



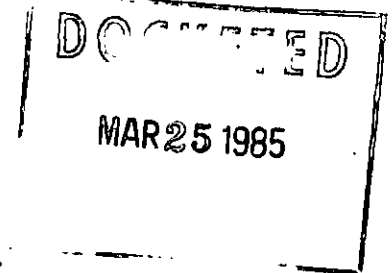
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, Pa. 17120

March 22, 1985

IN REPLY PLEASE
REFER TO OUR FILE

A-00105900

John A. Pillar, Esquire
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, PA 15222



Application of Phoenix Transport, Inc.

Dear Sir:

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

A certificate of public convenience evidencing the Commission's approval of the right to operate will not be issued until the applicant has complied with the following insurance and tariff requirements.

- I. Arrange through an insurance agent to have an insurance company file the following forms with the Commission.
 - a. A Form E as evidence of minimum public liability and property damage insurance coverage as shown on the enclosed sheet.
 - b. A Form UCPC-31 as evidence of cargo insurance coverage in an amount not less than \$2,500 per vehicle. Under certain circumstances, exemption from the cargo insurance requirements may be secured by filing the enclosed Form PUC-288.
- II. Prepare and file a tariff according to the enclosed instructions.

Similar letter to Transferor: Juluis C. Gardocky, Jr.
500 West Englewood Ave., New Castle, PA 16105



Public Liability and Property Damage Insurance
Minimum Limits for Pa. Public Utility Commission Authority

Common Carriers and Contract Carriers

		Limit for Bodily Injuries to or Death Of One Person	Limit for Bodily Injuries to or Death of All Persons in Any One Accident	Limit for Loss or Damage in Any One Accident to Property of Others, Excluding Cargo
Passenger Carriers (seating capacity)	7 or less	\$25,000	\$100,000	\$10,000
	8 to 12	25,000	150,000	10,000
	13 to 20	25,000	200,000	10,000
	21 to 30	25,000	250,000	10,000
	31 or more	25,000	300,000	10,000
Property Carrier		25,000	100,000	10,000

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

No Motor carrier shall operate or engage in any transportation until all of the above requirements have been complied with and a certificate issued authorizing actual operations. No motor carrier operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Law.

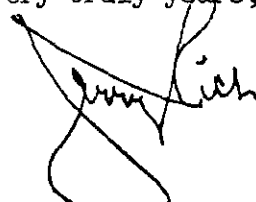
Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty day period will cause the Commission to rescind the action of March 15, 1985 and dismiss the application without further proceedings.

If you foresee any problems with any of the requirements please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section (717)787-1227

Tariff Filings: Mr. Joseph McDevitt-Tariff Section (717)787-5521

Very truly yours,



Jerry Rich, Secretary

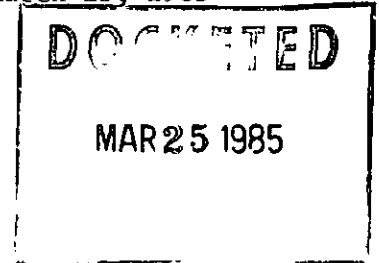
lg
Enclosures
Certified Mail
Receipt Requested
cc:applicant
500 West Englewood Avenue
New Castle, PA 16105

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120.

Public Meeting held March 15, 1985

Commissioners Present:

Linda C. Taliaferro, Chairman
Michael Johnson
James H. Cawley
Frank Fischl
Bill Shane



Application of Phoenix Transport, Inc.
for approval of the transfer to it of
all of the operating rights held by
Julius C. Gardocky, Jr. at A-00095663.

A-00105900

O R D E R

FOLDER

BY THE COMMISSION:

By application docketed December 3, 1984, Phoenix Transport, Inc. a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of all the rights granted to Julius C. Gardocky, Jr. under the certificate issued at A-00095663.

We find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by Julius C. Gardocky, Jr. at A-00095663 be approved and that a certificate be issued to the applicant granting the following rights:

1. To transport, as a Class B carrier, property between points in the city of New Castle and the townships of Taylor, Shenango, Hickory, Neshannock, Union and North Beaver, Lawrence County.
2. To transport, as a Class C carrier, property from points in the city of New Castle and the townships of Taylor, Shenango, Hickory, Neshannock, Union and North Beaver, Lawrence County to points in the counties of Mercer, Lawrence and Beaver and the western part of the county of Butler, extending as far east as the city of Butler but excluding said city.

3. To transport, as a Class D carrier, household goods in use and baggage between points in the county of Lawrence and from points in said county to points in Pennsylvania, and vice versa.
4. To transport, as a Class D carrier, beer, ale and other brewed products for the Union Brewing Company from its plant in the city of New Castle, Lawrence County, to points in Pennsylvania within one hundred fifty (150) miles by the usually traveled highways of the limits of the said city, and return of empty containers.
5. To transport, as a Class D carrier, beer and other brewed products from breweries within one hundred (100) miles by the usually traveled highways of the limits of the city of New Castle, Lawrence County, to distributors of brewed products in the city of New Castle, Lawrence County, and the return of empty containers from the said city to the said breweries.
6. To transport, as a Class D carrier, property for the Elliott Brothers Steel Company from its plant in the city of New Castle, Lawrence County, to points in Pennsylvania, and vice versa.
7. To transport, as a Class B carrier, property between points in the borough of Ellwood City, Lawrence County.
8. To transport, as a Class C carrier, property from the borough of Ellwood City, Lawrence County, to points within fifteen (15) miles by the usually traveled highways of the limits of the said borough, and vice versa.
9. To transport, as a Class C carrier, property in emergencies, not to exceed six (6) trips per year, from the borough of Ellwood City, Lawrence County, to points within twenty-five (25) miles by the usually traveled highways of the limits of the said borough, and vice versa.
10. To transport, as a Class D carrier, household goods in use between points in the borough of Ellwood City, Lawrence County, and within ten (10) miles by the usually traveled highways of the limits of the said borough.

11. To transport, as a Class D carrier, household goods in use from points in the borough of Ellwood City, Lawrence County, and within ten (10) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania, and vice versa;

and that the above rights 7 to 11, inclusive, be subject to the following restrictive condition:

That no right, power or privilege is granted to furnish transportation which originates in the townships of Shenango, Taylor, and North Beaver, Lawrence County.

12. To transport, as a Class D carrier, food and food products for the Office of Public Assistance, Pennsylvania Department of Public Welfare, from its warehouse in the city of New Castle, Lawrence County, to points in the counties of Butler, Allegheny, Armstrong, Fayette, Greene, Washington and Westmoreland, and vice versa;

subject to the following conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.

4. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
5. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

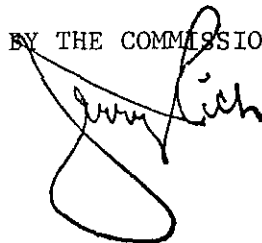
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and a tariff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

IT IS FURTHER ORDERED: That issuance of the certificate shall be withheld pending submission of transferor's Annual Report, for the year 1984.

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 upon compliance with this order the rights granted the transferor Julis C. Gardocky, Jr. at A-00095663 be cancelled and the record be marked closed.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: March 15, 1985

ORDER ENTERED: MAR 22 1985

PS Form 3811, July 1983

RECEIVER: 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. *A-105900*

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

3. Article Addressed to:
*John A. Cillan,
Esq*

4. Type of Service:	Article Number
<input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail	44597

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

- 5. Signature - Addressee
X
- 6. Signature - Agent
X Jan Mathews
- 7. Date of Delivery
3/25/85

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

DOMESTIC RETURN RECEIPT

PS Form 3811, July 1983

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. *A-105900*

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

3. Article Addressed to:
*Julius C. Hardock,
Jr.*

4. Type of Service:	Article Number
<input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail	44631

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

- 5. Signature - Addressee
X [Signature]
- 6. Signature - Agent
X P 26 85
- 7. Date of Delivery

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

DOMESTIC RETURN RECEIPT