



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

KUR

REPLY PLEASE
REFER TO OUR F

November 13, 1992

A-00107087
F.1, Am-C

LLOYD R PERSUN ESQUIRE
METTE EVANS & WOODSIDE
PO BOX 729
HARRISBURG PA 17108-0729

DOCUMENT
FOLDER

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 application 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 Commission.

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 Nov. 5, 1992 and dismiss
the application without further proceeding.

Very truly yours,

John G. Alford, Secretary

DOCKETED

DEC 08 1992

smk
Encs.

Certified Mail

Receipt Requested

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

INDEPENDENT FREIGHTWAY INC
PO BOX 7013
ROCKFORD IL 61125

MODIFICATION

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held November 5, 1992

Commissioners Present:

David W. Rolka, Chairman
Joseph Rhodes, Jr., Vice-Chairman
Wendell F. Holland, Commissioner

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, property, from the facility of Owens-Corning Fiberglass Corporation, in the counties of Dauphin and Cumberland, to points in Pennsylvania, and vice versa: the transportation of (1) manufactured pre-cast concrete units from the facilities of Beavertown Cast Stone, Inc., located in the township of Franklin, Snyder County, to points in Pennsylvania; (2) industrial water treatment chemicals from the facilities of Betz Laboratories, Inc., located in the township of Middletown, Bucks County, to points in Pennsylvania; (3) feed grade pre-mixes for livestock in bags, not in bulk, from the facilities of Precise Agri-Products, Inc., located in the township of Middlecreek, Snyder County, to points in Pennsylvania; and (4) vitamins and minerals in bags, not in bulk, from points in the borough of Braddock, Allegheny County and the borough of Lititz, Lancaster County to the facilities of Precise Agri-Products, Inc., located in the township of Middlecreek, Snyder County.

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DOCKETED
DEC 08 1992

Mette, Evans & Woodside by Lloyd R. Persun for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed June 11, 1992. Public notice of the application was given in the Pennsylvania Bulletin of July 4, 1992 and no protests were received.

The unopposed application is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by the applicant and three (3) supporting parties.

Independent Freightway, Inc. (applicant or Freightway) is a corporation of the State of Delaware with Pennsylvania facilities located at Beavertown, Snyder County and Coatesville, Chester County. Both facilities are located less than one-half hour's drive from the three supporting shippers herein. At each terminal applicant employs two dispatchers, a receptionist and support clerical personnel. Freightway's fleet available in Pennsylvania consists of 120 van trailers, 180 flatbed trailers and 300 tractors. A comprehensive safety and maintenance program is in effect.

The balance sheet of the applicant for the period ended December 1991 shows total current assets of \$39,322,000, total assets of \$46,117,000, total current liabilities of \$11,151,000, long-term debt of \$12,023,000, total equity of \$20,540,000 and total liabilities of \$25,577,000. The statement of income and expenses for the same period of time shows total revenue of \$158,656,000, cost of operations totaling \$142,919,000, an operating profit of \$7,616,000 was reported, and a net income of \$2,943,000 was shown.

Beavertown Cast Stone, Inc. (supporting shipper or Beavertown) is a manufacturing plant located in Franklin Township, Snyder County, engaged in the manufacture of architectural and structural precast concrete units. These units consist principally of columns, double T's, copings and fascia. The supporting shipper manufactures the precast concrete units to customer specifications. As part of Beavertown's contract with its customers, it is required to deliver the units to construction sites. Beavertown is downsizing its fleet as it wants to get out of the trucking business. Beavertown was required to make deliveries of its product during 1991 on 251 days. These shipments involved 923 separate full truckloads on drop deck trailers and flatbed trailers. During 1992 the same level of traffic has continued and is expected to continue hereafter. It is anticipated that Beavertown will tender applicant approximately two (2) full truckloads per day. Transportation is required from the

supporting shipper's plant in Franklin Township, Snyder County to construction sites located throughout Pennsylvania. Representative points of destination include: Norristown, Philadelphia, Chester, Levittown, West Chester, Reading, Allentown, Scranton, Wilkes-Barre, Lancaster, Williamsport, State College, Altoona, Johnstown, Milton and Hazleton.

Betz Laboratories, Inc. (supporting shipper or Betz) is engaged in the business of manufacturing and selling industrial water treatment chemicals. Betz maintains plant and warehouse facilities in Middletown Township, Bucks County. The industrial water treatment chemicals must be delivered to the customers in containers. The containers are polytanks (plastic) and stainless steel tanks; each container holds approximately 300 gallons of product. Betz's private fleet is inadequate to meet its demands to its customers. The supporting shipper will tender applicant three to four (3-4) full truckloads per week. Betz requires flatbed trailers because it is easy to load and unload without a loading dock. Forklifts simply remove the product from the flatbed. Traffic will originate from Betz's plant and warehouse in Middletown Township, Bucks County, destined to such customers in Pennsylvania as steel mills, paper mills, hospitals and electricity generating plants. Representative points of destination include: Saint Marys, DuBois, Erie, Pittsburgh, Altoona, York, Allentown, Scranton, Wilkes-Barre, Philadelphia, Steelton and Monongahela.

Renaissance Nutrition, Inc. (supporting shipper or RNI) is engaged in the business of manufacturing and selling feed grade pre-mixes for livestock. RNI's feed grade pre-mixes are manufactured at the plant of Precise Agri-Products, Inc. (PAP) which is located in the borough of Middle Creek (sic), Snyder County. The supporting shipper requires the transportation of its product from PAP's plant to customers located in Pennsylvania which include RNI's distributors, large farms and feed mills. RNI requires the transportation of grade pre-mixes delivered in bags each holding approximately 50 pounds of product. Each movement consists of a flatbed fully underload. During the summer, applicant will be tendered three to four (3-4) outbound movements per week; during the fall, four to six (4-6) movements per week. Representative points of destination include: Butler, Carlisle, Ephrata, Philipsburg, Slippery Rock, Thompsontown, Tyrone, Hanover and Loganton. RNI also requires inbound movement to PAP's plant consisting of vitamins and minerals in bags, not in bulk. Service is required from RNI's suppliers located in the borough of Braddock, Allegheny County and the borough of Lititz, Lancaster County. These vitamins and minerals are ingredients used in the manufacture of RNI's feed grade pre-mixes. On the inbound movement applicant will be tendered four (4) flatbed loads per month.

DISCUSSION AND FINDINGS

Independent Freightway, Inc. is a common carrier currently certificated by this Commission to transport generally, under 49 grants of authority, various commodities for numerous shippers to and from their facilities located throughout Pennsylvania. Applicant seeks the additional rights to transport specific commodities from the facilities of two shippers and from and to named facilities for a third shipper. The application was published in the Pennsylvania Bulletin and no protests were filed.

Beavertown Cast Stone, Inc. and Betz Laboratories, Inc., supporting shippers, are both manufacturers requiring the transportation of specifically named commodities from their facilities to points in Pennsylvania. These two (2) shippers have demonstrated a requirement for the service as proposed under rights captioned (1) and (2).

Renaissance Nutrition, Inc., supporting shipper, states it is a manufacturer and seller, requiring the transportation of its commodities in bags to and from the plant of Precise Agri-Products, Inc. (PAP), located in the borough of Middle Creek, Snyder County. In this instance, the supporting shipper is not giving support for service from its facilities. It is supporting service from the facilities of another business. As Renaissance Nutrition, Inc. is the supporting shipper and all service will be performed "for" it, we shall modify the grant of authority to read "for Renaissance Nutrition, Inc." from and to the facilities of Precise Agri-Products, Inc.

Renaissance Nutrition, Inc. sets forth in its verified statement that service is required from the plant of PAP, which is located in the borough of Middle Creek, Snyder County. By letter dated October 15, 1992, applicant verifies that PAP's facilities are located in the township of Middlecreek, Snyder County, as captioned.

Independent Freightway, Inc. has amply demonstrated a need for the service as modified. Applicant has the ability, experience and equipment to provide the service. Approval of the application as modified is in the public interest and is necessary for the accommodation and convenience of the public.

We find that:

1. Applicant currently operates pursuant to a common carrier certificate issued by the Commission on July 1, 1987, with amendments thereto.

2. Two (2) of the supporting shippers have demonstrated a need for the service as proposed.

3. The support of the third shipper, RNI, indicates that service will be rendered "for" it but from the facilities of another business; therefore, the authority should be modified to read "for RNI".

4. Applicant has the equipment, experience and fitness necessary to render the service as modified.

5. The evidence of record establishes necessity for the service as modified.

6. The applicant has established that approval of the application, as modified, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved, as modified, and that the certificate issued on July 1, 1987 as amended, be further amended to include the following rights:

To transport, as a Class D carrier, manufactured pre-cast concrete units from the facilities of Beavertown Cast Stone, Inc., located in the township of Franklin, Snyder County, to points in Pennsylvania.

To transport, as a Class D carrier, industrial water treatment chemicals from the facilities of Betz Laboratories, Inc., located in the township of Middletown, Bucks County, to points in Pennsylvania.

To transport, as a Class D carrier, feed grade pre-mixes for livestock in bags, not in bulk, for Renaissance Nutrition, Inc., from the facilities of Precise Agri-Products, Inc., located in the township of Middlecreek, Snyder County, to points in Pennsylvania.

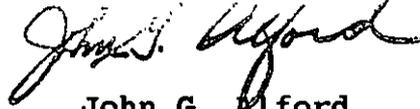
To transport, as a Class D carrier, vitamins and minerals in bags, not in bulk, for Renaissance Nutrition, Inc., from points in the borough of Braddock, Allegheny County and the borough of Lititz, Lancaster County to the facilities of Precise Agri-Products, Inc., located in the township of Middlecreek, Snyder County.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of 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: November 5, 1992

ORDER ENTERED: NOV 13 1992



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

Date November 30, 1992

IN REPLY PLEASE REFER TO OUR FILE **R-16**

Mr. Lloyd R. Person
 1801 North Front Atreet
 P.O. Box 729
 Harrisburg, Pa. 17108

CERTIFICATE NO. A-00107087

PERMIT NO. _____

RE: Independent Freightway, Inc.

Revised Pages

Freight Pa. P.U.C. No. 1

TARIFF OR SUPPLEMENT RETURNED FOR THE FOLLOWING REASONS:

A tariff of four pages or less may not be supplemented.

Effective supplement(s) pages exceed 50% of original tariff pages.

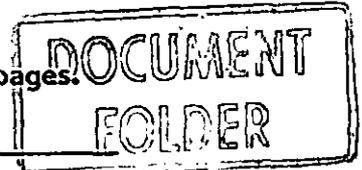
Omitted or not proper Certificate No. A-_____

PERMIT NO. A-_____

FOLDER NO.(S) _____

Designed improperly: should be (See NOTE) PA PUC No. _____ **HLS**

CANCELS (See NOTE) PA PUC NO. _____



N O T E	<input type="checkbox"/> Aero	<input type="checkbox"/> Experimental	<input type="checkbox"/> Limousine
	<input type="checkbox"/> Airport Transfer	<input type="checkbox"/> Express	<input type="checkbox"/> Paratransit
	<input type="checkbox"/> Call or Demand	<input type="checkbox"/> Freight	<input type="checkbox"/> Scheduled Route
	<input type="checkbox"/> Contract	<input type="checkbox"/> Group & Party	<input type="checkbox"/> _____

Designated improperly: should be Supplement No. _____

to (See NOTE) PA PUC No. _____

cancels Supplement No.(s) _____

Designate: Supplement No.(s) _____ contain all changes.

Carrier name not properly designated or proper.

Operating authority omitted not complete or proper.

Restriction(s) to operating authority omitted not complete or proper.

- New authority may be filed on one day's notice. Specify: issued under authority of PA Code, Title 52, Section 23.42; under effective date.
- New authority may be filed on one day's notice. Specify: issued under authority of PA Title 52, Section 23.145; under effective date.
- Temporary Authority, designate: (Temporary Issue) directly under the PA PUC No.
- Issued on _____ day's notice under authority of Special Permission No. _____
Specify: under effective date.
- Filing requires 30-day statutory notice.
- List of changes required not proper (Applies only for Passenger Tariff(s).
- Symbols required for: (A) or increase / (C) or change or Addition / (R) or reduction.
- Explanation of abbreviations, reference marks and symbols not provided.
- Refers to Agency Publication(s) ... Power of attorney(s) required.
- Rule to determine mileage must be stated.
- Rule for advance reservations must be stated.
- Rates not provided for all commodities points, contained in operating authority.
- Page numbers not designated.
- Financial justification for proposed increases required by PA Code, Title 52, Section 23.67 not provided. (Freight Tariffs) / Title 52, Section 23.63 and 23.64 not provided. (Passenger Tariffs)
- Tariff submitted is not acceptable. Adoption supplements must be provided, refer to instructions in our letter dated _____.
- Contract carrier requires separate tariff for each shipper.
- Contract carrier requires separate rate section for each shipper.
- Contract(s) must accompany tariff(s). reductions require 60 days statutory notice.
- When filing is resubmitted, change issued and effective dates. Use current dates, **DO NOT BACKDATE. SHOW ISSUED DATE TWO (2) DAYS AFTER MAILING**
- Rates are provided for: commodities points, not contained in operating authority.
- See returned tariff for corrections.
- Other reasons:

Please Send in, two sets of revised pages.

Very truly yours,

A. Baker

Tariff Section

Phone No. (717) 783-5936