

A-00102471 F1

APPLICATION

F1 AMG

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

January 14, 1985

Re: Pitt-Ohio Express, Inc.
Docket No. A. 102471, F.
Our File 2691-13

RECEIVED

JAN 14 1985

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

Non-Rail Transport
RECEIVED
Public Utility Comm.

JAN 14 1985

Dear Mr. Rich:

SECRETARY'S OFFICE
Public Utility Commission

We are enclosing for filing with the Commission the signed original and two copies of the application of the above carrier.

We are also enclosing a check in the amount of \$125 to cover the filing fee. This will confirm that our law firm will guarantee collection of the funds evidenced by the check.

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

Very truly yours,

VUONO, LAVELLE & GRAY

William J. Lavelle
William J. Lavelle

pa
Enclosures

cc: Pitt-Ohio Express, Inc.

A-00102471
Fil. Am-G

**DOCUMENT
FOLDER**

RECEIVED

Form UCMT-25, Revised 1973

JAN 14 1985

SECRETARY'S OFFICE
Public Utility Commission

BEFORE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

(see instructions before preparing application)

In re: Application of
PITT-OHIO EXPRESS, INC.

APPLICATION DOCKET
No. 00102471

Folder No. *F1, AM-G*

for a certificate of public convenience
or a permit evidencing the Commission's
approval of the right and privilege of
operating motor vehicles as a motor carrier
for the transportation of property.

RECEIVED

JAN 14 1985

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The name and address of applicant are:

Non-Rail Transportation
Public Utility Comm.

Pitt-Ohio Express, Inc.
.....
(Applicant's or trade name, if any)
26th & A.V.R.R. Pittsburgh 15222
.....
(Street and number) (City) (Zip)
Allegheny Pennsylvania
.....
(County) (State)

2. The name and address of applicant's attorney are:

William J. Lavelle, Esq. 2310 Grant Building
.....
Vuono, Lavelle & Gray Pittsburgh, PA 15219
.....
(Name) (Address)

DOCKETED
APPLICATION DOCKET
JAN 25 1985
ENTRY # *102471*

3. Applicant designates Charles L. Hammel, III

26th & A.V.R.R. (Name)
Pittsburgh, PA 15222
....., as the person upon whom
(Address) (Zip)

*A. 102471 at
AMPE + F
Pending*

APPL: _____
COMPL: _____
MVIC: _____
CHECKED BY *low*

service of any notice, process or order of the Public Utility
Commission may be made for him or it.

F1 AMENDMENT *G*

DOCUMENT
FOLDER

4. Applicant is corporation
(Individual, partnership or corporation - if an individual, must be 18 years of age or over)

Applicant, if an individual or partnership, is doing business under the trade name of
.....

The said trade name been registered with the Secretary of the Commonwealth on 19, and with the Prothonotary of (County)

County on 19, in accordance with the provisions of the Fictitious Name Act of June 28, 1917, as amended.

Applicant, if a partnership, attaches hereto, as an exhibit, a copy of the partnership agreement and asserts that the names and addresses of the partners are as follows:

| Name | Post Office Address | County |
|-------|---------------------|--------|
| | (Zip) | |
| | (Zip) | |
| | (Zip) | |

Applicant, if a corporation, was organized under the laws of the State of Pennsylvania, and attaches hereto as an exhibit (See charter purpose attached hereto as Supplement to Paragraph 4) a statement of its charter purpose(s). Applicant (if a foreign corporation) qualified to do business in Pennsylvania by registering in the office of the Secretary of the Commonwealth on the day of 19

5. Applicant now holds the following certificates of public convenience or permits (include those issued by Interstate

Commerce Commission and any other states): Pa. PUC Certificate
at Docket No. A. 00102471; ICC Certificate at Docket No. MC-30136

6. Applicant desires to operate motor vehicles as follows: (state
type, size and quantity) No additional equipment.
.....
.....

Number of vehicles now owned or to be purchased by applicant
.....

Number of leased vehicles operated or to be operated by
applicant

7. Applicant is financially able to furnish adequate service to
the public and submits the following statement of financial
condition: (See latest annual report on file with the Commission.)

ASSETS

| | |
|--------------------------------------|----------|
| Motor vehicle equipment | \$ |
| Land, buildings and structures | \$ |
| Other property | \$ |
| Cash | \$ |
| Notes and accounts receivable | \$ |
| Materials and supplies | \$ |
| Other assets (attach schedule) | \$ |
| Total Assets | \$ |

LIABILITIES

| | |
|--|----------|
| Mortgages payable | \$ |
| Equipment obligations | \$ |
| Notes and accounts payable | \$ |
| Other liabilities (attach schedule | \$ |

| | |
|---|----------|
| Reserve for depreciation - motor vehicles | \$ |
| Reserve for depreciation - other | \$ |
| Capital stock (corporations only) | \$ |
| Surplus (corporations only) | \$ |
| Total Liabilities | \$ |

NET WORTH

| | |
|---------------------------------------|----------|
| For corporations | \$ |
| Capital stock | \$ |
| Surplus | \$ |
| For individuals or partnerships | \$ |

8. The nature and character of the service to be rendered by applicant as a common carrier or as a contract carrier under the terms of the attached contract or agreement, are as follows: (See instructions)
9. (a) If applicant seeks authority as a common carrier, state information why the proposed service is necessary or proper for the service, accommodation and convenience of the public.
- (b) If applicant seeks authority as a contract carrier, applicant certifies that he is fit, willing and able properly to perform the service of a contract carrier by motor vehicle and to conform to the lawful orders and regulations of this Commission, and that the proposed service will be consistent with the public interest and will not interfere with the service and regulations of common carriers by motor vehicles and the policy declared in Section 801 of the Public Utility Law.
10. Applicant is not now engaged in any intrastate transportation of property for compensation in Pennsylvania (except as authorized by the certificates of public convenience or permits specified in Paragraph 5) and will not engage in the transportation for which approval is herein sought unless and until authorization for such transportation shall be received.
11. If the evidence presented in support of this application shows that applicant, although applying for a certificate of public convenience as a common carrier, would be entitled to

a permit as a contact carrier, or if applying for a permit, would be entitled to a certificate, as aforesaid, applicant agrees that the application may be considered by the Commission to be for the appropriate form of authority.

Wherefore, applicant prays your Honorable Commission to issue a certificate of public convenience; a permit; under the provisions of the Pennsylvania Public Utility Law, evidencing its approval of the right to operate motor vehicles for the transportation of property as described in Paragraph 8 of this application.

CORPORATE SEAL

PITT-OHIO EXPRESS, INC.
.....
(print name of corporation,
partnership, trade-name or
individual)*

By: *Charles L. Hammel, III*
.....
(Signature)
Charles L. Hammel, III, President
.....
(Signature)
.....
(Signature)

*If a partnership, each partner must sign; if a corporation, at least one officer must sign, and corporate seal affixed.

AFFIDAVIT

(Individual or Partnership)

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

_____ (an individual) or _____,

_____ (all members of a partnership),

t/d/b/a _____, being duly sworn (affirmed) according to law, deposes and says that the facts above set forth are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

(Signatures of Affiants)

Sworn and subscribed before me this _____ day of _____, 19__.

(Signature of official administering oath)
(My Commission Expires)

AFFIDAVIT

(Corporation)

COMMONWEALTH OF PENNSYLVANIA

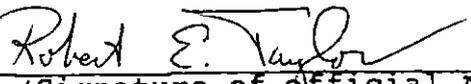
COUNTY OF ALLEGHENY

Charles L. Hammel, III (Affiant) being duly sworn (affirmed) according to law, deposes and says that he is President (Office of Affiant) of Pitt-Ohio Express, Inc. (Name of Corporation); that he is authorized to and does make this affidavit for it; and that the facts set forth above are true and correct to the best of his knowledge, information and belief and he expects the said Pitt-Ohio Express, Inc. (Name of Corporation) to be able to prove the same at the hearing hereof.

ROBERT E. TAYLOR, NOTARY PUBLIC
PITTSBURGH, ALLEGHENY COUNTY
MY COMMISSION EXPIRES JUNE 29, 1987
Member, Pennsylvania Association of Notaries

Sworn and subscribed before me this 9 day of JANUARY, 1985.



(Signature of Affiant)
Charles L. Hammel, III, President


(Signature of official Administering oath)

APPLICATION OF
PITT-OHIO EXPRESS, INC.

SUPPLEMENT TO PARAGRAPH 4

CHARTER PURPOSE

To engage in and do any lawful act concerning any and all lawful business for which corporations may be incorporated under the Business Corporation Act of May 5, 1933, P.L. 364, as amended, and for these purposes to have, possess and enjoy all the rights, benefits and privileges of said Act of Assembly

APPLICATION OF
PITT-OHIO EXPRESS, INC.

SUPPLEMENT TO PARAGRAPH 8

SCOPE OF AUTHORITY SOUGHT

The nature and character of the service to be rendered by applicant as a common carrier is as follows:

To transport, as a Class D carrier, property (except commodities in bulk, and household goods and office furniture, in use) for Ralph A. Hiller Co. between points in Pennsylvania.

*New rights
Lester G*

APPLICATION OF
PITT-OHIO EXPRESS, INC.

SUPPLEMENT TO PARAGRAPH 9(a)

The proposed service is necessary and proper for the service, accommodation and convenience of the public for the following reasons:

There is no available service of the type, character, and quantity required by the shipping public in the territory proposed to be served by applicant.

February 8, 1985

IN REPLY PLEASE
REFER TO OUR FILE

William J. Lavelle
Attorney at Law
2310 Grant Building
Pittsburgh, PA 15219

A-00102471, F. 1, Am-G - Application of Pitt-Ohio Express, Inc.

Dear Sir:

The application of Pitt-Ohio Express, Inc. has been captioned as attached and will be submitted for review provided no protests are filed on or before March 4, 1985. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of February 9, 1985.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Non-Rail Transportation

DE:RP:rs

cc: Applicant
26th and A.V.R.R.
Pittsburgh, PA 15222

DOCUMENT
FILED

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APPLICATION DOCKET
FEB 11 1985
ENTRY No. *NC*

A-00102471, Folder 1, Am-G PITT-OHIO EXPRESS, INC. (26th and A.V.R.R., Pittsburgh, Allegheny County, Pennsylvania 15222), a corporation of the Commonwealth of Pennsylvania - inter alia - property for H. J. Heinz Company, U.S.A. between points in Pennsylvania; subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk: SO AS TO PERMIT the transportation of property, except commodities in bulk and household goods and office furniture in use, for A. Hiller Co. between points in Pennsylvania. Attorney: William J. Lavelle, 2310 Grant Building, Pittsburgh, PA 15219.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

FEB. 9 1985

BUREAU OF NON-RAIL TRANSPORTATION
COMMON CARRIER

JANUARY

1985

A-00102471

F. 1

Am-G

Application of Pitt-Ohio Express, 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, property for H. J. Heinz Company, U.S.A. between points in Pennsylvania; subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk: SO AS TO PERMIT the transportation of property, except commodities in bulk and household goods and office furniture in use, for A. Hiller Co. between points in Pennsylvania.

FW:gm
1/28/85

Application received: 1/14/85
Application docketed: 1/25/85
Monitor: Chairman Taliaferro

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
FEB 11 1985
ENTRY No. *NC*

MAR 4 1985

Protests due on No Hearings _____
Protests due on Hearings - (5 days prior to date of hearing)
Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.