



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

March 7, 1985

IN REPLY PLEASE  
REFER TO OUR FILE

Mr. William A. Gray  
Vuono, Lavelle & Gray  
2310 Grant Building  
Pittsburgh, Pa. 15219

Re: Submission of contracts:

|                    |                    |
|--------------------|--------------------|
| A-00105886, F. 600 | A-00105959, F. 600 |
| A-00105888, F. 600 | A-00105890, F. 600 |
| A-00105905, F. 600 | A-00105981, F. 600 |
| A-00105911, F. 600 | A-00105992, F. 600 |

Dear Mr. Gray:

This letter is to notify you that a review of the contracts in the above referenced applications indicates they are not in compliance with 52 Pa. Code §31.45. They will be considered as acceptable for purposes of the emergency temporary authority.

Specifically, the contracts do not state the area to be served or specify a stated number or series of shipments during a stated period of time. The fictitious name of a shipper should appear on the contract as is the case in A-00105992, F. 600. It is also necessary to have each party initial and sign any deletions or additions to the contract as is the case in A-00105959, F. 600, A-00105905, F. 600, A-00105888, F.600 and A-00105911, F. 600.

It will be necessary for the contracts to be amended to comply with 52 Pa. Code §31.45 for purposes of the permanent applications.

Very truly yours,

Peter S. Marzolf, Supervisor  
Technical Review Section  
Bureau of Non-Rail Transportation

cc: Tariff Section  
Certificate Section  
Document Folder:

A-00105886  
A-00105888  
A-00105905  
A-00105911  
A-00105959  
A-00105890  
A-00105981  
A-00105992

*Files*

—A-00105992

**DOCUMENT  
FOLDER**

**DOCKETED**  
APPLICATION DOCKET  
MAR 07 1985  
ENTRY No. ....

# PENNSYLVANIA PUBLIC UTILITY COMMISSION



## RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Pile's Concrete Products Company  
R.D. 1  
Friedens, PA 15541

Date March 8, 1985

CR 112812 A

DOCUMENT  
FOLDER

DOCKETED  
DOCKET  
MAR 12 1985

In re application of Thomas S. Zimmerman, t/a  
Pile's Concrete Products Company  
A-00105992.....\$75.00

Revenue account 01780-17001-102 (ck)

ck 5539 Checks \$75.00 Currency \_\_\_\_\_

Utility account 50:26

C. Joseph Meisinger  
Director of Department of Public Utility



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

March 25, 1985

IN REPLY PLEASE  
REFER TO OUR FILE

William A. Gray  
Attorney at Law  
2310 Grant Building  
Pittsburgh, PA 15219

In re: A-00105992

Application of Thomas S. Zimmerman, t/d/b/a Pile's Concrete Products  
Company.

Dear Mr. Gray:

The above referenced application has been assigned for review without an oral hearing. In order to reach a determination on the application, you are being requested to file a verified statement in accordance with 52 Pa. Code §3.381(e)(1). You will be required to file:

A. VERIFIED STATEMENT OF APPLICANT.

The verified statement should be in paragraph form. Each heading contained in the attached minimum outline should be a separate section or paragraph.

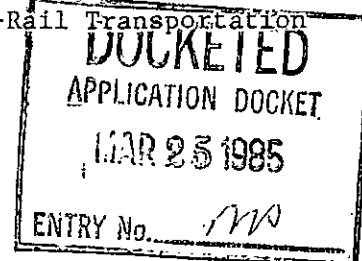
You are being granted an initial thirty (30) days in which to file the verified statement. The statement is due on or before April 24, 1985.

If additional time is required, it may be requested by telephone but should be followed in writing with the reasons for the extension stated.

Questions about your application should be directed to Gale E. Travitz (717) 783-5947.

Very truly yours,

By Gale E. Travitz  
For Peter S. Marzolf, Chief  
Technical Review Section  
Bureau of Non-Rail Transportation



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PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Pile's Concrete Products Company  
R.D. 1  
Friedens, PA. 15541

Date April 3, 1985

CR 113048A

DOCKETED  
APR 9 1985

In re application of Thomas S. Zimmerman, t/a Pileés  
Concrete Products Company  
A-00105992.....\$125.00

DOCUMENT  
FOLDER

Revenue account 01780-17001-102 (ck)

ck 5538 Checks \$125.00 Currency \_\_\_\_\_

Utility account 50:26

C. Joseph Meisinger  
For Department of Revenue

4-15

LAW OFFICES

**VUONO, LAVELLE & GRAY**

JOHN A. VUONO  
WILLIAM J. LAVELLE  
WILLIAM A. GRAY  
MARK T. VUONO  
RICHARD R. WILSON  
DENNIS J. KUSTURISS

2310 GRANT BUILDING  
PITTSBURGH, PA 15219

(412) 471-1800

April 10, 1985

Re: 84 Lumber Company  
Thomas S. Zimmerman  
Our File 3006-10

**RECEIVED**

APR 12 1985

**SECRETARY'S OFFICE**  
**Public Utility Commission**

Mr. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17120

Dear Mr. Rich:

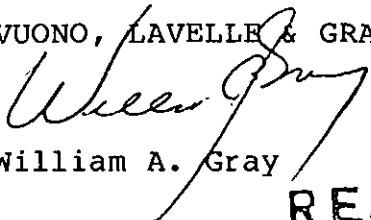
We enclose for filing with the Commission the signed original and two (2) copies of Applicant's Verified Statement filed on behalf of applicant in the above proceeding.

Please acknowledge receipt and filing of the enclosed on the duplicate copy of this letter of transmittal and return it to the undersigned in the stamped, self-addressed envelope provided for that purpose.

Very truly yours,

VUONO, LAVELLE & GRAY

William A. Gray



**RECEIVED**

cas

Enclosures

cc: Mr. Thomas S. Zimmerman  
Mr. William C. Storrs

APR 12 1985

**Non-Rail Transportation**  
**Public Utility Comm.**

**DOCUMENT**  
**FOLDER**

RECEIVED

APR 12 1985

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE  
Public Utility Commission

DOCKET NO. A-00105992

RECEIVED

THOMAS S. ZIMMERMAN, t/d/b/a  
PILE'S CONCRETE PRODUCTS CO.

APR 12 1985

Non-Rail Transportation  
Public Utility Comm.

APPLICANT'S VERIFIED STATEMENT

I. STATEMENT OF THE CASE

By application published in the Pennsylvania Bulletin on February 23, 1985, Thomas S. Zimmerman, t/d/b/a Pile's Concrete Products Co. (applicant) seeks authority as a contract carrier by motor vehicle to provide the following service:

Lumber, wood products and building materials, for 84 Lumber Company, from the township of Somerset, Somerset County, to points in Pennsylvania, and vice versa.

No protests were filed to this application and the application is thus unopposed.

Applicant now submits its verified statement in support of the application.

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
APR 15 1985  
ENTRY No. (114)

VERIFIED STATEMENT OF APPLICANT

1. Legal Name and Domicile of Applicant.

Applicant is Thomas S. Zimmerman, t/d/b/a Pile's Concrete Products Co. My residence address is R.D. #1, Friedens, PA 15541.

2. Identity and Qualifications of Testifying Witness.

My name is Thomas S. Zimmerman and I am the applicant in this proceeding. I operate as a sole proprietor under the trade name of Pile's Concrete Products Co. I have been involved in various aspects of transportation for many years.

3. Affiliation With Other Carriers.

I am not affiliated with any other carriers.

4. Authority Sought.

The authority sought is as follows:

Lumber, wood products and building materials, for 84 Lumber Company, from the township of Somerset, Somerset County, to points in Pennsylvania, and vice versa.

5. General Description of Present Authorized Operations.

I am not presently authorized to provide any regulated transportation service.

6. Duplicating Authority Resulting From Grant of Application.

Since I do not have any authority from this Commission, there will not be any duplicating authority resulting from a grant of this application.

7. Dual Operations Resulting From Grant of Authority.

Since I do not have any authority from this Commission, there will not be any dual operations resulting from a grant of this application.

8. Pertinent Terminal Facilities and Communications Network.

I do not maintain a terminal facility as such. The maintenance on my equipment is performed at R.D. #1, Friedens, Pennsylvania.

I do not operate under any complex communications network. Basically, the contract carrier service that I seek to provide will be handled satisfactorily by telephone communications with 84 Lumber Co. I will remain in close contact with 84 Lumber Co.

9. Pertinent Equipment.

I will operate a 1975 Ford F750, Serial No. F75FVV50602; a 1975 International, Serial No. 10662FN25715; and a 1977 Ford F700, Serial No. F70EVY69769. If additional equipment is required, which is unlikely, I would consider securing such additional equipment, either through purchase or lease.

The above equipment is highly specialized in that they are tilt flatbed vehicles, which permit dumping of the lumber, wood products and building materials that are delivered to the customers of 84 Lumber Co. This equipment is specially adapted to serve 84 Lumber Co.

10. Safety Program.

I am familiar with the safety regulations of the Department of Transportation and I will comply with all such safety regulations. I will maintain a safety program that will insure compliance with all safety regulations.

11. Type of Service to Be Offered.

Scheduled pickups and scheduled deliveries will be routinely offered in order to meet the transportation needs of 84 Lumber Co. Expedited service will also be provided. Service will be available 24 hours a day, 7 days a week. In sum, I will provide whatever service is required by 84 Lumber Co.

12. Financial Data.

I set forth a list of my assets and liabilities in paragraph 7 to the application filed in this case. My financial situation is presently substantially the same as it was on the date the application was executed.

13. Feasibility of Operations and Environmental Impact.

Although most of the movements will be one-way movements to the customers of 84 Lumber Co., there may be some return movements back to the applicable facility of 84 Lumber. In any event, there should not be any significant amount of dead-head mileage involved. There will certainly not be any adverse impact on the quality of the human environment.

14. Additional Pertinent Information.

Although I have provided a trucking service to 84 Lumber in the past, I did not realize that I had to have authority in order to provide such service. Upon becoming aware that I did need to have authority from the Public Utility Commission, I immediately applied for emergency temporary authority, temporary authority and permanent authority. 84 Lumber Co. has supported all of these applications. There is attached to my statement as Exhibit 1 the letters of support submitted by 84 Lumber Co. to the emergency temporary and temporary authority applications, which set forth certain facts concerning the service required by 84 Lumber Co.

I will provide a dedicated contract carrier service to 84 Lumber and will utilize special equipment in providing this service. Common carriers are simply not able to provide this same type of service.

I urge the Commission to grant this application in its entirety.

# 84 LUMBER COMPANY

Box 8484 Eighty Four, Pennsylvania 15330 Phone (412) 228-8820

ATTACHMENT

December 11, 1984

Mr. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17120

Dear Mr. Rich:

84 Lumber Company hereby submits this letter in support of the applications of Thomas S. Zimmerman d/b/a Pile's Concrete Products Co. (hereinafter "applicant") for emergency temporary authority and temporary authority to provide contract carrier service to 84 Lumber, transporting lumber, wood products and building materials from our facilities located in the Township of Somerset, Somerset County, to points in Pennsylvania, and vice versa.

84 Lumber has been utilizing the transportation services of the applicant to provide service from the involved facility to such points as Somerset, Friedens, Shanksville, Stoystown, Boswell, Berlin, Johnstown, Acosta, Windber, Hooversville and Fort Hill. Unfortunately, we did not recognize the need for this individual to have authority from the Public Utility Commission to provide service under contract to us. When we became aware that such authority was required, we urged this individual to immediately file for the authority and indicated to him that we would do whatever was necessary to assist in securing the authority. We require applicant's service immediately and will use the applicant's service indefinitely into the future.

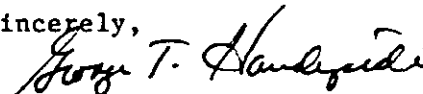
The applicant transports the items that we ship from our facility to our customers that are served by the particular facility. The applicant transports not only lumber, but also all of the other items that we sell at our facilities, such as drywall, insulation, shingles, plywood, siding, etc.

The applicant provides service to us with a specialized vehicle, i.e. a tilt flatbed vehicle. The applicant provides service to us and we are very reliant upon this service. If the service were discontinued, we do not know how we would replace this service. Common carriers are simply not interested in this service and do not have the specialized equipment required to provide this service. We are not aware of any other carriers that can or would provide the service sought by this application. We have not attempted to contact anyone else since there is no one else that we are aware of that would provide the service that we require.

84 Lumber is also supporting a permanent authority application being filed by applicant requesting the same authority sought herein.

We urge the Commission to grant this application.

Sincerely,



George T. Handyside  
V.P. of Administration

JK:kg

----- Over 400 Stores Coast to Coast -----

EXHIBIT 1

December 15, 1984

Re: Thomas S. Zimmerman d/b/a  
Pile's Concrete Products Co.

Mr. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17120

Dear Mr. Rich:

84 Lumber Company previously submitted a letter to the Commission supporting the emergency temporary authority and temporary authority applications of Thomas S. Zimmerman d/b/a Pile's Concrete Products Co. The purpose of this letter is to supplement our prior letter by identifying recent unsuccessful efforts made by 84 Lumber to secure service at the involved facility from existing common carriers. These recent efforts and the results of those efforts were as follows:

| <u>Date</u> | <u>Phone Number</u> | <u>Person :</u><br><u>Contacted</u> | <u>Carrier</u>    | <u>Reason For</u><br><u>Refusal</u> |
|-------------|---------------------|-------------------------------------|-------------------|-------------------------------------|
| 11-29-84    | (800) 452-0291      | Dwight                              | McQuaide Trucking | Broker hauling out Interstate       |
| 11-29-84    | (412) 445-8431      | Carol                               | Aero Trucking     | hauling only                        |
| 11-29-84    | (412) 443-2047      | Clyde                               | Cannell Trucking  | Leased out to another company       |

The above refusals are consistent with our prior experience, which is that common carriers are not interested in this service. Furthermore, common carriers do not have the specialized equipment, i.e. a tilt flatbed vehicle, necessary to provide this service.

We urge the Commission to grant this application.

Sincerely,

84 LUMBER COMPANY

By: George T. Handyside  
George T. Handyside  
Vice President - Administration

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF *Somerset* ) ss:

Thomas S. Zimmerman, being duly sworn according to law, deposes and states that he has read the foregoing statement, knows the contents thereof, and that the same are true as stated.

*Thomas S. Zimmerman*  
\_\_\_\_\_  
Thomas S. Zimmerman

Sworn to and subscribed  
before me this *29* day  
of *March*, 1985.

*John Catherine M. Roberts*  
\_\_\_\_\_  
Notary Public

My Commission Expires  
April 26, 1988

My commission expires: .

CONCLUSION

For the reasons set forth in the foregoing statement submitted in support of the application, Thomas S. Zimmerman, t/d/b/a Pile's Concrete Products Co. respectfully requests that the Commission grant the application in its entirety.

Respectfully submitted,

  
WILLIAM A. GRAY  
Attorney for Applicant

VUONO, LAVELLE & GRAY  
2310 Grant Building  
Pittsburgh, PA 15219  
(412) 471-1800

Due Date: April 26, 1985



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

April 16, 1985

IN REPLY PLEASE  
REFER TO OUR FILE

William A. Gray  
Attorney at Law  
2310 Grant Building  
Pittsburgh, PA 15219

In re: A-00105992 - Application of Thomas S. Zimmerman, t/d/b/a  
Pile's Concrete Products Co.

Dear Mr. Gray:

We have received the verified statements filed in the above  
referenced proceeding.

The record will be reviewed and will be put before the Commis-  
sion for its decision. You will be notified of the Commission's action.

Very truly yours,

By Gale Travitz  
For Peter S. Marzolf, Chief  
Technical Review Section  
Bureau of Non-Rail Transportation

