

KJR

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
December 3, 1991

In Re: A-00102306, F001, Am-I

(See attached list)

Application of Klapec Trucking Company

Amendment 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.

NOTICE

The Public Utility Code directs that hearings shall be commenced in this case by the Administrative Law Judge within 90 days after the proceeding is initiated.

In compliance with this directive, an initial hearing is hereby scheduled for Tuesday, January 21, 1992, at 10:00 a.m., in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222.

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

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

- cc: Judge Porterfield
- " Mr. Bramson
- Ms. Kelly
- Mrs. Howell
- Docket Room

DOCKETED
DEC 10 1991

DOCKETED

A-00102306, F001, Am-I Parties of Record

John A. Pillar, Esquire
Pillar & Milroy
Suite 700
312 Boulevard of The Allies
Pittsburgh, PA 15222

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

Peter G. Loftus, Esquire
Suite 724
Bank Towers
Scranton, PA 18503

Henry L. Wahls, Jr.
A. Duie Pyle, Inc.
P.O. Box 564
West Chester, PA 19381

PENNSYLVANIA PUBLIC UTILITY COMMISSION

KJR



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.

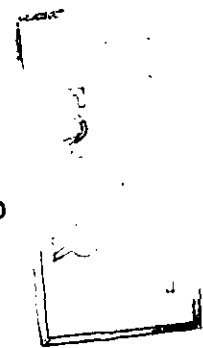
KLAPEC TRUCKING CO.
70 ALLEGHENY AVENUE
PO BOX 1278
OIL CITY PA 16301

DOCKETED
DEC 10 1991

Date December 9, 1991

CR 147536 A

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



Revenue account 001780-017601-102 (ck)

ck 25372 checks \$350.00 Currency _____

Utility account 50:26

C. Joseph Meisinger
For Department of Revenue

PILLAR AND MULROY, P.C.

ATTORNEYS-AT-LAW

SUITE 700

312 BOULEVARD OF THE ALLIES

PITTSBURGH, PA 15222 - 1916

TELEPHONE (412) 471-3300

FAX: (412) 471-6068

ORIGINAL

KJR

JOHN A. PILLAR
THOMAS M. MULROY
ANTHONY A. SEETHALER, JR.

December 18, 1991

Re: Klapec Trucking Company
Docket No. A-00102306, F.1, Am-I
File No. 689-14

RECEIVED
DEC 23 1991
SECRETARY'S OFFICE
Public Utility Commission

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

Dear Mr. Rich:

We represent Klapec Trucking Company, the applicant in the above docketed proceeding. After further consideration, we have been instructed by our client to withdraw the application in the above docketed proceeding. The hearing scheduled for Tuesday, January 21, 1992, may be cancelled. Thank you for your cooperation in this matter.

DOCKETED

JAN 06 1992

Very truly yours,

John A. Pillar
sw

JOHN A. PILLAR

sw
cc: Hon. James Porterfield
Klapec Trucking Company
Peter J. Loftus, Esq.
Henry L. Wahls

DOCUMENT
FOLDER



KJR

December 19, 1991

ORIGINAL
RECEIVED

DEC 20 1991

SECRETARY'S OFFICE
Public Utility Commission

DOCKETED
JAN 06 1992

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

KLAPEC TRUCKING COMPANY
A-102306, F.1, Am-J

Dear Mr. Rich:

Please be advised that, upon further consideration, Butler Trucking Company wishes permission to withdraw its protest which I earlier filed on behalf of this carrier.

Very Truly Yours,

BUTLER TRUCKING COMPANY

David F. McAllister,
Director of Marketing

DFM/bj1

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

DOCUMENT
FOLDER

A. DUIE PYLE, INC.

KJR

650 WESTTOWN ROAD, P.O. BOX 564, WEST CHESTER, PA 19381-0564 215 696-5800

Warehousing and Distribution

December 18, 1991

Administrative Law Judge
James Porterfield
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
11th Floor Hearing Room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA. 15222

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FOLDER

RECEIVED
DEC 23 1991

SECRETARY'S OFFICE
Public Utility Commission

Re: Application of Klapec Trucking
A-00102306, F001, Am-I

Dear Judge Porterfield:

In a conversation with Mr. Bill Lyman of G.O. Carlson at 10:44 AM, of December 16, 1991, he stated Carlson would not be supporting Klapec. A further conversation with Burt Klapec of the applicant, I confirmed the application has no further reason to proceed. I therefore, request the application proceedings be closed.

We do wish to remain a party of record.

Very truly yours,

HW/bb

cc: Burt Klapec
John A. Pillar, Esquire
Jerry Rich, Secretary of Pa. P.U.C.

Jerry Rich

KJR

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
January 9, 1992

In Re: A-00102306, F001, Am-I

(See letter of 12/3/91)

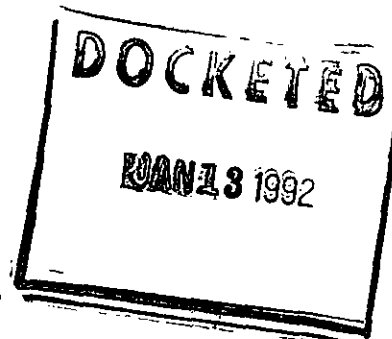
Application of Klapec Trucking Company

Amendment 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.

NOTICE

This is to inform you that at the request of counsel for the applicant, the initial hearing now scheduled to be held on Tuesday, January 21, 1992, at 10:00 a.m., in Pittsburgh, in the subject proceeding has been cancelled, the application is to be withdrawn.

cc: Judge Porterfield
Mr. Frazier - PIO
Mrs. Lewis
Mrs. Howell
Docket Room



782683

AL5

PILLAR AND MULROY, P.C.
ATTORNEYS-AT-LAW
SUITE 700
312 BOULEVARD OF THE ALLIES
PITTSBURGH, PA 15222 - 1916
TELEPHONE (412) 471-3300
FAX: (412) 471-6068

RECEIVED
JAN 10 1992
SECRETARY'S OFFICE
Public Utility Commission

JOHN A. PILLAR
THOMAS M. MULROY
ANTHONY A. SEETHALER, JR.

January 9, 1992

ORIGINAL

Re: Klapec Trucking Company
Docket No. A-00102306, F.1, Am-J
File No. 689-13

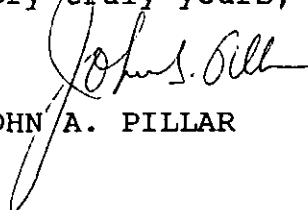
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Hon. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

Dear Mr. Rich:

Enclosed for filing are the original and two copies of a restrictive amendment and withdrawal of protest in connection with the above docketed proceeding. This application is now unopposed and applicant requests that it be submitted to the Technical Review Section for disposition.

Very truly yours,



JOHN A. PILLAR

sw

Enclosures

cc: Dwight L. Koerber, Jr., Esq.
Peter G. Loftus, Esq.
Butler Trucking Company

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

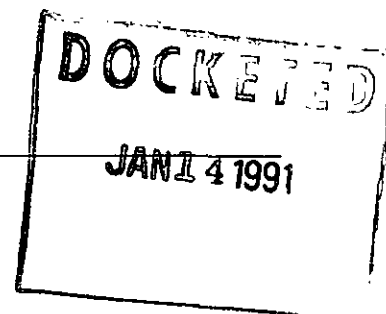
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SECRETARY'S OFFICE
Public Utility Commission

Application of
KLAPEC TRUCKING COMPANY

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



RESTRICTIVE AMENDMENT

I. Klapec Trucking Company hereby amends the application in the above docketed proceeding so that the authority sought will be as follows:

(1) To transport 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 condition:

PROVIDED that no right, power or privilege is granted to transport household goods in use;

PROVIDED further, that no right, power or privilege is granted to transport any shipment weighing less than 10,000 pounds, except for shipment that may weight less than 10,000 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;

PROVIDED further, that no right, power or privilege is granted to transport plastic bottles; and

PROVIDED further, that no right, power or privilege is granted to transport petroleum and petroleum products in bulk, in tank vehicles or dry litharge, in bulk.

II. Based on the foregoing amendment, and conditioned upon its acceptance by the Commission and any grant being consistent with the amendment, the parties listed on the attached appendices hereby withdraw their respective protests.

III. Counsel for the aforesaid parties will remain of record for the purpose of receiving copies of all notices and orders issued in this proceeding. Said counsel and parties they represent are as follows:

Appendix "A" - Dwight L. Koerber, Jr., Esq.
Kriner, Koerber & Kirk, P.C.
110 North Second Street
P. O. Box 1320
Clearfield, PA 16830
Attorney for
H. E. Shoup, Inc.

Peter G. Loftus, Esq.
Suite 724 Bank Towers
321 Spruce Street
Scranton, PA 18503-1447
Attorney for
Seaboard Tank Lines, Inc.

Dated at Pittsburgh, PA, this 28th day of December,
1997.

PILLAR AND MULROY, P.C.

By: 

JOHN A. PILLAR
Attorney for
KLAPEC TRUCKING COMPANY

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of
KLAPEC TRUCKING COMPANY

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

WITHDRAWAL OF PROTEST

H. E. SHOUP, INC., by its attorney of record, hereby withdraw its protest to the above application based on the restrictive amendment to which this withdrawal statement is attached.

By: 

DWIGHT L. KOERBER, JR., ESQ.
Kriner, Koerber & Kirk, P.C.
110 North Second Street
P. O. Box 1320
Clearfield, PA 16830
Counsel for the
Protestants Named Above

Dated: 1/2/92, 1992

DOCUMENT
FOLDER

DOCKETED
JAN 4 1991

Appendix "A"

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of
KLAPEC TRUCKING COMPANY

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

WITHDRAWAL OF PROTEST

SEABOARD TANK LINES, INC., by its attorney of record, hereby withdraw its protest to the above application based on the restrictive amendment to which this withdrawal statement is attached.

By: *Peter G. Loftus*
PETER G. LOFTUS., ESQ.
Suite 724 Bank Towers
321 Spruce Street
Scranton, PA 18503
Counsel for the
Protestants Named Above

Dated: 1/3, 1992

DOCUMENT
FOLDER

DOCKETED
JAN 14 1991

Appendix "A"



December 19, 1991

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

Re: KLAPEC TRUCKING COMPANY
A-102306, F.1, Am-J

Dear Mr. Rich:

Please be advised that, upon further consideration, Butler Trucking Company wishes permission to withdraw its protest which I earlier filed on behalf of this carrier.

Very Truly Yours,

BUTLER TRUCKING COMPANY

A handwritten signature in cursive script, appearing to read "David F. McAllister".

David F. McAllister,
Director of Marketing

DFM/bj1

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

APPEARANCE SHEET

ALJ HEARING REPORT

KJR

DOCKET NO. A-00102306, F001, Am-I

CASE NAME Klapec Trucking Company

HEARING LOCATION Pittsburgh, PA.

HEARING DATE Jan. 21, 1992

ALJ Porterfield

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES NO

Testimony taken YES NO

Hearing concluded YES NO

Further hearing needed YES NO

Estimated add'l days: _____

RECORD CLOSED YES NO

Date

Briefs to be filed YES NO

Date

BENCH DECISION YES NO

REMARKS: Cancelled Applicant
to be with him

RECEIVED

JAN 21 1992

Office of A. L. J.
Public Utility Commission

DOCUMENT

FOLDER

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
PLEASE PRINT CLEARLY
INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS			APPEARING FOR
Telephone No. ()	City	State	Zip	
Telephone No. ()	City	State	Zip	
Telephone No. ()	City	State	Zip	

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Reporter

[Handwritten signature]

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Telephone No. ()

DATE: January 22, 1992

SUBJECT: A-00102306, F.a, Am-I - Klapec Trucking Company

TO: Janet Patrick
Secretary's Bureau

FROM: Kathleen S. Gilson *ksq*
Office of ALJ

RECEIVED
JAN 23 1992
SECRETARY'S OFFICE
Public Utility Commission

On December 18, 1991, a Petition for Leave to Withdraw was filed in the above-captioned proceeding by John A. Pillar, Esquire. If no objection is filed to this petition within ten (10) days of service pursuant to 52 Pa. Code §5.94, this proceeding will be closed at that time.

All parties should be notified that the case is closed and a copy of that notification placed in the document folder.

ATTACHMENT

pc: Michael Ciarvella
Bud Huntington
ALJ Porterfield

DOCKETED
FEB 04 1992

**DOCUMENT
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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

January 31, 1992

IN REPLY PLEASE
REFER TO OUR FILE

JOHN A PILLAR
ATTORNEY AT LAW
SUITE 700
312 BOULEVARD OF THE ALLIES
PITTSBURGH PA 15222-1916

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

Dear Mr. Pillar:

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

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

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

You should be aware of the fact that the verified statements will be reviewed based on the Commission's decision in the Application of Bluebird Coach Lines, Inc. A-00088807, F. 2, Am-K, which indicates: (1) the supporting witnesses must give evidence which is probative and relevant to the application proceeding; (2) the supporting witnesses must identify Pennsylvania origin and destination points between which they require transportation and those points must correspond with the scope of the operating territory specified in the application including requests for vice versa authority; and (3) the number of witnesses which will represent a cross section of the public on the issue of need will vary with the breadth of the intended territory and commodity description.

You are being granted an initial thirty (30) days to file verified statements. They will be due on or before March 2, 1992.

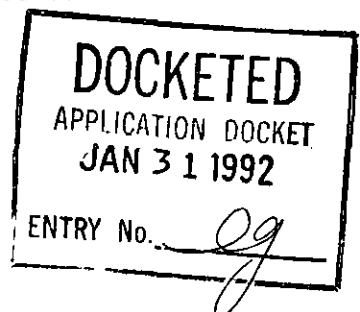
If additional time is required, it may be requested by telephone but must be followed in writing with the reasons for the extension stated.

Questions about your application should be directed to Richard White.

Very truly yours,

Richard White

Technical Review Section
Bureau of Transportation



RW:np