

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheet

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
October 18, 1993	:	NOV-93-T-956*
3. <u>BUREAU:</u>	:	
Transportation	:	
4. <u>SECTION:</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	November 10, 1993
6. <u>APPROVED BY:</u>	:	
<i>RLC</i>	:	
Director: Ernst 7-2154	:	
Supervisor: Marzolf 3-5945	:	
7. <u>PERSON IN CHARGE:</u>	:	
Zeigler 3-5946	:	
8. <u>DOCKET NO.:</u>	:	
A-00107087, F. 1, Am-E	:	

- 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., a corporation of the State of Delaware, Rockford, Illinois, for amendment to its common carrier certificate: SO AS TO PERMIT the transportation of steel bars and steel coil rods from the facilities of Republic Engineered Steel, Inc., located in the city of Beaver Falls, Beaver County, to points in Pennsylvania.

(b) The application is unopposed. The applicant stands ready, willing and able to render the proposed service and has the equipment, experience and financial capacity necessary to do so. The applicant has the support of Republic Engineered Steel, Inc., and that support is representative of service from its manufacturing facilities to points in Pennsylvania. Approval of the unopposed application will aid the shipper in meeting its Pennsylvania transportation requirements and is proper for the accommodation and convenience of the public.

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

TZ:rs/em

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

CONTENT OF MOTION: Staff recommendation adopted.

**DOCKETED**  
FEB 25 1994

**DOCUMENT  
FOLDER**

LDA



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

November 23, 1993

IN REPLY PLEASE  
REFER TO OUR FILE

A-00107087  
F.1Am-E

LLOYD R PERSUN ESQUIRE  
METTE EVANS WOODSIDE  
3401 NORTH FRONT STREET  
PO BOX 5950  
HARRISBURG PA 17108-0950

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 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.

210-4  
LWA

Commission regulations require compliance with the above requirements  
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 November 10, 1993 and dismiss the application without  
further proceeding.

Very truly yours,

*John G. Alford*  
John G. Alford, Secretary

DOCKETED

DEC 09 1993

DOCUMENT  
FOLDER

smk  
Encls.  
Cert. Mail  
Receipt Requested  
Tariff Contact 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 10, 1993

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, steel, for Ingersoll Rand Company, from the facilities of Lukens Steel Corporation, located in the city of Coatesville, Chester County, and in the borough of Conshohocken, Montgomery County, to the facilities of Ingersoll Rand Company, located in the borough of Shippensburg, Franklin County: SO AS TO PERMIT the transportation of steel bars and steel coil rods from the facilities of Republic Engineered Steel, Inc., located in the city of Beaver Falls, Beaver County, to points in Pennsylvania.

A-00107087  
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\_\_\_\_\_  
Lloyd R. Persun for the applicant.  
\_\_\_\_\_

JOINTED  
DEC 09 1993

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed July 21, 1993. Public notice of the application was given in the Pennsylvania Bulletin of August 14, 1993. 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 its supporting shipper.

George J. Renna, sets forth in his verified statement that he is vice president of the applicant's Eastern Region. He is familiar with the applicant's day-to-day operations in Pennsylvania including the terminal at Beaver Falls, Beaver County.

Independent Freightway, Inc., is a Delaware corporation authorized to do business in Pennsylvania. It has held a certificate since July of 1987. The applicant has a terminal at Beaver Falls which is located just minutes from the facilities of Republic Engineered Steel, Inc. Independent's available fleet in Pennsylvania consists of 120 van trailers, 180 flatbed trailers and 300 tractors. This fleet is available for use in providing service from the shipper's facilities at Beaver Falls, Beaver County.

The applicant has received requests for service weekly from the supporting shipper. It proposes to use flatbed trailers to transport steel bars and steel coil rods from the shipper's plants to points in Pennsylvania. It will make multiple deliveries at multiple destination points as requested. The applicant now provides transportation service to Republic between interstate points. It is expected that at times, interstate and intrastate traffic could be combined to economize operations.

As a currently certificated carrier, there is a presumption of fitness. The applicant has provided a most currently available balance sheet reporting total assets of \$55,232,232 with total liabilities of \$30,700,650.

James E. Winterfeldt set forth in his verified statement that he is general traffic manager for Republic Engineered Steel, Inc. He is authorized to enter a verified statement on the company's behalf. Republic maintains a manufacturing plant in the city of Beaver Falls, Beaver County. The plant manufactures steel bars and steel coil rods. Each steel bar is 20 feet, long when manufactured. These bars are delivered to other manufacturers for use in their processes. Each steel coil rod is 20 feet ranging in diameter from 1/4 of an inch to 3/4 of an inch. The steel coil rods likewise are delivered to other manufacturers which use them for other products. These manufacturers are located throughout Pennsylvania. Currently, Republic is making deliveries to such points as Beaver Falls, Bensalem, Blairsville, Clinton, Erie, Lancaster, Leetsdale, Monaca, Philadelphia, Pittsburgh, and York among others.

Republic's bars and coil rods must be transported by flatbed truck. All movements will originate at the manufacturing plant in Beaver Falls destined to Pennsylvania points as above enumerated. Other carriers now provide transportation in Pennsylvania, but additional service is needed to meet shipping requirements.

#### DISCUSSION AND FINDINGS

The applicant is an established Pennsylvania carrier having held its certificate since 1987. It now holds authority which permits the transportation of several commodities as subject in this application. It has a large fleet of equipment suitable to provide the service proposed.

The applicant has the unqualified support of the shipper, Republic Engineered Steel, Inc. Republic seeks to use the applicant's service from its Beaver Falls facility to points in Pennsylvania. It will tender the applicant steel bars and steel coil rods for transportation on flatbed trailers. The availability of the applicant's service will aid the this shipper in meeting its Pennsylvania distribution requirements.

We find:

1. The applicant stands ready, willing and able to provide service from the facilities of the shipper to points in Pennsylvania.
2. The applicant has the equipment, experience and financial capacity to provide the proposed service.
3. The applicant has the support of the shipper desiring transportation from its facilities to points in Pennsylvania transporting steel rods and steel coil rods on flatbed trailers.
4. Approval of the unopposed application will aid the shipper in meeting its transportation requirements in Pennsylvania and approval of the application is proper for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the unopposed application be approved and that the certificate issued July 1, 1987, as amended, be further amended to include the following right:

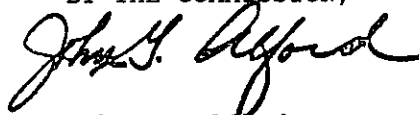
To transport, as a Class D carrier, steel bars and steel coil rods from the facilities of Republic Engineered Steel, Inc., in the city of Beaver Falls, Beaver County, to points in Pennsylvania.

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 shall have complied with the requirements of the Public Utility Code and the rules and regulations of the Commission relating to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event the applicant has not, on or before sixty (60) days from the date of service of the 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 10, 1993

ORDER ENTERED: NOV 23 1993

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and  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 will show to whom the article was delivered and the date delivered.

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

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
*A-00107087, PA, AM-E*

*C.O.*

4a. Article Number:  
*044227*

4b. Service Type

- Registered  Insured
- Certified  COD
- Express Mail  Return Receipt for Merchandise

*Lloyd R. Persim, Esq.*  
*2 Di*

7. Date of Delivery  
*11/29*

5. Signature (Addressee)

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

6. Signature (Agent)

Thank you for using Return Receipt Service.