

PUC - 77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheet

1. <u>REPORT DATE:</u> December 1, 1986	:	2. <u>BUREAU AGENDA NO.</u> JAN-87-T-17*
3. <u>BUREAU:</u> Transportation	:	
4. <u>SECTION(S):</u> Technical Review	:	5. <u>PUBLIC MEETING DATE:</u>
6. <u>APPROVED BY:</u> Director: Ernst 7-2154 Supervisor: Bigelow/Marzolf 3-5945	:	January 8, 1987
7. <u>MONITOR:</u>	:	
8. <u>PERSON IN CHARGE:</u> Hoshour 7-5513	:	
9. <u>DOCKET NO:</u> A-00102471, F. 1, Am-Q	:	

DOCKETED

JAN 15 1987

10. (a) CAPTION (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 (1) property (except household goods in use and commodities in bulk) from the facilities of McCreary Tire & Rubber Co. located in the borough of Indiana, Indiana County, to points in Pennsylvania, and vice versa; and (2) property (except household goods in use and commodities in bulk), from the facilities of Pittsburgh Corning Corporation located in the borough of Port Allegheny, McKean County, to points in Pennsylvania, and vice versa.

(b) The application was unopposed and the applicant and two supporting shippers have filed verified statements. The record indicates that all transportation is to be provided for the two shippers from their facilities, and the authority granted herein has been modified to reflect the evidence. The record contains sufficient evidence to demonstrate that the applicant has the expertise and equipment necessary to provide the proposed transportation, as modified. Approval of the application, as modified, is necessary for the accommodation and convenience to the public.

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

11. MOTION BY: Commissioner Chm. Taliaferro		Commissioner Fischl - Yes
		Commissioner
SECONDED: Commissioner Shane		Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

D  
F



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

January 15, 1987

IN REPLY PLEASE  
REFER TO OUR FILE

A-00102471  
F. 1, Am-Q

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

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

Dear Sir: \_\_\_\_\_

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 January 8, 1987  
and dismiss the application without further proceedings.

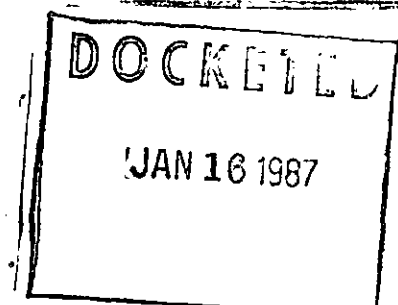
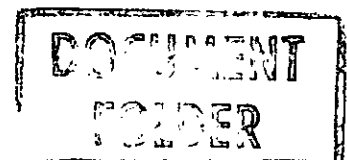
If you foresee any problems in obtaining the necessary re-  
quirement within the specified time period, please contact the  
Pennsylvania Public Utility Commission--Service Section.

cc:applicant  
Pitt-Ohio Express, Inc.  
26th and A.V.R.R.  
Pittsburgh, PA 15222

lg  
Encls.  
Cert. Mail

Very truly yours,

  
Jerry Rich  
Secretary



PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

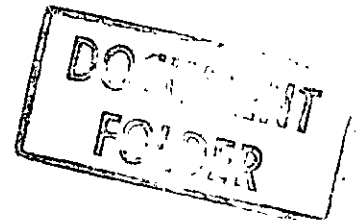
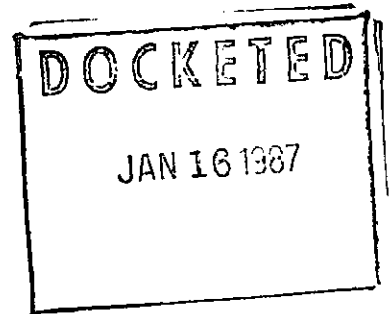
Public Meeting held January 8, 1987

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 (1) property (except household goods in use and commodities in bulk), from the facilities of McCreary Tire & Rubber Co. located in the borough of Indiana, Indiana County, to points in Pennsylvania, and vice versa; and (2) property (except household goods in use and commodities in bulk), from the facilities of Pittsburgh Corning Corporation located in the borough of Port Allegany, McKean County, to points in Pennsylvania, and vice versa.

A-00102471  
F. 1  
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Vuono, Lavelle & Gray by William J. Lavelle for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed August 14, 1986. Public notice of the application was given in the Pennsylvania Bulletin of September 13, 1986. No protests were filed.

The application is unprotested and the record is certified to the Commission for its decision without an oral hearing. The record consists of verified statements submitted by the applicant and two supporting shippers.

## DISCUSSION AND FINDINGS

The applicant, Pitt-Ohio Express, Inc. (Pitt-Ohio or applicant), seeks to acquire by the instant application, two additional rights. By the first right, Pitt-Ohio seeks the right to transport property from the facilities of McCreary Tire & Rubber Co., located in the borough of Indiana, Indiana County, to points in Pennsylvania, and vice versa. By the second right, the applicant seeks the right to transport property, from the facilities of Pittsburgh Corning Corporation located in the borough of Port Allegheny, McKean County, to points in Pennsylvania, and vice versa. Both rights to exclude the transportation of household goods in use and commodities in bulk.

The applicant is actively engaged in providing transportation pursuant to currently held intrastate and interstate operating authorities. Operations are conducted from office and terminal facilities located at 26th and A.V.R.R., Pittsburgh, Allegheny County. The terminal is used as a breakbulk facility and as a hub for its pick-up and delivery operations. The applicant's central dispatch system is also located at the terminal.

Pitt-Ohio has available to render transportation, 44 straight trucks, 48 tractors and 24 trailers which are owned by the applicant. Also available are one tractor, 13 straight trucks and 64 van trailers which are currently under long-term lease. The applicant is able to acquire additional equipment if it should become necessary from its leasing company.

Since the applicant is, at the present time, providing the two supporting shippers with service under its current intrastate and interstate authorities, Pitt-Ohio foresees no difficulty in meeting the transportation requirements of the two supporting shippers. The supporting shippers will be provided with a variety of services, including the transportation of both truckload and less-than-truckload shipments.

McCreary Tire & Rubber Co. (McCreary), 1600 Washington Street, Indiana, Indiana County, sets forth that it is engaged in the manufacture of rubber tires. McCreary intends to utilize the services of the applicant to transport inbound shipments of such items as pneumatic tires, tubes, rubber chemicals and solvents. Approximately 50 percent of the inbound traffic is comprised of less-than-truckload quantities of freight, from 100 pounds to 10,000 pounds. The outbound traffic will consist of pneumatic tires and tubes.

Potential destinations of traffic from McCreary can be any wholesale or retail tire outlet in Pennsylvania. McCreary ships to such major cities as Pittsburgh, Harrisburg and Philadelphia with these being heavier in weight and more frequent than those to rural areas. A representative list of destinations of shipments from McCreary, indicates that it has customers located throughout Pennsylvania. Origins for inbound traffic are limited to such points as Pittsburgh, Philadelphia and Carlisle.

McCreary operates on a "just in time" basis with regards to its raw materials inventory as well as the finished product, thus necessitating scheduled pick-ups of raw materials from suppliers, and, at its own plant, for outbound traffic. McCreary expects overnight or second-morning delivery service. Service provided by the applicant for interstate shipments has been very dependable.

Pittsburgh Corning Corporation (Corning), 800 Presque Isle Drive, Pittsburgh, is engaged in the manufacture of cellular glass insulation and glass building blocks at a plant located in the borough of Port Allegheny, McKean County. Traffic moving from the Port Allegheny plant will consist of glass blocks, Foamglass insulation, Temp-Mat insulation, mastics and adhesives. Inbound shipments include various materials which are used in its production process and include such items as corrugated cartons, chemicals, mastics and adhesives.

Outbound shipments consist of a mix of 35 percent less-than-truckload and 65 percent truckload quantities of freight. Representative destinations include Pittsburgh, Philadelphia, Coatesville, Lancaster, Edgemont, Stroudsburg, Harrisburg, State College, Norristown and Chester. Inbound shipments originate at such points as Pittsburgh, Philadelphia, Erie and Carlisle.

Corning has been using the services of the applicant for the past two years for traffic moving in interstate commerce. This service has been excellent. The applicant has been providing clean and well maintained equipment on a prompt basis. Upon approval of the application, Corning anticipates tendering Pitt-Ohio approximately 30 to 35 percent of its outbound traffic and 15 to 20 percent of its inbound traffic.

The record indicates that although the applicant seeks to provide transportation from the facilities of the two supporting shippers that all service is to be provided for the two shippers from their facilities. The authority hereinafter granted shall be modified to reflect the evidence of record, by limiting the applicant to rendering service for the two specified shippers.

After review of the record, we have determined that the applicant has the expertise and equipment to meet the transportation requirements of the two supporting shippers. The evidence of support submitted by the two shippers is adequate to demonstrate that there exists a public need for the proposed transportation, as further modified.

We find:

1. That the applicant is fit, willing and able to render the proposed transportation as further modified.
2. That the applicant has met its statutory burden of demonstrating that a public need exists.

3. That approval of the application, as further modified, is necessary for the accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application, as further modified, be and is hereby approved, and that the certificate issued to the applicant on March 4, 1981, as amended, be further amended to include the following rights:

To transport, as a Class D carrier, property, for McCreary Tire & Rubber Co., from its facilities located in the borough of Indiana, Indiana County, to points in Pennsylvania, and vice versa.

To transport, as a Class D carrier, property, for Pittsburgh Corning Corporation, from its facilities located in the borough of Port Allegheny, McKean County, to points in Pennsylvania, and vice versa;

with both of the above rights subject to the following conditions:

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

That no right, power or privilege is granted to transport commodities in bulk.

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 Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

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.

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.

BY THE COMMISSION,

  
Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: January 8, 1987

ORDER ENTERED: **JAN 15 1987**