you can interpret "or" and "and" to be different under these rights.

In any event, I appreciate talking to you and enclose copies of the letters from six of the seven attorneys who did respond. What is really interesting is that almost all of the haulers whose attorneys are protesting, if you look at their rights in the protests, do not have the ability under their certificates to make the hauls the supporting shippers for Toy have requested.

Very truly yours,



Very truly yours,

BFG/sb

Enclosures