


PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. REPORT DATE: November 18, 1994	2. BUREAU AGENDA NO. DEC-94-T-1003*
3. BUREAU: Transportation	
4. SECTION(S): Technical Review	5. PUBLIC MEETING DATE: December 15, 1994
6. APPROVED BY:  Director: Ernst 7-2154 Supervisor: Marzolf 3-5945	
7. PERSONS IN CHARGE: Keener-Farley 7-4386	DOCKETED JAN 11 1995
8. DOCKET NO.: A-00107087, F. 1, Am-G	

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

(a) Application of Independent Freightway, Inc., Rockford, IL, a corporation of the State of Delaware, for amendment to its common carrier certificate, SO AS TO PERMIT the transportation of plastic pipe, from the facilities of Bristol Corporation in the township of Upper Leacock, Lancaster County, to points in Pennsylvania, and return.

(b) No protests were filed and no oral hearings were held. The supporting shipper statements indicate a need for the proposed service. Approval of the application will be an accommodation and convenience to the public.

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

KF:em

**DOCUMENT
FOLDER**

- 10. MOTION BY:** Commissioner Chm. Rolka Commissioner Quain - Yes
 Commissioner Crutchfield - Yes
SECONDED: Commissioner Rhodes Commissioner Hanger - Yes

CONTENT OF MOTION: Staff recommendation adopted.



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

IN REPLY PLEASE
REFER TO OUR FILE

DECEMBER 22, 1994

A-00107087
F.1, Am-G

LLOYD R PERSUN ESQUIRE
METTE EVANS & WOODSIDE
3401 NORTH FRONT STREET
PO BOX 5950
HARRISBURG PA 17110-0950

Application of Independent Freightway, Inc.,
a corporation of the State of Delaware

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 December 15, 1994 and dismiss the application without further proceedings.

Very truly yours,

LDA

John G. Alford, Secretary

DOCUMENT
FOLDER

smk
encls.
cert.mail
Tariff Contact Person: Joseph Machulsky (717) 787-5521
INDEPENDENT FREIGHTWAY INC
PO BOX 7013
ROCKFORD IL 61125

DOCKETED

JAN 20 1995

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held December 15, 1994

Commissioners Present:

David W. Rolka, Chairman
Joseph Rhodes, Jr., Vice-Chairman
John M. Quain
Lisa Crutchfield
John Hanger

Application of Independent Freightway, Inc., a corporation of the State of Delaware, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, industrial water treatment chemicals from the facilities of Betz Laboratories, Inc., located in the township of Middletown, Bucks County, to points in Pennsylvania: SO AS TO PERMIT the transportation of plastic pipe, from the facilities of Bristol Corporation in the township of Upper Leacock, Lancaster County, to points in Pennsylvania, and return.

A-00107087
F. 1
Am-G

DOCUMENT
FOLDER

Lloyd R. Persun for the applicant.

DOCKETED
JAN 20 1995

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed July 21, 1994. Public notice of the application was given in the Pennsylvania Bulletin of August 27, 1994. No protests were filed and the application is now certified to the Commission for its decision without oral hearing. The record consists of verified statements filed by the applicant and the supporting shipper.

Independent Freightway, Inc. (IFI or applicant), is a Delaware corporation with its principal place of business in Rockford, Illinois. It was initially certificated in 1987 and presently holds fifty-four paragraphs of rights. The applicant's Pennsylvania fleet consists of

300 tractors and 180 flatbed trailers. As a currently operating carrier, the applicant has a comprehensive safety program and it maintains adequate insurance coverage. As evidence of its financial capacity to perform the additional service, IFI reports assets of \$64,658,000, with liabilities of \$35,412,000, leaving a shareholders' equity of \$29,246,000.

Edward M. Foy, traffic manager for Bristol Corporation (shipper), submitted a verified statement in support of this application. This shipper manufactures plastic pipe at a plant in Upper Leacock Township, Lancaster County. It requires the transportation of its finished product to its customers located throughout Pennsylvania. The shipper intends to tender two truckloads per day to IFI for delivery.

After a complete review of the record before us, we find:

1. That the applicant has demonstrated that there is a public need for the proposed service.
2. That the applicant possesses the necessary equipment, experience, and financial capacity to perform the proposed service.
3. Approval of the application be and is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that the certificate issued to the applicant, as amended, be further amended to include the following right:

To transport, as a Class D carrier, plastic pipe, from the facilities of Bristol Corporation in the township of Upper Leacock, Lancaster County, to points in Pennsylvania, and return.

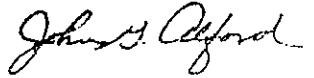
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation in this application until the following is submitted to the Commission:

1. A tariff establishing just and reasonable rates.

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.

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.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: December 15, 1994

ORDER ENTERED: DEC 22 1994

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

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

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

A-00107087, F.I, AM-G CO
Lloyd R. PERSON, Esq

4a. Article Number

P 919 879 118

4b. Service Type

CERTIFIED

7. Date of Delivery

12/28

5. Signature - (Addressee)

8. Addressee's Address

(ONLY if requested and fee paid.)

6. Signature - (Agent)

[Handwritten Signature]