

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held June 1, 1989

Commissioners Present:

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

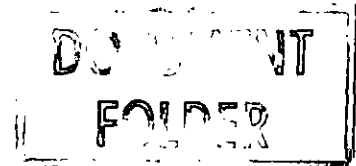
Pennsylvania Public Utility Commission

CA-00093048C 891

v.

Harold E. Trego, Inc.
Box 204
Lionville, PA 19353

ORDER TO SHOW CAUSE



BY THE COMMISSION:

This Commission, as the duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate common carriers within this Commonwealth, represents as follows:

1. That Harold E. Trego, Inc., respondent, maintains its principal place of business at Box 204, Lionville, PA 19353.
2. Respondent holds a certificate of public convenience issued by this Commission at Application Docket No. A-00093048.
3. Respondent is required by the Public Utility Code, 66 Pa. C.S. §504 or §2502, and by the regulations of the Commission, 52 Pa. Code §29.42, or §31.9, to file an Annual Report with the Commission for each calendar year. The Annual Report must be filed with the Commission no later than March 31 of succeeding calendar year, unless an extension of time for filing has been granted by the Commission.
4. Respondent is required by the Public Utility Code, 66 Pa. C.S. §510(b), and by the regulations of the Commission, 52 Pa. Code §29.43 or §31.10, to file with the Commission on or before March 31 of each year, an Assessment Report, consisting of a statement, under oath, showing its gross intrastate operating revenues for the preceding calendar year.
5. As of the date of this order to show cause, which is after March 31, 1989, respondent has not filed either its Annual Report for 1988 or its Assessment Report for 1988 revenues.

6. By failing to file its Annual Report for 1988, respondent is in violation of 52 Pa. Code §29.42(d) or §31.9(f).

7. By failing to file its Assessment Report for 1988 revenues, respondent is in violation of 66 Pa. C.S. §510(b), and 52 Pa. Code §29.43 or §31.10; THEREFORE;

IT IS ORDERED:

1. That respondent show cause why the certificate of public convenience at Application Docket No. A-00093048 should not be revoked for failure to file respondent's Annual Report for 1988 and Assessment Report for 1988 revenues.

2. That respondent has twenty (20) days from the date on which this order is served to file with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120, an answer, in writing, under oath, which, as required by the Rules of Administrative Practice and Procedure, 52 Pa. Code §5.64, either affirms or specifically denies the allegations in this order.

3. That in lieu of an answer to this order, respondent may file both its Annual Report for 1988 and its Assessment Report for 1988 revenues within the time specified for filing an answer to this order. If the respondent so files both its Annual and Assessment Reports for 1988, the time for filing the Annual Report will be extended to the date upon which an answer is due, thereby mitigating the fine set forth in 52 Pa. Code §29.42(d), or §31.9(f), and this Order will be discharged without further proceedings.

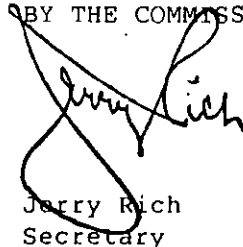
4. That if respondent fails to file an answer or other responsive pleading, and if respondent also fails to file either its Annual report for 1988 or its Assessment Report for 1988 revenues within twenty (20) days, respondent will be deemed to have admitted all the allegations in this Order, in accordance with the Rules of Administrative Practice and Procedure, 52 Pa. Code §5.64. In that event, this Commission may, without hearing, enter an appropriate order which either revokes or suspends the certificate of public convenience held by respondent, and which imposes a fine or any other appropriate penalty or forfeiture as authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

5. That if respondent files an answer which admits the allegations contained in this order, and does not file either its Annual Report for 1988 or its Assessment Report for 1988 revenues, this Commission will enter an order which either revokes or suspends the certificate of public convenience held by respondent and which imposes a fine or any other appropriate penalty or forfeiture as authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

6. That if the respondent files a timely answer which specifically denies the allegations in this order, or which raises material questions of law or fact, and fails to file either its Annual Report for 1988 or its Assessment Report for 1988 revenues, this matter shall be referred to an Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, the respondent is found to have committed any

of the violations alleged in this order, the Administrative Law Judge may render a decision which either revokes or suspends the certificate of public convenience held by respondent, and which imposes a fine or any other appropriate penalty authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", is written over the typed name and title. The signature is stylized and somewhat cursive.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: June 1, 1989

ORDER ENTERED: JUN 20 1989

HAROLD E. TREGO Construction Co., Inc.
P.O. Box 204
LIONVILLE, PENNA. 19353
(215) 363-6614

November 20, 1989

Commonwealth of Penna.
c/o Joseph E. Lauver
Admin. Supv.
P.O. Box 3265
Harrisburg, PA 17120

Dear Mr. Lauver:

We are responding to your letter dated November 8, 1989. Enclosed you will find a copy of our leases with Smith Truck Lines for whom we were hauling at this time. We were leased at this time and hauling their material.

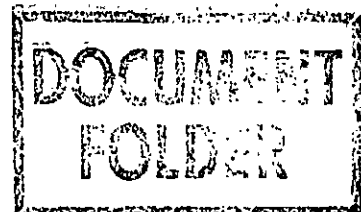
If you have any questions, you may contact us at the above address and phone number or contact Smith Truck Lines.

Very truly yours,



Harold E. Trego
H. E. TREGO, INC.

HET/cp



11-28-89
To: CD
Deer Smith
K side 2472
Sut more?
NOV 27 1989
To Site
A 93048

RC 37513
37514



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

November 8, 1989

IN REPLY PLEASE
REFER TO OUR FILE
A.93048
R.C.'s 37513
& 37514

Harold E. Trego, Inc.
Lionville, PA 19353

NOV 27 1989

Gentlemen:

Information before this Commission indicates that on or about April 12, 1989, by the use of a certain Mack truck bearing Pennsylvania License No. AA77705, Manufacturer's No. 2M2N187Y1EC005104, you transported potato starch for compensation from Chester, Delaware County, Pennsylvania to Berwick, Columbia County, Pennsylvania.

Also, on the same date, by the use of a certain Mack truck bearing Pennsylvania License No. AA47685, Manufacturer's No. 2M2N187Y2EC005077, you transported potato starch for compensation from and to the locations described in the above paragraph.

That the transportation described above was not permissible in that the commodity transported was not specified in your operating authority.

That in performing the acts described above, you violated 66 Pa. C.S. §1102(a)(1)(i), by rendering service within the Commonwealth of Pennsylvania of a different nature than that authorized by your certificate of public convenience issued by this Commission.

If you desire to expand your present authority to include the movement described in the above paragraph you may contact Mr. David Ehrhart, Bureau of Transportation at the above address or call (717) 787-3834 and he will be glad to furnish you with the necessary application forms.

Very truly yours,

Joseph E. Lauver
Administrative Supervisor
Bureau of Safety & Compliance
(717) 783-1948

DB:mv

cc: Harrisburg District Office/Anomaitis

*Get copy of lease and info this was from
mailed for Smith Truck lease & and del Blue Smith
Sign & then man took lease out of truck*

LEASE AGREEMENT

L-325

This agreement made this 23RD day of MARCH, 19 89 at MUNCY, PA. by and between

LESSEE SMITH'S TRUCK LINES - P.O. BOX 88, MUNCY, PA. 17756
 LESSOR HAROLD E. TREGO, INC., P.O. BOX 204, LIONVILLE, PA. 19353

WITNESSETH: For and in consideration of the stipulated and agreed rental and for further consideration of the covenants, terms and conditions set forth hereon and reverse hereof, the parties hereto agree mutually as follows:
 The lessor hereby leases to the lessee, and the lessee rents, hires and lets from the lessor the following described equipment

Make	Year	Model	Serial No.	Motor No.	License No.	State	Year
TRACTOR	MAACK	1984	CDW.	2M2N187Y1EC 005104		AA77705	PA. CURRENT
TRAILER							

The term of this lease shall be for:

- For 30 days. Automatic renewal after 30 days unless cancelled, in writing, by either party upon one day's written notice.
- For one-way trip from (City & State) _____ to (City & State) _____
- For and in consideration of the sum of (inclusive of driver's wages) \$ _____
- For and in consideration of _____ % of Gross Revenue

SHIPPER	ORIGIN	CONSIGNEE	DESTINATION	Approximate Weight
WILL VARY				

(1) Driver's Name HUGH A. BLEWIS Social Security No. 174-48-7208 Physical & Qualification Expiration Date 2/22/91
 (2) Driver's Name _____ Social Security No. _____ Physical & Qualification Expiration Date _____

DRIVER'S CERTIFICATE FOR ON DUTY TIME FOR PRIOR SEVEN DAYS (Must include all time shown on lines 3 and 4 of your logs)

Driver	Total Hours
1st	
2nd	

I certify, by my signature below, that the total hours on duty for seven days previous, as so stated, are true and correct and further that I was relieved from duty prior to this trip on the following:

1st Driver
 Date _____ Hour of Day _____ AM _____ PM
 2nd Driver
 Date _____ Hour of Day _____ AM _____ PM
 Signature of 1st Driver _____
 Signature of 2nd Driver _____

STATEMENT OF EXEMPT HAULER
 This is to certify that the movement prior to this one was of exempt commodities, or was one of a series of movements returning to point of origin or home base of said load.

Originated at _____ Date _____ Time _____ AM/PM
 Terminated at _____ Date _____ Time _____ AM/PM
 And that I am authorized to lease said equipment.

COMPANY INSPECTION RECORD							
TRACTOR	Not Defective	Defective	Date Corrected	TRAILER	Not Defective	Defective	Date Corrected
AIR COMPRESSOR				BREAKAWAY, EMERGENCY			
BRAKES, SERVICE				BRAKES, SERVICE			
BRAKES, PARKING				BRAKE CONNECTIONS			
BREAKAWAY VALVE				HOSES, AIR			
CLUTCH - TRANSMISSION				IDENTIFICATION			
EXHAUST SYSTEM				LANDING GEAR			
FUEL SYSTEM				LIGHTS & REFLECTORS			
FIFTH WHEEL				MUD FLAPS			
HEAT - DEFROSTER				PICKUP PLATE			
HOSES - AIR				TIRES & WHEELS			
IDENTIFICATION				SPRINGS			
INDICATOR, AIR				UNDERCARRIAGE			
LIGHTS - REFLECTORS				OTHER			
LICENSES				NO DEFECTS			
MIRRORS							
SAFETY EQUIPMENT							
SPEEDOMETER		10247					
SPRINGS				REMARKS			
STEERING				I HEREBY CERTIFY THAT ON THE BELOW DATE I CAREFULLY			
TIRES & WHEELS				INSPECTED THE ABOVE AND THIS IS A			
WIPERS				TRUE AND CORRECT REPORT OF SAME.			
WARNING SYSTEM, AIR							
OTHER							
NO DEFECTS							

I HEREBY CERTIFY THAT ON THE DATE STATED ABOVE THE PERSON WHO MADE THE INSPECTION COVERED BY THIS REPORT WAS COMPETENT AND QUALIFIED TO MAKE SUCH INSPECTION AND WAS DULY AUTHORIZED TO MAKE SUCH AN INSPECTION AS A REPRESENTATIVE OF THIS COMPANY.
 DATE 03/23/1989 SIGNATURE _____ OFFICIAL TITLE TREASURER

SPECIAL DRIVER INSTRUCTIONS			
Lessee authorizes the driver supplied to log enroute, meal and rest stops as off-duty consistent with times shown under separate contract or when not so stated to 1 hour for each 4 hour tour of duty or part thereof. Driver is required to safeguard the vehicle and cargo before going off duty.			
PREPARATION OF DAILY VEHICLE INSPECTION REPORT			
Check off below to acknowledge review of previous days inspection and today's inspection report. Describe defects on back of log or on separate report. Repairs must be certified.			
1st Day	2nd Day	3rd Day	4th Day
<input type="checkbox"/> OK	<input type="checkbox"/> OK	<input type="checkbox"/> OK	<input type="checkbox"/> OK
<input type="checkbox"/> Review	<input type="checkbox"/> Review	<input type="checkbox"/> Review	<input type="checkbox"/> Review
<input type="checkbox"/> Defect	<input type="checkbox"/> Defect	<input type="checkbox"/> Defect	<input type="checkbox"/> Defect
Driver Signature _____			

RECEIPT BY LESSEE (On Start of Trip)
 The undersigned hereby acknowledges receipt of the above equipment from Lessor under the terms of lease at
 City MUNCY State _____
 Hour 10:00 AM Date 3/23/89
 Signature of Lessee Agent _____

RECEIPT OF LESSOR (On End of Trip)
 The undersigned hereby acknowledges receipt of the above described equipment from Lessee and termination of lease at
 City _____ State _____
 Hour _____ AM/PM Date _____ 19 _____
 Signature of Lessor - Agent _____

IN WITNESS WHEREOF the parties of this lease have read and understood the terms and conditions listed above and on reverse hereof and hereunto set their hand and seal this 23RD day of MARCH, 19 89

For Lessee SMITH'S TRUCK LINES His Agent or Employee [Signature]
 For Lessor HAROLD E. TREGO, INC. His Agent or Employee [Signature]
 I am authorized to lease said equipment

LEASE AGREEMENT

2-324

This agreement made this 23rd day of March 1989 at MUNCY PA by and between

LESSEE SMITH'S TRUCK LINES - P.O. BOX 88, MUNCY, PA. 17756 and
LESSOR HAROLD E. TREGO, INC., P.O. BOX 204, LIONVILLE, PA. 19353

WITNESSETH: For and in consideration of the stipulated and agreed rental and for further consideration of the covenants, terms and conditions set forth hereon and reverse hereof, the parties hereto agree mutually as follows:
The lessor hereby leases to the lessee, and the lessee rents, hires and lets from the lessor the following described equipment:

Make	Year	Model	Serial No.	Motor No.	License No.	State	Year
TRACTOR	MACK	1984 CONV.	2M2N187Y2EC 005077		AA47685	PA	CURRENT
TRAILER							

The term of this lease shall be for:

- For 30 days. Automatic renewal after 30 days unless cancelled, in writing, by either party upon one day's written notice.
- For one-way trip from (City & State) _____ to (City & State) _____
- For and in consideration of the sum of (inclusive of driver's wages) \$ _____
- For and in consideration of _____ % of Gross Revenue

SHIPPER	ORIGIN	CONSIGNEE	DESTINATION	Approximate Weight
WEPV				

(1) Driver's Name WILLIAM B. DAWSON Social Security No. 190-32-4703 Physical & Qualification Expiration Date 2/16/91

(2) Driver's Name _____ Social Security No. _____ Physical & Qualification Expiration Date _____

DRIVER'S CERTIFICATE FOR ON DUTY TIME FOR PRIOR SEVEN DAYS (Must include all time shown on lines 3 and 4 of your logs)

Driver	Total Hours
1st	
2nd	

I certify, by my signature below, that the total hours on duty for seven days previous, as so stated, are true and correct and further that I was relieved from duty prior to this trip on the following:

1st Drive: _____ Date _____ Hour of Day _____ AM _____ PM

2nd Drive: _____ Date _____ Hour of Day _____ AM _____ PM

Signature of 1st Driver _____

Signature of 2nd Driver _____

COMPANY INSPECTION RECORD

TRACTOR	Not Defective	Defective	Date Corrected	TRAILER	Not Defective	Defective	Date Corrected
AIR COMPRESSOR				BREAKAWAY, EMERGENCY			
BRAKES, SERVICE				BRAKES, SERVICE			
BRAKES, PARKING				BRAKE CONNECTIONS			
BREAKAWAY VALVE				HOSES, AIR			
CLUTCH - TRANSMISSION				IDENTIFICATION			
EXHAUST SYSTEM				LANDING GEAR			
FUEL SYSTEM				LIGHTS & REFLECTORS			
FIFTH WHEEL				MUD FLAPS			
HEAT - DEFROSTER				PICKUP PLATE			
HOSES - AIR				TIRES & WHEELS			
IDENTIFICATION				SPRINGS			
INDICATOR, AIR				UNDERCARRIAGE			
LIGHTS - REFLECTORS				OTHER			
LICENSES				NO DEFECTS			
MIRRORS							
SAFETY EQUIPMENT							
SPEEDOMETER							
SPRINGS							
STEERING							
TIRES & WHEELS							
WIPERS							
WARNING SYSTEM, AIR							
OTHER							
NO DEFECTS							

REMARKS: 269,389

I HEREBY CERTIFY THAT ON THE BELOW DATE I CAREFULLY INSPECTED THE ABOVE AND THIS IS A TRUE AND CORRECT REPORT OF SAME.

DATE INSPECTED: 03/23/1989

SIGNATURE OF INSPECTOR: _____

TREASURER: Harold E. Trego

STATEMENT OF EXEMPT HAULER

This is to certify that the movement prior to this one was of exempt commodities, or was one of a series of movements returning to point of origin or home base of said load.

Originated at _____ Date _____ Time _____ AM _____ PM

Terminated at _____ Date _____ Time _____ AM _____ PM

And hauler authorized to lease said equipment.

Signature of Lessor or Agent _____

SPECIAL DRIVER INSTRUCTIONS

Lessee authorizes the driver supplied to log enroute, meal and rest stops as off-duty consistent with times shown under separate contract or when not so stated to 1 hour for each 4 hour tour of duty or part thereof. Driver is required to safeguard the vehicle and cargo before going off duty.

RECEIPT BY LESSEE (On Start of Trip)

The undersigned hereby acknowledges receipt of the above equipment from Lessor under the terms of lease at

City MUNCY State PA

Hour 10:00 AM 3/23/89

Signature of Lessee Agent _____

RECEIPT OF LESSOR (On End of Trip)

The undersigned hereby acknowledges receipt of the above described equipment from Lessee and termination of lease at

City _____ State _____

Hour _____ AM _____ PM Date _____ 19 _____

Signature of Lessor - Agent _____

PREPARATION OF DAILY VEHICLE INSPECTION REPORT

Check off below to acknowledge review of previous days inspection and today's inspection report. Describe defects on back of log or on separate report. Repairs must be certified.

1st Day	2nd Day	3rd Day	4th Day
<input type="checkbox"/> OK	<input type="checkbox"/> OK	<input type="checkbox"/> OK	<input type="checkbox"/> OK
<input type="checkbox"/> Review	<input type="checkbox"/> Review	<input type="checkbox"/> Review	<input type="checkbox"/> Review
<input type="checkbox"/> Defect	<input type="checkbox"/> Defect	<input type="checkbox"/> Defect	<input type="checkbox"/> Defect

Driver Signature _____

IN WITNESS WHEREOF the parties of this lease have read and understood the terms and conditions listed above and on reverse hereof and hereunto set their hand and seal this 23RD day of MARCH 1989

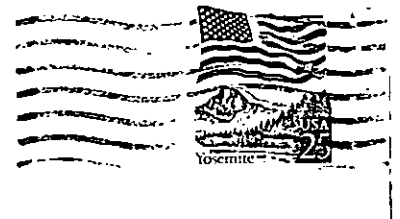
For Lessee SMITH'S TRUCK LINES For Lessor HAROLD E. TREGO, INC.

His Agent or Employee [Signature] His Agent or Employee [Signature]

I am authorized to lease said equipment

HAROLD E. TREGO, INC.

P.O. BOX 204 LIONVILLE, PENNSYLVANIA 19353



Commonwealth of Penna.
Public Utility Commission
Attn Joseph E. Lawrence, Admin. Supv.
P.O. Box 3265
Harrisburg, Pa 17120