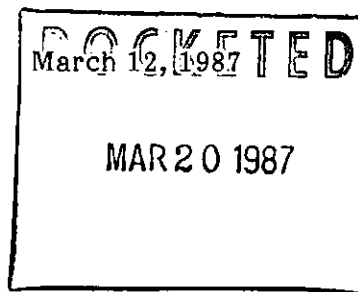


PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	February 12, 1987	2. <u>BUREAU AGENDA NO.</u>	MAR-87-T-245*
3. <u>BUREAU:</u>	Transportation	5. <u>PUBLIC MEETING DATE:</u>	
4. <u>SECTION</u>	Technical Review	6. <u>APPROVED BY:</u>	
		Director: Ernst 7-2154	
		Supervisor: Marzolf 3-5945	
7. <u>MONITOR:</u>			
8. <u>PERSON IN CHARGE:</u>	Hawk 7-7703		
9. <u>DOCKET NO.:</u>	A-00102471, F. 1, Am-0		
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., Pittsburgh, Allegheny County, a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate: SO AS TO PERMIT the transportation of property, for Atlantic-Pacific Automotive Company, from the borough of Mechanicsburg, Cumberland County, to points in Pennsylvania, and vice versa.

(b) The application was protested by three carriers, however, all protests were withdrawn upon the applicant restricting its proposed authority. Approval of the application is necessary for the accommodation and convenience of the public.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the application as amended and further modified.

11. MOTION BY:	CommissionerChm. Taliaferro	Commissioner Fischl - Yes Commissioner
SECONDED:	CommissionerShane	Commissioner

CONTENT OF MOTION: Staff recommendation adopted.



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

March 18, 1987

IN REPLY PLEASE
REFER TO OUR FILE
A-00102471
F.1, Am-O

DOCKETED
MAR 23 1987

William J. Lavelle, Esquire
Vuono, Lavelle & Gray
2310 Grant Building
Pittsburgh, PA 15219

Application of Pitt-Ohio Express, Inc., a corporation of the
Commonwealth of Pennsylvania
To Whom It May Concern:

Enclosed, herewith, is supplemental order modifying
Certificate of Public Convenience issued by the Commission
in the above entitled proceeding.

The applicant will not be permitted to operate or engage
in any transportation granted by the enclosed order until
he has complied with the following tariff requirement:

Prepare and file a tariff, instructions
for which are enclosed.

Motor carriers operating without complying with the above
requirement will be subject to the penalty provisions of the
Public Utility Law.

Commission regulations require compliance with the above
requirement within sixty (60) days of the date of this letter.
Failure to comply within the sixty (60) day period will cause
the Commission to rescind the action of March 12, 1987
and dismiss the application without further proceedings.

If you foresee any problems in obtaining the necessary
requirement within the specified time period, please contact
the Pennsylvania Public Utility Commission--Service Section.

Very truly yours,

DOCUMENT
FOLDER

FOI

Jerry Rich
Jerry Rich, Secretary

Encls.
Cert. Mail
cc: Applicant
27th and A.V.R.R.
Pittsburgh, PA 15222

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

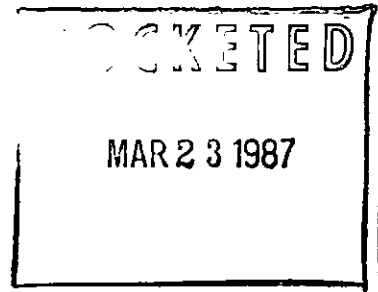
Public Meeting held March 12, 1987

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

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,
except commodities in bulk and
household goods and office furniture
in use, for G. C. Murphy Company
between points in Pennsylvania: SO AS
TO PERMIT the transportation of
property, for Atlantic-Pacific Auto-
motive Company from the borough of
Mechanicsburg, Cumberland County, to
points in Pennsylvania, and vice versa.

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F. 1
Am-0



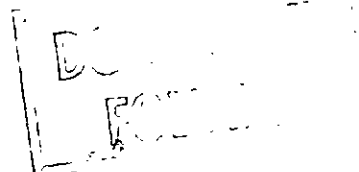
Vuono, Lavelle & Gray by William J. Lavelle for applicant.
Graf, Knupp & Andrews, P.C. by Christian V. Graf for protestants,
Pyramid Lines, Inc., and Central Storage & Transfer Co.
McNees, Wallace and Nurick by William A. Chestnut for protestant,
Gilchrist Trucking, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application
filed June 30, 1986. Public notice of the application was published in
the Pennsylvania Bulletin on August 9, 1986. The application was
protested by three common carriers. The protests were withdrawn upon
the applicant restrictively amending its authority to exclude four
counties.

The now unopposed record is certified to the Commission
without oral hearing. Verified statements have been filed by the
applicant and the supporting shipper.



The applicant corporation currently operates pursuant to a P.U.C. common carrier certificate. Mr. Robert E. Hummel states that he and two brothers, Charles I. Hammel, III and Kenneth W. Hammel, each own one-third of the stock of Pitt-Ohio. Charles I. Hammel, III is the president of the applicant and a director. Kenneth W. Hammel is vice president of the applicant and a director. He is the Secretary-Treasurer and a director. There is an affiliation between the three brothers each own 12 percent of the stock of Hammel and serve as officers and directors. There is no other affiliation between the applicant and any other persons or corporations.

The office and principal place of business is located at 26th Street and A.V.R.R., Pittsburgh, Allegheny County. Applicant owns 52 tractors, 20 trailers and 44 straight trucks which are 20 feet in length. All of the trailers are closed vans. There are two 25-foot pup trailers, eight 48-foot vans and ten 45-foot vans. Applicant leases from Martera 2 tractors, 90 closed van trailers, and 18 straight trucks. A maintenance and safety program is in effect.

As evidence of its financial capacity to perform the proposed services, the applicant reports assets of \$4,306,285, liabilities of \$2,297,448 and stockholders' equity of \$2,008,837.

Mr. Dale Head is the traffic manager of the supporting shipper, Atlantic-Pacific Automotive Company. Its main headquarters is located in Memphis, Tennessee. The warehouse supporting the proposed authority is located at Mechanicsburg, Cumberland County. The shipper is an after-market automobile parts distributor for used car wholesalers and retailers of automobile parts. Mr. Dale states that inbound shipments usually, but not always, consist of returned or rejected items. Outbound shipments are to most any points in Pennsylvania. The shipper has used the applicant in the past and feels the services meet its transportation needs.

We note, after a review in our office and a further discussion with the attorney for the applicant, that the shipper's facility is located on the boundary lines of the borough of Mechanicsburg and the township of Silver Spring. The mailing address is Mechanicsburg and it never occurred to the shipper to indicate that its facilities were built on the line. The proposed authority reads for the shipper, therefore, we do not feel there will be any harm to the public to include the township as an origin without republishing the proposed authority.

We find that:

1. Applicant has the equipment, experience and fitness necessary to render the proposed service as amended and further modified.
2. The supporting shipper has demonstrated a need for the service as proposed as amended and further modified.

3. The shipper's facility is located on the boundary line of the borough of Mechanicsburg and the township of Silver Spring.

4. Applicant has established that approval of the application as amended and modified is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application as modified be and is hereby approved and that the certificate, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property for Atlantic-Pacific Automotive Company located on the boundaries of the borough of Mechanicsburg and the township of Silver Spring, Cumberland County, to points in Pennsylvania, and vice versa.

subject to the following condition:

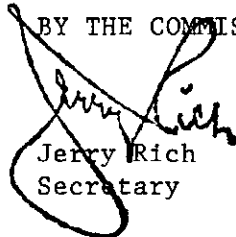
That no right, power or privilege is granted to transport property to or from points in the counties of Bradford, Columbia, Lackawanna and Luzerne.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relating to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,


Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: March 12, 1987

ORDER ENTERED: MAR 18 1987