



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

June 27, 1988

IN REPLY PLEASE  
REFER TO OUR FILE

A. 88995  
IC-88-170  
Pgh. No. 05027

Hammels Express  
26th and Railroad  
Pittsburgh, PA 15222



Gentlemen:

The purpose of this letter is to inform you that the Commission has recently taken the enclosed action. This action is in partial response to the Informal Complaint which you registered with the Commission's Bureau of Safety and Compliance.

If you have any questions or if we can be of service, please write or call me at telephone number 717-783-1948.

Very truly yours,

Joseph E. Lauver  
Administrative Supervisor  
Bureau of Safety & Compliance

JS:dk

cc: Pittsburgh District Office/Ballard

Enclosure: Copy of complaint  
Simon's Express, Inc.  
A-00105544C882



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

January 10, 1989

A-00088995

IN REPLY PLEASE REFER TO OUR FILE R-16

Hammel's Express, Inc.  
Charles L. Hammel, Jr., President  
26th & Railroad Streets  
Pittsburgh, PA 15222

**DOCUMENT  
FOLDER**

**DOCKETED**  
JAN 19 1989

Re: Supplement No. 20 to Tariff Freight - PA PUC No. \_\_\_\_\_  
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:

To accomplish your purpose you must resubmit Supplement and number it 21 and omit "Cancellation" at top of page.

Very truly yours,

G. B. Harry  
Tariff Section

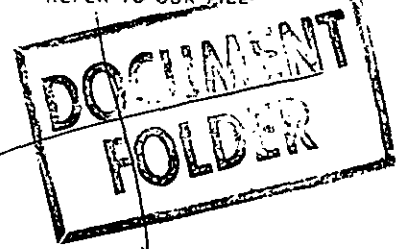


COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

A - 88995

February 3, 1989

IN REPLY PLEASE  
REFER TO OUR FILE



Hammel's Express, Inc.  
26th & Railroad Streets  
Pittsburgh, PA 15222

Dear Sir:

An audit of our tariff files has identified a number of common carriers with various unacceptable discount provisions contained in tariffs currently on file with this Commission.

While the rates contained in tariffs may be legally collected, it does not follow that such discriminatory rate provisions are lawful.

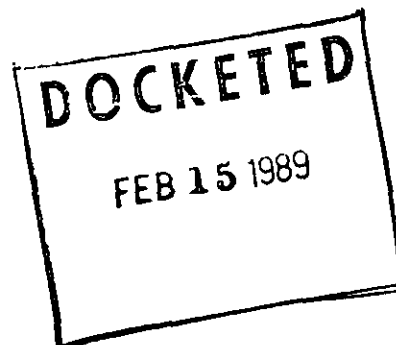
The basic jurisdiction over motor carrier rates of this Commission is found in Title 66 of the Pennsylvania Consolidated Statutes §1301. This states in part . . .

"[E]very rate made, demanded, or received by any public utility, or by any two or more public utilities jointly, shall be just and reasonable." . . .

Equally as important in the area of rate regulations is the provision at 66 PA Consolidated Statutes §1304 which deals with the area of discrimination in rates. This subsection states in part . .

"No public utility shall, as to rates, make or grant any unreasonable preference or advantage to any person, corporation, or municipal corporation, or subject any person, corporation, or municipal corporation to any unreasonable prejudice or disadvantage. No public utility shall establish or maintain any unreasonable difference as to rates, either as between localities or as between classes of service." . . .

The unacceptable discount provisions are contained in Hammel's Express, Inc. - Freight - PA PUC No. 7; specifically, Item No. 5. Also, Hammel's Express, Inc. - Freight - PA PUC No. 12; specifically, Item No. 215.



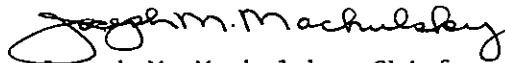
- 2 -

It is the opinion of the Bureau of Transportation, that the above cited items contain discounting provisions which do not conform with the intent of the previously cited regulations.

An opportunity is being afforded you to voluntarily remove the discriminatory provisions from the aforementioned tariffs within 30 days of the date of this letter. If you fail to comply, the Commission will issue a Rule to Show Cause Order as to why the discriminatory provisions should not be removed.

If you have any questions or need any clarification as to the status of tariffs on file, please notify me at (717) 787-5521.

Sincerely,



Joseph M. Machulsky, Chief  
Financial Document Section  
Bureau of Transportation  
Pennsylvania Public Utility Commission

GLB:lpw



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

February 10, 1989

A-00088995

IN REPLY PLEASE REFER TO OUR FILE R-16

Hammel's Express, Inc.  
Charles L. Hammel, Jr.  
26th Street & Railroad  
Pittsburgh, PA 15222

Re: Supplement No. 24 to Freight - PA PUC No. 9

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. \_\_\_\_\_

**DOCUMENT  
FOLDER**

- 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:

Supplement No. 23 was rejected, therefore Supplement No. 24 cannot be taken in.

Very truly yours,

G. Baker  
Tariff Section