

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	October 12, 1988	2. <u>BUREAU AGENDA NO.</u>	
3. <u>BUREAU:</u>	Transportation		NOV-88-T-1205*
4. <u>SECTION</u>	Technical Review	5. <u>PUBLIC MEETING DATE:</u>	
6. <u>APPROVED BY:</u>			November 10, 1988
Director:	Ernst 7-2154		
Supervisor:	Bigelow/Marzolf 3-5945		
7. <u>MONITOR:</u>			
8. <u>PERSON IN CHARGE:</u>	Zeigler 3-5946		
9. <u>DOCKET NO.:</u>	A-00102471, F. 1, Am-X		
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)			
(b) Short summary of history & facts, documents & briefs			
(c) Recommendation			

DOCKETED
NOV 23 1988

(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 Mitchell Sports U.S.A., Inc., from its facilities in the city of Harrisburg, Dauphin County, to points in Pennsylvania, and vice versa.

(b) The application is unopposed. The applicant has the necessary equipment, experience, personnel and financial capacity to properly render the proposed service. The applicant has the support of the named shipper and the evidence presented is representative of a need for the service and that 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.

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

CONTENT OF MOTION: Staff recommendation adopted.



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

November 18, 1988

IN REPLY PLEASE
REFER TO OUR FILE
A-102471
F. 1, Am-X

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

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.

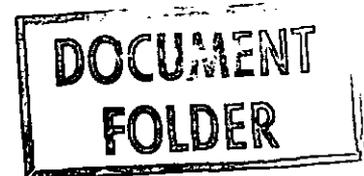
Commission regulations require compliance with the above
requirement within sixty (60) days of the date of this letter. Failure
to comply within the sixty (60) day period will cause the Commission to
rescind the action of November 10, 1988 and dismiss the application
without further proceedings.

Very truly yours,

Jerry Rich
Secretary

DOCKETED

DEC 02 1988



lg

Enclosure

Certified Mail

Receipt Requested

Tariff Contact Person: Joseph Machulsky (717) 787-5521

cc:applicant

Pitt-Ohio Express, Inc.

26th and A.V.R.R.

Pittsburgh, PA 15222

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held November 10, 1988

Commissioners Present:

Bill Shane, Chairman
William H. Smith, Vice-Chairman
Linda C. Taliaferro
Joseph Rhodes, Jr.
Frank Fischl

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 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 property (except commodities
in bulk and household goods and office furni-
ture in use), for Mitchell Sports U.S.A., Inc.,
from its facilities located in the city of
Harrisburg, Dauphin County, to points in
Pennsylvania, and vice versa.

A-00102471
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DEC 02 1988

William J. Lavelle for the applicant.

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FOLDER**

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 4, 1988. Public notice of the application was given in the Pennsylvania Bulletin of April 30, 1988. 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-treasurer of the applicant and by John T. Bonitz, warehouse manager for Mitchell Sports U.S.A., Inc.

DISCUSSION AND FINDINGS

Pitt-Ohio Express, Inc., is currently authorized by the Commission to conduct operations in Pennsylvania as a common carrier and is in addition authorized by the Interstate Commerce Commission to transport general commodities between points in 18 eastern states and the District of Columbia. The applicant's main office is located in Pittsburgh, Allegheny County. At this location, in addition to its office, is a 26-door general freight terminal. The 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. Approximately 55 vehicles are presently assigned to the Pittsburgh location which is also the location of the company's central dispatch system.

Within Pennsylvania, Pitt-Ohio Express, Inc., also has terminals in Harrisburg, Oaks (Philadelphia) and Allentown. The Harrisburg terminal would be used to serve the supporting shipper. The Harrisburg terminal is a 14-door cross dock terminal operating five days a week and has 14 full-time employees including eight drivers.

The applicant, Pitt-Ohio Express, Inc., is affiliated with Hammel's Express, Inc. This affiliation between the applicant and Hammel's is based on the affiant and his two brothers as officers and directors of both Hammel's and the applicant.

As evidence of its financial capacity to render the additional service proposed, the applicant entered a balance sheet and income statement dated December 31, 1987, reporting total current assets of \$2,621,711, total assets of \$3,367,817, total current liabilities of \$1,279,688 and total liabilities of \$1,503,436. Total revenue of \$16,850,228 provided a net operating revenue of \$977,108 after deduction of expenses.

The applicant is currently handling traffic for the supporting shipper from its facilities in Harrisburg to points in Pennsylvania on and west of U.S. Highway Route 219 and to interstate destinations. By virtue of this service, it is familiar with the shipper's facilities and its requirements.

Mitchell Sports U.S.A., Inc. (Mitchell Sports) is a distributor for several lines of fishing rods and reels which are manufactured abroad. This merchandise is shipped into the Harrisburg distribution warehouse from which orders are filled. The office and warehouse are located in Harrisburg and the company controls the routing of all outbound shipments. Mitchell Sports sells rods and reels to many wholesalers throughout the United States with approximately 90% of its outbound shipments less-than-truckload in size. Mitchell ships to such points as Pittsburgh, Scranton, Philadelphia, Lebanon, Milton, Williamsport, Allentown, Harrisburg, Lancaster and Duryea. Based upon its past experience with the applicant's service, Mitchell Sports is convinced that Pitt-Ohio Express can provide dependable outbound service to its customers in Pennsylvania. It is expected that should the applicant have authority to serve all points in the Commonwealth, the shipper would tender all its Pennsylvania freight to the applicant.

Upon review of the record before us, it is our determination that the applicant has provided evidence that it has the equipment, experience, personnel and financial capacity necessary to render the proposed service. The applicant has the unqualified support of its supporting shipper and the evidence presented by that shipper establishes a need for the service.

We find:

1. The applicant has provided evidence that it has the capacity to properly render the proposed service for the supporting shipper.

2. The applicant, through its supporting shipper, has provided evidence that approval of the application is necessary for the accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application 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 Mitchell Sports U.S.A., Inc., from its facilities in the city of Harrisburg, Dauphin County, to points in Pennsylvania, and vice versa.

subject to the following condition:

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

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 the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich", written over a large, stylized, looped flourish.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: November 10, 1988

ORDER ENTERED: NOV 18 1988