

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u> October 13, 1988	2. <u>BUREAU AGENDA NO.</u> NOV-88-T-1204*
3. <u>BUREAU:</u> Transportation	5. <u>PUBLIC MEETING DATE:</u> November 10, 1988
4. <u>SECTION:</u> Technical Review	
6. <u>APPROVED BY:</u> 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-Y	
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 The Glidden Company, from its facilities in the city of Reading, Berks 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 unqualified 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. The authority to issue in this proceeding entirely encompasses the authority granted the applicant relative to service for Glidden Coatings & Resins, Division of SCM Corporation, which is the supporting shipper incorrectly identified in the application at A-00102871, F. 1, Am-T. The effect of the instant application will correct the name of the supporting shipper. The authority to issue in this matter will issue in lieu of the authority previously granted the applicant relative to Glidden.

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

TZ:rs

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

CONTENT OF MOTION: Staff recommendation adopted.

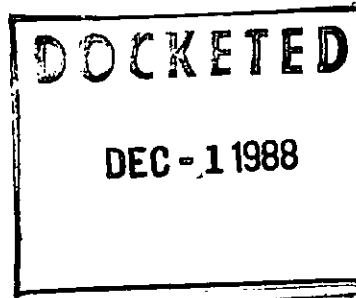
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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

November 18, 1988

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-Y



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

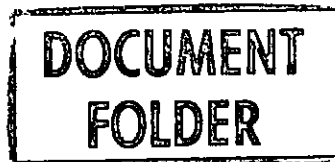
fao
Enclosure
Certified Mail
Receipt Requested
Tariff Contact Person: Joseph Machulsky (717) 787-5521
cc: Pitt-Ohio Express, Inc.
26th and A.V.R.R.
Pittsburgh, PA 15222

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held November 10, 1988

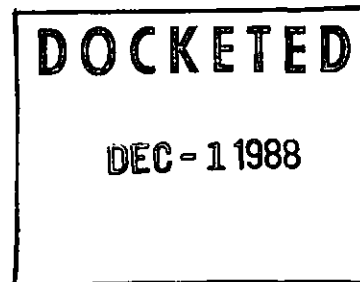
Commissioners Present:

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 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 furniture in use), for The Glidden Company from its facilities in the city of Reading, Berks County, to points in Pennsylvania, and vice versa.

A-00102471
F. 1
Am-Y



William J. Lavelle for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 11, 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 William R. Leshner, transportation manager for The Glidden Company.

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 pickup 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 supporting shipper's facilities in Reading would normally be served by the terminal in Harrisburg, although under certain conditions, it will be served by either the Oaks or Allentown terminals.

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 applicant 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 a substantial amount of traffic for The Glidden Company from its facilities in Reading, to points in Pennsylvania and vice versa as well as to points beyond Pennsylvania. This service is now rendered within the current operating authority of the applicant. By virtue of this service, the applicant is familiar with the shipper's facilities and its requirements.

The Glidden Company is a manufacturer of protective coatings. It has a production plant in Reading, Berks County, which produces paint and related types of products. The plant has nine motor carrier shipping doors and ships and receives freight Monday through Friday from 7:00 a.m. to 11:00 p.m. Approximately 40% of all outbound shipments weigh less than 10,000 pounds. These less-than-truckload shipments range in weight from 500 pounds to 10,000 pounds. The average truckload shipment weighs about 20,000. The Glidden Company receives inbound a wide range of items including raw materials used to produce paint, all types of machinery and parts used in the manufacturing process, and a variety of other items essential to the operation of the production plant and the office. Glidden controls the routing and pays the freight charges on all the inbound traffic and on approximately 98% of the outbound traffic. Glidden has used the applicant's

service since October, 1987 and that service has been reliable and responsive. Glidden ships a substantial number of shipments using the applicant's service.

The Glidden Company is supporting the instant application in part to correct its name in the applicant's operating authority granted October 29, 1987. The authority originally granted to Pitt-Ohio Express, Inc., at A-0010247, F. 1, Am-T stated the shipper's name as "Glidden Coatings & Resins, Division of SCM Corporation". The correct name of the shipper is The Glidden Company. The applicant has not complied with our order of October 29, 1987 and the authority to issue here will be in place of the authority approved at Amendment T.

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 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.

3. The authority to issue in this proceeding totally encompasses the authority granted to the applicant October 29, 1987 relative to service for Glidden Coatings & Resins, Division of SCM Corporation, which is the supporting shipper here incorrectly identified in that pending authority. The authority to issue in this proceeding will be in lieu of the authority granted the applicant October 29, 1987; THEREFORE,

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

To transport, as a Class D carrier, property for The Glidden Company, from its facilities in the city of Reading, Berks 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.

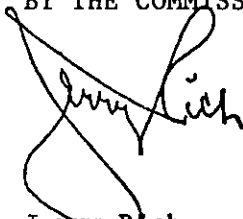
IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That upon compliance with the requirements set forth herein, the pending application at A-00102471, F. 1, Am-T be and is hereby dismissed and the record be marked closed.

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 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", is written over a large, stylized, looped flourish that extends downwards and to the left.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: November 10, 1988

ORDER ENTERED: NOV 18 1988