



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

MAR 14 1984

IN REPLY PLEASE
REFER TO OUR FILE

A-C0102306

KLAPEC TRUCKING COMPANY
673 N. SENECA STREET, P.O. 1
OIL CITY PA 16301

In reply to your recent request, an extension of time to April 30, 1984, is granted to file the 1983 Annual Report of the above-docketed carrier with the Pennsylvania Public Utility Commission.

Any further extension of time must be in the form of a formal petition for consideration by the Commission stating the specific reasons therefore.

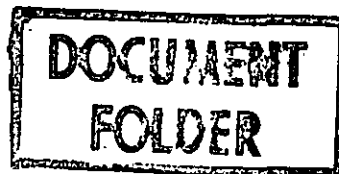
Failure to file the Annual Report within the extension period may result in the imposition of penalties, including cancellation of the carrier certificate, as provided by law.

Very truly yours,

Paul I. Kenney
Paul I. Kenney
Finance Division

PIK:dmm

cc: (P.U.C.) File Section ✓



(oral request)

March 30, 1984

IN REPLY PLEASE
REFER TO OUR FILE

John A. Pillar
Attorney at Law
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, PA 15222

A-00102306, F. 1, Am-D - Application of Klapec Trucking Company.

Dear Sir:

The application of Klapec Trucking Company has been captioned as attached and will be submitted for review provided no protests are filed on or before March 23, 1984. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of March 31, 1984.

Very truly yours,

David Ehrhart
Acting Supervisor - Application Section
Bureau of Non-Rail Transportation

DE:RP:rs

cc: Applicant
R.D. 1
673 North Seneca Street
Oil City, PA 16301

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
APR 2 1984
ENTRY No. *mw*

A-00102306, Folder 1, Am-D KLAPEC TRUCKING COMPANY (R.D. 1, 673 North Seneca Street, Oil City, Venango County, Pennsylvania 16301), a corporation of the Commonwealth of Pennsylvania - inter alia - iron and steel, iron and steel articles, and supplies, materials and equipment used or useful in the manufacture and distribution of iron and steel and iron and steel articles, for Electralloy Corporation, between points in Pennsylvania: SO AS TO PERMIT the transportation of property for Witco Chemical Corporation, from points in the city of Bradford, McKean County, the borough of Petrolia, Butler County, the township of Conewango, Warren County, the borough of Plum, Allegheny County, and the township of Richland, Allegheny County, to points in the said city, boroughs and townships; and from points in said city, boroughs and townships, to other points in Pennsylvania, and vice versa. Attorney: John A. Pillar, 1500 Bank Tower, 307 Fourth Avenue, Pittsburgh, Pennsylvania 15222.

March 30, 1984

IN REPLY PLEASE
REFER TO OUR FILE

John A. Pillar
Attorney at Law
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, PA 15222

A-00102306, F. 1, Am-E - Application of Klapec Trucking Company.

Dear Sir:

The application of Klapec Trucking Company has been captioned as attached and will be submitted for review provided no protests are filed on or before April 23, 1984. If protests are filed, you will be advised as to further procedure.

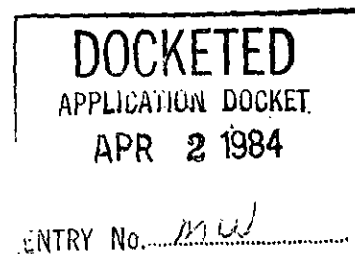
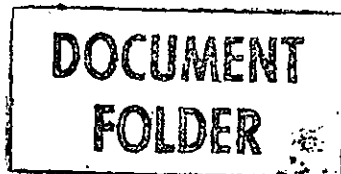
You are further advised that the above application will be published in the Pennsylvania Bulletin of March 31, 1984.

Very truly yours,

David Ehrhart
Acting Supervisor - Application Section
Bureau of Non-Rail Transportation

DE:RP:rs

cc: Applicant
R.D. 1, 673 North Seneca Street
Oil City, PA 16301



A-00102306, Folder 1, Am-^E KLAPEC TRUCKING COMPANY (R.D. 1, 673 North Seneca Street, Oil City, Venango County, Pennsylvania 16301), a corporation of the Commonwealth of Pennsylvania - inter alia - scrap steel, in bulk, in dump vehicles, from the facilities of Universal-Cyclops Specialty Steel and Division, located in the city of Titusville, Crawford County, to points in the borough of Greenville, Mercer County, and vice versa: SO AS TO PERMIT the transportation of property (excluding household goods in use, commodities requiring dump vehicles and shipments weighing less than 10,000 pounds from one consignor to one consignee) (1) between points in the county of Venango, and from points in the said county, to points in Pennsylvania and vice versa; and (2) between points in the city of Titusville, Crawford County and from points in said city to points in Pennsylvania and vice versa. Attorney: John A. Pillar, 1500 Bank Tower, 307 Fourth Avenue, Pittsburgh, Pennsylvania 15222.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

MAR 31 1984

BUREAU OF NON-RAIL TRANSPORTATION
COMMON CARRIER

MARCH

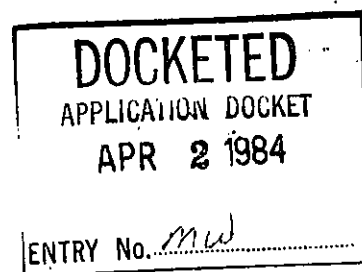
1984

A-00102306
F. 1
Am-E

Application of Klapac Trucking Company, 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, scrap steel, in bulk, in dump vehicles, from the facilities of Universal-Cyclops Specialty Steel and Division, located in the city of Titusville, Crawford County, to points in the borough of Greenville, Mercer County, and vice versa: SO AS TO PERMIT the transportation of property (excluding household goods in use, commodities requiring dump vehicles and shipments weighing less than 10,000 pounds from one consignor to one consignee) (1) between points in the county of Venango, and from points in the said county, to points in Pennsylvania and vice versa; and (2) between points in the city of Titusville, Crawford County and from points in said city to points in Pennsylvania and vice versa.

LM:gm
3/21/84

Application received: 2/21/84
Application docketed: 3/20/84
Monitor: Commissioner Cawley



**DOCUMENT
FOLDER**

NH

Protests due on No Hearings

APR 23 1984

Protests due on Hearings - (5 days prior to date of hearing)

Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

MAR 31 1984

BUREAU OF NON-RAIL TRANSPORTATION
COMMON CARRIER

MARCH

1984

A-00102306
F. 1
Am-D

Application of Klapac Trucking Company, 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, iron and steel, iron and steel articles, and supplies, materials and equipment used or useful in the manufacture and distribution of iron and steel and iron and steel articles, for Electralloy Corporation, between points in Pennsylvania: SO AS TO PERMIT the transportation of property for Witco Chemical Corporation, from points in the city of Bradford, McKean County, the borough of Petrolia, Butler County, the township of Conewango, Warren County, the borough of Plum, Allegheny County, and the township of Richland, Allegheny County, to points in the said city, boroughs and townships; and from points in said city, boroughs and townships, to other points in Pennsylvania, and vice versa.

LM:gm
3/21/84

Application received: 2/22/84
Application docketed: 3/20/84
Monitor: Commissioner Cawley

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
APR 2 1984
ENTRY No. mw

Protests due on No Hearings

Protests due on Hearings - (5 days prior to date of hearing)

Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

APR 23 1984

AH

LAW OFFICES OF
GRAF, KNUPP & ANDREWS, P. C.

ROBERT EWING KNUPP (1932-1976)
CHRISTIAN V. GRAF
ROBERT L. KNUPP
FREDERICK W. ANDREWS
ROBERT D. KODAK
DAVID H. RADCLIFF
WILLIAM J. FULTON

CAMERON MANSION
407 NORTH FRONT STREET
P. O. BOX P
HARRISBURG, PA 17108

OF COUNSEL
JOHN E. FULLERTON
—
717/238-7151
717/236-9318
—

WEST HANOVER TOWNSHIP OFFICE
7171 ALLENTOWN BOULEVARD
HARRISBURG, PA 17112
717/657-2858

April 2, 1984
File: 809.65

RE: KLAPEC TRUCKING COMPANY, A. 102306, Folder 1, Am-D -
Protest of R. T. Merryman Trucking, Inc.

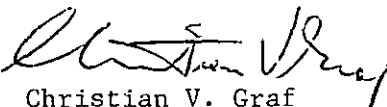
FILE

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120

Dear Mr. Rich:

On behalf of R. T. Merryman Trucking, Inc., I enclose the original and one copy of a protest to the above-captioned application. Copies are being forwarded to applicant, applicant's attorney and to protestant.

Very truly yours,


Christian V. Graf

CVG:tcr
Enclosure

cc: Klapec Trucking Company
R.D. 1
673 North Seneca Street
Oil City, PA 16301

John A. Pillar, Esquire
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, Pennsylvania 15222

Mr. Robert T. Merryman
R. T. Merryman Trucking, Inc.
501 Alder Street
Philipsburg, Pennsylvania 16866

David H. Radcliff, Esquire

RECEIVED

APR 3 - 1984

Handwritten: Municipal Transportation
Public Utility Commission

**DOCUMENT
FOLDER**

RECEIVED

APR - 3 1984
SECRETARY'S OFFICE
Public Utility Commission

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION

In Re: A-00102306, Folder 1, Am-D. KLAPEC TRUCKING COMPANY (.R.D. 1, 673 North Seneca Street, Oil City, Venango County, Pa. 16301), a corporation of the Commonwealth of Pennsylvania - inter alia - iron and steel, iron and steel articles and supplies, materials and equipment used or useful in the manufacture and distribution of iron and steel and iron and steel articles, for Electralloy Corporation, between points in Pennsylvania: SO AS TO PERMIT the transportation of property for Witco Chemical Corporation, from points in the city of Bradford, McKean County, the borough of Petrolia, Butler County, the township of Conewango, Warren County, the borough of Plum, Allegheny County, and the township of Richland, Allegheny County, to points in the said city, boroughs and townships; and from points in said city, boroughs and townships, to other points in Pennsylvania, and vice versa.

Applicant's Attorney: John A. Pillar, Esquire
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, Pennsylvania 15222

Pennsylvania Bulletin reference: March 31, 1984, page 1120

PROTEST OF
R. T. MERRYMAN TRUCKING, INC.
A. 102358

FILE

RECEIVED

APR 3 - 1984

**Non-Rail Transportation
Public Utility Comm.**

1. The name, address and telephone number of protestant are:

R. T. MERRYMAN TRUCKING, INC.
501 Alder Street
Philipsburg, Pennsylvania 16866
Telephone: A.C. 814, 342-5576

**DOCUMENT
FOLDER**

2. The names, address and telephone number of protestant's attorneys are:

GRAF, KNUFF & ANDREWS, P.C.
Christian V. Graf, Esquire
David H. Radcliff, Esquire
407 North Front Street
Harrisburg, Pennsylvania 17101
Telephone: A.C. 717, 236-9318

RECEIVED

**APR - 3 1984
SECRETARY'S OFFICE
Public Utility Commission**

**DOCKETED
APPLICATION DOCKET
APR 6 1984**

ENTRY No. *mw*

3. Protestant's interest in this proceeding pertains to its authority at A. 102358, a complete copy of which is attached as Exhibit A. All of the dump truck authority is affected and, in addition, the authority at Folder 1, Am-C.

4. Absent knowledge as to who, if anyone, supports this application, a meaningful traffic exhibit or summary cannot be presented.

5. Pursuant to Section 333(c) of the Public Utility Code, protestant requests that it be forwarded a list showing the names, addresses, company names and company addresses of the witnesses to be called by applicant prior to any hearing which may be set thereon.

6. This protest will be withdrawn if the application is amended so as to exclude transportation of commodities in bulk.

WHEREFORE, absent an appropriate amendment, protestant prays the application may be dismissed.

Respectfully submitted,

R. T. MERRYMAN TRUCKING, INC.

By: 

Christian V. Graf
Its Attorney

April 2, 1984

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held November 6, 1980

Commissioners Present:

Susan M. Shanaman, Chairman

James H. Cawley
Linda C. Taliaferro

Application of R. T. Merryman Trucking, Inc., for approval of the transfer to it of part of the operating rights held by Robert T. Merryman at A-00095834.

A-00102358

O R D E R

BY THE COMMISSION:

By application docketed August 21, 1980 R. T. Merryman Trucking, Inc., a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of part of the rights granted to Robert T. Merryman under the certificate issued at A-00095834.

We find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of part of the rights held by Robert T. Merryman at A-00095834 be approved and that a certificate be issued to the applicant granting the following rights:

To transport, as a Class D carrier, coal, sand, gravel and limestone, in bulk in dump trucks, between points in the counties of Centre and Clearfield, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

To transport, as a Class D carrier, coal from points in the county of Clearfield to the place of business of the Warner Company in the borough of Bellefonte, Centre County.

To transport, as a Class D carrier, clay for Helena Coal Co. and Power Contracting Co. from their facilities in the county of Clearfield to points within fifty (50) miles by the usually traveled highways of the point of origin.

To transport, as a Class D carrier, clay from the facilities of Helena Coal Company and Power Contracting Company in the county of Centre to points within an airline distance of one hundred (100) statute miles of the borough of Philipsburg, Centre County.

To transport, as a Class D carrier, coal for Helena Coal Co. and Power Contracting Co. from their facilities in the counties of Clearfield and Centre to points in the counties of Cambria and Somerset, the borough of Bradford, McKean County, the plant site of Merck & Co., Inc. in the borough of Danville, Montour County and points within an airline distance of fifty (50) statute miles of the borough of Philipsburg, Centre County.

To transport, as a Class D carrier, coal for Stott Coal Company, Inc., from its cleaning plant in the township of Rush, Centre County, to the plant of Pennsylvania Power & Light Company in the borough of Shamokin Dam, Snyder County.

To transport, as a Class D carrier, coal for Avery Coal Company, Inc., from its cleaning plant in the township of Morris, Clearfield County, to the siding of the B & O Railroad Company, in the township of Union, Clearfield County.

To transport, as a Class D carrier, coal from points in the counties of Blair, Cambria, Centre and Clearfield to railroad sidings and consumers in the said counties, no haul to exceed an airline distance of forty (40) statute miles from point of origin to point of destination.

To transport, as a Class D carrier, coal for King Coal Sales, Inc., from points in the county of Clearfield, to the facilities of Pennsylvania Electric Company in the township of Conewago, Warren County.

To transport, as a Class D carrier, coal from mines and stripping operations in the counties of Indiana, Jefferson, Armstrong, Clarion, Clearfield, Elk and Cambria to railroad docks in the said counties, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

To transport, as a Class D carrier, coal, in bulk, for King Coal Sales, Inc. from points in the counties of Clearfield and Cambria to the Homer City Generating Station, Center Township, Indiana County;

subject to the following conditions:

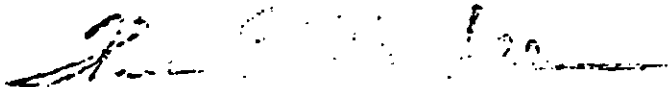
1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
4. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
5. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and 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 the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That upon compliance with this order and the related order at A-00101008, F. 1, Am-B all the rights granted the transferor Robert T. Merryman at A-00095834, F. 1 be cancelled.

BY THE COMMISSION,



William P. Thierfelder
Secretary

(SEAL)

ORDER ADOPTED: November 6, 1980

ORDER ENTERED, Nov 1 / 1980

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held May 22, 1981

Commissioners Present:

Susan M. Shanahan, Chairman
Michael Johnson
James H. Cawley
Linda C. Taliaferro

Application of R. T. Merryman Trucking, Inc., for approval of the transfer to it of part of the operating rights held by Brown Bros. Bulk Transport, Inc., at A-00092731.

A-00102358
F. 1
Am-B

O R D E R

BY THE COMMISSION:

By application docketed March 6, 1981, R. T. Merryman Trucking, Inc., a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of part of the rights granted to Brown Bros. Bulk Transport, Inc., a corporation of the State of Delaware, under the certificate issued at A-00092731.

We find the applicant to be fit to be granted the operating authority sought herein and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of part of the rights held by Brown Bros. Bulk Transport, Inc., at A-00092731 be approved and that the report and order adopted November 6, 1980 at A-00102358, F. 1, and the certificate issued pursuant thereto be modified and amended to include the following rights:

1. To transport, as a Class D carrier, coal, from the village of Kylertown, Clearfield County, and within five (5) miles by the usually traveled highways of the limits thereof to points in the borough of Tyrone, Blair County, and the borough of Bellefonte, Centre County.
2. To transport, as a Class D carrier, coal from mines or stripping operations in the counties of Clearfield and Centre to railroad sidings or tipples in the said counties, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination.

3. To transport, as a Class D carrier, clay, between points in the borough of Curwensville, Clearfield County, and within an airline distance of sixty (60) miles of the limits of said borough, excluding the transportation of clay from the city of Altoona, Blair County, to points in Clearfield County.
4. To transport, as a Class D carrier, coal, other solid fuels, lime, limestone, red dog, slag, cinders and sand between points in the borough of Curwensville, Clearfield County, and within an airline distance of sixty (60) miles of the limits of the said borough excluding any transportation from the city of Altoona, Blair County.
5. To transport, as a Class D carrier, coal, in dump trucks, for Bradford Coal Company from points in the county of Clearfield to points located beyond an airline distance of sixty (60) miles of the limits of the borough of Curwensville, Clearfield County, east of a north-south line drawn through said borough.
6. To transport, as a Class D carrier, coal, in dump trucks, for Thomas Brothers Coal Company, from points in the counties of Clearfield and Jefferson to the city of Philadelphia, Philadelphia County, and within an airline distance of twenty-five (25) statute miles of City Hall in said city.
7. To transport, as a Class D carrier, sand, in bulk in dump trucks, from the borough of Montoursville, Lycoming County, to the plant of E. M. Brown, Inc., in the borough of Clearfield, Clearfield County.
8. To transport, as a Class D carrier, clay, in bulk in dump trucks, for Haws Refractories Company, from the township of Dean, Cambria County, to the village of Hunkers, Westmoreland County.
9. To transport, as a Class D carrier, coal, in dump trucks, for Burnett Coal Company from points in the county of Clearfield to points in the boroughs of Watsontown, Northumberland County, and Montoursville, Lycoming County, the village of Paxtonville, Snyder County, and the cities of Lancaster, Lancaster County, and York, York County.
10. To transport, as a Class D carrier, sand from points in the county of Lycoming to points in the counties of Clearfield and Centre.

11. To transport, as a Class D carrier, bauxite, in bulk, in dump vehicles, between points in the borough of Curwensville, Clearfield County, and within an airline distance of sixty (60) statute miles of the limits of the said borough.

12. To transport, as a Class D carrier, coal, in bulk in dump vehicles, between points in the counties of Centre, Clarion, Clearfield and Jefferson and from points in said counties to points in Pennsylvania on and east of Highway Route 219, and vice versa;

with right no. 12 above subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport coal to the borough of Pottstown and the township of Lower Pottsgrove, Montgomery County.

SECOND: That no right, power or privilege is granted to transport coal to or from the plants of Bethlehem Steel Corporation in the county of Cambria.

13. To transport, as a Class D carrier, clay between points in the counties of Clearfield and Cambria and from points in the said counties to points in Pennsylvania beyond an airline distance of sixty (60) statute miles of the limits of the borough of Curwensville, Clearfield County; excluding the transportation of clay from points in the townships of Graham, Bradford and Morris, Clearfield County, to points in Pennsylvania beyond an airline distance of sixty (60) statute miles of the limits of the borough of Curwensville;

with rights nos. 2 through 7 and rights nos. 9 through 13 above subject to the following condition:

That no right, power or privilege is granted to transport property to or from the warehouse facilities of Interstate Whareco, Inc., in the township of Lawrence, Clearfield County;

with all of the above rights subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the rights to be acquired by applicant from the present certificate holder equal to the

consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.

2. That applicant shall not record in its utility accounts any amount representing the rights herein granted, in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$225,000, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above.
4. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
5. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
6. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

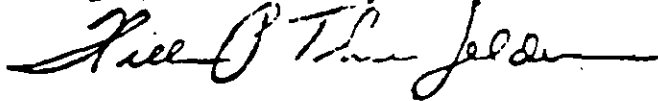
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of assessments due by the transferor for the Fiscal Year 1981-82.

IT IS FURTHER ORDERED: That in the event said 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.

IT IS FURTHER ORDERED: That upon compliance with this order the rights granted the transferor Brown Bros. Bulk Transport, Inc., a corporation of the State of Delaware, at A-00092731 be modified and amended as provided in the attached Supplemental Order.

BY THE COMMISSION,



William P. Thierfelder
Secretary

(SEAL)

ORDER ADOPTED: May 22, 1981

ORDER ENTERED: MAY 27 1981

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held October 15, 1982

Commissioners Present:

Susan M. Shanaman, Chairman
Michael Johnson
James H. Cawley
Linda C. Taliaferro
Clifford L. Jones

Application of R. T. Merryman Trucking, Inc., for approval of the transfer to it of part of the operating rights held by Raymond G. Wishard, t/a Wishard Trucking at A-00094313, F. 2.

A-00102358
F. 1
Am-C

O R D E R

BY THE COMMISSION:

By application docketed June 17, 1982, R. T. Merryman Trucking, Inc., a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of part of the rights granted to Raymond G. Wishard, t/a Wishard Trucking, under the certificate issued at A-00094313, F. 2.

We find the applicant to be fit to be granted the operating authority sought herein and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of part of the rights held by Raymond G. Wishard, t/a Wishard Trucking at A-00094313, F. 2 be approved and that the report and order adopted November 6, 1980 at A-00102358 and the certificate issued pursuant thereto, as modified and amended, be further modified and amended to include the following right:

To transport, as a Class D carrier, rough and manufactured lumber, livestock, grain, hay, straw, vegetables, fertilizer, agricultural lime, farm machinery, sand, stone, fruit, spray and baskets between points in the township of Conemaugh, Somerset County, and within an airline distance of one hundred (100) statute miles of the limits of the said township;

with the right above subject to the following condition:

That no right, power or privilege is granted to transport rough or manufactured lumber (except in dump vehicles) on trips originating in the

borough of Irvona, Clearfield County and within an airline distance of twenty (20) statute miles of the limits of said borough.

with the above right further subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the right to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the right herein granted, in excess of the actual cost of such right to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$25,000, being the amount of the consideration payable by it for the right and going concern value attributable thereto; less any amount recorded under condition 2 above.
4. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
5. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
6. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and 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 the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That upon compliance with this order, the rights granted the transferor Raymond G. Wishard, t/a Wishard Trucking at A-00094313, F. 2 be modified to show the cancellation of the right transferred herein; that paragraph Nos. 1, 2, 3, 4, 5, 6 and 7 of rights at A-00094313, F. 2 under the order adopted May 31, 1978 all be subject to the following condition;

That no right, power or privilege is granted to transport rough and manufactured lumber, livestock, grain, hay, straw, vegetables, fertilizer, agricultural lime, farm machinery, sand, stone, fruit, spray and baskets; and that the tariff as applicable to the right transferred herein and the above cited restriction, be modified accordingly.

BY THE COMMISSION,

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

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: October 15, 1982

ORDER ENTERED: OCT 27 1982

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held August 18, 1983

Commissioners Present:

Linda C. Taliaferro, Chairman
Michael Johnson
James H. Cawley

Application of R. T. Merryman Trucking, 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, coal, sand, gravel and limestone, in bulk, in dump trucks, between points in the counties of Centre and Clearfield, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination: SO AS TO PERMIT the transportation of property, in bulk, for R. T. Merryman Trucking, Inc. and Merryman Enterprises, between points in Pennsylvania.

A-00102358
F. 1
Am-D

Graf, Knupp & Andrews, P.C. by Christian V. Graf for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed March 31, 1983. Public notice of the application was given in the Pennsylvania Bulletin of May 7, 1983. No protests have been 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.

Robert T. Merryman, principal stockholder, director and president of R. T. Merryman Trucking, Inc. (applicant), 501 Alder Street, Philipsburg, Centre County, sets forth in support of the application that he is familiar with the operations and facilities of the applicant and is authorized to provide the following information. The applicant is actively engaged in transporting various bulk commodities within the Commonwealth. The applicant operates a full and complete terminal at

its Philipsburg address which is equipped to provide for both major and minor repairs of its equipment. Available to provide transportation are eight trucks, eight trailers and 25 dump vehicles which are straight trucks, tri-axles and one wrecker. No additional equipment will be required to provide the proposed service.

The applicant has engaged in the past in the buying and selling of a variety of products including sand, lime, slag, stone and coal. These commodities were delivered in vehicles operated by the applicant. The applicant has been advised by counsel that it is prohibited from relying upon the same equipment in private carriage that it utilizes in providing certificated service. The application is a result of a recent court case.

An unaudited balance sheet submitted by the applicant sets forth that it had total current assets of \$338,196, total assets of \$2,844,400, total current liabilities of \$1,053,880, long-term obligations of \$789,289 and retained earnings of \$219,449. The income statement indicates that from total revenue of \$6,336,573, the applicant generated a net income after taxes of \$23,456.

Robert T. Merryman, owner of Merryman Enterprises, 501 Alter Street, Philipsburg, sets forth that he operates a general garage business and is also engaged in the buying and selling of sand, lime, slag, stone and coal. The commodities in the past were transported by the applicant in the same equipment utilized to provide its common carrier service. To be in compliance with recent decisions of the court, the applicant has filed the instant application.

DISCUSSION AND FINDINGS

The applicant is seeking an amendment to its certificate of public convenience which will authorize the applicant to provide transportation between all points in Pennsylvania for itself and for Merryman Enterprises, which is owned by the president and principal stockholder of the applicant. The authority has been sought as a result of Makovsky Bros., Inc. v. Pennsylvania Public Utility Commission, Pa. Cmwlth. Ct., 423 A.2d, 1089, which prohibits a certificate common carrier from using the same vehicles in both its certificated service and in private carriage.

As a corporation, the applicant has engaged in the buying and selling of a variety of bulk commodities. These commodities were delivered in the equipment also utilized in providing certificated transportation. The applicant has also transported shipments for the Merryman Enterprises without the required authority. It appears that although these shipments were illegal, the applicant transported them in good faith. Approval of the instant application will permit the applicant to utilize the resources it has available in both of its endeavors.

We find:

1. That the applicant possesses the equipment, experience and fitness necessary to provide the proposed transportation.
2. That the applicant has engaged in a "buy and sell" operation and has relied on the same vehicles in providing both private carriage and regulated transportation.
3. That the applicant has rendered illegal service for Merryman Enterprises, however, said service was in good faith.
4. That the applicant has demonstrated that a need exists for the proposed transportation.
5. That approval of the application will be an accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved, and that the certificate issued to the applicant on December 18, 1980, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property, in bulk, for R. T. Merryman Trucking, Inc. and Merryman Enterprises, between points in Pennsylvania.

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 Pennsylvania Public Utility Law 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,


Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: August 18, 1983

ORDER ENTERED: AUG 31 1983

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Klapec Trucking
R.D. #1, 673 N. Seneca St.
Oil City, PA 16301

Date April 2, 1984

CR 109719 A

DOCUMENT
FOUNDER

APR 12 1984

For filing petition in re application of Klapec Trucking Co.
A-00102306, F.1, Am-D.....\$125.00

Revenue account 01780-17001-102 (ck)
ck 4346 Checks \$125.00 Currency _____
Utility account _____ 50:26

C. Joseph Meisinger

For Department of Revenue

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Klapec Trucking Co.
R.D. #1, 673 N. Seneca St.
Oil City, PA 16301

Date April 2, 1984

CR 109720A

DEPOSITED
APR 12 1984

RECEIVED
APR 12 1984

For filing petition in re application of Klapec Trucking Co.
A-00102306, F.1, Am-E.....\$125.00

ck 4345 Revenue account 01780-17001-102 (ck)
Checks \$125.00 Currency _____
Utility account 50-26

C. Joseph Meisinger
For Department of Revenue

LAW OFFICES
JOHNSON, PETERSON, TENER & ANDERSON

KENNETH T. JOHNSON
RAYMOND A. ANDERSON
RONALD W. MALIN
CHARLES J. PHILLIPS
CHARLES G. BECKSTROM
WARD W. WESTERBERG
JOHN K. PLUMB
MICHAEL C. FOLEY
WILLIAM F. BENCA

April 4, 1984

KEY BANK BUILDING
JAMESTOWN, NEW YORK 14701
AREA CODE 716
TELEPHONE 664-5210

CABLE ADDRESS
JOPETA

ALBERT I. TENER (OF COUNSEL)

JOHN A. PETERSON (1910-1971)
WILLIAM C. ARRISON (1925-1978)

RECEIVED

APR 9 - 1984

Pennsylvania Public Utility Commission
Bureau of Transportation
P.O. Box #3265
Harrisburg, Pennsylvania 17120

FILE

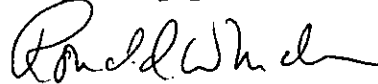
Non-Rail Transportation
Public Utility Comm.

RE: A-00102306, Folder 1, Am-D - Klapec Trucking Company

Gentlemen:

Enclosed herewith, in triplicate, please find Protest of Crossett, Inc. to the above referenced Application. A copy of the Protest is being concurrently forwarded to Applicant's Representative.

Very truly yours,


RONALD W. MALIN

RWM:knw

Enclosures

C/C TO: John A. Pillar, Esq.
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, Pennsylvania 15222

Mr. Gary P. Wallin
Crossett, Inc.
P.O. Box #946
Warren, Pennsylvania 16365

DOCUMENT
FOLDER

BEFORE
THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

APPLICATION OF KLAPEC TRUCKING COMPANY

A-00102306, Folder 1, Am-D

APR 9 - 1984

FILE
Non-Rail Transportation
Public Utility Comm.

Application of Klapec Trucking Company (R.D. #1, 673 North Seneca Street, Oil City, Venango County, Pennsylvania 16301), a corporation of the Commonwealth of Pennsylvania - inter alia - iron and steel, iron and steel articles and supplies, materials and equipment used or useful in the manufacture and distribution of iron and steel and iron and steel articles, for Electralloy Corporation, between points in Pennsylvania: So As To Permit the transportation of property for Witco Chemical Corporation, from points in the City of Bradford, McKean County, the Borough of Petrolia, Butler County, the Township of Conewango, Warren County, the Borough of Plum, Allegheny County, to points in the said city, boroughs and townships, and from points in said city, boroughs and townships to other points in Pennsylvania, and vice versa. Attorney: John A. Pillar, Esq., 1500 Bank Tower, 307 Fourth Avenue, Pittsburgh, Pennsylvania 15222.

PROTEST OF CROSSETT, INC.

A-00033216

DOCKETED
APPLICATION DOCKET
APR 12 1984

ENTRY No. *mw*

AND NOW comes CROSSETT, INC., and protests the above Application for the following reasons:

(1) The approval of the title Application, to the extent it includes transportation of petroleum and petroleum products, is not necessary for the accomodation, convenience, service or safety of the public to the extent it competes and conflicts with the Certificates of Crossett, Inc. which are described hereinafter.

(2) The facilities of this Protestant and other authorized carriers are ample to meet the requirements of the shipping public for the transportation of petroleum and petroleum products, in the territory involved in the above Application, which conflicts with the territory authorized in the Certificates of Crossett, Inc. hereinafter described.

(3) The approval of this Application, to the extent it includes the transportation of petroleum and petroleum products, will be prejudicial to your Protestant since it will authorize additional competition with the potential loss of revenue by the Protestant and injury to the public.

DOCUMENT
FOLDER

(4) The interest of your Protestant derives from its operations under its authorities set forth in A-00033216, Class D Carrier, including:

Folder No. 11 - Petroleum and petroleum products, in bulk, in tank vehicles, between points in an area bounded and described as follows: Beginning at a point on Highway Route 22 at the West Virginia - Pennsylvania State Line near the Village of Paris, Washington County, thence via Highway Route 22 to its intersection with Highway Route 45 at the Village of Water Street, Huntingdon County, thence via Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to Highway Route 220, thence via Highway Route 220 to the New York - Pennsylvania State Line near the Borough of Sayre, Bradford County, thence along the New York - Pennsylvania State Line to Lake Erie, thence along the south shore of Lake Erie to the Pennsylvania - Ohio State Line, thence south along the Pennsylvania - Ohio State Line and the Pennsylvania - West Virginia State Line to point of beginning, including the Borough of South Williamsport, Lycoming County, the Village of East Freedom, Blair County, and points on the above described boundary lines.

Folder No. 11, Am-A - Liquefied petroleum gases, in bulk, in tank vehicles, from points in the City of Oil City, Venango County, and within three (3) miles of the limits of said City, to points in the Township of Napier, Bedford County.

Folder No. 11, Am-B - Petroleum and petroleum products, in bulk, in tank vehicles, from points in the Borough of Warren, Warren County, to points in the Counties of Centre and Clinton, and the return of refused and rejected shipments to the point of origin.

Folder No. 11, Am-C - Petroleum and petroleum products, in containers, between points in an area bounded and described as follows: Beginning at a point on Highway Route 22 at the West Virginia - Pennsylvania State Line near the Village of Paris, Washington County, thence via Highway Route 22 to its intersection with Highway Route 45 at the Village of Water Street, Huntingdon County, thence via Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to Highway Route 220, thence via Highway Route 220 to the New York - Pennsylvania State Line near the Borough of Sayre, Bradford County, thence along the New York - Pennsylvania State Line to Lake Erie, thence along the south shore of Lake Erie to the Pennsylvania - Ohio State Line, thence south along the Pennsylvania - Ohio State Line and the Pennsylvania - West Virginia State Line to point of beginning, including the Borough of South Williamsport, Lycoming County, the Village of East Freedom, Blair County, and points on the above described boundary lines.

Folder No. 11, Am-C - Petroleum and petroleum products, from points in the County of Warren, to points in that portion of Pennsylvania south and east of a line extending in an easterly direction from the West Virginia - Pennsylvania State Line along Highway Route 22 to its intersection with Highway Route 45 at the Village of Water Street, Huntingdon County, thence in a northerly direction via Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to Highway Route 220, thence in a northerly direction via Highway Route 220 to the New York - Pennsylvania State Line, and vice versa.

Folder No. 11, Am-D - Petroleum and petroleum products, from points in the Counties of Crawford, McKean and Venango, to points in that part of Pennsylvania south and east of a line extending in an easterly direction from the West Virginia - Pennsylvania State Line along U.S. Highway Route 22 to its intersection with Pennsylvania Highway Route 45 at the Village of Water Street, Huntingdon County, thence in a northerly direction via Pennsylvania Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to U.S. Highway Route 220, thence in a northerly direction via U.S. Highway Route 220 to the New York - Pennsylvania State Line.

Folder No. 11, Am-D - Petroleum and petroleum products, from points in that part of Pennsylvania south and east of a line extending in an easterly direction from the West Virginia - Pennsylvania State Line along U.S. Highway Route 22 to its intersection with Pennsylvania Highway Route 45 at the Village of Water Street, Huntingdon County, thence in a northerly direction via Pennsylvania Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to U.S. Highway Route 220, thence in a northerly direction via U.S. Highway Route 220 to the New York - Pennsylvania State Line, to points in the County of McKean.

Folder No. 11, Am-E - Petroleum and petroleum products, from points in the County of Clearfield, to points located south and east of a line extending in an easterly direction from the West Virginia - Pennsylvania State Line along U.S. Highway Route 22 to its intersection with Pennsylvania Highway Route 45 at the Village of Water Street, Huntingdon County, thence in a northerly direction via Pennsylvania Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to U.S. Highway Route 220, thence in a northerly direction via U.S. Highway Route 220 to the New York - Pennsylvania State Line, and vice versa.

Folder No. 11, Am-F - Petroleum and petroleum products, from points in the County of Lycoming, to points in that part of Pennsylvania south and east of a line extending in an easterly direction

from the West Virginia - Pennsylvania State Line along U.S. Highway Route 22 to its intersection with Pennsylvania Highway Route 45 at the Village of Water Street, Huntingdon County, thence in a northerly direction via Pennsylvania Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to U.S. Highway Route 220, thence in a northerly direction via U.S. Highway Route 220 to the New York - Pennsylvania State Line, and vice versa.

(5) In view of the nature and scope of this Application, the only amendment which Crossett, Inc. is aware of which would eliminate its interest would be for the Applicant to delete from its Application any request to transport petroleum and petroleum products.

WHEREFORE, this Protestant respectfully prays that the above Application be denied to the extent of the above described conflict.

Dated: April 4, 1984.

CROSSETT, INC., PROTESTANT

By Ronald W Malin

RONALD W. MALIN

Johnson, Peterson, Tener & Anderson
Counsel for Protestant
Key Bank Building, Fourth Floor
Jamestown, New York 14701
Telephone: (716) 664-5210

LAW OFFICES
JOHNSON, PETERSON, TENER & ANDERSON

KENNETH T. JOHNSON
RAYMOND A. ANDERSON
RONALD W. MALIN
CHARLES J. PHILLIPS
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WILLIAM F. BENCA

April 4, 1984

KEY BANK BUILDING
JAMESTOWN, NEW YORK 14701
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TELEPHONE 664-5210

CABLE ADDRESS
JOPETA

ALBERT J. TENER (OF COUNSEL)
JOHN A. PETERSON (1919-1971)
WILLIAM C. ARRISON (1925-1978)

Pennsylvania Public Utility Commission
Bureau of Transportation
P.O. Box #3265
Harrisburg, Pennsylvania 17120

FILE

RE: A-00102306, Folder 1, Am-E - Klapec Trucking Company

Gentlemen:

Enclosed herewith, in triplicate, please find Protest of Crossett, Inc. to the above referenced Application. A copy of the Protest is being concurrently forwarded to Applicant's Representative.

Very truly yours,

Ronald W. Malin
RONALD W. MALIN

RWM:knw

Enclosures

RECEIVED

APR 9 - 1984

C/C TO: John A. Pillar, Esq.
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, Pennsylvania 15222

Non-Rail Transportation
Public Utility Comm.

Mr. Gary P. Wallin
Crossett, Inc.
P.O. Box #946
Warren, Pennsylvania 16365

DOCUMENT
FOLDER

RECEIVED

BEFORE

THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

APR 9 - 1984

Non-Rail Transportation
Public Utility Commission

APPLICATION OF KLAPEC TRUCKING COMPANY

A-00102306, Folder 1, Am-E

Application of Klapec Trucking Company (R.D. #1, 673 North Seneca Street, Oil City, Venango County, Pennsylvania 16301), a corporation of the Commonwealth of Pennsylvania - inter alia scrap steel, in bulk, in dump vehicles, from the facilities of Universal Cyclops Specialty Steel and Division, located in the City of Titusville, Crawford County, to points in the Borough of Greenville, Mercer County, and vice versa: So As To Permit the transportation of property (excluding household goods in use, commodities requiring dump vehicles and shipments weighing 10,000 pounds from one consignor to one consignee) (1) between points in the County of Venango, and from points in the said county, to points in Pennsylvania, and vice versa; and (2) between points in the City of Titusville, Crawford County, and from points in the said city to points in Pennsylvania, and vice versa. Attorney: John A. Pillar, Esq., 1500 Bank Tower, 307 Fourth Avenue, Pittsburgh, Pennsylvania 15222.

DOCKETED

APPLICATION DOCKET

APR 12 1984

ENTRY No. *m.w*

DOCUMENT
FOLDER

PROTEST OF CROSSETT, INC.

A-00033216

FILE

AND NOW comes CROSSETT, INC., and protests the above Application for the following reasons:

(1) The approval of the title Application, to the extent it includes transportation of petroleum and petroleum products, is not necessary for the accomodation, convenience, service or safety of the public to the extent it competes and conflicts with the Certificates of Crossett, Inc. which are described hereinafter.

(2) The facilities of this Protestant and other authorized carriers are ample to meet the requirements of the shipping public for the transportation of petroleum and petroleum products, in the territory involved in the above Application, which conflicts with the territory authorized in the Certificates of Crossett, Inc. hereinafter described.

(3) The approval of this Application, to the extent it includes the transportation of petroleum and petroleum products, will be prejudicial to your Protestant since it will authorize additional competition with the potential loss of revenue by the Protestant and injury to the public.

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Folder No. 11, Am-D - Petroleum and petroleum products, from points in that part of Pennsylvania south and east of a line extending in an easterly direction from the West Virginia - Pennsylvania State Line along U.S. Highway Route 22 to its intersection with Pennsylvania Highway Route 45 at the Village of Water Street, Huntingdon County, thence in a northerly direction via Pennsylvania Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to U.S. Highway Route 220, thence in a northerly direction via U.S. Highway Route 220 to the New York - Pennsylvania State Line, to points in the County of McKean.

Folder No. 11, Am-E - Petroleum and petroleum products, from points in the County of Clearfield, to points located south and east of a line extending in an easterly direction from the West Virginia - Pennsylvania State Line along U.S. Highway Route 22 to its intersection with Pennsylvania Highway Route 45 at the Village of Water Street, Huntingdon County, thence in a northerly direction via Pennsylvania Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to U.S. Highway Route 220, thence in a northerly direction via U.S. Highway Route 220 to the New York - Pennsylvania State Line, and vice versa.

Folder No. 11, Am-F - Petroleum and petroleum products, from points in the County of Lycoming, to points in that part of Pennsylvania south and east of a line extending in an easterly direction

from the West Virginia - Pennsylvania State Line along U.S. Highway Route 22 to its intersection with Pennsylvania Highway Route 45 at the Village of Water Street, Huntingdon County, thence in a northerly direction via Pennsylvania Highway Routes 45 and 64 to the Borough of Mill Hall, Clinton County, to U.S. Highway Route 220, thence in a northerly direction via U.S. Highway Route 220 to the New York - Pennsylvania State Line, and vice versa.

(5) In view of the nature and scope of this Application, the only amendment which Crossett, Inc. is aware of which would eliminate its interest would be for the Applicant to delete from its Application any request to transport petroleum and petroleum products.

WHEREFORE, this Protestant respectfully prays that the above Application be denied to the extent of the above described conflict.

Dated: April 4, 1984.

CROSSETT, INC., PROTESTANT

By Ronald W Malin

RONALD W. MALIN

Johnson, Peterson, Tener & Anderson
Counsel for Protestant
Key Bank Building, Fourth Floor
Jamestown, New York 14701
Telephone: (716) 664-5210

RECEIVED

Phone: 221-6131

Over 60 Years of Dependable Service

APR 23 1984

490 Hickman Street
Bridgeville, Pa. 15017

RECEIVED

KNOLD TRANSFER INC.

SECRETARY'S OFFICE Certified Mail

GENERAL HAULING

Public Utility Commission

No. P 468-819-352

APR 24 1984 Pa. Public Utility Commission

Non-Rail Transport

Post Box 3265

Public Utility Commission

Lancaster, Pa. 17120

Date April 19-84

Jerry Rich, Secretary

New Authority Application
A00102306 F.1 Am-E
Klapec Trucking Co. Oil
City, Pa. 16301
Protests due April
84,

Reference Authority
A00102306 F.1-Am-C
Approved June 10-83
Klapec Trucking Co. 673 N.
Seneca St., Oil City, Pa. 16301
Venango County

DOCKETED
APPLICATION DOCKET
MAY 7 1984
ENTRY No. mw

Commissioners,

Knold Transfer Inc. wishes to file a petition with the Commission concerning the above left application for new authority, Amendment E, as inconsistent with the public utility law in the area of duplicate authority and potential subterfuge by circumventing the restrictive amendments contained in the above right reference authority Amendment C. The new authority application uses the words "Transportation of Property", which have the subterfuge potential of rendering useless and ineffective the restrictive amendments contained in A00102306-F.1-Am-C. Therefore may the Commission examine A00102306 F.1-Am-C in relation to A00102306 F.1 Am E based on the above mentioned data and to hold the time of protest open for Knold Transfer Inc., until such a time as a judicial decision on the matter will have been rendered.

DOCUMENT FOLDER

Copy To Klapec Trucking Co.
April 19-84

Respectfully
Knold Transfer Inc.
D. J. Schullek

A00102306 - Folder 1, AM-E Klappes
Trucking Co. RD1-673 Seneca Street, Oil City
Venango County, Pa. 16301, a Corp. of
Commonwealth of Pa. - inter Alia - scrap steel,
in bulk, in dump vehicles, From the Facilities
of Universal-Cyclops Specialty Steel And
Division, Located in the City of Titusville,
Crawford County, to Points in the Borough
of Greenville, Mercer County, And vice
versa: So As To Permit The Transportation
of Property (excluding house hold Goods in
use, Commodities requiring dump vehicles,
And shipments weighing Less Than 10,000
pounds From one Consignor To one
Consignee) (1) between points in the
County of Venango, And from points
in said county, To points in Pa. And
vice versa; And (2) Between points
in the City of Titusville, Crawford
County, And From Points in said
City To points in Pa. And vice
versa. Attorney: John A. Pillar,
1500 Bank Tower, 307 Fourth Ave.
Pgh., Pa. 15222

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held June 10, 1983

Commissioners Present:

Linda C. Taliaferro, Chairman
Michael Johnson
James H. Cawley

Application of Klapec Trucking Company, 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, steel castings for Venango Metallurgical Products, from the facilities of said shipper in the city of Oil City, Venango County, to points in Pennsylvania: SO AS TO PERMIT the transportation of iron and steel, iron and steel articles, and machinery and machinery parts, between points in the city of Oil City, Venango County, and within an airline distance of thirty (30) statute miles of the limits of the said city; and from points in said territory, to points in Pennsylvania, and vice versa.

A-G0102306
F. 1
Am=C-

Wick, Rich, Fluke & Streiff, by Henry M. Wick, Jr. and Lucille N. Wick for the applicant.

Pillar and Mulroy, by Thomas M. Mulroy for protestants: Wayne W. Sell Corp. and Ritchey Trucking, Inc.

D. Schullen for protestant, Knolb Transfer, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on September 3, 1982 and which was published in the Pennsylvania Bulletin of September 25, 1982. Three carriers lodged protests however, each withdrew when the applicant restrictively amended the application, prohibiting service for certain named shippers and from or to specific areas.

(2) Provided that no right, power or privilege is granted to transport used and rebuilt equipment that is used in the deep mining of coal, for the Barnes and Tucker Company, from points in the counties of Cambria and Indiana to points within an airline distance of seventy-five (75) statute miles of the limits of the borough of Barnesboro, Cambria County, and vice versa;

(3) Provided that no right, power or privilege is granted to transport new, used and rebuilt machinery, equipment, supplies and parts for Greenwich Collieries Company, from the plant site of the Joy Manufacturing Company located in the city of Franklin, Venango County, and from points in Pennsylvania east of the eastern boundaries of the counties of McKean, Cameron, Clearfield, Indiana and Bedford, to its mines located in the counties of Indiana, Clearfield and Cambria;

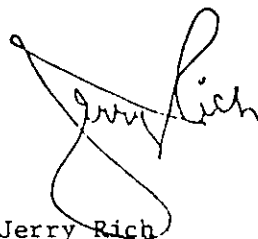
(4) Provided that no right, power or privilege is granted to transport property for Cyclops Corp. and its divisions located at plants in the city of Titusville, Crawford County, the city of Pittsburgh and the township of Collier, Allegheny County, and West Aliquippa, Beaver County.

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 Pennsylvania Public Utility Law and the rules and regulations of the Commission relative 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.

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

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: June 10, 1983
ORDER ENTERED: JUN 17 1983

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

A. 102306 Fl, Am-E
KLAPEC TRUCKING CO.

APR 23 1984

SECRETARY'S OFFICE
Public Utility Commission

PROTEST

Authority sought: SO AS TO PERMIT property (excluding hh goods, commodities in dump, shipments weighing less than 10,000 lbs) between points in Venengo County and from points therein to points in PA & vv; between points in Titusville, Crawford County and from points therein to points in PA & vv.

DOCKETED
APPLICATION DOCKET
APR 27 1984
ENTRY No. MW

FILE

1. Protestant(s) is (are) :

- R. J Glass Inc.
- R H Crawford Inc.
- Ray Brandt Trucking Co.
- S & L Services Inc.
- Lake Erie Trucking Co.

2. The name and address of protestant's attorney are:

John E. Fullerton
407 N. Front St.
Harrisburg, PA 17101
(717) 236-9318

DOCUMENT
FOLDER

- 3. Protestant(s) hold operating rights which conflict with the instant application, copy attached. Traffic handled thereunder is subject to diversion.
- 4. Protestant(s) provide an adequate and satisfactory service within the scope thereof.
- 5. To the extent of the conflict, there is no need for the proposed service. Approval will impair protestant(s) operations and be contrary to the public interest.
- 6. The only amendment which will satisfy protestant(s) is the exclusion of the conflicting authority from the instant application.

John Fullerton
JOHN E. FULLERTON
Attorney for Protestant(s)

Dated: April 20, 1984

CERTIFICATE OF SERVICE

I certify that a copy of this protest has been served upon applicant's attorney by first class US mail, postage prepaid.

cc: John Pillar, Esq.
1500 Bank Tower
Pittsburgh, PA.15222

John Fullerton
JOHN E. FULLERTON

NOTE: As required by Section 333(c) of the Public Utility Code, please furnish forthwith the identity of the shipper(s) supporting this application and the nature of the testimony concerning need for the proposed service.

A. 87857
R. J. GLASS, INC.

Box 337
Newry, PA 16665
(814) 695-5041

Folder 2:

Class D - sand, in bulk in truckloads, from the Pennsylvania Glass Sand Corporation in the Boroughs of Mapleton, Huntingdon County and McVeytown, Mifflin County, to points in PA, excluding transportation to points in the Counties of Jefferson, Clarion, Forest, Cameron, Warren, McKean, Centre, Armstrong, Elk and Clearfield.

Folder 2, Am-B:

Class D - magnetite, in bulk in tank vehicles, from the plant of Mineral Mills, Inc. in the Borough of McKees Rocks, Allegheny County, to points in the Counties of Indiana, Westmoreland, Armstrong, Greene, Clarion, Cambria, Venango, Clearfield, Somerset, Washington and Fayette.

Folder 2, Am-C:

Class D - quarry rock for General Refractories Co. from points in Perry Twp, Fayette County to points in Greenfield Twp, Blair County.

Folder 2, Am-F:

Class D - coal between points in the counties of Cambria, Clearfield and Blair, no haul to exceed a distance of 25 miles from point of origin to point of destination.

Folder 2, Am-D:

Class D - magnetite from the plant site of Mineral Mills Inc. in Stowe Twp, Allegheny County to coal mines in that portion of PA on and west of US Hy 15 and the return of refused, damaged or rejected shipments to the point of origin, excluding any transportation in bulk in tank vehicles.

Folder 2, Am-G

Class D - property for R J Glass, Inc. between points in PA.

Folder 2, Am-H:

Class D - crushed stone and sand (1) from the facilities of New Enterprise Stone & Lime Co. located in Paint Twp, Somerset County, Snake Spring Twp, Bedford County and Taylor Twp, Blair County and (2) from the facilities of Narehood Limestone Inc. located in Warriors Mark Twp, Huntingdon County to points in the counties of Bedford, Blair, Cambria, Centre, Clearfield, Fulton, Huntingdon, Indiana, Somerset and Westmoreland and vice versa.

460 W. Philadelphia St.
York, PA 17404
(717)846-4149

RAY L. BRANDT TRUCKING CO. OPERATING AUTHORITY A.90652

Folder 2:

Class D - fertilizer, materials used in the manufacture of fertilizer, and chemical products, all in bulk and unpackaged, from points in the County of York to points in Pennsylvania, and vice versa.

Class D - fertilizer in packages from points in the County of York to points in Pennsylvania.

RESTRICTION: The above transportation is restricted to the operation of dump trucks or semi-trailer dump vehicles.

Class D - crushed limestone, in bulk and unpackaged, in dump trucks or dump semi-trailers from points in the Counties of York and Lancaster to points in Pennsylvania excluding lime from Village of Thomasville, York County, to points in the Boro of Brackenridge, Allegheny County.

Class D - limestone and limestone products, in bulk, in dump semi-trailers, tank and hopper vehicles and air-unloading bulk vehicles, from points in the County of York to points in Pennsylvania, and the return of damaged, refused or rejected shipments to the point of origin.

Folder 2 Am-A:

Class D - limestone and limestone products, in bags and other types of containers, for the J. E. Baker Company, from its plant in the Township of West Manchester, York County, and for the Thomasville Stone and Lime Company, from its plant in the Township of Jackson, York County, to points in Pennsylvania, and the return of damaged, refused or rejected shipments to the point of origin.

Folder 2 Am-B:

Class D - fertilizer, in bags and other types of containers, for Agway, Inc., from its plants in the Townships of Spring Garden and West Manchester, York County, to points in Pennsylvania, and the return of damaged, refused or rejected shipments to the point of origin.

Folder 2 Am-C:

Class D - fertilizer, in bulk, in air-unloading bulk vehicles, for Agway, Inc., from its plant in the Township of Spring Garden, York County, to points in said Township and other points in Pennsylvania and the return of damaged, refused or rejected shipments to the point of origin, excluding the transportation of liquid commodities in bulk in tank vehicles.

Lake Erie Trucking Co.

3025 W. 17th St.

Erie, PA 16505

(814) 833-9822 IT IS ORDERED: That the application, as amended, be and is hereby approved granting the following right:

To transport, as a Class D carrier, property, between points in the county of Erie, and from points in said county to points in Pennsylvania, and vice versa;

subject to the following conditions:

1. That no right, power or privilege is granted to transport household goods in use and commodities in bulk.
2. That no right, power or privilege is granted to render any service to or from points within the borough of Bellefonte and the township of Spring, Centre County.
3. That no right, power or privilege is granted to render service to or from points in the boroughs of Exeter and West Pittston and the city of Wilkes-Barre, Luzerne County.
4. That no right, power or privilege is granted to transport wood or wood products to or from points in the city of Lock Haven, Clinton County and within an airline distance of thirty-five (35) statute miles of the limits thereof.
5. That no right, power or privilege is granted to transport limestone and limestone products from points in the county of York.
6. That no right, power or privilege is granted to transport scrap metal for Hodes Industries, Inc.
7. That no right, power or privilege is granted to render any service to or from the facilities of American Home Foods Division of American Home Products Corporation in the township of Turbot and the borough of Milton, Northumberland County.
8. That no right, power or privilege is granted to transport to or from points in the township of Penn, York County, the facilities of California Cannery and Growers in Conewago Township, Adams County, and the facilities of D & D Distribution Services, Inc., Hanover Terminals, Inc., Shultz Food Company and National Can Corp., all in the county of York.
9. That no right, power or privilege is granted to transport to or from the facilities of F & M Schaeffer Brewing Co., in the county of Lehigh.

425 Poplar St.
Hanover, PA 17331
717-637-4394

R. H. CRAWFORD, INC.

CERTIFICATE No. 97201

TO TRANSPORT, AS A CLASS D CARRIER, GROCERIES AND MERCHANDISE FOR THE EHRHART & CONRAD COMPANY, FROM THEIR PLACES OF BUSINESS IN THE BOROUGH OF HANOVER, YORK COUNTY, TO POINTS IN PENNSYLVANIA AS DESIGNATED BY THE AFORESAID COMPANY, AND VICE VERSA.

TO TRANSPORT, AS A CLASS D CARRIER, BEER FOR D. G. SZWOYER, TRADING AND DOING BUSINESS AS, SZWOYER BEVERAGE COMPANY, FROM THE CITY OF WILKES-BARRE, LUZERNE COUNTY, TO THE BOROUGH OF HANOVER, YORK COUNTY, AND THE RETURN OF EMPTY CONTAINERS.

TO TRANSPORT, AS A CLASS D CARRIER, CANNED AND JARRED FRUITS, VEGETABLES AND JUICES AND PACKAGED DRIED FRUITS, FOR RICHMOND-CHASE COMPANY, INC., AND THE PET MILK COMPANY, WINEBRENNER DIVISION, FROM THE TOWNSHIP OF PENN AND THE VILLAGE OF NEW PARK, YORK COUNTY, TO POINTS IN PENNSYLVANIA, AND THE RETURN OF REFUSED OR DAMAGED MERCHANDISE.

TO TRANSPORT, AS A CLASS D CARRIER, SUCH MERCHANDISE AS IS DEALT IN BY WHOLESALE, RETAIL AND CHAIN GROCERY AND FOOD BUSINESS HOUSES FROM THE TOWNSHIP OF PENN, YORK COUNTY, TO POINTS IN PENNSYLVANIA.

TO TRANSPORT, AS A CLASS D CARRIER, PROPERTY FOR THE HANOVER BRANDS, INCORPORATED, FROM POINTS IN THE TOWNSHIP OF PENN, YORK COUNTY, TO POINTS IN PENNSYLVANIA, AND THE RETURN OF REFUSED, REJECTED AND DAMAGED MERCHANDISE.

TO TRANSPORT, AS A CLASS D CARRIER, PROPERTY FOR THE PET MILK COMPANY, WINEBRENNER DIVISION, BETWEEN POINTS IN THE TOWNSHIP OF PENN, YORK COUNTY.

TO TRANSPORT, AS A CLASS D CARRIER, PROPERTY FOR THE PET MILK COMPANY, WINEBRENNER DIVISION, FROM POINTS IN THE TOWNSHIP OF PENN, YORK COUNTY, TO THE VILLAGE OF NEW PARK, YORK COUNTY.

TO TRANSPORT, AS A CLASS D CARRIER, PROPERTY FOR THE PET MILK COMPANY, WINEBRENNER DIVISION, FROM POINTS IN PENNSYLVANIA TO POINTS IN THE TOWNSHIP OF PENN AND THE VILLAGE OF NEW PARK, YORK COUNTY.

SUBJECT TO THE FOLLOWING CONDITIONS:

THAT NO RIGHT, POWER OR PRIVILEGE IS GRANTED TO TRANSPORT COMMODITIES IN BULK IN TANK VEHICLES OR IN HOPPER-TYPE VEHICLES.

CERTIFICATE No. 97201, FOLDER 1 Am-A

TO TRANSPORT, AS A CLASS D CARRIER, SUCH MERCHANDISE AS IS DEALT IN BY WHOLESALE, RETAIL, CHAIN GROCERY AND FOOD BUSINESS HOUSES, FROM THE FACILITIES OF D. WESTERVELT, INC., IN THE BOROUGH OF HANOVER, YORK COUNTY, TO POINTS IN PENNSYLVANIA, AND VICE VERSA.

SUBJECT TO THE FOLLOWING CONDITION:

WITH NO RIGHT, POWER OR PRIVILEGE IS GRANTED TO RENDER SERVICE TO OR FROM POINTS IN THE BOROUGH OF MARTINSBURG, BLAIR COUNTY, AND WITHIN AN AIRLINE DISTANCE OF THIRTY (30) STATUTE MILES OF THE LIMITS THEREOF AND THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, AND THE BOROUGH AND TOWNSHIPS CONTIGUOUS TO SAID CITY.

CERTIFICATE No. 97201, FOLDER 1 Am-B

TO TRANSPORT, AS A CLASS D CARRIER, PROPERTY FROM THE PLANT SITE AND WAREHOUSES OF CALIFORNIA CANNERS AND GROWERS IN THE TOWNSHIP OF CONEWAGO, ADAMS COUNTY, TO POINTS IN PENNSYLVANIA AND VICE VERSA.

CERTIFICATE No. 97201, FOLDER 1 Am-C

TO TRANSPORT, AS A CLASS D CARRIER, MERCHANDISE AS IS DEALT IN BY WHOLESALE, RETAIL, AND CHAIN GROCERY AND FOOD BUSINESS HOUSES, FROM THE BOROUGHS OF NEW FREEDOM AND SHREWSBURY, YORK COUNTY, AND THE TOWNSHIP OF SHREWSBURY, YORK COUNTY, TO POINTS IN PENNSYLVANIA AND VICE VERSA.

*CERTIFICATE No. 97201, FOLDER 1 Am-D

TO TRANSPORT, AS A CLASS D CARRIER, SUCH MERCHANDISE AS IS DEALT IN BY WHOLESALE, RETAIL, CHAIN GROCERY AND FOOD BUSINESS HOUSES, FROM POINTS IN THE BOROUGH OF WELLSBORO, TIoga COUNTY, THE TOWNSHIP OF ~~EAST~~ HEMPFIELD, LANCASTER COUNTY, AND THE TOWNSHIP OF STROUD, MONROE COUNTY, TO POINTS IN THE TOWNSHIP OF PENN, YORK COUNTY.

*CERTIFICATE No. 97201, FOLDER 1 Am-E

TO TRANSPORT, AS A CLASS D CARRIER, PROPERTY FOR HANOVER BRANDS, INCORPORATED, FROM POINTS IN PENNSYLVANIA, TO POINTS IN THE TOWNSHIP OF PENN, YORK COUNTY.

Certificate No. 97201, Folder 1, Am-G

Class D - property from the facilities of Hanover Carpet Yarn Co. located in the township of Conewago, Adams County to points in Pennsylvania and vice versa.

Folder 1, Am-H Class D

Property from the facilities of D&D Distribution Services, Inc. located in the City of York, Boro of Shrewsbury and Twp of Shrewsbury, all in York County to points in PA and vice versa excluding hh goods, commodities in bulk and commodities which because of size or weight require special equipment.

Folder 1, Am-I Class D

Property from the facilities of Hanover Terminal, Inc. located in the county of York to points in PA and vv.

Folder 1, Am-J Class D

Property, from the facilities of Shultz Foods Company, located in Penn Twp., York County, to points in PA, and vice versa.

Folder 1, Am-K Class D

Containers, container ends, materials and supplies used in the manufacture and distribution thereof (excluding sand, limestone and limestone products in bulk) between the facilities of National Can Corp located in the county of York and from said facilities in the county of York to points in PA and vv.

Folder 1, Am-L Class D

Property from the facilities of R H Sheppard Co. in the Borough of Hanover, York County to points in PA and vice versa.

Folder 1, Am-M Class D

Property from the facilities of Keystone Distribution Center Inc located in Penn Twp, York County and within 25 air miles of the limits thereof to points in PA and vice versa.

Folder 1, Am-N Class D

Property from the facilities of Libby, McNeill & Libby in the counties of Cumberland, York, Adams and Franklin to points in PA and vice versa.

Folder 1, Am-O Class D

Property from the facilities of Yazoo Mills Inc. in the county of Adams to points in PA and vice versa.

Box 95
Milton, PA 17847
(717)742-7668

A. 101569
S & L SERVICES, INC.

Folder 1:

Class D - property from the facilities of American Home Foods Division of American Home Products Corp. located in the township of Turbot and the borough of Milton, Northumberland County, to points in PA and vice versa.

Folder 1, Am-A

Class D - paper and paper products, and materials, equipment and supplies used in the manufacture and distribution thereof, for Hammermill Paper Co. from its facilities in the cities of Erie, Erie County and Lock Haven, Clinton County to points in PA and vice versa, excluding coal and commodities in bulk in tank and dump vehicles.

Folder 1, Am-B

Class D - property from the facilities of (1) Sewell Plastics Inc. in E. Huntingdon Twp, Westmoreland County to points in PA and vice versa and (2) International Paper Co. in Kelly Twp, Union County to points in PA and vice versa.

PILLAR AND MULROY

ATTORNEYS-AT-LAW
1500 BANK TOWER
307 FOURTH AVENUE
PITTSBURGH, PA. 15222
TELEPHONE (412) 471-3300

April 30, 1984

RECEIVED

MAY 2 1984

**SECRETARY'S OFFICE
Public Utility Commission**

JOHN A. PILLAR
THOMAS M. MULROY
SALLY A. DAVOREN
KEVIN W. WALSH

File: 689-2

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility
Commission
P.O. Box 3265
Harrisburg, PA 17120

Re: Klapec Trucking Company
Docket No. A.102306, F.1, Am-E

Dear Mr. Rich:

Enclosed for filing is the original and two copies of a Motion by the applicant to dismiss the letter protest of Knold Transfer, Inc. A copy has been served on Knold Transfer, Inc.

Very truly yours,


John A. Pillar

bjz

Enclosure

cc Klapec Trucking Co.
Knold Transfer, Inc.

RECEIVED

MAY 2 - 1984

**Non-Rail Transportation
Public Utility Comm**

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

MAY 2 1984

Application of
KLAPEC TRUCKING COMPANY

SECRETARY'S OFFICE
Public Utility Commission

Docket No. A.102306, F.1, Am-~~g~~
E

RECEIVED

APPLICANT'S MOTION TO STRIKE AND/OR DISMISS
LETTER PROTEST OF
KNOLD TRANSFER, INC.

MAY 2 - 1984

~~Non-Dial Transportation~~
Public Utility Comm

AND NOW COMES Klapec Trucking Company (Klapec or applicant) by its attorneys, Pillar and Mulroy, P.C., and moves that the Commission strike the letter protest to the above application filed on behalf of Knold Transfer, Inc. (Knold) for the following reasons:

1. By its application at Docket A.102306, Klapec seeks authority to transport as a common carrier, by motor vehicle:

Property (excluding household goods in use, commodities requiring dump vehicles and shipments weighing less than 10,000 pounds from one consignor to one consignee) (1) between points in the County of Venango, and from points in the said County to points in Pennsylvania and vice versa; and (2) between points in the City of Titusville, Crawford County, and from points in said city to points in Pennsylvania and vice versa.

2. Knold filed a letter dated April 19, 1984, with this Commission, without an appearance by counsel, which purports to express some interest in the application herein.

DOCUMENT
FOLDER

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APPLICATION DOCKET
MAY 15 1984

ENTRY No. mw

3. The letter does not comply with the Commission's rules and regulations regarding the form of protests and is deficient in several areas:

a. The letter does not state the interest of Knold in this application;

b. The letter does not state or attach the operating authority of Knold, if any, that conflicts with this application;

c. The letter attempts to raise a question regarding the present operating authority of Klapec that is not a proper issue in this proceeding;

d. The letter raises a question of "judicial" intervention that is not a matter before this Commission and is not a proper issue for the Commission's disposition, and

e. The letter protest is so vague and ambiguous as to be unintelligible.

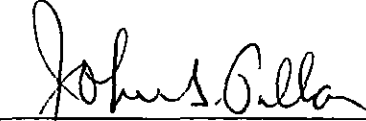
4. Knold's letter protest is frivolous, not in compliance with the Commission's rules and regulations, and has been filed for apparent reasons that are beyond the issues involved in the instant application. Further, Klapec reasonably expects to obtain the withdrawal of the remaining protests by amendment.

WHEREFORE, Klapec Trucking Company moves, pursuant to 52 Pa. Code § 3.151(a), that the protest of Knold Transfer, Inc., be stricken and the matter assigned to the Commission's Technical Review Section for disposition upon the anticipated withdrawal of all remaining protestants.

Respectfully submitted,

PILLAR AND MULROY, P.C.

By: _____


JOHN A. PILLAR, ESQ.
Attorney for Applicant

CERTIFICATE OF SERVICE

I hereby certify that I have served copies of the foregoing Motion to Strike and/or Dismiss Letter Protest on Knold Transfer, Inc., in accordance with the Commission's Rules of Practice.

Dated this 30th day of April, 1984.

PILLAR AND MULROY, P.C.

By: 

JOHN A. PILLAR, ESQ.
Attorney for
KIAPEC TRUCKING CO.,
Applicant

PILLAR AND MULROY

ATTORNEYS-AT-LAW
1500 BANK TOWER
307 FOURTH AVENUE
PITTSBURGH, PA. 15222
TELEPHONE (412) 471-3300

JOHN A. PILLAR
THOMAS M. MULROY
SALLY A. DAVOREN
KEVIN W. WALSH

RECEIVED

May 3, 1984

MAY 7 1984

SECRETARY'S OFFICE
Public Utility Commission

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

RE: Application of Klapac Trucking Company
Docket No. A.102306, F.1, Am-E
File No. 689-2

FILE

Dear Sir:

We recently submitted a Motion to Strike a protest filed by Knold Transfer, Inc. in the above docketed proceeding. The motion inadvertently referred to the application as being at Docket No. A.102306, F.1, Am-G. We wish to correct the motion so that it accurately reflects the docket number as A.102306, F.1, Am-E.

Sincerely,


JOHN A. PILLAR

njm
cc: Klapac Trucking Company
Knold Transfer, Inc.

RECEIVED

MAY 7 1984

Non-Bail Transportation
Public Utility Comm.

DOCUMENT
FOLDER

May 3, 1984

IN REPLY PLEASE
REFER TO OUR FILE

John A. Pillar
Attorney at Law
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, PA 15222

FILE

Re: A-00102306, Folder 1, Am-E - Application of Klapec Trucking Company

Dear Sir:

This will acknowledge receipt of motion and two copies thereof filed by you on behalf of applicant to dismiss the letter of Knold Transfer, Inc. in the above entitled proceeding.

The motion will be referred to the Commission for further consideration in the matter.

Very truly yours,

David Ehrhart
Acting Supervisor - Application Section
Bureau of Non-Rail Transportation

**DOCUMENT
FOLDER**

KNOLD TRANSFER INC.

GENERAL HAULING

Jerry Rich, Secretary, P.U.C.
P.O. Box 3265
Harrisburg, Pa.

MAY 17 1984

SECRETARY'S OFFICE
Public Utility Commission
Date May 14-84

17120

RE: Application of Klapac Trucking Co.
Docket No. A-102306, F.1 - A.M.
File 689-2

**DOCUMENT
FOLDER**

DOCKETED
MAY 17 1984

Dear Sir:

you recently received a Motion Letter

From Council to Klapac, viz. Pillar & Mulroy, P.C., to strike / Dismiss a petition / protest letter from Knold. I will make a formal answer to that letter which should be in your possession by week of May 21, 84. Acting in my own behalf is causing this delay & I will do my best under the circumstances.

Sincerely
D.J. Schulte
Knold Transfer, Inc.

No copies to anyone;

ORIGINAL

PILLAR AND MULROY

ATTORNEYS-AT-LAW
1500 BANK TOWER
307 FOURTH AVENUE
PITTSBURGH, PA. 15222
TELEPHONE (412) 471-3300

RECEIVED

MAY 23 1984

SECRETARY'S OFFICE
Public Utility Commission

JOHN A. PILLAR
THOMAS M. MULROY
SALLY A. DAVOREN
KEVIN W. WALSH

May 18, 1984

Re: Application of Klapec Trucking Co.
Docket No. A-00102306, F.1, Am-D
File No. 689-1

Jerry Rich, Secretary
Pennsylvania Public Utility
Commission
P. O. Box 3265
Harrisburg, PA 17120

Dear Sir:

We submit herewith for filing the signed original and two copies of an amendment to the above captioned application, which is restrictive in nature. It is our opinion that the amendment is in a form that is acceptable to the Commission. The applicant understands the amendment and will abide by restrictions contained therein if the application, as amended, is approved.

We also understand that the amendment satisfies the interests of Crossett, Inc. and R. T. Merryman Trucking, Inc., the only protestants to the above application. Upon receipt of the amendment, and the advice of counsel for the protestants that the amendment satisfies the interests of the protestants, we ask that the matter be assigned to the Technical Review Section for disposition.

Very truly yours,


JOHN A. PILLAR



SW

Enclosures

cc: Christian V. Graf, Esq.
Ronald W. Malin, Esq.
Klapec Trucking Co.

RECEIVED

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAY 23 1984

SECRETARY'S OFFICE
Public Utility Commission

Application of
KLAPEC TRUCKING CO.

Docket No. A-00102306, F.1, Am-D

RESTRICTIVE AMENDMENT

Klapec Trucking Co., the above named applicant, by its attorneys, Pillar and Mulroy, P.C., submits the following amendment to the above captioned application which is restrictive in nature. As amended, the application seeks the following authority:

To transport property for Witco Chemical Corporation, from points in the City of Bradford, McKean County, the Borough of Petrolia, Butler County, the Township of Conewango, Warren County, the Borough of Plum, Allegheny County, and the Township of Richland, Allegheny County, to points in the said City, Boroughs and Townships; and from points in said City, Boroughs and Townships, to other points in Pennsylvania, and vice versa; subject to the following restrictions:

- (1) Provided that no right, power or privilege is granted to transport refined petroleum products, in bulk, in tank vehicles;
- (2) Provided that no right, power or privilege is granted to transport fertilizer, sand and stone between points within one hundred (100) airline miles of the Township of Conemaugh, Somerset County;
- (3) Provided that no right, power or privilege is granted to transport coal, solid fuels, limestone, lime, sand and clay between points within an airline distance of sixty (60) miles of the Borough of Curwensville, Clearfield County; and

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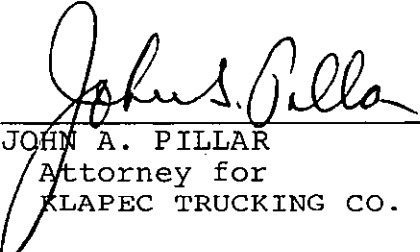
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MAY 23 1984

(4) Provided that no right, power or privilege is granted to transport property in bulk for R. T. Merryman Trucking, Inc. and Merryman Enterprises.

Dated at Pittsburgh, PA, this 21st day of May, 1984.

PILLAR AND MULROY, P.C.

By: _____


JOHN A. PILLAR
Attorney for
KLAPEC TRUCKING CO.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
May 24, 1984

File

In re: A. 102306, F.1, Am-E

D. J. Schullek
Knold Transfer, Inc.
490 Hickman Street
Bridgeville, PA 15017

Application of Klapac Trucking Company

Amendment to permit the transportation of property (excluding household goods in use, commodities requiring dump vehicles and shipments weighing less than 10,000 pounds from one consignor to one consignee) (1) between points in the county of Venango, and from points in the said county, to points in Pennsylvania and vice versa; and (2) between points in the city of Titusville, Crawford County and from points in said county to points in Pennsylvania and vice versa.

N O T I C E

This is to inform you that an initial hearing on the above captioned case will be held Tuesday, July 24, 1984, at 10:00 a.m., in the Assembly Room, Courthouse, 903 Diamond Park, Meadville, Pennsylvania 16335.

The presiding officer in this proceeding will be Administrative Law Judge John K. Clements. Judge Clements can be contacted at 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222; telephone (412) 565-3550.

The Commission's Rules require that all parties except individuals appearing on their own behalf, be represented by counsel at hearing, therefore, will you please have counsel of your choice file his appearance on your behalf prior to the hearing date herein stated.

If you intend to file exhibits, please be advised that three copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

DOCUMENT
FOLDER

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
May 24, 1984

MONITOR: COMMISSIONER CAWLEY

In re: A. 102306, F.1, Am-E

(See attached list)

Application of Klapec Trucking Company

Amendment to permit the transportation of property (excluding household goods in use, commodities requiring dump vehicles and shipments weighing less than 10,000 pounds from one consignor to one consignee) (1) between points in the county of Venango, and from points in the said county, to points in Pennsylvania and vice versa; and (2) between points in the city of Titusville, Crawford County and from points in said county to points in Pennsylvania and vice versa.

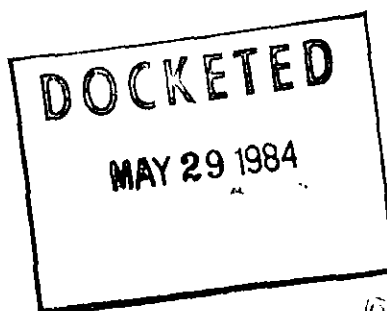
N O T I C E

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If you intend to file exhibits, please be advised that three copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

cc: Judge Clements
Bureau of Non-Rail Trans.
Ms. Crouse
Ms. Dickson
Mr. Bramson
File Room



John A. Pillar, Esquire
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, PA 15222

Klapec Trucking Company
R.D. #1
673 North Seneca Street
Oil City, PA 16301

Ronald W. Malin, Esquire
Key Bank Building
Jamestown, NY 14701

John E. Fullerton, Esquire
407 North Front Street
Harrisburg, PA 17101

D. J. Schullek *
Knold Transfer, Inc.
490 Hickman Street
Bridgeville, PA 15017

ORIGINAL

Alg

LAW OFFICES OF
GRAF, KNUPP & ANDREWS, P. C.

CAMERON MANSION
407 NORTH FRONT STREET
P. O. BOX P
HARRISBURG, PA 17108

OF COUNSEL
JOHN E. FULLERTON
—
717/238-7151
717/236-9318
—

ROBERT EWING KNUPP (1932-1976)
CHRISTIAN V. GRAF
ROBERT L. KNUPP
FREDERICK W. ANDREWS
ROBERT D. KODAK
DAVID H. RADCLIFF
WILLIAM J. FULTON

WEST HANOVER TOWNSHIP OFFICE
7171 ALLENTOWN BOULEVARD
HARRISBURG, PA 17112
717/657-2858

May 24, 1984
File: 809.65

RE: KLAPEC TRUCKING COMPANY, A. 102306, Folder 1, Am-D -
Protest of R. T. Merryman Trucking, Inc.

RECEIVED

MAY 25 1984

SECRETARY'S OFFICE
Public Utility Commission

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120

Dear Mr. Rich:

We have received the amendment submitted by Mr. Pillar in the above case by his letter of May 18, 1984.

In consideration of and in reliance on said amendment, the protest of R. T. Merryman Trucking, Inc. is hereby withdrawn. We desire, however, to remain a party of record for the receipt of all orders which may issue.

I am forwarding a copy of the amendment to R. T. Merryman Trucking, Inc. and I am marking this file closed.

Very truly yours,

**DOCUMENT
FOLDER**

Christian V. Graf
Christian V. Graf

CVG: tcr

cc: Mr. R. T. Merryman
R. T. Merryman Trucking, Inc.
501 Alder Street
Philipsburg, Pennsylvania 16866

John A. Pillar, Esquire
Pillar and Mulroy, P.C.
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, Pennsylvania 15222

David H. Radcliff, Esq.

DOCKETED
MAY 25 1984

LAW OFFICES
JOHNSON, PETERSON, TENER & ANDERSON

ORIGINAL

KENNETH T. JOHNSON
RAYMOND A. ANDERSON
RONALD W. MALIN
CHARLES J. PHILLIPS
CHARLES G. BECKSTROM
WARD W. WESTERBERG
JOHN K. PLUMB
MICHAEL C. FOLEY
WILLIAM F. BENCA

May 31, 1984

KEY BANK BUILDING
JAMESTOWN, NEW YORK 14701
AREA CODE 716
TELEPHONE 864-5210
CABLE ADDRESS
JOPETA
ALBERT J. TENER (OF COUNSEL)
JOHN A. PETERSON (1919-1971)
WILLIAM C. ARRISON (1925-1978)

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box #3265
Harrisburg, Pennsylvania 17120

RECEIVED

JUN 4 1984

RE: Application of Klapac Trucking Co.
Docket No. A-00102306, F.1, Am-D

SECRETARY'S OFFICE
Public Utility Commission

Dear Mr. Rich:

Please be advised that the restrictive amendment submitted to you in the above referenced matter does satisfy the interest of Crossett, Inc. in the instant proceeding.

Based upon the Commission's acceptance of the restrictive amendment, a copy of which is enclosed, Crossett, Inc. will withdraw its opposition to the application proceeding.

I would request, however, that I be retained as a party of record in this matter for the purpose of receiving any further notices, decisions or orders.

Very truly yours,

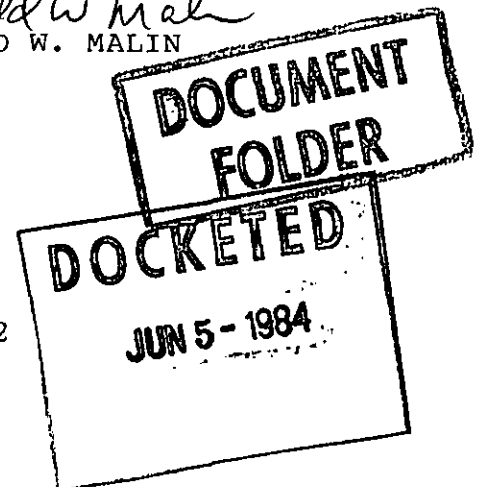
Ronald W. Malin
RONALD W. MALIN

RWM:knw

Enclosure

C/C TO: John A. Pillar. Esq.
Pillar and Mulroy
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, Pennsylvania 15222

Mr. Gary P. Wallin
Crossett, Inc.
P.O. Box #946
Warren, Pennsylvania 16365



Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of
KLAPEC TRUCKING CO.

Docket No. A-00102306, F.1, Am-D

RESTRICTIVE AMENDMENT

Klapec Trucking Co., the above named applicant, by its attorneys, Pillar and Mulroy, P.C., submits the following amendment to the above captioned application which is restrictive in nature. As amended, the application seeks the following authority:

To transport property for Witco Chemical Corporation, from points in the City of Bradford, McKean County, the Borough of Petrolia, Butler County, the Township of Conewango, Warren County, the Borough of Plum, Allegheny County, and the Township of Richland, Allegheny County, to points in the said City, Boroughs and Townships; and from points in said City, Boroughs and Townships, to other points in Pennsylvania, and vice versa; subject to the following restrictions:

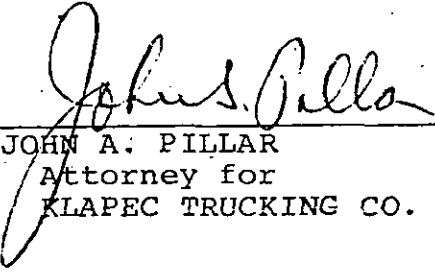
- (1) Provided that no right, power or privilege is granted to transport refined petroleum products, in bulk, in tank vehicles;
- (2) Provided that no right, power or privilege is granted to transport fertilizer, sand and stone between points within one hundred (100) airline miles of the Township of Conemaugh, Somerset County;
- (3) Provided that no right, power or privilege is granted to transport coal, solid fuels, limestone, lime, sand and clay between points within an airline distance of sixty (60) miles of the Borough of Curwensville, Clearfield County; and

(4) Provided that no right, power or privilege is granted to transport property in bulk for R. T. Merryman Trucking, Inc. and Merryman Enterprises.

Dated at Pittsburgh, PA, this 21st day of May, 1984.

PILLAR AND MULROY, P.C.

By:



JOHN A. PILLAR
Attorney for
KLAPEC TRUCKING CO.

June 19, 1984

IN REPLY PLEASE
REFER TO OUR FILE

John A. Pillar
Attorney at Law
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, PA 15222

A-00102306, Folder 1, Am-D - Application of Klapec Trucking Company

Dear Mr. Pillar:

The above referenced application has been assigned for review without an oral hearing. In order to reach a determination on the application, you are being requested to file verified statements in accordance with 52 Pa. Code §3.381(e)(1). You will be required to file:

- A. VERIFIED STATEMENT OF APPLICANT.
- B. VERIFIED STATEMENTS IN SUPPORT OF APPLICATION.

The verified statements should be in paragraph form. Each heading contained in the attached minimum outline should be a separate section or paragraph.

You are being granted an initial thirty (30) days to file verified statements. They will be due on or before July 19, 1984.

If additional time is required, it may be requested by telephone but should be followed in writing with the reasons for the extension stated.

Questions about your application should be directed to Barbara Honegger (717)787-4386.

Very truly yours,

By Barbara Honegger
For Peter S. Marzolf, Chief
Technical Review Section
Bureau of Non-Rail Transportation

16
DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUN 19 1984
ENTRY No. *160*

PILLAR AND MULROY

ATTORNEYS-AT-LAW
1500 BANK TOWER
307 FOURTH AVENUE
PITTSBURGH, PA. 15222
TELEPHONE (412) 471-3300

RECEIVED

JUN 27 1984

**Non-Rail Transportation
Public Utility Comm.**

JOHN A. PILLAR
THOMAS M. MULROY
SALLY A. DAVOREN
KEVIN W. WALSH

June 25, 1984

RECEIVED

JUN 27 1984

**SECRETARY'S OFFICE
Public Utility Commission**

Jerry Rich, Secretary
Pennsylvania Public Utility
Commission
P. O. Box 3265
Harrisburg, PA 17120

RE: Application of Klapec Trucking Company
Docket No. A-102306, F.1, Am-D
File No. 689-1

Dear Mr. Rich:

Enclosed for filing is the original and one copy of the Applicant's Verified Statements in connection with the above-captioned application proceeding.

Please acknowledge receipt of the enclosures on the duplicate of this letter of transmittal and return it in the stamped, self-addressed envelope provided for that purpose. If any additional information is required, please contact the undersigned.

Very truly yours,



KEVIN W. WALSH

njm
Enclosures
cc: Klapec Trucking Company (w/encl.)

**DOCUMENT
FOLDER**

Before
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

Application of
KLAPEC TRUCKING CO.

JUN 27 1984

Docket No. A.00102306, F.1, Am-D

**Non-Rail Transportation
Public Utility Comm.**

RECEIVED

APPLICANT'S VERIFIED STATEMENTS

JUN 27 1984

**SECRETARY'S OFFICE
Public Utility Commission**

JOHN A. PILLAR, ESQ.
KEVIN W. WALSH, ESQ.
Attorneys for
KLAPEC TRUCKING COMPANY,
Applicant

PILLAR AND MULROY, P.C.
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, PA 15222
(412) 471-3300

Due Date: July 19, 1984

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
JUN 23 1984
ENTRY No. *MS*

7 1

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of
KLAPEC TRUCKING COMPANY
Docket No. A-00102306, F.1, Am-D

I. INTRODUCTORY STATEMENT

By this application, as restrictively amended, Klapec Trucking Company (hereinafter Klapec or applicant) seeks authority to operate as a common carrier, by motor vehicle, transporting:

Property for Witco Chemical Corporation, from points in the City of Bradford, McKean County, the Borough of Petrolia, Butler County, the Township of Conewango, Warren County, the Borough of Plum, Allegheny County, and the Township of Richland, Allegheny County, to points in the said City, Boroughs and Townships; and from points in said City, Boroughs and Townships, to other points in Pennsylvania, and vice versa; subject to the following restrictions:

(1) Provided that no right, power or privilege is granted to transport refined petroleum products, in bulk, in tank vehicles;

(2) Provided that no right, power or privilege is granted to transport fertilizer, sand and stone between points within one hundred (100) airline miles of the Township of Conemaugh, Somerset County;

(3) Provided that no right, power or privilege is granted to transport coal, solid fuels, limestone, lime, sand and clay between points within an airline distance of sixty (60) miles of the Borough of Curwensville, Clearfield County; and

(4) Provided that no right, power or privilege is granted to transport property in bulk for R. T. Merryman Trucking, Inc. and Merryman Enterprises.

As restrictively amended, this application is unopposed and has been set down for disposition under the Commission's modified procedure by its Bureau of Non-Rail Transportation, Technical Review Section. Accordingly, Klapac now submits its verified statements in support of the application.

II. VERIFIED STATEMENT OF J. BERNARD KLAPEC ON
BEHALF OF KLAPEC TRUCKING COMPANY

I. Legal Name and Domicile of Applicant

Klapec Trucking Company, a Pennsylvania corporation, has its principal place of business at 673 North Seneca Street, Oil City, Venango County, PA 16301.

II. Identity and Qualifications of Testifying Witness

My name is J. Bernard Klapec, and I am the President of Klapec Trucking Company. As such, I am fully familiar with the equipment, operating authority and capabilities of the applicant, and I am authorized to testify on its behalf in this application proceeding before the Pennsylvania Public Utility Commission.

III. Affiliations With Other Carriers

The applicant in this proceeding is not affiliated with any other motor common or motor contract carrier, either through common ownership or common management.

IV. Authority Sought

By this application, as restrictively amended, Klapec Trucking Company seeks authority to operate as common carrier, by motor vehicle, transporting:

Property for Witco Chemical Corporation, from points in the City of Bradford, McKean County, the Borough of Petrolia, Butler County, the Township of Cone-wango, Warren County, the Borough of Plum, Allegheny County, and the Township of Richland, Allegheny County, to points in the said City, Boroughs and Townships; and from points in said City, Boroughs and Townships, to other points in Pennsylvania, and vice versa; subject to the following restrictions:

#17

(1) Provided that no right, power or privilege is granted to transport refined petroleum products, in bulk, in tank vehicles;

(2) Provided that no right, power or privilege is granted to transport fertilizer, sand and stone between points within one hundred (100) airline miles of the Township of Conemaugh, Somerset County;

(3) Provided that no right, power or privilege is granted to transport coal, solid fuels, limestone, lime, sand and clay between points within an airline distance of sixty (60) miles of the Borough of Curwensville, Clearfield County; and

(4) Provided that no right, power or privilege is granted to transport property in bulk for R. T. Merryman Trucking, Inc. and Merryman Enterprises.

V. General Scope of Currently Authorized Operations

Klapec Trucking Company presently holds operating authority from this Commission at Docket No. A-102306 pursuant to which we engage in the transportation of a variety of bulk and non-bulk materials between various points in Pennsylvania. A copy of the Commission Orders granting our present operating authority are attached hereto as Appendix 1.

In addition, Klapec Trucking Company holds operating authority from the Interstate Commerce Commission at Docket No. MC-135824 pursuant to which we engage in the transportation of general commodities from eight named counties situated in northwestern Pennsylvania to points in the forty-eight continental United States. Pursuant to our interstate operating authority, we have provided transportation service for Witco Chemical Corporation, the supporting shipper to this application.

VI. Duplicating Authority

Since the instant application seeks authority to transport property for Witco Chemical Corporation, and Klapac Trucking Company presently holds extensive operating authority from this Commission, some duplicating authority may result from a grant of this application. However, since the instant application is limited to service for a specific shipper, any resulting duplicating authority would be minimal. The applicant understands and agrees that any duplicating authority that may result from a grant of this application cannot be severed by sale or transfer.

VII. Dual Operations

Since the applicant herein presently holds motor common carrier operating authority and this application seeks further motor common carrier operating authority, no dual operations will result from a grant of the instant application.

VIII. Pertinent Terminal Facilities and Communications Network

The applicant's terminal facility is located at 673 North Seneca Street, Oil City, Venango County, PA 16301. At this two acre location we have a four bay maintenance garage, two storage buildings and an office building where billing, dispatching and other business functions are performed. We presently employ twenty-five drivers for the provision of motor carrier transportation services and employ three full-time mechanics for maintenance and repair of our motor vehicle equipment. In

addition, we presently employ three office personnel.

Our drivers are dispatched from our facility in the morning and are instructed to telephone our terminal facility at the completion of a haul for purposes of further dispatch. This minimizes empty backhauls and increases our flexibility to serve other shippers.

IX. Pertinent Equipment

Attached hereto as Appendix 2 is a recent equipment list denoting motor vehicle equipment presently owned and operated by Klapec Trucking Company in its certificated operations. As a review of that Appendix indicates, Klapec presently owns and operates eighteen tractors and forty trailers consisting of flatbed units, dump units, pneumatic tank units, drop deck trailers and lowboy trailer equipment. We also own and operate eight tri-axle straight trucks consisting of three tri-axle dump trucks and five tri-axle flatbed trucks. All of this equipment receives regular service and safety checks by our three full-time mechanics to insure its safe operating condition. We have utilized some of this motor vehicle equipment in providing interstate transportation service for the supporting shipper to this application. In addition, it is our intention upon grant of this application to purchase van trailer equipment for the transportation of packaged petroleum products.

X. Safety Evidence

Klapec Trucking Company takes great pride in our record for safe operations, and the importance of compliance with

safety regulations is constantly stressed to our drivers. All of our drivers meet the requirements for safe operations pursuant to federal standards, and we maintain public liability and property damage insurance and cargo insurance in those amounts required by the regulations of this Commission and the Interstate Commerce Commission. Periodic safety meetings are conducted for the benefit of our drivers and safety brochures posted by our insurance carrier are posted throughout our terminal facility. As aforementioned, all of our equipment receives regular servicing and maintenance and our drivers are instructed to conduct a walk around inspection of the vehicle at the beginning and completion of each haul. We intend to maintain our record for safe operation, and fully intend to comply with all Commission, state and federal safe operation requirements.

XI. Type of Service Currently Provided

As I previously mentioned, Klapec has provided some interstate service for Witco Chemical Corporation pursuant to our operating authority from the Interstate Commerce Commission. Limitations on our Pennsylvania intrastate operating authority preclude us from providing service to Witco. Our past interstate service has given us familiarity with Witco's present facilities and shipping requirements. We are confident that we can provide the same cost efficient and expeditious delivery service on an intrastate basis which we have previously provided under our Interstate Commerce Commission operating authority.

XII. Type of Service Offered

If this application were approved, Klapec intends to purchase or lease van trailer equipment which is ideally suited for the transportation of packaged petroleum products. In addition, bulk crude petroleum products would be transported on our tractor-pneumatic tank trailer equipment. We are willing to offer service twenty-four hours per day, seven days per week. We will provide service for both truckload quantities and less than truckload quantities, and will offer a multiple delivery type service. We have the capability of spotting trailer equipment at shipper facilities for loading or unloading. In addition, we are willing to offer any other particular service option which may be necessary to meet the transportation requirements of Witco Chemical Corporation or its customers.

XIII. Financial Data

Attached hereto as Appendix 3 is the most recent balance sheet and income statement for the applicant. In addition, our annual report is on file with the Commission, and is incorporated herein by reference. Although it is anticipated that the operations proposed by this application will result in a need for the purchase or lease of van trailer equipment, it will not be necessary to purchase additional tractors or hire additional drivers, thereby minimizing any additional financial burdens incident to the proposed operation. While Klapec is in a sound financial position, the approval of this application will have a positive effect on our financial position by increasing the level of utilization of our motor vehicle equipment.

XIV. Feasibility of Operations

The institution of service pursuant to this application would increase the efficiency of our total operations by increasing our level of equipment utilization while providing us with an additional source of traffic. All of the facilities of Witco Chemical Corporation are located within approximately eighty-five miles of our terminal facility, and Witco's main facilities, located at Bradford, McKean County and Petrolia, Butler County, are located less than fifty miles from our terminal facility. We will attempt to coordinate shipments under our present intrastate operating authority in an attempt to minimize deadheading wherever possible. In addition, we will attempt to coordinate shipments under our present intrastate operating authority and present interstate operating authority in an attempt to minimize empty backhauls. Through proper coordination of the transportation requirements of Witco Chemical Corporation, and the transportation requirements of other customer accounts, an operationally feasible, balanced operation will result.

XV. Other Pertinent Information

As aforementioned, Klapec Trucking Company has provided interstate transportation service to Witco Chemical Corporation. A grant of this application would allow us to provide a more complete range of transportation services for Witco and the location of our terminal facility places us in a unique position to offer a highly responsive motor common carrier

service to all Witco facilities located in the Commonwealth.
For these reasons, and those set forth above, we would request
that our application be granted in its entirety.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held October 9, 1980

Commissioners Present:

Susan M. Shanaman, Chairman
Michael Johnson
James H. Cawley
Linda C. Taliaferro

Application of Klapec Trucking Company
for approval of the transfer to it of
all of the operating rights held by
J. Bernard Klapec at A-00082176.

A-00102306

O R D E R

BY THE COMMISSION:

By application docketed July 22, 1980 Klapec Trucking Company, a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of all the rights granted to J. Bernard Klapec under the certificate issued at A-00082176.

We find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by J. Bernard Klapec at A-00082176 be approved and that a certificate be issued to the applicant granting the following rights:

1. To transport, as a Class D carrier, cinders, slag, limestone, stone, rock, soil, tile, amesite, concrete and cinder blocks, building materials, brick, coal, sand and gravel between points in the counties of Venango and Clarion, excluding the right to transport brick, clay or clay products, including tile, from or to the New Bethlehem Tile Company plant located in Porter Township, Clarion County.
2. To transport, as a Class D carrier, scrap iron, scrap steel, junk and other waste materials, in dump vehicles, for M. N. Adelson and Sons, Inc., from its junk yards in the city of Oil City, Venango County, and in the borough of Kittanning, Armstrong County, to points in the city of Oil City, Venango County, and within an airline distance of one hundred (100) statute miles of the limits of said city, and vice versa.
3. To transport, as a Class D carrier, coal, in dump vehicles, between points in the county of Clarion and from points in the said county to points in the counties of Venango, Crawford, Erie, Warren and Forest.

Appendix 1

4. To transport, as a Class D carrier, sand and gravel, in dump vehicles, from points in the borough of Tionesta, Forest County, and the city of Oil City, and the township of Sugar Creek, Venango County, to points in the counties of Venango, Crawford, Warren, Clarion, Forest, Jefferson, McKean and Elk.
5. To transport, as a Class D carrier, limestone in dump vehicles, between points in the county of Clarion and from points in the said county to points in the counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk.
6. To transport, as a Class D carrier, blacktop or amesite, in dump vehicles, from points in the township of Sugar Creek, Venango County, to points in the counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk.
7. To transport, as a Class D carrier, scrap tin, scrap iron, scrap steel, junk and other waste materials, in dump vehicles and flat bottomed trailers, from the junk yards of the Continental Can Company at 15 Mineral Street in the city of Oil City, Venango County, to the yards of Vulcan Materials Company, De-Tinning Division, in the township of Neville, Allegheny County.
8. To transport, as a Class D carrier, steel ingots or billets for remelt purposes only, weighing in excess of 3,800 pounds each, in dump vehicles, for the Electralloy Corporation, from its plant in the city of Oil City, Venango County, to points within an airline distance of one hundred fifty (150) statute miles of the limits of said city.
9. To transport, as a Class D carrier, ingots and ingot molds weighing in excess of thirty-eight hundred (3,800) pounds each, in dump vehicles, for the Electralloy Corporation, from its plant in the city of Oil City, Venango County, to points in Pennsylvania, and vice versa.
10. To transport, as a Class D carrier, steel ingots and pig, for Electralloy Corporation, from the facility of said shipper in the city of Oil City, Venango County, to points in Pennsylvania.
11. To transport, as a Class D carrier, steel castings for Venango Metallurgical Products, from the facility of said shipper in the city of Oil City, Venango County, to points in Pennsylvania.
12. To transport, as a Class D carrier, materials and supplies used in the production of steel ingots, pig and steel castings, for Electralloy Corporation and Venango Metallurgical Products, from points in Pennsylvania to the facilities of the Electralloy Corporation and Venango Metallurgical Products in the city of Oil City, Venango County;

with right no. 12 above subject to the following conditions:

No right, power or privilege is granted to transport commodities in bulk in tank or hopper-type vehicles.

No right, power or privilege is granted to transport refractory products for Pittsburgh Metals Purifying Division of Susquehanna Corporation.

No right, power or privilege is granted to transport refractory products from points in Armstrong County.

No right, power or privilege is granted to provide service from points in Beaver County.

No right, power or privilege is granted to transport limestone and limestone products from points in the county of Centre.

No right, power or privilege is granted to transport steel and steel products from points in the city of Williamsport, Lycoming County.

13. To transport, as a Class D carrier, property (excluding household goods and office furniture in use) between points in the city of Oil City, Venango County, and within twenty-five (25) miles, by the usually traveled highways of the limits of the said city.
14. To transport, as a Class C carrier, tanks, boilers, machinery, structural steel, accessories and equipment incidental to these commodities from points in the city of Oil City, Venango County, and within ten (10) miles by the usually traveled highways of the limits of said city to oil leases and coal mines within one hundred (100) miles by the usually traveled highways of the point of origin in the counties of Clarion, Forest, Warren, McKean, Elk, Potter, Venango and Jefferson, provided such transportation shall be limited and restricted to not more than twenty (20) trips in each calendar year, and that such trips shall be reported to the Commission when made.
15. To transport, as a Class D carrier, iron and steel articles, from the facilities of Electralloy Corporation at Oil City, Venango County, and Titusville Fabricators, Inc., at Titusville, Crawford County, to points in Pennsylvania.

16. To transport, as a Class D carrier, equipment, materials and supplies used in the manufacture of iron and steel articles, from points in Pennsylvania to the facilities of Electralloy Corporation at Oil City, Venango County.
17. To transport, as a Class D carrier, iron and steel articles, from the facilities of Bethlehem Steel Corporation at Steelton, Dauphin County, and Milton Steel Corporation at Milton, Northumberland County, to the facilities of Titusville Fabricators, Inc., at Titusville, Crawford County.
18. To transport, as a Class D carrier, scrap metals, in bulk, in dump vehicles, from points within an airline distance of twenty-five (25) statute miles of the limits of Oil City, Venango County, to the facilities of Pyromet Technology, Inc., in Mercer County, and vice versa.
19. To transport, as a Class D carrier, scrap steel, in bulk, in dump vehicles, from the facilities of Universal Cyclops Corporation at Titusville, Crawford County, to Ellwood City and Bridgeville.

with rights no. 15 through 19 above subject to the following condition:

No right, power or privilege is granted
to perform service in bulk, in tank vehicles.

20. To transport, as a Class D carrier, silica sand and chromite sand, in bulk, in pneumatic vehicles, from the plant site of Ore Reclamation, Inc., in the borough of Wheatland, Mercer County, to points in the counties of Mercer, Allegheny, Beaver, Lawrence, Venango, Erie, Westmoreland, Washington, Crawford, Butler, Warren, Armstrong, and Indiana.
21. To transport, as a Class D carrier, plastic pipe in straight lengths, fittings and accessories used in the installation thereof, and materials and supplies used in the manufacture thereof, (excluding commodities in bulk), from the plant site of Johns-Manville Corporation in the city of Franklin, Venango County, to points in Pennsylvania, and vice versa.
22. To transport, as a Class D carrier, untreated railroad ties, from the city of Oil City, Venango County, and points within an airline distance of twenty-five (25) statute miles of the limits of said city, to the plant site of Kerr-McGee Chemical Corporation, Forest Products Division, located in the borough of Avoco, Luzerne County;

with all of the above rights subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
4. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
5. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and 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 the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That upon compliance with this order the rights granted the transferor J. Bernard Klapac at A-00082176 be cancelled but that the record remain open pending disposition of the applications at A-00082176, F. 1, Am-L and Am-M, seeking additional property authority.

BY THE COMMISSION,



William P. Thierfelder
Secretary

(SEAL)

ORDER ADOPTED: October 9, 1980

ORDER ENTERED: OCT 20 1980

SECTION 1

OPERATING AUTHORITY

ITEM 1 (CONCLUDED)

‡Δ FOLDER 1 Am-A

TO TRANSPORT, AS A CLASS D CARRIER, MACHINERY AND MACHINE PARTS, AND EQUIPMENT, MATERIALS AND SUPPLIES USED OR USEFUL IN THE MANUFACTURE, DISTRIBUTION OR INSTALLATION OF MACHINERY AND MACHINE PARTS, FROM THE FACILITIES OF POLISH AMERICAN MACHINERY CORPORATION IN THE CITY OF TITUSVILLE, CRAWFORD COUNTY, TO POINTS IN PENNSYLVANIA, AND VICE VERSA.

GOVERNING PUBLICATIONS

ITEM 2

THIS TARIFF IS GOVERNED BY THE FOLLOWING TARIFFS, INCLUDING SUPPLEMENTS THERETO OR SUCCESSIVE ISSUES THEREOF:

(A) THE OFFICIAL TRANSPORTATION MAP OF PENNSYLVANIA, ISSUED BY THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION.

(B) DETENTION RULES AS SHOWN IN FREIGHT PA, P.U.C. No. 2, ISSUED BY KLAPEC TRUCKING COMPANY.

RULES AND REGULATIONS

ITEM 5 DEFINITION OF "TON"

THE TERM "TON" AS USED HEREIN REFERS TO A SHORT TON OF 2,000 POUNDS.

ITEM 10 DETENTION OF VEHICLES - BULK SHIPMENTS AND SHIPMENTS REQUIRING SPECIAL HANDLING

WHEN THE LOADING OR UNLOADING OF SHIPMENTS AT OR ON THE PREMISES OF CONSIGNOR OR CONSIGNEE, OR AT A PLACE DESIGNATED BY CONSIGNOR OR CONSIGNEE FOR THE RECEIPT OR DELIVERY OF A SHIPMENT IS DELAYED BEYOND ONE HOUR, AND THE DELAY IS DUE TO NO DISABILITY FAULT OR NEGLIGENCE OF THE CARRIER, A CHARGE OF \$22.00 FOR EACH HOUR OR FRACTION THEREOF WILL BE MADE FOR ALL TIME IN EXCESS OF ONE HOUR REQUIRED TO LOAD OR UNLOAD EACH VEHICLE.

ITEM 15 IMPRACTICABLE OPERATION

NOTHING IN THIS TARIFF SHALL REQUIRE CARRIER TO PICK-UP OR DELIVER FREIGHT AT ORIGIN OR DESTINATION TO WHICH ON ACCOUNT OF CONDITIONS OF PUBLIC OR PRIVATE ALLEYS, STREETS OR HIGHWAYS IT IS IMPRACTICABLE TO OPERATE CARRIER'S VEHICLE.

ITEM 20 MINIMUM CHARGE

ALL RATES, EXCEPT HOURLY RATES, ARE SUBJECT TO A MINIMUM CHARGE OF \$1.50 PER TON.

‡ - EFFECTIVE OCTOBER 7, 1981. ISSUED ON ONE DAY'S NOTICE, AUTHORITY OF PA CODE, TITLE 52, SECTION 23.42.

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE LAST PAGE.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held November 5, 1982

Commissioners Present:

Susan M. Shanaman, Chairman
Michael Johnson
James H. Cawley
Linda C. Taliaferro
Clifford L. Jones

Application of Klapec Trucking Company
for approval of the transfer to it of
all of the operating rights held by
J. Bernard Klapec at A-00082176.

A-00102306
F. 1
Am-B

O R D E R

BY THE COMMISSION:

By application docketed August 3, 1982, Klapec Trucking Company, a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of all the rights granted to J. Bernard Klapec, under the certificate issued at A-00082176.

Applicant was granted all of the transferor's then existing rights under a previously filed application. This application transfers the balance of the transferor's rights which were pending before the Commission. The transferor will now be divested of all operating authority.

We find the applicant to be fit to be granted the operating authority sought herein and that approval of the application is necessary and proper for the continuation of service to the public.
THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by J. Bernard Klapec at A-00082176 be approved and that the report and order adopted October 9, 1980 at A-00102306 and the certificate issued pursuant thereto, as modified and amended, be further modified and amended to include the following rights:

1. To transport, as a Class D carrier, iron and steel, iron and steel articles, and supplies, materials and equipment used or useful in the manufacture and distribution of iron and steel and iron and steel articles, for Electralloy Corporation, between points in Pennsylvania.

2. To transport, as a Class D carrier, scrap steel, in bulk, in dump vehicles, from the facilities of Universal-Cyclops Specialty Steel Division, located in the city of Titusville, Crawford County, to points in the borough of Greenville, Mercer County, and vice versa;

subject to the following conditions:

1. That the approval herein given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted, in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$1, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above.
4. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
5. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
6. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital

stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and 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 the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That upon compliance with this order, the rights granted the transferor J. Bernard Klapac at A-00082176 be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in dark ink, appearing to read "Jerry Rich", is written over a faint, circular stamp or seal.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: November 5, 1982

ORDER ENTERED: NOV 10 1982

SECTION 1
OPERATING AUTHORITY

ITEM 1 - AMENDMENT A

REFER TO OPERATING AUTHORITY SHOWN ON PAGES 1 THROUGH 4 OF TARIFF AND ADD THE FOLLOWING:

FOLDER 1 AM-C

TO TRANSPORT, AS A CLASS D CARRIER, IRON AND STEEL, IRON AND STEEL ARTICLES, AND MACHINERY AND MACHINERY PARTS, BETWEEN POINTS IN THE CITY OF OIL CITY, VENANGO COUNTY, AND WITHIN AN AIRLINE DISTANCE OF THIRTY (30) STATUTE MILES OF THE LIMITS OF SAID CITY, AND FROM POINTS IN SAID TERRITORY, TO POINTS IN PENNSYLVANIA, AND VICE VERSA;

SUBJECT TO THE FOLLOWING CONDITIONS:

(1) PROVIDED THAT NO RIGHT, POWER OR PRIVILEGE IS GRANTED TO TRANSPORT PROPERTY IN BULK IN DUMP VEHICLES, BETWEEN POINTS WITHIN FIFTY (50) MILES OF THE LIMITS OF THE BOROUGH OF HOMESTEAD, ALLEGHENY COUNTY, AND FROM POINTS IN SAID TERRITORY TO POINTS IN PENNSYLVANIA, AND VICE VERSA.

(2) PROVIDED THAT NO RIGHT, POWER OR PRIVILEGE IS GRANTED TO TRANSPORT USED AND REBUILT EQUIPMENT THAT IS USED IN THE DEEP MINING OF COAL, FOR THE BARNES AND TUCKER COMPANY, FROM POINTS IN THE COUNTIES OF CAMBRIA AND INDIANA TO POINTS WITHIN AN AIRLINE DISTANCE OF SEVENTY-FIVE (75) STATUTE MILES OF THE LIMITS OF THE BOROUGH OF BARNESBORO, CAMBRIA COUNTY, AND VICE VERSA.

(3) PROVIDED THAT NO RIGHT, POWER OR PRIVILEGE IS GRANTED TO TRANSPORT NEW, USED AND REBUILT MACHINERY, EQUIPMENT, SUPPLIES AND PARTS FOR GREENWICH COLLIERIES COMPANY, FROM THE PLANT SITE OF THE JOY MANUFACTURING COMPANY LOCATED IN THE CITY OF FRANKLIN, VENANGO COUNTY, AND FROM POINTS IN PENNSYLVANIA EAST OF THE EASTERN BOUNDARIES OF THE COUNTIES OF MCKEAN, CAMERON, CLEARFIELD, INDIANA AND BEDFORD, TO ITS MINES LOCATED IN THE COUNTIES OF INDIANA, CLEARFIELD AND CAMBRIA.

(4) PROVIDED THAT NO RIGHT, POWER OR PRIVILEGE IS GRANTED TO TRANSPORT PROPERTY FOR CYCLOPS CORP. AND ITS DIVISIONS LOCATED AT PLANTS IN THE CITY OF TITUSVILLE, CRAWFORD COUNTY, THE CITY OF PITTSBURGH AND THE TOWNSHIP OF COLLIER, ALLEGHENY COUNTY, AND WEST ALIQUIPPA, BEAVER COUNTY.

FOR EXPLANATION OF ABBREVIATIONS AND REFERENCE MARKS, SEE PAGE 9 OF TARIFF.

SUPPLEMENT TO PARAGRAPH 6
 KLAPEC TRUCKING COMPANY

EQUIPMENT LIST

	<u>TRUCK #</u>	<u>YEAR</u>	<u>MAKE</u>	<u>SERIAL NO.</u>	<u>GV WT.</u>
TRUCK	1				
TRACTORS	18	73	Mack	FS785LST14877	73,280
	20	73	Mack	FS785LST14879	73,280
	21	73	Mack	F785ST11573	73,280
	38	72	Mack	R685ST20256	80,000
	40	77	Mack	R686ST12360	80,000
	57	72	Peterbilt	47531P	80,000
	69	77	Mack	R686ST17668	80,000
	70	78	Mack	R686St18399	80,000
	73	78	Mack	R686ST21647	80,000
	78	79	GMC	T49CJ9V619356	80,000
	80	78	Peterbilt	95960N	80,000
	81	80	Freightliner	CA213HP168159	80,000
	84	80	Freightliner	CA213HL184720	80,000
	85	80	Freightliner	CA213HL184723	80,000
	86	81	Mack	RWS788LST52263	80,000
	87	81	Mack	RWS788LST52264	80,000
	88	81	Mack	RWS788LST52265	80,000
	96	84	Mack	1M1AR07Y1EM002359	80,000
TRI-AXLE TRUCKS					
	68	68	Mack	DM685S1114	73,280
	71	78	Mack	RD686S4239	73,280
	72	78	Mack	RD686S4645	73,280
	74	71	Mack	DM685S7746	73,280
	76	79	Mack	DM685S39109	73,280
	77	79	Mack	DM685S39881	73,280
	83	79	Mack	DM686S5777	73,280
	91	79	Mack	DM686S6159	73,280

FLAT BED & DROP DECK TRAILERS

<u>TRAILER#</u>	<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>SERIAL NO.</u>
105	75	Clark	Flat	R746952
109	76	Trailmobile	Flat	P30307
110	77	Fruehauf	Flat	FWY217849
111	79	Fontaine	Flat	31425
205	63	Strickland	Flat	DC54039
211	72	Rodgers	Lowboy	15828
215	78	Fontaine	Flat	28913
216	78	Dorsey	Flat	138103
217	78	Fruehauf	Flat	FWZ312986
219	79	Dorsey	Flat	145149
220	78	Fruehauf	Flat	FWE312957
222	79	Dorsey	Flat	146208
223	79	Dorsey	Flat	146209
224	69	Trailmobile	Flat	F64316
225	80	Transcraft	Flat	TC15703
228	80	Fontaine	Dropdeck	32331
229	81	Dorsey	Flat- alum.	15305
230	81	Dorsey	Flat-alum.	15306
233	81	Fontaine	Double drop	30888
235	83	General	Lowboy	112HGS245DT350046
236	80	Hyster	Lowboy	1HKFFHA2AC023151
237	79	Fruehauf	Flat	FWV476601
238	79	Fruehauf	Flat	FWV476602
239	84	Fontaine	45' Flat	1A1-1452C-8-E1538368
240	84	Fontaine	45' Flat	1A1-1452C-X-E1538369
241	84	Fontaine	45' Flat	1A1-1452C-6-E1538370
242	84	Fontaine	45' Flat	1A1-1452C-8-E1538371
243	84	Fontaine	Extendable flat	1A1-1422C-8-E1538365

TANK TRAILERS

102	66	Fruehauf	Sandtank	UNF230904
108	66	Butler	Sandtank	3876BPSM
227		Pennsylvania	Fuel Tank	11097

DUMP TRAILERS

<u>TRAILER#</u>	<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>SERIAL NO.</u>
101	74	Thiele	Dump	19066
104	72	East	Dump	DS932458
107	74	Hill	Dump	ADT2891
203		Gilmore	Dump	2153
218	78	Fruehauf	Dump	FWZ287012
221	79	Gilmore	Dump	3371
226	79	City	Dump	A414811
231	81	Messenger	Dump	8111001-02
232	81	Messenger	Dump	8101003-04

KLAPEC TRUCKING COMPANY
 BALANCE SHEET
 December 31, 1983 and 1982

	<u>1983</u>	<u>1982</u>
<u>ASSETS</u>		
Current Assets:		
Cash	\$ 11,337	\$ 2,622
Accounts receivable	408,375	249,359
Prepaid insurance	11,637	18,600
Advances to employees	4,561	4,584
Prepaid taxes	-	8,000
Total Current Assets	<u>435,910</u>	<u>283,165</u>
Equipment:		
Trucks, trailers and service vehicles	1,166,087	1,104,406
Machinery and other equipment	174,053	174,053
Office furniture and equipment	30,569	30,569
	<u>1,370,709</u>	<u>1,309,028</u>
Less accumulated depreciation	<u>(924,458)</u>	<u>(773,827)</u>
Total Equipment	<u>446,251</u>	<u>535,201</u>
Other Assets:		
Operating rights	12,896	9,046
Organization cost	657	876
Advances to related enterprises	75,000	-
Total Other Assets	<u>88,553</u>	<u>9,922</u>
	<u>\$ 970,714</u>	<u>\$ 828,288</u>
<u>LIABILITIES AND SHAREHOLDERS' EQUITY</u>		
Current Liabilities:		
Accounts payable	\$ 15,229	\$ 36,452
Accrued fuel and use taxes	-	1,896
Accrued corporate taxes	2,426	4,066
Accrued payroll	10,343	4,880
Accrued and withheld payroll taxes	6,478	3,079
Total Current Liabilities	<u>34,476</u>	<u>50,373</u>
Long-term debt:		
Promissory note payable	70,000	70,000
Other liabilities:		
Advances from related enterprises	276,081	276,081
Deferred income taxes	52,455	471
Total Liabilities	<u>433,012</u>	<u>396,925</u>
Shareholders' Equity:		
Common stock, par value \$100; authorized 5,000 shares; issued 1,400 shares	140,000	140,000
Preferred stock, 8% non-cumulative, par value \$100; authorized 5,000 shares; issued 1,500 shares (preference on liquidation at par value)	150,000	150,000
Capital in excess of par value	137,349	137,349
Retained earnings	110,353	4,014
Total Shareholders' Equity	<u>537,702</u>	<u>431,363</u>
	<u>\$ 970,714</u>	<u>\$ 828,288</u>

The accompanying notes and accountants' compilation report should be read with this statement.

KLAPEC TRUCKING COMPANY
 STATEMENT OF INCOME AND RETAINED EARNINGS
 For the Year Ended December 31, 1983 and for the
Period January 5 through December 31, 1982

	<u>1983</u>	<u>1982</u>
Revenues:		
Freight and other operating revenues	\$2,012,130	\$1,747,345
Other	<u>11,368</u>	<u>6,195</u>
	<u>2,023,498</u>	<u>1,753,540</u>
Costs and Expenses:		
Operating costs	1,469,338	1,451,284
General and administrative	226,131	126,512
Depreciation and amortization	162,487	163,005
Interest	<u>7,000</u>	<u>8,254</u>
	<u>1,864,956</u>	<u>1,749,055</u>
Income before Income Taxes	158,542	4,485
Provision for Income Taxes	<u>52,203</u>	<u>471</u>
Net Income	106,339	4,014
Retained Earnings, Beginning	<u>4,014</u>	<u>-</u>
Retained Earnings, Ending	<u>\$ 110,353</u>	<u>\$ 4,014</u>

The accompanying notes and accountants' compilation report should be read with this statement.

VERIFIED STATEMENT OF GEORGE KELLER
ON BEHALF OF WITCO CHEMICAL CORP.

I. Legal Name and Domicile of Supporting Party

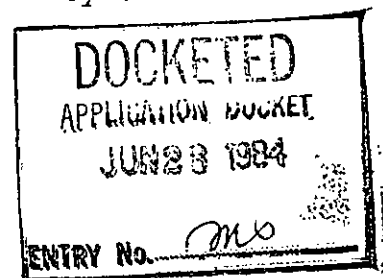
Witco Chemical Corp. is a corporation domiciled at 77 North Kendall Avenue, Bradford, McKean County, PA, 16701.

II. Identity and Qualifications of Testifying Witness

My name is George L. Keller, and I am the Central Regional Traffic Manager for Witco Chemical Corp. (hereinafter Witco). I have been employed at Witco in the traffic department since 1956, and I have held my present position since 1970. I am responsible for the transportation of all products from and to Witco's plants in the areas encompassed by this application, and I am therefore completely familiar with our transportation requirements. I am authorized to submit this statement in support of the application of Klapec Trucking Company before the Pennsylvania Public Utility Commission.

III. General Description of Supporting Party

Witco is a refiner, manufacturer, and distributor of petroleum and petroleum products. Our office and main refinery is located in Bradford, McKean County. We also operate refineries at North Warren, Warren County, and Petrolia, Butler County. We also have facilities located at Bakerstown, Richland Township, Allegheny County. In addition, we have independent packagers at Plum Borough, Allegheny County and Conewango Township, Warren County.



The specific commodities for which the applicant's service would be required include the transportation of motor oil, wax, grease, white oil, petroleum, sulfonate and other types of petroleum and petroleum products. These products are shipped in drums, packages, pails, and cartons.

In addition, we receive inbound shipments of grease, in drums, on a daily basis and also receive petroleum oil on a weekly basis. In addition, we purchase such items as salt, motors, and related materials and supplies from companies located at various points throughout the Commonwealth.

IV. Volume and Frequency of Intended Use

Witco Chemical presently makes 25 daily shipments from its Bradford, McKean County, facility; 15 daily shipments from its Petrolia, Butler County, facility; 8 daily shipments from its facility located in Richland Township, Allegheny County; and 4 daily shipments from an independent packaging facility located in Plum Borough, Allegheny County, near New Kensington. In addition, we make approximately three shipments per week from an independent packaging facility located in the Township of Conewango, Warren County. Many of these shipments involve intra-plant movements between the aforementioned facilities. In addition, we receive inbound shipments of such items as salt, motors, and packaging materials from suppliers located in the Commonwealth approximately five times per month. If this application is approved, Witco would tender approximately five percent of its total traffic to the applicant.

V. Representative Origins and Destinations

As aforementioned, Witco Chemical makes intra-plant shipments between its refineries located at Bradford, McKean County, and Petrolia, Butler County, its grease plant located at Richland Township, Allegheny County, and the facilities of independent packagers located at Conewango Township, Warren County, and Plum Borough, Allegheny County. Outbound shipments from these facilities are destined to distribution outlets and jobber sites located throughout the Commonwealth. Outbound shipments from the above named facilities move to such points in Pennsylvania as Butler, Greensburg, Harrisburg, Erie, Johnstown, Lancaster, Philadelphia, Reading, Glenshaw, Letitz, Scranton, and York. These points are merely representative of our recent destinations, and do not constitute all destination points for outbound shipments. Witco can ship to virtually any point in Pennsylvania. It has shipped to numerous points throughout the Commonwealth in the past.

Besides inbound, intra-plant shipments as previously discussed, we also receive inbound shipments of salt, motors, and packaging materials from suppliers located at such points in the Commonwealth as Philadelphia, Reading, Erie, and Pittsburgh. Moreover, shipments of crude petroleum products, in bulk, are received from our well sites scattered throughout the counties of McKean, Warren, and Venango for transportation to our refinery facilities located at Bradford, McKean County, and Petrolia, Butler County. It would be highly beneficial to

Witco to have the applicant's service available for all inbound, intra-plant, and outbound shipments.

VI. Type of Service Required

Our shipments of packaged petroleum products are primarily in truckload quantities, with a multiple-delivery service requirement. We generally require service five days per week, and service in van trailer equipment for packaged petroleum products is normally indicated. Crude petroleum products originating at our well sites in McKean, Warren, and Venango Counties are transported in tractor-tank trailer equipment. Klapac has demonstrated its ability to meet our service requirements through past interstate service for Witco.

VII. Similar Applications Supported

Witco Chemical is not presently supporting any other application before this Commission involving the transportation of packaged petroleum products.

VIII. Other Pertinent Information

Existing carriers who have authority to serve Witco cannot normally handle all of our transportation requirements during peak periods of demand. The facilities of Klapac Trucking Company are conveniently located with respect to all of our facilities and shipping points, which places them in a unique position to provide a responsive service to all of our facilities. Klapac has demonstrated their ability to meet our

service requirements through their past interstate service for Witco, and it would be highly beneficial to Witco to have Klapac's service available for all of our transportation requirements. For these reasons, we request this Commission to grant the application of Klapac Trucking Co. in its entirety.

ORIGINAL

PILLAR AND MULROY

ATTORNEYS-AT-LAW
1500 BANK TOWER
307 FOURTH AVENUE
PITTSBURGH, PA. 15222
TELEPHONE (412) 471-3300

RECEIVED

JUN 28 1984

SECRETARY'S OFFICE
Public Utility Commission

JOHN A. PILLAR
THOMAS M. MULROY
SALLY A. DAVOREN
KEVIN W. WALSH

June 25, 1984

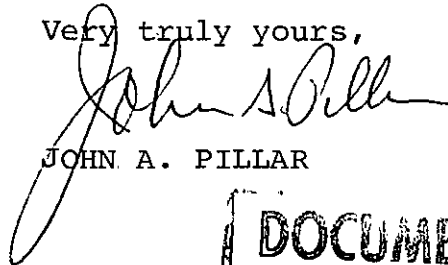
Re: Application of Klapec Trucking
Company
Docket No. A.102306, F.1, Am-E
File No. 689-2

Jerry Rich, Secretary
Pennsylvania Public Utility
Commission
P. O. Box 3265
Harrisburg, PA 17120

Dear Sir:

Enclosed herewith for filing is the signed original and two copies of a restrictive amendment in the above docketed proceeding. A copy has been forwarded to counsel for Crossett, Inc., a protestant. We understand that this amendment satisfies the interest of Crossett, Inc. and that, through its counsel, the protest of Crossett will be withdrawn forthwith.

Very truly yours,



JOHN A. PILLAR

SW
Enclosures
cc: Ronald W. Malin, Esq.
Klapec Trucking Company



RECEIVED

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUN 28 1984

SECRETARY'S OFFICE
Public Utility Commission

Application of
KLAPEC TRUCKING COMPANY

Docket No. A.102306, F.1, Am-E

RESTRICTIVE AMENDMENT

Klapec Trucking Company now comes, by its attorneys,
Pillar and Mulroy, P.C., and restrictively amends its applica-
tion in the above docketed proceeding as follows:

To transport property (excluding household goods
in use, commodities requiring dump vehicles and
shipments weighing less than 10,000 pounds from
one consignor to one consignee) (1) between points
in the County of Venango, and from points in said
County, to points in Pennsylvania and vice versa;
and (2) between points in the City of Titusville,
Crawford County and from points in said City to
points in Pennsylvania and vice versa;

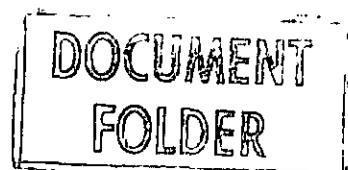
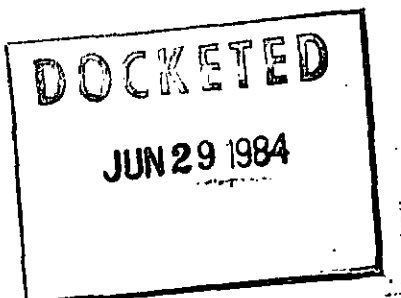
subject to the following restriction:

Provided that no right, power or privilege is
granted to transport refined petroleum products,
in bulk, in tank vehicles.

Dated at Pittsburgh, PA, this 26th day of June, 1984.

PILLAR AND MULROY, P.C.

By: John A. Pillar
John A. Pillar
Attorney for
KLAPEC TRUCKING COMPANY,
Applicant



UNRECORDED

LAW OFFICES
JOHNSON, PETERSON, TENER & ANDERSON

KENNETH T. JOHNSON
RAYMOND A. ANDERSON
RONALD W. MALIN
CHARLES J. PHILLIPS
CHARLES C. BECKSTROM
WARD W. WESTERBERG
JOHN K. PLUMB
MICHAEL C. FOLEY
WILLIAM F. BENCA

June 28, 1984

KEY BANK BUILDING
JAMESTOWN, NEW YORK 14701
AREA CODE 716
TELEPHONE 664-5210

CABLE ADDRESS
JOPETA

ALBERT J. TENER (OF COUNSEL)
JOHN A. PETERSON (1910-1971)
WILLIAM C. ARRISON (1925-1978)

RECEIVED

JUL 2 1984

SECRETARY'S OFFICE
Public Utility Commission

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box #3265
Harrisburg, Pennsylvania 17120

RE: Klapec Trucking Company - A.102306, F.1, Am-E

Dear Mr. Rich:

Please be advised that upon acceptance by the Commission of the restrictive amendment tendered by the applicant in the above referenced proceeding (a copy of which is enclosed), Crossett, Inc. withdraws its opposition and protest to the application. I would, however, request that I be retained as a party of record for the purpose of receiving any further notices, decisions or orders in this matter.

Thank you.

Very truly yours,

Ronald W. Malin

RONALD W. MALIN

RWM:knw

Enclosure

C/C TO: John A. Pillar, Esq.
Pillar & Mulroy, P.C.
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, Pennsylvania 15222

Mr. Gary P. Wallin
Crossett, Inc.
P.O. Box #946
Warren, Pennsylvania 16365

DOCUMENT
FOLDER

DOCKETED
JUL 2 - 1984

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of
KLAPEC TRUCKING COMPANY

Docket No. A.102306, F.1, Am-E

RESTRICTIVE AMENDMENT

Klapec Trucking Company now comes, by its attorneys,
Pillar and Mulroy, P.C., and restrictively amends its applica-
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County, to points in Pennsylvania and vice versa;
and (2) between points in the City of Titusville,
Crawford County and from points in said City to
points in Pennsylvania and vice versa;

subject to the following restriction:

Provided that no right, power or privilege is
granted to transport refined petroleum products,
in bulk, in tank vehicles.

Dated at Pittsburgh, PA, this 26th day of June, 1984.

PILLAR AND MULROY, P.C.

By: John A. Pillar

John A. Pillar
Attorney for
KLAPEC TRUCKING COMPANY,
Applicant

June 28, 1984

IN REPLY PLEASE
REFER TO OUR FILE

John A. Pillar
Attorney at Law
1500 Bank Tower
307 Fourth Avenue
Pittsburgh, PA 15222

In re: A-00102306, F. 1, Am-D - Application of Klapac Trucking Company

Dear Mr. Pillar:

We have received the verified statements filed in the above referenced proceeding.

The record will be reviewed and will be put before the Commission for its decision. You will be notified of the Commission's action.

Very truly yours,

By Barbara Honegger
For Peter S. Marzolf, Chief
Technical Review Section
Bureau of Non-Rail Transportation

4419
DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUL 2 1984
ENTRY No. <i>MMS</i>

ORIGINAL

PILLAR AND MULROY, P.C.

ATTORNEYS-AT-LAW
1500 BANK TOWER
307 FOURTH AVENUE
PITTSBURGH, PA. 15222
—
TELEPHONE (412) 471-3300

RECEIVED

JUL 16 1984

SECRETARY'S OFFICE
Public Utility Commission

JOHN A. PILLAR
THOMAS M. MULROY
SALLY A. DAVOREN
KEVIN W. WALSH

July 13, 1984

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RE: Application of Klapec Trucking Company
Docket No. A.102306, F.1, Am-E
File 689-2

Dear Sir:

Enclosed herewith for filing is the signed original and two copies of a restrictive amendment in the above-docketed proceeding. This amendment is in addition to the amendment submitted to the Commission dated June 26, 1984. The enclosed amendment satisfies the interests of the carriers represented by Attorney John Fullerton, and we understand that Mr. Fullerton will so advise the Commission in writing immediately upon receipt of his copy of this amendment.

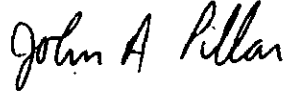
The only remaining protestant is Knold Transfer, Inc. An oral hearing is now scheduled for July 24, 1984, in Meadville, PA. However, the applicant has pending a Motion to Strike and/or Dismiss the letter protest of Knold Transfer, Inc. We respectfully request that the hearing scheduled for July 24, 1984, be postponed until the Motion to Dismiss is decided. If the motion is approved, the matter will not require oral hearing and can be assigned to the Technical Review Staff for disposition. If the motion is denied, we will request a new hearing date which will not conflict with the vacation schedule of many of the witnesses applicant would call in support of the application.



Jerry Rich
July 13, 1984
Page 2

Your cooperation in this matter is appreciated.

Very truly yours,



JOHN A. PILLAR

jhm

Enclosures

cc: Honorable John J. Clements
Klapec Trucking, Inc.
John E. Fullerton, Esq.
Knold Transfer, Inc.

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKETED

JUL 17 1984

Application of
KLAPEC TRUCKING COMPANY

Docket No. A.102306, F.1, Am-E

FURTHER RESTRICTIVE AMENDMENT

Klapec Trucking Company now comes, by its attorneys, Pillar and Mulroy, P.C., and further restrictively amends its application in the above-docketed proceeding as follows:

Provided that no right, power or privilege is granted to transport sand, in bulk, from Pennsylvania Glass Sand Corporation located in the Counties of Mifflin and Huntingdon;

Further provided that no right, power or privilege is granted to transport limestone and limestone products from points in York County;

Provided further that no right, power or privilege is granted to provide any service to and from the Townships of Penn and Shrewsbury and the Boroughs of New Freedom, Shrewsbury and Hanover, York County;

Provided further that no right, power or privilege is granted to provide service to or from the facilities of (1) American Home Foods Division located in Turbot Township and the Borough of Milton, Northumberland County and (2) Hammermill Paper Company located in the City of Erie, Erie County and the City of Lockhaven, Clinton County; and

Provided further that no right, power or privilege is granted to provide service to or from the facilities of Zurn Industries, Inc., Copes-Vulcan, General Electric Co. and Insul-Board Co., located in the County of Erie.

Dated at Pittsburgh this 13 day of July, 1984.

PILLAR AND MULROY, P.C.

DOCUMENT
FOLDER

By:

John A. Pillar

JOHN A. PILLAR, ESQ.

Attorney for
KLAPEC TRUCKING COMPANY,
Applicant



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, Pa. 17120
July 16, 1984

IN REPLY PLEASE
REFER TO OUR FILE
A. 102306, F.1, Am-E

MONITOR: COMMISSIONER CAWLEY

(See letter dated 5/24/84)

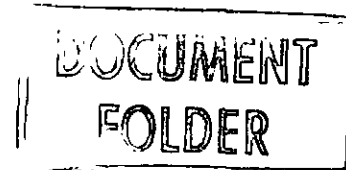
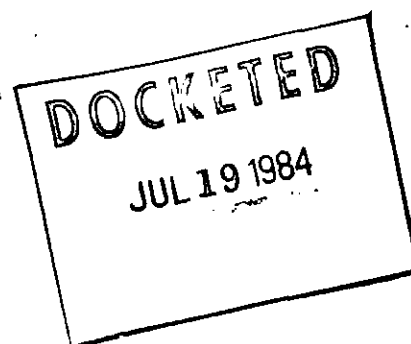
Application of Klapec Trucking Company

NOTICE

This is to inform you that at the request of John Pillar, Attorney for Applicant, the hearing now scheduled to be held on Tuesday, July 24, 1984, at 10:00 a.m., in Meadville, in the subject proceeding has been cancelled.

Please change your records accordingly.

cc: Judge Clements
Bureau of Non-Rail Trans.
Ms. Crouse
Ms. Dickson
Mr. Bramson
File Room



LAW OFFICES OF
GRAF, KNUPP & ANDREWS, P.C.

ROBERT EWING KNUPP (1932-1976)
CHRISTIAN V. GRAF
ROBERT L. KNUPP
FREDERICK W. ANDREWS
ROBERT D. KODAK
DAVID H. RADCLIFF

JO ANN MITCHELL

CAMERON MANSION
407 NORTH FRONT STREET
P.O. BOX P
HARRISBURG, PA 17108

OF COUNSEL
JOHN E. FULLERTON

717/238-7151
717/236-9318

WEST HANOVER TOWNSHIP OFFICE
7171 ALLENTOWN BOULEVARD
HARRISBURG, PA 17112
717/657-2858

July 16, 1984

The Secretary
PaPUC
Harrisburg, PA 17120

RE: A.102306 Fl, Am-E
KLAPEC TRUCKING CO.

Dear Sir:

The undersigned represents the following in protest of this application.
R J Glass, Inc. R H Crawford Inc.
Ray Brandt Trucking Co. S & L Services Inc.
Lake Erie Trucking Co.
Applicant has made an amendment, copy attached.

Conditioned upon its acceptance by the Commission and any grant being
consistent therewith,, I am authorized to withdraw the protest(s).

I desire to remain a party of record.

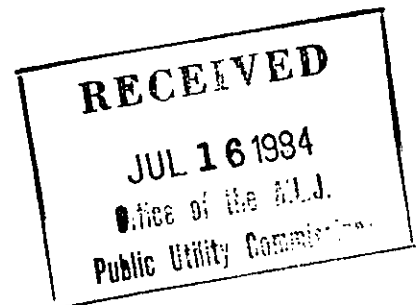
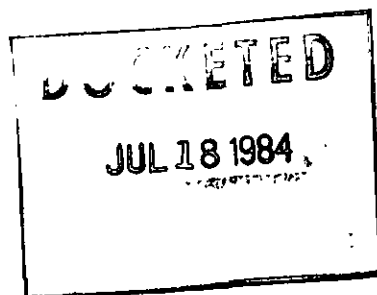
Yours truly,

John Fullerton
JOHN FULLERTON

F/r
attach.

cc: John Pillar, Esq.
App Atty

Client(s)



Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of
KLAPEC TRUCKING COMPANY

Docket No. A.102306, F.1, Am-E

RECEIVED

JUL 16 1984

Office of the ALL
Public Utility Commission

FURTHER RESTRICTIVE AMENDMENT

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Dated at Pittsburgh this 13 day of July, 1984.

PILLAR AND MULROY, P.C.

By: John A. Pillar
JOHN A. PILLAR, ESQ.
Attorney for
KLAPEC TRUCKING COMPANY,
Applicant

APPEARANCE SHEET

Law

HEARING REPORT

DOCKET NO. A. 102306, F.1, Am-E

CASE NAME Klapec Trucking Company

HEARING LOCATION Meadville, PA.

HEARING DATE July 24, 1984

ALJ Clements

CHECK THOSE BLOCKS WHICH APPLY:

Hearing concluded _____

Record closed _____

Briefs to be filed _____

Further hearing _____

Estimated add'l days _____

BENCH DECISION _____

REMARKS: _____

DOCUMENT
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Cancelled

RECEIVED
 JUL 23 1984

Names and addresses of parties or counsel of record
 Please Print Clearly
 Incomplete Information May Result in Delay of Process

Public NAME	ADDRESS			APPEARING FOR
	City	State	Zip	
	City	State	Zip	
	City	State	Zip	
	City	State	Zip	

Check this box if additional parties of counsel of record appear on back.

Reporter _____

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