

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets.

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
October 2, 1990	:	
3. <u>BUREAU:</u>	:	NOV-90-T-1208*
Transportation	:	
4. <u>SECTION</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	
6. <u>APPROVED BY:</u>	:	November 1, 1990
Director: Ernst 7-2154	:	
Supervisor: Bigelow/Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
Pike 3-5947	:	
9. <u>DOCKET NO.:</u>	:	
A-00106091, F. 1, Am-A	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		

(a) Application of Henry L. Taylor, Biglerville, Adams County, for amendment to his common carrier certificate: SO AS TO PERMIT the transportation of property (except household goods, commodities in bulk and Classes A and B explosives); for Anderson Box Company and Cadbury-Schwepps, Inc., between points in Pennsylvania.

(b) The application filed June 4, 1990 is unopposed. No oral hearings were held. Approval of the application is in the public interest.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the application.

DAP:np

**DOCKETED**  
JAN 10 1991

**DOCUMENT**  
**FOLDER**

11. <u>MOTION BY:</u>	Commissioner Chm. Smith	Commissioner Rolka - Yes
<u>SECONDED:</u>	Commissioner Fischl	Commissioner Rhodes - Yes
		Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

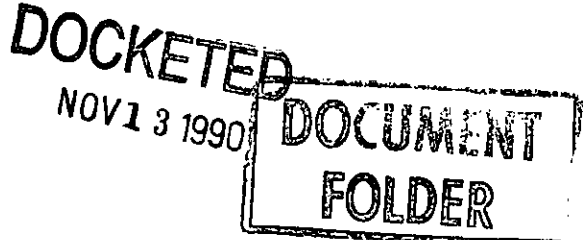


COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

November 5, 1990

IN REPLY PLEASE  
REFER TO OUR FILE  
A-00106091  
F.1, Am-A

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



Application of Henry L. Taylor

Enclosed is the compliance order issued by the Commission in this proceeding.

The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

Motor carriers operating without complying with the above requirement will be subject to the penalty provisions of the Public Utility Code.

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action November 1, 1990 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich, Secretary

Enclosure <sup>smk</sup>

Certified Mail

Receipt Requested

Tariff Contact Person: Joseph Machulsky (717) 787-5521

Henry L. Taylor

1280 Nawakwa Road

Biglerville, PA 17307

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held November 1, 1990

Commissioners Present:

William H. Smith, Chairman  
Frank Fischl  
David W. Rolka  
Joseph Rhodes, Jr.

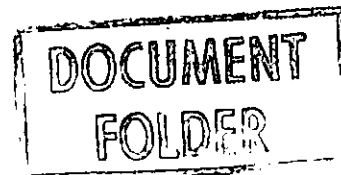
Application of Henry L. Taylor, for amendment to his common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, property for Knouse Foods Co-Op, Inc., between points in the counties of Adams and Franklin, and from points in the said counties to points in Pennsylvania, and vice versa: SO AS TO PERMIT the transportation of property, (except household goods, commodities in bulk and Classes A and B explosives); for Anderson Box Company and Cadbury-Schwepps, Inc., between points in Pennsylvania.

A-00106091  
F. 1  
Am-A

DOCKETED  
NOV 13 1990

\_\_\_\_\_  
David H. Radcliff, for the applicant.

\_\_\_\_\_  
O R D E R



BY THE COMMISSION:

This application, filed June 4, 1990, is before the Commission for its decision without oral hearing. Public notice of the application was given in the Pennsylvania Bulletin of July 21, 1990. The record, which consists of statements entered by the applicant and the supporting shipper is now certified to the Commission for its decision.

The applicant, Henry L. Taylor, an individual is domiciled at 1280 Nawakwa Road, Biglerville, Adams County. Applicant's terminal facility is located in Menallen Township, Adams County. The facility is on more than ten acres of ground and includes office space and a six bay garage. Communications with drivers and shippers is conducted by commercial telephone service. Applicant owns and operates eleven (11) tractors and thirty-five (35) trailers.

Taylor's safety program consists of booklets or pamphlets which are distributed and discussed. Four general safety meetings are held each year.

Awards are presented in conjunction with the meetings. Maintenance is performed in the company garage and each vehicle is inspected daily. An unaudited financial statement submitted by the applicant shows the trucking company's financial standing as follows: total assets \$295,749, total liabilities \$212,023, leaving net worth of \$83,726.

A verified statement in support of the application was entered by Jeffrey Miller, warehouse manager for Anderson Box Company, Inc. (Anderson). Anderson operates a distribution center at Biglerville, Adams County. Corrugated containers are stored and shipped to customers for the packaging of fruits and produce. Shipments are made to points throughout Pennsylvania and received from Hazleton and Conshohocken. Anderson currently utilizes the applicant for interstate service and enjoys good relations with him.

A second verified statement in support of the application was entered by Mark Servido, corporate transportation manager for Cadbury-Schwepps, Inc. (Cadbury). Cadbury-Schwepps, Inc. is a worldwide corporation, which in the United States produces Mott's Apple Products, Mr. & Mrs. T products, Roses' Holland House Cocktail mixes, Schwepps, Sunkist, Canada Dry, Crush and Red Creek brand named products. Cadbury ships from a plant in Aspers, Adams County as well as warehouse facilities in Carlisle, Cumberland County and Hanover, York County to all points in Pennsylvania. Shipments are made in truckload quantities in van trailers. Cadbury currently uses the applicant in interstate service and is well pleased with that service.

The applicant has demonstrated that a need exists for the service proposed.

We find:

1. That the applicant has shown that a public need for the proposed service does exist.
2. That the applicant is fit, ready, willing and able to provide the service.
3. That approval of the application is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that the certificate issued to the applicant on December 13, 1985 be amended to include the following right:

To transport as a Class D carrier property for  
Anderson Box Company and Cadbury-Schwepps, Inc.,  
between points in Pennsylvania;

subject to the following condition:

That no right, power or privilege be  
granted to transport household goods in

use, commodities in bulk and Class A and B explosives.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", is written over the typed name. The signature is stylized and somewhat cursive.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: November 1, 1990

ORDER ENTERED: NOV 5\_ 1990

**SENDER:** Complete items 1 and 2 when additional services are desired and complete items 3 and 4.  
 Put your address in "RETURN TO" Space on the reverse side. Failure to do so 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 additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge)      2.  Restricted Delivery (Extra charge)

3. Article Addressed to: <i>A-20106091, F.I, Am-A</i> <i>C.O.</i>  <i>David H. Radcliff, Esq</i>	4. Article Number <b>044403</b>  Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise  Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee <b>X</b>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent <b>X</b> <i>T Read</i>	
7. Date of Delivery <i>11-7-90</i>	