

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheet

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| 1. REPORT DATE:<br>May 19, 1998  | 2. BUREAU AGENDA NO.:<br>JUN-98-TS-MC-138*<br><b>DOCUMENT<br/>FOLDER</b>   |
| 3. BUREAU:<br>Transportation and Safety  |  |
| 4. SECTION(S):<br>MCS&E  | 5. PUBLIC MEETING DATE:<br>June 4, 1998<br><b>POCKETED<br/>JUN 12 1998</b> |
| 6. APPROVED BY:<br><br>Director: Farrell 3-3846<br>Supervisor: Marzolf 3-5945 <i>pam</i> |  |
| 7. PERSONS IN CHARGE:<br>Zeigler 3-5946  |  |
| 8. DOCKET NO.:<br>A-00106548, F. 1, Am-D   |  |

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

(a) Application of Debo Moving and Storage, Inc., a Pennsylvania Corporation, Baden, Beaver County, for the transfer of part of the operating authority of Trans American Trucking Service, Inc., under the certificate issued at A-00107793, F. 2, subject to the same limitations and conditions.

(b) The application is unopposed. The transferee seeks to acquire the household goods in use authority of the transferor. The applicant has the fitness necessary to render the proposed service. Approval of the application is necessary for the continued accommodation and convenience of the public.

(c) The Bureau of Transportation and Safety recommends the Commission adopt the proposed order approving the application; and modifying the certificate of the transferor by supplemental order.

10. MOTION BY: Commissioner Chm. Quain      Commissioner Rolka - Yes  
   Commissioner Brownell - Yes  
   Commissioner

SECONDED: Commissioner Bloom

EEF

CONTENT OF MOTION: Staff recommendation adopted.



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

*fec*

IN REPLY PLEASE  
REFER TO OUR FILE

June 10, 1998

A-00106548  
F. 1, Am-D

JOHN A PILLAR ESQUIRE  
PILLAR MULROY & FERBER  
1106 FRICK BUILDING  
PITTSBURGH PA 15219

Application of DEBO MOVING AND STORAGE, INC.

DOCKETED

To Whom It May Concern:

JUN 15 1998

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 day period will cause the Commission to rescind the action of June 4, 1998 and dismiss the application without further proceedings.

Very truly yours,

*James J. McNulty*  
James J. McNulty, Secretary

EMD

DEBO MOVING & STORAGE INC  
PO BOX 278  
NEW BRIGHTON PA 15066

EEF

DOCUMENT  
FOLDER

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265**

Public Meeting held June 4, 1998

Commissioners Present:

John M. Quain, Chairman  
Robert K. Bloom, Vice Chairman  
David W. Rolka  
Nora Mead Brownell

Application of Debo Moving and Storage, Inc., a corporation of the Commonwealth of Pennsylvania, for the transfer of part of the operating rights of Trans American Trucking Service, Inc., authorized under the certificate issued at A-00107793, F. 2, subject to the same limitations and conditions.

A-00106548  
F. 1  
Am-D

John A. Pillar for the applicant.

**DOCKETED**

**O R D E R**

JUN 15 1998

**BY THE COMMISSION:**

This matter comes before the Commission on an application filed March 30, 1998. Public notice of the application was given in the Pennsylvania Bulletin of April 18, 1998. The unopposed application is certified to the Commission for its decision without oral hearing.

DISCUSSION AND FINDINGS

Debo Moving and Storage, Inc., is a currently certificated carrier of household goods in use domiciled in Baden, Beaver County. It holds several grants of authority permitting, inter alia, the transportation of household goods in use in the counties of Allegheny and Beaver. The transferor, Trans American Trucking Service, Inc., is transferring only its household goods in use authority and will retain its other authority to transport property between points in Pennsylvania, with the exception of household goods in use.

The household goods authority is being transferred for the total consideration of \$2,000.00. The applicant has provided a recent balance sheet and income statement establishing its financial capacity to provide expanded

**DOCUMENT  
FOLDER**

service. As a currently certificated carrier there is a presumption of fitness.

The authority to transfer consists of two rights permitting the transportation of household goods, in use, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County; and from points in the said boroughs, to other points in Pennsylvania. Since Trans American Tucking Services, Inc., is retaining authority to transport property, except household goods in use, between points in Pennsylvania, no duplication of authority will result between the authority to transfer and the authority to be retained.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing need, which may be overcome only by evidence to the contrary. In re: Byerly, 440Pa. 521 (1970); Hostetter v. Pa. P.U.C., 160 Super. Ct. 94 (1947) Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

After complete review of the record, We Find:

1. The applicant is fit, willing and able to provide the service proposed.
2. Transfer of the authority is in the public interest and is necessary for the continued accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the transfer application be and is hereby approved and that the certificate issued April 11, 1986, as amended, be further amended to include the following rights:

To transport, as a Class B carrier, household goods, in use, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County.

To transport, as a Class D carrier, household goods, in use, from points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County, to other points in Pennsylvania.

subject to the following general conditions:

1. 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.

2. That the approval hereby given is not to be understood as committing the Commission, in any proceeding that may be brought before it for any purpose, to fix a valuation on the property and/or 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 the applicant, or to approve or prescribe rates sufficient to yield a return thereon.
3. That the applicant record in its Utility Account 1321 - Franchises, the actual cost of such rights recorded by the original holder thereof.
4. That the utility accounts of the transferee shall reflect the same book values for all utility property acquired as shown in the records of the transferor at the effective date of the transfer, and previously recorded depreciation having been deleted therefrom.
5. That the applicant charge to Account 1341 - Other Intangible Property, any amount of the consideration paid for the rights and going concern value attributable thereto in excess of the amounts recorded under condition no. 2 and 3 above.
6. That the certificate holder shall not transfer, sell or in anyway convey any of its outstanding capital stock to any individual, partnership, corporation or any other entity, without the prior filing of an application and approval thereof by the Commission under Section (a)(3) of Title 66 PA C.S.

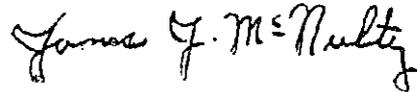
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted in this application until the following is submitted to the Commission:

1. 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.

IT IS FURTHER ORDERED: That upon compliance with this order, the first and second rights granted the transferor, Trans American Trucking Service, Inc., under the certificate issued at A-00107793, F. 2, as contained in our order adopted March 22, 1991, entered October 9, 1991, be and are hereby canceled and the record shall be marked closed.

BY THE COMMISSION



James J. McNulty  
Secretary

(SEAL)

ORDER ADOPTED: June 4, 1998

ORDER ENTERED: JUN 10 1998

**SENDER:**

- Check box at right if you require restricted delivery.
- Attach this form to the front of \_\_\_\_\_ allpiece, or on the back if space does not permit.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: A 106548 FIRM D

4a. Article Number

P 969 250 104

*John A Pillen Esq*

4b. Service Type  **CERTIFIED**

7. Date of Delivery 6/11/98

5. Received By: (Print Name)

8. Addressee's Address

6. Signature: (Addressee or Agent)

**X** *Starks*

PS Form 3811, December 1994

Domestic Return Receipt

ENTRY NO.: 0001  
NAME: DEBO MOVING AND STORAGE, INC.  
ADDRESS1: P. O. BOX 278  
ADDRESS2:  
CITY: NEW BRIGHTON STATE: PA ZIP: 15066  
REPRESENTING: SELF TYPE

ENTRY NO.: 0002  
NAME: JOHN A PILLAR ESQUIRE  
ADDRESS1: PILLAR MULROY & FERBER  
ADDRESS2: 1106 FRICK BUILDING  
CITY: PITTSBURGH STATE: PA ZIP: 15219  
REPRESENTING: APPLICANT TYPE

ENTRY NO.: 0003  
NAME: TRANS AMERICAN TRUCKING SERVICE, INC.  
ADDRESS1: 115 ST. NICHOLAS AVENUE  
ADDRESS2:  
CITY: SOUTH PLAINFIELD STATE: NJ ZIP: 07080  
REPRESENTING: TRANSFEROR TYPE

[CU25] [ ] [A-00106548] [F] [0001] [AMD] [ ] PRINT- [ ]

*tanff*