



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

February 3, 1989

IN REPLY PLEASE
REFER TO OUR FILE

DOCKETED

A-105933
F. 1, Am-A

MAR 03 1989

Robert Edward Molnar
t/a Robert Molnar Hauling
R. D. #1, Box 38-A
Sutersville, PA 15083

Application of Robert Edward Molnar
t/a Robert Molnar Hauling

Enclosed is the compliance order issued by the Commission in this proceeding.

The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

Motor carriers operating without complying with the above requirement will be subject to the penalty provisions of the Public Utility Code.

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of January 26, 1989 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich
Secretary

DOCKETED
FOLDER

lg
Enclosure
Certified Mail
Receipt Requested
Tariff Contact Person: Joseph Machulsky (717) 787-5521

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held January 26, 1989

Commissioners Present:

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

Application of Robert Edward Molnar,
t/d/b/a Robert Molnar Hauling, for
amendment to his contract carrier permit,
to transport, by motor vehicle, coal,
for Amerikohl Mining, Inc., between
points in the county of Westmoreland,
and from points in said county, to points
within an airline distance of seventy-five
(75) statute miles of the limits of said
county, and vice versa.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed August 22, 1988. Public notice of the application was given in the Pennsylvania Bulletin of September 17, 1988. No protests were filed.

The application is unopposed and the record is certified to the Commission for its decision without an oral hearing. The record consists of a verified statement submitted by the applicant.

DISCUSSION AND FINDINGS

Robert Edward Molnar, under the trade name of Robert Molnar Hauling, seeks amendment to his contract carrier permit so that he will be authorized to transport coal, for Amerikohl Mining, Inc., between points in the county of Westmoreland, and from points in said county, to points within an airline distance of seventy-five (75) statute miles of the limits of said county, and vice versa. The applicant is currently authorized to transport coal for Mikel Coal Company.

The applicant is domiciled at R.D. 1, Box 38A, Sutersville, Westmoreland County. To provide transportation, the applicant has available two tri-axle dump trucks, four tractors, four trailers all of which he owns, and two tri-axle dump trucks and one tractor which are under lease. The motor vehicles are equipped with either CB radios or mobile phones.

Transportation of coal will originate at various plants and surface mining operations in Westmoreland County and will be destined to coal processing and loading facilities. All transportation will be provided for Amerikohl Mining, Inc.

The statement of assets and liabilities submitted by the applicant indicates that he has total assets of \$498,000, liabilities of \$56,000 for a net worth of \$442,000.

The applicant in the instant proceeding is a currently permitted contract carrier which is seeking additional authority to serve one shipper. The record contains sufficient evidence to indicate that the applicant is fit to hold additional contract carrier authority. It will be necessary that the applicant submit a bilateral contract prior to instituting service, with said contract to conform with Commission regulations as set forth at 52 Pa. Code §31.45.

We find:

1. That the applicant is fit to hold additional contract carrier authority.

2. That a grant of additional contract carrier authority to the applicant will not interfere with the service, safety and regulation of common carriers; THEREFORE,

IT IS ORDERED: That the application, be and is hereby approved, and that the permit issued to the applicant on May 28, 1985, be amended to include the following right:

To transport, as a contract carrier by motor vehicle, coal, for Amerikohl Mining, Inc., between points in the county of Westmoreland, and from points in said county, to points within an airline distance of seventy-five (75) statute miles of the limits of said county, and vice versa.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until he shall have complied with the requirements of the Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of a schedule of minimum rates and charges in accordance with 66 Pa. C.S. §2502.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until he shall have submitted a bilateral contract prepared in accordance with 52 Pa. Code §31.45 with this Commission for its approval.

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

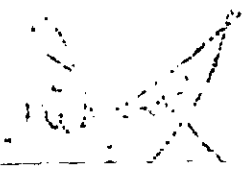
A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized, looped scribble.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: January 26, 1989

ORDER ENTERED: **FEB 03 1989**



SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you with the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

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

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|--|---|
| 3. Article Addressed to: <i>A-105933, F.1 AM-A order Robert Edward Molnar</i> | 4. Article Number 44288 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail |
| 5. Signature - Addressee X | Always obtain signature of addressee or agent and DATE DELIVERED . |
| 6. Signature - Agent X <i>Shelley Molnar</i> | 8. Addressee's Address (ONLY if requested and fee paid) H4 |
| 7. Date of Delivery <i>2-6-89</i> | |