

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
September 8, 1987	:	SEP-87-T-1111*
3. <u>BUREAU:</u>	:	
Transportation	:	
4. <u>SECTION</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	September 25, 1987
6. <u>APPROVED BY:</u>	:	
Director: Ernst 7-2154	:	
Supervisor: Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
G. Travitz 3-5947	:	
9. <u>DOCKET NO.:</u>	:	
A-00102306, F. 1, Am-G	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		

DOCKETED

OCT 15 1987

(a) Application of Klapec Trucking Company, Oil City, Venango County, a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate: SO AS TO PERMIT the transportation of property (excluding commodities in bulk) for Pennzoil Products Company, between points in Pennsylvania; and restricted to shipments originating at or destined to facilities owned or used by Pennzoil Products Company.

(b) The application was protested by two carriers which withdrew upon reconsideration without restrictive amendment. The applicant has demonstrated a necessity for the proposed service. Approval of the application is necessary for the accommodation and convenience of the public.

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

DOCUMENT  
FOLDER

11. MOTION BY:	Commissioner Chm. Shane	Commissioner Fischl - Yes
		Commissioner Smith - Not Voting
SECONDED:	Commissioner Taliaferro	Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

Commissioner William H. Smith has recused himself from this proceeding.



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120  
October 7, 1987

IN REPLY PLEASE  
REFER TO OUR FILE

A-00102306  
F.1, Am-G

John P. Pillar, Esquire  
Pillar & Mulroy  
Suite 700  
312 Boulevard of the Allies  
Pittsburgh, PA 15222



Application of Klapac Trucking Company, a corporation of the Commonwealth of Pennsylvania

Enclosed is the compliance order issued by the Commission in this proceeding.

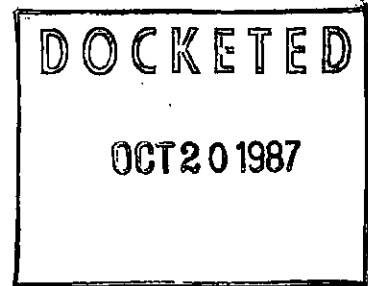
The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

Motor carriers operating without complying with the above requirement will be subject to the penalty provisions of the Public Utility Code.

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of September 25, 1987 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich  
Secretary



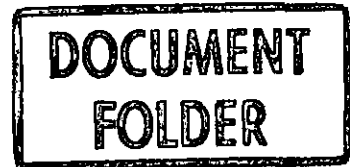
fao  
Enclosure  
Certified Mail  
Receipt Requested  
Tariff Contact Person: Joseph Machulsky (717) 787-5521  
cc: Klapac Trucking Company  
R.D. #1  
673 North Seneca Street  
Oil City, PA 16301

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held September 25, 1987

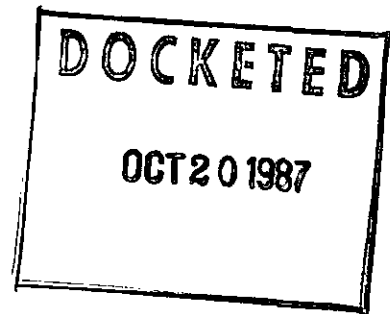
Commissioners Present:

Bill Shane, Chairman  
Linda C. Taliaferro  
Frank Fischl  
William H. Smith, not voting



Application of Klapec Trucking Company, a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, property, for Diamond-Bathurst, Inc., from its facilities located in the borough of Knox, Clarion County, to points in Pennsylvania, and vice versa; subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk: SO AS TO PERMIT the transportation of property (excluding commodities in bulk) for Pennzoil Products Company, between points in Pennsylvania; restricted to shipments originating at or destined to facilities owned or used by Pennzoil Products Company.

A-00102306  
F. 1  
Am-G



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Pillar and Mulroy by John A. Pillar for the applicant.  
Kriner, Koerber and Kirk by Dwight L. Koerber, Jr. for protestants,  
H. E. Shoup, and Venco Trucking, Inc.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed February 17, 1987. Public notice of the application was published in the Pennsylvania Bulletin of March 7, 1987 and protests were received from two carriers. Both protestants withdrew upon reconsideration without restrictive amendment.

The now unopposed application is certified to the Commission without oral hearing. The record consists of verified statements entered by the applicant and one supporting shipper.

We find that:

1. Klapac Trucking Company, a corporation of the Commonwealth of Pennsylvania, currently operates pursuant to a common carrier certificate issued by this Commission on March 12, 1981.

2. By the instant application, applicant seeks additional authority to transport property for a single shipper between points in Pennsylvania.

3. Applicant has terminal and office facilities located at 70 Allegheny Avenue, Reno, Venango County.

4. Applicant currently serves the supporting shipper under its currently held P.U.C. authority and I.C.C. authority, but cannot provide service from all of the shipper's facilities.

5. Applicant operates 41 tractors, 13 straight trucks and 74 trailers. The 74 trailers consist of vans, flatbeds, drop-deck and lowboys, including other specialized trailers.

6. Applicant employs approximately 50 drivers and eight full-time mechanics. All equipment receives regular service and safety checks and the drivers conduct a visual inspection of the equipment at the beginning and completion of each haul.

7. Applicant has total assets of \$2,408,829, total liabilities of \$1,470,197 and total shareholders' equity of \$938,632. On revenues of \$4,260,062, less operating expenses of \$4,219,017, a net income of \$41,045 was realized before taxes. A net income of \$37,043 was realized.

9. Pennzoil Products Company is a manufacturer of various petroleum products including motor oil, greases, gear lubes, rust preventative compounds, brake fluids, and transmission fluid. Shipper supports the application for the transportation of these commodities in various types of containers from its manufacturing facilities at Rouseville, Reno and Mundys Corner. The shipment of these commodities is also required from company-owned, branch and warehouse facilities located in Erie, Pittsburgh, Pittston and Huntingdon Valley. Service is required to customers throughout Pennsylvania.

10. Pennzoil ships 20 to 25 truckloads per week of packaged petroleum products from its facilities in Rouseville, Reno and Mundys Corner to points in Pennsylvania. In addition, Pennzoil receives inbound shipments of containers and finished products in volumes of five to eight truckloads per week from suppliers in Pittsburgh and New Kensington; inbound shipments of containers from Bradford in volumes of three to four truckloads per week; inbound shipments of pallets from its

branch facilities, as well as return products from its branch facilities on the average of two to three truckloads per week.

11. Outbound shipments are required from Pennzoil's manufacturing facilities as well as its branch locations to such points as Erie, Clearfield, Meadville, Pittsburgh, Washington, Johnstown, Harrisburg, York, Reading, Pittston, Huntingdon Valley, Philadelphia, and Paxinos. Inbound shipments of containers and finished products originate at Pittsburgh and New Kensington; inbound shipments of containers originate at Bradford, and inbound shipments of pallets and return products originate at its branch locations in Erie, Pittsburgh, Pittston, and Huntingdon Valley.

12. Applicant has the equipment, experience and fitness necessary to render the proposed service and the supporting shipper has demonstrated a need for the service as proposed.

13. A review of applicant's records reveals that all reports have been filed, the assessment has been paid, and the insurance is in full force.

13. Applicant has established that approval of the application is necessary for the accommodation and convenience of the public; THEREFORE,

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

To transport, as a Class D carrier, 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:

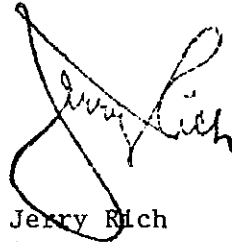
That no right, power or privilege is granted to transport commodities in bulk.

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 the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,

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

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: September 25, 1987

ORDER ENTERED: OCT 07 1987

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address.      2.  Restricted Delivery.

3. Article Addressed to: <i>A102306, F1AM-G</i> <i>John A Pillar</i>	4. Article Number <b>44253</b> Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express-Mail Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>
5. Signature - Addressee X	8. Addressee's Address (ONLY if requested and fee paid) 7
6. Signature - Agent X <i>S. Ward</i>	
7. Date of Delivery <b>OCT 9 1987</b>	

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do so will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address.      2.  Restricted Delivery.

3. Article Addressed to: <i>A102306 F1AM-H</i> <i>Dwight S. Kober</i>	4. Article Number <b>44254</b> Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express-Mail Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>
5. Signature - Addressee X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>Kim McCartney</i>	
7. Date of Delivery <b>OCT 8 1987</b>	

PS Form 3811, Feb. 1986 DOMESTIC RETURN RECEIPT