

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:

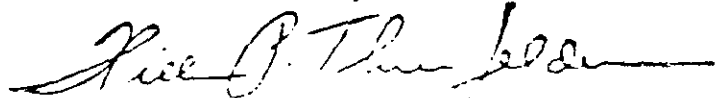
1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid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

OPERATING AUTHORITY

ITEM 1 (CONCLUDED)

IΔ 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.

I - 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 hereby given is not to be understood as limiting 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.

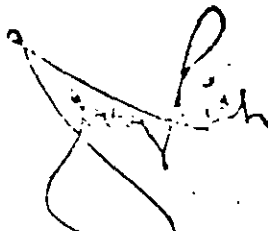
stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

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 Klapec at A-00082176 be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a faint, illegible stamp or text.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: November 5, 1982

ORDER ENTERED: NOV 10 1982

ITEM 1 - AMENDMENT Δ

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.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held August 27, 1984

Commissioners Present:

Linda C. Taliaferro, Chairman
Michael Johnson
James H. Cawley
Frank Fischl
Bill Shane

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 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.

A-00102306
F. 1
Am-D

John A. Pillar for the applicant.
Christian V. Graf for R. T. Merryman Trucking, Inc.
Ronald W. Malin for Crossett, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed February 22, 1984. Public notice of the application appeared in March 31, 1984 edition of the Pennsylvania Bulletin. R. T. Merryman Trucking, Inc. and Crossett, Inc. entered protests. The scope of authority was

subsequently limited to preclude transportation in bulk of refined petroleum products; fertilizer, sand and stone in an area 100 miles of Conemaugh, Somerset County; coal, solid fuels, lime, limestone, sand and clay in an area 60 miles of Curwensville, Clearfield County; and bulk property for R. T. Merryman Trucking, Inc. and Merryman Enterprises. As a result of these restrictions, protests were withdrawn. The application, as amended, now stands 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.

A statement of support on behalf of the applicant has been submitted by J. Bernard Klapac, president of Klapac Trucking Company, the applicant in the instant proceeding (Klapac or applicant). Mr. Klapac is thoroughly familiar with his company's operation and is authorized to testify on its behalf.

Klapac presently holds extensive intrastate operating authority for the transportation of various bulk and non-bulk materials throughout Pennsylvania and has interstate rights from eight northwestern Pennsylvania counties to points in the continental United States. Service has been provided in the past to Witco Chemical Corporation (Witco or shipper), under this interstate authority. Although some overlap of rights may result from the grant of the proposed transportation, service is limited to a sole shipper and minimal duplication may result. The applicant is aware that such duplication which may result from a grant of the application is not severable by sale or transfer.

Klapac maintains its terminal on a two-acre site at 673 North Seneca Street, Oil City, Venango County, Pennsylvania 16301. These facilities consist of a four-bay maintenance garage, two storage buildings and an office at which billing, dispatching and business functions are conducted. The applicant's staff consists of 25 drivers, three full-time mechanics and three office employees. Drivers maintain communications with terminal dispatching units by telephone, upon completion of delivery of a load. This reduces empty backhauls and offers greater flexibility to the carrier.

The applicant's fleet of equipment which it owns and operates consists of 18 tractors and 40 trailers which include flatbed, dump and pneumatic tank units, and drop-deck and lowboy trailers. In addition, Klapac owns and operates eight tri-axle straight trucks (three dump and five flatbed). Some of this equipment is presently used by Klapac in providing interstate service for Witco. Should the instant application be favorably considered, the applicant intends to purchase or lease van trailer equipment ideally suited for the transportation of packaged petroleum products.

To ensure safe operating conditions, all of the above equipment is subject to regular service and safety checks. Drivers are instructed to conduct visual checks of vehicles before and after each haul. All drivers are required to meet Federal requirements for safe operations.

Insurance coverage maintained in accordance with amounts required by this Commission and the Interstate Commerce Commission. Safety meetings are periodically conducted and insurance brochures designed to promote safety are posted in the applicant's terminal. Klapec intends to continue its good safety record and to comply with all regulatory requirements.

In the service proposed herein, the carrier intends to transport packaged petroleum products. In addition, crude petroleum products would be transported in bulk in tractor pneumatic tank trailers. Klapec stands ready to offer service 24 hours a day, seven days a week, in truckload, less-than-truckload or multiple-delivery-type service. The applicant also has the capability of stationing trailer equipment at Witco's facilities for ready loading and unloading. In short, Klapec stands ready to offer the shipper any transportation service option it or its customers may require.

An unaudited balance sheet submitted by the applicant for the year ending December 31, 1983, reveals total current assets of \$435,910 and total assets of \$970,714; total current liabilities are \$34,476 and total liabilities are \$433,012. Net income for this period amounted to \$106,339.

Klapec anticipates that institution of operations pursuant to the instant application will increase equipment utilization and result in an overall increase in efficiency. All the shipper's facilities are within 85 miles of the applicant's terminal and Witco's main sites in McKean and Butler Counties are located less than 50 miles from Klapec's terminal. The applicant intends to coordinate and integrate the proposed service with its interstate authority in order to reduce empty backhauls. Klapec believes this will promote improved service to the shipper and its other customers and result in more balanced operations.

George L. Keller has been employed by Witco Chemical Corporation, the shipper herein, since 1956 and presently serves as its central regional traffic manager. He is responsible for all of the shipper's transportation needs in the area encompassed in the instant application and is authorized to testify in support of Klapec.

Witco refines, manufactures and distributes petroleum and petroleum products. Its office and main refinery are domiciled at 77 North Kendall Avenue, Bradford, Pennsylvania 16701. Two other refineries are located in North Warren, Warren County and Petrolia, Butler County, and another facility is in Richland Township, Allegheny County. In addition, Witco has two independent packagers in Plum Borough, Allegheny County and Conewango Township, Warren County.

The shipper requires outbound transportation of such commodities as motor oil, wax, grease, white oil, petroleum, sulfonate and other types of petroleum and petroleum products, shipped in drums, packages, pails and cartons. Twenty-five daily shipments are presently sent from Witco's Bradford site; 15 from Petrolia; eight from Richland Township and four from an independent packaging facility in Plum Borough. In addition, about three weekly shipments leave the packaging facility in Conewango Township. Outbound traffic is destined for distribution and jobber sites throughout the Commonwealth. Representative destination points are cited as Butler, Greensburg, Harrisburg, Erie, Johnstown, Lancaster, Philadelphia, Reading, Glenshaw, Lititz, Scranton and York. Daily inbound shipments of grease in drums and weekly shipments of petroleum oil are also required by Witco. In addition, inbound commodities such as salt, motors and packaging materials are received by the shipper at its various sites about five times monthly from suppliers in Pennsylvania at representative points of origin such as Philadelphia, Reading, Erie and Pittsburgh. Shipments of bulk crude petroleum arrive from well sites located in McKean, Warren and Venango Counties, and are transported in tractor tank-trailer equipment. Packaged petroleum is handled primarily by van trailers and truckload quantities in multi-delivery service. Intra-plant transportation between grease plants, refineries and packaging sites is also a necessity. The shipper estimates that five percent of its total shipping needs will be handled by Klapec should the proposed authority be granted.

The shipper believes that the applicant has demonstrated its ability to meet its requirements through past interstate service for Witco. Klapec's facilities are conveniently located in close proximity to the shipper and can thus be responsive to its needs. Approval of the authority herein sought will enable Witco to meet peak demand periods which existing carriers cannot normally handle.

DISCUSSION AND FINDINGS

Klapec Trucking Company has extensive common carrier authority primarily in western Pennsylvania for a variety of commodities. The applicant now seeks expansion of its rights so that it may serve Witco Chemical Corporation in the transportation of property between Witco's various refining, manufacturing and packaging sites in McKean, Butler, Warren and Allegheny Counties, and from these points to other destinations in Pennsylvania and vice versa. The entering of two protests prompted the applicant to limit the authority proposed in this proceeding with restrictive amendments one of which excluded the transportation of bulk refined petroleum in tank vehicles. This should not affect the proposed operation since service will be required for commodities in drums, packages, pails and cartons and only crude petroleum from well sites will be transported in bulk. The applicant is further restricted from transporting property for R. T. Merryman Trucking, Inc. and Merryman Enterprises, and specified commodities within radial areas of Conemaugh, Somerset County; and Curwensville, Clearfield County.

Klapec has long experience in the trucking industry and was first certificated by this Commission as a sole proprietor on January 26, 1956. The business was subsequently transferred into a corporate entity, certificated on March 12, 1981. The applicant will require no additional equipment or capital outlay incidental to the proposed operation. While its fiscal position is sound, the increased level of vehicle utilization will affect its fiscal standing favorably. Klapec has established its fitness to handle the additional transportation requested herein.

The supporting shipper has demonstrated a need for intra-plant, outbound and inbound service for commodities related to all phases of the petroleum industry. Klapec is presently rendering interstate service for the shipper and its terminal facility is located in close proximity to the shipper's sites. We believe, based on the record before us, that the applicant should have the opportunity to integrate its current service with intrastate transportation and provide the shipper with the transportation desired.

We find:

1. That the applicant is fit, willing and able to provide the proposed service, as amended.
2. That the applicant has demonstrated a need exists for the proposed service, as amended.
3. That approval of the application, as amended, is an accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved and that the certificate issued on March 12, 1981, as amended, be further amended to include the following right:

To transport, as a Class D carrier, 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, and the borough of Plum 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 conditions:

- (1) That no right, power or privilege is granted to transport refined petroleum products, in bulk in tank vehicles.


- (2) That no right, power or privilege is granted to transport fertilizer, sand and stone between points within an airline distance of one-hundred (100) statute miles of the limits of the township of Conemaugh, Somerset County.
- (3) 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) statute miles of the limits of the borough of Curwensville, Clearfield County.
- (4) That no right, power or privilege is granted to transport property in bulk for R. T. Merryman Trucking, Inc. and Merryman Enterprises.

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

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

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of service of the order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,


Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: August 27, 1984

ORDER ENTERED: SEP 7 1984

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					
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	(924,458)	(773,827)
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 FRED McNAIR
ON BEHALF OF DAVIDSON McNAIR PRODUCTS COMPANY

I. Legal Name and Domicile of Supporting Party

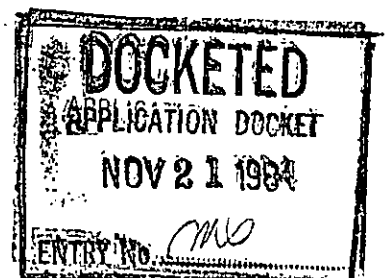
Davidson McNair Products Company has its principal place of business at North Route 8, Oil City, Venango County, PA 16301.

II. Identity and Qualifications of Testifying Witness

My name is Fred McNair, and I am the President of Davidson McNair Products Company. My mailing address is P.O. Box 233, Oil City, PA 16301. I am involved in the day-to-day operations of Davidson McNair Products Company, and I am familiar with our company's 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

Davidson McNair Products Company is engaged in the manufacture of a variety of wooden parts for furniture and cabinetry items. We produce such products as seat blanks, drawer fronts, dresser tops and framing for furniture and cabinet items. We ship these furniture related items to our customers and we regularly receive lumber which is used in the production of these items.



IV. Volume and Frequency of Intended Use

Davidson McNair Products Company makes approximately six (6) truckload shipments of the aforementioned furniture and cabinet parts to customers located in the Commonwealth of Pennsylvania on a yearly basis. We receive approximately five (5) truckloads of lumber per week at our Oil City, Venango County facility from Commonwealth based lumber producers.

V. Origins and Destinations

All outbound traffic would originate at our Oil City, Venango County facility. In the past, we have shipped to customers located in Harrisburg, Dauphin County, Connellsville, Fayette County and Lewisburg, Union County. In addition, we constantly solicit new customer accounts through the use of manufacturers' representatives and other potential destination points for shipments of our products may exist within the Commonwealth.

Inbound shipments of lumber originate from producers located in Brookville, Jefferson County, Kane, McKean County, Emlenton, Venango County, Ridgeway, Elk County, Spartansburg, Crawford County and Union City, Erie County. We would like to have the service of Klapac Trucking Company available to meet all of our inbound and outbound transportation requirements.

VI. Type of Service Required

Outbound shipments generally take place in truckload quantities in van-trailer equipment. In addition, we may have an occasional need for a multiple delivery service on outbound shipments.

Inbound shipments of lumber are transported in truckload quantities on flatbed trailer equipment. Shipments can be received at our facility five (5) days per week during normal business hours.

VII. Similar Applications Supported

I cannot recall Davidson McNair Products Company supporting any other application for similar operating authority before the Pennsylvania Public Utility Commission.

VIII. Other Pertinent Information

Davidson McNair Products Company supports the application of Klapec Trucking Company because we feel it is important to have a local carrier available who can meet all of our inbound and outbound intrastate transportation requirements. The close proximity of Klapec Trucking Company's terminal facilities to our manufacturing facility would enable them to provide prompt service to our company when it is required. We feel that the grant of the authority requested by Klapec Trucking Company will help to eliminate the difficulty which we

have experienced in the past in locating intrastate carriers who can meet our transportation needs. We would request the Pennsylvania Public Utility Commission to grant the application of Klapac Trucking Company in its entirety.

VERIFIED STATEMENT OF DOMINIC PANNO
ON BEHALF OF CYTEMP SPECIALTY STEEL DIVISION
OF UNIVERSAL-CYCLOPS CORPORATION

I. Legal Name and Domicile of Supporting Party

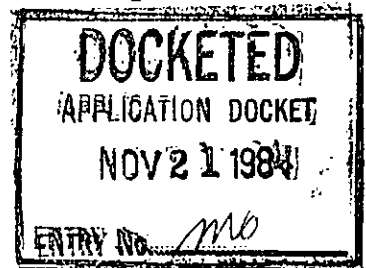
Cytemp Specialty Steel Division of Universal-Cyclops Corporation, as is pertinent to this application, maintains a manufacturing facility located on Spring Avenue, Titusville, Crawford County, PA 16354.

II. Identity and Qualifications of Testifying Witness

My name is Dominic Panno, and I am the Traffic Manager for the Cytemp Specialty Steel Division of the Universal-Cyclops Corporation. I am charged with overall responsibility for transportation functions at Universal-Cyclops facilities located at Titusville, Crawford County, Bridgeville, Allegheny County and Pittsburgh, Allegheny County. I am fully familiar with our need for transportation services within the Commonwealth, as well as the services proposed by this application. I am authorized to support the application of Klapec Trucking Company.

III. General Description of Supporting Party

The Cytemp Specialty Steel Division of Universal-Cyclops Corporation manufactures and sells a wide variety of metal products such as steel bars, steel billets, steel ingots, metals and metal alloys N.O.I., nickle iron chrome alloys and scrap steel. We also receive scrap metal, nickle and refractory products inbound from Commonwealth based suppliers.



IV. Volume and Frequency of Intended Use

Cyclops Corporation makes approximately thirty (30) truckload shipments per month from its Titusville, Crawford County facility destined to points in the Commonwealth. These shipments range in weight from 40,000 to 48,000 pounds. In addition, our Titusville facility receives ten (10) to fifteen (15) LTL truckload shipments per week and ten (10) to fifteen (15) truckload shipments per week from Commonwealth based suppliers. Finally, we average ten (10) shipments per day between our Allegheny County production facilities and our production facility located in Titusville, Crawford County. We intend to offer a significant portion of our traffic to Klapec Trucking, Inc. upon grant of this application.

V. Origins and Destinations

All outbound shipments would originate at our Titusville, Crawford County facility and are destined to customers located at such points as Erie, Reading, Fairless, York, Allentown, Pottstown, Scranton, Greenville, Berwick, Coatesville, Altoona, Mountaintop, Wilkes-Barre, Philadelphia, Washington, Johnstown, Harrisburg, Corry, and Oil City. In addition, we have interplant shipments moving to our facilities located at Pittsburgh and Bridgeville, both in Allegheny County.

Inbound shipments destined to our Titusville facility originate at such points as Industry, Philadelphia, Robesonia, Reading, Johnstown, Mt. Pleasant, Oil City and Greenville.

Because our Titusville facility is located in a largely rural area without a significant concentration of motor carriers, it is highly beneficial to our company to have Klapec's service available to meet our transportation needs to or from any point where we may have occasion to ship or receive commodities at any time in the future.

VI. Type of Service Required

We generally require transportation on flatbed trailer equipment with a need for both truckload and less-than-truckload service. In addition, we frequently take advantage of a carrier's multiple delivery service.

VII. Similar Applications Supported

We have previously supported an application by Butler Trucking Company for similar operating authority before this Commission and we presently utilize that carrier's service as its equipment becomes available to us.

VIII. Other Pertinent Information

We have made extensive use of the applicant's service under its present operating authority and Klapec has demonstrated its ability to handle shipments of great volume without service complaints. As I previously mentioned, our Titusville, Crawford County facility is located in a remote area with very few motor carriers located in close proximity to our manufacturing facility. Klapec's close location to our manufacturing facility would enable him to provide a prompt and

expeditious motor carrier service, and this company has the potential of becoming one of our major carriers from our Titusville facility. We urgently request this Commission to recognize our need for an additional motor carrier with flexible operating authority and grant the application of Klapac Trucking, Inc. in its entirety.

VERIFIED STATEMENT OF THOMAS NIGHTINGALE
ON BEHALF OF VOYTEN ELECTRIC & ELECTRONICS

I. Legal Name and Domicile of Supporting Party

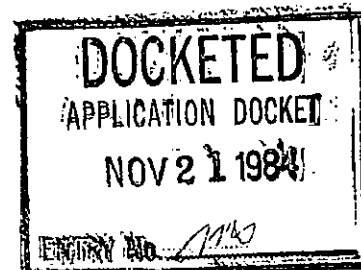
Voyten Electric & Electronics has its principal place of business at Old Route 8, Pecan Hill, Franklin, Venango County, PA.

II. Identity and Qualifications of Testifying Witness

My name is Thomas Nightingale, and I am President of Voyten Electric, having been employed with the company for the past nine (9) years. I am fully familiar with the transportation requirements of Voyten Electric, and I have been authorized to submit this statement in support of the application of Klapac Trucking Company before the Pennsylvania Public Utility Commission.

III. General Description of Supporting Party

Voyten Electric is an independent distributor and manufacturer of electric distribution and motor control equipment. In this regard, we purchase electrical components and related equipment from companies which are in the process of dismantling plant sites, we then dismantle all of the electrical components which we have purchased and ship them back to our facility for reconditioning, warehousing and resale. Thus, we have a need for the transportation of such electrical equipment as substations, breaker lineups, motor control centers, and rectifiers.



IV. Volume and Frequency of Intended Use

Voyten Electric presently makes two (2) to three (3) monthly outbound shipments from our Franklin, Venango County facility, to points in Pennsylvania. In addition, we frequently receive shipments of dismantled electrical components at our Franklin facility from dismantling operations located in the Commonwealth. Because of the nature of our business and the sources of supply for our used electrical components, it is difficult to gauge the exact frequency of our inbound transportation requirements. We do intend to tender approximately fifteen (15%) percent of our total traffic to Klapec upon grant of this application.

Depending upon the size and nature of the electrical components which we purchase, dismantle, recondition and sell, shipments can range in weight from 500 pounds to approximately 20,000 pounds.

V. Representative Origins and Destinations

As I have previously mentioned, Voyten Electric purchases electrical equipment at industrial plant sites which are being dismantled, dismantles these electrical components and ships them to our Franklin, Venango facility for reconditioning and eventual resale. Thus, it is difficult to gauge frequent origin points for inbound shipments. However, any industrial facility located in the Commonwealth which is being dismantled and which contains significant quantities of electrical components would represent a possible source of supply for our company. In the

past, we have purchased electrical components from dismantled plant sites in Sharon, Mercer County, Wyoming, Luzerne County, and Franklin, Venango County. In addition, numerous industrial plant sites which have been closed and may be dismantled are located in the greater Pittsburgh and greater Philadelphia area. However, it is important to stress that any dismantled industrial plant site is a potential origin point for inbound shipments into our facility, and it is important for us to have a local carrier with complete flexibility to meet our transportation requirements from whatever source.

In the past, we have shipped reconditioned electrical equipment to customers located at Pittsburgh, Allegheny County, Erie, Erie County, Harrisburg, Dauphin County, Philadelphia, Philadelphia County, Wyoming, Luzerne County, and Reading, Berks County. Because of the close proximity of Klapec's terminal facility to our Franklin facility, as well as the particular service requirements involved in our business, it is imperative that Klapec have complete flexibility to meet our inbound or outbound transportation requirements wherever they may arise.

VI. Type of Service Required

Because of the unique nature of our business, we have highly specialized motor carrier service requirements. With regard to outbound shipments, it is imperative that our motor carriers be available to transport emergency shipments on very short notice. Because of the location of Klapec's terminal

facility, we feel that Klapec is uniquely situated to provide emergency shipment service on very short notice. Service is generally required in flatbed or van-trailer equipment.

On inbound shipments from dismantled plant sites, it is imperative that our motor carriers demonstrate flexibility in meeting our service requirements. It is often necessary that motor carriers be willing to spot flatbed or van-trailer equipment at a dismantled plant site for a period of several days before the trailer is fully loaded and ready for transport back to our facility. During this time, it may be necessary for the motor carrier to show up at the plant site for the purpose of jockeying the trailer to another area for loading. Trailers must then be scheduled for pickup at the dismantled plant site for shipment to our Franklin facility.

VII. Similar Applications Supported

Voyten Electric is not presently supporting any other carrier for authority similar to that requested in this application.

VIII. Other Pertinent Information

As aforementioned, our company has unique transportation requirements which require ultimate flexibility on the part of motor carriers which we utilize. Our past experience indicates that larger motor carriers cannot provide this required flexibility. The fact that Klapec is situated approximately ten (10) to twelve (12) miles from our facility places that carrier in

a unique position to provide responsive, flexible motor carrier service. Our use of the applicant's service on an interstate basis has demonstrated to our satisfaction that he has the equipment and personnel to meet our transportation needs. We would request the Pennsylvania Public Utility Commission to grant this application in its entirety.

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF *Allegheny*) ss:
)

THOMAS NIGHTINGALE, being duly sworn according to law,
deposes and says that he has read the foregoing verified
statement, and that the facts contained therein are true and
correct to the best of his information, knowledge and belief.


THOMAS NIGHTINGALE

SWORN TO and subscribed
before me this *9th* day
of *November*, 1984.

Joan H. Mathews
Notary Public

My Commission Expires:

JOAN H. MATHEWS, NOTARY PUBLIC
PITTSBURGH, ALLEGHENY COUNTY
MY COMMISSION EXPIRES JUNE 15, 1987
Member, Pennsylvania Association of Notaries

VERIFIED STATEMENT OF BURL E. EM RICK
ON BEHALF OF LUG & TUG

I. Legal Name and Domicile of Supporting Party

Lug & Tug has its principal place of business at Route 257, Seneca, Venango County, PA 16346.

II. Identity and Qualifications of Testifying Witness

My name is Burl E. Em rick, and I am the owner of Lug & Tug. As such, I am completely familiar with our need for transportation services within the Commonwealth, as well as the services proposed by this application. I am authorized to support the application of Klapec Trucking Company before the Pennsylvania Public Utility Commission.

III. General Description of Supporting Party

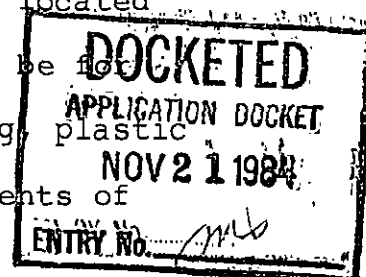
Lug & Tug is a building supply and hardware center. We engage in the sale of a variety of hardware and building supplies.

IV. Volume and Frequency of Intended Use

Lug & Tug receives approximately two inbound shipments of various building supplies on a monthly basis. These shipments can be in truckload or less-than-truckload quantities, depending upon the type of product which is being delivered to our facility.

V. Origins and Destinations

All inbound shipments are destined to our facility located in Seneca, Venango County, PA. Inbound shipments would be for such commodities as lumber, shingles, insulation, siding, plastic pipe and a variety of related building supplies. Shipments of



#38

these types of products are received at our facility from suppliers located in Murrysville, Allegheny County, and New Stanton, Westmoreland County. In addition, other possible suppliers are located in Clearfield, Clearfield County, and Pittsburgh, Allegheny County, where these products may be purchased in the event of an interruption in supply from our normal sources. Of course, we would like to have the applicant's service available to meet our inbound transportation needs from any point where we may have occasion to purchase building supplies and related hardware.

VI. Type of Service Required

The motor carrier service which we normally require involves the transportation of a wide variety of building supplies and hardware products, all of which may be transported in either closed van trailer or flatbed trailer equipment. Shipments can be in less-than-truckload or truckload quantities. Naturally, deliveries must be made during our normal business hours, six days per week.

VII. Similar Applications Supported

We are not presently supporting any other application for similar operating authority before this Commission. We have supported Klapec Trucking in another application proceeding.

VIII. Other Pertinent Information

We have had occasion to use the applicant's service in the past, and we have been completely satisfied. It is highly beneficial to area businesses to have a reliable local carrier, such as Klapec Trucking Company, with broad operating authority

which would enable Klapec to meet all of our transportation needs. Therefore, we support the application of Klapec Trucking Company, and respectfully request that the Pennsylvania Public Utility Commission grant the application.

VERIFIED STATEMENT OF ROBERT EMRICK
ON BEHALF OF PUSH AND PULL HOME CENTER

I. Legal Name and Domicile of Supporting Party

Lug and Tug, Inc., doing business as Push and Pull Home Center, is located at Box 111, R.D. #3, Titusville, ~~Crawford~~ Venango County, PA 16354.

II. Identity and Qualifications of Testifying Witness

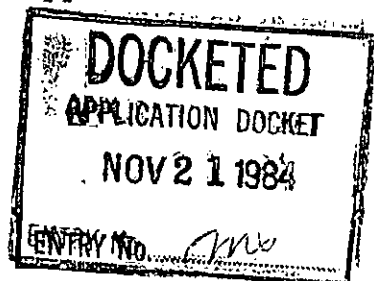
My name is Robert Emrick, and I am the principal owner of Push and Pull Home Center. I am involved in the day-to-day operations of the business, and I am familiar with our company's transportation requirements. I am authorized to submit this statement in support of the application of Klapec Trucking Company before this Commission.

III. General Description of Supporting Party

Push and Pull Home Center is engaged in the purchase and resale of a wide variety of building materials and hardware supplies. We are supporting this application to meet our inbound transportation requirements for the delivery of a variety of building and hardware supplies such as roofing shingles, lumber, plastic pipe, concrete products, and virtually every other type of product normally dealt in by a building and hardware supply store.

IV. Volume and Frequency of Intended Use

Push and Pull Home Center receives approximately ten (10) to fifteen (15) inbound shipments of various building supplies



on a yearly basis. These shipments can range in weight from 10,000 pounds to approximately 40,000 pounds, depending upon the type of product which is being delivered to our facility.

V. Origins and Destinations

All shipments for which service would be required are destined to our facility located in Titusville, ~~Crawford~~ ^{RD # 3 Venango} County, PA. As I previously mentioned, ^{Cherry Tree, Twp.,} inbound shipments would be for such commodities as lumber, shingles, insulation, plastic pipe, and related building and hardware supplies. Although many of our sources of supply for these products are located at points outside the Commonwealth, we do have concrete supplies delivered from producers located at Bessemer and Wampum, both of which are located in Lawrence County. Of course, we would like to have the applicant's service available to meet our transportation needs from any point where we may have occasion to purchase building and hardware supplies at any time in the future.

VI. Type of Service Required

We generally require inbound transportation in flatbed trailer equipment. As I previously mentioned, shipments can range in weight from 10,000 pounds to 40,000 pounds. Our only scheduled delivery requirement is that deliveries be made during our normal business hours, six (6) days per week.

VII. Similar Applications Supported

We are not presently supporting any other application for similar operating authority before this Commission.

VIII. Other Pertinent Information

We are familiar with the service of Klapac Trucking Company. Klapac's terminal facility is located about thirteen (13) miles from our place of business, which would make the applicant's service responsive to our needs. Although we presently receive commodities from only a few points located in the Commonwealth, our sources of supply may be subject to interruption or change which may require the applicant's service from other Commonwealth based suppliers. We would respectfully request the Commission recognize the importance of having a local carrier available to our company with broad operating authority to meet constantly changing transportation requirements.

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF *Venango*) ss:

ROBERT EMRICK, being duly sworn according to law, deposes and says that he has read the foregoing verified statement, and that the facts contained therein are true and correct to the best of his knowledge, information and belief.

Robert Emrick
ROBERT EMRICK

SWORN TO and subscribed
before me this 3rd day
of October, 1984.

Stephanie A. Hawks
Notary Public

My Commission Expires:

Stephanie A. Hawks, Notary Public
Franklin, Venango County, Pennsylvania
My Commission Expires June 6, 1988

VERIFIED STATEMENT OF RAYMOND BENVENUTI
ON BEHALF OF PRIMO FRANKLIN BAKERY, INC.

I. Legal Name and Domicile of Supporting Party

Primo Franklin Bakery, Inc. is located at 609 Thirteenth Street, Franklin, Venango County, PA 16323.

II. Identity and Qualifications of Testifying Witness

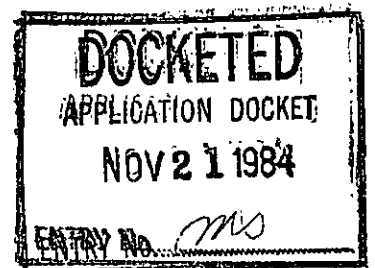
My name is Raymond Benvenuti, and I am the President of Primo Franklin Bakery, Inc. As such, I am involved in the day-to-day operations of the company, and I am familiar with our transportation requirements. I am authorized to submit this statement in support of the application of Klapec Trucking Company before the Pennsylvania Public Utility Commission.

III. General Description of Supporting Party

Primo Franklin Bakery, Inc. is a wholesale bread bakery, and our need for transportation service arises from the delivery of bread from our Franklin facility to outlying warehouses for further distribution and delivery to our customers.

IV. Volume and Frequency of Intended Use

We propose to use the service of Klapec Trucking Company to handle a single daily shipment, five (5) days per week. These shipments constitute a full truckload on a twenty-six (26) or thirty (30) foot straight truck, and would therefore constitute a less-than-truckload shipment on a normal van-trailer.



V. Representative Origins and Destinations

All shipments for which service is required originate at our Franklin Bakery, and are destined to our warehouses located at Warren, Warren County, Erie, Erie County, and DuBois, Clearfield County.

VI. Type of Service Required

We require the delivery of our bread products in van-trailer equipment. A multiple delivery service to the three (3) aforementioned warehouse locations is required. It is imperative that pickup of shipments take place by midnight for a 4:00 o'clock a.m. scheduled delivery at our warehouse locations.

VII. Similar Applications Supported

We have not supported any other application for similar operating authority before the Pennsylvania Public Utility Commission in the recent past.

VIII. Other Pertinent Information

Primo Franklin Bakery, Inc. supports the application of Klapac Trucking Company because it would be a benefit to our business to have a local motor carrier who can provide prompt delivery service on short notice. We would request the Pennsylvania Public Utility Commission to grant this application.



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

November 21, 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-E

Application of Klapec Trucking Company.

Dear Mr. Pillar:

By our letter of October 16, 1984, we requested verified statements of applicant and verified statements in support of the above captioned application. As of this date, said statements have not been received in this office.

Please be advised that if you desire to pursue this application, we will extend an additional fifteen day period during which time these statements may be filed. If said statements are not filed with this office by December 6, 1984 we shall assume that you do not desire to pursue this matter and shall recommend to the Commission that the application be dismissed for lack of prosecution.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

By William P. Hoshour
For Peter S. Marzolf, Supervisor,
Technical Review Section
Bureau of Non-Rail Transportation

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
NOV 29 1984
ENTRY No. *MO*

#41