

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
September 7, 1983	:	
3. <u>BUREAU:</u>	:	SEP-83-TNR-877*
Non-Rail Transportation	:	
4. <u>SECTION(S):</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	
6. <u>APPROVED BY:</u>	:	September 16, 1983
Director: Ernst 7-2154	:	
Supervisor: Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
Taliaferro	:	
8. <u>PERSON IN CHARGE:</u>	:	
T. Zeigler 3-5946	:	
9. <u>DOCKET NO:</u>	:	
A-00102471, F.1, Am-B	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		

(a) Application of Pitt-Ohio Express, Inc., a corporation of the Commonwealth of Pennsylvania, Pittsburgh, Allegheny County, for temporary authority to transport property (excluding commodities in bulk and household goods and office furniture in use), between points in the counties of Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Greene, Indiana, Lawrence, Mercer, Venango, Washington and Westmoreland, subject to several restrictions.

(b) The applicant seeks temporary authority to begin providing service pending disposition of its now unopposed amended application for permanent authority. The application for permanent authority was opposed by several carriers which later withdrew upon several restrictive conditions. The applicant has supplied the names and addresses of 54 shippers intending to support the permanent authority application. It appears to be in the public interest to grant the applicant temporary authority pending disposition of the corresponding permanent authority application.

(c) The Bureau of Non-Rail Transportation recommends that the Commission adopt the proposed order approving temporary authority.

TZ:gm

11. <u>MOTION BY:</u>	Commissioner Chm. Taliaferro	Commissioner Cawley - Yes
		Commissioner
<u>SECONDED:</u>	Commissioner Johnson	Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

September 26, 1983

A-00102471
F.1, Am-B

John A. Vuono, Esquire
Vuono, Lavelle, & Gray
2310 Grant Street
Pittsburgh, PA 15219

Application of Pitt-Ohio Express, Inc., a corporation of the
Commonwealth of Pennsylvania

To Whom It May Concern:

This is to advise you that an Order has been adopted by
the Commission in public meeting on September 16, 1983 grant-
ing temporary authority in the above entitled proceeding.

A copy of this Order has been enclosed for your records.

Very truly yours,

Jerry Rich, Secretary

fao
Encls.
Cert. Mail
cc: Applicant
27th & A.V.R.R.
Pittsburgh, PA 15222
Refer to Computer list attached.

SEARCHED
INDEXED
SERIALIZED
FILED
FOLDER

RECORDED
INDEXED
SERIALIZED
FILED

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held September 16, 1983

Commissioners Present:

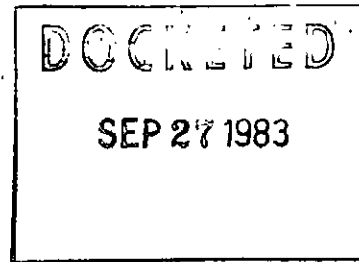
Linda C. Taliaferro, Chairman
Michael Johnson
James H. Cawley

Application of Pitt-Ohio Express, Inc.,
a corporation of the Commonwealth of
Pennsylvania, Pittsburgh, Allegheny
County, for temporary authority to
transport property (excluding
commodities in bulk and household
goods and office furniture in use),
between points in the counties of
Allegheny, Armstrong, Beaver, Butler,
Clarion, Crawford, Erie, Fayette,
Greene, Indiana, Lawrence, Mercer,
Venango, Washington and Westmoreland.

A-00102471
F. 1
Am-B

John A. Vuono for Pitt-Ohio Express, Inc.

O R D E R



BY THE COMMISSION:

This matter comes before the Commission on an application for temporary authority filed September 6, 1983. An application for corresponding permanent authority was filed March 9, 1983. The permanent authority application was opposed by Breman's Express Company, Milo Express, Inc., Citizen's Transport, Inc., Newcomer Trucking, Inc., Gateway Trucking, Inc., and Moore-Flesher Hauling Company. All protests to the corresponding permanent authority application were withdrawn predicated upon the Commission's acceptance of several restrictions. The unopposed permanent authority application as amended has been assigned for review without hearing. The applicant requests temporary authority: be granted pending disposition of the now unopposed permanent authority application.

The applicant sets forth that it is prepared to provide service in the entire territory requested and has the support of 54 shippers for

this service. The applicant has supplied the names and addresses of 54 shippers who intend to support the applicant for permanent authority.

It is our determination that it is in the public interest to grant temporary authority to the applicant pending disposition of the permanent authority proceeding. It is understood, however, that the grant of this temporary authority as the application was amended shall have no bearing whatsoever on disposition of the permanent authority proceeding. The evidence presented by the 54 supporting witnesses will be examined and any modifications or limitations to the authority will be made based upon the evidence in our order relative to the permanent authority requested.

We find:

1. The applicant has a corresponding application for permanent authority on file with the Commission.

2. All protests to that application have been withdrawn upon the applicant's several restrictive amendments.

3. Approval of temporary authority is in the public interest pending disposition of the amended permanent authority application;
THEREFORE,

IT IS ORDERED: That the application for temporary authority be and is hereby approved granting the following right:

To transport, as a Class D carrier, property between points in the counties of Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Erie, Fayette, Greene, Indiana, Lawrence, Mercer, Venango, Washington and Westmoreland:

subject to the following conditions:

That no right, power or privilege is granted to transport commodities in bulk and household goods and office furniture in use.

That no right, power or privilege is granted to transport commodities which because of their size or weight require special handling or the use of special equipment.

That no right, power or privilege is granted to transport iron and steel and iron and steel articles and refractories in single shipments weighing more than 24,000 pounds.

That no right, power or privilege is granted to transport iron and steel and iron and steel articles and refractories in single shipments weighing more than 10,000 pounds to, from or between points in Beaver County.

That no right, power or privilege is granted to transport money, bullion, securities and other valuables, including checks in process and proof work.

That no right, power or privilege is granted to provide service from points in Allegheny County to points in the counties of Armstrong, Butler, Clarion, Greene and Indiana and vice versa.

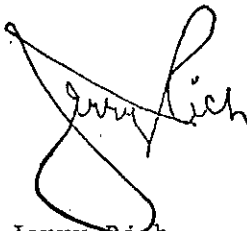
IT IS FURTHER ORDERED: That the temporary authority granted herein is effective upon adoption of this order and shall remain in effect pending final disposition of the application for corresponding permanent authority.

IT IS FURTHER ORDERED: That the applicant shall within ten (10) days of the date of entry of this order file a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That the grant of temporary authority in this matter shall have no bearing upon final disposition of the application for corresponding permanent authority.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before ten (10) days from the date of entry of this order, complied with the requirements hereinbefore set forth, the application for temporary authority shall be dismissed without further proceedings.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: September 16, 1983

ORDER ENTERED: SEP 26 1983