

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
September 3, 1987	:	SEP-87-T-1113*
3. <u>BUREAU:</u>	:	
Transportation	:	
4. <u>SECTION</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	
6. <u>APPROVED BY:</u>	:	September 25, 1987
Director: Ernst 7-2154	:	
Supervisor: Bigelow/Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
Keener-Farley 7-4386	:	
9. <u>DOCKET NO.:</u>	:	
A-00105837, F. 1, Am-B	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)	:	
(b) Short summary of history & facts, documents & briefs.	:	
(c) <u>Recommendation</u>	:	

DOCKETED

OCT 15 1987

(a) Application of Pioneer Transport, Inc., Lancaster, Lancaster County, a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate: SO AS TO PERMIT the transportation of property, from the Pennsylvania facilities of Edgecomb Metals Company; Metropolitan Edison Company; Pennsylvania Power and Light Company; Butler Manufacturing Company; and O'Sullivan Corporation, to points in Pennsylvania, and vice versa; subject to the following condition: Provided that no right, power or privilege is granted to transport commodities in bulk, in tank or hopper-type vehicles.

(b) One protest was filed but withdrawn without restrictive amendment. Five supporting shippers submitted verified statements that indicate a need for the proposed service. Approval of the application will be an accommodation and convenience to the public.

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

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

CONTENT OF MOTION: Staff recommendation adopted.

DOCUMENT
FOLDER



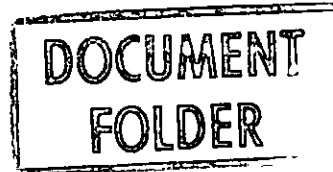
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

October 14, 1987

IN REPLY PLEASE
REFER TO OUR FILE

A-00105837
Folder 1, Am-B

Charles E. Creager, Esquire
1329 Pennsylvania Avenue
P.O. Box 1417
Hagerstown, PA 21741



Application of Pioneer Transport, Inc., a corporation of the Commonwealth of Pennsylvania

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

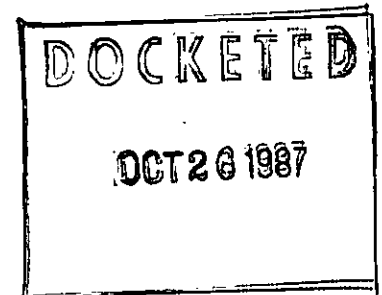
The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

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 of September 25, 1987 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich
Secretary



JZ
Enclosure
Certified Mail
Receipt Requested
Tariff Contact Person: Joseph Machulsky (717) 787-5521

cc: applicant
543 Strasburg Pike
Lancaster, PA 17602

ENTRY NO. : 0001
NAME: PIONEER TRANSPORT, INC.
ADDRESS1: 543 STRASBURG PIKE
ADDRESS2:
CITY: LANCASTER STATE: PA ZIP: 17602
REPRESENTING: SELF

ENTRY NO. : 0002
NAME: CHARLES E CREAGER ESQ
ADDRESS1: 1329 PENNSYLVANIA AVENUE
ADDRESS2: P O BOX 1417
CITY: HAGERSTOWN STATE: PA ZIP: 21741
REPRESENTING: APPLICANT

ENTRY NO. : 0003
NAME: WILLIAM A CHESNUTT ESQ
ADDRESS1: 100 PINE STREET
ADDRESS2: P O BOX 1166
CITY: HARRISBURG STATE: PA ZIP: 17108-1166
REPRESENTING: DAILY EXPRESS INC PROTESTANT

CUES A-00105837F001AME

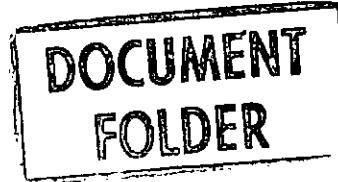
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PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held September 25, 1987

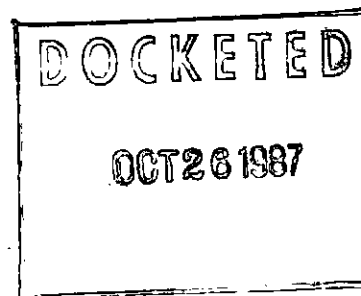
Commissioners Present:

Bill Shane, Chairman
Linda C. Taliaferro
Frank Fischl
William H. Smith



Application of Pioneer Transport, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, metal, special metal fabrications and assemblies, suspended ceiling systems, and automobile frames for National Rolling Mills, Inc., from its facilities located in the township of East Whiteland, Chester County, to points in Pennsylvania, and vice versa; Subject to the following condition: Provided that no right, power or privilege is granted to transport commodities in bulk, in tank or hopper-type vehicles: SO AS TO PERMIT the transportation of property, from the Pennsylvania facilities of Edgecomb Metals Company; Metropolitan Edison Company; Pennsylvania Power and Light Company; Butler Manufacturing Company; and O'Sullivan Corporation, to points in Pennsylvania, and vice versa; subject to the following condition: Provided that no right, power or privilege is granted to transport commodities in bulk, in tank or hopper-type vehicles.

A-00105837
F. 1
Am-B



Creager & Newhouse, P.A., by Charles E. Creager, for the applicant.
McNees, Wallace & Nurick, by William A. Chesnutt, for the protestant,
Daily Express, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed March 23, 1987. Public notice of the application was given in the Pennsylvania Bulletin of April 11, 1987. One protest was filed but withdrawn without restrictive amendment. The unopposed application is now certified to the Commission for its decision without oral hearing. The record consists of verified statements filed on behalf of the applicant and five supporting shippers.

Pioneer Transport, Inc. (Pioneer or applicant), is a Pennsylvania corporation with its principal place of business in Lancaster, Lancaster County. The applicant currently operates three paragraphs of authority under a certificate issued by this Commission in 1986. By this application, Pioneer seeks to add the authority to serve five named shippers.

The applicant is affiliated with Falcon Transport, Inc. (Falcon), an interstate motor carrier. Two of the officers of Pioneer, President John L. Friant and Secretary-Treasurer David H. Maurer, are the major stockholders of Falcon. These two carriers share terminal facilities in Harrisburg, Irwin, Lancaster, Lebanon, Malvern and Milton. A fleet of thirty-six tractors and trailers is available to perform the proposed service. A comprehensive safety program for drivers and vehicles is currently in operation.

As evidence of its financial capacity to perform the proposed service, Pioneer reports assets of \$94,539, with liabilities of \$4,439, leaving a stockholders' equity of \$90,100. Gross intrastate operating revenue was \$41,816 in 1986.

Marion Rowen, traffic manager for Edgecomb Metals Company (Edgecomb), filed a verified statement in support of the application. This shipper is engaged in processing steel and aluminum and requires the transportation of metal plates, sheets, bars, coils and wires. Edgecomb's plants are located in Bensalem, Bucks County, and York, York County. Customers and suppliers are located throughout Pennsylvania and the applicant will be used for both inbound and outbound traffic.

Joseph Kuhn, traffic administrator for Metropolitan Edison Company (Met-Ed), filed a statement in support of the application. Met-Ed is a public utility supplying electric power needs in Berks County. Wire cable, transformers, turbines, boiler tubes, and other electrical equipment are transported on an as needed basis, often in emergency situations. The applicant will be used to supplement existing common carriers used by the shipper, especially on inbound shipments that can originate anywhere in Pennsylvania.

James A. Fritchey, supervisor of freight and traffic for Pennsylvania Power and Light Company (PP&L), submitted a verified statement in support of the application. PP&L is a public utility

supplying electric power in eastern Pennsylvania; it operates six major power plants and thirty storage facilities throughout its service area. During its peak construction and repair season, March to September, PP&L expects to tender approximately four shipments per week to the applicant. Commodities to be transported will range from protective clothing to structural steel and could be any equipment, materials or supplies used by the shipper in its business.

George Young, traffic manager for Butler Manufacturing Co., Inc. (Butler), submitted a verified statement in support of the application. Butler manufactures metal buildings at its plant in Annville, Lebanon County. Shipments can be destined to any point in Pennsylvania; larger pieces require flatbed trailers while the smaller parts are usually moved in closed van trailers. Timed delivery of shipments is very important to construction schedules and the applicant will be used to supplement current common carrier service.

Steven Pavenski, shipping manager for O'Sullivan Corporation (O'Sullivan), filed a verified statement in support of the application. O'Sullivan manufactures and distributes sheet vinyl, used for the manufacture of notebook covers, looseleaf binders, checkbook covers and other similar items. Inbound shipments to O'Sullivan's plant in Lebanon, Lebanon County, consists of raw materials and returned scraps of their own product which are recycled. Customers and suppliers are located throughout the state.

After a complete review of the record before us, we determine that it is sufficient to warrant approval of the application.

We find that:

1. The applicant is fit and possesses the experience and equipment to properly render the proposed service.
2. The applicant, through its supporting shippers, has shown that a reasonable public need for the proposed service does exist.
3. Approval of the application will be an accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that the certificate issued to the applicant on January 3, 1986, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property, from the facilities of Edgecomb Metals Company; Metropolitan Edison Company; Pennsylvania Power and Light Company; Butler Manufacturing Company; and O'Sullivan Corporation, to points in Pennsylvania, and vice versa;

subject to the following condition:

That no right, power or privilege is granted to transport commodities in bulk, in tank or hopper-type vehicles.

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 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 in the event said applicant has no, 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,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized, looped scribble.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: September 25, 1987

ORDER ENTERED: OCT 14 1987

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.

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

3. Article Addressed to: <i>A-00105837</i> <i>F. 1-Am-B</i>	4. Article Number <i>44846</i>
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	
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee <i>Wm. A. C. Keenutt, Esq</i> X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>B. M. [Signature]</i>	
7. Date of Delivery	

PS Form 3811, Feb. 1985 **OCT 19 1987**

DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.

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

3. Article Addressed to: <i>A-00105837</i> <i>F. 1-Am-B</i>	4. Article Number <i>44847</i>
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	
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee <i>Chas. E. Creager, Esquire</i> X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>R. E. Nigh</i>	
7. Date of Delivery	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT