

1. <u>REPORT DATE:</u>	August 23, 1985	2. <u>BUREAU AGENDA NO.</u>	SEP-85-T-944*
3. <u>BUREAU:</u>	Transportation		
4. <u>SECTION(S):</u>	Financial Review	5. <u>PUBLIC MEETING DATE:</u>	September 5, 1985
6. <u>APPROVED BY:</u>			
Director:	B. L. Ernst 7-2154		
Supervisor:	P. I. Kenney 3-5949		
7. <u>MONITOR:</u>			
8. <u>PERSON IN CHARGE:</u>	S. M. Butcher 7-6872		
9. <u>DOCKET NO:</u>	A-00102471, F. 1, Am-E		

10. (a) CAPTION (abbreviate if more than 4 lines)  
 (b) Short summary of history & facts, documents & briefs  
 (c) Recommendation

- (a) PITT-OHIO EXPRESS, INC. A-00102471  
 TEMPORARY AUTHORITY APPLICATION TO OPERATE UNDER PART OF THE  
 TRUCKING RIGHTS CERTIFICATED TO BREMAN'S EXPRESS COMPANY -  
 DEBTOR-IN-POSSESSION, AT A-00080581, VARIOUS FOLDERS.
- (b) Breman's is a Debtor-in-Possession under a Chapter XI Bankruptcy  
 proceeding. Breman's has received Court permission to sell part  
 of its operating authority.
- (c) The Bureau recommends that the temporary authority application  
 be approved.

Applicant's attorney: John A. Vuono  
 2310 Grant Bldg.  
 Pittsburgh, PA 15219  
 (412) 471-1800

11. MOTION BY: Commissioner Chm. Taliaferro Commissioner Cawley - Yes  
 Commissioner Fischl - Yes

SECONDED: Commissioner Shane Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

DOCU...  
 FILE

DC... ID  
 SEP 17 1985



COMMONWEALTH OF PENNSYLVANIA  
 PENNSYLVANIA PUBLIC UTILITY COMMISSION  
 P.O. BOX 3265, HARRISBURG, Pa. 17120  
 September 11, 1985

IN REPLY PLEASE  
 REFER TO OUR FILE  
 A-00102471

*F. I AM E*

John A. Vuono, Esquire  
 William J. Lavelle, Esquire  
 2310 Grant Street  
 Pittsburgh, PA 15219

COPIES  
 FOLDED

Application of Pitt-Ohio Express, Inc.

RECORDED  
 SEP 17 1985

To Whom It May Concern:

Enclosed is an Order granting temporary authority issued by the Commission in the above entitled proceeding at Public Meeting held September 5, 1985

It will be necessary for you to comply with the following insurance and tariff requirements:

- I Arrange through insurance agent to have his company file a certificate of public liability and property damage insurance Insurance companies have these certificates. (FORM E)
- II Arrange through insurance agent to have his company file a cargo insurance certificate in the amount of \$2500 per vehicle. Insurance companies have these certificates- (Form-UCPC-31). IF ANY SINGLE LOAD WHICH THE APPLICANT TRANSPORTS DOES NOT EXCEED \$100.00 IN VALUE, HE MAY SIGN, HAVE NOTARIZED AND RETURN THE ENCLOSED AFFIDAVIT TO THIS OFFICE IN LIEU OF CARGO INSURANCE.
- III Prepare and file a tariff, instructions for which are enclosed.

Very truly yours,

cc: Applicant  
 26th & Railroad St.  
 Pittsburgh, PA 15222

Copy of order to: Refer to list attached.

fao

Jerry Rich, Secretary

Encls.  
 Certified Mail  
 Receipt Requested

Similar letter list.

A-00102471

Michael J. Henny, Esquire  
1600 Three Gateway Center  
Pittsburgh, PA 15222  
BREMAN'S EXPRESS

John S. Pillar, Esquire  
Pillar & Mulroy  
312 Boulevard of the Allies  
Suite 700  
Pittsburgh, PA 15222  
NEWCOMER TRUCKING, INC.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

Harrisburg, PA 17120

Public Meeting held September 5, 1985

Commissioners Present:

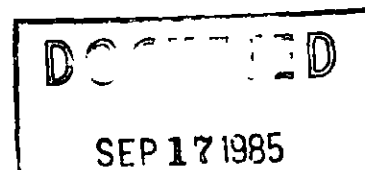
Linda C. Taliaferro, Chairman  
James H. Cawley  
Frank Fischl  
Bill Shane

DO NOT  
REMOVE

Pitt-Ohio Express, Inc.  
Temporary Authority Application for  
approval to operate part of the rights  
granted under the certificate of  
Breman's Express Company, at A-00080581,  
as described in the application therein.

A-00102471

FI AIN-E



O R D E R

BY THE COMMISSION:

The above application is filed by Pitt-Ohio Express, Inc., Pittsburgh, Pennsylvania, wherein it seeks Temporary Authority to operate under part of the operating rights of Breman's Express Company (Breman's) at A-00080581, as set forth in its temporary authority application.

Applicant has concurrently filed a transfer application for permanent authority, which was protested by Newcomer Trucking Company, and is presently pending in the Office of the ALJ.

On August 10, 1984 the Commission granted applicant Emergency Temporary Authority to operate under part of Breman's rights, with Breman retaining a portion; subsequently, it was determined that Breman was no longer a viable carrier and therefore the portion of its rights which Breman was to retain are proposed for transfer to applicant and are included in the grant herein.

Breman's is a long established carrier, generating substantial operating revenues - \$7, \$4 and \$3 million for the years 1981, 1982 and 1983, respectively.

Breman's is presently a Debtor-in-Possession under Chapter XI Bankruptcy proceedings.

Breman's operated in a large portion of western Pennsylvania transporting numerous commodities.

For the past two years Breman's operating revenues have dropped considerably, while its expenses have risen, and its less-than-truckload (LTL) commodities have exceeded its full truckload shipments.

As Breman's financial problems became more serious its ability to continue to furnish LTL service became increasingly more expensive, which ultimately forced Breman's to curtail its LTL shipments, thereby depriving the shipping public of needed service.

It appears that the application has merit and will be in the public interest by permitting a dependable and continuous service in the public interest; THEREFORE,

IT IS ORDERED: That the above application at A-00102471, for Temporary Authority be and is hereby approved, and that the applicant be permitted to operate under part of transferor's rights as set forth in said application.

IT IS FURTHER ORDERED: That the applicant will file evidence of insurance prior to the initiation of any service granted herein.

IT IS FURTHER ORDERED: That the applicant will file a tariff within 10 days of service of this order, setting forth the rights to be operated, with existing conditions, under the Temporary Authority granted herein; and providing the same rates, rules and regulations applicable under the tariffs of Breman's Express Company.

IT IS FURTHER ORDERED: That the authority granted herein will have no bearing on the application for permanent authority.

BY THE COMMISSION,

  
Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: September 5, 1985

ORDER ENTERED: SEP 11 1985