

1. <u>REPORT DATE:</u> April 9, 1984	:	2. <u>BUREAU AGENDA NO.</u>
3. <u>BUREAU:</u> Non-Rail Transportation	:	MAY-84-TNR-527*
4. <u>SECTION(S):</u> Technical Review	:	5. <u>PUBLIC MEETING DATE:</u>
6. <u>APPROVED BY:</u> Director: Ernst 7-2154 Supervisor: Marzolf/Bigelow 3-5945	:	May 11, 1984
7. <u>MONITOR:</u> Commissioner Cawley	:	
8. <u>PERSON IN CHARGE:</u> White 7-4387	:	
9. <u>DOCKET NO:</u> A-00105185	:	

10. (a) **CAPTION** (abbreviate if more than 4 lines)
 (b) **Short summary of history & facts, documents & briefs**
 (c) **Recommendation**

(a) Application of Kevin R. McHale, t/d/b/a McHale Delivery Service, for the right to begin to transport, as a contract carrier, by motor vehicle, duplicating machines and other machines used in the printing industry, for AM International, Inc., from points in the borough of West Reading, Berks County, to points in Pennsylvania, with the right to return shipments to the point of origin; copiers, postage machines, postal scales and other office products, for Pitney Bowes, Inc., from its facilities located in the city of Reading, Berks County, and the city of Harrisburg, Dauphin County, to points in Pennsylvania.

(b) The application is unopposed and no hearings were held. We find that the applicant has shown that he is fit, ready, willing and able to properly render the service. Contracts between the applicant and the two shippers have been submitted and do meet the provisions of 52 Pa. Code §31.45.

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

11. **MOTION BY:** CommissionerChm. Taliaferro Commissioner Johnson - Absent
 Commissioner Fischl - Yes
SECONDED: CommissionerCawley Commissioner Shane - Yes

CONTENT OF MOTION: Staff recommendation adopted.

DOCUMENT
FOLDER

RECEIVED
MAY 11 1984



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

May 21, 1984

IN REPLY PLEASE
REFER TO OUR FILE
A-00105185

Kevin R. McHale
R. D. #7, Box 428
Reading, PA 19606

Application of Kevin R. McHale, t/d/b/a McHale Delivery
Service

Dear Sir:

Enclosed is the compliance order issued by the
Commission in the above entitled proceeding.

The contract carrier permit evidencing the Com-
mission's approval of the right to operate will not be
issued until the applicant has complied with the following
insurance and tariff requirements:

- I Arrange through insurance agent to have
his company file a certificate of public
liability and property damage insurance.
Insurance companies have these certificates.
(Form E)
- II Arrange through insurance agent to have
his company file a cargo insurance
certificate in the amount of \$2500 per
vehicle. Insurance companies have these
certificates. (Form UCPC-31) Exemption
from the cargo insurance requirements may
be secured by having shippers file enclosed
Form UCPC-34.
- III Prepare and file a tariff, instructions
for which are enclosed.

DOCUMENT
FOLDER

DOCKETED

MAY 23 1984

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

May 21, 1984

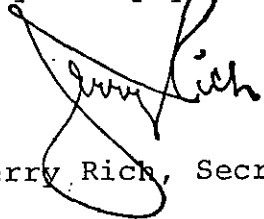
A-00105185

No motor carrier shall operate or engage in any transportation until all of the above requirements have been complied with and a contract carrier permit issued authorizing actual operations. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Law.

Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty day period will cause the Commission to rescind the action of May 11, 1984 and dismiss the application without further proceedings.

If you foresee any problems in obtaining the necessary requirements within the sixty day period, please contact the Pennsylvania Public Utility Commission - Service Section.

Very truly yours,



Jerry Rich, Secretary

lg
Enclosures
Certified Mail
Receipt Requested

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held May 11, 1984

Commissioners Present:

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

Application of Kevin R. McHale,
t/d/b/a McHale Delivery Service,
for the right to begin to transport,
as a contract carrier, by motor
vehicle, duplicating machines and
other machines used in the printing
industry, for AM International,
Incorporated, from points in the
borough of West Reading, Berks County,
to points in Pennsylvania, with
the right to return shipments to the
point of origin; copiers, postage
machines, postal scales and other
office products, for Pitney Bowes,
Inc., from its facilities located
in the city of Reading, Berks County,
and the city of Harrisburg, Dauphin
County, to points in Pennsylvania.

A-00105185

Kevin R. McHale pro se.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on August 10, 1983, and published in the Pennsylvania Bulletin of December 17, 1983. There are no protests and the record is now certified to the Commission for its decision without oral hearing. Verified statements were submitted by the applicant and the two shippers.

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FOLDER

DOCKETED

MAY 23 1984

Kevin R. McHale is the sole proprietor of McHale Delivery Service located at R.D. 7, Reading, Berks County, and by this application, seeks initial operating authority within Pennsylvania. The proposed business will be conducted from his place of residence where the operating equipment will be stationed. Communications will be conducted by telephone.

The equipment consists of one 20 foot straight truck with hydraulic lift gate, one 16 foot step van, and one 10 foot van, all of which is owned by the applicant. The vehicles are in top shape and each is equipped with cargo restraining straps and bars. The applicant will provide each of the supporting shippers with regular pickup and delivery service and will either set up or tear down the equipment as requested. He will abide by the rules and regulations set forth by this Commission. He lists his assets as \$76,192 with liabilities of \$50,000, leaving a net worth of \$26,192.

Daniel J. Snyder is a branch manager for AM Multigraphics, Division of AM International, Penn and Third Avenues, West Reading, Berks County, and supports the applicant. The company manufactures and distributes offset duplicators, allied equipment and supplies, which it ships to points in 33 counties in Pennsylvania. Shipments are made at the rate of one to two times a month with each machine weighing 600 to 1200 pounds. There are instances when the equipment must be returned from the customers to the West Reading facility. The company will use the service proposed by the applicant and has entered into contractual agreements with him. A copy of the contract has been entered into the record.

Kevin Maier is field manager, customer engineering, for Pitney Bowes, Inc., and states that he is responsible for the shipping and receiving operations at the Reading, Berks County branch. A large assortment of office equipment such as mailing machines, copy machines and postal scales, is shipped from Reading to various customers in a seven county area serviced by the branch. The company has entered into contractual agreements with the applicant and has submitted a copy for the record.

Robert J. McConnell is the branch manager of the Harrisburg branch of Pitney Bowes and supports the applicant stating that he has need for the applicant's proposed service to transport various types of office equipment and machinery from Harrisburg to points in at least 15 counties of the Commonwealth. A copy of the contract with the applicant has been submitted for the record.

DISCUSSION AND FINDINGS

Kevin R. McHale, t/d/b/a McHale Delivery Service, seeks a contract carrier permit which would authorize him to render service under continuous contracts with AM International, Inc., and Pitney Bowes, Inc. Contracts between the applicant and both shippers have been submitted and do meet the provisions as described in 52 Pa. Code §31.45.

The applicant already owns the necessary type of equipment with which the service will be provided and appears otherwise fit to render the service in an adequate fashion. His financial position is favorable and he appears to be safety conscious.

We find:

1. That the applicant is fit, ready, willing and able to render the service as proposed.
2. That acceptable contracts between the applicant and the shippers have been submitted.
3. That approval of the application will not interfere with the safety and regulation of existing motor common carriers; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved, granting the following rights:

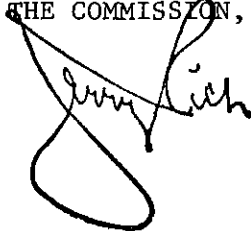
1. To transport, as a contract carrier, duplicating machines and other machines used in the printing industry, for AM International, Inc., from points in the borough of West Reading, Berks County, to points in Pennsylvania, and vice versa.
2. To transport, as a contract carrier, copiers, postage machines, postal scales, and other office products, for Pitney Bowes, Inc., from its facilities located in the city of Reading, Berks County, and the city of Harrisburg, Dauphin County, to points in Pennsylvania.

IT IS FURTHER ORDERED: That upon compliance 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 schedule of minimum rates and charges, a permit issue evidencing the Commission's approval of the right to operate as above determined.

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

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

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", is written over the text "BY THE COMMISSION,". The signature is stylized and somewhat cursive.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: May 11, 1984

ORDER ENTERED:
MAY 21 1984

PS Form 3811, July 1982

SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

- Show to whom and date delivered
- Show to whom, date, and address of delivery

2. RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)

order

A-105185

TOTAL \$ _____

3. ARTICLE ADDRESSED TO:

Kevin R. McHale

4. TYPE OF SERVICE:

- REGISTERED
- CERTIFIED
- EXPRESS MAIL
- INSURED
- COD

ARTICLE NUMBER

44459

(Always obtain signature of addressee or agent)

I have received the article described above.

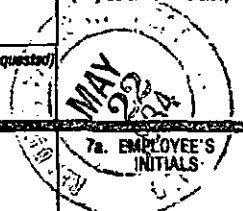
SIGNATURE Addressee Authorized agent

X Kevin R McHale

5. DATE OF DELIVERY

MAY 22 1984

POSTMARK
(may be on reverse side)



6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. EMPLOYEE'S INITIALS

RETURN RECEIPT

EXTENSION OF TIME FOR COMPLIANCE ORDERS
MOTOR CARRIERS

A. 105185

Docket Number

Kevin R. McHale

R.D. #7, Box 428

Reading, PA 19606

Applicant/Attorney

KEVIN R. McHALE, t/d/b/a McHALE DELIVERY SERVICE

Commission Order Adopted: May 11, 1984

Extension of time until: August 30, 1984

Reason for Extension: needs more time for insurance cargo filing

Outstanding Requirements: cargo ins

Requested By: Kevin McHale

DOCUMENT
FOLDER

DOCKETED
JUL 26 1984

Approval given by:

7-24-84

Elzalena McConnell Ditzler
Elzalena McConnell Ditzler
PUC - Service Section
717-787-3366