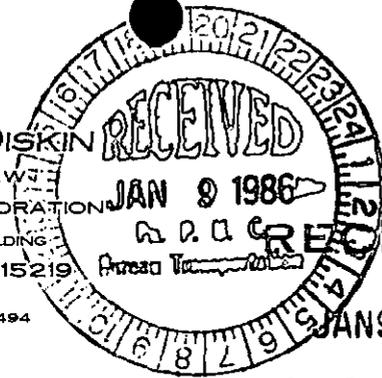


ARTHUR J. DISKIN  
ATTORNEY AT LAW  
A PROFESSIONAL CORPORATION  
402 LAW & FINANCE BUILDING  
PITTSBURGH, PA. 15219  
TELEPHONE (412) 281-9494



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JAN 9 1986  
SECRETARY'S OFFICE  
Public Utility Commission

January 7, 1986

FILE

Bureau of Transportation  
Pa. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

IN RE: Application of Pitt-Ohio Express, Inc.-  
transfer-Hammel's Express, Inc.  
Docket No. A-102471, F-1, Am-J

Gentlemen:

Enclosed is a protest against the above transfer which I am submitting on behalf of Pittsburgh-Johnstown-Altoona Express, Inc. A copy is being sent to John A. Vuono, Esq., attorney for the applicant.

Very truly yours,

Arthur J. Diskin

AJD/cmm

Enclosure

cc: Christian V. Graf, Esq.  
Pittsburgh-Johnstown-  
Altoona Express, Inc.  
John A. Vuono, Esq.  
2310 Grant Building  
Pittsburgh, PA 15219

DOCUMENT  
FOLDER

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JAN 9 1986

SECRETARY'S OFFICE  
Public Utility Commission

BEFORE THE

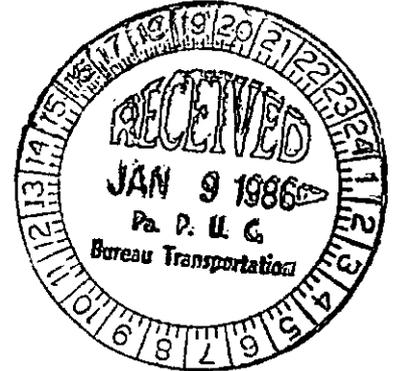
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Docket No. A. 102471, F. 1, Am-J

Application of PITT-OHIO EXPRESS, INC.,

for transfer of part of the rights of

Hammel's Express, Inc.



FILE

PROTEST OF

PITTSBURGH-JOHNSTOWN-ALTOONA EXPRESS, INC.

1. The name, address, and telephone number of the Protestant are:

PITTSBURGH-JOHNSTOWN-ALTOONA EXPRESS, INC.  
73 McCandless Avenue  
Pittsburgh, PA 15201  
(412) 231-2827

2. The names, addresses, and telephone numbers of Protestants  
attorneys are:

ARTHUR J. DISKIN, ESQ.  
402 Law & Finance Building  
Pittsburgh, PA 15219  
(412) 281-9494

CHRISTIAN V. GRAF, ESQ.  
Graf, Knupp & Andrews, P.C.  
407 North Front Street  
P. O. Box 11848  
Harrisburg, PA 17108-1848  
(717) 236-9318

3. Protestant holds authority in conflict with this application  
as contained in the appendix attached hereto.

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
JAN 16 1986  
ENTRY No. ....

4. The basis for the protest is that Pitt-Ohio Express, Inc., has been engaged in a campaign to harass and interfere with the operations of the protestant, Pittsburgh-Johnstown-Altoona Express, Inc. (hereinafter referred to as PJAX). Pitt-Ohio Express, Inc., and Hammel's Express, Inc., have filed numerous informal complaints, as well as formal complaints, attacking the operations of PJAX with unfounded accusations of improper or illegal operations. The basis for the various actions by Pitt-Ohio Express, Inc., and Hammel's Express, Inc., is believed by protestant to be an attempt to put PJAX out of business and thereby to acquire the transportation business now being performed by PJAX.

The transfer in question will further enable Pitt-Ohio Express, Inc., to obtain additional territory in its certificated rights and thereby enable Pitt-Ohio Express, Inc., to further its campaign of driving PJAX out of business.

5. Pitt-Ohio Express, Inc., Transferee, and Hammel's Express, Inc., Transferor, are affiliated companies, and the stock of both corporations is held by members of the same family. Both companies have been engaged in the campaign to harass and interfere with PJAX as stated in paragraph 4 above.

6. While this protest does not allege that the rights of Hammel's Express, Inc., sought to be transferred are dormant, nevertheless the issue of fitness of the Transferee is a proper subject for the Commission to examine. It is the position of PJAX that due to its campaign designed to put PJAX out of business, the fitness of Pitt-Ohio Express, Inc., Transferee, as well as the fitness of Hammel's Express, Inc., Transferor, are proper subjects for inquiry by the Commission.

7. (a.) It is the position of PJAX that Pitt-Ohio Express, Inc., is not a fit and proper party to be granted the transfer requested here.

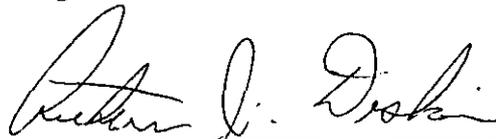
(b.) The Commission should open an investigation proceeding to look into the operations of Pitt-Ohio Express, Inc., to determine the over-all fitness of this company to either continue to hold a certificate or to acquire additional rights through the transfer in question.

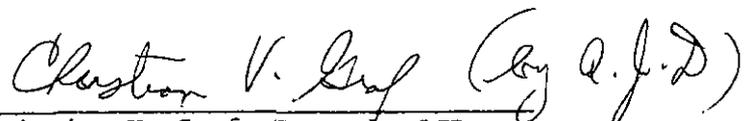
(c.) The ongoing campaign by Pitt-Ohio Express, Inc., and Hammel's Express, Inc., to harass and interfere with PJAX constitutes malicious interference with the business and operations of PJAX and, further, gives rise to the possibilities of legal action by PJAX. The unprecedented campaign to put PJAX out of business constitutes a basis for denial of this transfer.

(d.) Protestant respectfully requests <sup>the Commission</sup> to set this transfer for hearing wherein the issues and subjects raised in this protest can be properly adjudicated.

WHEREFORE, protestant respectfully prays that the Commission take action to set the above transfer proceeding for hearing so that protestant will have the opportunity to place evidence into the record concerning the activities of both Hammel's Express, Inc., and Pitt-Ohio Express, Inc.

Respectfully submitted,

  
Arthur J. Diskin, Esq.

  
Christian V. Graf, Esq., by AJD  
Attorneys for Protestant

P JAX

2.197.36

Folder No. 1.

RECEIVED

NOV 29 PM 3:05

SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

To transport, as a Class D carrier, cooking gas from the plant of the American Gas Company in the Borough of South Greensburg, Westmoreland County, to wholesale and retail distributors in the City of Johnstown, Cambria County, and the Boroughs of South Fork, Cambria County, and Windber, Somerset County, and the return of cylinders or containers used in the sale of said cooking gas from wholesale and retail distributors in the said city and boroughs to the plant of said company in South Greensburg. (Formerly A. 22304, Folder 6)

To transport, as a Class A carrier, property between the Borough of Meyersdale, Somerset County, and the City of Johnstown, Cambria County, and intermediate points via Highway Route 219 to Berlin, thence via Highway Routes 55039, 55045, and 160 to Windber, thence via Highway Route 56 to Johnstown. (Formerly A. 22304, Folder 6)

To transport, as a Class D carrier, property from the Boroughs of Meyersdale, Berlin, Central City and Windber, Somerset County, to the City of Pittsburgh, Allegheny County, and points within a radius of fifteen (15) miles of the limits of the said city, and vice versa. (Formerly A. 22304, Folder 6)

To transport, as a Class D carrier, property from points in the County of Somerset, excluding the Borough of Somerset, to points in the City of Pittsburgh, Allegheny County, and to points within fifteen (15) miles of the limits of the said city, and vice versa. (Formerly A. 22304, Folder 6)

The right immediately above subject to the following conditions:

That no right, power or privilege is granted to transport property which requires the use of carryalls, winch trucks or tractors or pole trailers or special handling because of size or weight.

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

To interchange property at the City of Pittsburgh, Allegheny County, with Class A carriers, Class B carriers and Class D Carriers operating over regular routes, subject to the provisions of Rule 202 of General Order No. 29 governing Class A carriers.

Folder No. 2.

To transport, as a Class D carrier, property from points in the Borough of Latrobe, Westmoreland County, and within three (3) miles of the limits of the said borough to points in the City of Pittsburgh Allegheny County, and vice versa. (Formerly A. 22304, Folder 6)

To transport, as a Class D carrier, property from points in the Boroughs of Bolivar, Donegal, Ligonier, New Florence and Seward

(Continued)

Folder No. 2. - Continued.

and the Townships of Cook, Donegal, Fairfield, Ligonier and Saint Clair, Westmoreland County, to points in the City of Pittsburgh Allegheny County. (Formerly A. 22304, Folder 7)

The right immediately above subject to the following condition:

That no right, power or privilege is granted to transport property requiring the use of carryalls, winch trucks or winch tractors or pole trailers or mechanical or special means to load, unload or transport.

To transport, as a Class B carrier, property between points in the Borough of Latrobe, Westmoreland County, and within three (3) miles of the limits of the said borough. (Formerly A 22304, Folder 7)

To transport, as a Class D carrier, household goods and office furniture, in use, from points in the Borough of Latrobe and territory within three (3) miles of the limits of the said borough to other points in Pennsylvania, and vice versa. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, property from points in the Boroughs of Bolivar, Donegal, Ligonier, New Florence and Seward and the Townships of Cook, Donegal, Fairfield, Ligonier and Saint Clair, Westmoreland County, to points in the Borough of Latrobe, Westmoreland County, and within three (3) miles of the limits of the said borough, and vice versa. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, property from points in the City of Pittsburgh, Allegheny County, to points in the Boroughs of Bolivar, Ligonier, New Florence and Seward and Townships of Cook, Donegal, Fairfield, Ligonier and Saint Clair, Westmoreland County, and the return of refused or damaged merchandise. (Formerly A. 22304, Folder 7)

To transport, as a Class B carrier, property between points in the Borough of Derry, Westmoreland County, and within five (5) miles by the usually traveled highways of the limits of the said borough. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, coal for the Westinghouse Electric Corporation from mines in the County of Westmoreland to the plant of the said corporation in the Borough of Derry, Westmoreland County. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, porcelain for the Westinghouse Electric Corporation from the plant of said corporation in the Borough of Derry, Westmoreland County, to the Borough of Carnegie, Allegheny County. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, property from points in the Borough of Derry, Westmoreland County, and within an airline radius of five (5) miles thereof to points within an airline radius of twenty-five (25) miles of the said borough, and vice versa. (Formerly A. 22304, Folder 7)

(Continued)

Am-A

Property, as a Class D carrier from the Borough of Somerset, Somerset County, and points within six miles of the limits of said Borough to the City of Pittsburgh, Allegheny County, and points within fifteen miles of the limits of said City, and vice versa, via Highway Route 219, the Pennsylvania Turnpike, and Highway Route 30.

Am-C

Property, to interchange, originating at or destined to points within fifteen (15) miles of the limits of the City of Pittsburgh, Allegheny County, with Class A, Class B and Class D carriers, operating over regular routes, at points within the City of Pittsburgh Allegheny County, and within fifteen (15) miles of the limits of said city, provided that all shipments interchanged are transported to or from the Borough of Somerset, Somerset County, and points within six (6) miles of the limits of said borough.

Am-D

Property, to transport as a Class B carrier, including farm products and lime, between points in the Borough of Berlin, Somerset County, and within three (3) miles of the limits of the said borough.

To transport, as a Class D carrier, property from points in the Borough of Berlin, Somerset County, and within three (3) miles of the limits of the said borough to points within twenty-five (25) miles by the usually traveled highways of the limits of the said borough.

To transport, as a Class D carrier, farm products, including lime, from points in the Borough of Berlin, Somerset County, and within three (3) miles of the limits of said borough to points within fifty (50) miles by the usually traveled highways of the limits of the said borough, and vice versa.

To transport, as a Class D carrier, farm machinery for the Berlin Feed Company from points in the Borough of Berlin, Somerset County, and within three (3) miles of the limits of said borough to points within one hundred seventy-five (175) miles by the usually traveled highways of the limits of said borough, and vice versa.

To transport, as a Class D carrier, property (excluding heavy machinery or equipment which because of its size or weight requires special handling and the use of special equipment such as trucks having winches or special equipment attached or trucks of special body construction or pole trailers or drop-frame trailers), between points in the Borough of Berlin, Somerset County, and within six (6) miles by the usually traveled highways of the limits of said borough and from points in the said area to points within two hundred fifty (250) miles by the usually traveled highways of the limits of the said borough, and vice versa.

To transport, as a Class D carrier, sugar from points in the City of Philadelphia, Philadelphia County, to points in the Boroughs of Meyersdale and Somerset, Somerset County.

(Continued)

*LAUREL MOUNTAIN EXPRESS, INC.*  
Am-D - Continued

To transport, as a Class D carrier, corn, potatoes, grain and feed and fertilizer between points in the County of Somerset.

To transport, as a Class D carrier, corn, potatoes, grain and feed from points in the County of Somerset to points within two hundred fifty (250) miles by usually traveled highways of the limits of the Borough of Berlin, Somerset County, and vice versa.

To transport, as a Class D carrier, fertilizer from points within two hundred fifty (250) miles by the usually traveled highways of the limits of the Borough of Berlin, Somerset County, to points in the County of Somerset.

To transport, as a Class D carrier, building supplies, brick, tile, lumber, millwork, porch posts made of wood, roof materials, sand, shale, stone, cement and cement blocks from points in the County of Somerset to points in Pennsylvania, and vice versa;

The right immediately above being subject to the following condition:

That no right, power or privilege is granted to transport property requiring special handling or the use of equipment of special body construction including carry-alls, winch trucks, tractors, pole trailers or drop-frame trailers.

To transport property, as a Class D carrier, (excluding commodities in bulk in tank vehicles, household furniture in use, heavy equipment, materials in bulk, articles of special value, and property which because of its size or weight requires special handling and the use of special equipment) between points in the Borough of Somerset, Somerset County, and within six (6) miles by the usually traveled highways of the limits of said borough, and from points in said territory to points in the County of Somerset, and vice versa:

The right immediately above being subject to the following conditions:

That no right, power or privilege is granted to transport property from railroad stations in the County of Somerset to points in the said County.

LAW OFFICES  
**VUONO, LAVELLE & GRAY**

2310 GRANT BUILDING  
PITTSBURGH, PA. 15219

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

January 13, 1986



Re: Pitt-Ohio Express, Inc.  
Transfer--Hammel's Express, Inc.  
Docket No. A-00102471, F.1, Am-J  
Our File 2691-19-1

SECRETARY'S OFFICE  
Public Utility Commission

EXPRESS MAIL

Mr. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
Room B-18, North Office Building  
Commonwealth Avenue & North Street  
Harrisburg, PA 17120

**FILE**

Dear Mr. Rich:

We enclose for filing the original and nine (9) copies of a Motion to Strike and/or Dismiss the Protest of Pittsburgh-Johnstown-Altoona Express, Inc., which is being filed on behalf of the applicant, Pitt-Ohio Express, Inc. A copy of the enclosed Motion has been served on counsel for Pittsburgh-Johnstown-Altoona Express, Inc.

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 self-addressed, stamped envelope provided.

Sincerely yours,

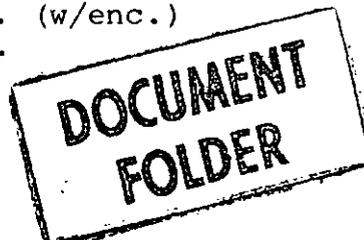
VUONO, LAVELLE & GRAY

*William J. Lavelle*  
William J. Lavelle

cas

Enclosures

cc: Arthur J. Diskin, Esq. (w/enc.)  
Christian V. Graf, Esq. (w/enc.)  
Pitt-Ohio Express, Inc.



ORIGINAL

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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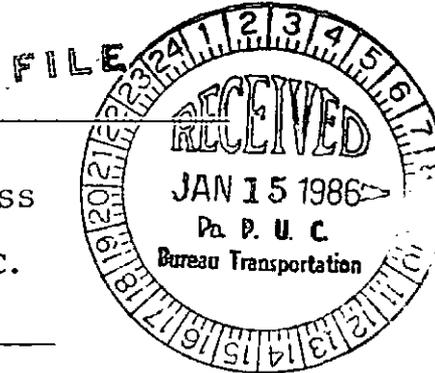
JAN 4 1986

SECRETARY'S OFFICE  
Public Utility Commission

DOCKET NO. A-00102471, F.1, Am-J

PITT-OHIO EXPRESS, INC.

APPLICANT'S MOTION TO STRIKE AND/OR DISMISS  
THE LATE-FILED PROTEST FILED BY  
PITTSBURGH-JOHNSTOWN-ALTOONA EXPRESS, INC.



Pitt-Ohio Express, Inc. (applicant), hereby files this Motion to Strike and/or Dismiss the Late-Filed Protest Filed By Pittsburgh-Johnstown-Altoona Express, Inc. (PJAX), which Motion is filed pursuant to 52 Pa. Code §3.381(c)(3) and 52 Pa. Code §5.101(a)(ii)(iii), and in support thereof states as follows:

1. Notice of filing of the application appeared in the Pennsylvania Bulletin dated December 14, 1986 at pages 4472-4473.

2. It was clearly set forth in the notice that protests to the application were due on or before January 6, 1986. A copy of the relevant Pennsylvania Bulletin notice setting forth the due date for protests is attached hereto as Appendix "A".

3. This application does not involve new authority, but merely a transfer of existing authority whereby the applicant seeks authority to purchase certain operating rights previously

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FOLDER

DOCKETED  
APPLICATION DOCKET  
JAN 16 1986  
ENTRY No. *del*

issued to Hammel's Express, Inc., as set forth more fully in the Pennsylvania Bulletin notice.

4. All of the issued and outstanding stock of applicant is owned in equal shares by Charles L. Hammel, III, Robert F. Hammel and Kenneth W. Hammel who are the sons of Charles L. Hammel, Jr., who along with the Estate of Katherine A. Hammel, deceased, who was the wife of Charles L. Hammel, Jr., are the controlling shareholders in Hammel's Express, Inc. Charles L. Hammel, III, Robert F. Hammel and Kenneth W. Hammel each own minority stock interests in Hammel's Express, Inc. This application involves merely a transfer of authority between companies owned by the same family.

5. By Order adopted December 5, 1985 and entered December 26, 1985, at Docket No. A-00102471, F.602, the Commission granted the applicant emergency temporary authority to operate the rights being purchased pending disposition of the corresponding permanent transfer application.

6. No timely protests were filed to the transfer application and except for the PJAX protest it is unopposed. This fact has been confirmed in a telephone conversation by applicant's counsel with the Commission.

7. On January 9, 1986, the Commission received a late-filed protest which was filed on behalf of PJAX. A copy of this late-filed protest and the letter of transmittal to the Commission dated January 7, 1986 are attached hereto as Appendix "B".

8. The PJAX protest indicates that PJAX is represented by two experienced transportation lawyers, both of whom are obviously familiar with the Commission's requirements concerning the filing of timely protests.

9. There is attached to the PJAX protest operating rights which are purported to be the operating rights of PJAX but which are, in fact, not the operating rights of PJAX.

10. It is respectfully submitted that a review of the Commission's records involving the operating rights of PJAX, which are held at Docket No. A-00102956, will indicate that PJAX does not have any operating rights which are in conflict with this application.

11. 52 Pa. Code §3.381(c)(1)(v) requires a protestant to set forth a copy of any portion or portions of its operating authority upon which its protest is predicated. PJAX has failed to comply with the requirements of this section since it has failed to attach its own operating authority.

12. 52 Pa. Code §5.101(a)(ii) provides for the filing of a Motion to Strike where a pleading is insufficient as to form. The failure of PJAX to attach its own operating authority to its protest, or even to have any operating authority which is in conflict to this application, violates 52 Pa. Code §3.381(c)-(1)(v) and is therefore grounds for the granting of this Motion to Strike the PJAX protest.

13. The PJAX protest also fails to set forth any legitimate interest of PJAX in this transfer proceeding. The protest

admits that PJAX does not allege that the rights involved are dormant and there is no allegation that the applicant is not financially fit to purchase and operate the rights. Rather, the basis for the protest as set forth in paragraph 4 of the protest is that the applicant and Hammel's Express, Inc. have filed formal and informal complaints against PJAX, which PJAX believes to be unwarranted, and that the applicant and Hammel's Express, Inc. are therefore attempting "to put PJAX out of business".

14. The alleged basis for the PJAX protest is spurious and should receive absolutely no consideration from the Commission, particularly where the protest was not filed in a timely manner. The issue raised by PJAX in paragraph 4 of its protest as the basis for the protest is not a relevant issue in a transfer proceeding.

15. 52 Pa. Code §5.52(a) provides that a protest to an application shall on its face set out clearly and concisely the facts from which the alleged interest or right of protestant can be determined, the grounds of the protest, and the facts establishing protestant's standing to protest.

16. 52 Pa. Code §5.101(a)(iii) provides for the filing of a Motion to Dismiss where a pleading is insufficient as to substance or does not indicate on its face the standing of the party to participate in the proceeding. The PJAX protest should be dismissed pursuant to 52 Pa. Code §5.101(a)(iii) since it is insufficient on its face in that it does not even allege facts

indicating a legitimate interest or right of PJAX to oppose the transfer and does not establish the standing of PJAX to participate in this proceeding.

17. The applicant and the Commission will be severely prejudiced if this late-filed protest is accepted for filing since an oral hearing will become necessary, which will result in undue delay and unnecessary expense to the applicant and the Commission. Counsel for the applicant is advised that subsequent to the due date for filing protests this application has already been assigned to the Technical Review Section of the Bureau of Non-Rail Transportation for handling without an oral hearing.

18. 52 Pa. Code §3.381(d) provides that failure to file a timely protest shall be a bar to subsequent participation in a proceeding, except where permitted by the Commission for good cause shown. The Commission has consistently refused to consider late-filed protests in circumstances such as this, particularly where the application is otherwise unopposed. See, for example, Application of Don Ray Drive-A-Way Company, Inc., Docket No. A-00105878, Initial Decision of Administrative Law Judge John K. Clements dated June 27, 1985. PJAX has utterly failed to demonstrate good cause for its participation in this proceeding and has failed to indicate why its protest was not timely filed and its protest should therefore be summarily stricken and/or dismissed since it was not timely filed.

WHEREFORE, applicant requests that, in view of the facts and circumstances set forth herein, this Commission grant this Motion to Strike and/or Dismiss the protest filed by Pittsburgh-Johnstown-Altoona Express, Inc.

Respectfully submitted,

VUONO, LAVELLE & GRAY

By: William J. Lavelle  
William J. Lavelle  
Attorney for Applicant

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

Dated: January 13, 1986

68.2(a) 47 C.F.R. Part 68. The rights under Part 68 constituted a Federal right to interstate interconnection of registered terminal equipment.

Universal claimed that the actions taken by Arizona and Minnesota violated the rights of COCOT owners as established in *Registration of Coin Operated Telephones, supra*.

Along with Universal Payphones' petition the FCC considered other matters such as a South Dakota's prohibition against COCOTs in government buildings, airports and on public property. Gladwin also asked the FCC to rule that the three coin requirements exceeded the states' authority.

In reaching its decision on the various claims against state regulations the FCC rejected all attempts by states to restrict interconnection of FCC registered COCOTs to the interstate communications system, absent a showing of a public safety or health concern. However, the FCC also recognized that states have broad discretion in regulating intrastate and local phone services.

The FCC began its discussion on the concurrent responsibilities of regulating COCOTs by identifying the role of state authorities:

We observe initially that the intrastate and local exchange services used in conjunction with instrument implemented coin telephones are regulated by state authorities... Moreover, the terms and condition under which intrastate pay telephone offerings are made to the public involve questions of an essentially local nature... Thus, this decision did not alter the traditional regulatory framework where state authorities regulate intrastate and local pay telephone services.<sup>6</sup>

Later in its decision the FCC reemphasized the permissibility of state regulation of intrastate and local communications by suggesting that the same impermissible state restrictions placed on COCOTs for interstate connections would be permissible for intrastate connections. Looking at South Dakota's prohibition of COCOTs in airports the FCC said:

... a state restriction on the use of COCOTs for intrastate and local communications at airports or in public locations generally will not interfere with the federal right of interconnection provided interconnection and use of the registered device for intrastate communications is maintained... a

state proscription of the use of COCOTs for intrastate communications will not interfere with the federal right of interconnection.' (emphasis added)

Thus, a FCC registered COCOT may not be prevented from interstate connection by state restrictions; however, a COCOT used for intrastate and local calls may be similarly restricted.

The FCC next moved to Gladwin's contention that the three coin requirement was impermissible. The FCC determined that a state may place restrictions on equipment even if it affects interstate connections if that state has legitimate public health, safety and welfare concerns. These requirements can include dial-tone-first or the "911" features. Accordingly, a state may have a three coin requirement if there is a legitimate state welfare concern despite its impact on interstate connection. The FCC cautioned that the three coin requirement would be evaluated with other emergency features which the state may have imposed.

However, for intrastate and local use exclusively, a state is free to have the three coin requirement, and may also maintain the three coin requirement for COCOTs used for interstate communication if a public welfare concern is to be satisfied.

We now repeal our three coin requirement for all COCOTs in the Commonwealth of Pennsylvania. We do so for the following reasons: First, any restrictions we place on a FCC registered COCOT must be justified as a public safety feature. While the three coin requirement may be justified as a matter of convenience, it cannot be justified as a public safety feature. We already require COCOTs to include dial-tone-first or "911" features. These features permit a person without a coin to contact help in an emergency situation. Another factor we considered in reaching our decision is the fact that most of these COCOTs will be located at business locations where a person with any combination of 25¢ would be able to obtain a quarter to use in a COCOT. For these reasons we conclude the three coin requirement cannot be justified as a public safety feature.

Second, despite our finding that the three coin requirement cannot be justified as a public safety the FCC permits us to maintain the requirement for COCOTs used for intrastate and local calls. We conclude that a

dual standard which would allow COCOTs used for interstate calls to accept quarters only but would require COCOTs used for intrastate and local calls to accept three types of coins, would be confusing and not in the public interest; Therefore,

It is Ordered:

1. That Gladwin's Petition to Intervene and Petition for Reconsideration are hereby granted.

2. That the requirement that COCOTs in service in the Commonwealth of Pennsylvania be capable of accepting three dominations of coins is hereby rescinded.

3. That a copy of this order shall be sent to all parties of record.

4. That this order be published in the *Pennsylvania Bulletin*.

By the Commission

JERRY RICH,  
Secretary

(Pa. B. Doc. No. 66-1762. Filed December 12, 1966.  
9:20 a.m.)

#### Service of Notice of Motor Carrier Applications

The following Temporary Authority and/or Permanent Authority Applications for the right to render service as a common carrier or contract carrier in the Commonwealth of Pennsylvania has been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. All applications will be considered without a hearing in the absence of protests to the application. Protests to the applications published herein are due on or before January 8, 1967, and shall conform with the provisions for the content of protests as set forth at 52 Pa. Code § 3.381(c). The protest shall also indicate whether it applies to the Temporary Authority Application or for the Permanent Authority Application or both.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of property as described under each application.

A-00059731, Folder 24, Am-G. Jones Motor Co., Inc. (Bridge Street & Schuylkill Road, Spring City, Chester County, Pa. 19475), a corporation of the Commonwealth of Pennsylvania, inter alia - property from the plant

<sup>6</sup> FCC 65-222, paragraph 18, page 7.

<sup>7</sup> FCC 65-222, paragraph 18, page 9.

sites of the New Holland Machine Company Division of Sperry Rand Corporation in the city of Lancaster, the boroughs of Mountville and New Holland and the village of Intercourse, Lancaster County, to points in the city of Pittsburgh, Allegheny County, and within an airline distance of 35 statute miles of the limits of said city, and vice versa; subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles; and That no right, power or privilege is granted to transport property, which because of size or weight, requires special handling or the use of special equipment, such as winch trucks, winch tractors, pole trailers or carryalls: So as to permit the transportation of property (except household goods in use, commodities in bulk and Classes A and B explosives): (1) between the facilities of Witco Chemical Corporation, located in the city of Bradford, McKean County, the city of New Kensington, Westmoreland County, the borough of Petrolia, Butler County and the township of Richland, Allegheny County, and from said facilities, to points in Pennsylvania, and vice versa; and (2) from the facilities of Industrial Terminal Systems, Inc., located in the city of New Kensington, Westmoreland County, to points in Pennsylvania, and vice versa. Attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101.

A-00091287, Folder 1, Am-H. Carl Dittfield (R. D. 2, Box 591, Rock Glen Road, Moosic, Lackawanna County, Pa. 18641), inter alia — property, which will be subsequently moved by air, from points in the counties of Lackawanna and Luzerne to the Philadelphia International Airport and North Philadelphia Airport in the city and county of Philadelphia, the Allentown-Bethlehem-Easton Airport in the county of Lehigh and Wilkes-Barre-Scranton Airport in the counties of Luzerne and Lackawanna: So as to permit the transportation of lamp shades, materials, supplies and equipment used or useful in the manufacture of lamp shades between points in the county of Lackawanna, and from points in said county to points in Pennsylvania, and vice versa; and baking supplies, baking paper and baking paper accessories between points in the county of Lackawanna, and from points in said county to points in Pennsylvania, and vice versa. Attorney: Raymond Talipski, 121 South Main Street, Taylor, Pa. 18617.

A-00091287, Folder 1, Am-I. Carl Dittfield (R. D. 2, Box 591, Rock Glen Road, Moosic, Lackawanna County, Pa. 18641), inter alia — plastic articles consisting of foam or cellulose, expanded or shredded, from points in the borough of West Pittston, Luzerne County, to points in the counties of Dauphin, York and Philadelphia: So as to permit the transportation of candy and confectionary products, materials, supplies and equipment used in the manufacture and distribution of candy and confectionary products, between points in the county of Lackawanna, and from points in said county, to points in Pennsylvania, and vice versa; and plastic bags, plastic film, plastic sheets and materials, supplies and equipment used in the manufacture and distribution of plastic bags, plastic film and plastic sheets, between points in the county of Luzerne, and from points in said county, to points in Pennsylvania, and vice versa. Attorney: Raymond Talipski, 121 South Main Street, Taylor, Pa. 18617.

A-00099691, Folder 1, Am-L. Neel Transportation Company, Inc. (R. D. 6, Box 516, Washington, Washington County, Pa. 15301), a corporation of the Commonwealth of Pennsylvania, inter alia — property, for Xetca, Inc., from its facilities located in the city of Washington, Washington County, to points in Pennsylvania, and vice versa: So as to permit the transportation of property, for Allied Block Chemical Company, from its facilities located in the borough of New Eagle, Washington County, to points in Pennsylvania, and vice versa. Attorney: John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, Pa. 15222.

A-00105017, Folder 1, Am-C. Hiram Wible & Son, Inc. (P. O. Box 54, Three Springs, Huntingdon County, Pa. 17264), a corporation of the Commonwealth of Pennsylvania, inter alia — rough lumber and woodchips between points in the county of Huntingdon, and from points in said county, to points in the counties of Mifflin and York: So as to permit the transportation of wood and wood products, for T. Crotaley Lumber Co., from its facilities located in the township of Cass, Huntingdon County, to points in Pennsylvania, and vice versa. Attorney: John Fullerton, 407 North Front Street, Harrisburg, Pa. 17101.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common

carriers for transportation of property by transfer of rights as described under each application.

A-00106656. William Clark, t/d/b/a Maiden Moving Co. (7535 Ridge Avenue, Philadelphia, Philadelphia County, Pa. 19128) — household goods in use between points in the city and county of Philadelphia to other points in Pennsylvania within a 50 mile airline radius of the Philadelphia City Hall, including the cities of Reading, Berks County and Allentown, Lehigh County; which is to be a transfer of the rights authorized under the certificate issued at A-00090072, to Norman Kronmiller (deceased) and William Clark, t/d/b/a Maiden Moving Company, subject to the same limitations and conditions. Attorney: Arnold Machles, 1200 Two Penn Center Plaza, Philadelphia, Pa. 19102.

Applications of the following for amendment to the certificate of public convenience approving the operating of motor vehicles as common carriers for transportation of property by transfer of rights as described under each application.

A-00102471, Folder 1, Am-J. Pitt-Ohio Express, Inc. (26th and Railroad Streets, Pittsburgh, Allegheny County, Pa. 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 (1) property from points in that part of Pennsylvania on and west of U. S. Highway Route 219 (except points in Allegheny County) to points in that part of Pennsylvania on and east of U. S. Highway Route 15; and vice versa; with the right to interchange property with Class A, Class B and Class D carriers so authorized; (2) property from points in Allegheny County to points in the counties of Lebanon, Berks and Lancaster, and vice versa; with the right to interchange property with Class A, Class B and Class D carriers so authorized; with rights No. 1 and 2 subject to the following conditions: That no right, power or privilege is granted to transport household goods and office furniture in use, property in bulk, property which because of size or weight requires the use of special equipment, or commodities in vehicles equipped with mechanical refrigeration; and That no right, power or privilege is granted to transport (a) property to or from points in the

Boroughs of Exeter and West Pittston and the City of Wilkes-Barre, Luzerne County, (b) property to or from the facilities of American Home Foods Division of American Home Products Corporation located in the Township of Turbot and the Borough of Milton, Northumberland County, (c) such merchandise, as is dealt in by wholesale, retail and chain grocery and food business houses to or from points in York County, and (d) limestone, limestone products or fertilizer from points in York County; (3) glassware, from the borough of South Connellsville, Fayette County, to points within 150 miles of the limits of the said borough, with the right to return damaged, refused or rejected merchandise; with right No. 3 subject to the following conditions: That no right, power or privilege is granted to transport glassware from the borough of South Connellsville, Fayette County, to the borough of Latrobe, Westmoreland County, or to the villages of Schenley and Aladdin, Armstrong County; and That no right, power or privilege is granted to transport glassware from the borough of South Connellsville, Fayette County, to points in Pennsylvania east of U. S. Highway Route 219, except to the city of Altoona, Blair County, which is to be a transfer of part of the rights authorized under the certificates issued at A-00088995, F. 2 and F. 4 to Hammel's Express, Inc., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. Application for temporary authority has been filed at A-00102471, F. 1, Am-J, seeking the rights cited above. Attorney: John A. Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219.

A-00105114, Folder 1, Am-A. Darrell Shannon, Jr. (R. D. 2, Box 198, Monongahela, Washington County, Pa. 15063), inter alia — coal for domestic consumption between points in the borough of Charleroi, Washington County, and within 15 miles by the usually traveled highways of the limits of said borough, provided no haul shall exceed a distance of 15 miles from point of origin to point of destination: So as to permit the transportation of (1) coal from mines and stripping operations in the counties of Armstrong, Westmoreland, and Indiana to points in the said counties, provided that no haul shall exceed a distance of 25 miles from point of origin to point of destination; (2) coal for Altmire Brothers Coal Company from the borough of North Apollo, Armstrong County, to

points in the counties of Armstrong, Westmoreland, Indiana, Jefferson and Allegheny, and vice versa, no haul to exceed a distance of 75 miles from point of origin to point of destination; (3) coal from Tandem Coal Company in the borough of Apollo, Armstrong County, to points in the counties of Armstrong, Westmoreland, Indiana and Jefferson, no haul to exceed a distance of 75 miles with the right to return refused or rejected shipments to the point of origin; (4) contractor's equipment and supplies, excavated materials and road and building construction materials, such as are usually transported in dump trucks, between points in the borough of Apollo, Armstrong County, and within 30 miles by the usually traveled highways of the limits of said borough, provided, no haul shall exceed a distance of 25 miles from point of origin to point of construction or disposal; (5) coal from mines within 20 miles by the usually traveled highways of the limits of the borough of Apollo, Armstrong County, to homes and office buildings within 20 miles by the usually traveled highways of the limits of the borough of Apollo, Armstrong County, and to the plant of Apollo Steel Company in the borough of Apollo; (6) property which is usually transported in dump trucks, excluding household goods in use and sheet metal, between points in the borough of Apollo, Armstrong County, and within 15 miles by the usually travelled highways of the limits of said borough; (7) coal, in dump trucks, between points in the county of Westmoreland and from points in said county to points within an airline distance of 20 statute miles of the limits of the borough of Apollo, Armstrong County, and vice versa, provided no haul shall exceed a distance of 25 miles from the point of origin to point of destination; (8) coal, from points in the counties of Westmoreland, Indiana and Armstrong to points in the county of Allegheny, provided no haul shall exceed a distance of 35 miles from point of origin to point of destination; (9) coal, in dump trucks, between points in the counties of Westmoreland, Indiana and Armstrong, no haul to exceed a distance of 50 miles from point of origin to point of destination, and from points in the said counties to the Armory in the city of Butler, Butler County, and the Pennsylvania State Highway Shed in the township of Bell, Jefferson County; (10) coal in dump vehicles, for Altmire Brothers Coal Company, Inc., from its plant in the

borough of North Apollo, Armstrong County, to points within an airline distance of 150 statute miles of the said plant; (11) coal, in dump vehicles, for Altmire Brothers Coal Company, Inc., between points in the counties of Westmoreland, Indiana, Armstrong and Allegheny, no haul to exceed a distance of 50 miles from point of origin to point of destination; (12) coal, for Oaktree Coal Co., from its facilities located in the village of Margaret, Cowanshannock Township, and the borough of Rural Valley, Armstrong County; from the facilities of Weimer Coal Co., in Shelocta, Armstrong County; from the facilities of Smith Paving Co., in Derry Township, Westmoreland County, to points in the counties of Lawrence and Erie; (13) coal for Ratay Coal, Inc., from its facilities located in the townships of Wayne and Cowanshannock, Armstrong County, to points in the counties of Indiana, Westmoreland, Lawrence and Erie; and (14) coal, for McIntire Coal Co., from its facilities located in Armstrong Township, Indiana County, to points in the counties of Indiana, Westmoreland and Lawrence; with rights numbers 12, 13 and 14 subject to the following condition: Provided that no haul shall exceed an airline distance of 150 statute miles from point of origin to point of destination; which is to be a transfer of the rights authorized under the certificate issued at A-00094653 to Richard Lee Klingensmith, subject to the same limitations and conditions. Attorney: David F. Megnin, 201 South McKean Street, Kittanning, Pa. 16201.

A-00106300, Folder 1, Am-A. State-wide Security Transport, Inc. (647 Main Street, Johnstown, Cambria County, Pa. 15901), a corporation of the Commonwealth of Pennsylvania — property of unusual value, including money and securities, in armored vehicles, between points in Pennsylvania: So as to permit the transportation of computer printouts, books of account, clearinghouse checks, and other non-negotiable instruments and documents; and bank supplies, for United States National Bank and its branches; McKeesport National Bank and its branches; and Three Rivers Bank and Trust Company and its branches; between points in that part of Pennsylvania on and west of U. S. Highway Route 15; which is to be a transfer of part of the rights authorized under the certificate issued at A-00091889, F. 2, to Landmark Security Transport, Inc., a corporation of the Commonwealth of Pennsylvania, subject to

ARTHUR J. DISKIN  
ATTORNEY AT LAW  
A PROFESSIONAL CORPORATION  
402 LAW & FINANCE BUILDING  
PITTSBURGH, PA. 15219  
TELEPHONE (412) 281-9494

January 7, 1986

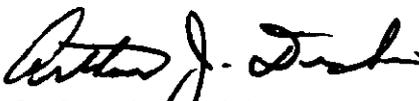
Bureau of Transportation  
Pa. Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

IN RE: Application of Pitt-Ohio Express, Inc.-  
transfer-Mammel's Express, Inc.  
Docket No. A. 102471, P. 1, Am-J

Gentlemen:

Enclosed is a protest against the above transfer which I am submitting on behalf of Pittsburgh-Johnstown-Altoona Express, Inc. A copy is being sent to John A. Vuono, Esq., attorney for the applicant.

Very truly yours,

  
Arthur J. Diskin

AJD/cmm

Enclosure

cc: Christian V. Graf, Esq.  
Pittsburgh-Johnstown-  
Altoona Express, Inc.  
John A. Vuono, Esq. ✓  
2310 Grant Building  
Pittsburgh, PA 15219

C  
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P  
Y

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Docket No. A. 102471, F. 1, Am-J  
Application of PITT-OHIO EXPRESS, INC.,  
for transfer of part of the rights of  
Hammel's Express, Inc.

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PROTEST OF  
PITTSBURGH-JOHNSTOWN-ALTOONA EXPRESS, INC.

1. The name, address, and telephone number of the Protestant are:

PITTSBURGH-JOHNSTOWN-ALTOONA EXPRESS, INC.  
73 McCandless Avenue  
Pittsburgh, PA 15201  
(412) 231-2827

2. The names, addresses, and telephone numbers of Protestants  
attorneys are:

ARTHUR J. DISKIN, ESQ.  
402 Law & Finance Building  
Pittsburgh, PA 15219  
(412) 281-9494

CHRISTIAN V. GRAF, ESQ.  
Graf, Knupp & Andrews, P.C.  
407 North Front Street  
P. O. Box 11848  
Harrisburg, PA 17108-1848  
(717) 236-9318

3. Protestant holds authority in conflict with this application  
as contained in the appendix attached hereto.

4. The basis for the protest is that Pitt-Ohio Express, Inc., has been engaged in a campaign to harass and interfere with the operations of the protestant, Pittsburgh-Johnstown-Altoona Express, Inc. (hereinafter referred to as PJAX). Pitt-Ohio Express, Inc., and Hammel's Express, Inc., have filed numerous informal complaints, as well as formal complaints, attacking the operations of PJAX with unfounded accusations of improper or illegal operations. The basis for the various actions by Pitt-Ohio Express, Inc., and Hammel's Express, Inc., is believed by protestant to be an attempt to put PJAX out of business and thereby to acquire the transportation business now being performed by PJAX.

The transfer in question will further enable Pitt-Ohio Express, Inc., to obtain additional territory in its certificated rights and thereby enable Pitt-Ohio Express, Inc., to further its campaign of driving PJAX out of business.

5. Pitt-Ohio Express, Inc., Transferee, and Hammel's Express, Inc., Transferor, are affiliated companies, and the stock of both corporations is held by members of the same family. Both companies have been engaged in the campaign to harass and interfere with PJAX as stated in paragraph 4 above.

6. While this protest does not allege that the rights of Hammel's Express, Inc., sought to be transferred are dormant, nevertheless the issue of fitness of the Transferee is a proper subject for the Commission to examine. It is the position of PJAX that due to its campaign designed to put PJAX out of business, the fitness of Pitt-Ohio Express, Inc., Transferee, as well as the fitness of Hammel's Express, Inc., Transferor, are proper subjects for inquiry by the Commission.

7. (a.) It is the position of PJAX that Pitt-Ohio Express, Inc., is not a fit and proper party to be granted the transfer requested here.

(b.) The Commission should open an investigation proceeding to look into the operations of Pitt-Ohio Express, Inc., to determine the over-all fitness of this company to either continue to hold a certificate or to acquire additional rights through the transfer in question.

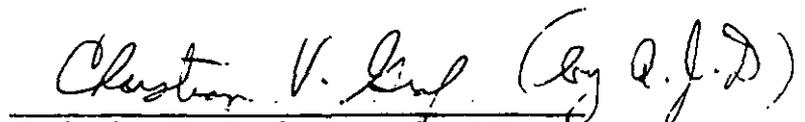
(c.) The ongoing campaign by Pitt-Ohio Express, Inc., and Hammel's Express, Inc., to harass and interfere with PJAX constitutes malicious interference with the business and operations of PJAX and, further, gives rise to the possibilities of legal action by PJAX. The unprecedented campaign to put PJAX out of business constitutes a basis for denial of this transfer.

(d.) Protestant respectfully requests <sup>the Commission</sup> to set this transfer for hearing wherein the issues and subjects raised in this protest can be properly adjudicated.

WHEREFORE, protestant respectfully prays that the Commission take action to set the above transfer proceeding for hearing so that protestant will have the opportunity to place evidence into the record concerning the activities of both Hammel's Express, Inc., and Pitt-Ohio Express, Inc.

Respectfully submitted,

  
Arthur J. Diskin, Esq.

  
Christian V. Graf, Esq., by AJD  
Attorneys for Protestant

PJAX

OPERATING AUTHORITY - Certificate No. A - 94445

2.17.36

Folder No. 1.

RECEIVED

NOV 29 PM 3:05

To transport, as a Class D carrier, cooking gas from the plant of the American Gas Company in the Borough of South Greensburg, Westmoreland County, to wholesale and retail distributors in the City of Johnstown, Cambria County, and the Boroughs of South Fork, Cambria County, and Windber, Somerset County, and the return of cylinders or containers used in the sale of said cooking gas from wholesale and retail distributors in the said city and boroughs to the plant of said company in South Greensburg. (Formerly A. 22304, Folder 6)

SECRETARY'S OFFICE  
PUBLIC UTILITY  
COMMISSION

To transport, as a Class A carrier, property between the Borough of Meyersdale, Somerset County, and the City of Johnstown, Cambria County, and intermediate points via Highway Route 219 to Berlin, thence via Highway Routes 55039, 55045, and 160 to Windber, thence via Highway Route 56 to Johnstown. (Formerly A. 22304, Folder 6)

To transport, as a Class D carrier, property from the Boroughs of Meyersdale, Berlin, Central City and Windber, Somerset County, to the City of Pittsburgh, Allegheny County, and points within a radius of fifteen (15) miles of the limits of the said city, and vice versa. (Formerly A. 22304, Folder 6)

To transport, as a Class D carrier, property from points in the County of Somerset, excluding the Borough of Somerset, to points in the City of Pittsburgh, Allegheny County, and to points within fifteen (15) miles of the limits of the said city, and vice versa. (Formerly A. 22304, Folder 6)

The right immediately above subject to the following conditions:

That no right, power or privilege is granted to transport property which requires the use of carryalls, winch trucks or tractors or pole trailers or special handling because of size or weight.

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

To interchange property at the City of Pittsburgh, Allegheny County, with Class A carriers, Class B carriers and Class D Carriers operating over regular routes, subject to the provisions of Rule 202 of General Order No. 29 governing Class A carriers.

Folder No. 2.

To transport, as a Class D carrier, property from points in the Borough of Latrobe, Westmoreland County, and within three (3) miles of the limits of the said borough to points in the City of Pittsburgh Allegheny County, and vice versa. (Formerly A. 22304, Folder 6)

To transport, as a Class D carrier, property from points in the Boroughs of Bolivar, Donegal, Ligonier, New Florence and Seward

(Continued)

Folder No. 2. - Continued.

and the Townships of Cook, Donegal, Fairfield, Ligonier and Saint Clair, Westmoreland County, to points in the City of Pittsburgh Allegheny County. (Formerly A. 22304, Folder 7)

The right immediately above subject to the following condition:

That no right, power or privilege is granted to transport property requiring the use of carryalls, winch trucks or winch tractors or pole trailers or mechanical or special means to load, unload or transport.

To transport, as a Class B carrier, property between points in the Borough of Latrobe, Westmoreland County, and within three (3) miles of the limits of the said borough. (Formerly A 22304, Folder 7)

To transport, as a Class D carrier, household goods and office furniture, in use, from points in the Borough of Latrobe and territory within three (3) miles of the limits of the said borough to other points in Pennsylvania, and vice versa. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, property from points in the Boroughs of Bolivar, Donegal, Ligonier, New Florence and Seward and the Townships of Cook, Donegal, Fairfield, Ligonier and Saint Clair, Westmoreland County, to points in the Borough of Latrobe, Westmoreland County, and within three (3) miles of the limits of the said borough, and vice versa. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, property from points in the City of Pittsburgh, Allegheny County, to points in the Boroughs of Bolivar, Ligonier, New Florence and Seward and Townships of Cook, Donegal, Fairfield, Ligonier and Saint Clair, Westmoreland County, and the return of refused or damaged merchandise. (Formerly A. 22304, Folder 7)

To transport, as a Class B carrier, property between points in the Borough of Derry, Westmoreland County, and within five (5) miles by the usually traveled highways of the limits of the said borough. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, coal for the Westinghouse Electric Corporation from mines in the County of Westmoreland to the plant of the said corporation in the Borough of Derry, Westmoreland County. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, porcelain for the Westinghouse Electric Corporation from the plant of said corporation in the Borough of Derry, Westmoreland County, to the Borough of Carnegie, Allegheny County. (Formerly A. 22304, Folder 7)

To transport, as a Class D carrier, property from points in the Borough of Derry, Westmoreland County, and within an airline radius of five (5) miles thereof to points within an airline radius of twenty-five (25) miles of the said borough, and vice versa. (Formerly A. 22304, Folder 7)

(Continued)

Am-A

Property, as a Class D carrier from the Borough of Somerset, Somerset County, and points within six miles of the limits of said Borough to the City of Pittsburgh, Allegheny County, and points within fifteen miles of the limits of said City, and vice versa, via Highway Route 219, the Pennsylvania Turnpike, and Highway Route 30.

Am-C

Property, to interchange, originating at or destined to points within fifteen (15) miles of the limits of the City of Pittsburgh, Allegheny County, with Class A, Class B and Class D carriers, operating over regular routes, at points within the City of Pittsburgh Allegheny County, and within fifteen (15) miles of the limits of said city, provided that all shipments interchanged are transported to or from the Borough of Somerset, Somerset County, and points within six (6) miles of the limits of said borough.

Am-D

Property, to transport as a Class B carrier, including farm products and lime, between points in the Borough of Berlin, Somerset County, and within three (3) miles of the limits of the said borough.

To transport, as a Class D carrier, property from points in the Borough of Berlin, Somerset County, and within three (3) miles of the limits of the said borough to points within twenty-five (25) miles by the usually traveled highways of the limits of the said borough.

To transport, as a Class D carrier, farm products, including lime, from points in the Borough of Berlin, Somerset County, and within three (3) miles of the limits of said borough to points within fifty (50) miles by the usually traveled highways of the limits of the said borough, and vice versa.

To transport, as a Class D carrier, farm machinery for the Berlin Feed Company from points in the Borough of Berlin, Somerset County, and within three (3) miles of the limits of said borough to points within one hundred seventy-five (175) miles by the usually traveled highways of the limits of said borough, and vice versa.

To transport, as a Class D carrier, property (excluding heavy machinery or equipment which because of its size or weight requires special handling and the use of special equipment such as trucks having winches or special equipment attached or trucks of special body construction or pole trailers or drop-frame trailers), between points in the Borough of Berlin, Somerset County, and within six (6) miles by the usually traveled highways of the limits of said borough and from points in the said area to points within two hundred fifty (250) miles by the usually traveled highways of the limits of the said borough, and vice versa.

To transport, as a Class D carrier, sugar from points in the City of Philadelphia, Philadelphia County, to points in the Boroughs of Meyersdale and Somerset, Somerset County.

(Continued)

Am-D - Continued

To transport, as a Class D carrier, corn, potatoes, grain and feed and fertilizer between points in the County of Somerset.

To transport, as a Class D carrier, corn, potatoes, grain and feed from points in the County of Somerset to points within two hundred fifty (250) miles by usually traveled highways of the limits of the Borough of Berlin, Somerset County, and vice versa.

To transport, as a Class D carrier, fertilizer from points within two hundred fifty (250) miles by the usually traveled highways of the limits of the Borough of Berlin, Somerset County, to points in the County of Somerset.

To transport, as a Class D carrier, building supplies, brick, tile, lumber, millwork, porch posts made of wood, roof materials, sand, shale, stone, cement and cement blocks from points in the County of Somerset to points in Pennsylvania, and vice versa;

The right immediately above being subject to the following condition:

That no right, power or privilege is granted to transport property requiring special handling or the use of equipment of special body construction including carry-alls, winch trucks, tractors, pole trailers or drop-frame trailers.

To transport property, as a Class D carrier, (excluding commodities in bulk in tank vehicles, household furniture in use, heavy equipment, materials in bulk, articles of special value, and property which because of its size or weight requires special handling and the use of special equipment) between points in the Borough of Somerset, Somerset County, and within six (6) miles by the usually traveled highways of the limits of said borough, and from points in said territory to points in the County of Somerset, and vice versa:

The right immediately above being subject to the following condition:

That no right, power or privilege is granted to transport property from railroad stations in the County of Somerset to points in the said County.

# 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.

**John Vuono**  
2310 Grant Bldg.  
Pittsburgh, PA 15219

Date January 14, 1986

**CR 118123 A**

**DOCUMENT  
FOLDER**

In re application of Pitt-Ohio Express, Inc.  
A-00102471, F.1, Am-J.....\$15.00

**RECORDED  
JAN 16 1986**

ck 4275 Revenue account 01780-17601-102 (ck)  
Checks \$75.00 Currency \_\_\_\_\_  
Utility account 50:26

**C. Joseph Meisinger**  
For Department of Revenue