

1. <u>REPORT DATE:</u>	September 13, 1985	:	2. <u>BUREAU AGENDA NO.</u>
3. <u>BUREAU:</u>	ALJ	:	OCT-85-ALJ-178
4. <u>SECTION(S):</u>		:	5. <u>PUBLIC MEETING DATE:</u>
6. <u>APPROVED BY:</u>		:	October 3, 1985
Chief ALJ:	William H. Smith	:	
Director:	Ext. 7-6108	:	
Supervisor:		:	
7. <u>MONITOR:</u>		:	
8. <u>PERSON IN CHARGE:</u>		:	
	ALJ Klovekorn 8-325-2105	:	
9. <u>DOCKET NO:</u>	A-105101	:	

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

- (a) Application of J. F. Lomma, Inc.
- (b) By application docketed November 4, 1983, applicant seeks the right to begin to transport, as a common carrier, by motor vehicle, property, which because of size or weight, requires the use of rigging, special handling, or special equipment between points in Pennsylvania. Protests filed. Hearings held.
- (c) Judge Klovekorn issued a decision approving said application, with rights and conditions as set forth in the ordering paragraphs.

Initial Decision served: August 22, 1985.
 Commission Review requested by: Commissioners Fischl and Shane by
 OSA memo dated September 10, 1985.

DOCKETED
 OCT 10 1985

11. MOTION BY: Commissioner Chm. Taliaferro Commissioner Fischl - Yes
 Commissioner
SECONDED: Commissioner Shane Commissioner

CONTENT OF MOTION: That the Decision of ALJ Klovekorn be adopted as the action of the Commission.



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

October 8, 1985

IN REPLY PLEASE
REFER TO OUR FILE

A-00105101

James W. Patterson, Esquire
1800 Penn Mutual Tower
510 Walnut Street
Philadelphia, PA 19106

Application of J. F. Lomma, Inc.

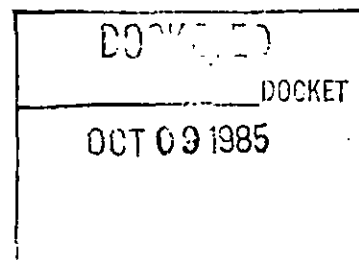
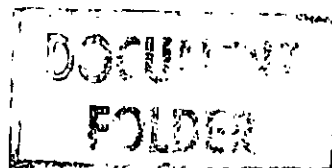
Dear Sir:

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

A 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 an insurance agent to have an insurance company file the following forms with the Commission.
 - a. A Form E as evidence of minimum public liability and property damage insurance coverage as shown on the enclosed sheet.
 - b. A Form UCPC-31 as evidence of cargo insurance coverage in an amount not less than \$2,500 per vehicle. Under certain circumstances, exemption from the cargo insurance requirements may be secured by filing the enclosed Form PUC-288.
- II. Prepare and file a tariff according to the enclosed instructions.

Similar letter to: See attached list.



Public Liability and Property Damage Insurance
 Minimum Limits for Pa. Public Utility Commission Authority

Common Carriers and Contract Carriers

		Limit for Bodily Injuries to or Death Of One Person	Limit for Bodily Injuries to or Death of All Persons in Any One Accident	Limit for Loss or Damage in Any One Accident to Property of Others, Excluding Cargo
Passenger Carriers (seating capacity)	7 or less	\$25,000	\$100,000	\$10,000
	8 to 12	25,000	150,000	10,000
	13 to 20	25,000	200,000	10,000
	21 to 30	25,000	250,000	10,000
	31 or more	25,000	300,000	10,000
Property Carrier		25,000	100,000	10,000

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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. No motor carrier operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Law.

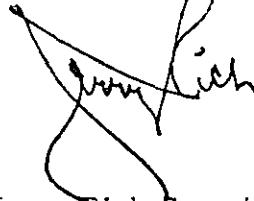
Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty day period will cause the Commission to rescind the action of October 3, 1985 and dismiss the application without further proceedings.

If you foresee any problems with any of the requirements please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section (717)787-1227

Tariff Filings: Joe Machulsky -Tariff Section (717)787-5521

Very truly yours,



Jerry Rich, Secretary

lg

Enclosures
Certified Mail
Receipt Requested

cc:applicant
286 Central Avenue
South Kearny, NJ 07032

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held October 3, 1985

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Application of J. F. Lomma, Inc. .
for the right to begin to trans-
port, as a common carrier, by
motor vehicle, property, which
because of size or weight,
requires the use of rigging,
special handling, or special
equipment between points in
Pennsylvania.

A-105101

O R D E R

BY THE COMMISSION:

We adopt as our action the Initial Decision of Administrative
Law Judge Joseph J. Klovekorn dated August 8, 1985; THEREFORE,

IT IS ORDERED:

1. That the Application of J. F. Lomma, Inc., at A-105101, be
and is hereby approved and that a certificate be issued granting the
following rights:

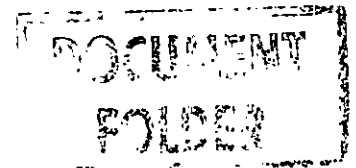
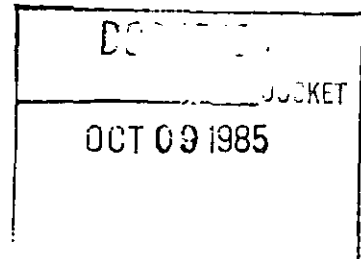
To transport, as a Class D carrier, property, which be-
cause of size or weight, requires the use of rigging,
special handling and special equipment, between
points in Pennsylvania.

Subject to the following restrictions:

That no right, power or privilege is granted:

A. To provide service in connection with
any shipment weighing less than thirty-
five (35) tons to or from the Monroe
County facilities of:

a. Pocono Fabricators, Division
of Patterson-Kelly Company, Inc.



b. Patterson-Kelly Company Inc.,
Division of Harsco Corp.

c. International Boiler Works

B. To transport bulldozers, graders, draglines and other earth moving and coal moving equipment between points in and west of the counties of Potter, Clinton, Centre, Blair and Bedford.

2. That the certificate holder shall comply with all of the provisions of the Public Utility Code as now existing or as hereafter may be amended, and all of the existing rules and regulations as may hereafter be prescribed by the Commission. Failure on the part of the certificate holder to so comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

3. That the applicant shall not engage in any transportation granted herein (except with express permission from the Commission) until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing of insurance and the filing and acceptance of a tariff establishing just and reasonable rates.

4. 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.

5. That in the event said applicant has not, on or before sixty (60) days from the date of service of this Order, complied with the requirements set forth above, application shall be dismissed without further proceedings.

BY THE COMMISSION,


Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: October 3, 1985

ORDER ENTERED: OCT 08 1985

J. Lomma, Inc.
36 Central Avenue
South Kearny, NJ 07032

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

James W. Patterson, Esquire
800 Penn Mutual Tower
10 Walnut Street
Philadelphia, PA 19106

Lloyd R. Persun, Esquire
1801 North Front Street
P.O. box 729
Harrisburg, PA 17108

Franklin A. Wurman, Esquire
Suite 700, Land Title Building
Philadelphia, PA 19110

Alan Kahn, Esquire
Land Title Building
100 S. Broad Street
Philadelphia, PA 19110

R. Edward Ferraro, Esquire
690 Main Street
Brockway, PA 15824

Sally A. Davoren, Esquire
1000 Standard Life Building
345 Fourth Avenue
Pittsburgh, PA 15222

Christian V. Graf, Esquire
407 N. Front Street
P. O. Box 11848
Philadelphia, PA 17108

Henry L. Wahls
P.O. Box 564
West Chester, PA 19380

Jay H. McCormick
R. D. #4, Box 51B
Muncy, PA 17756

William A. Chesnutt, Esquire
Herbert R. Nurick, Esquire
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108