

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17120  
October 8, 1991

In Re: A-00099448, F001, Am-C

(See letter of 7/9/91)

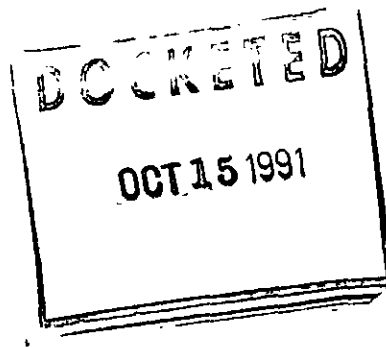
Application of Toy Trucking Company

Amendment so as to permit the transportation of coal, from points within one hundred twenty-five (125) statute miles from the Borough of Worthington, Armstrong County, to points in Pennsylvania, provided no haul shall exceed one hundred twenty-five (125) statute miles from point of origin to point of destination.

NOTICE

This is to inform you that further hearings on the above captioned case will be held Tuesday and Wednesday, November 26 and 27, 1991, at 10:00 a.m., in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania.

cc: Judge Gesoff  
Mr. Bramson  
Ms. Kelly  
Mrs. Howell  
Docket Room



RLS

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

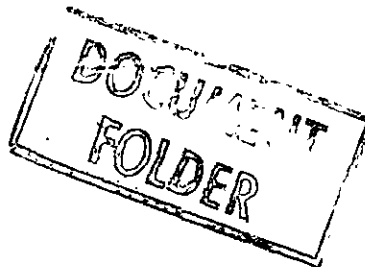
ORIGINAL

October 15, 1991

RLS

Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P O Box 3265  
Harrisburg PA 17120

Re: Toy Trucking Company  
A-00099448, F001, Am-E



Dear Mr. Rich:

I enclose a Restrictive Amendment for filing in the above-captioned case. Copies of this letter and Amendment have been sent to counsel of record for all protestants.

Very truly yours,

*Blair F. Green*  
Blair F. Green

BFG/sb

Enclosure

CC: Vuono, Lavelle & Gray  
Pillar and Mulroy, P.C.

RECEIVED  
OCT 18 1991  
SECRETARYS OFFICE  
Public Utility Commission

BEFORE THE

*A-00099448-F001,  
AmE*

PENNSYLVANIA PUBLIC UTILITY COMMISSION

TOY TRUCKING COMPANY

: ~~A-00108970, F001, Am-E~~

RESTRICTIVE AMENDMENT

AND NOW comes the above applicant, and restrictively amends its application at the above docket number to read as follows:

SO AS TO PERMIT the transportation of (1) property, in bulk, for Toy Trucking Company to and from its facilities in West Franklin Township, Armstrong County, to points in the State of Pennsylvania and vice versa; and (2) property, in bulk, in dump vehicles from the facilities of A. A. Ryan Topsoil Company, located in the city of New Castle, Lawrence County and within an airline distance of twenty-five (25) statute miles of the limits of said city, to points in Pennsylvania, no haul to exceed a distance of one hundred twenty-five (125) statute miles from point of origin to points of destination.

Respectfully submitted,

By:

*Blair F. Green*

Blair F. Green  
Attorney for  
Toy Trucking Company

**DOCKETED**  
**OCT 23 1991**  
Dated: October 14, 1991

**DOCUMENT  
FOLDER**

**RECEIVED**

OCT 25 1991

Office of A. L. J.  
Public Utility Commission

RLS

PILLAR AND MULROY, P.C.

ATTORNEYS-AT-LAW  
SUITE 700

312 BOULEVARD OF THE ALLIES  
PITTSBURGH, PA 15222 - 1916

TELEPHONE (412) 471-3300  
FAX: (412) 471-6068

**ORIGINAL**

**RECEIVED**

OCT 28 1991

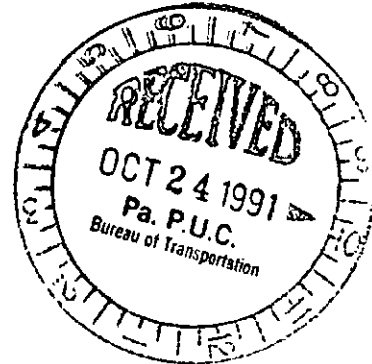
SECRETARY'S OFFICE  
Public Utility Commission

JOHN A. PILLAR  
THOMAS M. MULROY  
ANTHONY A. SEETHALER, JR.

October 22, 1991

Re: Toy Trucking Company  
Docket No. A-00099448, F.1, Am-E

Hon. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120



Dear Mr. Rich:

We have received a copy of a letter dated October 15, 1991, from Blair S. Green, Esq., attorney for the applicant in the above docketed proceeding, which makes reference to a restrictive amendment dated October 14, 1991, which has been filed with the Commission in the above case. We have reviewed the restrictive amendment with our client, Wayne W. Sell Corporation, and we are authorized to state that, if the amendment is accepted by the Commission, the protest of Wayne W. Sell Corporation may be considered withdrawn.

The amendment restricts part (1) of the application to the transportation of property, in bulk, for Toy Trucking Company to and from its facilities in West Franklin Township, Armstrong County, to points in Pennsylvania, and vice versa. In other words, in part (1) of the application, all of the transportation would have to be for Toy Trucking Company and to and from its facilities in West Franklin Township, Armstrong County. This is the amendment requested by Wayne W. Sell Corporation.

**DOCKETED**

OCT 30 1991

Very truly yours,

*John A. Pillar*

JOHN A. PILLAR

**DOCUMENT  
FOLDER**

SW

cc: Hon. James D. Porterfield  
Blair S. Green, Esq.  
William J. Lavelle, Esq.  
Wayne W. Sell Corporation

ORIGINAL

BLAIR F. GREEN

ATTORNEY AT LAW  
125 NORTH MCKEAN STREET  
KITTANNING, PA. 16201-1517

TEL. (412) 543-2219  
FAX (412) 543-2310

October 23, 1991

RECEIVED

OCT 25 1991

SECRETARY'S OFFICE  
Public Utility Commission

Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P O Box 3265  
Harrisburg PA 17120

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

RLS

Dear Mr. Rich:

Enclosed for filing, in the above-captioned case, is a Restrictive Amendment which was read into the record at the hearing before Administrative Law Judge Larry Gesoff on September 24, 1991. It has been submitted to counsel for all parties.

Very truly yours,

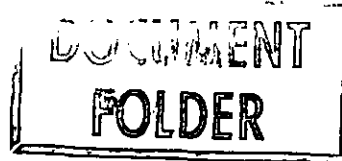
*Blair F. Green*

Blair F. Green

BFG/sb

Enclosure

CC: Judge Larry Gesoff  
John E. Fullerton, Esq.  
William J. Lavelle, Esq.  
John A. Pillar, Esq.  
Herbert R. Nurick, Esq.  
Sally A. Davoren, Esq.  
David H. Radcliff, Esq.  
Dwight L. Koerber, Jr., Esq.



ORIGINAL

RECEIVED

BEFORE THE

OCT 25 1991

PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE  
Public Utility Commission

TOY TRUCKING COMPANY : A-00099448, F. 1, Am-C

RESTRICTIVE AMENDMENT

AND NOW comes the above applicant, and restrictively amends its application at the above docket number to read as follows:

I

To transport coal for B & B Coal Associates, Inc., and for the Pittsburgh & Shawmut Coal Company, from points within 125 miles of the Borough of Worthington, Armstrong County, to points in Pennsylvania, subject to the following conditions:

A. Provided that no haul shall exceed 120 statute miles from point of origin to point of destination; and further provided that transportation for B & B Coal Associates, Inc., shall be limited to transportation to and from the facilities of B & B Coal Mining, Inc., B.M.B. Management, Inc., Bill Turner Enterprises, Daybrook Coal Company, S. D. Bowers, Inc., Atwell Coal Company, Eastern Materials Corp., Cherep's Excavating, Glacial Minerals, Walter L. Houser Coal Company, William McIntire Coal Company, M.R.C. Mining, Perry Brothers Coal Company, Reddinger Coal Company, Rosebud Mining Co., Triple K Coal Company, Valley Coal Company and VanLeer Coal Company and further provided that transportation for Pittsburgh & Shawmut Coal Company shall be limited to transportation to and from the facilities of Allegheny River Mining Company, Pittsburgh & Shawmut Railroad Company, Shawmut Development, Inc., TDK Coal Sales, Inc., Walter L. Houser Coal Company, Inc., SBP Coal Company, D.J.W. Mining, Inc., Hilliard Mining, Inc.,

DOCKETED

OCT 29 1991

DOCUMENT  
FOLDER

D.W.L. Coal Company, Mahoning Mining,  
Eastern Materials Corp., and Canterbury  
Coal Company.

II

To transport coal for Amerikohl, Inc., and  
and Amerikohl Mining, Inc. from the facilities of  
Amerikohl, Inc., and Amerikohl Mining, Inc.,  
located in that part of Pennsylvania West of U.S.  
Highway Route 219 to points in that part of  
Pennsylvania located West of U. S. Highway 219,  
subject to the following conditions:

A. **Provided** that no hauls shall  
exceed 125 statute miles from point of  
origin to point of destination and  
**further provided** that no right, power or  
privilege shall be granted to provide  
transportation for Amerikohl, Inc. and  
Amerikohl Mining, Inc., to or from the  
facilities of United Eastern Coal Sales  
Corporation, White Star Coal Co., Inc.,  
Kent Coal Mining Company or Purco Coal  
Company, Inc., and **further provided** that  
no right, power or privilege shall be  
granted to provide service to, from or  
between points in Somerset or Cambria  
Counties.

Respectfully submitted,

By: Blair F. Green

Blair F. Green  
Attorney for  
Toy Trucking Company

Dated: October 22, 1991

PILLAR AND MULROY, P.C.

ATTORNEYS-AT-LAW

SUITE 700

312 BOULEVARD OF THE ALLIES

PITTSBURGH, PA 15222 - 1916

TELEPHONE (412) 471-3300

FAX: (412) 471-6068

ORIGINAL

RLS

JOHN A. PILLAR  
THOMAS M. MULROY  
ANTHONY A. SEETHALER, JR.

October 25, 1991

Re: Toy Trucking Company  
Docket No. A-00099448, F.1, Am-C

RECEIVED  
OCT 28 1991

SECRETARY'S OFFICE  
Public Utility Commission

Hon. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

DOCKETED  
NOV 08 1991

Dear Mr. Rich:

We are in receipt of a copy of a letter to the Commission from the attorney for applicant submitting a restrictive amendment dated October 22, 1991, in the above docketed proceeding. Contingent upon the Commission's acceptance of this amendment, we are authorized to withdraw the protest filed by this office on behalf of Wayne W. Sell Corporation, Gajda Trucking Company, Don Martin Trucking Co., David Tesone Trucking, Inc., McCleary-Christie Trucking, Inc. and DGB Trucking. We wish to remain on the mailing list for any future orders or notices issued by the Commission in this matter.

Very truly yours,

*John A. Pillar*

JOHN A. PILLAR

DOCUMENT  
FOLDER

SW

cc: Hon. Larry Gesoff  
Blair F. Green, Esq.  
William J. Lavelle, Esq.  
Wayne W. Sell Corporation  
Gajda Trucking Company  
Don Martin Trucking Co.  
David Tesone Trucking, Inc.  
McCleary-Christie Trucking, Inc.  
DGB Trucking

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

October 31, 1991

RLS

Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P O Box 3265  
Harrisburg PA 17120

RECEIVED  
NOV 4 1991  
SECRETARY'S OFFICE  
Public Utility Commission

Re: Toy Trucking Company  
A-00099448, F001, Am-E

Dear Mr. Rich:

As to letter with Restrictive Amendment submitted October 15, 1991, in the above captioned case, be advised that due to a typographical error the application number was properly set forth in the letter as A-00099448, F001, Am-E; unfortunately at the top of the Restrictive Amendment it was listed as A-00108970, F001, Am-E. Please put it in the proper file and accept my apologies.

Also, we are enclosing a new Restrictive Amendment which adds, "in dump vehicles", to part (1) of the application which has resulted in the withdrawal of all protests except those from one attorney and it looks favorable that his will also be withdrawn before the November 6th hearing.

Again, accept my apology for the error and file the new Restrictive Amendment as enclosed.

Very truly yours,

*Blair F. Green*

Blair F. Green

BFG/sb

Enclosure

CC: Judge Porterfield  
Vuono, Lavelle & Gray  
Pillar and Mulroy, P.C.  
Peter G. Loftus, P.C.

DOCUMENT  
FOLDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

TOY TRUCKING COMPANY : A-00099448, F001, Am-E

RESTRICTIVE AMENDMENT

RECEIVED  
NOV 4 1991

SECRETARY'S OFFICE  
Public Utility Commission

AND NOW comes the above applicant, and restrictively amends its application at the above docket number to read as follows:

SO AS TO PERMIT the transportation of (1) property, in bulk, in dump vehicles, for Toy Trucking Company to and from its facilities in West Franklin Township, Armstrong County, to points in the State of Pennsylvania and vice versa; and (2) property, in bulk, in dump vehicles from the facilities of A. A. Ryan Topsoil Company, located in the city of New Castle, Lawrence County and within an airline distance of twenty-five (25) statute miles of the limits of said city, to points in Pennsylvania, no haul to exceed a distance of one hundred twenty-five (125) statute miles from point of origin to points of destination.

Respectfully submitted,

By: \_\_\_\_\_

*Blair F. Green*  
Blair F. Green  
Attorney for  
Toy Trucking Company

Dated: October 31, 1991

DOCKETED  
NOV 08 1991

DOCUMENT  
FOLDER

ORIGINAL

9-11-91

Law Offices

PETER G. LOFTUS, P.C.

Suite 724 Bank Towers

321 Spruce Street

Scranton, Pennsylvania 18503-1447

(717) 347-1453

Peter G. Loftus

Suzanne E. Mason \*

\*Also Admitted In Connecticut

Allentown

(215) 433-7939

Philadelphia

(215) 625-3777

Pittsburgh

(412) 471-2662

Scranton

(717) 347-1453

Wilkes-Barre

(717) 826-0676

Fax:

(717) 347-5559

October 31, 1991

**RLS**

The Honorable Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
Post Office Box 3265  
Harrisburg, PA 17120

**RECEIVED**

**OCT 31 1991**

**SECRETARY'S OFFICE  
Public Utility Commission**

RE: Toy Trucking Company  
Docket # A-00099448  
Folder 1, Am-E  
OUR FILE # PGL-163

Dear Secretary Rich:

We are in receipt of a Restrictive Amendment in the above-referenced application from Blair F. Green, Esquire.

Based upon the Restrictive Amendment, Seaboard Tank Lines, Inc., withdraws its protest contingent upon acceptance of said amendment by the Commission.

Please continue to carry us on the mailing list for all future notices, orders, opinions, etc.

**DOCKETED**

NOV 12 1991

Very truly yours,

PETER G. LOFTUS, P.C.

Peter G. Loftus

PGL/ss

Encl:

cc: Walter P. Orzolek, Manager  
Seaboard Tank Lines, Inc.

Blair F. Green, Esquire  
125 North McKean Street  
Kittanning, PA 16201-1517

**DOCUMENT  
FOLDER**

**RECEIVED**  
NOV 05 1991  
Pa. P.U.C.  
Bureau of Transportation

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

TOY TRUCKING COMPANY : A-00099448, F001, Am-E

RESTRICTIVE AMENDMENT

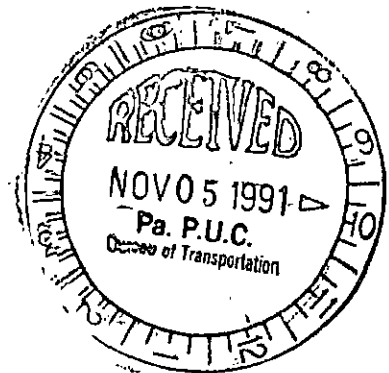
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Respectfully submitted,

By: Blair F. Green  
Blair F. Green  
Attorney for  
Toy Trucking Company

Dated: October 31, 1991



ORIGINAL

LAW OFFICES

**VUONO, LAVELLE & GRAY**

2310 GRANT BUILDING

PITTSBURGH, PA. 15219-2383

(412) 471-1800

JOHN A. VUONO  
WILLIAM J. LAVELLE  
WILLIAM A. GRAY  
MARK T. VUONO  
RICHARD R. WILSON  
DENNIS J. KUSTURISS  
CHRISTINE M. DOLFI  
PETER J. SCANLON

October 31, 1991

TELECOPIER  
(412) 471-4477

\*ALSO MEMBER OF FLORIDA BAR

Re: Toy Trucking Company  
Docket No. A-00099448, F. 1, Am-E

Mr. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
North Office Building  
P.O. Box 3265  
Harrisburg, PA 17120

RLS

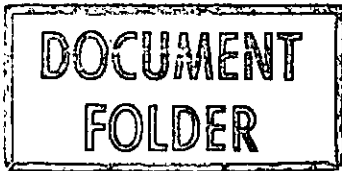
Dear Mr. Rich:

Enclosed for filing with the Commission in connection with the above application is a Restrictive Amendment and Stipulation Concerning Withdrawal of Protest. The Stipulation and Withdrawal of Protests is signed by the undersigned on behalf of seven motor carrier protestants. The Restrictive Amendment submitted by applicant's representative and on the basis of which the protests are being withdrawn, is attached. As a result of the withdrawal of these protests, we will not participate in the hearing scheduled for November 6, 1991 in Pittsburgh before Administrative Law Judge James Porterfield. We understand that all other protests may have been withdrawn previously in which case we have no objection to a cancellation of the hearing.

Sincerely yours,

VUONO, LAVELLE & GRAY

*William J. Lavelle*  
William J. Lavelle



pz

Enclosure

cc: Honorable James Porterfield, Administrative Law Judge  
Mr. Bud Huntington  
Blair S. Green, Esq.

RECEIVED  
NOV 4 1991  
SECRETARYS OFFICE  
Public Utility Commission

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

NOV 4 1991

SECRETARYS OFFICE  
Public Utility Commission

Application of  
TOY TRUCKING COMPANY

Docket No. A-00099448, F. 1, Am-E

RESTRICTIVE AMENDMENT AND STIPULATION  
CONCERNING WITHDRAWAL OF PROTEST

The protestants listed below, by their attorney, William J. Lavelle, Esq., stipulate that they hereby withdraw their protests based on the Restrictive Amendment dated October 31, 1991, a copy of which is attached hereto, and conditioned upon its acceptance by the Commission and any grants of authority in this proceeding being consistent therewith. Counsel for the protestants will remain of record for the purpose of receiving all Notices and Orders issued in this proceeding. The withdrawing motor carrier protestants are as follows:

Bulk Transportation Services, Inc.  
Rosie B. Amsler and Sheila A. Brocious, Copartners t/d/b/a  
Marianne Industries, Inc.  
Bruce Trent Trucking, Inc.

Taylor Services, Inc.  
A. D. Weaver Services, Inc.  
Robert Cole Trucking Company  
McClymonds Supply & Transit Co., Inc.

DOCUMENT  
FOLDER

Dated: October 31, 1991

By: William J. Lavelle  
William J. Lavelle, Esq.  
VUONO, LAVELLE & GRAY  
2310 Grant Building  
Pittsburgh, PA 15219  
Attorney for Protestants

DOCKETED

NOV 15 1991

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

TOY TRUCKING COMPANY : A-00099448, F001, Am-E

RESTRICTIVE AMENDMENT

AND NOW comes the above applicant, and restrictively amends its application at the above docket number to read as follows:

SO AS TO PERMIT the transportation of (1) property, in bulk, in dump vehicles, for Toy Trucking Company to and from its facilities in West Franklin Township, Armstrong County, to points in the State of Pennsylvania and vice versa; and (2) property, in bulk, in dump vehicles from the facilities of A. A. Ryan Topsoil Company, located in the city of New Castle, Lawrence County and within an airline distance of twenty-five (25) statute miles of the limits of said city, to points in Pennsylvania, no haul to exceed a distance of one hundred twenty-five (125) statute miles from point of origin to points of destination.

Respectfully submitted,

By: \_\_\_\_\_

*Blair F. Green*  
Blair F. Green  
Attorney for  
Toy Trucking Company

Dated: October 31, 1991

COPY

LAW OFFICES

**VUONO, LAVELLE & GRAY**

2310 GRANT BUILDING

PITTSBURGH, PA. 15219-2383

(412) 471-1800

JOHN A. VUONO  
WILLIAM J. LAVELLE  
WILLIAM A. GRAY  
MARK T. VUONO  
RICHARD R. WILSON  
DENNIS J. KUSTURISS  
CHRISTINE M. DOLFI  
PETER J. SCANLON

October 31, 1991

TELECOPIER  
(412) 471-4477

\* ALSO MEMBER OF FLORIDA BAR

Re: Toy Trucking Company  
Docket No. A-00099448, F. 1, Am-E

**RECEIVED**

NOV 8 1991

Office of A. L. J.  
Public Utility Commission

Mr. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
North Office Building  
P.O. Box 3265  
Harrisburg, PA 17120

Dear Mr. Rich:

Enclosed for filing with the Commission in connection with the above application is a Restrictive Amendment and Stipulation Concerning Withdrawal of Protest. The Stipulation and Withdrawal of Protests is signed by the undersigned on behalf of seven motor carrier protestants. The Restrictive Amendment submitted by applicant's representative and on the basis of which the protests are being withdrawn, is attached. As a result of the withdrawal of these protests, we will not participate in the hearing scheduled for November 6, 1991 in Pittsburgh before Administrative Law Judge James Porterfield. We understand that all other protests may have been withdrawn previously in which case we have no objection to a cancellation of the hearing.

Sincerely yours,

VUONO, LAVELLE & GRAY

*William J. Lavelle*  
William J. Lavelle

pz

Enclosure

cc: Honorable James Porterfield, Administrative Law Judge  
Mr. Bud Huntington  
Blair S. Green, Esq.

**RECEIVED**

NOV 4 1991

SECRETARYS OFFICE  
Public Utility Commission

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of  
TOY TRUCKING COMPANY

Docket No. A-00099448, F. 1, Am-E

RECEIVED

NOV 4 1991

SECRETARYS OFFICE  
Public Utility Commission

RESTRICTIVE AMENDMENT AND STIPULATION  
CONCERNING WITHDRAWAL OF PROTEST

RECEIVED

NOV 8 1991

Office of A. L. J.  
Public Utility Commission

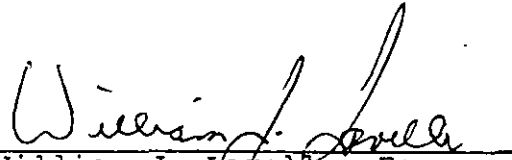
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Bulk Transportation Services,  
Inc.

Rosie B. Amsler and Sheila A.  
Brocius, Copartners t/d/b/a  
Marianne Industries, Inc.  
Bruce Trent Trucking, Inc.

Taylor Services, Inc.  
A. D. Weaver Services, Inc.  
Robert Cole Trucking Company  
McClymonds Supply & Transit  
Co., Inc.

Dated: October 31, 1991

By:   
William J. Lavelle, Esq.  
VUONO, LAVELLE & GRAY  
2310 Grant Building  
Pittsburgh, PA 15219  
Attorney for Protestants

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

TOY TRUCKING COMPANY : A-00099448, F001, Am-E

RESTRICTIVE AMENDMENT

AND NOW comes the above applicant, and restrictively amends its application at the above docket number to read as follows:

SO AS TO PERMIT the transportation of (1) property, in bulk, in dump vehicles, for Toy Trucking Company to and from its facilities in West Franklin Township, Armstrong County, to points in the State of Pennsylvania and vice versa; and (2) property, in bulk, in dump vehicles from the facilities of A. A. Ryan Topsoil Company, located in the city of New Castle, Lawrence County and within an airline distance of twenty-five (25) statute miles of the limits of said city, to points in Pennsylvania, no haul to exceed a distance of one hundred twenty-five (125) statute miles from point of origin to points of destination.

Respectfully submitted,

By: \_\_\_\_\_

*Blair F. Green*  
Blair F. Green  
Attorney for  
Toy Trucking Company

Dated: October 31, 1991

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
November 4, 1991

In Re: A-00099448, F001, Am-E

(See letter of 9/17/91)

Application of Toy Trucking Company

Amendment so as to permit the transportation of (1) property, in bulk, for Toy Trucking Company, between points in Pennsylvania; and (2) property, in bulk, in dump vehicles, from the facilities of A. A. Ryan Topsoil Company, located in the city of New Castle, Lawrence County and within an airline distance of twenty-five (25) statute miles of the limits of said city, to points in Pennsylvania, no haul to exceed a distance of one hundred twenty-five (125) statute miles from point of origin to point of destination.

NOTICE

**RLS**

This notice is to inform you that at the request of counsel for applicant the hearing scheduled for Wednesday, November 6, 1991, in Pittsburgh, was cancelled.

As soon as the restrictive amendment and letters withdrawing all protests are received in this office, the subject application will be referred to the Bureau of Transportation for review and report to the Commission.

cc: Judge Porterfield  
Mr. Bramson  
Ms. Kelly  
Mrs. Howell  
Docket Room

**DOCUMENT  
FOLDER**

**DOCKETED**  
NOV - 8 1991

APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00099448, F001, Am-E  
 CASE NAME Toy Trucking Company  
 HEARING LOCATION Pittsburgh, PA.  
 HEARING DATE Nov. 6, 1991  
 ALJ Porterfield

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES  NO   
 Testimony taken YES  NO   
 Hearing concluded YES  NO   
 Further hearing needed YES  NO   
 Estimated add'l days \_\_\_\_\_  
 RECORD CLOSED YES  NO   
 Briefs to be filed YES  NO   
 BENCH DECISION YES  NO

**RECEIVED**

NOV 4 1991

Office of A. L. J.  
 Public Utility Commission

RLS

REMARKS: *Became entirely unresponsive  
 10-31 per Applicant's counsel  
 called BH 10-31 to cancel  
 hearing*

**DOCUMENT  
 FOLDER**

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD  
 PLEASE PRINT CLEARLY  
 INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR
Telephone No. ( )	City	State	Zip	
Telephone No. ( )	City	State	Zip	
Telephone No. ( )	City	State	Zip	

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Reporter 

Address

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ORIGINAL

RLS

McNEES, WALLACE & NURICK  
ATTORNEYS AT LAW

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P. O. BOX 1166

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TELEPHONE (717) 232-8000  
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SAMUEL A. SCHRECKENGAUST, JR.

THOMAS C. HERWEG  
EXECUTIVE DIRECTOR

November 6, 1991

FRANCIS B. HAAS, JR.  
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RICHARD R. LEFEVER  
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JONATHAN H. RUDD  
ROBERT F. YOUNG  
CAROL A. STEINOUR  
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GLENN P. HEISEY  
MICHAEL R. KELLEY  
SHARON R. PAXTON  
JAMES P. DOUGHERTY

DOCKETED  
FRIDAY

In re: Application of Toy Trucking Company  
A-00099448, Folder 1, Am-C

Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

Dear Mr. Rich:

DOCKETED  
NOV 14 1991

RECEIVED  
NOV 7 1991  
SECRETARYS OFFICE  
Public Utility Commission

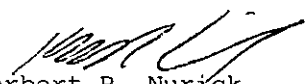
Toy Trucking Company filed a "Restrictive Amendment," dated October 22, 1991, in the above-captioned matter. A copy of the amendment is enclosed for your reference.

We represent Samuel J. Lansberry, Inc., which filed a protest to the application. Based on the October 22, 1991, amendment, and conditioned upon acceptance of that amendment by the Commission and upon any grant being consistent with the amendment, we hereby withdraw the protest of Lansberry, Inc. We believe that the signed amendment, and this letter, are sufficient to effect the amendment; however, if anything further is required, please contact the undersigned.

Please keep the undersigned as a party of record in this case for the purpose of receiving copies of all notices, orders, and any other documents which may be issued.

Very truly yours,

McNEES, WALLACE & NURICK

By   
Herbert R. Nurick

HRN/ec

Enclosure

cc: Honorable Larry Gesoff (w/enc.)  
Blair F. Green, Esquire  
William J. Lavelle, Esquire  
Mr. Samuel J. Lansberry

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

TOY TRUCKING COMPANY : A-00099448, F. 1, Am-C

RESTRICTIVE AMENDMENT

AND NOW comes the above applicant, and restrictively amends its application at the above docket number to read as follows:

I

To transport coal for B & B Coal Associates, Inc., and for the Pittsburgh & Shawmut Coal Company, from points within 125 miles of the Borough of Worthington, Armstrong County, to points in Pennsylvania, subject to the following conditions:

A. Provided that no haul shall exceed 120 statute miles from point of origin to point of destination; and further provided that transportation for B & B Coal Associates, Inc., shall be limited to transportation to and from the facilities of B & B Coal Mining, Inc., B.M.B. Management, Inc., Bill Turner Enterprises, Daybrook Coal Company, S. D. Bowers, Inc., Atwell Coal Company, Eastern Materials Corp., Cherep's Excavating, Glacial Minerals, Walter L. Houser Coal Company, William McIntire Coal Company, M.R.C. Mining, Perry Brothers Coal Company, Reddinger Coal Company, Rosebud Mining Co., Triple K Coal Company, Valley Coal Company and VanLeer Coal Company and further provided that transportation for Pittsburgh & Shawmut Coal Company shall be limited to transportation to and from the facilities of Allegheny River Mining Company, Pittsburgh & Shawmut Railroad Company, Shawmut Development, Inc., TDK Coal Sales, Inc., Walter L. Houser Coal Company, Inc., SBP Coal Company, D.J.W. Mining, Inc., Hilliard Mining, Inc.,

D.W.L. Coal Company, Mahoning Mining,  
Eastern Materials Corp., and Canterbury  
Coal Company.

II

To transport coal for Amerikohl, Inc., and  
and Amerikohl Mining, Inc. from the facilities of  
Amerikohl, Inc., and Amerikohl Mining, Inc.,  
located in that part of Pennsylvania West of U.S.  
Highway Route 219 to points in that part of  
Pennsylvania located West of U. S. Highway 219,  
subject to the following conditions:

A. Provided that no hauls shall  
exceed 125 statute miles from point of  
origin to point of destination and  
**further provided** that no right, power or  
privilege shall be granted to provide  
transportation for Amerikohl, Inc. and  
Amerikohl Mining, Inc., to or from the  
facilities of United Eastern Coal Sales  
Corporation, White Star Coal Co., Inc.,  
Kent Coal Mining Company or Purco Coal  
Company, Inc., and **further provided** that  
no right, power or privilege shall be  
granted to provide service to, from or  
between points in Somerset or Cambria  
Counties.

Respectfully submitted,

By: 

Blair F. Green  
Attorney for  
Toy Trucking Company

Dated: October 22, 1991

APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00099448, F001, Am-C

CASE NAME Toy Trucking Company

HEARING LOCATION Pittsburgh, PA.

HEARING DATE Nov. 26 & 27, 1991

ALJ Gesoff

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES  NO

Testimony taken YES  NO

Hearing concluded YES  NO

Further hearing needed YES  NO

Estimated add'l days \_\_\_\_\_

RECORD CLOSED YES \_\_\_\_\_ NO

Date \_\_\_\_\_

Briefs to be filed YES \_\_\_\_\_ NO

Date \_\_\_\_\_

BENCH DECISION YES \_\_\_\_\_ NO

REMARKS: Restrictive Amendment (Ex.1) resulted in withdrawal of remaining protestants.  
ORDER TO ISSUE REFERRING  
PLEASE REFER ATO BUREAU OF  
TRANSPORTATION FOR MODIFIED PROCEDURE

**DOCUMENT FOLDER RECEIVED**  
**DEC 02 1991**  
 Office of A. L. J.  
 Public Utility Commission

**DOCKETED**  
**DEC 10 1991**  
**RLS**

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD  
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NAME and TELEPHONE NUMBER	ADDRESS	APPEARING FOR
Blair F Green Attorney 125 Telephone No. (412) 543-7719	125 North McKean Street Kittanning Pa 16201-1517 City State Zip	Applicant Toy Trucking Company
William J. Lavella Telephone No. (412) 471-1800	2310 Grant Bldg. City State Zip	Bulk Transportation Service, Inc. Wayne W. Friedlein Marianne Adrestron, Inc. Brown Truck Trucking, Inc. Kramer R. Slack & Sons, Inc.
Telephone No. ( )	City State Zip	Taylor Service, Inc. William J. Brown Trucking, Inc. C D Ambrosio Trucking Co. McClunns Supply & Transit Co., Inc.

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Richard M. Mitchell  
 Reporter





COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

November 27, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

BLAIR F GREEN  
ATTORNEY AT LAW  
125 NORTH McKEAN STREET  
KITTINGING PA 16201-1517

In re: A-00099448, F. 1, Am-E - Application of Toy Trucking Company

Dear Mr. Green:

The above referenced application has been assigned for review without an oral hearing. In order to reach a determination on the application, you are being required to file verified statements in accordance with 52 Pa. Code §3.381(e)(1). You will be required to file:

- A. VERIFIED STATEMENT OF APPLICANT.
- B. VERIFIED STATEMENTS IN SUPPORT OF APPLICATION.

The verified statements should be in paragraph form. Each heading contained in the attached minimum outline should be a separate section or paragraph.

You should be aware of the fact that the verified statements will be reviewed based on the Commission's decision in the Application of Bluebird Coach Lines, Inc. A-00088807, F. 2, Am-K, which indicates: (1) the supporting witnesses must give evidence which is probative and relevant to the application proceeding; (2) the supporting witnesses must identify Pennsylvania origin and destination points between which they require transportation and those points must correspond with the scope of the operating territory specified in the application including requests for vice versa authority; and (3) the number of witnesses which will represent a cross section of the public on the issue of need will vary with the breadth of the intended territory and commodity description.

You are being granted an initial thirty (30) days to file verified statements. They will be due on or before December 27, 1991.

If additional time is required, it may be requested by telephone but must be followed in writing with the reasons for the extension stated.

Questions about your application should be directed to Richard H. White at 717-787-4387.

Very truly yours,

Richard H. White  
Technical Review Section  
Bureau of Transportation



RHW:kmb

