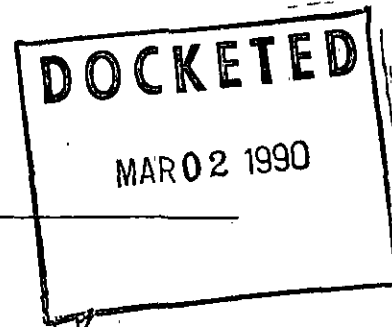


PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	December 14, 1989	:	2. <u>BUREAU AGENDA NO.</u>	FEB-90-T-16*
3. <u>BUREAU:</u>	Transportation	:		
4. <u>SECTION</u>	Technical Review	:	5. <u>PUBLIC MEETING DATE:</u>	February 1, 1990
6. <u>APPROVED BY:</u>		:		
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-E	:		
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		:		
(b) Short summary of history & facts, documents & briefs		:		
(c) Recommendation		:		



(a) Application of Pioneer Transport, Inc., Lancaster, Lancaster County, a corporation of the Commonwealth of Pennsylvania, SO AS TO PERMIT the transportation of metal; special metal fabrications and assemblies; automobile gear frames; iron or steel gear frame sides or crossbars; processed steel and iron products; processed metal products; aluminum; aluminum coil sheets; aluminum products; plastic pipes; ABS pipes; PVC drain pipes; and equipment used in the distribution of such commodities, from points in the counties of Lancaster, Bucks, Berks and Chester, to points in Pennsylvania, and vice versa.

(b) Five protests were filed but withdrawn upon restrictive amendment. No oral hearings were held. Four supporting shippers submitted verified statements indicating a public need for the proposed service, as amended.

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

LK-F:np



11. MOTION BY:	Commissioner Chm. Shane	Commissioner Fischl - Yes
		Commissioner Smith - Yes
SECONDED:	Commissioner Rhodes	Commissioner Roika - Yes

CONTENT OF MOTION: Staff recommendation adopted.



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

February 12, 1990

IN REPLY PLEASE
REFER TO OUR FILE

A-105837
F. 1, Am-E

John W. Metzger, Esquire
49 North Duke Street
Lancaster, PA 17602



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

To Whom It May Concern:

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

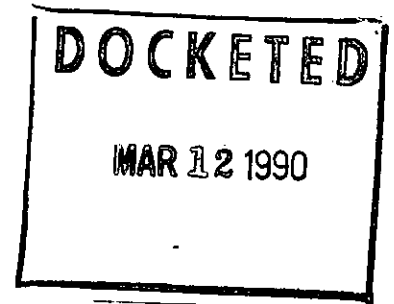
The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

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 1, 1990 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich
Secretary



lg
Enclosure
Certified Mail
Receipt Requested
Tariff Contact Person: Joseph Machulsky (717) 787-5521
cc:applicant
Pioneer Transport, Inc.
543 Strasburg Pike
Lancaster, PA 17602

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

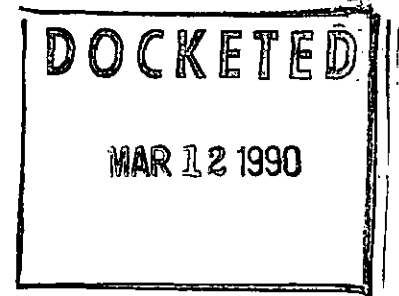
Public Meeting held February 1, 1990

Commissioners Present:

Bill Shane, Chairman
William H. Smith, Vice-Chairman
Joseph Rhodes, Jr.
Frank Fischl
David W. Rolka

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 metal; special metal fabrications and assemblies; automobile gear frames; iron or steel gear frame sides or crossbars; processed steel and iron products; processed metal products; aluminum; aluminum coil sheets; aluminum products; plastic pipes; ABS pipes; PVC drain pipes; and equipment used in the distribution of such commodities, from points in the counties of Lancaster, Bucks, Berks and Chester, to points in Pennsylvania, and vice versa.

A-00105837
F. 1
Am-E



May, May and Metzger, by John W. Metzger, for the applicant.
David F. McAllister for the protestant, Butler Trucking Co.
Kenneth A. Olsen for the protestant, SMP, Inc.
McNees, Wallace & Nurick, by William A. Chesnutt, for the protestant,
Daily Express, Inc.
Graf, Andrews & Radcliff, P.C., by David H. Radcliff, for the protestant,
W.H. Johns, Inc.
Henry L. Wahls for the protestant, A. Duie Pyle, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed July 3, 1989. Public notice of the application was given in the Pennsylvania Bulletin of July 22, 1989. Five protests were filed but withdrawn upon restrictive amendment, limiting service to four named shippers. The now unprotested application is certified to the Commission for its decision without oral hearing. The record consists of verified statements filed on behalf of the applicant and the four named shippers.

Pioneer Transport, Inc. (Pioneer or applicant), is a Pennsylvania corporation, initially certificated as a common carrier in 1986. It currently operates under seven paragraphs of authority. Operations are currently conducted from terminals in the counties of Chester, Lancaster, Lebanon and Westmoreland. A fleet of twenty-one tractors and thirty-one 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 assume the burden of the additional operation, Pioneer reports assets of \$103,763, with liabilities of \$25,941, leaving a shareholders' equity of \$77,822.

Jack C. Quniter, traffic manager of Dana Corporation, submitted a verified statement in support of the amended application. Dana Corporation manufactures and distributes iron and steel automobile gear frames set up without attachments for the automotive industry, as well as iron and steel gear frame side or cross bars for various manufacturers of heavy duty over-the-road trucks. Its facilities are located in Fairless, Bucks County, and Reading, Berks County. Volume of traffic is approximately 1,750 truckloads inbound and 400 truckloads outbound per year. Service will be restricted to flatbed trailers and points on and east of U.S. Route 220.

John S. Eshbach, purchasing manager for High Steel Service Center, Inc. (HSSC), submitted a verified statement in support of the amended application. This shipper processes steel and iron and steel products at its facility in Lancaster. HSSC will ship approximately three truckloads per week, using flatbed trailers, to various points in Pennsylvania. Pioneer will be used primarily when the shipper's inhouse transportation facilities are operating at full capacity.

Jacqueline McPhail, shipping coordinator for Bristolpipe, submitted a verified statement in support of the amended application. Bristolpipe manufactures plastic pipe at its plant in Leola, Lancaster County. It ships approximately forty-one truckloads of pipe per week, on flatbed trailers, to customers throughout Pennsylvania.

Robert Schwarhaupt, a sales service representative of Alliance Metals, Inc., submitted a verified statement in support of the amended application. This shipper is an aluminum service center, located in West Chester, Chester County. It sells aluminum in coils, sheets or cut to specific lengths. Approximately forty thousand pounds per month, in truckload

and less than truckload shipments, will be tendered to the applicant for delivery to various customers throughout the state.

After a complete review of the record before us, we find:

1. That the applicant has shown that there is a public need for the proposed service, as amended.
2. That the applicant possesses the necessary equipment, experience, and financial capacity to perform the proposed service, as amended.
3. That approval of the application, as amended, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application, as amended, 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:

1. To transport, as Class D carrier, metal, special metal fabrications and assemblies, automobile gear frames, iron and and steel gear frame sides or crossbars, and the equipment used in the distribution of such commodities, on flatbed trailers for Dana Corporation, from points in the counties of Berks and Bucks to points in Pennsylvania, on and east of U.S. Highway Route 220, and vice versa;
2. To transport, as a Class D carrier, metal, special metal fabrications and assemblies, processed steel and iron products, processed metal products and the equipment used in the distribution of such commodities, on flatbed trailers, for High Steel Service Center, Inc., from points in Lancaster County to points in Pennsylvania, and vice versa;
3. To transport, as a Class D carrier, plastic pipes, ABS pipes, and PVC drain pipes and equipment used in the distribution of such commodities, on flatbed trailers, for Bristolpipe, from points in Lancaster County to points in Pennsylvania, and vice versa;
4. To transport, as a Class D carrier, aluminum, aluminum coils and sheets, aluminum products and equipment used in the distribution of such commodities, for Alliance Metals, Inc., from points in Chester County to points in Pennsylvania, and vice versa.

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 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,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized, looped flourish that extends downwards and to the left.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: February 1, 1990

ORDER ENTERED: FEB 12 1990

0001
PIONEER TRANSPORT, INC.
543 STRASBURG PIKE
LANCASTER PA 17602
SELF

0002
JOHN W METZGER ESQ
49 NORTH DUKE STREET
LANCASTER PA 17602
APPLICANT

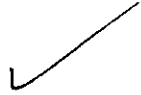
0003
DAVID F MCALLISTER DIR OF MARKETING
P O BOX 88
WOODLAND PA 16881
BUTLER TRUCKING CO PROTESTANT

0004
KENNETH A. OLSEN, ESQ.
P.O. BOX 357
GLADSTONE NJ 07934-0357
SMP, INC. PROTESTANT

0005
WILLIAM A. CHESNUTT, ESQ.
100 PINE STREET
P.O. BOX 1166
HARRISBURG PA 17108
DAILY EXPRESS, INC. PROTESTANT

0006
DAVID H. RADCLIFF, ESQ.
407 N. FRONT STREET
HARRISBURG PA 17101
W. H. JOHNS, INC. PROTESTANT

0007
A. DUIE PYLE, INC.
P.O. BOX 564
WEST CHESTER PA 19380
A. DUIE PYLE, INC. PROTESTANT



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 (Extra charge)

3. Article Addressed to:

A-105837, F.1, Am-E order
David H. Radcliff,
Esq.

4. Article Number

044931

Type of Service:

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

2/3/90

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

B

PS Form 3811, Mar. 1988

* U.S.G.P.O. 1988-212-865

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 (Extra charge)

3. Article Addressed to:

A-105837, F.1, Am-E
order
John W. Metzger,
Esq.

4. Article Number

044916

Type of Service:

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

2/17/90

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

B

PS Form 3811, Mar. 1988

* U.S.G.P.O. 1988-212-865

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 (Extra charge)

3. Article Addressed to:

A-105837, F.1, Am-E
order
Kenneth A. Olsen,
Esq.

4. Article Number

044932

Type of Service:

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

2/15/90

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

B

PS Form 3811, Mar. 1988

* U.S.G.P.O. 1988-212-865

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 (Extra charge)

3. Article Addressed to:

A-105837, F.1, Am-E
order
A. Duane Pyle, Inc.

4. Article Number

044917

Type of Service:

- Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery

2-16

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

B

PS Form 3811, Mar. 1988

* U.S.G.P.O. 1988-212-865

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. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: <i>A-105837, F.1, Am-E order William A. Chesnut Cty</i>	4. Article Number 044934 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 <input type="checkbox"/> Return Receipt for Merchandise
5. Signature - Address X	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature - Agent X <i>CF Neys</i>	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery <i>SEP 10 1988</i>	

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 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. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: <i>A-105837, F.1, Am-E order David F. McAllister, Dir</i>	4. Article Number 044933 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 <input type="checkbox"/> Return Receipt for Merchandise
5. Signature - Address X <i>D. W. M. Sobol</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature - Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery <i>2/13/90</i>	

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT