



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

March 13, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

Lloyd R. Persun  
Attorney at Law  
1801 North Front Street  
P.O. Box 729  
Harrisburg, PA 17108-0729

In re: A-00107087, F. 1, Am-B - Application of Independent Freightway, Inc.

Dear Mr. Persun:

The above referenced application has been assigned for review without an oral hearing. In order to reach a determination on the application, you are being required to file verified statements in accordance with 52 Pa. Code §3.381(e)(1). You will be required to file:

- A. VERIFIED STATEMENT OF APPLICANT.
- B. VERIFIED STATEMENTS IN SUPPORT OF APPLICATION.

The verified statements should be in paragraph form. Each heading contained in the attached minimum outline should be a separate section or paragraph.

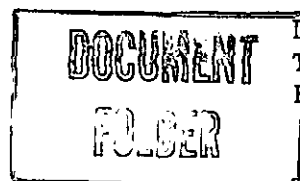
You should be aware of the fact that the verified statements will be reviewed based on the Commission's decision in the Application of Bluebird Coach Lines, Inc. A-00088807, F. 2, Am-K, which indicates: (1) the supporting witnesses must give evidence which is probative and relevant to the application proceeding; (2) the supporting witnesses must identify Pennsylvania origin and destination points between which they require transportation and those points must correspond with the scope of the operating territory specified in the application including requests for vice versa authority; and (3) the number of witnesses which will represent a cross section of the public on the issue of need will vary with the breadth of the intended territory and commodity description.

You are being granted an initial thirty (30) days to file verified statements. They will be due on or before April 12, 1991.

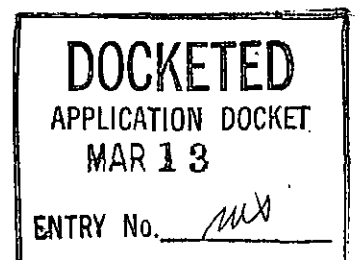
If additional time is required, it may be requested by telephone but must be followed in writing with the reasons for the extension stated.

Questions about your application should be directed to Douglas A. Pike (717) 783-5947.

Very truly yours,



Douglas A. Pike  
Technical Review Section  
Bureau of Transportation



DAP:11

**METTE, EVANS & WOODSIDE**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1801 NORTH FRONT STREET

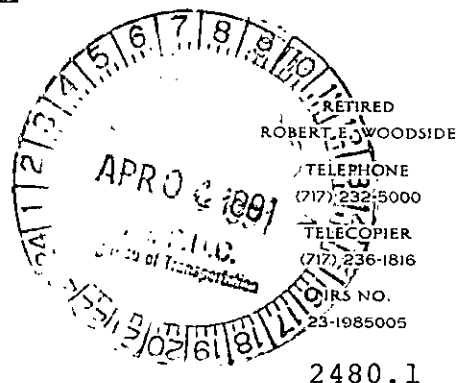
P.O. BOX 729

HARRISBURG, PA 17108-0729

April 2, 1991

HOWELL C. METTE  
JAMES W. EVANS  
ROBERT MOORE  
CHARLES B. ZWALLY  
PETER J. RESSLER  
LLOYD R. PERSUN  
CRAIG A. STONE  
JAMES A. ULSH  
TIMOTHY I. MARK  
MARIA P. COGNETTI  
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RICHARD S. KAHLBAUGH  
MICHAEL D. PIPA  
KAREN N. CONNELLY  
DONALD H. MANLEY



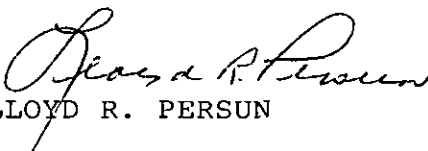
Re: Application of Independent Freightway  
A.107087, F.1, Am-B

Mr. Douglas A. Pike  
Technical Review Section  
Bureau of Transportation  
Pennsylvania Public Utility  
Commission  
P.O. Box 3265  
Harrisburg, PA 17120

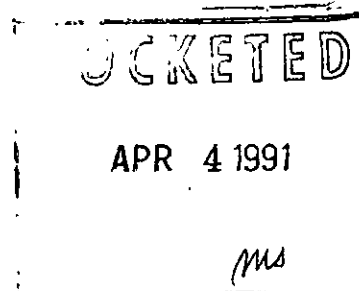
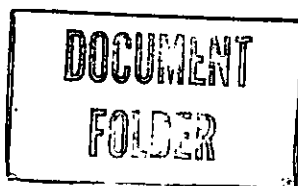
Dear Mr. Pike:

We are writing in accordance with our telephone conversation this morning. We understand that the Applicant is granted an extension of time to and including Monday, May 13, 1991 in order to submit its verified statement and also the verified statements of supporting shippers. Thank you for your consideration.

Very truly yours,

  
LLOYD R. PERSUN

LRP:hmc





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

April 4, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

Lloyd R. Persun  
Attorney at Law  
1801 North Front Street  
P.O. Box 729  
Harrisburg, PA 17108-0729

In re: A-00107087, F. 1, Am-B - Application of Independent  
Freightway, Inc.

Dear Mr. Persun:

In accordance with your request of April 2, 1991 for an extension of time to file verified statements, we are granting an additional 30 days for filing of statements.

Please be advised that verified statements are now due on May 13, 1991. If said statements are not filed with this office by that date we shall assume that you do not desire to pursue this matter and shall recommend to the Commission that the application be dismissed for lack of prosecution.

If you have any questions, please do not hesitate to contact us.

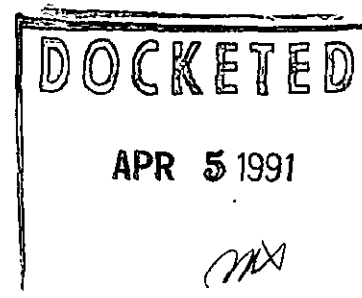
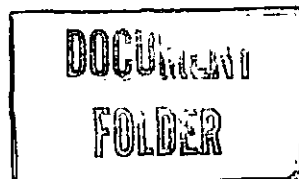
Very truly yours,

By Douglas A. Pike  
For Peter S. Marzolf, Supervisor  
Technical Review Section  
Bureau of Transportation

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

DAP:rs



**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.  
 Put your address, "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 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)

A-00107087, F.I., Am-B/DP

3. Article Addressed to:  
 Lloyd R. Persun  
 1801 North Front St.  
 P.O. Box 729  
 Harrisburg, PA 17108-0729

4. Article Number **044717**

Type of Service:  
 Registered       Insured  
 Certified       COD  
 Express Mail       Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee  
 X

8. Addressee's Address (ONLY if requested and fee paid)

6. Signature - Agent  
 X *Eugene Persun*

7. Date of Delivery **APR - 5 1991**

T88  
 PEV/RE  
 RETURN TO TECH



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

May 13, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

Lloyd R. Persun  
Attorney at Law  
1801 North Front Street  
P.O. Box 729  
Harrisburg, PA 17108-0729

In re: A-00107087, F. 1, Am-B - Application of Independent  
Freightway, Inc.

Dear Mr. Persun:

In accordance with your request of May 13, 1991 for an extension of  
time to file verified statements, we are granting an additional 30 days for  
filing of statements.

Please be advised that verified statements are now due on June 17,  
1991. If said statements are not filed with this office by that date we  
shall assume that you do not desire to pursue this matter and shall recommend  
to the Commission that the application be dismissed for lack of prosecution.

If you have any questions, please do not hesitate to contact us.

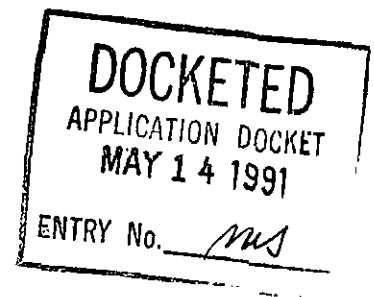
Very truly yours,

By Douglas A. Pike  
For Peter S. Marzolf, Supervisor  
Technical Review Section  
Bureau of Transportation

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

DAP:rs



A-107087, F.I., Am-B / DP

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

3. Article Addressed to:  
 Lloyd R. Persun  
 1801 North front St.  
 P.O. Box 729  
 Harrisburg, PA 17108-0729

4. Article Number  
**044387**

- Type of Service:
- Registered
  - Certified
  - Express Mail
  - Insured
  - COD
  - Return Receipt for Merchandise

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Addressee  
**X**

8. Addressee's Address (ONLY if requested and fee paid)

6. Signature - Agent  
**X** *Eugene Persun*

7. Date of Delivery  
**MAY 15 1991**

POSTAGE WILL BE PAID BY ADDRESSEE

**METTE, EVANS & WOODSIDE**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1801 NORTH FRONT STREET

P.O. BOX 729

HARRISBURG, PA 17108-0729

HOWELL C. METTE  
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CHRISTIAN S. DACHIR  
RICHARD S. KAHLBAUGH  
MICHAEL D. PIPA  
KAREN N. CONNELLY  
DONALD H. MANLEY

May 13, 1991



RETIRED  
ROBERT E. WOODSIDE

TELEPHONE  
(717) 232-5000

TELECOPIER  
(717) 236-1816

IRS NO.  
23-1985005

2480.1

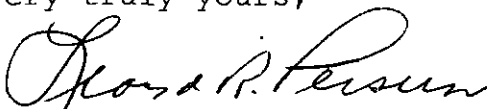
Re: Application of Independent Freightway  
A.107087, F.1, Am-B

Mr. Douglas A. Pike  
Technical Review Section  
Bureau of Transportation  
Pennsylvania Public Utility  
Commission  
P.O. Box 3265  
Harrisburg, PA 17120

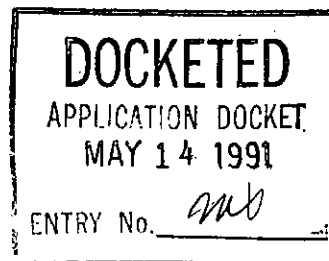
Dear Mr. Pike:

In accordance with our telephone conversation this morning, we are writing to request an additional extension of time to and including Monday, June 17, 1991 in order to submit Applicant's verified statement and also the verified statements of its supporting shippers. We need this extension of time because of court and hearing deadlines which have prevented the completion of this work until now. Thank you very much for your consideration.

Very truly yours,

  
LLOYD R. PERSUN

LRP:hmc



34p

**METTE, EVANS & WOODSIDE**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1801 NORTH FRONT STREET

P.O. BOX 729

HARRISBURG, PA 17108-0729

June 10, 1991

HOWELL C. METTE  
JAMES W. EVANS  
ROBERT MOORE  
CHARLES B. ZWALLY  
PETER J. RESSLER  
LLOYD R. PERSUN  
CRAIG A. STONE  
JAMES A. ULSH  
TIMOTHY I. MARK  
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CHRISTIAN S. DAGHIR  
RICHARD S. KAHLBAUGH  
MICHAEL D. PIPA  
KAREN N. CONNELLY  
DONALD H. MANLEY



TELECOPIER  
(717) 236-1816  
IRS NO.  
23-1985005

2480.1

Re: Application of Independent Freightway, Inc.  
A.107087, F.1, Am-B

Secretary  
Pennsylvania Public Utility  
Commission  
North Office Building  
Harrisburg, PA 17120

**RECEIVED**

**JUN 12 1991**

Dear Sir:

SECRETARY'S OFFICE  
Public Utility Commission

We file herewith on behalf of Applicant as part of the Record in this case the original and two copies of the following documents:

1. Its verified statement;
2. The verified statement of Billy Penn Corporation as supporting shipper; and
3. The verified statement of Goodyear Tire & Rubber Co. as supporting shipper.

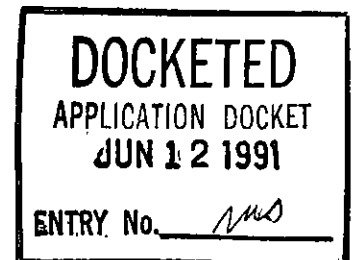
Please acknowledge receipt of these documents by stamping and returning the enclosed copy of this letter.

Very truly yours,

*Lloyd R. Persun*  
LLOYD R. PERSUN

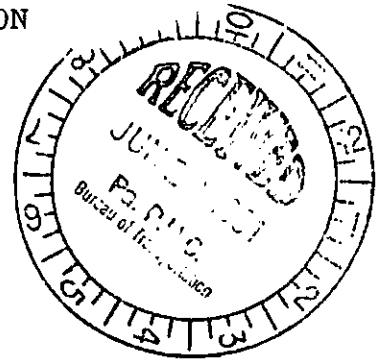
LRP:hmc  
Enclosures

HAND DELIVERED





BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION



In Re: Application of :  
Independent Freightway, Inc. :  
for amendment to its common :  
carrier certificate SO AS TO :  
PERMIT the transportation of :  
roofing materials and roofing :  
accessories from the :  
facilities of Goodyear Tire :  
& Rubber Co. in the Borough :  
of Carlisle, Cumberland :  
County, Pennsylvania to :  
points in Pennsylvania and :  
return and also metal :  
building products from the :  
facilities of Billy Penn :  
Corporation in the City of :  
Philadelphia, Philadelphia :  
County, Pennsylvania to :  
points in Pennsylvania and :  
return. :

Application Docket No.  
A.00107087, F.1, Am-B

RECEIVED

JUN 12 1991

SECRETARY  
Public Utility Commission

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :  
: :  
COUNTY OF MIFFLIN :

SS:

RICHARD KIDWELL, being duly sworn according to law,  
deposes and says:

1. He is an adult individual who is employed by  
Applicant as the Terminal Manager at its terminal which is  
located on Route 655, Reedsville, Mifflin County,

Pennsylvania. He is familiar with Applicant's day-to-day operations in Pennsylvania, including the operations at Applicant's Philadelphia terminal which is located at 641 North Easton Road, Glenside, Pennsylvania 19038. He is authorized to make this affidavit on Applicant's behalf.

2. Applicant is a Delaware corporation which is authorized to do business in Pennsylvania. Its existing Pennsylvania operating authority is described in detail on Exhibit "A" attached hereto and made a part hereof. Applicant currently is providing service in Pennsylvania in accordance with this authority. Applicant also provides transportation as a common carrier of property in interstate commerce, subject to the jurisdiction of the Interstate Commerce Commission. The proposed operating authority will not duplicate Applicant's existing operating authority.

3. Applicant's Reedsville terminal is located approximately one hour's drive from the warehouse facilities of Goodyear Tire & Rubber Co. (Goodyear) at 1295 Ritner Highway in the Borough of Carlisle. Its Philadelphia terminal is located at 641 North Easton Road, Glenside, Pennsylvania. This terminal is less than one hour's drive from the plant and

warehouse facilities of Billy Penn Corporation (Billy Penn) at 1530 North 5th Street in the City of Philadelphia. At each terminal, Applicant employs two dispatchers, a receptionist and support clerical personnel.

4. Applicant's fleet available in Pennsylvania consists of 100 van trailers, 75 flatbed trailers and 50 tractors. The van trailers are 48 feet long, 96 inches wide and 13 feet 6 inches high. The flatbed trailers are 48 feet and 45 feet long respectively and 96 inches wide. This fleet will be available for use in providing common carrier service to Goodyear and to Billy Penn.

5. Applicant proposes to transport roofing materials and roofing accessories such as adhesives, screws, flashing and fasteners for Goodyear, using the flatbeds. It proposes to transport residential metal building products such as down spouts, gutters, heating, ventilating and air conditioning products (HVAC) and accessories for Billy Penn, using the vans. Goodyear and Billy Penn specifically have requested this equipment, and have demanded the service weekly during the last three months. Such demands for service have been received by

telephone from the shippers at the Reedsville terminal and also at the Philadelphia terminal.

6. Applicant's fleet is inspected monthly as of course at Hunter's Garage in Maitland, Pennsylvania near the Reedsville terminal. The drivers' daily write-ups for inspection and repair also are serviced there regularly. Four times each year, Applicant conducts regularly scheduled safety meetings with its drivers. There are 50 such drivers. Neither Applicant nor its drivers nor its equipment are under any citation or were convicted of any motor vehicle violation. Neither the drivers nor Applicant are under any safety investigation or suspension.

7. Applicant is financially fit to provide the proposed service. Exhibit "B" attached hereto and made a part hereof are Applicant's internally prepared balance sheet as of December 31, 1989 and 1990 and as of March 31, 1991 and also its statement of income for the years and quarter then ended, respectively. Applicant's financial condition has not changed materially since those dates. Applicant continues to operate at a profit and is financially fit to provide the proposed service. Applicant has operated profitably in Pennsylvania

subject to your Commission's jurisdiction continuously since early 1987 when it was originally certificated.

8. As rates for the proposed service, Applicant proposes to charge the rates and to apply the rules contained in its currently effective tariffs which are on file with your Commission and effective, as amended from time to time according to law. No rates, fares or charges are under suspension. There has not been granted or denied any special permission request to file rates, fares or charges on less than 30 days' notice in connection with any application covering the same territory.

9. There are no labor unions which represent or which in the past 12 months have requested or which have filed a petition to represent the employees of Applicant with the National Labor Relations Board or the Pennsylvania Labor Relations Board. There is no threatened or existing labor dispute which affects Applicant or its employees.

10. The instant Application was not filed as a result of any warning, road check or investigation by the Commission.

11. Applicant's Certificate of Insurance is on file with your Commission. Its Certificate of Public Convenience never was suspended or revoked. Applicant is in compliance with all rules and regulations of your Commission and the requirements of the Public Utility Code.

*Robert Kidwell*

Robert Kidwell

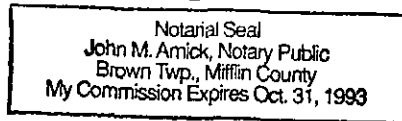
SWORN TO AND SUBSCRIBED  
before me this *6th*, day  
of June, 1991.

*John M. Amick*

Notary Public

My Commission Expires:

(SEAL)



Member, Pennsylvania Association of Notaries

A

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE APPLICATION OF

INDEPENDENT FREIGHTWAY, INC., a corporation  
of the State of Delaware

CERTIFICATE  
OF  
PUBLIC CONVENIENCE

A. 00107087  
Folder 1

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

In Testimony Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 1st day of JULY, 1987.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

Attest:

  
Secretary

EXHIBIT "A"



PENNSYLVANIA

PUBLIC UTILITY COMMISSION

Harrisburg, PA 17120

Public Meeting held May 7, 1987

Commissioners Present:

Linda C. Taliaferro, Chairman  
Frank Fischl  
Bill Shane

Application of Independent Freightway, Inc., a corporation of the State of Delaware, for approval of the transfer to it of part of the rights held by Noerr Motor Freight, Inc. at A-00075088, consisting of all the transferor's Class D authority, subject to the same limitations and conditions.

A-00107087

John E. Fullerton for the applicant.

ORDER

BY THE COMMISSION:

This matter comes before the Commission on an application filed August 13, 1986. Corresponding applications for emergency temporary authority and temporary authority were also filed. By order adopted September 18, 1986, we granted emergency temporary authority. Public notice of the application was given in the Pennsylvania Bulletin of September 20, 1986.

On December 4, 1986, we adopted a tentative decision that denied the transfer to Independent Freightway, Inc. (IFI or applicant) of part of the operating authority of Noerr Motor Freight, Inc. (Noerr or transferor). The Commission found that as Noerr was to retain six (6) Class A rights while transferring forty-four paragraphs of Class D rights, numerous conflicts and duplications of authority would occur. At least thirty (30) of the Class D rights would impinge on the retained Class A rights and require thirty (30) restrictive paragraphs to be lodged on the six (6) rights retained by Noerr. This result was deemed to be against the public interest and the application was denied. However, the Tentative Decision advised that should Noerr desire to transfer all of its rights to IFI or file an application for discontinuance of its Class A authority, the Commission's objection to the transfer could be overcome.

On December 23, 1986, Noerr filed its application at A-00075088, Folder 2, Amendment P, to discontinue its Class A authority. Simultaneously, Noerr filed an application with the Bankruptcy Court for approval of the abandonment. In its application before this Commission, Noerr indicates that it has not rendered any service under its Class A authority since at least 1983 and there is no present demand for service thereunder. IFI has no desire to purchase the Class A authority and Noerr has not been able to sell the authority to any other entity. On February 2, 1987, the United States Bankruptcy Court for the Middle District approved Noerr's action to discontinue the Class A authority.

IFI attempted to file exceptions to the Commission's Tentative Decision denying the proposed transfer by letter filed December 31, 1986. Unfortunately, they were filed one day after the time period had run. By letter filed February 2, 1987, IFI withdrew its exceptions and requested that the letter filed December 31, 1986, be treated as a petition for reconsideration.

By order adopted February 19, 1987, we granted IFI's petition for reconsideration. Since Noerr has filed an application for discontinuance of its Class A rights and since we have already found IFI to be fit and since no issue of dormancy is indicated in the record with regard to the Class D rights, we shall approve the transfer.

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

1. The applicant is fit to receive a certificate of public convenience.
2. The applicant seeks to obtain by transfer all of the transferor's Class D operating authority.
3. The transferor has applied for the discontinuance of its remaining Class A operating authority.
4. A continuing need exists for the service involved herein.
5. Approval of the application is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of part of the rights held by Noerr Motor Freight, Inc. at A-00075088, Folder 2, and all of the rights at Folders 3, 4, 6, 7 and 8, be and is hereby approved and that a certificate of public convenience be issued to the applicant granting the following rights:

1. To transport, as a Class D carrier, property for the Great Atlantic and Pacific Tea Company from the borough of Lewistown, Mifflin County, to its stores in the counties of Mifflin, Juniata, and Perry;

2. To transport, as a Class D carrier, property between points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough;
3. To transport, as a Class D carrier, household goods in use from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania and vice versa;
4. To transport, as a Class D carrier, rayon and rayon products from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to points in Pennsylvania, east of a north and south line from the center of the City of Harrisburg, Dauphin County, and the return of accessories;
5. To transport, as a Class D carrier, milk from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to the city of Lancaster, Lancaster County, and the city and county of Philadelphia;
6. To transport, as a Class D carrier, groceries and returned milk cans from the city and county of Philadelphia, to points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough;
7. To transport, as a Class D carrier, castings and machinery parts from the Standard Steel Works, Division of Baldwin Locomotive Works, in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania in emergencies only, provided that emergency trips shall be reported to the Commission immediately after they are made;
8. To transport, as a Class D carrier, artificial silk and artificial silk products and accessories from the American Viscose Corporation, in the borough of Marcus Hook, Delaware County, and

from points in the township of Granville, Mifflin County to points in Pennsylvania, east of the line running north and south through the borough of Huntingdon, Huntingdon County, and vice versa, excluding transportation from the borough of Marcus Hook, Delaware County, to the city of Lancaster, Lancaster County;

9. To transport, as a Class D carrier, builders' equipment, steel, brick and lumber for P. M. Rhodes of Lewistown, Mifflin County, from points in the county of Mifflin, to points in Pennsylvania and vice versa, provided such transportation shall either originate or terminate at points of construction;
10. To transport, as a Class D carrier, rayon, rayon products, cotton and cotton products, wool or wool products, or intermixtures of said materials for Cluett, Peabody and Company, Inc., from its plant in the borough of Lewistown, Mifflin County, to points in the borough of Shamokin, Northumberland County, and the return of damaged or refused merchandise;
11. To transport, as a Class D carrier, finished and unfinished products, materials and supplies, armaments and munitions from the Standard Steel Works Division of Baldwin Locomotive Works in the borough of Burnham, Mifflin County, to points in Pennsylvania and vice versa;
12. To transport, as a Class D carrier, oil, grease, and other petroleum products from points in the city of Philadelphia, and within thirty-five (35) miles of the Philadelphia City Hall to mines of Rochester and Pittsburgh Coal Company in the villages of Ernest, McIntyre and Luzerne, Indiana County, Helvetia, Clearfield County, and Yatesboro, Armstrong County, and the return of empty containers and accessories;
13. To transport, as a Class D carrier, fibrous glass textiles, containers and accessories for the Owens-Corning Fiberglass Corporation from points in the borough of Huntingdon, Huntingdon County, to points in the cities of Allentown, Lehigh County, Easton, Northampton County, Hazleton and Wilkes-Barre, Luzerne County, and Sunbury, Northumberland County, and the borough of Kingston, Luzerne County, and the return of shipping containers

and accessories from said cities and boroughs to points in the borough of Huntingdon;

14. To transport, as a Class D carrier, doors and other products of Overhead Door Company and Modern Doors, Inc., from the borough of Lewistown, Mifflin County, to points in Pennsylvania and merchandise, material, hardware, and supplies from points in Pennsylvania to Overhead Door Company and Modern Doors, Inc., in the borough of Lewistown;
15. To transport, as a Class D carrier, farm machinery and parts thereof for the Hertzler and Zook Company, the New Holland Machine Company and the New Holland Machine Division of the Sperry-Rand Corporation from their plant in the village of Belleville, Mifflin County; to points in Pennsylvania;
16. To transport, as a Class D carrier, supplies and materials for the Hertzler and Zook Company, the New Holland Machine Company and the New Holland Machine Division of the Sperry-Rand Corporation from points in Pennsylvania to the plant of the said companies in the village of Belleville, Mifflin County;
17. To transport, as a Class D carrier, ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman & Sons, Inc., from points in the county of Mifflin to points in Pennsylvania;
18. To transport, as a Class D carrier, ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman & Sons, Inc., from points in Pennsylvania to points in the county of Mifflin;

with right number 18 subject to the following condition:

That no right, power or privilege is granted to transport scrap metal from points in the city of Williamsport, Lycoming County;

19. To transport, as a Class D carrier, property, from the facilities of C. H. Masland & Sons in the borough of Carlisle, Cumberland County, to its facilities in the township of Granville, Mifflin County, and vice versa;

20. To transport, as a Class D carrier, property, from the facilities of C. H. Masland & Sons in the borough of Carlisle, Cumberland County, to the facilities of Volkswagen Manufacturing Corp. of America in the township of East Huntingdon, Westmoreland County, and vice versa;
21. To transport, as a Class D carrier, property, from the facilities of C. H. Masland & Sons in the township of Granville, Mifflin County, to the facilities of Volkswagen Manufacturing Corp. of America in the township of East Huntingdon, Westmoreland County, and vice versa;

with rights numbers 20 and 21 subject to the following restriction:

That no right, power or privilege is granted to transport commodities in bulk;

22. To transport, as a Class D carrier, property, for Corning Glass Works, from its facilities located in the township of College, Centre County, to the facilities of RCA, located in the borough of Dunmore, Lackawanna county, and vice versa;
23. To transport, as a Class D carrier, property from the facilities of Cerro Metal Products located in the borough of Bellefonte and the township of Spring, Centre County, to points in Pennsylvania and vice versa;
24. To transport, as a Class D carrier, carpet, carpeting and metal racks from the facilities of Magee Carpet Co. in the town of Bloomsburg, Columbia County to the facilities of Volkswagen Corp. of America in the township of East Huntingdon, Westmoreland County and vice versa with the right to use shipper trailers;
25. To transport, as a Class D carrier, property from the facilities of Carlisle Tire & Rubber Co. and Carlisle Syntec Systems in the county of Cumberland to points in Pennsylvania and vice versa;
26. To transport, as a Class D carrier, property from the facilities of C. H. Masland & Sons in the borough of Carlisle, Cumberland County and the township of Granville, Mifflin County to the facilities of Magee Carpet Co. in the town of Bloomsburg, Columbia County and vice versa;

27. To transport, as a Class D carrier, scrap metal for Thalheimer Bros. Inc. from its facilities in the city and county of Philadelphia to points in the counties of Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Greene, Indiana, Lawrence, Mercer, Somerset, Venango, Washington and Westmoreland and vice versa;
28. To transport, as a Class D carrier, property, for Jones and Hunt, Inc., from its facilities located in the township of West Brunswick, Schuylkill County, to points in Pennsylvania, and vice versa;

with right number 28 subject to the following condition:

That no right, power or privilege is granted to transport petroleum products in bulk, in tank vehicles.

29. To transport, as a Class D carrier, fire brick and other clay products from brick plants in the boroughs of Mount Union and Alexandria, Huntingdon County, the villages of Claysburg and Sproul, Blair County, and the village of Vandyke, Juniata County, to the plant of the Bethlehem Steel Company in the city of Bethlehem, Lehigh and Northampton Counties, and the return of empty shipping facilities;
30. To transport, as a Class D carrier, fire brick and other clay products on flatbed trailers for Haws Refractories Company from its plant in the village of Hawstone, Mifflin County, to points in Pennsylvania;
31. To transport, as a Class D carrier, empty shipping facilities, materials and supplies used or useful in the manufacture of fire brick and other clay products on flat trailers from points in Pennsylvania to the Haws Refractories Company plant in the village of Hawstone, Mifflin County;
32. To transport, as a Class D carrier, fire brick and clay brick on flatbed trailers from the General Refractories Company plants in the borough of Mt. Union, Huntingdon County, and the villages of Sproul and Claysburg, Greenfield Township, Blair County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments;
33. To transport, as a Class D carrier, fire brick and clay brick on flatbed trailers from the

Harbison-Walker Company plant in the borough of Mt. Union, Huntingdon County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments;

34. To transport, as a Class D carrier, fire clay for the General Refractories Company from its plants located in the villages of Sproul and Claysburg, Greenfield Township, Blair County, to points in Pennsylvania, and the return of shipping facilities and damaged or refused shipments;
35. To transport, as a Class D carrier, fire brick and clay products for the United States Steel Company from the villages of Sproul and Claysburg, Greenfield Township, Blair County, to its plant in the township of Falls, Bucks County, and the return of shipping facilities and damaged or refused shipments;
36. To transport, as a Class D carrier, fibrous glass products and materials used in the manufacture, processing and shipment of such products and supplies for Owens-Corning Fiberglass Corporation from its plant located in the borough of Huntingdon, Huntingdon County, and from its warehouse located within five (5) miles of the limits of said borough to points in Pennsylvania, and vice versa;
37. To transport, as a Class D carrier, fiberglass reinforced plastic products and materials and supplies used in the manufacture, processing and shipment of said products from the facilities of Owens-Corning Fiberglass Corporation located in the township of Shirley, Huntingdon County, and within an airline distance of ten (10) statute miles of the limits thereof to points in Pennsylvania, and vice versa;
38. To transport, as a Class D carrier, glass and glass products, from the facilities of Chromalloy American Corporation, located in the township of Granville, Mifflin County, to points in Pennsylvania;
39. To transport, as a Class D carrier, glass and property used in the manufacture, processing and production of glass and glass products, from points in Pennsylvania, to the facilities of Chromalloy American Corporation, located in the township of Granville, Mifflin County;



with rights numbers 38 and 39 subject to the following condition:

That no right, power or privilege is granted to transport commodities in bulk.

40. To transport, as a Class D carrier, property, from the facilities of Owens-Corning Fiberglass Corporation, in the counties of Dauphin and Cumberland, to points in Pennsylvania, and vice versa;
41. To transport, as a Class D carrier, property, for Georgia Pacific Corporation, from its facilities in Richland Township, Bucks County, to points in Pennsylvania, and vice versa;

with right number 41 subject to the following condition:

That no right, power or privilege is granted to transport property in bulk.

42. To transport, as a Class D carrier, property for Avtex Fibers, Inc., from its facilities located in Pennsylvania, to points in Pennsylvania, and vice versa;

with right number 42 subject to the following conditions:

That no right, power or privilege is granted to transport commodities in bulk; and

That no right, power or privilege is granted to transport property, to or from the facilities of New Enterprise Stone & Lime Co., Narehood Limestone, Inc., Detwiler Industries, Inc., Martin Limestone, Inc., Anthracite Industries, Inc., National Gypsum Company, Asbury Graphite Mills, Inc., McKesson Chemical Co., Mid-State Chemicals and Lumax Industries, Inc.

43. To transport, as a Class D carrier, fire brick and other refractory articles on flatbed trailers for E. J. Lavine & Company from its plant in the township of Plymouth, Montgomery County, to the city of Harrisburg, and the borough of Steelton, Dauphin County, and the city of Johnstown, Cambria County, and the return of empty shipping facilities and refused or rejected shipments.
44. To transport, as a Class D carrier, fire brick and other silica and clay products, on flatbed

trailers, from the plants of General Refractories Company in Worth Township and the borough of Port Matilda, Centre County, to points east of the eastern boundary of the counties of McKean, Cameron, Clearfield, Cambria and Somerset, and the return of refused or rejected articles and shipping containers.

with all of the rights above 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 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, \$17,500, 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.
4. That the certificate holder shall comply with all of the provisions of the Public Utility Code as now existing or as may hereafter be amended, and 52 Pa. Code §31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
5. 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(3).

IT IS FURTHER ORDERED: 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.

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 evidence of insurance and a tariff adoption supplement in accordance with 52 Pa. Code §23.13(c).

IT IS FURTHER ORDERED: That, with the adoption of the instant order, the temporary authority application is hereby dismissed.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1986 Annual Report of the transferor.

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, Noerr Motor Freight, Inc., at A-00075088, Folders 2, 3, 4, 6, 7 and 8 be cancelled and the record be marked closed.

BY THE COMMISSION,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: May 7, 1987

ORDER ENTERED: <sup>F</sup> May 12, 1987

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held February '1, 1988

Commissioners Present:

Bill Shane, Chairman  
William H. Smith, Vice-Chairman  
Linda C. Taliaferro  
Frank Fischl

Application of Independent Freightway, Inc., for the right to begin to transport, property, from the facilities of Atlas Energy Products, Division of Atlas Roofing Corporation, in the borough of Camp Hill, Cumberland County, to points in Pennsylvania; subject to the following condition: That no right, power or privilege is granted to transport property in bulk.

A-00107087  
F. 2

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John E. Fullerton for the applicant.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission through an application filed March 13, 1987. Public notice of the application was given in the Pennsylvania Bulletin of April 4, 1987. There were no protests and the record is now certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by the applicant and the supporting shipper.

Independent Freightway, Inc. currently operates the sought authority under emergency temporary authority granted April 2, 1987. The applicant also holds authority granted May 7, 1987, to operate the authority formerly held by Noerr Motor Freight, Inc.

Applicant conducts its Pennsylvania operations out of facilities located at Lewistown, PA. These facilities include a maintenance and repair garage. Applicant conducts a comprehensive safety program and a strict preventative maintenance and inspection program is in effect. The applicant has 15 tractors and 25 semi trailers in use in its Pennsylvania operation.

55

The unaudited balance sheet submitted by the applicant shows a net operating profit in 1986 of \$2,688 and in the first six months of 1987 \$2,053.

The authority sought here is necessary since the authorization in the above mentioned transfer grants the right to perform service from the facilities of Owens-Corning Fiberglass Corporation (O-C) (Emphasis added). O-C has sold the facilities to Atlas Energy Products, Division of Atlas Roofing Corporation (Atlas). The same operations will be conducted by Atlas as previously were performed by O-C. Emergency temporary authority was granted so that Atlas could continue the O-C operation without lack of carrier service.

A review of the record shows that the applicant has the equipment, experience, ability and fitness necessary to provide the service proposed. The previous use of the carrier by O-C has demonstrated that there is a need for the service requested.

We find:

1. That the applicant currently operates pursuant to a common carrier certificate granted May 7, 1987.
2. That the applicant has the equipment, experience and fitness necessary to provide the proposed service; THEREFORE,

IT IS ORDERED: That the application be, and is, hereby approved so that the right No. 45 entered by supplemental order August 20, 1987, shall be amended to read as follows:

To transport, as a Class D carrier, by motor vehicle, property, from the facilities of Atlas Energy Products, Division of Atlas Roofing Corporation, in the borough of Camp Hill, Cumberland County, to points in Pennsylvania and vice versa;

subject to the following condition:

No right, power or privilege is granted to transport property in bulk.

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 this Commission relative to the filing and acceptance of 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 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.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a faint, illegible stamp.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: February 11, 1988

ORDER ENTERED: February 19, 1988

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held September 29, 1988

Commissioners Present:

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

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 between points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough: SO AS TO PERMIT the transportation of equipment, parts and supplies used in the manufacturing of stereo speakers, from points in Pennsylvania, to the facilities of Sanyo Audio Manufacturing (U.S.A.) Corp. located in the township of Armaugh, Mifflin County, and vice versa.

A-00107087  
F. 1  
Am-A

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

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed July 28, 1988. Public notice of the application was given in the Pennsylvania Bulletin of August 20, 1988. 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 submitted on behalf of the applicant and the supporting shipper.

Corresponding applications for emergency temporary and temporary authority were also filed. By Tentative Decision adopted August 18, 1988, we denied the applicant's request for emergency temporary authority. The application for temporary authority is still pending.

Independent Freightway, Inc. (IFI or applicant), is a Delaware corporation, with its corporate headquarters in Rockford, Illinois. The applicant was initially certificated in 1987 and currently operates under forty-five paragraphs of rights. IFI also holds common carrier authority from the Interstate Commerce Commission. By this application, IFI seeks authority to serve one additional shipper.

The proposed operation will be conducted from the applicant's terminal, located in Reedsville, Mifflin County. IFI has a fleet of fifty tractors and one hundred trailers available for service in Pennsylvania. A comprehensive safety program for drivers and vehicles is currently in operation. As evidence of its financial capacity to perform the additional service, the applicant reports assets of \$21,032,000, with liabilities of \$12,697,000, leaving a shareholders' equity of \$8,335,000. Gross intrastate operating revenue in 1987 was \$517,000.

William P. McCoy, manager of material control, production control and traffic for Sanyo Audio Manufacturing (U.S.A.) Corp. (Sanyo or shipper), submitted a verified statement in support of the application. Sanyo, formerly Fisher Corporation, manufactures stereo speakers at a plant in Armaugh Township, Mifflin County, approximately five miles from the applicant's terminal. The shipper plans to discontinue its private carriage operation and have all inbound and outbound shipments transported by common carrier. Raw materials and supplies are delivered to the factory at a rate of two or three full trailer loads each business day. Current Pennsylvania origins for inbound freight include Allentown, Bloomsburg, Harrisburg, Mount Carmel, Philadelphia, Pittsburgh and Williamsport. Much of the inbound freight will be moved as a backhaul for earlier intrastate and interstate outbound traffic of finished products.

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

1. That the applicant has shown 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. That approval of the application 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 on July 1, 1987, be amended to include the following right:

To transport, as a Class D carrier, equipment, parts and supplies used in the manufacturing of stereo speakers, from points in Pennsylvania, to the facilities of Sanyo Audio Manufacturing (U.S.A.) Corp., located in the township of Armaugh, Mifflin County, and vice versa.



IT IS FURTHER ORDERED: That the exceptions filed to the tentative decision, adopted August 18, 1988, at A-00107087, F. 602, be and are hereby dismissed.


IT IS FURTHER ORDERED: That, upon compliance with the conditions set forth in this order, the application for temporary authority be and is hereby dismissed.

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,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: September 29, 1988

ORDER ENTERED: OCT 5 1988

B

INDEPENDENT FREIGHTWAY, INC.  
BALANCE SHEET  
(\$000 UNAUDITED)

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	MAR 1991	DEC 1990	DEC 1989
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CASH			
ACCOUNTS RECEIVABLE (NET)	\$15,904	\$17,979	\$14,682
SUNDRY RECEIVABLES	1,700	1,550	1,329
PREPAID / OTHER CURRENT	365	946	1,826
INTERCOMPANY RECEIVABLES	16,240	16,193	16,118
TOTAL CURRENT ASSETS	----- 34,209	----- 36,668	----- 33,955
P.P. & E. (NET)	2,305	2,433	3,755
GOODWILL	4,837	4,870	5,001
OTHER LONG TERM ASSETS	220	220	220
TOTAL ASSETS	----- \$41,571 =====	----- \$44,191 =====	----- \$42,931 =====
REVOLVER LOAN	\$0	\$0	\$200
ACCOUNTS PAYABLE	3,501	5,748	4,185
OTHER CURRENT LIABILITIES	5,335	5,744	5,939
INTERCOMPANY PAYABLES	1,168	1,451	3,288
TOTAL CURRENT LIABILITIES	----- 10,004	----- 12,943	----- 13,612
LONG-TERM DEBT	12,033	12,040	12,023
OTHER LIABILITIES	1,601	1,611	2,004
TOTAL EQUITY	----- 17,933	----- 17,597	----- 15,292
TOTAL LIABILITIES & EQUITY	----- \$41,571 =====	----- \$44,191 =====	----- \$42,931 =====

INDEPENDENT FREIGHTWAY, INC.  
 INCOME STATEMENT  
 (\$000 UNAUDITED)

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	1991 3 MTHS	1990 YEAR	1989 YEAR
	-----	-----	-----
REVENUE	\$36,104	\$154,877	\$145,453
COST OF OPERATIONS	32,380	138,741	131,297
	-----	-----	-----
	3,724	16,136	14,156
G & A EXPENSES	2,186	9,269	8,344
	-----	-----	-----
OPERATING PROFIT	1,538	6,867	5,812
OTHER EXPENSES	693	2,851	2,636
	-----	-----	-----
NET BEFORE TAXES	845	4,016	3,176
INCOME TAXES	509	1,711	1,253
	-----	-----	-----
NET INCOME	\$336	\$2,305	\$1,923
	=====	=====	=====
 OPERATING RATIO	 95.74%	 95.57%	 96.00%

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

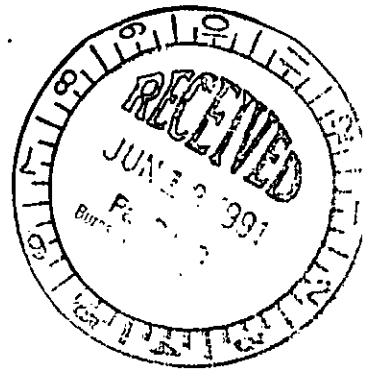
In Re: Application of :  
Independent Freightway, Inc. :  
for amendment to its common :  
carrier certificate SO AS TO :  
PERMIT the transportation of :  
roofing materials and roofing :  
accessories from the :  
facilities of Goodyear Tire :  
& Rubber Co. in the Borough :  
of Carlisle, Cumberland :  
County, Pennsylvania to :  
points in Pennsylvania and :  
return and also metal :  
building products from the :  
facilities of Billy Penn :  
Corporation in the City of :  
Philadelphia, Philadelphia :  
County, Pennsylvania to :  
points in Pennsylvania and :  
return. :

Application Docket No.  
A.00107087, F.1, Am-B

RECEIVED

JUN 12 1991

SECRETARY'S OFFICE  
Public Utility Commission



AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF PHILADELPHIA :

ERIC HERSH, being duly sworn according to law, deposes  
and says:

1. He is an adult individual who is employed by  
Billy Penn Corporation (Billy Penn) as its controller. Billy  
Penn maintains a manufacturing plant and warehouse facility at

1530 North 5th Street in the City of Philadelphia. Its principal business offices are located at 1831 North 5th Street, Philadelphia, Pennsylvania 19122. Billy Penn is engaged in the business of manufacturing and selling residential metal building products such as downspouts, gutters, heating-ventilating-air conditioning (HVAC) products and accessories thereto.

2. He is authorized to make this affidavit on behalf of Billy Penn and is familiar with its day-to-day operations at the plant and the warehouse. His duties as controller include traffic management and arranging for transportation of Billy Penn's products from its warehouse to destination points in Pennsylvania, with the return of damaged and rejected products to the warehouse.

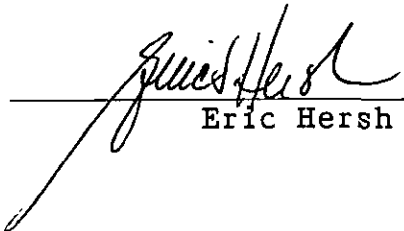
3. During the period from May to October each year, Billy Penn requires the transportation of four full truckloads of residential metal building products on the average each week, using vans. Each movement will originate at its warehouse in the City of Philadelphia. The destination points are retail lumber yards at points throughout the Commonwealth of Pennsylvania. Those points are detailed on Exhibit "A" attached hereto and made a part hereof. Each movement involves

a full truckload requiring approximately ten stops at the different lumber yards. Damaged or rejected product is returned to the warehouse. During the off peak season from November through April each year, the average traffic is two vanloads each week.

4. Billy Penn does not maintain its own fleet to satisfy its transportation needs. Applicant's terminal facilities are located within a one-half hour drive from the origin point at Billy Penn's warehouse. Billy Penn has attempted to satisfy its transportation needs by contacting Herr's Motor Freight (Herr) in Philadelphia. However, their equipment is often not available and, when it is available, it does not arrive on time. There are delays in delivery after Herr picks up the product at the Billy Penn warehouse facility. A product once loaded on Herr vans will sit for several days before delivery is undertaken. This service is not satisfactory because Billy Penn's customers desire prompt, reliable deliveries, particularly during the peak construction season.

5. Billy Penn has not supported any other application for permanent, temporary or emergency temporary authority covering all or any part of Applicant's proposed service territory. Billy Penn's support of this Application will not be withdrawn. Immediate need exists for the service

which Applicant proposes, and Billy Penn desires that the Application be granted immediately. Need for the proposed service is expected to continue on a permanent basis.

  
Eric Hersh

SWORN TO AND SUBSCRIBED  
before me this 10 day  
of June, 1991.

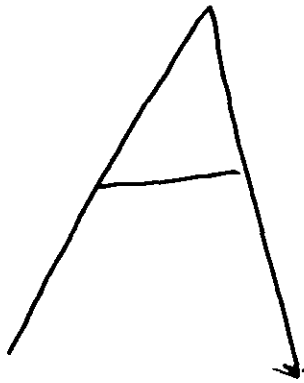
  
Notary Public

My Commission Expires:

(SEAL)

NOTARIAL SEAL  
PATRICIA ANDRACCHIO, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires Sept. 19, 1993

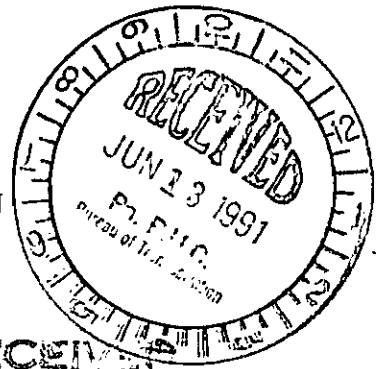




Billy Penn Corp. Intrastate Shipping Points

ALIQUIPPA	DINGMAN'S FERRY	MANSFIELD	READING	WYSOX
ALLENSVILLE	DOUGLASSVILLE	MARCUS HOOK	RED LION	YORK
ALLENTOWN	DOWNINGTOWN	MC KEESPORT	ROCKLEDGE	
ALLISON PARK	DOYLESTOWN	MEADVILLE	ROHERSTOWN	
ALTOONA	DUBOIS	MEDIA	ROSLYN	
AMBLER	DUNBAR	MERCER	ROULETTE	
AMBRIDGE	DURYEA	MEYERSDALE	ROYERSFORD	
ANNVILLE	E. STROUDSBURG	MIFFLIN	RURAL VALLEY	
ARENSTVILLE	EASTON	MIFFLINBURG	ST. MARY'S	
ATLASBURG	EBENSBURG	MILLERSBURG	ST. MICHAEL	
AVIS	ELIZABETH	MILL HALL	SAXONBURG	
AVONDALE	ELIZABETHTOWN	MILLMONT	SCHWENKSVILLE	
BALA CYNWYD	ELKLAND	MILTON	SCOT RUN	
BANGOR	ELM	MONTOURSVILLE	SCRANTON	
BARNESBORO	ELVERSON	MORRISVILLE	SELINGSGROVE	
BEAVER FALLS	ELYSBURG	MOSCOW	SHAMOKIN	
BEDFORD	EPHRATA	MT. CARMEL	SHARON	
BELLEFONTE	ERIE	MT. PLEASANT	SHARPSVILLE	
BELLEVILLE	ESSINGTON	MOUNTAINTOP	SHAVERTOWN	
BENSALEM	EYNON	MUNCY	SHINGLEHOUSE	
BENTON	FAIRLESS HILLS	MUNHALL	SHIPPENSBURG	
BERLIN	FAIRVIEW	MYERSDALE	SHOHOLA	
BERWYN	FRAZER	MYERSTOWN	SHREWSBURY	
BETHEL PARK	FREELAND	NANTICOKE	SNYDERSVILLE	
BETHLEHEM	FREEMANSBURG	NESCOPECK	SOMERSET	
BLOSSBURG	GALLITZIN	NEW CASTLE	SOUDERTON	
BLOOMSBURG	GETTYSBURG	NEW FOUNDLAND	SPRINGFIELD	
BOOTHWYN	GILBERTSVILLE	NEW FREEDOM	STATE COLLEGE	
BOYERTOWN	GLENOLDEN	NEW TRIPOLI	STOCKERTOWN	
BRADFORD	GORDON	NICHOLSON	STRASBURG	
BRIDGEPORT	GREEN LANE	NORRISTOWN	STRATTONVILLE	
BRISTOL	GREENSBURG	NORTHUMBERLAND	STROUDSBURG	
BUCKINGHAM	GROVE CITY	N. VERSAILLES	TARRS	
BUTLER	HAMBURG	NORTH WALES	TITUSVILLE	
CANTON	HANOVER	OAKLAND	TOPTON	
CARBONDALE	HARRISBURG	OIL CITY	TUNKHANNOCK	
CARLISLE	HATFIELD	OLD FORGE	UNION CITY	
CARMICHAELS	HOMESTEAD	ORELAND	UNIONTOWN	
CARNEGIE	HUNTINGTON	OTTSVILLE	UPLAND	
CECIL	INDIANA	PALMERTON	UPPER DARBY	
CENTERVILLE	JOHNSTOWN	PARADISE	VERONA	
CHALFONT	KANE	PARKESBURG	WARMINSTER	
CHAMBERSBURG	KENNETT SQ.	PAUPACK	WARREN	
CHESTER	KIMBERTON	PENNSBURG	WARRENDALE	
CHICORA	KING OF PRUSSIA	PERKASIE	WASHINGTON	
CLEARFIELD	KULPMONT	PHILADELPHIA	WAYNESBORO	
CLINTON	KUTZTOWN	PHOENIXVILLE	WEATHERLY	
COATESVILLE	LAKEVILLE	PINE GROVE	WEISSPORT	
COLLEGEVILLE	LANCASTER	PITTSBURGH	WERNERSVILLE	
CONNELLSVIL	LANSDALE	PITTSTON	WEST CHESTER	
CONSHOHOCKEN	LATROBE	PLYMOUTH MTG.	WEST HAZELTON	
CONYNGHAM	LEHIGHTON	POCONO SUMMIT	WESTFIELD	
CORNWELL HGTS.	LEVITTOWN	POCONO LAKE	WEXFORD	
CROYDON	LIMERICK	PT. ALLEGHENY	WILKENSBURG	
CURWENSVILLE	LORDS VALLEY	PT. MATILDA	WILKES BARRE	
DALLAS	LUCINDA	PORTLAND	WILLIAMSPORT	
DALTON	LUMBERVILLE	POTTSTOWN	WILLOW GROVE	
DANVILLE	LUZERNE	POTTSVILLE	WINDBER	
DEVON	MACUNGIE	PUNXSUTAWNEY	WIND GAP	
DILLSBURG	MANHEIM	QUAKERTOWN	WYALUSING	

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIVED

JUN 12 1991

SECRET  
Public Util.

In Re: Application of :  
Independent Freightway, Inc. :  
for amendment to its common :  
carrier certificate SO AS TO :  
PERMIT the transportation of :  
roofing materials and roofing :  
accessories from the :  
facilities of Goodyear Tire :  
& Rubber Co. in the Borough :  
of Carlisle, Cumberland :  
County, Pennsylvania to :  
points in Pennsylvania and :  
return and also metal :  
building products from the :  
facilities of Billy Penn :  
Corporation in the City of :  
Philadelphia, Philadelphia :  
County, Pennsylvania to :  
points in Pennsylvania and :  
return. :

Application Docket No.  
A.00107087, F.1, Am-B

AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
COUNTY OF CUMBERLAND :

LOUIS R. MACEDO, being duly sworn according to law,  
deposes and says:

1. He is an adult individual who is warehouse  
manager employed by Goodyear Tire & Rubber Co. (Goodyear) at  
its warehouse facilities located at 1295 Ritner Highway in the

Borough of Carlisle, Cumberland County, Pennsylvania. Adjacent to the warehouse facilities, Carlisle Syntec Systems fabricates roofing materials, adhesives, screws, flashings and fasteners for Goodyear to its specifications. The roofing materials and accessories are distributed from the warehouse facility throughout Pennsylvania.

2. He is authorized to make this affidavit on behalf of Goodyear and is familiar with its day-to-day operations at the plant. Among his responsibilities are arranging for transportation of the roofing materials and accessories.

3. During the peak sales period, which is June through October each year, Goodyear requires the transportation of six to seven full truckloads of roofing materials and accessories on the average each week, using flatbed trailers. During the other months of the year, the traffic averages two truckloads each week. The origin point is Goodyear's warehouse facilities in the Borough of Carlisle. The destination points are Philadelphia, Pittsburgh, Milford, Concordville, McKees Rock, New Castle, Greensburg, Bethlehem, Washington, Altoona, Duncansville, Ambridge, Bakerstown, Beaver Falls, Roaring Springs, West Mifflin and Cheswick, all in Pennsylvania. The traffic to these destinations sometimes involves multiple stops

using the same trailerload. For example, a trailerload destined for Philadelphia will make an intermediate stop to unload 5,000 pounds of roofing materials and accessories in Bethlehem. The remaining 25,000 pounds then will be delivered unloaded in Philadelphia. Goodyear desires the return of damaged or rejected goods to the Carlisle warehouse from its destination point. Since Goodyear now is in its busy season, it needs the transportation immediately.

4. Goodyear has attempted to satisfy these transportation needs by contacting General Express in West Middlesex, Pennsylvania and Shumaker Trucking in Dillsburg, Pennsylvania. Neither carrier is able to provide flatbeds when needed. At most, General Express and Shumaker Trucking each are able to transport one load using a flatbed. Frequently, however, they report that they do not have the equipment to provide any traffic at all. This service is unacceptable, because Goodyear's customers become dissatisfied when they do not receive timely deliveries of roofing materials and accessories, especially during the prime building season.

5. Goodyear does not maintain any fleet of truckers or trailers in order to satisfy its transportation needs. During the past year, Goodyear has not supported any other application for permanent, temporary or emergency temporary

authority covering all or any part of Applicant's proposed service territory. Goodyear's support for this Application will not be withdrawn. Immediate need exists for the service which Applicant proposes. The need for the service is expected to continue on a permanent basis.

*Louis R. Macedo*

\_\_\_\_\_  
Louis R. Macedo

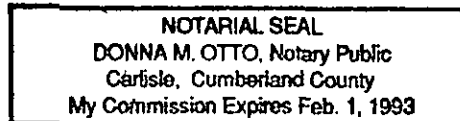
SWORN TO AND SUBSCRIBED  
before me this *12<sup>th</sup>* day  
of June, 1991.

*Donna M. Otto*

\_\_\_\_\_  
Notary Public

My Commission Expires: *2-1-93*

(SEAL)





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

June 14, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

LLOYD R PERSUN  
ATTORNEY AT LAW  
1801 NORTH FRONT STREET  
PO BOX 729  
HARRISBURG PA 17108-0729

In re: A-00107087, F. 1, Am-B - Application of Independent  
Freightway, Inc.

Dear Mr. Persun:

We have received the verified statements filed in the above  
referenced proceeding.

The record will be reviewed and will be put before the  
Commission for its decision. You will be notified of the Commission's  
action.

Very truly yours,

Douglas A. Pike  
Technical Review Section  
Bureau of Transportation

DAP:rs

