

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	June 6, 1989	2. <u>BUREAU AGENDA NO.</u>	JUN-89-T-674*
3. <u>BUREAU:</u>	Transportation	5. <u>PUBLIC MEETING DATE:</u>	June 29, 1989
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>	Hoshour 7-5513
9. <u>DOCKET NO.:</u>	A-00102471, F. 1, Am-AD	10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)	
		(b) Short summary of history & facts, documents & briefs	
		(c) Recommendation	

**DOCKETED**  
AUG 01 1989

(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 property (except commodities in bulk and household goods and office furniture in use), for Lederle Laboratories, Division of American Cyanamid Corporation, from its facilities located in the township of Horsham, Montgomery County, to points in Pennsylvania, and vice versa.

(b) The application is unopposed and the applicant and one supporting shipper have entered verified statements. The applicant is currently rendering service for the supporting shipper, however, the authority is limited. The record contains sufficient evidence to indicate that there is a public need for the service proposed by the instant application.

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

WH:11

**DOCKETS**  
**FOLDER**

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

CONTENT OF MOTION: Staff recommendation adopted.



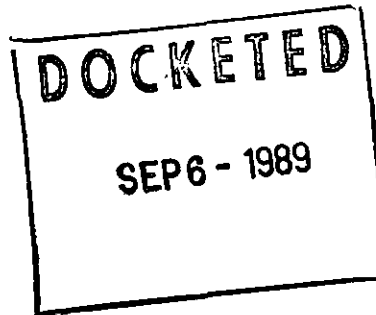
COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

July 6, 1989

IN REPLY PLEASE  
REFER TO OUR FILE

A-102471  
F. 1, Am-AD

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.

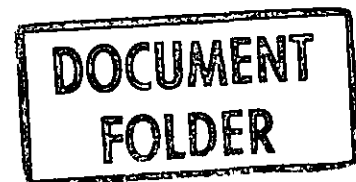
The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

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 June 29, 1989 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich  
Secretary



lg

Enclosure

Certified Mail

Receipt Requested

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

cc:applicant

Pitt-Ohio Express, Inc.

26th & A.V.R.R.

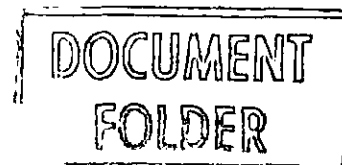
Pittsburgh, PA 15222

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held June 29, 1989

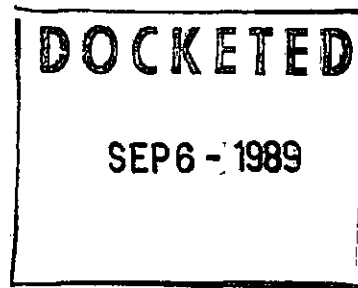
Commissioners Present:

Bill Shane, Chairman  
William H. Smith, Vice-Chairman  
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 Lederle Laboratories, Division of American Cyanamid Corporation, from its facilities located in the township of Horsham, Montgomery County, to points in Pennsylvania, and vice versa.

A-00102471  
F. 1  
Am-AD



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Vuono, Lavelle & Gray by 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 August 29, 1988. Public notice of the application was given in the Pennsylvania Bulletin of October 8, 1988. No protests were filed.

The application is unopposed 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 one supporting shipper.

## DISCUSSION AND FINDINGS

Pitt-Ohio Express, Inc. (applicant or Pitt-Ohio) is a currently certificated common carrier which is domiciled at 26th and A.V.R.R., Pittsburgh, Allegheny County. By the instant application, the applicant is seeking the right to transport property for Lederle Laboratories, a Division of American Cyanamid Corporation, from its facilities located in the township of Horsham, Montgomery County, to points in Pennsylvania, and vice versa.

In addition to the applicant's terminal in Pittsburgh, the applicant has additional terminals located in Harrisburg, Oaks (Philadelphia) and Allentown. The applicant intends to provide the supporting shipper with service from its Oaks terminal. When necessary, applicant will provide service from either its Harrisburg or Allentown terminals. Available to provide transportation are 94 straight trucks, 207 closed van trailers and 89 tractors. No additional equipment will be necessary to meet the needs of the supporting shipper.

The applicant is affiliated with Hammel's Express, Inc. through common ownership. The officers and directors of the applicant are also the officers and directors of Hammel's Express, Inc.

Pitt-Ohio is currently transporting for Lederle Laboratories, under its current authority. During 1988, Pitt-Ohio transported 164 intrastate shipments, which ranged in weight from 200 pounds to 10,000 pounds. The authority sought by the instant application will permit the applicant to meet all of the transportation needs of the supporting shipper.

John M. Camp, warehouse supervisor for Lederle Laboratories, a Division of American Cyanamid Co. (supporting shipper), sets forth in support of the pending application that Lederle Laboratories is a manufacturer of pharmaceutical, biological and various related products. The supporting shipper maintains a warehouse facility in Horsham, Montgomery County, which will be the origin and destination for all shipments. Inbound to the Horsham facility the supporting receives various drugs and medicines, as well as packaging supplies. Outbound, all traffic will consist of drugs and medicines.

The inbound shipments are received in less-than-truckload quantities, and range in weight from 101 pounds to 5,000 pounds. The outbound traffic is comprised of less-than-truckload shipments weighing between 501 pounds and 9,000 pounds. Approximately 5 percent of the outbound traffic will weight more than 10,000 pounds.

Shipments moving from Horsham are destined to a variety of customers including hospitals, physician's offices, retail drug stores, wholesale drug companies and grocery warehouses. Shipments move daily from the warehouse and are destined to such points as Philadelphia, Allentown, Bethlehem, Scranton, Wilkes-Barre, Reading, Lancaster, York, Harrisburg, Berwick and other points throughout Pennsylvania.

The applicant will be requested to provide overnight service on both inbound and outbound shipments. Scheduled deliveries are often required

to meet the needs of the supporting shipper's customers. During winter months, the applicant will be required to provide protection for shipments due to the fact that a number of the commodities are freezable.

The applicant has been meeting the needs of the supporting shipper for approximately three years for both interstate and a number of Pennsylvania intrastate shipments. The service provided by the applicant has been excellent.

The applicant in the instant proceeding, Pitt-Ohio is an experienced carrier which has been meeting a limited portion of the transportation needs of the supporting shipper. The applicant now seeks to expand its current authority so that it will be able to meet all of the transportation needs of the supporting shipper. The record contains sufficient evidence to indicate that the applicant has the equipment and expertise necessary to meet the needs of Lederle Laboratories. The statement entered on behalf of the supporting shipper provides sufficient evidence of a public need for the service proposed.

We find:

1. That the applicant is fit, willing and able to provide the proposed service.
2. That the record contain sufficient evidence to indicate that there exists a public need for the service proposed by the instant application.
3. 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 to the applicant on March 4, 1981, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property, for Lederle Laboratories, a Division of American Cyanamid Corporation, from its facilities located in the township of Horsham, Montgomery County, to points in Pennsylvania, and vice versa;

subject to the following condition:

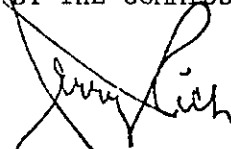
That no right, power or privilege is granted to transport commodities in bulk and household goods and office furniture in use.

IT IS FURTHER ORDERED: That the 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 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,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized, looped scribble.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: June 29, 1989

ORDER ENTERED: JUL 6 \_ 1989