

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
September 7, 1984	:	SEP-84-TNR-1330*
3. <u>BUREAU:</u>	:	
Non-Rail Transportation	:	
4. <u>SECTION(S):</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Financial Review	:	
6. <u>APPROVED BY:</u>	:	September 28, 1984
Director: B. L. Ernst 7-2154	:	
Supervisor: S. M. Butcher 7-6872	:	
7. <u>MONITOR:</u>	:	
Commissioner Cawley	:	
8. <u>PERSON IN CHARGE:</u>	:	
J. M. Machulsky 7-5287	:	
9. <u>DOCKET NO:</u>	:	
(A-00105478)	:	

10. (a) CAPTION (abbreviate if more than 4 lines)  
 (b) Short summary of history & facts, documents & briefs  
 (c) Recommendation
- (a) Application of Victor E. Zeni, Monongahela, Washington County, at A-00105478 for approval of the transfer to applicant all of the rights held by Wallace J. Glass at A-00076913.
- (b) Transferor proposes to transfer his common carrier trucking rights to applicant for \$3,000:
- (c) The staff recommended that the transfer application at A-00105478 be approved and that a certificate issue to the applicant and that the certificate issued to the transferor at A-00076913 be cancelled.

DOCUMENT  
FOLDER

DOCKETED  
OCT 10 1984

11. MOTION BY: CommissionerChm. Taliaferro Commissioner Johnson - Yes  
 Commissioner Cawley - Yes  
 SECONDED: CommissionerShane Commissioner Fischl - Yes

CONTENT OF MOTION: Staff recommendation adopted.



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

October 9, 1984

IN REPLY PLEASE  
REFER TO OUR FILE

A-00105478

Mr. Victor E. Zeni  
1107 Stanton Street  
Monongahela, PA 15063

Application of Victor E. Zeni

Dear Sir:

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

The certificate of public convenience evidencing the Commission'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 this 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). IF ANY SINGLE LOAD WHICH THE APPLICANT TRANSPORTS DOES NOT EXCEED \$100.00 IN VALUE, HE MAY SIGN, HAVE NOTARIZED AND RETURN THE ENCLOSED AFFIDAVIT TO THIS OFFICE IN LIEU OF CARGO INSURANCE.
- III. Prepare and file a tariff, instructions for which are enclosed.

DOCUM  
FOLIO R

DOCKETED

OCT 12 1984

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

-2-

A-00105478

No motor carrier shall operate or engage in any transportation until all of the above requirements have been complied with and a certificate 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 September 28, 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,

jr  
Enclosures  
Certified Mail  
Receipt Requested

Jerry Rich, Secretary

Copy of order to:

0002  
WALLACE J. GLASS  
R. D. #1  
BULGER  
TRANSFEROR

PA 15019

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held September 28, 1984

Commissioners Present:

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

Application of Victor E. Zeni  
for approval of the transfer to  
him of all of the operating rights  
held by Wallace J. Glass at  
A-00076913.

A-00105478

O R D E R

BY THE COMMISSION:

By application docketed May 7, 1984, Victor E. Zeni, seeks approval of the transfer to him of all the rights granted to Wallace J. Glass, under the certificate issued at A-00076913.

We find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by Wallace J. Glass at A-00076913 be approved and that a certificate be issued to the applicant granting the following rights:

1. To transport, as a Class D carrier, coal for domestic consumption between points in the counties of Allegheny, Washington and Beaver, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination.
2. To transport, as a Class D carrier, coal from mines and stripping operation in the counties of Allegheny, Washington and Beaver to coal tipples and railroad sidings in the said counties, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

DOCKETED  
FOLIO R

DOCKETED  
OCT 12 1984

3. To transport, as a Class D carrier, building materials, excluding brick, in bulk in dump trucks between points in the counties of Allegheny, Washington and Beaver, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination;

subject to the following 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 his 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 \$3,000 consideration paid by applicant for the rights and going concern value of the business be capitalized by applicant in Account 1550 - Other Intangible Property or in the alternative be charged off against applicant's ownership equity less any amount recorded under condition 2 above; provided the latter is sufficient in amount to absorb said charge off.
4. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
5. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.


IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until he has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending submission of transferors Supplemental Assessment due for fiscal year 1984-85.

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 Wallace J. Glass at A-00076913 be cancelled and the record be marked closed.

BY THE COMMISSION,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: September 28, 1984

ORDER ENTERED: OCT 9 1984

PS Form 3811, July 1983

*A-105478 Order*

**SENDER: Complete items 1, 2, 3 and 4.**  
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this 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 service(s) requested.

1.  Show to whom, date and address of delivery.  
 2.  Restricted Delivery.

3. Article Addressed to:  
*Victor E. Zemi*

4. Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail	Article Number <b>44281</b>
------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee  
 X

6. Signature - Agent  
 X

7. Date of Delivery

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

PS Form 3811, July 1983

*A-105478 Order*

**SENDER: Complete items 1, 2, 3 and 4.**  
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this 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 service(s) requested.

1.  Show to whom, date and address of delivery.  
 2.  Restricted Delivery.

3. Article Addressed to:  
*Mr. Wallace J. Glass*

4. Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail	Article Number <b>44282</b>
------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee  
 X *Wallace J. Glass*

6. Signature - Agent  
 X *(Signature)*

7. Date of Delivery  
*10-11-84*

8. Addressee's Address (ONLY if requested and fee paid)

DOMESTIC RETURN RECEIPT

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

TOTAL \$ *A-105478*

3. ARTICLE ADDRESSED TO:  
*Victor Zemi*

4. TYPE OF SERVICE: <input checked="" type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED <input type="checkbox"/> EXPRESS MAIL	ARTICLE NUMBER <input type="checkbox"/> INSURED <input type="checkbox"/> COD
------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------

(Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE *A. Zemi*  Addressee  Authorized agent

5. DATE OF DELIVERY  
*10-12-84 JAN*

6. ADDRESSEE'S ADDRESS (only if requested)

7. UNABLE TO DELIVER BECAUSE:

POSTMARK (may be on reverse side)  
 CONGARELA  
 OCT 19 1984  
 15063

\* GPO: 1982-379-593

PS Form 3811, July 1982

RETURN RECEIPT