



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

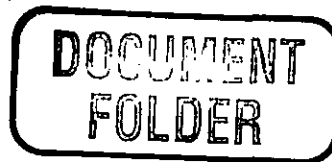
July 17, 1992

IN REPLY PLEASE
REFER TO OUR FILE

HLS

A-00106091
F.1, Am-C

DAVID H RADCLIFF ESQUIRE
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 application 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 Commission.

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 of July 9, 1992 and dismiss the application without further proceeding.

Very truly yours,

John G. Alford, Secretary

DOCKETED

AUG 05 1992

smk
Encls.
Certified Mail
Receipt Requested
Tariff Contract Person: Joseph Machulsky (717) 787-5521
HENRY L TAYLOR
1280 NAWAKWA ROAD
BIGLERVILLE PA 17307

MODIFICATION

ENTRY NO. : 0001
NAME: TAYLOR, HEI L.
ADDRESS1: 1280 NAWAKWA ROAD
ADDRESS2:
CITY: BIGLERVILLE STATE: PA ZIP: 17307
REPRESENTING: SELF

ENTRY NO. : 0002
NAME: DAVID H RADCLIFF ESQ
ADDRESS1: 407 NORTH FRONT STREET
ADDRESS2:
CITY: HARRISBURG STATE: PA ZIP: 17101
REPRESENTING: APPLICANT

ENTRY NO. : 0003
NAME: MICHAEL W DAVIS ESQ
ADDRESS1: 126 EAST KING STREET
ADDRESS2:
CITY: LANCASTER STATE: PA ZIP: 17602
REPRESENTING: NELSON WEAVER & SON INC PROTESTANT

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265



Public Meeting held July 9, 1992

Commissioners Present:

David W. Rolka, Chairman
Wendell F. Holland, Commissioner

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 Anderson Box Company and Cadbury-Schwepps, Inc., between points in Pennsylvania, subject to the following conditions: That no right, power or privilege be granted to transport household goods in use, commodities in bulk and Class A & B explosives: SO AS TO PERMIT the transportation of property (except household goods in use, commodities in bulk and Classes A and B explosives) for Ingredient Resources, Inc., between points in Pennsylvania.

A-00106091
F. 1
Am-C

DOCKETED
AUG 05 1992

David H. Radcliff for the applicant.
Michael W. Davis for Nelson Weaver & Son, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed February 27, 1992. Public notice of the application was given in the Pennsylvania Bulletin of April 18, 1992. A protest filed by Nelson Weaver & Son, Inc., was later withdrawn predicated upon our acceptance of a restrictive amendment which excludes service from the warehouse facilities of Nelson Weaver & Son, Inc., in the township of Penn, Lancaster County to points in Pennsylvania.

The now unopposed application, as amended, is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by Henry L. Taylor and Art Thomas customer representative for Ingredient Resources, Inc.

DISCUSSION AND FINDINGS.

The applicant seeks to amend its common carrier certificate so that it may provide service for an additional shipper transporting property, with exceptions, for Ingredient Resources, Inc., between all points in Pennsylvania. Henry L. Taylor operates as a sole proprietorship from 1280 Nawakwa Road, Biglerville, Adams County. In addition to the authority he holds from the Commission he also holds authority from the Interstate Commerce Commission.

His facilities in Menallen Township, Adams County, include an office, garage area for routine maintenance, and vehicle parking on ten acres. He has multiple telephone lines to communicate with the public. He operates both flatbed and van trailers from this location. The applicant operates a large fleet of equipment which is suitable to provide transportation for the supporting shipper.

The applicant now provides some service for the shipper under his interstate authority. Approval of the instant application will enable him to provide additional service to Pennsylvania points. He will offer the shipper both truckload and less than truckload service transporting a full range of products manufactured and distributed by the shipper. He will handle truckload traffic with multiple deliveries in transit and will coordinate inbound and outbound shipments.

As evidence of his financial capacity to provide the additional service, the applicant entered a balance sheet dated December 31, 1991 reporting total assets of \$195,906 with total liabilities of \$262,017. For the 12 month period ending December 31, 1991 the applicant reports income of \$1,125,546 with total operational expenses of \$1,080,785.

The supporting shipper in this proceeding is domiciled in Louisville, Kentucky. Ingredient Resources, Inc., is a buyer and broker of animal feeds and animal feed ingredients. It buys, sells and brokers such feed ingredients as phosphorus, potassium, sodium bicarbonate and other minerals. These commodities are for the most part shipped in 50 pound bags. Shipping volume will be determined by orders placed by customers. It is anticipated that an average of two truckloads per month would be tendered to the applicant.

The principal Pennsylvania warehouse utilized by Ingredient Resources, Inc., is in Palmyra, Lebanon County. Additionally, the company utilizes short-term warehouse space on a seasonal basis at locations throughout Pennsylvania. The primary service for which the applicant will be used will be the outbound transportation of animal feed ingredients from warehouse storage locations to destinations in Pennsylvania such as Lewisburg, Carlisle, Selingsgrove, Shamokin, Shippensburg, Bedford, Palmerton, New Holland and Ephrata, among others.

It is our determination from the record before us that the applicant has the experience and equipment required to provide service for the shipper. Although the shipper indicates that its primary need for service

involves traffic from its warehouse in Palmyra, Lebanon County, it indicates that it uses other short-term warehouse facilities at other points in the Commonwealth. The availability of the applicant to provide service between points in Pennsylvania for the shipper will meet the shipper's immediate needs and any future needs as they may occur. Since service is limited to that provided for the single shipper we have no difficulty in allowing the applicant to provide service for the shipper between all Pennsylvania points.

We find:

1. The applicant is an established carrier which stands ready, willing and able to provide the proposed transportation, as amended.
2. The applicant has the unqualified support of the shipper named in the application and that support is representative of service for that shipper between points in the Commonwealth.
3. Approval of the now unopposed application, as amended, will aid the shipper in meeting its Pennsylvania transportation requirements and is proper 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 December 13, 1985, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property for
Ingredient Resources, Inc., between points in
Pennsylvania;

subject to the following condition:

That no right, power or privilege is granted
to transport household goods in use, commodi-
ties in bulk and Classes A and B explosives.

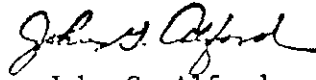
That no right, power or privilege is granted
to provide service from the warehouse facili-
ties of Nelson Weaver & Son, Inc., in the
township of Penn, Lancaster County, to points
in Pennsylvania.

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

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until he shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relating 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.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: July 9, 1992

ORDER ENTERED: JUL 17 1992

Is your RETURN ADDRESS completed on the reverse side?	SENDER: • Complete items 1 and 2 for additional services. • Complete items 3, and 4 a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
	3. Article Addressed to: <i>A-00106091, F-1, AM-C</i> <i>CO.</i>		4a. Article Number <i>044343</i>	
5. Signature (Addressee) <i>David W. Redcliff, Esq</i>		4b. Service Type <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		
6. Signature (Agent) <i>[Signature]</i>		7. Date of Delivery <i>7-20-92</i>		
		8. Addressee's Address (Only if requested and fee is paid)		

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?	SENDER: • Complete items 1 a & 2 for additional services. • Complete items 3, and 4 a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
	3. Article Addressed to: <i>A-00106091, F-1, AM-C</i> <i>CO.</i>		4a. Article Number <i>044344</i>	
5. Signature (Addressee) <i>Michael W. Davis, Esq</i>		4b. Service Type <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		
6. Signature (Agent) <i>John A. Hoyle</i>		7. Date of Delivery <i>7-21-92 (29) (PV)</i>		
		8. Addressee's Address (Only if requested and fee is paid)		

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.