





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

August 30, 1989

IN REPLY PLEASE  
REFER TO OUR FILE

A-106548  
F:1, Am-A

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

Application of Debo Moving and Storage, Inc.

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 (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of August 17, 1989 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich  
Secretary

lg

Enclosure

Certified Mail

Receipt Requested

Tariff Contact Person: Joseph Machulsky (717) 787-5521

cc:applicant

Debo Moving & Storage, Inc.

625 Second Avenue

New Brighton, PA 15066

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held August 17, 1989

Commissioners Present:

Bill Shane, Chairman  
William H. Smith, Vice-Chairman  
Joseph Rhodes, Jr.  
Frank Fischl

Application of Debo Moving and Storage,  
Inc., for the transfer of all of the  
operating rights of Jon J. Pollock,  
t/d/b/a A. B. Pollock Transfer and  
Storage under the certificate issued at  
A-00101849 subject to the same limitations  
and conditions.

A-00106548  
F. 1  
Am-A

\_\_\_\_\_  
John A. Pillar for the applicant.  
\_\_\_\_\_

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed March 6, 1989. Public notice of the application was given in the Pennsylvania Bulletin of April 15, 1989. The unopposed application is certified to the Commission for its decision without oral hearing.

Debo Moving and Storage, Inc. is domiciled at 625 Second Avenue, New Brighton, Beaver County. Applicant is a corporation of the Commonwealth of Pennsylvania. Brian Debo is president and sole stockholder of Debo Moving and Storage, Inc.

The total consideration for the rights and other assets is \$30,000. The rights have been assigned a value of \$20,000 with the assets \$10,000. The sales agreement requires the consideration to be paid as follows: \$12,000 in escrow upon consummation of the sales agreement, March 2, 1989 and \$18,000 by promissory judgment note at the closing.

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing public need, which may be overcome only by evidence to the contrary. In re: Byerly, 440 Pa. 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.

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 a certificate be issued granting the following rights:

- (1) To transport, as a Class B carrier, property, between points in the boroughs of Emsworth, Ben Avon, Ben Avon Heights, Avalon, Bellevue, Glenfield and Sewickley, Allegheny County;
- (2) To transport, as a Class C carrier, property, from points in the boroughs of Emsworth, Ben Avon, Ben Avon Heights, Avalon, Bellevue, Glenfield and Sewickley, Allegheny County, to points within twenty-five (25) miles by the usually traveled highways of the borough limits of Emsworth;
- (3) To transport, as a Class D carrier, household and office furnishings, in use, from points in the boroughs of Emsworth, Ben Avon, Ben Avon Heights, Avalon, Bellevue, Glenfield and Sewickley, Allegheny County, to other points in Pennsylvania;
- (4) To transport, as a Class D carrier, household goods and office furnishings, in use, between points in the county of Allegheny;
- (5) To transport, as a Class D carrier, commodities for the Department of Public Assistance from its warehouses in the city of Pittsburgh, Allegheny County, to points within an air-line distance of seventy-five (75) miles of

the City-County Building in the city of Pittsburgh;

- (6) To transport, as a Class D carrier, property, between points in the borough of Sewickley, Allegheny County, and within six (6) miles by the usually traveled highways of the limits of said borough;
- (7) To transport, as a Class C carrier, property, from points in the borough of Sewickley, Allegheny County, and within six (6) miles by the usually traveled highways of the limits of said borough to points in the counties of Allegheny and Beaver within fifteen (15) miles by the usually traveled highways of the limits of the said borough;
- (8) To transport, as a Class D carrier, household goods in use, contractors' equipment and trees from points in the borough of Sewickley, Allegheny County and within six (6) miles by the usually traveled highways of the limits of said borough to points in Pennsylvania within twenty-five (25) miles by the usually traveled highways of the limits of the said borough.

subject to the following general 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 property and 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 its 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 applicant charge to Account 1550, Other Intangible Property, \$20,000, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above; and subject to further adjustment due to any normal

interim transactions to the date of actual transfer.

4. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
5. 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.
6. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. §1102(a)(3).

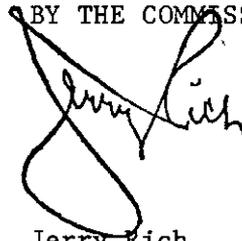
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of a tariff establishing just and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

IT IS FURTHER ORDERED: That the temporary authority application be dismissed.

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, Jon J. Pollock, t/d/b/a A. B. Pollock Transfer and Storage at A-00101849 be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", is written over a large, stylized, looped scribble.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: August 17, 1989

ORDER ENTERED: AUG 30 1989

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge) 2.  Restricted Delivery (Extra charge)

3. Article Addressed to: <i>A-106548, F.1, Am-A order John A. Bellaw, Esq.</i>		4. Article Number <b>44124</b>
5. Signature - Address <b>X</b>		Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature - Agent <b>X</b> <i>S. Wardzinski</i>		Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>
7. Date of Delivery <i>8/31</i>		8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 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 additional service(s) requested.

1.  Show to whom delivered, date, and addressee's address. (Extra charge) 2.  Restricted Delivery (Extra charge)

3. Article Addressed to: <i>A-106548, F.1, Am-A order Jon L. Pollack</i>		4. Article Number <b>44125</b>
5. Signature - Address <b>X</b> <i>[Signature]</i>		Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature - Agent <b>X</b>		Always obtain signature of addressee or agent and <b>DATE DELIVERED.</b>
7. Date of Delivery <i>8-31-89</i>		8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 \* U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

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