

DILLON, McCANDLESS & KING

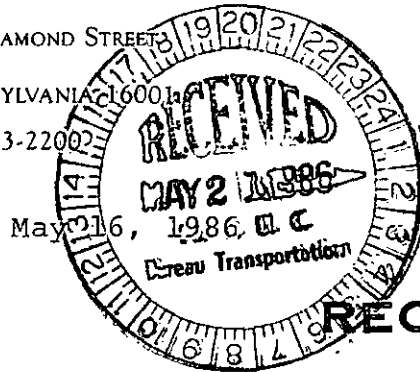
ATTORNEYS AT LAW

CHARLES E. DILLON
RICHARD L. McCANDLESS
THOMAS W. KING, III

LESTER S. BECKER
JAMES P. COULTER
DONALD P. GRAHAM

128 WEST DIAMOND STREET
BUTLER, PENNSYLVANIA 16001
412-283-2200

RT 19 - CRANBERRY TWP OFFICE
SUITE 3
501 SMITH DRIVE
CRANBERRY PROFESSIONAL PARK
EVANS CITY, PA. 16033
412-776-6644
 REPLY TO ABOVE ADDRESS



RECEIVED

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

MAY 21 1986
SECRETARY'S OFFICE
Public Utility Commission

RE: Toy Trucking Company, Inc.
Application for Emergency Temporary Authority,
Temporary Authority, and Permanent Authority

Dear Secretary Rich:

We have been contacted by your office and requested that we clarify our application which we have filed on behalf of Toy Trucking Company, Inc. We have filed an application for Toy Trucking Company, Inc., to act as a contract carrier. Our applications request emergency temporary authority, temporary authority, and permanent authority.

The rights we have requested would be in addition to the rights which Toy Trucking Company, Inc., now enjoys under Certificate No. A-00099448. We do not intend to forfeit these rights in making our application. We do, however, seek the right to act as a contract carrier in the territory beyond the rights presently existing.

If further clarification is required, please don't hesitate to contact me.

Very truly yours,

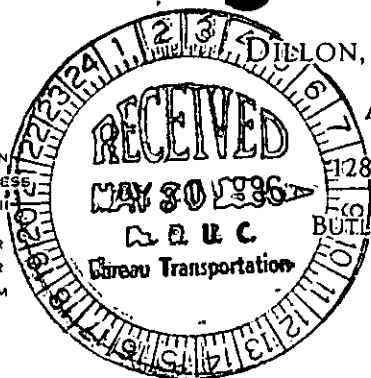
DILLON, McCANDLESS & KING



James P. Coulter
James P. Coulter
Attorney at Law

JPC:tjd

A-99448 F.1 AM-B



DILLON, McCANDLESS & KING
ATTORNEYS AT LAW
128 WEST DIAMOND STREET
BUTLER, PENNSYLVANIA 16001
412-283-2200

CHARLES E. DILLON
RICHARD L. McCANDLESS
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RT 19-CRANBERRY TWP OFFICE
SUITE 3
501 SMITH DRIVE
CRANBERRY PROFESSIONAL PARK
EVANS CITY, PA. 16033
412-776-6644
 REPLY TO ABOVE ADDRESS

May 27, 1986

David Ehrhart
Pennsylvania Public Utility
Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120

FILE

RE: Toy Trucking Company, Inc.

Dear Mr. Ehrhart:

This will confirm our telephone conversation of this date wherein we advised you that the Application of Toy Trucking Company, Inc., may be treated as an amendment to their existing rights granted under Certificate No. A-0099448. Toy Trucking Company, Inc., seeks authority to haul on behalf of Amerikohl, Inc., and its subsidiary, Amerikohl Mining, Inc., in accordance with the terms of our Application.

Please notify me if additional information is required.

Very truly yours,

DILLON, McCANDLESS & KING

James P. Coulter
James P. Coulter
Attorney at Law

JPC:tjd



A-99448 F.1AM-B

June 13, 1986

IN REPLY PLEASE
REFER TO OUR FILE

Thomas W. King, III
Attorney at Law
128 West Diamond Street
Butler, PA 16001

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

Dear Sir:

The application of Toy Trucking Company, Inc. for permanent and temporary authority has been captioned as attached and will be submitted for review provided no protests are filed on or before July 7, 1986. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of June 14, 1986.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:np

cc: Applicant
R.D. 1, Box 103
Worthington, PA 16262

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUN 16 1986
ENTRY No. *111*

A-00099448, Folder 1, Am-B TOY TRUCKING COMPANY, INC. (R.D. 1, Box 103, Worthington, Butler County, PA 16262), a corporation of the Commonwealth of Pennsylvania, inter alia - coal, for Roswell Coal Co., Inc., from its facilities located in the township of Fair View, Butler County, to points in the county of Lawrence; subject to the following conditions; That no right, power or privilege is granted to transport coal except in bulk in dump vehicles; and That no haul is to exceed an airline distance of seventy-five (75) statute miles from the point of origin to point of destination: SO AS TO PERMIT the transportation of coal, for Amerikohl, Inc. and Amerikohl Mining, Inc., from their facilities in the counties of Butler, Lawrence and Armstrong, to points in the county of Beaver, and vice versa. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00099448, FOLDER 1, Am-B SEEKING THE RIGHTS CITED ABOVE. Attorney: Thomas W. King, III, 128 West Diamond Street, Butler, PA 16001.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

JUN 14 1986

BUREAU OF TRANSPORTATION
CONTRACT CARRIER
JUNE 1986

A-00099448
F. 1
Am-B

Application of Toy Trucking Company, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, coal, for Roswell Coal Co., Inc., from its facilities located in the township of Fair View, Butler County, to points in the county of Lawrence; subject to the following conditions: That no right, power or privilege is granted to transport coal except in bulk in dump vehicles; and That no haul is to exceed an airline distance of seventy-five (75) statute miles from the point of origin to point of destination: SO AS TO PERMIT the transportation of coal, for Amerikohl, Inc. and Amerikohl Mining, Inc., from their facilities in the counties of Butler, Lawrence and Armstrong, to points in the county of Beaver, and vice versa. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00099448, FOLDER 1, Am-B. SEEKING THE RIGHTS CITED ABOVE.

LM:np
6/3/86

Application received: 5/5/86
Application docketed: 5/9/86
Temporary Application received: 5/5/86
Temporary Application docketed: 5/9/86

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUN 16 1986
ENTRY No. *ML*

JUL 7 1986

TA

Protests due on No Hearings _____
Protests due on Hearings - (5 days prior to date of hearing)
Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Thomas W. King, III
128 W. Diamond Street
Butler, PA 16001

Date June 26, 1986

DOCKETED
JUN 27 1986

CR 119466 A

FOLDER

In re application of Toy Trucking Company, Inc.
A-00099448, F.1, Am-B.....\$75.00

Revenue account 01780-17601-102 (cd)

ck 3931 Checks \$75.00 Currency _____

Utility account 50:26

C. Joseph Weisinger
For Department of Revenue



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION
P. O. BOX 3265, HARRISBURG, PA. 17120

July 1, 1986

A-00099448

IN REPLY PLEASE REFER TO OUR FILE R-1

Dillon, McCandless & King
128 West Diamond Street
Butler, PA 16001
ATT: Mr. James P. Coulter

Re: Toy Trucking Co., Inc.

Dear Mr. Coulter:

TARIFF OR SUPPLEMENT RETURNED FOR THE FOLLOWING REASONS:

- Tariff is less than four pages and cannot be supplemented.
- Effective supplement(s) pages exceed 50% of original tariff pages.
- Omitted or not proper Certificate No. A-
- Permit No. A- Folder No.(s) _____
- Designated improperly: should be (See NOTE) Pa. P.U.C. No. 4
- cancels (See NOTE) Pa. P.U.C. No. _____

DOCUMENT FOLDER
Paratransit
Scheduled Rout

N	<input type="checkbox"/> Aero	<input type="checkbox"/> Experimental
O	<input type="checkbox"/> Airport Transfer	<input type="checkbox"/> Express
T	<input type="checkbox"/> Call or Demand	<input type="checkbox"/> Freight
E	<input type="checkbox"/> Contract	<input type="checkbox"/> Group and Party

- Designated improperly; should be Supplement No. _____ to (See NOTE) Pa. P.U.C. No. _____
- cancels Supplement No.(s) _____

- Designate; Supplement No.(s) _____ contain all changes.
- Carrier name not properly designated or proper.

Operating authority omitted not complete or proper.

Restriction(s) to operating authority omitted not complete or proper.

New authority may be filed on one day's notice. Specify; issued under authority of Pa. Code, Title 52, Section 23.42; under effective date.

Temporary Authority, designate; (Temporary Issue) directly under the Pa. P.U.C. No.

DOCKETED
JUL 18 1986

856200

- Issued on _____ day's notice under authority of Special Permission No. _____.
Specify; under effective date.
- Filing requires 30-day statutory notice.
- List of changes required not proper (Applies only for Passenger Tariffs).
- Symbols required for (A) increase (C) change or addition (R) reduction.
- Explanation of abbreviations, reference marks and symbols not provided.
- Refers to Agency Publication(s). Power of attorney(s) required.
- Rule to determine mileage must be stated.
- Rule for advance reservations must be stated.
- Rates not provided for all commodities points, contained in operating authority.
- Page numbers not designated.
- Financial justification for proposed increases required by Pa. Code, Title 52, Section 23.67 not provided. (Freight Tariffs) Title 52, Section 23.63 and 23.64 not provided. (Passenger Tariffs)
- Tariff submitted is not acceptable. Adoption supplements must be provided, refer to instructions in our letter dated _____.
- Contract carrier requires separate tariff for each shipper.
- Contract(s) must accompany tariff(s). reductions require 60 days' statutory notice.
- When filing is resubmitted, change issued and effective dates. Use current dates, do not backdate. Show issued date two (2) days after mailing.
- Rates are provided for commodities points, not contained in operating authority.
- Other reasons:

Operating authority must read exactly as shown on order. Dates of issue should be approximately two days after mailing, effective date can be one day later, see above.

Very truly yours,

Douglas A. Pike, Sr.
Tariff Section

DAP:dmm
Contact Person: Douglas A. Pike, Sr.
(717) 783-5936



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

July 15, 1986

IN REPLY PLEASE
REFER TO OUR FILE

Thomas W. King, III
Attorney at Law
128 West Diamond Street
Butler, PA 16001

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

Dear Mr. King:

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 requested 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.

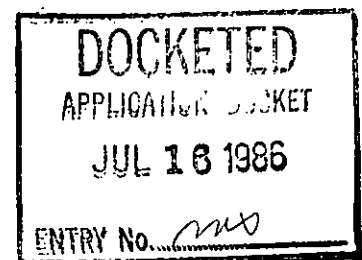
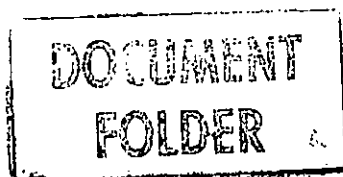
You are being granted an initial thirty (30) days to file verified statements. They will be due on or before August 13, 1986.

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

Questions about your application should be directed to William P. Hoshour (717) 787-5513.

Very truly yours,

By William P. Hoshour
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation





COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION
P. O. BOX 3265, HARRISBURG, PA. 17120

July 15, 1986

IN REPLY PLEASE REFER TO OUR FILE R-11

A-00099448

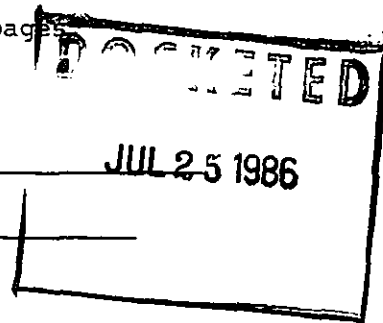
Dillon, McCandless & King
128 West Diamond Street
Butler, PA 16001



Re: Toy Trucking Co., Inc.

TARIFF OR SUPPLEMENT RETURNED FOR THE FOLLOWING REASONS:

- Tariff is less than four pages and cannot be supplemented.
- Effective supplement(s) pages exceed 50% of original tariff pages
- Omitted or not proper Certificate No. A- _____
 Permit No. A- _____ Folder No. (s) _____
- Designated improperly: should be (See NOTE) Pa. P.U.C. No. _____
 cancels (See NOTE) Pa. P.U.C. No. _____



N	<input type="checkbox"/> Aero	<input type="checkbox"/> Experimental	<input type="checkbox"/> Limousine
O	<input type="checkbox"/> Airport Transfer	<input type="checkbox"/> Express	<input type="checkbox"/> Paratransit
T	<input type="checkbox"/> Call or Demand	<input type="checkbox"/> Freight	<input type="checkbox"/> Scheduled Route
E	<input type="checkbox"/> Contract	<input type="checkbox"/> Group and Party	<input type="checkbox"/> _____

- Designated improperly; should be Supplement No. _____
to (See NOTE) Pa. P.U.C. No. _____
 cancels Supplement No. (s) _____
- Designate; Supplement No. (s) _____ contain all changes.
- Carrier name not properly designated or proper.
- Operating authority omitted not complete or proper.
- Restriction(s) to operating authority omitted not complete or proper.
- New authority may be filed on one day's notice. Specify; issued under authority of Pa. Code, Title 52, Section 23.42; under effective date.
- Temporary Authority, designate; (Temporary Issue) directly under the Pa. P.U.C. No. _____

- Issued on _____ day's notice under authority of Special Permission No. _____.
Specify; under effective date.
- Filing requires 30-day statutory notice.
- List of changes required not proper (Applies only for Passenger Tariffs).
- Symbols required for (A) increase (C) change or addition (R) reduction.
- Explanation of abbreviations, reference marks and symbols not provided.
- Refers to Agency Publication(s). Power of attorney(s) required.
- Rule to determine mileage must be stated.
- Rule for advance reservations must be stated.
- Rates not provided for all commodities points, contained in operating authority.
- Page numbers not designated.
- Financial justification for proposed increases required by Pa. Code, Title 52, Section 23.67 not provided. (Freight Tariffs) Title 52, Section 23.63 and 23.64 not provided. (Passenger Tariffs)
- Tariff submitted is not acceptable. Adoption supplements must be provided, refer to instructions in our letter dated _____.
- Contract carrier requires separate tariff for each shipper.
- Contract(s) must accompany tariff(s). reductions require 60 days' statutory notice.
- When filing is resubmitted, change issued and effective dates. Use current dates, do not backdate. Show issued date two (2) days after mailing.
- Rates are provided for commodities points, not contained in operating authority.
- Other reasons:

See attached returned tariff. Please refile as shown.

cc: Toy Trucking Co., Inc.
R.D. #1 Box 103
Worthington, PA 16262

Very truly yours,

Douglas A. Pike, Sr.
Tariff Section

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Thomas W. King, III
128 W. Diamond Street
Butler, PA 16001

Date July 21, 1986

DOCKETED
JUL 22 1986

CR 119521 A

In re application of Toy Trucking Company, Inc.
A-00099448, F.I. *Am-B*\$125.00

DOCKET FOLDER

Revenue account 01780-17601-102 (cd)
Checks \$125.00 Currency _____
Utility account 50:26

C. Joseph Meisinger
For Department of Revenue

ck 3921



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

September 5, 1986

IN REPLY PLEASE
REFER TO OUR FILE

Thomas W. King, III
Attorney at Law
128 West Diamond Street
Butler, PA 16001

In re: A-00099448, Folder 1, Am-B

Application of Toy Trucking Company, Inc.

Dear Mr. King:

By our letter of July 15, 1986, we requested verified statements of applicant and verified statements in support of the above captioned application. As of this date, said statements have not been received in this office.

Please be advised that if you desire to pursue this application, we will extend an additional fifteen day period during which time these statements may be filed. If said statements are not filed with this office by September 19, 1986 we shall assume that you do not desire to pursue this matter and shall recommend to the Commission that the application be dismissed for lack of prosecution.

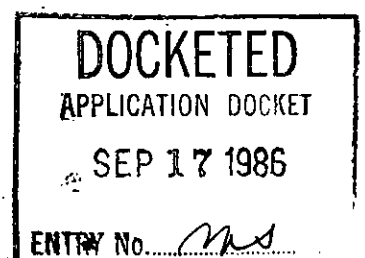
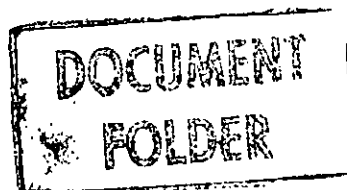
If you have any questions, please do not hesitate to contact us.

Very truly yours,

By William P. Hoshour
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation

CERTIFIED MAIL

RETURN REPLY REQUESTED



PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

- 1. Show to whom, date and address of delivery.
- 2. Restricted Delivery.

3. Article Addressed to:

Thomas W. King, III
128 West Diamond St.
Butler, Pa. 16001

4. Type of Service:

- Registered
- Certified
- Express Mail
- Insured
- COD

Article Number

44966

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee

X

6. Signature - Agent

X

[Handwritten Signature]

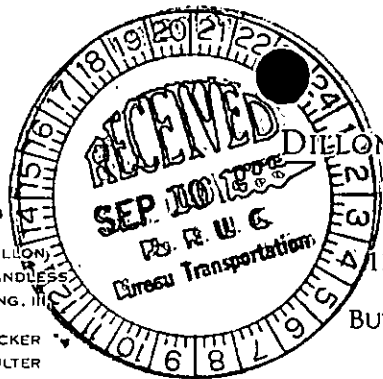
7. Date of Delivery

9-11-86

[Handwritten Initials]

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT



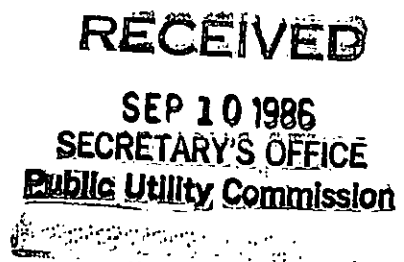
CHARLES E. DILLON
RICHARD L. McCANDLESS
THOMAS W. KING, III

LESTER S. BECKER
JAMES P. COULTER
DONALD P. GRAHAM

DILLON, McCANDLESS & KING
ATTORNEYS AT LAW
128 WEST DIAMOND STREET
BUTLER, PENNSYLVANIA 16001
412-283-2200

RT 19 - CRANBERRY TWP OFFICE
SUITE 3
501 SMITH DRIVE
CRANBERRY PROFESSIONAL PARK
EVANS CITY, PA. 16033
412-776-6644
 REPLY TO ABOVE ADDRESS

September 8, 1986



Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

RE: A-00099448 F. 1 Am-B
Toy Trucking Company, Inc.

Dear Sir:

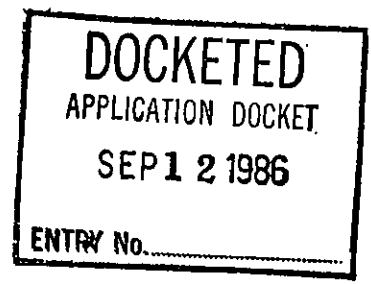
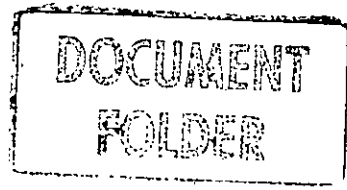
Enclosed herewith please find a Verified Statement of Amerikohl, Inc. filed in support of the application of Toy Trucking Company, Inc.

On behalf of Toy Trucking Company, Inc., we would request an extension of time for the filing of a Verified Statement on behalf of the applicant. We hope to have the Verified Statement filed on behalf of Toy Trucking Company, Inc. in the very near future.

Very truly yours,

DILLON, McCANDLESS & KING
James P. Coulter
James P. Coulter

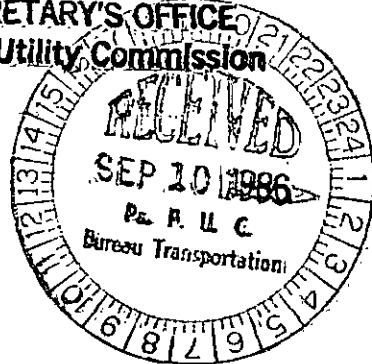
JPC:rad
Enclosure
cc: Toy Trucking Co., Inc.



RECEIVED

SEP 10 1986

SECRETARY'S OFFICE
Public Utility Commission



BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

IN RE: Application of Toy : A-00099448
Trucking Company, :
Inc. : F.1, Am-B

VERIFIED STATEMENT IN SUPPORT
OF THE APPLICATION

1. Amerikohl, Inc., and Amerikohl Mining, Inc., are Pennsylvania corporations with offices at 202 Sunset Drive, Butler, Pennsylvania, 16001.

2. That John M. Stilley is the President of Amerikohl Mining, Inc., and Amerikohl, Inc.

3. That Amerikohl, Inc., and/or Amerikohl Mining, Inc., is a coal producer which mines and sells coal throughout the western Pennsylvania area.

4. That a good faith estimate as to the frequency of the intended use of Toy Trucking Company, Inc., is as follows: *DAILY*

5. That Applicant will require coal to be delivered in a varying number of truckloads, depending upon the order which then exists.

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 12 1986
ENTRY No. *ms*

6. That Amerikohl, Inc., and Amerikohl Mining, Inc., have not supported similar applications for this service.

7. That Amerikohl presently supplies 20,000 to 25,000 NT of coal to Bruce Mansfield each month. Purchase Orders for exact tonnage requirements are issued for each calendar month, and all coal ordered must be delivered in that month. Since coal not delivered cannot be carried over to the following month, Amerikohl has lost business and has been forced to inventory coal which was otherwise sold due solely to an inability to move our product resulting from a lack of available trucks. Even though Amerikohl maintains a list of 35 trucking companies, no more than 6 of these companies have operating rights to this facility--of those, only 4, Gajda, Cartwright and Lollo, Cook, and Wayne Sell Trucking are willing to provide trucks to us on a regular basis. With nearly 1,000 truckloads per month required to fulfill our obligations to this account, the available supply of trucks is strained under the most ideal operating conditions. Instances of bad weather or breakdowns have cost Amerikohl nearly 3,500 NT of business for the period December, 1985, through April, 1986. During each of these months attempts were made to secure additional equipment with the companies mentioned, with no success. As a result, during said period, Amerikohl, Inc., and Amerikohl Mining, Inc.,

suffered a loss of nearly \$100,000.00 in revenue. At the same time, Toy Trucking Company, Inc., had the trucks available, but could not haul due to a lack of authority. Toy Trucking has proven their reliability as a service company, and we feel the addition of them in this route will alleviate many of the problems we are now experiencing.

Respectfully submitted,

AMERIKOHL, INC.
AMERIKOHL MINING, INC.

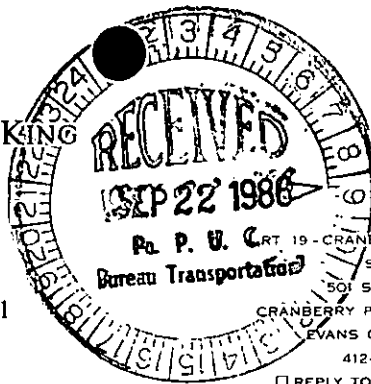
By:


John M. Stille
President

7
wh

DILLON, McCANDLESS & KING
ATTORNEYS AT LAW
128 WEST DIAMOND STREET
BUTLER, PENNSYLVANIA 16001
412-283-2200

CHARLES E. DILLON
RICHARD L. McCANDLESS
THOMAS W. KING, III
LESTER S. BECKER
JAMES P. COULTER
DONALD P. GRAHAM



CRANBERRY TWP OFFICE
SUITE 3
501 SMITH DRIVE
CRANBERRY PROFESSIONAL PARK
EVANS CITY, PA. 16033
412-776-6644
 REPLY TO ABOVE ADDRESS

September 16, 1986

RECEIVED

SEP 19 1986

Commonwealth of Pennsylvania
Pennsylvania Public Utility
Commission
P. O. Box 3265
Harrisburg, PA 17120

SECRETARY'S OFFICE
Public Utility Commission

Attention: Technical Review Section

RE: A-00099448, Folder 1, Am-B
Application of Toy Trucking Co., Inc.

Dear Sir:

Enclosed herewith please find the Verified Statement of Applicant, which we are this date filing on behalf of Toy Trucking Company, Inc.

Thank you for the extension of time granted to us for this application.

Very truly yours,

DILLON, McCANDLESS & KING

James P. Coulter
James P. Coulter

JPC:rad
Enclosure

DOCUMENT
FOLDER

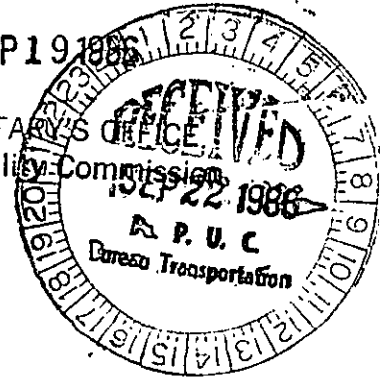
RECEIVED

BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SEP 19 1986

IN RE: Application of Toy : A-00099448
Trucking Company, :
Inc. : F.1, Am-B

SECRETARY'S OFFICE
Public Utility Commission



VERIFIED STATEMENT OF APPLICANT

AND NOW comes the Applicant, Toy Trucking Company, Inc., and hereby files the following Verified Statement pursuant to 52 Pa. Code Section 3.381(e)(1):

1. Applicant, Toy Trucking Company, Inc., is a Pennsylvania corporation with offices at R.D. #1, Box 103, Worthington, Pennsylvania, 16262.

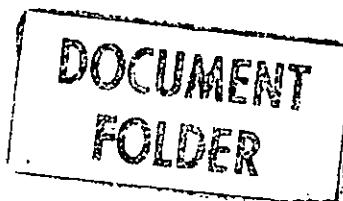
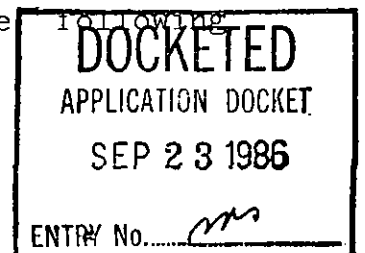
2. This Application is filed by Theresa A. Toy, President of Toy Trucking Company, Inc.

3. The Applicant is affiliated with no other carriers.

4. Applicant seeks the following authority:

To transport, as a Class D carrier, coal for Amerikohl, Inc, and/or its subsidiaries from facilities in Butler, Lawrence, and Armstrong Counties to points in Beaver County and vice versa.

5. By Order adopted May 15, 1986, and Order entered May 28, 1986, Applicant presently has the following emergency temporary authority:



To transport, as a Class D carrier, coal for Amerikohl, Inc., and Amerikohl Mining, Inc., from its facilities in the counties of Butler, Lawrence, and Armstrong, to the Bruce Mansfield Station of Ohio Edison Power, at or near Shippingport, Beaver County, with the right to return refused, rejected or damaged shipments to the point of origin.

A photostatic copy of the Order entered May 28, 1986, is attached hereto.

Also attached hereto is a photostatic copy of the scope of authority as published in the Pennsylvania Bulletin.

6. That no duplicating authority will result from the grant of this authority.

7. That no dual operations will result from the grant of this authority.

8. That Applicant's sole terminal is located at R.D. #1, Worthington, Pennsylvania, 16262, from which all trucks are dispatched.

9. That the following equipment is presently owned by Toy Trucking Company, Inc.:

SEE ATTACHED BALANCE SHEET FOR INFORMATION
RELATIVE TO EQUIPMENT.

10. That Toy Trucking Company, Inc., participates in the following safety programs:

Applicant shall abide by all rules and regulations of the Pennsylvania Department of Transportation and the Pennsylvania Public Utility Commission.

11. That Applicant presently provides Amerikohl, Inc., and Amerikohl Mining, Inc., with service pursuant to the Order entered May 28, 1986, granting Applicant emergency temporary authority.


12. Service will be offered to Amerikohl, Inc., and Amerikohl Mining, Inc., on an as-needed basis.

13. That attached hereto is a Balance Sheet Statement giving financial data relative to the Applicant.

14. That the service provided will result in Applicant's returning empty from the Ohio Edison Power Station of Shippingport, Beaver County, to the point of origin, unless the delivery is refused or rejected.

Respectfully submitted,

TOY TRUCKING COMPANY, INC.

By: 
Theresa A. Toy
President

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held May 15, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Application of Toy Trucking Company, a corporation of the Commonwealth of Pennsylvania, for emergency temporary authority to transport coal for Amerikohl, Inc. and Amerikohl Mining, Inc., from its facilities in the counties of Butler, Lawrence and Armstrong, to points in Beaver County, and vice versa.

R.D. 1, Box 103
Worthington, PA 16262

A-00099448
F. 600

James P. Coulter for Toy Trucking Company.

ORDER

BY THE COMMISSION:

This matter comes before the Commission on an application for emergency temporary authority filed April 25, 1986. The applicant requests emergency temporary authority and extension thereof pending disposition of applications for temporary authority and permanent authority which will be filed within 15 days.

The applicant seeks emergency temporary authority so that it may begin to immediately provide service for the supporting shipper transporting coal to the Bruce Mansfield Station of Ohio Edison Power which is located near Shippingport, Beaver County. A letter of support from John M. Stilley, president of Amerikohl Mining, Inc., indicates that the shipper has had difficulty finding enough trucks to provide the high levels of service required to meet the needs of the power station.

The shipper provides examples of failure to deliver contracted coal during the months of December, February and March totalling some 3,300 net tons. The supporting shipper indicates that in the last four months, it has lost nearly \$100,000 due to the unavailability of sufficient trucks.

The applicant now holds authority to provide service for the supporting shipper, but the authority currently held does not allow the transportation required. Upon review of all evidence submitted, we determine that the applicant has, in large measure, met the requirements of the Commission's regulations at 52 Pa. Code §33.383(3) regarding the information necessary to base a decision in this emergency temporary authority matter. It is our determination that the applicant has provided sufficient evidence which warrants a grant of emergency temporary authority pending the filing and disposition of the application for temporary authority; THEREFORE;

IT IS ORDERED: That the application for emergency temporary authority be and is hereby approved granting the following right:

To transport, as a Class D carrier, coal for Amerikohl, Inc., and Amerikohl Mining, Inc., from its facilities in the counties of Butler, Lawrence and Armstrong, to the Bruce Mansfield Station of Ohio Edison Power, at or near Shippingport, Beaver County, with the right to return refused, rejected or damaged shipments to the point of origin.

IT IS FURTHER ORDERED: That the authority granted herein will be effective for a period of thirty (30) days from the date this order is adopted unless the applicant has complied with 52 Pa. Code §3.383(c)(4)(iv)(A). Compliance with said section automatically extends the authority pending disposition of the temporary authority application.

IT IS FURTHER ORDERED: That within 10 days of the date of entry of the order, the applicant shall file a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That our action in this matter shall have no bearing on the applications for temporary authority and permanent authority.

BY THE COMMISSION,


Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: May 15, 1986

ORDER ENTERED: MAY 28 1986

A-00099448, Folder 1, Am-B TOY TRUCKING COMPANY, INC. (R.D. 1, Box 103, Worthington, Butler County, PA 16262), a corporation of the Commonwealth of Pennsylvania, inter alia - coal, for Roswell Coal Co., Inc., from its facilities located in the township of Fair View, Butler County, to points in the county of Lawrence; subject to the following conditions; That no right, power or privilege is granted to transport coal except in bulk in dump vehicles; and That no haul is to exceed an airline distance of seventy-five (75) statute miles from the point of origin to point of destination: SO AS TO PERMIT the transportation of coal, for Amerikohl, Inc. and Amerikohl Mining, Inc., from their facilities in the counties of Butler, Lawrence and Armstrong, to points in the county of Beaver, and vice versa. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00099448, FOLDER 1, Am-B SEEKING THE RIGHTS CITED ABOVE. Attorney: Thomas W. King, III, 128 West Diamond Street, Butler, PA 16001.

BALANCE SHEET STATEMENT

ASSETS		Balance	LIABILITIES AND EQUITY		Balance
Line No.		End of Yr.	Line No.		End of Yr.
Current Assets -			Current and Accrued Liabilities		
1	Cash and working funds	\$ 1,231	27	Notes payable within one year	
2	Special deposits		a	Equipment Due	\$
3	Notes receivable		28	b Owners and officers	
4	Accounts receivable from:		29	c Affiliates	
5	a Trade and interline		30	d Others	
6	b Owners and officers				
7	c Affiliates				
8	d Others				
9	Prepayments		31	Accounts payable to:	
10	Materials and supplies		a	Trade and interline	
11	Other current assets		32	b Owners and officers	
12	Total Current Assets	1,231	33	c Affiliates	
			34	d Others	
			35	Wages and salaries payable	
			36	C.O.D.'s unremitted	
			37	Taxes payable	3,865
			38	Other current & accrued liabilities	
			39	Total Current & Accrued Liabilities	3,865
Property and Investments			Equipment and Other Long Term Obligations		
Tangible property			40	Equipment Obligations	70,000
13	Total Carrier Property	183,805	41	Real Estate Obligations	
14	Less: Accumulated Depreciation	109,605	42	Owing to owners, officers & affiliates	50,118
15	Net Carrier Property	74,200	43	Other long term obligations	
16	Noncarrier property	17,170	44	Total Equipment & Other long term Obligations	120,118
17	Less: Accumulated Depreciation	8,791	45	Estimated liabilities (long term)	
18	Net Noncarrier Property	8,379			
Intangible Property			Equity		
19	a Franchises and permits		46	Noncorporate capital	
20	b Goodwill and other		47	Capital stock	20,000
			48	Capital surplus	
			49	Retained earnings	(60,173)
			50	Total Equity	(40,173)
21	a Affiliates		51	TOTAL LIABILITIES AND EQUITY	83,810
22	b Cash value life ins. policies				
23	c Other	82,579			
24	Total Property and Investments				
25	Deferred debits and other assets				
26	TOTAL ASSETS	83,810			

212. MOTOR VEHICLE EQUIPMENT AT END OF YEAR

- The information called for below shall be given for each motor vehicle, including trailers, automobiles and service cars, included in carrier operating property at the end of year.
- In the event the carrier has recorded on its books the purchase of motor vehicles on a basis other than cost, a statement shall be attached showing a reconciliation between the amount as recorded and the cost to the carrier of such motor vehicle.

Make of Vehicle	Model (Year)	Type of Body and Motor No.	Seating Capacity or Tonnage	Date Purchased	Condition When Purchased (New or Used)	Cost to Carrier At End of Year	Depreciation Accrued		Depreciated Book Value End of Year	Total Miles Operated	
							Current Year	Total At End of Year		During Year	At End of Year
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
Autocar	1975	Tri-Axel	24 T	1-83	Used	28,336	5,951	16,435	11,901	70,695	423,299
Ford	1975	Tri-Axel	24 T	4-75	New	40,000	-	32,000	8,000	27,000	257,160
Autocar	1978	Tri-Axel	24 T	8-83	Used	29,000	6,090	16,820	12,180	23,568	282,360
Autocar	1978	Tri-Axel	24 T	4-78	New	57,469	-	40,000	17,469	63,636	354,730
Ford	1980	Tri-Axel	24 T	4-85	Used	29,000	4,350	4,350	24,650	65,000	235,410
Total	****	*****	****	****	*****	183,805	16,391	109,605	74,200	239,899	1,552,910

213. MOTOR VEHICLE EQUIPMENT RETIRED DURING YEAR

The information called for below shall be given for each motor vehicle, including trailers, automobiles and service cars, retired during the year.

Line No.	Make of Vehicle	Model (Year)	Type of Body and Motor No.	Seating Capacity or Tonnage	Date Purchased	Date Retired	Book Cost Of Vehicle Retired	Salvage Trade-In or Other Amount Realized	Net Charge To Reserve	Depreciation Adjustment Account	Total Mileage at Date of Retirement
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
1											
2											
3											
4											
5											
6											
7											
8	Total	***	*****	***	****	*****					

EQUIPMENT AVAILABLE FOR CURRENT YEAR

Licensed and Insured Revenue equipment Type	Number owned	Number leased	Total
Tri-Axel	5	-	5

Exhibit "A"



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

September 23, 1986

IN REPLY PLEASE
REFER TO OUR FILE

James P. Coulter
Attorney at Law
128 West Diamond Street
Butler, PA 16001

In re: A-00099448, Folder 1, Am-B

Application of Toy Trucking Co., Inc.

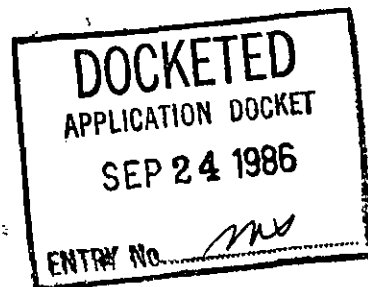
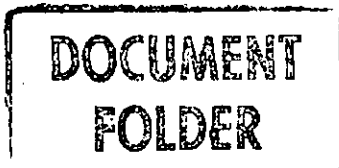
Dear Mr. Coulter:

We have received the verified statements filed in the above referenced proceeding.

The record will be reviewed and will be put before the Commission for its decision. You will be notified of the Commission's action.

Very truly yours,

By William P. Hoshour
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation





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

September 26, 1986

IN REPLY PLEASE
REFER TO OUR FILE

• James P. Coulter
Attorney at Law
128 West Diamond Street
Butler, Pa. 16001

• In re: A-00099448, F.1, Am-B
Application of Toy Trucking Co., Inc.

Dear Mr. Coulter: "

After review of the verified statements submitted in the above captioned proceeding, several questions arise that will require answers before a recommendation can be prepared. We will extend the applicant fifteen (15) days in which to provide answers to the following questions:

1. Amerikohl, Inc. and Amerikohl Mining, Inc. failed to list specific origins for the traffic to be tendered the applicant. What will be the origins of the coal that is to be transported to the Bruce Mansfield Station of Ohio Edison Power?
2. Does the applicant intend to transport shipments to any points other than the power plant mentioned in question No. 1?

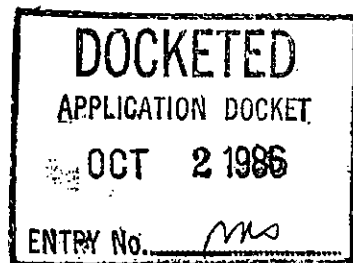
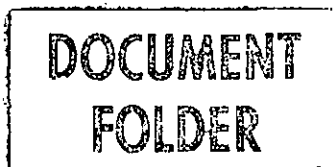
A response should be received in this office on or before October 10, 1986.

Very truly yours,

William P. Hoshour
Technical Review Section
Bureau of Transportation

CERTIFIED MAIL

RETURN RECEIPT REQUESTED



PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. Show to whom, date and address of delivery.
 2. Restricted Delivery.

3. Article Addressed to:
 James P. Coulter
 128 West Diamond Street
 Butler, Pa. 16001

4. Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail	<input type="checkbox"/> Insured <input type="checkbox"/> COD	Article Number 44004
--	--	--------------------------------

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
 X

6. Signature - Agent
 X *[Handwritten Signature]*

7. Date of Delivery
9-27-86 *ce*

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

DILLON, McCANDLESS & KING

ATTORNEYS AT LAW

128 WEST DIAMOND STREET

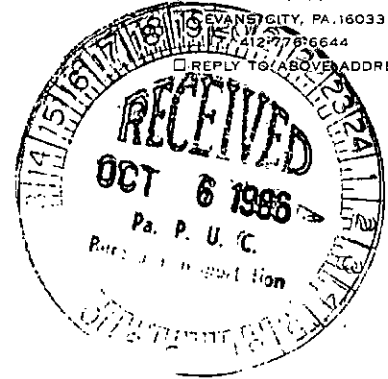
BUTLER, PENNSYLVANIA 16001

412-283-2200

CHARLES E. DILLON
RICHARD L. McCANDLESS
THOMAS W. KING, III

LESTER S. BECKER
JAMES P. COULTER
DONALD P. GRAHAM

RT 19 - CRANBERRY TWP OFFICE
SUITE 3
501 SMITH DRIVE
CRANBERRY PROFESSIONAL PARK
EVANS CITY, PA. 16033
412-783-6644
 REPLY TO ABOVE ADDRESS



October 2, 1986

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

ATTENTION: WILLIAM P. HOSHOUR

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

Dear Mr. Hoshour:

I have discussed the questions raised in your letter of September 26, 1986, with Amerikohl, Inc. and Amerikohl Mining, Inc. and would respond as follows:

1. It is very difficult to list specifically origins for the traffic to be tendered the Applicant. The Applicant will pick up coal at various strip mine locations located in Lawrence County, Butler County, and Armstrong County. The point of origin will change regularly. We will have a difficult time being more specific without notifying you on an on-going basis as to the point of origin of this coal.

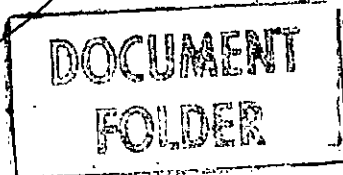
2. No, there is presently no intent to use the Applicant to transport shipments to other points other than the power plant recited in our Application.

Please call if further clarification is required.

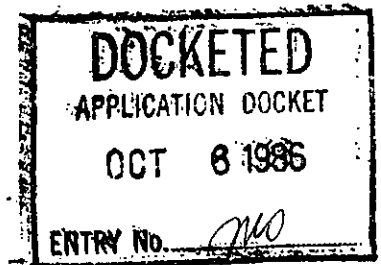
Very truly yours,

DILLON, McCANDLESS & KING

James P. Coulter
James P. Coulter



JPC:ksl





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

December 19, 1986

IN REPLY PLEASE
REFER TO OUR FILE

A. 00099448

F. 1, Am-B

Thomas W. King, III, Esquire
128 West Diamond Street
Butler, PA 16001

Application of TOY TRUCKING COMPANY, a corporation of the Comm. of PA

To Whom It May Concern:

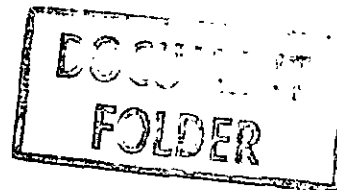
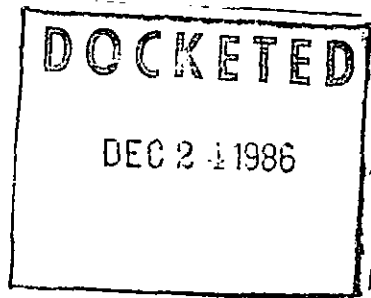
Please be advised that the tariff requirement has been satisfied in the above entitled proceeding and you may now utilize those rights.

Very truly yours,

Jerry Rich, Secretary

EMD

Toy Trucking Company
R..D #1, Box 103
Worthington, PA 16262



TOY TRUCKING CO.
R. D. 1
WORTHINGTON, PA 16262

March 11, 1987

Penna. PUC
Bx 3265
Harrisburg, PA 17120

TO File
RECEIVED
PENNA. PUBLIC UTILITY COMM.
MAR 16 1987
Safety & Compliance
Technical Division

Dear Sir,

In regards to A. 99448
R.C.. 34434

When investigator Szarmack did a road check on our truck, he evidently overlooked to enter in our PUC number on Road check #34434. Our name and address and certificate number have been on the truck from the day it was placed on the highway approximately 22 months ago, May 1985.

If there are any further questions, we have been in contact with Mr. Craft at the Pittsburgh office.

Sincerely,



T. A. Toy, president



RECEIVED
PENNA. PUBLIC UTILITY COMM.

MAR 16 1987

Safety & Compliance
Field Division

(412) 297-3275