

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	January 27, 1988	2. <u>BUREAU AGENDA NO.</u>	FEB-88-T-179*
3. <u>BUREAU:</u>	Transportation		
4. <u>SECTION</u>	Technical Review	5. <u>PUBLIC MEETING DATE:</u>	February 11, 1988
6. <u>APPROVED BY:</u>			
	Director: Ernst 7-2154		
	Supervisor: Bigelow/Marzolf 3-5945		
7. <u>MONITOR:</u>			
8. <u>PERSON IN CHARGE:</u>	White 7-4387		
9. <u>DOCKET NO.:</u>	A-00105837, F. 1, Am-C		
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)			
(b) Short summary of history & facts, documents & briefs			
(c) Recommendation			

**DOCKETED**

FEB 22 1988

(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 (1) the transportation of specifically named commodities for Tex-Ark Joist Company, from its plant site located in the city of Lebanon, Lebanon County, to points in Pennsylvania, and vice versa; (2) steel and related materials used in the manufacturing of specific commodities from points in Pennsylvania to the plant site of Tex-Ark Joist Company, located in the city of Lebanon, Lebanon County; subject to the following condition; that no right, power or privilege is granted to transport commodities in bulk, in tank or hopper-type vehicles.

(b) The application is unopposed and no hearings were held. The shipper supports the application and we find that a public need for the service as proposed does exist and that the applicant is fit, ready, willing and able to render same.

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

DW/jge

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

CONTENT OF MOTION: Staff recommendation adopted.

**DOCUMENT  
FOLDER**

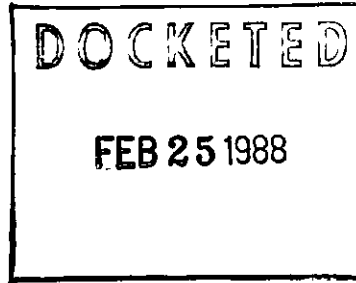


COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

February 18, 1988

IN REPLY PLEASE  
REFER TO OUR FILE

A-00105837  
F.1, Am-C



C. D. Spitler, Esquire  
522 South Eighth Street  
P.O. Box 1188  
Lebanon, PA 17042

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 February 11, 1988 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich  
Secretary

cc: Applicant  
543 Strasburg Pike  
Lancaster, PA 17602

fao

Enclosure

Certified Mail

Receipt Requested

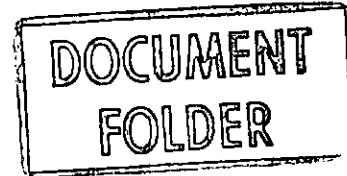
Tariff Contact Person: Joseph Machulsky (717) 787-5521

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held February 11, 1988

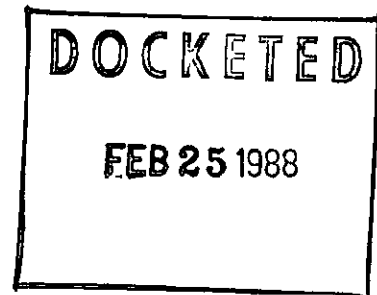
Commissioners Present:

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



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, roofing products and materials, including large rolls of rubber roofing, materials and accessories requiring mechanical loading and side unloading on construction sites, for Firestone Building Products Company, a Division of Firestone Tire and Rubber Company, from its distribution center and warehouse located in the township of Manheim, Lancaster County, 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; SO AS TO PERMIT the transportation of (1) steel joists, angles, uprights, roof brackets, related materials and accessories on flatbed trailers requiring special handling, mechanical loading and side unloading on job sites, for Tex-Ark Joist Company, from its plant site located in the city of Lebanon, Lebanon County, to points in Pennsylvania, and vice versa; (2) steel and related materials used in the manufacturing of steel joists, angles, uprights and roof brackets from points in Pennsylvania to the plant site of Tex-Ark Joist Company, located in the city of Lebanon, Lebanon County; subject to the following condition: that no right, power or privilege is granted to transport commodities in bulk, in tank or hopper-type vehicles.

A-00105837  
F. 1  
Am-C



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Spitler and Kilgore, by Calvin D. Spitler for the applicant.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on July 17, 1987, and published in the Pennsylvania Bulletin of August 22, 1987. There are no protests and the record is now certified to the Commission for its decision without oral hearing. Verified statements were submitted by the applicant and the shipper.

By our order adopted August 20, 1987, the applicant was granted emergency temporary authority to provide that portion of the proposed service from the shipper's plant site in the city of Lebanon, Lebanon County. An application for temporary authority is pending but will be dismissed elsewhere herein because of our action taken on this application for permanent authority.

John L. Friant, president of Pioneer Transport, Inc. (or applicant), sets forth in a verified statement that the company has held a Pa. PUC certificate since January 1, 1986, and conducts business from its main terminal at 543 Strasburg Pike, in Lancaster County. Other Pennsylvania terminals are located at Malvern, Chester County, and Murrysville, Westmoreland County. It is affiliated with Falcon Transport, Inc., a common carrier holding interstate operating authority.

The applicant has access to 33 tractors and 42 trailers which are leased under long-term arrangements by both the applicant and Falcon as required. The applicant avails itself of a full-time safety director employed by Falcon. A comprehensive safety program is maintained.

An unaudited balance sheet shows that as of November 30, 1987, Pioneer Transport had current assets of \$117,980, total assets of \$118,693, and current liabilities of \$22,108, with total liabilities of \$69,108, leaving stockholders' equity of \$49,585. An income statement for the year to date ended November 30, 1987, shows that from operating revenues of \$129,685, the applicant incurred expenses of \$122,072, resulting in a net operating profit of \$7,613.

Randy J. Garrett is plant manager, Eastern Division, for Tex-Ark Joist Company (shipper), domiciled in Hope, Arkansas. As pertinent here, it has a plant in the city of Lebanon, Lebanon County, where it manufactures structural steel roof joists, other steel angles cut to size, bridging for joist installation, speed racks, wall brackets and shelf side rails. These commodities are shipped to all points in Pennsylvania with return of refused or damaged materials coming back to

the Lebanon plant. It also requires service on an inbound basis from Pennsylvania steel suppliers for use in the manufacturing process.

The frequency of movement runs one to four loads per day. The company requires special equipment for loading and off-loading at the job and storage sites. Recently, it called two certificated carriers, T. J. Heilig and Daily Express, for a five-load move for same day delivery to a customer in Lancaster. Neither could accommodate its requirements. Currently, under the grant of emergency temporary authority, the applicant has four tractors and nine trailers spotted at the Lebanon plant which is precisely the type of service needed.

#### DISCUSSION AND FINDINGS:

Pioneer Transport, Inc., seeks to amend its common carrier certificate so that it will have the right to transport specifically named finished products for Tex-Ark Joist Company from its plant in Lebanon to points throughout the state, and to bring back steel and other materials used in the manufacture of the finished goods, from points in Pennsylvania to the Lebanon plant. No one has opposed the application.

The shipper has experienced some difficulty in obtaining adequate service and is confident that the applicant can cure some of its ills in this regard. The matters of record before us indicate that the applicant is fit and well qualified to meet the shipper's needs in Pennsylvania.

We find:

1. 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 January 3, 1986, as amended, be further amended to include the following rights:

1. To transport, as a class D carrier, steel joists, angles, uprights, roof brackets, related materials and accessories, on flatbed trailers requiring special handling, mechanical loading and side unloading on job sites for Tex-Arc Joist Company, from its plant site located in the city of Lebanon, Lebanon County, to points in Pennsylvania, and vice versa.
2. To transport, as a class D carrier, steel and

related materials used in the manufacture of steel joists, angles, uprights and roof brackets, from points in Pennsylvania to the plant site of Tex-Ark Joist Company, located in the city of Lebanon, Lebanon County.

with both rights 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 application for temporary authority be and is hereby dismissed.

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 the 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 applicant, 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", written over a large, stylized, looped flourish.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: February 11, 1988

ORDER ENTERED: FEB 18 1988

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "TURN 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 105837, F. I, A-C &amp;          C. D. Spitta, Esq.</i>	4. Article Number <b>44112</b> Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>
5. Signature - Addressee <b>X</b>	8. Addressee's Address (ONLY if requested and fee paid)  <i>U7</i>
6. Signature - Agent <b>X</b> <i>James Mark</i>	
7. Date of Delivery <i>2-19-88</i>	

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT



FEB 19 1988