

October 4, 1991

IN REPLY PLEASE
REFER TO OUR FILE

JOHN A PILLAR
ATTORNEY AT LAW
SUITE 700
312 BOULEVARD OF THE ALLIES
PITTSBURGH PA 15222

In re: A-00102306, F. 1, Am-I - 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 October 28, 1991. If protests are filed, you will be advised as to further procedure.

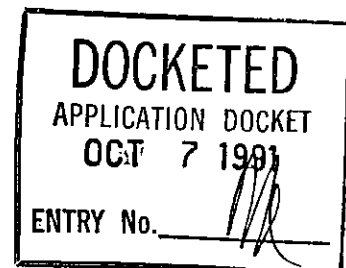
You are further advised that the above application will be published in the Pennsylvania Bulletin of October 5, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:rs

cc: Applicant
P.O. Box 1278
Oil City, PA 16301-5278



A-00102306, Folder 1, Am-I KLAPEC TRUCKING COMPANY (P.O. Box 1278, Oil City, Venango County, PA 16301-5278), a corporation of the Commonwealth of Pennsylvania, inter alia - property for Pennzoil Products Company, between points in Pennsylvania; restricted to shipments originating at or destined to facilities owned or used by Pennzoil Products Company; subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk: SO AS TO PERMIT the transportation of property (excluding household goods in use) for G.O. Carlson, Inc. from its facilities located in the city of Coatesville, Chester County, to points in Pennsylvania, and vice versa. Attorney: John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, PA 15222.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin OCT - 5 1991

BUREAU OF TRANSPORTATION
COMMON CARRIER
SEPTEMBER 1991

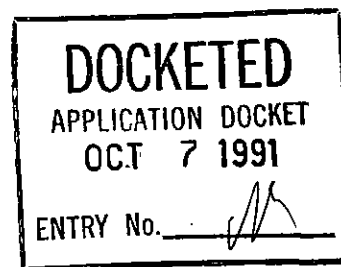
A-00102306
F. 1
Am-I

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, property for Pennzoil Products Company, between points in Pennsylvania; restricted to shipments originating at or destined to facilities owned or used by Pennzoil Products Company; subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk: SO AS TO PERMIT the transportation of property (excluding household goods in use) for G.O. Carlson, Inc. from its facilities located in the city of Coatesville, Chester County, to points in Pennsylvania, and vice versa.

MW:kmb
9/24/91

Application received: 8/19/91
Application docketed: 9/23/91

NH



Protests due _____

OCT 28 1991

Peter G. Loftus

Suzanne E. Mason *

*Also Admitted In Connecticut

Law Offices
PETER G. LOFTUS, P.C.

Suite 724 Bank Towers
321 Spruce Street
Scranton, Pennsylvania 18503-1447

(717) 347-1453

Allentown
(215) 433-7939
Philadelphia
(215) 625-3777
Pittsburgh
(412) 471-2662
Scranton
(717) 347-1453
Wilkes-Barre
(717) 826-0676
Fax:
(717) 347-5559

October 8, 1991

RECEIVED

OCT 10 1991

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

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



Dear Secretary Rich:

Enclosed for filing are the original and two copies of a Protest directed to the above-captioned applicant by Seaboard Tank Lines, Inc. Copies have been mailed to the applicant's Counsel of record.

Your prompt attention to this matter is appreciated.

Very truly yours,

PETER G. LOFTUS, P.C.

A handwritten signature in cursive script that reads "Peter G. Loftus". Below the signature, the name "Peter G. Loftus" is printed in a simple, sans-serif font.

PGL/ss
Encl:

cc: Walter P. Orzolek, Manager
Seaboard Tank Lines, Inc.

John A. Pillar, Esquire
Suite 700
312 Boulevard of the Allies
Pittsburgh, PA 15222



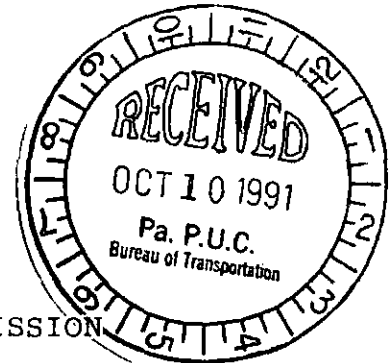
RECEIVED
OCT 10 1991

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE:
APPLICATION OF:
KLAPEC TRUCING COMPANY

DOCKET NO.
A-00102306
Folder 1, Am-I

P R O T E S T



TO: THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In accordance with 52 Pa. Code Section 31.3 (b) and 3.381 (a), SEABOARD TANK LINES, INC., Box 166 Monahan Avenue, Dunmore, Pennsylvania 18512, Docket No. 00071220, herein protests the captioned application on the following grounds:

1. The Protestant is Seaboard Tank Lines, Inc., which has its principal place of business located at Box 166, Monahan Avenue, in the Borough of Dunmore, County of Lackawanna and Commonwealth of Pennsylvania. The telephone number of the Protestant is (717) 343-2491.

2. Protestant's attorney is Peter G. Loftus, Esquire, Suite 724, Bank Towers, Scranton, Pennsylvania 18503. The telephone number is (717) 347-1453.

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
OCT 15 1991
ENTRY No. 111

3. Protestant has the authority to haul petroleum products and dry litharge throughout the Commonwealth of Pennsylvania with only several minor restrictions. Since the applicant is requesting the general category of property, approval of the application would have the following adverse impacts:

(i) property obviously could be construed to include petroleum products and/or dry litharge, thus giving applicant at least equal, if not greater authority than the Protestant.

(ii) even if it is not the intent of the applicant to haul petroleum products at present, if at any time the applicant sells his rights to another company, that company would then be able to haul petroleum products unless a restrictive amendment has been made prior to the transfer.

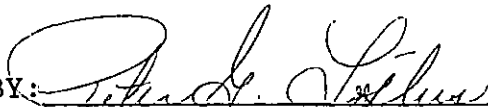
(iii) the number of applicants to haul petroleum products has increased substantially during the last several years and have eroded the Protestant's shipper's list which conversely has not increased substantially, thus having an adverse impact.

4. The Protestant operates under Docket No. A-00071220. A copy of the Protestant's authority is attached hereto, intended to be made a part hereof, and market as Exhibit "A".

5. The Protestant's interest would be protected resulting in a withdrawal of the protest if the following amendment were made:

"provided no right, power or privilege is granted to transport petroleum, and petroleum products in bulk or dry litharge in bulk."

PETER G. LOFTUS, P.C.

BY: 
PETER G. LOFTUS, ESQUIRE
Counsel for Protestant

Suite 724, Bank Towers
321 Spruce Street
Scranton, PA 18503-1447

Date: October 8, 1991

SEABOARD TANK LINES, INC.

FOLDER NOS. 3 and 7

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles from points within five (5) miles by the usually traveled highways of the limits of the Boroughs of Bradford and Eldred, McKean County; Warren, Warren County; Titusville, Crawford County; Oil City, Venango County; Butler and Karns City, Butler County, to points in the Pennsylvania east of a line running northeast and southwest from the New York-Pennsylvania state line near Eldred, McKean County, southwesterly through Renovo, Clinton County and Tyrone, Blair County and hereinafter referred to as the Renovo-Tyrone Line.

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles for the Tulsa Petroleum Corporation from Marcus Hook, Delaware County, and Eldred, McKean County and from point to point in Pennsylvania, as designated by the Tulsa Petroleum Corporation and vice versa.

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles for the Pennsylvania Refining Company from points in the City of Scranton, Lackawanna County, to points in the territory east of the Renovo - Tyrone Line, starting at a point in the northeasterly part of Pennsylvania on the New York - Pennsylvania Border at or near Hallstead; thence to Honesdale; thence to Stroudsburg; thence to Easton; thence to Marcus Hook; thence to Reading; thence to Clarks Ferry; thence to Butler; thence to Franklin; thence to Titusville; thence to Warren; thence to Bradford; thence to Eldred; thence in a straight line along the Pennsylvania - New York Border to the place of beginning.

To transport, as a Class D Carrier, petroleum and petroleum products in bulk, in tank vehicles, between points in the Borough of Macungie, Lehigh County and within one hundred fifty (150) miles of the limits of said Borough.

FOLDER 7, AM-A

To transport, as a Class D Carrier, litharge, dry, in bulk, from the Borough of Dunmore, Lackawanna County, to points in Pennsylvania, with the right to return refused, rejected, or damaged shipments to point of origin.

FOLDER 7, AM-B

To transport, as a Class D carrier, petroleum and petroleum products, in bulk, in tank-type vehicles, between points in Pennsylvania; subject to the following conditions:

1. That no right, power or privilege is granted to provide service from points in the Borough of Warren, Warren County, to points in the Borough of Northeast, Erie County, and the Borough of Corsica, Jefferson County.
2. That no right, power or privilege is granted to provide service for United Refining Company; Pennzoil Products Co.; Witco Chemical Co.; Kendall-Amalie Division, from, to or between points in the counties of Warren, Venango and McKean.

It Is Ordered That:

Regulation No. 10-122, Department of Health, Immunization Requirements for Children in Group Settings, as resubmitted to the Commission August 27, 1991, is approved; and

the Commission shall transmit a copy of this Order to the Administrative Reference Bureau.

THOMAS P. COMERFORD, Jr.,
Chairperson

Doc. No. 91-1995. Filed October 4, 1991, 9:00 a.m.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Cost Adjustment Statements Filed

is to inform the public that the following

Steam Works, Ltd.
Central Energy Corporation
Thermal Energy Corporation
Thermal Limited Partnership

statements of their revenues and expenses to their use of the automatic adjustment (Cost Adjustment) for the 12 month period 10/1/90 to 9/30, 1991.

of these statements is required by section 1307(e) of the Public Utility Code, 66 Pa.C.S. § 1307(e).

The Pennsylvania Public Utility Commission has a hearing on Tuesday, October 15, 1991, at 10:00 a.m. in the Commission's Hearing Room, Ground Floor, Harrisburg, Pa. when and where public interest may appear and be heard if they so desire.

JERRY RICH,
Secretary

Doc. No. 91-1996. Filed October 4, 1991, 9:00 a.m.

Statement of Experienced and Projected Take-or-Pay Costs

Central Penn Gas Company; Central Penn Gas Company; South Penn Gas Company; Interboro Gas Company; Lewistown Gas Company;

In 1989, the Commission published a statement on take-or-pay expenses which added 52 cents per gallon (relating to recovery of take-or-pay expenses of policy). That provision authorized recovery of take-or-pay expenses, under certain conditions, through a 66 Pa.C.S. § 1307(a) recovery provision. In order to avail itself of 66 Pa.C.S. § 1307(a), a company has to agree to absorb a reasonable amount of these costs. Any costs not absorbed will be amortized over a 2-to-5 year period. The Commission's provision for annual reconciliation. The

policy statement further provides for recovery of these expenses from all customer classes, including transportation customers.

On September 3, 1991, the above-named Companies, at the above-captioned docket number, filed with the Commission a statement showing the reconciliation of experienced and projected take-or-pay (TOP) costs and recoveries through October, 1991, as required by 52 Pa. Code § 69.181.

Interested persons may review the reconciliation statement filed by the above-named Companies in the Commission's File Room, Room B-20, North Office Building, Harrisburg, Pa. If any person after reviewing these materials wishes to be heard, a written statement requesting a hearing with the Commission must be filed within 20 days of publication of this notice. That written statement must be filed with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, Pa. 17105-3265 and must reference the docket M-910298. Contact person is Dennis Hosler, Bureau of Audits, (717) 787-7236.

JERRY RICH,
Secretary

[Pa.B. Doc. No. 91-1997. Filed October 4, 1991, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without a hearing in the absence of protests to the application. Protests to the applications published herein are due on or before October 28, 1991 and shall conform with the provisions for the content of protests as set forth at 52 Pa. Code § 3.381(c) (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent authority application or both.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of property as described under each application.

A-00102306, Folder 1, Am-I. Klapac Trucking Company (P. O. Box 1278, Oil City, Venango County, Pa. 16301-5278), a corporation of the Commonwealth of Pennsylvania, *inter alia*—property for Pennzoil Products Company, between points in Pennsylvania; restricted to shipments originating at or destined to facilities owned or used by Pennzoil Products Company; subject to the following condition: that no right, power or privilege is granted to transport commodities in bulk; so as to permit the transportation of property (excluding household goods in use) for G. O. Carlson, Inc. from its facilities located in the city of Coatesville, Chester County, to points in Pennsylvania, and vice versa. Attorney: John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, Pa. 15222.

A-00107745, Folder 1, Am-B. Atkinson Freight Lines Corp. of Pennsylvania (4095 Blanche Road, Bensalem,

FILED

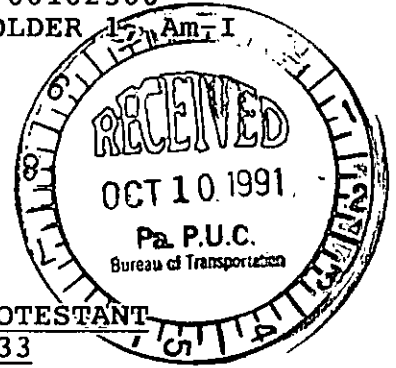
OCT 10 1991

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF

KLAPEC TRUCKING COMPANY

APPLICATION DOCKET
A-00102306
FOLDER 15, Am-I



INTERROGATORIES PROPOUNDED BY THE PROTESTANT
UNDER 62 PA. C.S.A., SECTION 333

The Protestant, Seaboard Tank Lines, Inc., through its attorney, Peter G. Loftus, Esquire, does hereby propound the following Interrogatories upon the applicant to be answered by him personally and under oath within a reasonable time not to exceed thirty (30) days after the receipt hereof as required by said Act. As used in these Interrogatories, the term "Applicant" shall include, in addition to the named party, their attorneys, agents, servants, employees, representatives, private investigators and others who are in possession of, or who may have obtained information for or on behalf of the said named party.

These Interrogatories shall be deemed to be continuing and any information secured subsequent to the filing of answers thereto which would have been includable in the answers had it been known or available shall be supplied by supplemental answers

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
OCT 15 1991
ENTRY No. 18

as soon as such information becomes known or available and in all events, prior to the hearing of this matter pursuant to 66 Pa. C.S.A., Section 333.

1. Identify by name and address all proposed shippers you plan to service, if the captioned application is granted.

2. For each said shipper, identify the product or products you propose to haul. If petroleum products, identify specifically what types of petroleum products, their derivatives, and/or by-products, by their generally accepted commercial names.

3. For each such product, identify by name and address to whom said product is to be delivered.

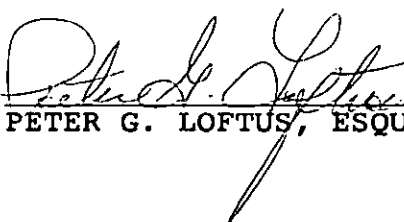
4. For each such product, identify what is the anticipated annual volume.

5. Identify by name, address and telephone number each witness you propose to call at the hearing and the subject matter of their expected testimony.

6. Will you produce, without the necessity of issuing a subpoena duces tecum, all documents, photographs, maps,

recordings or other material whatsoever which you plan to introduce at the hearing? If so, please attach copies of same to your answers.

PETER G. LOFTUS, P.C.

BY: 
PETER G. LOFTUS, ESQUIRE


Suite 724, Bank Towers
321 Spruce Street
Scranton, PA 18503-1447

Dated: October 8, 1991

CERTIFICATE OF SERVICE

PETER G. LOFTUS, ESQUIRE, hereby certifies that he served a true and correct copy of the foregoing Protest and Interrogatories in the afore-captioned action by depositing same in the regular United States mail, first-class rate, postage prepaid, and addressed to John A. Pillar, Esquire, Suite 700, Boulevard of the Allies, Pittsburgh, PA 15222, on the 8th day of October, 1991.

PETER G. LOFTUS, P.C.


Peter G. Loftus, Esquire
Attorney for Protestant

Suite 724, Bank Towers
321 Spruce Street
Scranton, PA 18503-1447
(717) 347-1453

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
P.O. Box 1278
Oil City, PA 16301-5278

Date October 16, 1991

CR 147416 A

DOCKETED
OCT 21 1991

DOCUMENT
FOLDER

In re application of Klapec Trucking Co.
A-102306, F.1, Am-I.....\$350.00

Revenue account 001780-017601-102 (ek)

ck 25094 Checks \$350.00 Currency _____

Utility account 50126

C. Joseph Meisinger
For Department of Revenue

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RE: APPLICATION OF
Klapec Trucking Company
P O Box 1278
Oil City, Pa 16301-5278

APPLICATION DOCKET
A-00102306
Folder 1, Am-I

PROTEST

RECEIVED
OCT 28 1991

SECRETARY'S OFFICE
Public Utility Commission

TO: THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

In accordance with 52 PA. Code 53.381, protest of the above application is hereby made on behalf of

A. Duie Pyle, Inc.

P.O. Box 564
West Chester, Pa. 19380

A.100009

on the following grounds:

(1) That the service proposed will be competitive with and detrimental to the existing authorized service of the above named motor carrier.

(2) That there is no public need for the proposed service, nor would the approval of the application for such proposed service be necessary or proper for the service, accomodation, convenience or safety of the public.

A copy of the pertinent operating authority of the above named carrier is appended hereto. Also appended hereto is a restrictive amendment which, if accepted by the Commission, will result in the withdrawal of the protest of the carrier above named.

I hereby certify that a copy of the Notice of Protest has, on this date, been served upon applicant and its counsel by mailing a copy of same to the address set forth in the Pennsylvania Bulletin dated October 5, 1991

By

Henry L. Wahls
Henry L. Wahls

cc: John A. Pilla, Esquire
Suite 700
312 Boulevard of the Allies
Pittsburg, Pa 15222

A. DUIE PYLE INC.
P.O. Box 564
West Chester, Pa. 19380

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
NOV 1 1991
ENTRY No. *[Signature]*

RECEIVED
OCT 31 1991
Pa. P.U.C.
Bureau of Transportation

A. DUIE PYLE, INC.

ADVERSE IMPACT

A. Duie Pyle, Inc., provides an active, daily service pursuant to Pennsylvania Public Utility Commission authority which duplicates, in part, the authority sought by the instant application. In addition, A. Duie Pyle, Inc. is constantly soliciting additional traffic within the application territory.

The protestant presently derives approximately \$50,000 annually in revenue from traffic handled within the scope of this application. A grant of the authority requested would tend to divert both traffic and revenue from A. Duie Pyle, Inc., thereby adversely affecting protestant's overall operation.

DESCRIPTION OF CERTIFICATED RIGHTS

(e) Iron and steel articles in shipments of 10,000 lbs. or more from Philadelphia to points in Lehigh and Northampton Counties and vice versa; and from the facilities of Bethlehem Steel Corporation in Lehigh and Northampton Counties, and from the facilities of American Nickeloid Company, Inc. in Walnutport, Northampton County.

46. To transport, as a Class D carrier, iron and steel, iron and steel articles and products, and materials, equipment and supplies used in the manufacture and distribution of iron and steel, and iron and steel articles and products, for Lukens Steel Company, between points in the city of Coatesville, Chester County, and within an airline distance of three (3) statute miles of the limits of said city, and from the said territory to points in Pennsylvania, and vice versa.

with right no. 46 subject to the following condition:

That no right, power or privilege is granted to transport liquid commodities in tank vehicles.

47. To transport, as a Class D carrier, property, except household goods in use and commodities, in bulk, between points in the counties of Lackawanna, Luzerne, Monroe, Carbon, Schuylkill, Lehigh, Northampton, Dauphin, Lebanon, Berks, Bucks, Cumberland, York, Lancaster, Chester, Montgomery, Philadelphia, Franklin, Adams and Delaware.

with right no. 47 subject to the following conditions:

That no right, power or privilege is granted to transport:

1. From the facilities of AMP, Inc., in the counties of Adams, Chester, Cumberland, Dauphin, Franklin, Lancaster, Schuylkill and York,
2. From the facilities of Hershey Foods Corporation in the counties of Dauphin, Lebanon, Lancaster and Cumberland,
3. Limestone and limestone products from the facilities of J.E. Baker Co. in York County,

CERTIFICATE - A00107226

Freight PA. P.U.C. No.12
Cancels Freight PA. P.U.C.
No. 2 and No. 11

PYLE CORPORATION, t/d/b/a
A. DUIE PYLE, INC.
DIRECTORY OF OPERATING AUTHORITY
between points in
PENNSYLVANIA

This tariff applies only when, and to the extent its application is authorized in tariffs made subject hereto by specific reference to the Freight PA. P.U.C. number shown

All rates and charges not brought forward are cancelled

ISSUED: JUNE 18, 1987

EFFECTIVE: June 19, 1987

(Except as otherwise provided)

Effective Date: June 19, 1987

As specified under authority of
PA Code, Title 52, Section 23.42

Issued by
PYLE CORPORATION, t/d/b/a
A. DUIE PYLE, INC.
200 Garfield Avenue
West Chester, Pennsylvania 19380

RESTRICTIVE AMENDMENT

That the shipment not be hauled on flat beds

or

Restricted to specific consignees.

APPENDIX 3

November 8, 1991

JOHN A PILLAR
ATTORNEY AT LAW
SUITE 700
312 BOULEVARD OF THE ALLIES
PITTSBURGH PA 15222

In re: A-00102306, F. 1, Am-J - Application of Kalpec Trucking
Company.

Dear Sir:

The application of Kalpec Trucking Company has been captioned as attached and will be submitted for review provided no protests are filed on or before December 2, 1991. If protests are filed, you will be advised as to further procedure.

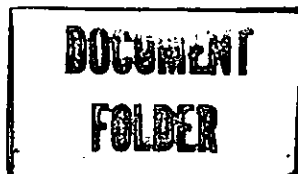
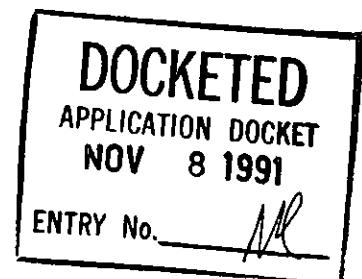
You are further advised that the above application will be published in the Pennsylvania Bulletin of November 9, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:kmb

CC: APPLICANT
70 ALLEGHENY AVENUE
P.O. BOX 1278
OIL CITY, PA 16301



A-00102306, Folder 1, Am-J KLAPEC TRUCKING COMPANY (70 Allegheny Avenue, P.O. Box 1278, 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 between points in the county of Forest, and from points in said county to points in Pennsylvania, and vice versa, subject to the following conditions: That no right, power or privilege is granted to transport household goods in use; and That no right, power or privilege is granted to transport any shipment weighing less than 10,000 pounds, except for a shipment that may weigh less than 10,000 pounds but which fills the full visible capacity of a trailer, a shipment being defined as a quantity of freight moving from one consignor to one consignee on one bill of lading. Attorney: John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, PA 15222.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin

NOV -9 1991

BUREAU OF TRANSPORTATION
COMMON CARRIER
OCTOBER 1991

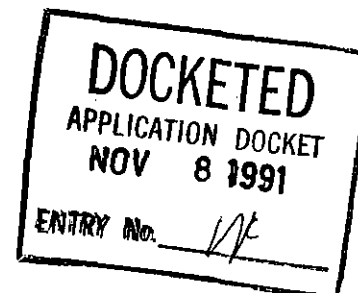
A-00102306
F. 1
Am-J

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 between points in the county of Forest, and from points in said county to points in Pennsylvania, and vice versa, subject to the following conditions: That no right, power or privilege is granted to transport household goods in use; and That no right, power or privilege is granted to transport any shipment weighing less than 10,000 pounds, except for a shipment that may weigh less than 10,000 pounds but which fills the full visible capacity of a trailer, a shipment being defined as a quantity of freight moving from one consignor to one consignee on one bill of lading.

DP:11
10/22/91

Application received: 9/23/91
Application docketed: 10/24/91

NH



Protests due

DEC - 2 1991



November 12, 1991

RECEIVED

NOV 13 1991

SECRETARY'S OFFICE
Public Utility Commission

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

Re: KLAPEC TRUCKING COMPANY
A-00102306, Folder 1, Am-J

Dear Mr. Rich:

I am transmitting, herewith, the original and one (1) copy of the Protest of Butler Trucking Company, in opposition to the above application.

I am enclosing an additional copy of this letter of transmittal, and would ask that you affix onto this letter the date which the subject Protest is received, returning the duplicate copy to me in the self-addressed, stamped envelope that has been enclosed for that purpose.

Very Truly Yours,

BUTLER TRUCKING COMPANY

A handwritten signature in dark ink, appearing to read "David F. McAllister", written over a circular stamp.

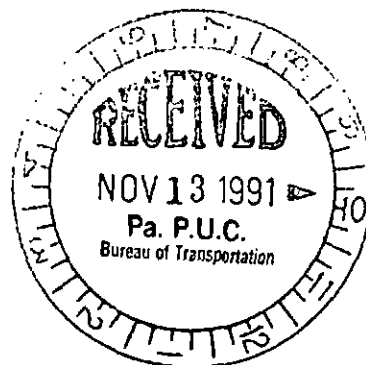
David F. McAllister,
Director of Marketing



DFM/bjl

Enclosures

cc: Applicant
John A. Pillar, Esq.
Dwight L. Koerber, Esq.



P.O. Box 88 WOODLAND, PA 16881 814-857-7644

4620 Witmer Road Niagara Falls, N.Y. 14305 716-285-7343

R.D. 2, Box 514 Darlington, PA 16115 412-336-0000

BEFORE THE
PUBLIC UTILITY COMMISSION

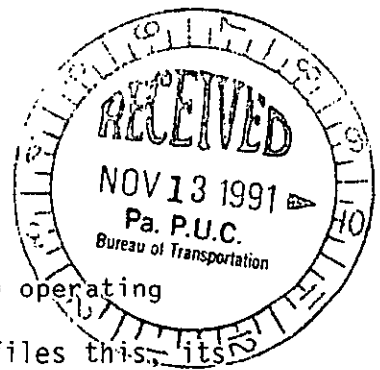
KLAPEC TRUCKING COMPANY
A-00102306, Folder 1, Am-J

PROTEST OF
BUTLER TRUCKING COMPANY

RECEIVED

NOV 13 1991

SECRETARY'S OFFICE
Public Utility Commission



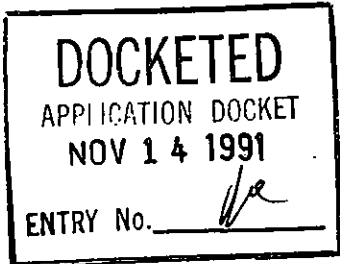
COMES NOW, BUTLER TRUCKING COMPANY, a motor carrier holding operating authority from the Pennsylvania Public Utility Commission, and files this Protest to the above application. A copy of the publication of that application is attached hereto as Appendix A.

1. The name and address of Protestant are as follows:

Butler Trucking Company
P.O. Box 88
Woodland, PA 16881

2. The name, address and telephone number of Protestant's representative are as follows:

David F. McAllister
P.O. Box 88
Woodland, PA 16881
(814) 857-7644



3. Protestant is ready, willing and able to provide all or part of the services proposed herein, consistent with its operating authority and equipment.

4. In Docket No. A-92978, Folder 1 and Amendments thereto, protestant is authorized to transport property moving on flatbed tractor trailer units between points in Pennsylvania. Attached hereto, as Appendix B, is a copy of protestant's operating authority, which is the authority upon which protestant relies in order to provide the service proposed in this application.



5. It is Protestant's position that granting this application would be contrary to the public interest, as it would have an adverse impact upon the operations of Protestant by depriving it of traffic that would complement its present operations.

6. Protestant would consider withdrawing its opposition if the application were limited to a named shipper or a specific territory, more limited in the present application. In addition, Protestant would consider restrictive amendments that would exclude the transportation of shipments moving on flatbed tractor trailer units.

7. Protestant requests, pursuant to Section 333(c) of the Public Utility Code, that applicant furnish it with the names of supporting shippers and a summary of their testimony.

Respectfully submitted,

BY: 

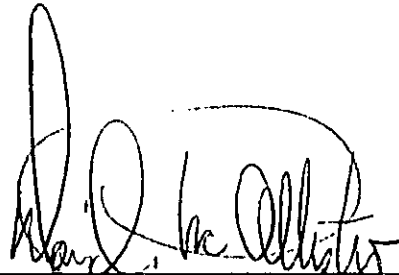
David F. McAllister
Director of Marketing
Butler Trucking Company

DATED: November 12, 1991

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of November, 1991, I have served a copy of the foregoing Protest upon applicant's representative, by first class mail, at the following name and address:

John A. Pillar, Esq.
Suite 700
312 Boulevard of the Allies
Pittsburgh, PA 15222

A handwritten signature in black ink, appearing to read "David F. McAllister", written over a horizontal line.

David F. McAllister

APPENDIX A

Attached hereto is a copy of the application of Klapec Trucking Company as it appeared in the Pennsylvania Bulletin of November 9, 1991 at Page 5297.

Applications of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as common carriers for transportation of *property* as described under each application.

A-00108305, Folder 2. Arrow Industrial Carriers, Inc. (608 North Lincoln Avenue, Moorestown, Burlington County, NJ 08057), a corporation of the State of New Jersey—material handling equipment for Ransome Lift Equipment Company and Rollins Environmental Services, Inc., from points in the counties of Delaware, Dauphin, Berks, Montgomery, Lancaster, Lebanon, Bucks, Chester, Lawrence, Lehigh, Luzerne, Philadelphia and Cumberland, to points in Pennsylvania, and vice versa: *which is to be in lieu of the contract carrier by motor vehicle permit issued to Arrow Industrial Carriers, Inc., at A-00108305, which reads as follows: material lifting equipment for Ransome Lift Equipment Company and Rollins Environmental Service, Inc., from points in the counties of Bucks, Chester, Lawrence, Lehigh, Luzerne, Philadelphia and Cumberland, to points in Pennsylvania, and vice versa.* Attorney: Richard W. Hunt, 73 South Main Street, Medford, NJ 08055.

A-00109906. Donald R. Jackson (Box 24, C. A. Lacey Street, Laceyville, Wyoming County, Pa. 18623)—coal and coal silt, for Suscon Sales Corp. from its facilities in Mildred, Cherry Township, Sullivan County, to points within an airline distance of 150 statute miles of the limits of said township. Application for temporary authority has been filed at A-00109906, seeking the right cited above.

A-00109937. Court Courier Systems, Inc. (535 Boulevard, P. O. Box 294, Kenilworth, NJ 07033-0294), a corporation of the State of New Jersey—financial documents and instruments, and supplies used in the conduct of banking related activities, for banks and financial institutions, between points in Pennsylvania. Attorney: Martha A. Suhayda-Voght, 142 Highway 34, Suite 350A, Holmdel, NJ 07733.

A-00109952. Harvey T. Martin (R. D. 4, Box 4526, Mohnton, Berks County, Pa. 19540)—stone, from Sheridan Corporation Quarry, located in Caernarvon Township, Berks County, to points in Berks, Chester, Delaware and Lancaster Counties. Attorney: John A. Hoffert, Jr., 536 Court Street, Reading, Pa. 19603.

Applications of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of *property* as described under each application.

A-00102306, Folder 1, Am-J. Klapac Trucking Company (70 Allegheny Avenue, P. O. Box 1278, 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 between points in the county of Forest, and from points in said county to points in Pennsylvania, and vice versa, subject to the following conditions: that no right, power or privilege is granted to transport household goods in use; and that no right, power or privilege is granted to transport any shipment weighing less than 10,000 pounds, except for a shipment that may weigh less than 10,000 pounds but which fills the full visible capacity of a trailer, a shipment being*

defined as a quantity of freight moving from one consignor to one consignee on one bill of lading. Attorney: John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, Pa. 15222.

A-00104939, Folder 1, Am-C. York Services, Inc. t/d/b/a Quik-Trip (190 Arsenal Road, Suite D, York, York County, Pa. 17404)—(1) as a Class D carrier, parcels, packages and items of property, between points in the counties of Adams, Cumberland, Dauphin, Lancaster and York; and (2) parcels, packages and items of property, from points in the counties of Adams, Cumberland, Dauphin, Lancaster and York to other points in Pennsylvania east of a line formed by the counties of McKean, Elk, Clearfield, Blair and Bedford, but not excluding said counties; and to points in the counties of Erie and Crawford; and vice versa; with Rights No. 1 and 2 subject to the following conditions: (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 350 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip; (b) that no right, power or privilege is granted to perform service for International Business Machines Corporation to or from its facilities in the townships of Hampden and Silver Spring, Cumberland County; (c) that no right, power or privilege is granted to transport for banks or banking institutions including the Federal Reserve Bank, checks, drafts, cash letters, evidences of indebtedness, securities and other commercial papers; business, commercial, governmental and private documents, written instruments and records; accounting and data processing media; film, microfilm, microfiche, microforms, prints and related items, and materials and supplies used or useful in connection therewith; with Right No. 2, subject to the following additional conditions: (d) that no shipment shall be accepted unless it will be both picked up and delivered on the same calendar day; (e) that no right, power or privilege is granted to transport garments and wearing apparel; (f) that no right, power or privilege is granted to perform service to or from the facilities of Victualic Company of America, Union Camp Corporation or Atlantic Track and Turnout Co.; (g) that no right, power or privilege is granted to transport for printers and for advertisers bound and unbound printed paper and partially printed paper and printing orders, instructions and materials, to or from points in the counties of Berks, Bucks, Centre, Chester, Lebanon, Philadelphia, Delaware, Erie, Franklin, Lackawanna, Lehigh, Luzerne, Lycoming and Montgomery: *so as to permit the modification of an existing condition against its operating authority that reads as follows: (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 350 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip; so that it shall now read as follows (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 5,000 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip.* Attorney: S. Berne Smith, P. O. Box 1166, Harrisburg, Pa. 17108-1166.

A-00107256, Folder 1, Am-B. Sir Lancelot Courier Service, Inc. (202-04 West Baltimore Avenue, Media, Delaware County, Pa. 19063), a corporation of the Common-

APPENDIX B

Attached hereto is a copy of Protestant's authority in A-92978 and amendments thereto.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Application of Butler Trucking Company, a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, to transport, by motor vehicle, property between points in Pennsylvania, subject to the following conditions: (1) That no right, power or privilege is granted to transport commodities in bulk in dump vehicles; (2) that no right, power or privilege is granted to transport household goods and office furniture in use; (3) That no right, power or privilege is granted to transport liquid commodities in bulk in tank vehicles; (4) That no right, power or privilege is granted to transport individual shipments weighing less than 100 pounds each; (5) That no right, power or privilege is granted to transport commodities, which, because of size or weight, require the use of special equipment or the issuance of special permits from the Pennsylvania Department of Transportation; and (6) That no right, power or privilege is granted to transport cement: WHICH IS TO BE IN LIEU OF its present common carrier authority at A-00092978, Folder 1, Am-R, which reads as follows: property: (1) From points in the counties of Mercer and Beaver to points in Pennsylvania, and vice versa; and (2) From points in Pennsylvania on and west of U.S. Highway 220, to points in Pennsylvania east of U.S. Highway 220, and vice versa, restricted in paragraphs one (1) and (2) herein to the transportation of shipments moving on flatbed tractor trailer units; (a) Provided that no right, power or privilege is granted to transport shipments which because of size or weight limitations require the issuance of special permits from the Pennsylvania Department of Transportation; (b) Provided that no right, power or privilege is granted to transport property from the borough of St. Marys and the township of Benzinger, county of Elk; or from points in the townships of Bensalem, Bristol, Lower Southampton, Middletown,

A-00092978
F.001,
Am-U
(Corrected)

Upper Southampton and Warminster and the boroughs of Bristol, Hulmeville, Ivyland, Langhorne, Langhorne Manor, Morrisville, Pennel and Tullytown, all in Bucks County;

(c) Provided that no right, power or privilege is granted to transport, refractories, refractory products or materials, equipment and supplies used in the manufacture and installation of refractories and refractory products from the counties of Allegheny, Clarion and Washington to points in Pennsylvania, and vice versa; (d) Provided that no right, power or privilege is granted to transport property, for or from or to the Pennsylvania facilities of Reynolds Manufacturing Company; Amsat Corporation, MonCo Products, Inc.; Freeport Brick Company; Associated Ceramics and Technology; Solar Refractories, Dlubak Studios, Inc.; Hussey Metal Division, Cooper Range Company; A.P. Green Refractories Company; Jones and Laughlin Steel Corporation; Bethlehem Steel Corporation; H. H. Robertson and Company; Amax, Inc., Climax Molybdenum Corp.; Molycorp.; General Electric Corporation Sperry-New Holland Division of Rand Corporation; Zurn Industries Corp.; Copes Vulcan Company; Thalheimer Bros., Inc.; and Owens Corning Fiberglass Corporation;

(e) Provided that no right, power or privilege is granted to transport property, having a prior subsequent movement by water, from points in the counties of Allegheny, Armstrong, Lawrence, Washington and Westmoreland; (f) Provided that no right, power or privilege is granted to transport property from, to or between points in the counties of Adams, Cambria, Cumberland, Dauphin, Franklin, Lancaster, Lebanon, Mifflin and Somerset; and (g) Provided that no right, power or privilege is granted to transport 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.

O R D E R

In accordance with the provisions of Act 294 of 1978 (66 Pa. C.S. §332(h)), the decision of Administrative Law Judge James D. Porterfield dated November 16, 1990 has become final without further Commission action; THEREFORE,

IT IS ORDERED:

1. That the application, as amended, of Butler Trucking Company, at Docket No. A-00092978, F.1, Am-U (Corrected), be, and it is hereby approved, and that the certificate as issued to the Applicant at Docket No. A-00092978, F.1, as amended, be further amended to include the following rights:

- (1) To transport, as a Class D carrier, on flatbed trailers, property between points in Pennsylvania;
- (2) To transport, as a Class D carrier, on van trailers, property between points in Pennsylvania for the following shippers: Hickman & Williams Company, Briggs Industries, Inc., Ball-InCon Glass Corp., Penn-Mo Fire Brick Co., First Fiber Corp. of America, Witco Corporation (except from Petrolia, in Butler County), and Gulf Oil Co. Division of Cumberland Farms, Inc.
- (3) To transport, as a Class D carrier, in pneumatic or hopper-type trailers, crushed lime (except from points in York County), between points in Pennsylvania, provided that no right, power or privilege is granted to transport crushed lime for Therm-O-Rock, Inc., New Enterprise Stone & Lime Co., Inc., Martin Limestone, Inc., Valley Quarries, Inc., Union Equipment Company, Inc., and Peters Chemical Company.

Provided that in paragraphs (1), (2), and (3) above, no right, power or privilege is granted (except as otherwise authorized) to transport commodities in bulk in dump vehicles, household goods and office furniture in use, liquid commodities in tank vehicles, individual shipments weighing less than 100 pounds each, commodities which because of size or weight require the use of special equipment or the issuance of special permits from the Department of Transportation, and cement.

Further provided that in paragraphs 1, 2, and 3, above, no right power or privilege is granted to provide service:

- (a) From the facilities of National Forge Company, in the Village of Irvine, Brokenstraw Township, Warren County, and from its facilities in the City of Erie, Erie County;

- (b) From or to the facilities of Struthers-Wells Corporation, in the Borough of Warren, Warren County;
- (c) From or to the facilities of Georgia-Pacific Corporation, in the Township of Richland, Bucks County;
- (d) From the facilities of U.S. Silica Corp., in the Counties of Mifflin and Huntingdon;
- (e) From the facilities of Hanover Prest Paving Co., Inc., in the Township of Mount Pleasant, Adams County;
- (f) From the facilities of Glen-Gery Corporation Oxford Township, Adams County;
- (g) From the facilities of White's Pelletizing Company, borough of Paradise, Lancaster County;
- (h) From the facilities of Broyhill Quarry Stone Company (formerly Willard Quarry), in the Township of North Annville, Lebanon County;
- (i) From the facilities of Sun Oil Company, in Delaware County, to points east of Interstate Highway 15;
- (j) From the facilities of Allegheny Ludlum Steel Corporation, in Allegheny, Beaver and Armstrong Counties;
- (k) From the facilities of Levenson Steel Company in Allegheny County;
- (l) From the facilities of Bethlehem Steel Company, in Cambria County;
- (m) From the facilities of Bayou Steel Company in Allegheny County;
- (n) From or to the facilities of American Metallurgical Products Co., in the City of Pittsburgh, Allegheny County;
- (o) From or to the facilities of S.I. Handling Systems, Inc., in the City of Easton, Northumberland County;
- (p) From the facilities of Stony Creek Steel in Somerset County;
- (q) For Zinc Corporation of America; Victaulic Company of America, Inc.; Atlantic Track & Turnout Company; Multi Service Supply Company; Nicholson Construction Co.; and Patent Scaffolding Company;
- (r) From or to the facilities of Genco Distribution System Corp. in the Boroughs of West Mifflin, and Blawnox, Allegheny County;
- (s) From the facilities of U.S. Steel Supply, Inc., in the City of Pittsburgh, the facilities of Nicroloy Company in the Borough of Heidelberg, and the facilities of Vac-Air Alloys, Division of S.G. Keywell Company, in the Borough of West Mifflin, all in Allegheny County;
- (t) From points in Pennsylvania to the facilities of Azcon Steel Company, Borough of Sharpsburg, Allegheny County;
- (u) From the facilities of Allegheny Steel Distributing Inc., in Indiana Township, Allegheny County, to points in Allegheny and Somerset Counties.

2. 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 relative to the filing and acceptance of a tariff establishing just and reasonable rates.

3. That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the Applicant, shall not be construed as conferring more than one operating right.

4. That in the event the Applicant has not, on or before 60 days from the date of service of this order, complied with the requirements set forth above, the application shall be dismissed without further proceedings.

5. That upon compliance with this order, the rights and authority granted to the Applicant at Docket No. A-00092978, F.001, Am-R, be and is hereby cancelled.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ENTERED: January 22, 1991

Peter G. Loftus

Suzanne E. Mason *

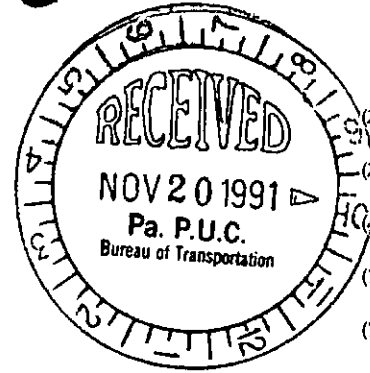
*Also Admitted In Connecticut

Law Offices
PETER G. LOFTUS, P.C.

Suite 724 Bank Towers
321 Spruce Street
Scranton, Pennsylvania 18503-1447

(717) 347-1453

November 16, 1991



Allentown
(215) 433-7939
Philadelphia
(215) 625-3777
Pittsburgh
(412) 471-2662
Scranton
(717) 347-1453
Wilkes-Barre
(717) 826-0676
Fax:
(717) 347-5559

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

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

RECEIVED
NOV 20 1991
SECRETARY'S OFFICE
Public Utility Commission

Dear Secretary Rich:

Enclosed for filing are the original and two copies of a Protest directed to the above-captioned applicant by Seaboard Tank Lines, Inc. Copies have been mailed to the applicant's Counsel of record.

Your prompt attention to this matter is appreciated.

Very truly yours,

PETER G. LOFTUS, P.C.

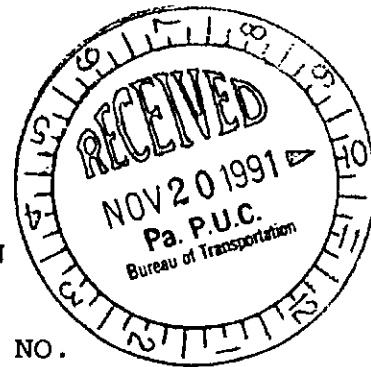
PGL/ss
Encl:

cc: Walter P. Orzolek, Manager
Seaboard Tank Lines, Inc.

John A. Pillar, Esquire
Suite 700
312 Boulevard of the Allies
Pittsburgh, PA 15222



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION



IN RE:
APPLICATION OF:
KLAPEC TRUCKING COMPANY

DOCKET NO.
A-00102306
FOLDER 1, Am-J

RECEIVED

P R O T E S T

NOV 20 1991

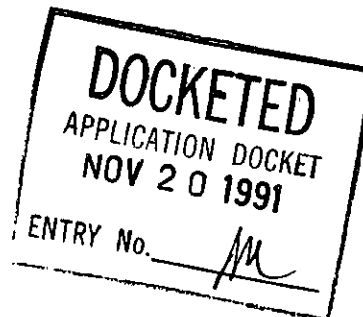
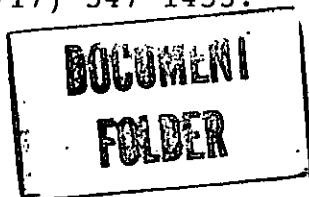
SECRETARY'S OFFICE
Public Utility Commission

TO: THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In accordance with 52 Pa. Code Section 31.3 (b) and 3.381 (a), SEABOARD TANK LINES, INC., Box 166 Monahan Avenue, Dunmore, Pennsylvania 18512, Docket No. 00071220, herein protests the captioned application on the following grounds:

1. The Protestant is Seaboard Tank Lines, Inc., which has its principal place of business located at Box 166, Monahan Avenue, in the Borough of Dunmore, County of Lackawanna and Commonwealth of Pennsylvania. The telephone number of the Protestant is (717) 343-2491.

2. Protestant's attorney is Peter G. Loftus, Esquire, Suite 724, Bank Towers, Scranton, Pennsylvania 18503. The telephone number is (717) 347-1453.



3. Protestant has the authority to haul petroleum products and dry litharge throughout the Commonwealth of Pennsylvania with only several minor restrictions. Since the applicant is requesting the general category of property, approval of the application would have the following adverse impacts:

(i) property obviously could be construed to include petroleum products and/or dry litharge, thus giving applicant at least equal, if not greater authority than the Protestant.

(ii) even if it is not the intent of the applicant to haul petroleum products at present, if at any time the applicant sells his rights to another company, that company would then be able to haul petroleum products unless a restrictive amendment has been made prior to the transfer.


(iii) the number of applicants to haul petroleum products has increased substantially during the last several years and have eroded the Protestant's shipper's list which conversely has not increased substantially, thus having an adverse impact.

4. The Protestant operates under Docket No. A-00071220. A copy of the Protestant's authority is attached hereto, intended to be made a part hereof, and market as Exhibit "A".

5. The Protestant's interest would be protected resulting in a withdrawal of the protest if the following amendment were made:

"provided no right, power or privilege is granted to transport petroleum, and petroleum products in bulk or dry litharge in bulk."

PETER G. LOFTUS, P.C.

BY: 
PETER G. LOFTUS, ESQUIRE
Counsel for Protestant

Suite 724, Bank Towers
321 Spruce Street
Scranton, PA 18503-1447

Date: _____

SEABOARD TANK LINES, INC.

FOLDER NOS. 3 and 7

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles from points within five (5) miles by the usually traveled highways of the limits of the Boroughs of Bradford and Eldred, McKean County; Warren, Warren County; Titusville, Crawford County; Oil City, Venango County; Butler and Karns City, Butler County, to points in the Pennsylvania east of a line running northeast and southwest from the New York-Pennsylvania state line near Eldred, McKean County, southwesterly through Renovo, Clinton County and Tyrone, Blair County and hereinafter referred to as the Renovo-Tyrone Line.

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles for the Tulsa Petroleum Corporation from Marcus Hook, Delaware County, and Eldred, McKean County and from point to point in Pennsylvania, as designated by the Tulsa Petroleum Corporation and vice versa.

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles for the Pennsylvania Refining Company from points in the City of Scranton, Lackawanna County, to points in the territory east of the Renovo - Tyrone Line, starting at a point in the northeasterly part of Pennsylvania on the New York - Pennsylvania Border at or near Hallstead; thence to Honesdale; thence to Stroudsburg; thence to Easton; thence to Marcus Hook; thence to Reading; thence to Clarks Ferry; thence to Butler; thence to Franklin; thence to Titusville; thence to Warren; thence to Bradford; thence to Eldred; thence in a straight line along the Pennsylvania - New York Border to the place of beginning.

To transport, as a Class D Carrier, petroleum and petroleum products in bulk, in tank vehicles, between points in the Borough of Macungie, Lehigh County and within one hundred fifty (150) miles of the limits of said Borough.

FOLDER 7, AM-A

To transport, as a Class D Carrier, litharge, dry, in bulk, from the Borough of Dunmore, Lackawanna County, to points in Pennsylvania, with the right to return refused, rejected, or damaged shipments to point of origin.

FOLDER 7, AM-B

To transport, as a Class D carrier, petroleum and petroleum products, in bulk, in tank-type vehicles, between points in Pennsylvania; subject to the following conditions:

1. That no right, power or privilege is granted to provide service from points in the Borough of Warren, Warren County, to points in the Borough of Northeast, Erie County, and the Borough of Corsica, Jefferson County.

2. That no right, power or privilege is granted to provide service for United Refining Company; Pennzoil Products Co.; Witco Chemical Co.; Kendall-Amalie Division, from, to or between points in the counties of Warren, Venango and McKean.

ications of the following for approval of the beginning the exercise of the right and privilege of operating motor vehicles as common carriers for transportation of property described under each application.

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A-00109906, Donald R. Jackson (Box 24, C.A. Lacey Street, Laceyville, Wyoming County, Pa. 18623)—coal and coal silt, for Suscon Sales Corp. from its facilities in Millersburg, Cherry Township, Sullivan County, to points in Pennsylvania, and vice versa: which is to be in effect within an airline distance of 150 statute miles of the limits of said township. Application for temporary authority has been filed at A-00109906, seeking the right defined above.

A-00109937, Court Courier Systems, Inc. (535 Boulevard, P.O. Box 294, Kenilworth, NJ 07033-0294), a corporation of the State of New Jersey—financial documents and instruments, and supplies used in the conduct of banking related activities, for banks and financial institutions, between points in Pennsylvania. Attorney: Martha A. Mahayda-Voght, 142 Highway 34, Suite 350A, Holmdel, NJ 07733.

A-00109952, Harvey T. Martin (R.D. 4, Box 4526, Johnston, Berks County, Pa. 19540)—stone, from Sheridan Corporation Quarry, located in Caernarvon Township, Berks County, to points in Berks, Chester, Delaware and Lancaster Counties. Attorney: John A. Hoffert, Jr., 536 Court Street, Reading, Pa. 19603.

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A-00102306, Folder 1, Am-J, Klapac Trucking Company (10 Allegheny Avenue, P.O. Box 1278, Oil City, Venango County, Pa. 16301), a corporation of the Commonwealth of Pennsylvania, *inter alia*—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 between points in the county of Forest, and from points in said county to points in Pennsylvania, and vice versa, subject to the following conditions: that no right, power or privilege is granted to transport household goods in use; and that no right, power or privilege is granted to transport any shipment weighing less than 10,000 pounds, except for a shipment that may weigh less than 10,000 pounds but which fills the full visible capacity of a trailer, a shipment being

defined as a quantity of freight moving from one consignor to one consignee on one bill of lading. Attorney: John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, Pa. 15222.

A-00104939, Folder 1, Am-C, York Services, Inc. t/d/b/a Quik-Trip (190 Arsenal Road, Suite D, York, York County, Pa. 17404)—(1) as a Class D carrier, parcels, packages and items of property, between points in the counties of Adams, Cumberland, Dauphin, Lancaster and York; and (2) parcels, packages and items of property, from points in the counties of Adams, Cumberland, Dauphin, Lancaster and York to other points in Pennsylvania east of a line formed by the counties of McKean, Elk, Clearfield, Blair and Bedford, but not excluding said counties; and to points in the counties of Erie and Crawford; and vice versa; with Rights No. 1 and 2 subject to the following conditions: (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 350 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip; (b) that no right, power or privilege is granted to perform service for International Business Machines Corporation to or from its facilities in the townships of Hampden and Silver Spring, Cumberland County; (c) that no right, power or privilege is granted to transport for banks or banking institutions including the Federal Reserve Bank, checks, drafts, cash letters, evidences of indebtedness, securities and other commercial papers; business, commercial, governmental and private documents, written instruments and records; accounting and data processing media; film, microfilm, microfiche, microforms, prints and related items; and materials and supplies used or useful in connection therewith; with Right No. 2 subject to the following additional conditions: (d) that no shipment shall be accepted unless it will be both picked up and delivered on the same calendar day; (e) that no right, power or privilege is granted to transport garments and wearing apparel; (f) that no right, power or privilege is granted to perform service to or from the facilities of Victualic Company of America, Union Camp Corporation or Atlantic Track and Turnout Co.; (g) that no right, power or privilege is granted to transport for printers and for advertisers bound and unbound printed paper and partially printed paper and printing orders, instructions and materials, to or from points in the counties of Berks, Bucks, Centre, Chester, Lebanon, Philadelphia, Delaware, Erie, Franklin, Lackawanna, Lehigh, Luzerne, Lycoming and Montgomery: so as to permit the modification of an existing condition against its operating authority that reads as follows: (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 350 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip; so that it shall now read as follows (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 5,000 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip. Attorney: S. Berne Smith, P.O. Box 1166, Harrisburg, Pa. 17108-1166.

A-00107256, Folder 1, Am-B, Sir Lancelot Courier Service, Inc. (202-04 West Baltimore Avenue, Media, Delaware County, Pa. 19063), a corporation of the Common-

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF

APPLICATION DOCKET

A-00102306

FOLDER 1, Am-J

KLAPEC TRUCKING COMPANY

INTERROGATORIES PROPOUNDED BY THE PROTESTANT
UNDER 62 PA. C.S.A., SECTION 333

The Protestant, Seaboard Tank Lines, Inc., through its attorney, Peter G. Loftus, Esquire, does hereby propound the following Interrogatories upon the applicant to be answered by him personally and under oath within a reasonable time not to exceed thirty (30) days after the receipt hereof as required by said Act. As used in these Interrogatories, the term "Applicant" shall include, in addition to the named party, their attorneys, agents, servants, employees, representatives, private investigators and others who are in possession of, or who may have obtained information for or on behalf of the said named party.

These Interrogatories shall be deemed to be continuing and any information secured subsequent to the filing of answers thereto which would have been includable in the answers had it been known or available shall be supplied by supplemental answers.

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
NOV 20 1981
ENTRY No. *11*

as soon as such information becomes known or available and in all events, prior to the hearing of this matter pursuant to 66 Pa. C.S.A., Section 333.

1. Identify by name and address all proposed shippers you plan to service, if the captioned application is granted.

2. For each said shipper, identify the product or products you propose to haul. If petroleum products, identify specifically what types of petroleum products, their derivatives, and/or by-products, by their generally accepted commercial names.

3. For each such product, identify by name and address to whom said product is to be delivered.

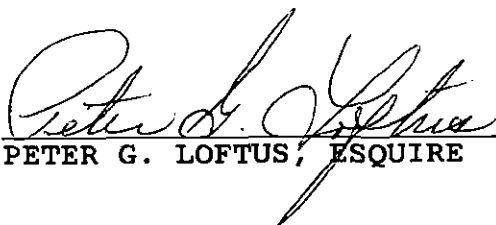
4. For each such product, identify what is the anticipated annual volume.

5. Identify by name, address and telephone number each witness you propose to call at the hearing and the subject matter of their expected testimony.

6. Will you produce, without the necessity of issuing a subpoena duces tecum, all documents, photographs, maps,

recordings or other material whatsoever which you plan to introduce at the hearing? If so, please attach copies of same to your answers.

PETER G. LOFTUS, P.C.

BY: 
PETER G. LOFTUS, ESQUIRE


Suite 724, Bank Towers
321 Spruce Street
Scranton, PA 18503-1447

Dated: _____

CERTIFICATE OF SERVICE

PETER G. LOFTUS, ESQUIRE, hereby certifies that he served a true and correct copy of the foregoing Protest and Interrogatories in the afore-captioned action by depositing same in the regular United States mail, first-class rate, postage prepaid, and addressed to John A. Pillar, Esquire, Suite 700, 312 Boulevard of the Allies, Pittsburgh, PA 15222, on the _____ day of November, 1991.

PETER G. LOFTUS, P.C.



Peter G. Loftus, Esquire
Attorney for Protestant

Suite 724, Bank Towers
321 Spruce Street
Scranton, PA 18503-1447
(717) 347-1453

KRINER, KOERBER & KIRK, P.C.

ATTORNEYS-AT-LAW

110 NORTH SECOND STREET

P. O. BOX 1320

CLEARFIELD, PENNSYLVANIA 16830

TELEPHONE (814) 765-9611

FAX (814) 765-9503

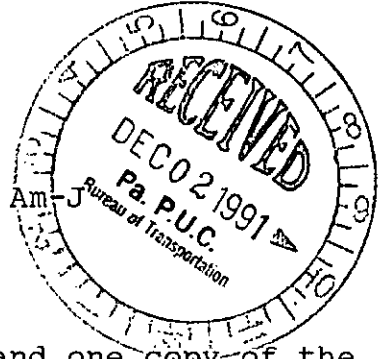
November 26, 1991

WILLIAM C. KRINER
DWIGHT L. KOERBER, JR.
ALAN F. KIRK

COUNSEL TO THE FIRM
WILLIAM T. DAVIS

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-J

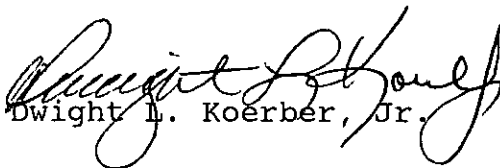


Dear Mr. Rich:

I am transmitting herewith the original and one copy of the Protest of H. E. Shoup, Inc. in opposition to the above application. As shown, a copy has been served upon applicant's representative.

I am enclosing an additional copy of this letter of transmittal, and would ask that you affix onto this letter the date upon which the subject Protest is received, and then return the letter to me. A self-addressed, stamped envelope has been enclosed for that purpose.

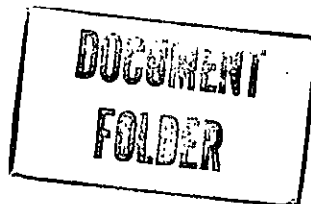
Very truly yours,


Dwight L. Koerber, Jr.

cc: H. E. Shoup, Inc.
John A. Pillar, Esquire

Enclosures: Protest
1 copy
Copy of letter
Envelope

DLK/kam



RECEIVED
NOV 27 1991
SECRETARYS OFFICE
Public Utility Commission

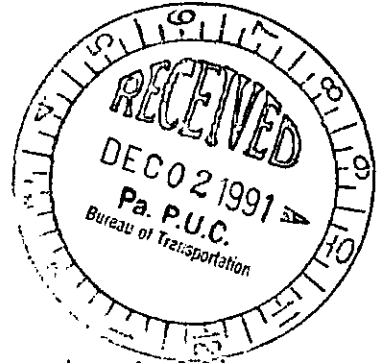
BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

KLAPEC TRUCKING COMPANY

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

PROTEST OF

H. E. SHOUP, INC.



COMES NOW, H. E. SHOUP, INC., a motor common carrier holding operating authority from the Pennsylvania Public Utility Commission, and files this, its Protest to the above application. A copy of the publication of that application is attached hereto as Appendix A.

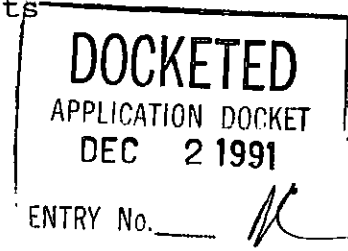
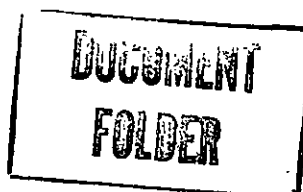
1. The name and address of Protestant are as follows:

H. E. Shoup, Inc.
R.F.D. 1
Emlenton, PA 16373

2. The name, address and telephone number of Protestant's attorney are as follows:

Dwight L. Koerber, Jr., Esquire
KRINER, KOERBER AND KIRK
110 North Second Street
P. O. Box 1320
Clearfield, PA 16830
(814) 765-9611

3. Protestant is ready, willing and able to provide all or part of the services proposed herein, consistent with its operating authority.



4. Protestant holds authority to transport containers and other related items, as set forth in its certificate in Docket Number A-107849, a copy of which is attached hereto as Appendix B.

5. It is Protestant's position that granting this application would be contrary to the public interest, as it would have an adverse impact upon the operations of Protestant by depriving it of traffic necessary to Protestant's operations.

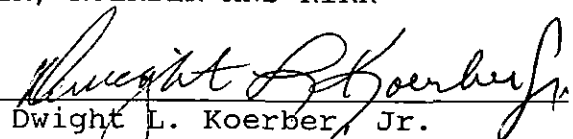
6. Protestant's interests would be satisfied if a restriction were imposed precluding the transportation of containers.

7. Protestant requests, pursuant to Section 333(c) of the Public Utility Code, that applicant furnish it with the names of supporting shippers and a summary of their testimony.

Respectfully submitted,

KRINER, KOERBER AND KIRK

By:



Dwight L. Koerber, Jr.
Attorney for Protestant
H. E. SHOUP, INC.

DATE: November 26, 1991

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of November, 1991,
I have served a copy of the foregoing Protest upon applicant's
Representative, by U. S. First Class Mail, at the following name
and address:

John A. Pillar, Esquire
PILLAR & MULROY, P.C.
312 Boulevard of the Allies
Suite 700
Pittsburgh, PA 15222


Dwight L. Koerber, Jr.

APPENDIX A

Attached hereto is a copy of the publication of the application of Klapac Trucking Company, in Docket No. A-102306, F.1, Am-J, as it appeared in the Pennsylvania Bulletin on November 9, 1991.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for transportation of property as described under each application.

A-00108305, Folder 2. Arrow Industrial Carriers, Inc. (608 North Lincoln Avenue, Moorestown, Burlington County, NJ 08057), a corporation of the State of New Jersey—material handling equipment for Ransome Lift Equipment Company and Rollins Environmental Services, Inc., from points in the counties of Delaware, Dauphin, Berks, Montgomery, Lancaster, Lebanon, Bucks, Chester, Lawrence, Lehigh, Luzerne, Philadelphia and Cumberland, to points in Pennsylvania, and vice versa: *which is to be in lieu of the contract carrier by motor vehicle permit issued to Arrow Industrial Carriers, Inc., at A-00108305, which reads as follows: material lifting equipment for Ransome Lift Equipment Company and Rollins Environmental Service, Inc., from points in the counties of Bucks, Chester, Lawrence, Lehigh, Luzerne, Philadelphia and Cumberland, to points in Pennsylvania, and vice versa.* Attorney: Richard W. Hunt, 73 South Main Street, Medford, NJ 08055.

A-00109906. Donald R. Jackson (Box 24, C. A. Lacey Street, Laceyville, Wyoming County, Pa. 18623)—coal and coal silt, for Suscon Sales Corp. from its facilities in Mildred, Cherry Township, Sullivan County, to points within an airline distance of 150 statute miles of the limits of said township. Application for temporary authority has been filed at A-00109906, seeking the right cited above.

A-00109937. Court Courier Systems, Inc. (535 Boulevard, P. O. Box 294, Kenilworth, NJ 07033-0294), a corporation of the State of New Jersey—financial documents and instruments, and supplies used in the conduct of banking related activities, for banks and financial institutions, between points in Pennsylvania. Attorney: Martha A. Suhayda-Voght, 142 Highway 34, Suite 350A, Holmdel, NJ 07733.

A-00109952. Harvey T. Martin (R. D. 4, Box 4526, Mohnton, Berks County, Pa. 19540)—stone, from Sheridan Corporation Quarry, located in Caernarvon Township, Berks County, to points in Berks, Chester, Delaware and Lancaster Counties. Attorney: John A. Hoffert, Jr., 536 Court Street, Reading, Pa. 19603.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of property as described under each application.

A-00102306, Folder 1, Am-J. Klapac Trucking Company (70 Allegheny Avenue, P. O. Box 1278, 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 between points in the county of Forest, and from points in said county to points in Pennsylvania, and vice versa, subject to the following conditions: that no right, power or privilege is granted to transport household goods in use; and that no right, power or privilege is granted to transport any shipment weighing less than 10,000 pounds, except for a shipment that may weigh less than 10,000 pounds but which fills the full visible capacity of a trailer, a shipment being*

defined as a quantity of freight moving from one consignor to one consignee on one bill of lading. Attorney: John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, Pa. 15222.

A-00104939, Folder 1, Am-C. York Services, Inc. t/d/b/a Quik-Trip (190 Arsenal Road, Suite D, York, York County, Pa. 17404)—(1) as a Class D. carrier, parcels, packages and items of property, between points in the counties of Adams, Cumberland, Dauphin, Lancaster and York; and (2) parcels, packages and items of property, from points in the counties of Adams, Cumberland, Dauphin, Lancaster and York to other points in Pennsylvania east of a line formed by the counties of McKean, Elk, Clearfield, Blair and Bedford, but not excluding said counties; and to points in the counties of Erie and Crawford; and vice versa; with Rights No. 1 and 2 subject to the following conditions: (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 350 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip; (b) that no right, power or privilege is granted to perform service for International Business Machines Corporation to or from its facilities in the townships of Hampden and Silver Spring, Cumberland County; (c) that no right, power or privilege is granted to transport for banks or banking institutions including the Federal Reserve Bank, checks, drafts, cash letters, evidences of indebtedness, securities and other commercial papers; business, commercial, governmental and private documents, written instruments and records; accounting and data processing media; film, microfilm, microfiche, microforms, prints and related items; and materials and supplies used or useful in connection therewith; with Right No. 2 subject to the following additional conditions: (d) that no shipment shall be accepted unless it will be both picked up and delivered on the same calendar day; (e) that no right, power or privilege is granted to transport garments and wearing apparel; (f) that no right, power or privilege is granted to perform service to or from the facilities of Victualic Company of America, Union Camp Corporation or Atlantic Track and Turnout Co.; (g) that no right, power or privilege is granted to transport for printers and for advertisers bound and unbound printed paper and partially printed paper and printing orders, instructions and materials, to or from points in the counties of Berks, Bucks, Centre, Chester, Lebanon, Philadelphia, Delaware, Erie, Franklin, Lackawanna, Lehigh, Luzerne, Lycoming and Montgomery: *so as to permit the modification of an existing condition against its operating authority that reads as follows: (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 350 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip; so that it shall now read as follows (a) that no right, power or privilege is granted to transport any single shipment weighing in excess of 5,000 pounds from one consignor to one consignee on any one calendar date, with a shipment defined as one lot of freight from one consignor to one consignee at one location on the same trip.* Attorney: S. Berne Smith, P. O. Box 1166, Harrisburg, Pa. 17108-1166.

A-00107256, Folder 1, Am-B. Sir Lancelot Courier Service, Inc. (202-04 West Baltimore Avenue, Media, Delaware County, Pa. 19063), a corporation of the Common-

APPENDIX B

Attached hereto is a copy of Protestant's operating authority in A-107849 and Amendments thereto.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held February 25, 1988

Commissioners Present:

Bill Shane, Chairman
William H. Smith, Vice-Chairman
Linda C. Taliaferro
Frank Fischl

Application of H. E. Shoup, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, (1) coal, limestone, sand and gravel between points in the counties of Venango, Clarion and Butler, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; subject to the following condition: that no right, power or privilege is granted to transport coal between or from points in Clarion County; (2) coal and coal products between points in the county of Jefferson; (3) coal and coal products from points in the county of Jefferson to points in the counties of Crawford, Warren and McKean; (4) empty containers including steel, wood, fiber and other types of empty containers, between points in the city of Butler, Butler County, and within an airline distance of one hundred twenty-five (125) statute miles of the limits of said city, and from said territory to points in Pennsylvania, and vice versa; and (5) pallets, between points in the city of Butler, Butler County, and within an airline distance of one hundred twenty-five (125) statute miles of the limits of said city, and from said territories to points in Pennsylvania, and vice versa; which is to be a transfer of the rights authorized under the certificate issued at A-00094495 to H. E. Shoup, subject to the same limitations and conditions.

A-00107849

Kriner, Koerber and Kirk by Dwight L. Koerber, Jr., for
the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed November 23, 1987. Public notice of the application was given in the Pennsylvania Bulletin of December 12, 1987. No protests were filed and the application is certified to the Commission for its decision without an oral hearing.

H. E. Shoup, Inc. (applicant or transferee), R. D. #3, Emlenton, Venango County, is a Pennsylvania corporation which was organized on October 26, 1987. The sole officer and stockholder of the applicant is Helen E. Shoup, who is president and holds 100 shares of common stock. Helen E. Shoup is married to Guy W. Shoup who owns all of the stock of Venco Trucking, Inc., A-00083875. Helen E. Shoup is a director and secretary/treasurer for Venco Trucking, Inc.

The transfer application was submitted because the transferor, H. E. Shoup, has elected to operate as a corporation, rather than a sole proprietorship. Pursuant to the sales agreement of November 19, 1987, the applicant intends to purchase all of the common carrier authority of the transferor, which totals five rights. The total consideration for the five common carrier rights is the nominal sum of one dollar (\$1.00). There is no tangible property involved in the transfer proceeding.

The pro forma balance sheet of the applicant sets forth that the corporation has total assets of \$4,000, notes payable of \$3,500 and capital stock of \$500. Since the corporation is new, it has no revenue statement.

The transferor, H. E. Shoup, is authorized to transport the commodities of coal, coal products, limestone, sand, gravel, empty containers and pallets. The Annual Reports for the years 1984, 1985 and 1986, set forth that the transferor generated total revenue of \$54,111, \$68,380 and \$239,039, respectively. The transferor has evidence of insurance on file, has paid her due assessments and has no outstanding complaints.

We find:

1. The applicant is fit to hold a certificate of public convenience.
2. That there is a continuing necessity for the rights herein involved.
3. That approval of the instant application is necessary for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for transfer of the rights held by H. E. Shoup at A-00094495, be and is hereby approved, and that a certificate be issued to the applicant granting the following rights:

- (1) To transport, as a Class D carrier, coal, limestone, sand and gravel between points in the counties of Venango, Clarion and Butler, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination;

with right No. 1 subject to the following condition:

That no right, power or privilege is granted to transport coal between or from points in Clarion County.

- (2) To transport, as a Class D carrier, coal and coal products between points in the county of Jefferson.
- (3) To transport, as a Class D carrier, coal and coal products from points in the county of Jefferson to points in the counties of Crawford, Warren and McKean.
- (4) To transport, as a Class D carrier, empty containers including steel, wood, fiber and other types of empty containers, between points in the city of Butler, Butler County, and within an airline distance of one hundred twenty-five (125) statute miles of the limits of said city, and from said territory to points in Pennsylvania, and vice versa.
- (5) To transport, as a Class D carrier, pallets, between points in the city of Butler, Butler County, and within an airline distance of one hundred twenty-five (125) statute miles of the limits of said city, and from said territory to points in Pennsylvania, and vice versa.

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, \$1.00, 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 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 66 Pa. C.S.A. §1102(3).

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 has complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of evidence of insurance and a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1987 Annual Report of the transferor.

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, H. E. Shoup, at A-00094495 be cancelled and the record be marked closed.

BY THE COMMISSION,

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: February 25, 1988

ORDER ENTERED:

FILE

CONTINUED