

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
August 13, 1987	:	SEP-87-T-1026*
3. <u>BUREAU:</u>	:	
Transportation	:	
4. <u>SECTION</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	September 17, 1987
6. <u>APPROVED BY:</u>	:	
Director: Ernst 7-2154	:	
Supervisor: Bigelow/Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
Tim Zeigler 3-5946	:	
9. <u>DOCKET NO.:</u>	:	
A-00102471, F. 1, Am-R	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		

DOCKETED**OCT 7 - 1987**

(a) Application of Pitt-Ohio Express, Inc., a corporation of the Commonwealth of Pennsylvania, Pittsburgh, Allegheny County, for amendment to its common carrier certificate: SO AS TO PERMIT the transportation of property (except commodities in bulk and household goods and office furniture in use), for Triangle Auto Spring Company, from its facilities in the city of DuBois, Clearfield County, to points in Pennsylvania, and vice versa.

(b) The application is unopposed. The applicant has stipulated that it will not transport property from the facilities of Bethlehem Steel Corporation in Cambria County to the facilities of the shipper in the city of DuBois, Clearfield County. The applicant has the necessary fitness, experience and equipment to render the proposed service, as amended. It has the support of the shipper which desires a dependable ltl and tl carrier. Approval of the application will aid the supporting shipper in meeting its intrastate requirements and is an accommodation and convenience to the public.

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

11. <u>MOTION BY:</u>	Commissioner Chm. Shane	Commissioner Taliaferro - Yes
		Commissioner Smith - Yes
<u>SECONDED:</u>	Commissioner Fischl	Commissioner

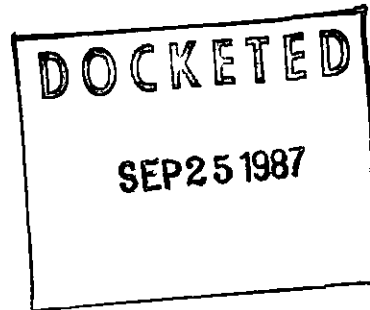
CONTENT OF MOTION: Staff recommendation adopted.

**DOCUMENT
FOLDER**



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120
September 23, 1987

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



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



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

Enclosed is the compliance order issued by the Commission in this proceeding.

The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

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

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 September 17, 1987 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich
Secretary

fao
Enclosure
Certified Mail
Receipt Requested
Tariff Contact Person: Joseph Machulsky (717) 787-5521
cc: Pitt-Ohio Express, Inc.
26th & A.V.R.R.
Pittsburgh, PA 15222

0001
PITT-OHIO EXPRESS, INC.
26TH & A.V.R.R.
PITTSBURGH PA 15222
SELF

0002
WILLIAM J LAVELLE ESQ
2310 GRANT BUILDING
PITTSBURGH PA 15219
APPLICANT

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held September 17, 1987

Commissioners Present:

Bill Shane, Chairman
Linda C. Taliaferro
Frank Fischl
William H. Smith

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 (except commodities in bulk and household goods and office furniture in use), for Triangle Auto Spring Company, from its facilities located in the city of DuBois, Clearfield County, to points in Pennsylvania, and vice versa.

A-00102471
F. 1
Am-R

DOCUMENT
FOLDER

DOCKETED

SEP 25 1987

William J. Lavelle for Pitt-Ohio Express, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 6, 1987. Public notice of the application was given in the Pennsylvania Bulletin of April 25, 1987. The unopposed application is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by Robert F. Hammel, Secretary of Pitt-Ohio Express, Inc. and Larry Haag, traffic manager for Triangle Auto Spring Company.

DISCUSSION AND FINDINGS

The applicant seeks amendment to its certificate to permit service for an additional shipper transporting its property from facilities in the city of DuBois, Clearfield County, to points in Pennsylvania, and vice versa. The applicant has stipulated that it will not transport commodities in bulk, or household goods and office furniture in use. Further, it has restrictively amended the application to exclude the transportation of property from the facilities of Bethlehem Steel Corporation in Cambria County to the facilities of Triangle Auto Spring Company in the city of DuBois, Clearfield County.

The applicant now holds several grants of authority to permit service for specific shippers. In addition, it holds several grants of authority to provide service in a broad territory. The applicant operates from facilities at Pittsburgh, Allegheny County. This main terminal is used as a break bulk facility for line haul traffic and as a hub for pick up and delivery operations in western Pennsylvania, northern West Virginia and eastern Ohio. About 55 vehicles are presently assigned to the Pittsburgh terminal which is also the location of the company central dispatch system. System wide, Pitt-Ohio owns 52 tractors, 20 trailers and 44 straight trucks. All trailers are closed vans. The applicant leases two tractors, nine closed van trailers and 18 straight trucks. The applicant maintains a complete safety program which is conducted in compliance with safety regulations of the Pennsylvania Department of Transportation, the Federal Department of Transportation, the Public Utility Commission and the Interstate Commerce Commission. Pitt-Ohio has implemented a preventative maintenance program which requires the checking and servicing of equipment on a regular basis.

The applicant is currently handling traffic for the account of Triangle Auto Spring Company from its facilities in DuBois to points in Ohio and West Virginia under its interstate operating authority. In Pennsylvania it will offer the shipper a full range of services to include the handling of all sizes of shipments from the smallest 1tl to full truckload shipments. Pitt-Ohio does specialize in the transportation of less-than-truckload shipments with about 95 percent of its shipments weighing less than 10,000 pounds. Service is generally available five days a week during normal business hours. Special arrangements can be made to make pickups and deliveries at such other times as evenings, weekends and holidays when required. It is expected that this shipper can be served on either an overnight or second day basis to any point in Pennsylvania.

As evidence of its financial capacity to render the additional service, Pitt-Ohio entered a balance sheet and income statement for the year ending December 31, 1986. The applicant reports total current assets of \$2,377,445, total assets of \$4,814,489, current liabilities of \$2,047,436 and total liabilities of \$2,693,577.

The applicant in its verified statement has disclosed an affiliation with another carrier as certain shareholders, officers and directors of the applicant have interest in the affairs of Hammel's Express, Inc. Robert F. Hammel, secretary of the applicant, along with his two brothers, Charles L. Hammel, III and Kenneth W. Hammel, each own one third of the stock of Pitt-Ohio Express, Inc. Charles L. Hammel, III, is president of the applicant and is a director. Kenneth W. Hammel is vice president and director and Robert F. Hammel and Kenneth W. Hammel along with Charles L. Hammel, III each own 12 percent of the issued and outstanding stock of Hammel's Express, Inc. It is our determination the applicant has acquitted its responsibility to disclose its affiliation with other carriers.

The supporting shipper in this proceeding is a manufacturer of leaf springs and is a distribution center for replacement suspension parts. It has its main office, manufacturing plant and warehouse in DuBois, Clearfield County. It is anticipated that the applicant will be used to transport a portion of its Pennsylvania traffic which approximates 200 inbound shipments and 1,500 outbound shipments annually. Outbound shipments move to points throughout Pennsylvania. Inbound vendors are located at such points as Pittsburgh, Chambersburg, Erie, Lancaster, Bridgeville, Philadelphia and Emporium. The shipper controls the routing and pays the freight charges and about 95 percent of outbound shipments and controls the routing and pays the freight charges on all inbound shipments. Triangle Auto Spring Company is supporting the applicant in order to have available a dependable, overnight ltl and tl service. It has used the applicant to transport interstate shipments since 1985 and the service has been very good.

After due consideration of the record, we find that the applicant has demonstrated it has the necessary equipment, experience and fitness to render the proposed service to the shipper. The applicant has the support of the shipper for both a less-than-truckload and truckload service which the applicant is prepared to provide. Approval of the application will meet the intrastate needs of the shipper and will be an accommodation and convenience to the public; THEREFORE,

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

To transport, as a Class D carrier, property for Triangle Auto Spring Company, from its facilities in the city of DuBois, Clearfield County, to points in Pennsylvania, and vice versa;

subject to the following conditions:

That no right, power or privilege is granted to transport commodities in bulk, or house-goods and office furniture in use.


That no right, power or privilege is granted to transport property from the facilities of Bethlehem Steel Corporation located in Cambria County to the facilities of Triangle Auto Spring Company in the city of DuBois, Clearfield County.

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 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 the Commission relating to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event the applicant has not, on or before sixty (60) days from the date of service of the 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: September 17, 1987

ORDER ENTERED: SEP 23 1987