

April 17, 1985

A. 105900

R-16

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

Phoenix Transport, Inc.

Dear Sir:

Under date of April 15 and March 22, 1985 the Secretary's office transmitted to you the Commission's compliance order of March 15, 1985 and April 12, 1985, evidencing approval of the above carrier's application at A. 105900, which is in effect a transfer of the rights formerly held by Julius C. Gardocky, Jr. at A. 95663. The letter transmitting the order directs attention to the requirement for the filing of a tariff.

In accordance with the provisions of PA Code, Title 52, Section 23.13(c) adoption supplements should be filed with us whereby the tariff of the former operator will become the tariff of the latter. However, in this instance the tariff is obsolete and does not reflect reasonable rates. In view of these circumstances a new tariff may be issued on one days notice under authority of the Pennsylvania Public Utility Commission Special Permission 28116 to establish new reasonable rates, rules and regulations. Symbols are not required in this instance. The tariff should be designated Freight PA PUC Nos. 1, 2 and 3.

The matter should be given prompt attention as a certificate of public convenience will not be issued until full compliance with the tariff regulations has been met and if not completed within the time set, approval of the application is subject to rescission.

Very truly yours,
Barry L. Ernst, Director
Bureau of Non-Rail Transportation

By: Joseph T. McDevitt, Chief
Financial Documents Section

RHF:lw

cc: Applicant
500 West Englewood Avenue
New Castle, PA 16105

Contact Person: M. H. Dove
(717) 787-5945

