

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets

|  |   |                                |
|--|---|--------------------------------|
| 1. <u>REPORT DATE:</u>                                   | : | 2. <u>BUREAU AGENDA NO.</u>    |
| October 19, 1988   | : |                                |
| 3. <u>BUREAU:</u>  | : | NOV-88-T-1206*                 |
| Transportation   | : |                                |
| 4. <u>SECTION</u>  | : | 5. <u>PUBLIC MEETING DATE:</u> |
| Technical Review   | : |                                |
| 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-W                                   | : |                                |
| 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 McGraw-Edison Power Systems, from its facilities in the borough of Canonsburg, Washington County, the township of Upper Macungie, Lehigh County and the borough of East Stroudsburg, Monroe County, to points in Pennsylvania, and vice versa.

(b) The application was opposed by Evans Delivery Company, Inc., which later withdrew upon reconsideration. The applicant has the necessary equipment, personnel, experience 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 service. 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.

TZ:11

|                       |                         |                               |
|-----------------------|-------------------------|-------------------------------|
| 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.

**FOLDER DOCUMENT**

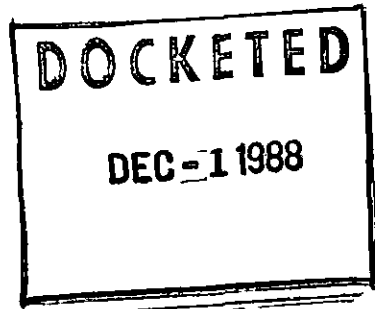


COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

November 18, 1988

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

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

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

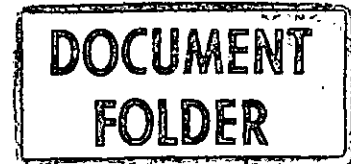
The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

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



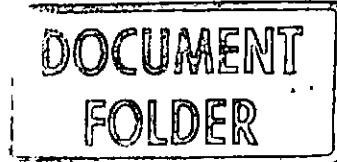
fao  
Enclosure  
Certified Mail  
Receipt Requested  
Tariff Contact Person: Joseph Machulsky (717) 787-5521  
cc: Pitt-Ohio Express, Inc.  
26th and A.V.R.R.  
Pittsburgh, PA 15222

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held November 10, 1988

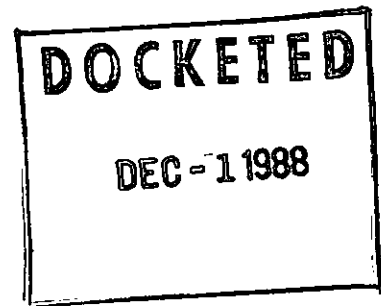
Commissioners Present:

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, 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 McGraw-Edison Power Systems, from its facilities located in the borough of Canonsburg, Washington County, the township of Upper Macungie, Lehigh County, and the borough of East Stroudsburg, Monroe County, to points in Pennsylvania, and vice versa.

A-00102471  
F. 1  
Am-W



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William J. Lavelle for the applicant.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed March 10, 1988. Public notice of the application was given in the Pennsylvania Bulletin of April 9, 1988. A protest filed by Evans Delivery Company, Inc., was later withdrawn upon reconsideration.

The now unopposed application is now 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 Robert J. Newbould, manager of transportation and warehousing for McGraw-Edison Power Systems.

#### DISCUSSION AND FINDINGS

Pitt-Ohio Express, Inc., is currently authorized by the Commission to conduct operations in Pennsylvania as a common carrier and in addition is 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 Pittsburgh terminal would be used to serve the supporting shipper's facilities in the borough of Canonsburg, Washington County. The shipper's facilities in Upper Macungie Township and the borough of East Stroudsburg would both be served by the Allentown terminal.

The applicant 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 within Pennsylvania within the scope of its current authority as well as shipments moving to and/or from points outside Pennsylvania under its interstate authority. By virtue of this service, it is familiar with the shipper's requirements.

McGraw-Edison Power Systems has its division headquarters in Pittsburgh, Allegheny County. It also has manufacturing facilities in East Stroudsburg, Monroe County and Canonsburg, Washington County. It has a warehouse facility in Fogelsville, Upper Macungie Township, Lehigh County. McGraw-Edison will use the applicant to transport shipments out of the three separate facilities to various points in the Commonwealth. It will use the applicant to provide inbound service from its vendors. McGraw-Edison has used the service of the applicant for approximately two years both on interstate and Pennsylvania intrastate basis to the extent that it now holds authority. It has found the applicant to be a dependable carrier which is able to meet its shipping requirements. It is anticipated that approval of the instant application would permit the shipper to tender as much as 50% of both inbound and outbound shipments 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 the 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 of 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 McGraw-Edison Power Systems, from its facilities in the borough of Canonsburg, Washington County, the township of Upper Macungie, Lehigh County, and the borough of East Stroudsburg, Monroe County, to points in Pennsylvania, and vice versa.

subject to the following condition:

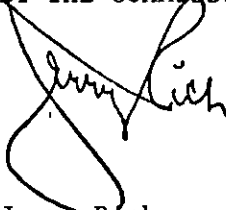
That no right, power or privilege is granted to transport commodities in bulk and household goods and office furniture in use.

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 black ink, 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