

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17120  
February 22, 1991

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

(See attached list)

BTL

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.

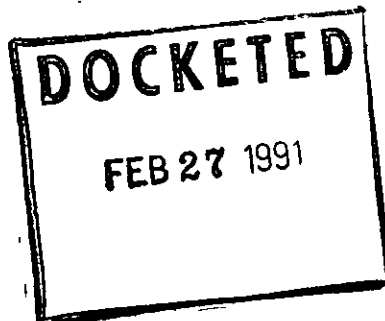
NOTICE

This is to inform you that an initial hearing on the above captioned case will be held Tuesday, April 9, 1991, at 10:00 a.m., in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania.

The presiding officer in this proceeding is Administrative Law Judge Larry Gesoff. Judge Gesoff can be contacted at 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222; telephone (412) 565-3550.

If you intend to file exhibits, please be advised that two copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

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



A-00099448, F001, Am-C Parties of Record

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

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

John A. Pillar, Esquire  
Pillar & Mulroy  
Suite 700  
312 Boulevard of The Allies  
Pittsburgh, PA 15222

David H. Radcliff, Esquire  
Graf, Andrews & Radcliff, P.C.  
407 North Front Street  
Harrisburg, PA 17101

Dwight L. Koerber, Jr., Esquire  
Kriner, Koerber & Kirk  
110 North Second Street  
P.O. Box 1320  
Clearfield, PA 16830

Sally Davoren, Esquire  
1126 Oliver Building  
535 Smithfield Street  
Pittsburgh, PA 15222

William J. Lavelle, Esquire  
Vuono, Lavelle & Gray  
2310 Grant Building  
Pittsburgh, PA 15219

John E. Fullerton, Esquire  
Graf, Andrews & Radcliff, P.C.  
407 North Front Street  
Harrisburg, PA 17101

Herbert Nurick, Esquire  
McNees, Wallace & Nurick  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108

McNEES, WALLACE & NURICK  
ATTORNEYS AT LAW

100 PINE STREET  
P. O. BOX 1166  
HARRISBURG, PA. 17108-1166  
TELEPHONE (717) 232-8000  
FAX (717) 236-2665

MAR 08 1991

MAR 27 1991  
STARYS OFFICE  
PUBLIC UTIL. COMMISSION

February 25, 1991

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

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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Dear Blair:

Please refer to the notice on page 3 of the protest of Samuel J. Lansberry, Inc., regarding our 333(c) request, in the above-captioned matter. Please let us have a response to this request on or before March 26, 1991.

If you have any questions concerning the request, we would appreciate your contacting the undersigned.

RLS

Very truly yours,

McNEES, WALLACE & NURICK

By

Herbert R. Nurick

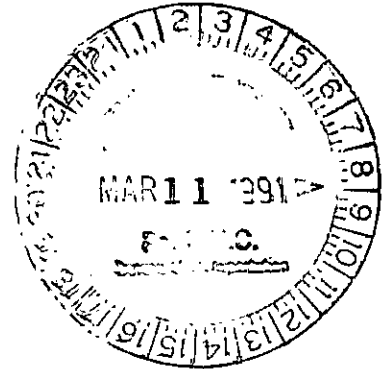
HRN/ec

cc: Jerry Rich, Secretary  
Mr. Samuel J. Lansberry

DOCUMENT  
FOLDER

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

March 5, 1991



Pennsylvania Public Utility Commission  
Application Section  
P O Box 3265  
Harrisburg PA 17120

*A. 99448  
F11 AM-D*

Re: Application of Toy Trucking Company  
for transfer of rights at Docket  
No. A-00105001, Daniel R. Thomson  
and William Thomson

Gentlemen:

Applicant will agree that the following restrictive paragraph be added at the end of the authority sought in the application being transferred:

Except to transport as a Class D carrier construction and building sand and gravel in dump vehicles for the Davison Sand and Gravel Company from its plant site in the city of New Kensington, Westmoreland County.

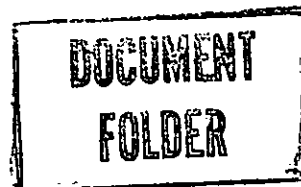
Thanking you for your cooperation in this matter, I remain,

Very truly yours,

A handwritten signature in cursive script that reads "Blair F. Green".

Blair F. Green

BFG/sb



AR21            A-00105001    YEAR 89                            UTILITY TYPE:    TK    STATUS:    A  
 COMPANY NAME:    THOMSON, DANIEL R. AND WILLIAM  
 TRADE NAME:  
 REVENUES INTRASTATE:  
 SCHEDULED    0000000000    GROUP + PARTY    0000000000    CALL OR DEMAND    0000000000  
 LIMOUSINE    0000000000    AIRPORT                            0000000000    PARA-TRANSIT    0000000000  
 FREIGHT      0000007771    OTHER                              0000000497    TOTAL-INTRA      0000008268  
  
 TOTAL INTERSTATE    0000000000    TOTAL OPERATING REVENUE    0000008268  
 EXPENSES:  
 DEPRECIATION    0000000000    OPERATING TAXES    0000002915    RENTS    0000000000  
 EQUIPMENT MAINTENANCE    0000009380    TRANSPORTATION    0000007249  
 PURCHASE TRANS    0000000000    CONTRA    0000000000  
 TERMINAL    0000000000    TRAFFIC    0000000000    INSURANCE    0000000000  
 ADMINISTRATIVE    0000001524    TOTAL OPERATING EXPENSES    0000021068  
  
 OPERATING RATIO BEFORE TAXES    2.55    D/R AFTER GAIN (LOSS) FROM ASSET    2.55  
 POSTED BY:    CJD    DATE FILED:    04    03    90                            DISP.

AS20 90 PLC 855730

UT CODE: 855730

NAME: THOMSON, DANIEL R. AND WILLIAM  
T/A:

UT TYPE: TK

R.D. 2, BOX 385  
TARENTUM PA 15084

A-00105001

BALANCE

BILLING REGISTER  
PAYMENTS

REVENUE

	AMOUNT	TYPE	DATE	AMOUNT	TYPE	DATE
1	\$41.00		06/19/90	\$7,771	R	04/03/90
2	\$1.00		09/18/90			
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						

CURRENT:	\$41.00	05/21/90	PRIOR:
ADD1:	\$1.00	08/17/90	ADD2:
STATUS: A	REMARKS:		

TOY TRUCKING COMPANY

CASE NUMBER	COMPLAINANT	DATE FILED	STATUS	BUR
A-00099448		07/01/86	I	SEC
A-00099448C851	PUC	05/10/85	I	FIS
A-00099448C861	PUC	11/25/86	I	SCT
A-00099448C881	PUC	02/18/88	I	SCT
A-00099448C891	PUC	06/29/89	I	SAC
A-00099448F001AMA		02/24/84	I	SEC
A-00099448F001AME		05/05/86	I	SEC
A-00099448F001AMC		09/14/90	A	ALJ
A-00099448F001AMD		01/17/91	A	TNR
A-00099448F600		04/25/86	I	TNR

CHECKED BY FRANCES WALKINSHAW

PRINT-

IN21 A-00099448

INSURANCE COMPANY CARGO	ERIE INS. EXCHANGE			
POLICY NUMBER CARGO	Q48-2330009 P			
EFFECTIVE DATE CARGO	03 03 85	SUSPEND DATE		01
ACTIVITY CODE	STATUS N			

INSURANCE COMPANY LIABILITY	ERIE INS. EXCHANGE			
POLICY NUMBER LIABILITY	P091502558N			
EFFECTIVE DATE LIABILITY	01 23 76	SUSPEND DATE		01
ACTIVITY CODE	STATUS N			

INSURANCE COMPANY BOND				
POLICY NUMBER BOND				
EFFECTIVE DATE BOND		SUSPEND DATE		
ACTIVITY CODE	STATUS			

REMARKS: DISMISS ACTION DATE 09 19 85

STATUS CODES:

N = Current insurance in force  
I = Indefinite suspension

S = Authority suspended  
C = Authority cancelled

T

THOMSON, DANIEL R. AND WILLIAM

CASE NUMBER	COMPLAINANT	DATE FILED	STATUS	BUR
A-00105001		08/08/83	P	SEC
A-00105001C881	PUC	05/26/88	I	SCT

CHECKED BY FRANCES WALKINSHAW

PRINT-

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

RLS

March 13, 1991

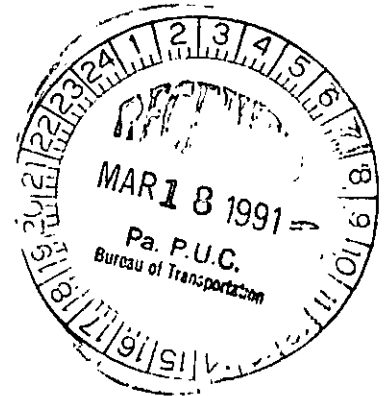
RECEIVED

MAR 19 1991

Office of A. L. J.  
Public Utility Commission

ATTN David Ehrhart  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P O Box 3265  
Harrisburg PA 17120

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



Dear Mr. Ehrhart:

FILE

Enclosed find Proposed Restrictive Amendment restricting the additional authority sought to some of the named shippers applicant now hauls for on its present authority previously set forth. These shippers have asked applicant to get this extended authority for them that he now seeks and will support him at the hearing.

Please let me have your thoughts on this at your earliest convenience.

Very truly yours,

*Blair F. Green*  
Blair F. Green

BFG/sb

Enclosure

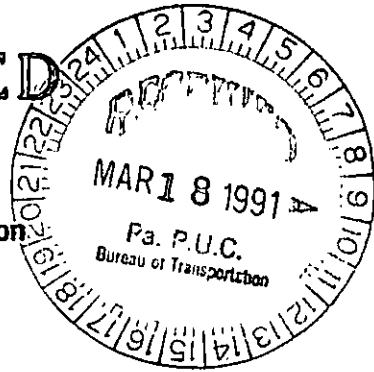
CC: John E. Fullerton, Esq.  
William J. Lavelle, Esq.  
John A. Pillar, Esq.  
Herbert R. Nurick, Esq.  
Sally A. Davoren, Esq.  
David H. Radcliff, Esq.  
Dwight L. Koerber, Jr., Esq.



RECEIVED

MAR 19 1991

Office of A. L. J.  
Public Utility Commission



BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

RESTRICTIVE AMENDMENT

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

SO AS TO PERMIT the transportation as a Class D carrier, coal, from points within one hundred twenty-five (125) statute miles from the borough of Worthington, Armstrong County, Pennsylvania, for B & B Coal Associates, Inc., coal brokers, from various points of origination in said area, Pittsburgh & Shawmut Coal Company, coal brokers, from various points of origination in said area, and for Amerikohl, Inc., and Amerikohl Mining, Inc., from various points in said area, provided no haul shall exceed one hundred twenty-five (125) statute miles from point of origination to point of destination.

FILE

TOY TRUCKING COMPANY

March 13, 1991

By: Theresa A. Toy  
Theresa A. Toy, President

BUCKETED

APR 15 1991

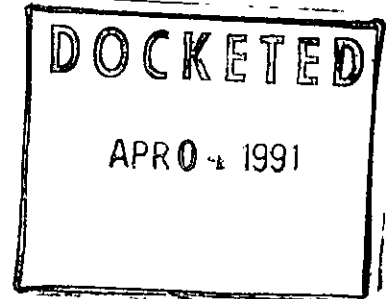


*Nagy & Nagy*  
CERTIFIED PUBLIC ACCOUNTANTS  
425 MARKET STREET  
KITTANNING, PENNSYLVANIA 16201

John D. Nagy, Jr., CPA  
Michael A. Nagy, CPA

(412) 543-1801

March 15, 1991



Bureau of Transportation  
PUC  
Box 3265  
Harrisburg, PA 17120

Re: Toy Trucking Co.  
PUC #99448  
PUC - 3-31-91

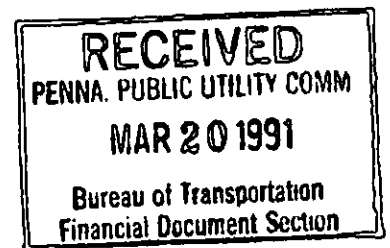


Dear Mr. Michalsky,

We are writing to request a 30 day extension of time for Toy Trucking Co. to file their current PUC Report. As per your conversation with Theresa Toy, Toy Trucking Co. did not receive a complete PUC Report in the mail. Should there be any problem with this request for an extension, please phone me at (412) 543-1801.

Very truly yours,

A handwritten signature in cursive script, appearing to read "M. A. Nagy".



March 22, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

Blair F. Green  
Attorney at Law  
125 North McKean Street  
Kittanning, PA 16201

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

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of Toy Trucking Company for the rights of Daniel R. Thomson and William Thomson, copartners.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before April 15, 1991. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that Daniel R. Thomson and William Thomson, copartners will continue to render the service covered by their certificate and comply with all the rules of the Commission, including the carrying of continuous insurance, until final disposition is made of the application by the Commission.

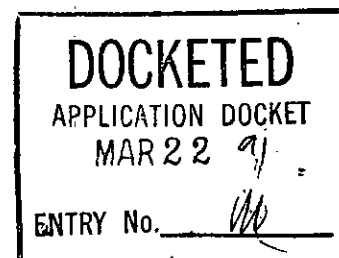
You are further advised that the above application will be published in the Pennsylvania Bulletin of March 23, 1991.

Very truly yours,

David Ehrhart  
Supervisor - Application Section  
Bureau of Transportation

DE:RP:kmb

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



A-00099448, Folder 1, Am-D TOY TRUCKING COMPANY (R.D. #1, Box 103, Worthington, Armstrong County, PA 16262), a corporation of the Commonwealth of Pennsylvania, inter alia - coal, lumber, lime, gravel and sand between points in the counties of Clarion, Armstrong, Butler, Venango, Allegheny and Crawford, no haul to exceed a distance of twenty-five (25) miles from point of origin to point of destination; excluding the right to transport lumber from points within an airline distance of forty (40) statute miles of the limits of the borough of Brookville, Jefferson County: SO AS TO PERMIT the transportation of (1) coal, coke, boney and other building materials in bulk (excluding brick) in dump trucks from points in the borough of Springdale, Allegheny County, to points in the counties of Allegheny, Butler, Westmoreland and Armstrong, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; (2) coal, coke, boney, slag and building materials, in bulk, (excluding brick) in dump vehicles, and which are unloaded by dumping, between points in the counties of Butler, Westmoreland, Indiana and Armstrong, provided no haul shall exceed a distance of thirty-five (35) miles from point of origin to point of destination, excluding the transportation of coal and coke to or from points in Butler County, except as presently authorized; (3) concrete blocks, haydite blocks and cinder blocks between points in the county of Allegheny; (4) sand and gravel, in dump vehicles and which are unloaded by dumping, from the facilities of Davison Sand and Gravel Company in the counties of Allegheny, Armstrong and Westmoreland to points in Pennsylvania, and vice versa; (5) coal for domestic consumption and to railroad cars between points in the city of New Kensington, Westmoreland County, and within fifteen (15) miles by the usually traveled highways of the limits of the said city, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination; and (6) gravel, sand, soil, slag, cinders and building blocks between points in the city of New Kensington, Westmoreland County, and within twenty-five (25) miles by the usually traveled highways of the limits of the said city, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; which is to be a transfer of part of the rights authorized under the certificate issued at A-00105001 to Daniel R. Thomson and William Thomson, Copartners, subject to the same limitations and conditions.  
Attorney: Blair F. Green, 125 North McKean Street, Kittanning, PA 16201.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

MAR 23 1991

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

BUREAU OF TRANSPORTATION  
COMMON CARRIER  
FEBRUARY 1991

A-00099448  
F. 1  
Am-D

Application of Toy Trucking Company, 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, lumber, lime, gravel and sand between points in the counties of Clarion, Armstrong, Butler, Venango, Allegheny and Crawford, no haul to exceed a distance of twenty-five (25) miles from point of origin to point of destination; excluding the right to transport lumber from points within an airline distance of forty (40) statute miles of the limits of the borough of Brookville, Jefferson County: SO AS TO PERMIT the transportation of (1) coal, coke, boney and other building materials in bulk (excluding brick) in dump trucks from points in the borough of Springdale, Allegheny County, to points in the counties of Allegheny, Butler, Westmoreland and Armstrong, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; (2) coal, coke, boney, slag and building materials, in bulk, (excluding brick) in dump vehicles, and which are unloaded by dumping, between points in the counties of Butler, Westmoreland, Indiana and Armstrong, provided no haul shall exceed a distance of thirty-five (35) miles from point of origin to point of destination, excluding the transportation of coal and coke to or from points in Butler County, except as presently authorized; (3) concrete blocks, haydite blocks and cinder blocks between points in the county of Allegheny; (4) sand and gravel, in dump vehicles and which are unloaded by dumping, from the facilities of Davison Sand and Gravel Company in the counties of Allegheny, Armstrong and Westmoreland to points in Pennsylvania, and vice versa; (5) coal for domestic consumption and to railroad cars between points in the city of New Kensington, Westmoreland County, and within fifteen (15) miles by the usually traveled highways of the limits of the said city, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination; and (6) gravel, sand, soil, slag, cinders and building blocks between points in the city of New Kensington, Westmoreland County, and within twenty-five (25) miles by the usually traveled highways of the limits of the said city, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; which is to be a transfer of part of the rights authorized under the certificate issued at A-00105001 to Daniel R. Thomson and William Thomson, Copartners, subject to the same limitations and conditions.

FW:11  
2/5/91

Application received: 1/16/91  
Application docketed: 2/4/91

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
MAR 22 *aj*  
ENTRY No. *me*

*NH*

APR 15 1991

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.

McNEES, WALLACE & NURICK  
ATTORNEYS AT LAW

100 PINE STREET

P. O. BOX 1166

HARRISBURG, PA. 17108-1166

TELEPHONE (717) 232-8000

FAX (717) 236-2665

OF COUNSEL  
GILBERT NURICK  
EDWARD C. FIRST, JR.  
ROBERT H. GRISWOLD  
SAMUEL A. SCHRECKENGAUST, JR.

THOMAS C. HERWEG  
EXECUTIVE DIRECTOR

April 3, 1991

F. MURRAY BRYAN  
MICHAEL G. JARMAN  
GARY F. YENKOWSKI  
DIANE M. TOKARSKY  
BERNARD A. LABUSKES, JR.  
DAVID M. WATTS, JR.  
LAWANA M. JOHNS  
WILLIAM G. PRINS  
JAMES L. FRITZ  
STEVEN J. WEINGARTEN  
LAWRENCE R. WIEDER  
STEPHEN E. GEDULDIG  
DONALD B. KAUFMAN  
ABIGAIL A. TIERNEY  
ROBERT B. ARMOUR  
MARKIAN R. SLOBODIAN  
DONNA J. LONG  
P. NICHOLAS GUARNESCHELLI  
LESLIE A. LEWIS JOHNSON  
MARK M. VAN BLARGAN

JONATHAN H. RUDD  
ROBERT F. YOUNG  
CAROL A. STEINOUR  
LOUIS J. SHEEHAN  
GLENN P. HEISEY  
MICHAEL R. KELLEY  
SHARON R. PAXTON

FRANCIS B. HAAS, JR.  
G. THOMAS MILLER  
DONALD R. WAISEL  
RICHARD R. LEFEVER  
CLYDE W. MCINTYRE  
S. BERNE SMITH  
ROD J. PERA  
EDWARD W. ROTHMAN  
ROBERT A. MILLS  
W. JEFFRY JAMOUNEAU  
HERBERT R. NURICK  
DAVID E. LEHMAN  
NORMAN I. WHITE  
RICHARD W. STEVENSON  
WILLIAM A. CHESNUTT  
HENRY R. MACNICHOLAS  
WILLIAM M. YOUNG, JR.  
ROBERT M. CHERRY  
DAVID B. DISNEY  
H. LEE ROUSSEL

C. GRAINGER BOWMAN  
BURTON H. SNYDER  
JOHN S. OYLER  
DELANO M. LANTZ  
HARVEY FREEDENBERG  
JASON S. SHAPIRO  
ERIC L. BROSSMAN  
ROBERT D. STETS  
TERRY R. BOSSERT  
MARY JANE FORBES  
DAVID M. KLEPPINGER  
NEAL S. WEST  
FRANKLIN A. MILES, JR.  
MICHAEL A. DOCTROW  
STEPHEN A. MOORE  
DANA STEVENS SCADUTO  
ELIZABETH A. DOUGHERTY  
ALAN R. BOYNTON, JR.  
BRUCE D. BAGLEY

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

Honorable Larry Gesoff  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
1103 Pittsburgh State Office Building  
300 Liberty Avenue  
Pittsburgh, PA 15222

ELS

Dear Judge Gesoff:

Blair F. Green, counsel for Toy Trucking Company, filed a "Restrictive Amendment" dated March 13, 1991, in the above-captioned matter. In his letter to David Ehrhart, forwarding the amendment, Mr. Green referred to it as a "Proposed Restrictive Amendment." Mr. Green has assured me that the amendment is not proposed but is an actual amendment. A copy of the amendment is enclosed for your reference.

We represent Samual J. Lansberry, Inc., a protestant in this case. On April 3, 1991, Mr. Green agreed that he would modify the amendment so that all traffic would be from named facilities. For example, the amendment would read: "for B&B Coal Associates, Inc., from the facilities of ABC Company in the township of \_\_\_\_\_, \_\_\_\_\_ County," etc. When the application is further amended in the manner just set forth, this will satisfy the interest of Lansberry, Inc., and it will withdraw its protest conditioned upon acceptance of the amendment by the Commission and any grant being consistent with the amendment.

This confirms our telephone conversation of April 3, 1991, during which you excused me from attending the hearing in this case set for

RECEIVED  
APR 4 1991  
SECRETARYS OFFICE  
Public Utility Comm.

Honorable Larry Gesoff  
April 3, 1991  
Page 2


April 9, 1991, at Pittsburgh, in view of the above circumstances. We very much appreciate your cooperation.

With a copy of this letter, we are requesting Mr. Green to send us a copy of the final amendment so that we can officially withdraw the protest of Lansberry, Inc. In any event, we desire to remain a party of record in this case for the purpose of receiving copies of all notices, orders, and other documents which may be issued.

Very truly yours,

MCNEES, WALLACE & NURICK

By

  
Herbert R. Nurick

HRN:mas  
Enclosure  
cc: Jerry Rich, Secretary (w/Enclosure)  
Blair F. Green, Esquire  
Mr. Samuel J. Lansberry

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**TOY TRUCKING COMPANY** : A-00099448, F001, Am-C

**RESTRICTIVE AMENDMENT**

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

SO AS TO PERMIT the transportation as a Class D carrier, coal, from points within one hundred twenty-five (125) statute miles from the borough of Worthington, Armstrong County, Pennsylvania, for B & B Coal Associates, Inc., coal brokers, from various points of origination in said area, Pittsburgh & Shawmut Coal Company, coal brokers, from various points of origination in said area, and for Amerikohl, Inc., and Amerikohl Mining, Inc., from various points in said area, provided no haul shall exceed one hundred twenty-five (125) statute miles from point of origination to point of destination.

**TOY TRUCKING COMPANY**

March 13, 1991

By: Theresa A. Toy  
Theresa A. Toy, President

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

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

(See letter of 2/22/91)

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 the initial hearing now scheduled to be held on Tuesday, April 9, 1991, in the subject proceeding has been changed to a prehearing conference only.

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

DOCKETED  
APR 10 1991

DOCUMENT  
FOLDER

APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00099448, F001, Am-C  
 CASE NAME Toy Trucking Company  
 HEARING LOCATION Pittsburgh, PA.  
 HEARING DATE April 9, 1991  
 ALJ Gesoff

CHECK THOSE BLOCKS WHICH APPLY:

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

REMARKS: Restrictive Amendment (RA) read into record & will be submitted. One protestant will withdraw. 2nd RA will be submitted but hearing will be needed. Please schedule for June or July.

RLS

RECEIVED

APR 10 1991

Office of A. L. J.  
Public Utility Commission

DOCKETED  
APR 15 1991

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
	City	State	Zip	
Telephone No. ( )				
<i>William J. Lavella</i>	<i>2310 Grant Bldg.</i>			<i>Bulk Transportation Services, Inc. Wayne W. Friedline Mc Clymonds Supply &amp; Transit Co. Bruce Trent Trucking, Inc. Homer R. Elch &amp; Sons, Inc.</i>
Telephone No. <i>(412) 471-1800</i>	<i>Pgh.</i>	<i>Pa.</i>	<i>15219</i>	<i>Taylor Service, Inc. William J. Gannon Trucking, Inc. C. D. Ambrosia Trucking Co. Marussia Industries</i>
Telephone No. ( )	City	State	Zip	

DOCUMENT FOLDER

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

*Dawn H. Joynt*  
Reporter

William J. Frevell  
for  
David H. Radcliff  
Telephone No. (717) 236-9318

Address		
City	State	Zip

R. T. Merryman  
Trucking, Inc.

William J. Frevell  
for  
John Fallerton  
Telephone No. (717) 236-9318

Address		
City	State	Zip

William C. Conner  
R. J. Glass, Inc.  
Powers Trucking Co.  
Hiram Wible & Son, Inc.

John A. Pilla  
Telephone No. (412) 471-3300

Address 312 Blvd of the Allies Suite 700		
City Pittsburgh	State Pa	Zip 15222

Wayne W. Sell Corp.  
Don Martin Trucking, Inc.  
Gajda Trucking Company  
David Tesore Trucking, Inc.

Telephone No. ( )

Address		
City	State	Zip

McCleary - Christie Trucking  
Inc.  
William P. Mauthe d/b/a  
DGB Trucking

Sally A. Davoren  
Telephone No. (412) 562-0100

Address 1126 Oliver Bldg. 535 Smithfield St		
City Pgh	State PA	Zip 15222

Coal Transport, Inc.

Blair D. Green for  
Appelant  
Toy Trucking Company  
Telephone No. ( )

Address 125 North McKean Street		
City Pittsburg	State Pa	Zip 16201

Appelant  
Toy Trucking Co.

John A. Pilla  
for  
Dwight L. Koense Jr.  
Telephone No. ( )

Address See above		
City	State	Zip

Keyhart Trucking Co.

Telephone No. ( )

Address		
City	State	Zip

Telephone No. ( )

Address		
City	State	Zip

Telephone No. ( )

Address		
City	State	Zip



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

APR-1 1991

DOCKETED  
 APR 04 1991  
 IN REPLY PLEASE REFER TO OUR FILE

TK S A-00099448  
 TOY TRUCKING COMPANY  
 R.D. 1  
 WORTHINGTON PA 16262

DOCUMENT FOLDER

Your petition for an extension of time in which to file the 1990 Annual Report of the above-docketed carrier with the Pennsylvania Public Utility Commission is hereby granted.

The period for timely filing of the 1990 Annual Report is extended to April 30, 1991.

Failure to file the Annual Report within the extension period may result in the imposition of penalties, which could include cancellation of the carrier's certificate or permit as provided by law.

RLS

Very truly yours,

*Joseph M. Machulsky*  
 Joseph M. Machulsky, Chief  
 Financial Document Section

JMM:dmm

cc: (P.U.C.) File Section ✓  
 Annual Report Section

Contact Persons: J. C. Keiter (717) 783-3839  
 C. J. Ditchey (717) 783-5938  
 E. R. Hawk (717) 783-1763

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

ORIGINAL

April 11, 1991

RECEIVED

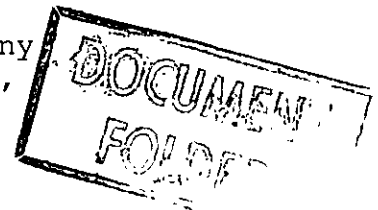
APR 15 1991

SECRETARY'S OFFICE  
Public Utility Commission

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

**RLS**

Re: Application of Toy Trucking Company  
Docket No. A-00099448, F. 1, Am-C,  
File No. 358



Dear Mr. Rich:

Enclosed for filing is a Restrictive Amendment filed at the Pre Hearing Conference in Pittsburgh held by the Honorable Larry Gesoff, Administrative Law Judge, in Pittsburgh, Pennsylvania, on Tuesday, April 9, 1991, at 10:00 o'clock a.m. I am sending a copy of this letter to Judge Gesoff with the original of the Restrictive Amendment I read into the record on April 9, 1991.

I am also sending a copy of this letter and the amendment to all of the counsel of record for the Protestants. We will be making efforts to see if this authority, as amended, can be modified to exclude other Protestants and we will keep you advised of any developments.

Very truly yours,

Blair F. Green

BFG/sb

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

DOCUMENT  
FOLDER

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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DOCKETED  
APR 16 1991

Application of  
TOY TRUCKING COMPANY

APR 15 1991

Docket No. A-00099448, F.1, Am-C  
SECRETARY'S OFFICE  
Public Utility Commission

RESTRICTIVE AMENDMENT

AND NOW COMES TOY TRUCKING COMPANY, by its attorney,  
Blair F. Green, and restrictively amends the above application to  
read as follows:

To transport coal, for B & B Coal Associates,  
Inc., Pittsburgh & Shawmut Coal Company,  
Amerikohl, Inc., and Amerikohl Mining, Inc.,  
from points within 125 statute miles of the  
borough of Worthington, Armstrong County, to  
points in Pennsylvania;

subject to the following conditions:

PROVIDED THAT no haul 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 to or from the facilities of  
United Eastern Coal Sales Corp., White Star  
Coal Co., Inc., Kent Coal Mining Company, or  
Purco Coal Company, Inc.

Respectfully submitted,

By: Blair F. Green  
Blair F. Green  
Attorney for  
TOY TRUCKING COMPANY,  
Applicant

DATED: April 9, 1991

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17120  
April 16, 1991

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

(See letter of 4/8/91)

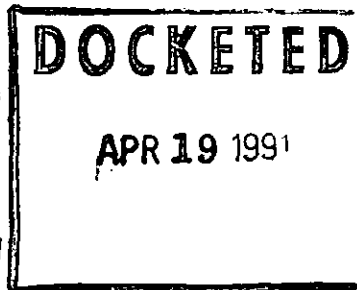
Application of Toy Trucking Company

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 an initial hearing on the above captioned case will be held Thursday, July 11, 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  
Mrs. Kelly  
Mrs. Howell  
Docket Room



RLS

ORIGINAL

SALLY A. DAVOREN

ATTORNEY AT LAW

1126 OLIVER BUILDING

535 SMITHFIELD STREET

PITTSBURGH, PENNSYLVANIA 15222

(412) 562-0100

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APR 19 1991

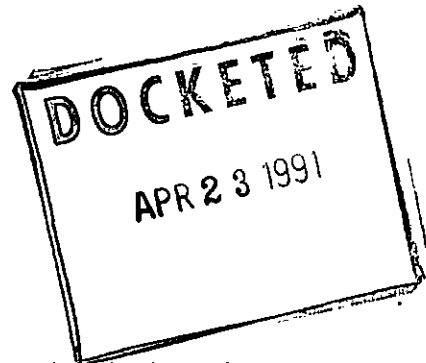
SECRETARY'S OFFICE  
Public Utility Commission



April 17, 1991

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

Re: Application of Toy Trucking Company  
Docket No. A-00099448, F.1, Am-C  
File No. 358



Dear Mr. Rich:

I represent Coal Transport, Inc., a protestant to the above application. I understand that the application has been restrictively amended as set forth in the enclosed Restrictive Amendment dated April 9, 1991, which was sent to the PUC by the applicant's attorney on April 11, 1991.

Contingent upon the Commission's acceptance of the enclosed Restrictive Amendment, I am authorized to withdraw the protest of Coal Transport, Inc., to the application, and I am doing so by this letter. This carrier wishes to remain a party of record for the purpose of receiving any correspondence, pleadings filed or Orders issued in connection with the case. I am sending a copy of this letter to the applicant's representative, so that he will serve any subsequent Restrictive Amendments or other pleadings filed in connection with the case on me. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Sally Davoren".

Sally A. Davoren

SAD:md

cc: Hon. Larry Gesoff, Administrative Law Judge  
Dwight L. Koerber, Jr., Esq.  
John A. Pillar, Esq.  
William J. Lavelle, Esq.  
David H. Radcliff, Esq.  
John E. Fullerton, Esq.  
Herbert R. Nurick, Esq.  
Bud Huntington, PUC, Office of Administrative Law Judges  
Coal Transport, Inc.

RLS

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of  
TOY TRUCKING COMPANY

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

RESTRICTIVE AMENDMENT

AND NOW COMES TOY TRUCKING COMPANY, by its attorney,  
Blair F. Green, and restrictively amends the above application to  
read as follows:

To transport coal, for B & B Coal Associates,  
Inc., Pittsburgh & Shawmut Coal Company,  
Amerikohl, Inc., and Amerikohl Mining, Inc.,  
from points within 125 statute miles of the  
borough of Worthington, Armstrong County, to  
points in Pennsylvania;

subject to the following conditions:

PROVIDED THAT no haul 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 to or from the facilities of  
United Eastern Coal Sales Corp., White Star  
Coal Co., Inc., Kent Coal Mining Company, or  
Purco Coal Company, Inc.

Respectfully submitted,

By: Blair F. Green

Blair F. Green  
Attorney for  
TOY TRUCKING COMPANY,  
Applicant

DATED: April 7, 1971

KRINER, KOERBER AND KIRK  
ATTORNEYS-AT-LAW  
110 NORTH SECOND STREET  
P. O. BOX 1320  
CLEARFIELD, PENNSYLVANIA 16830

ORIGINAL

WILLIAM C. KRINER  
DWIGHT L. KOERBER, JR.  
ALAN F. KIRK

TELEPHONE (814) 765-9611  
FAX (814) 765-9503

April 17, 1991

COUNSEL TO THE FIRM  
WILLIAM T. DAVIS

Jerry Rich, Secretary  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. Box 3265  
Harrisburg, PA 17120

RECEIVED  
APR 22 1991  
SECRETARY'S OFFICE  
Public Utility Commission

RE: TOY TRUCKING COMPANY  
A-99448, F.1, Am-C

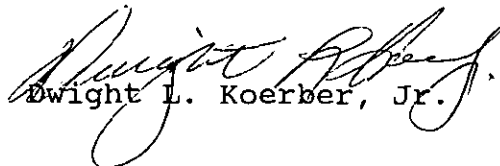
Dear Mr. Rich:

Please be advised that the restrictive amendment filed by the applicant in the above matter during a pre-hearing conference on April 9, 1991, satisfies the interest of my client, Kephart Trucking Co. Accordingly, I hereby withdraw the protest of Kephart Trucking Co.

By copy of this letter, I am confirming the letter of withdrawal to Administrative Law Judge Larry Gesoff and counsel for applicant.

Very truly yours,

RLS

  
Dwight L. Koerber, Jr.

DLK:kam

cc: The Honorable Larry Gesoff, Administrative Law Judge  
Blair F. Green, Esquire  
John A. Pillar, Esquire  
Kephart Trucking Co.

DOCUMENT  
FOLDER

DOCKETED  
APR 23 1991

# 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.

Toy Trucking Co.  
R.D. 1, Box 103  
Worthington, PA 15262

Date April 26, 1991

**DOCUMENT  
FOLDER**

CR 144121 A

**DOCKETED**  
MAY 08 1991

In re application of Toy Trucking, Inc.  
A-99448, F.1, Am-D.....\$350.00

RLS

Revenue account 001780-017601-102 (ck)  
ck 5837 Checks \$350.00 Currency \_\_\_\_\_  
Utility account 50:26

C. Joseph Meisiger  
For Department of Revenue