

**PENNSYLVANIA PUBLIC UTILITIES COMMISSION**  
**Uniform Cover and Calendar Sheet**

<b>1. REPORT DATE:</b>	<b>2. BUREAU AGENDA NO.</b>
August 28, 1986	SEP-86-T-984*
<b>3. BUREAU:</b>	
Transportation	
<b>4. SECTION(S):</b>	<b>5. PUBLIC MEETING DATE:</b>
Technical Review	September 18, 1986
<b>6. APPROVED BY:</b>	
<b>Director:</b> Ernst 7-2154	
<b>Supervisor:</b> Bigelow/Marzolf 3-5945	
<b>7. MONITOR:</b>	
<b>8. PERSON IN CHARGE:</b>	
Keener-Farley 7-4386	
<b>9. DOCKET NO:</b>	
A-00106890	

- 10. (a) CAPTION (abbreviate if more than 4 lines)**  
**(b) Short summary of history & facts, documents & briefs**  
**(c) Recommendation**

(a) Application of Larry J. Saupp and Frank Saupp, copartners, t/d/b/a Saupp's Excavating, Smithmill, Clearfield County, for the right to begin to transport, as a contract carrier, by motor vehicle, property, for Narehood Limestone, from points in the borough of Tyrone, Blair County, to points in the counties of Elk, Clarion, Jefferson, Armstrong, Clearfield, Cambria and Centre, and within an airline distance of one hundred (100) statute miles of said counties, with the right to return refused, rejected or damaged shipments to the point of origin.

(b) One carrier protested the application but withdrew upon restrictive amendment. We find that the applicant is fit, ready, willing and able to render the service as amended.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the application, as amended.

**11. MOTION BY:** Commissioner Chm. Taliaferro Commissioner Fischl - Yes.  
 Commissioner  
**SECONDED:** Commissioner Shane Commissioner

**CONTENT OF MOTION:** Staff recommendation adopted.

**DOCKETED**

OCT 3 - 1986



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

September 29, 1986

IN REPLY PLEASE  
 REFER TO OUR FILE

A-00106890

Peter G. Loftus, Esquire  
 Suite 424 Bank Towers  
 Scranton, PA 18503

Application of Larry J. Saupp and Frank Saupp, copartners, t/d/b/a Saupp's  
Excavating

Dear Sir:

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

A Contract Carrier Permit evidencing the Commission's approval of the right to operate will not be issued until the applicant has complied with the following insurance and tariff requirements:

1. Arrange through an insurance agent to have an insurance company file the following forms with the Commission:
  - a. A Form E as evidence of minimum public liability and property damage insurance coverage as shown on the back of this page.
  - b. A Form UCPC-31 as evidence of cargo insurance coverage in an amount not less than that provided by contract with each shipper. Exemption from the cargo insurance requirement may be secured by having the shipper(s) file the enclosed UCPC-34.
- II. Prepare and file a schedule of minimum rates and charges according to the enclosed instructions.

**DOCKETED**  
 SEP 30 1986

**DOCUMENT  
 FOLDER**

RECEIVED BY THE COMMISSIONER OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION  
 SEP 30 1986

Public Liability and Property Damage Insurance  
Minimum Limits for Pa. Public Utility Commission Authority

Common Carriers and Contract Carriers

		Limit for Bodily Injuries to or Death Of One Person	Limit for Bodily Injuries to or Death of All Persons in Any One Accident	Limit for Loss or Damage in Any One Accident to Property of Others, Excluding Cargo
Passenger Carriers (seating capacity)	7 or less	\$25,000	\$100,000	\$10,000
	8 to 12	25,000	150,000	10,000
	13 to 20	25,000	200,000	10,000
	21 to 30	25,000	250,000	10,000
	31 or more	25,000	300,000	10,000
Property Carrier		25,000	100,000	10,000

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

No motor carrier shall operate or engage in any transportation until all of the above requirements have been complied with and a contract carrier permit issued authorizing actual operations. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Law.

Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty day period will cause the Commission to rescind the action of September 18, 1986, and dismiss the application without further proceedings.

If you foresee any problems with any of the requirements please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section (717)787-1227

Tariff Filings: Mr. Joseph Machulsky-Tariff Section (717)787-5521

Very truly yours,



Jerry Rich, Secretary

jr  
Enclosures  
Certified Mail  
Receipt Requested  
cc: Applicant  
P. O. Box 142  
Smithmill, PA 16680

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held September 18, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman  
Frank Fischl  
Bill Shane

Application of Larry J. Saupp and Frank Saupp, copartners, t/d/b/a Saupp's Excavating, for the right to begin to transport, as a contract carrier, by motor vehicle, property, for Narehood Limestone, from points in the borough of Tyrone, Blair County, to points in the counties of Elk, Clarion, Jefferson, Armstrong, Clearfield, Cambria and Centre, and within an airline distance of one hundred (100) statute miles of the limits of said counties, with the right to return refused, rejected or damaged shipments to the point of origin.

A-00106890

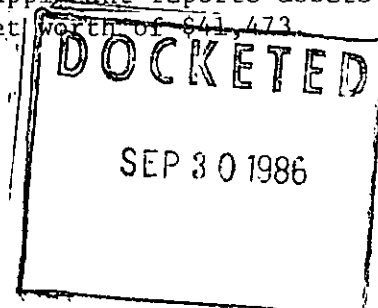
O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 24, 1986. Public notice of the application was given in the Pennsylvania Bulletin of May 10, 1986. A protest was filed by Seaboard Tank Lines, Inc., but was withdrawn upon restrictive amendment of the application, prohibiting the transportation of petroleum products, in bulk in tank vehicles.

As amended, the application is unopposed and the record is now certified to the Commission for its decision without oral hearing. The record consists of a verified statement submitted by Larry J. Saupp.

The applicant seeks to initiate contract carrier service for Narehood Limestone, Inc. (shipper), and will use one currently owned GMC dump truck for the operation. Both partners are familiar with the pertinent Commission safety regularions. As evidence of its financial capacity to begin providing service, the applicant reports assets of \$108,979, liabilities of \$67,506, and a net worth of \$41,473.



The shipper, located in Tyrone, Blair County, is a supplier of limestone and aggregates. The applicant has not submitted a contract with the shipper as required by 66 Pa. C.S. §2506. Prior to providing service, the applicant will be required to file with this Commission a bilateral contract which complies with the provisions contained at 52 Pa. Code §31.45. The contract shall place specific obligations upon the shipper and the carrier and must state a specified number of shipments during a stated period of time. The contract shall also state the authority granted by this order.

After a review of the record before us, we determine that it is sufficient to warrant approval of the application, as amended.

We find:

1. That the applicant possesses the necessary equipment to provide the proposed service.
2. That the applicant is financially able to meet the burden of the operation.
3. That the applicant is fit, ready, willing and able to render the proposed service.
4. That approval of the application, as amended, is in the public interest and will not interfere with the safety and regulation of common carriers; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved and that a permit issue granting the following right:

To transport, as a contract carrier, property for Narehood Limestone, Inc., from points in the borough of Tyrone, Blair County, to points in the counties of Armstrong, Cambria, Centre, Clarion, Clearfield, Elk and Jefferson, and within an airline distance of one hundred (100) statute miles of the limits of said counties, with the right to return refused, rejected or damaged shipments to the point of origin.

subject to the following condition:

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

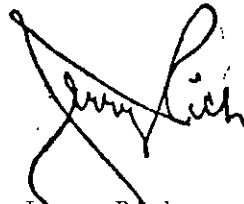
IT IS FURTHER ORDERED: That upon compliance with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relating to the filing of evidence of insurance and the filing of a schedule of minimum rates and charges in accordance with 66 Pa. C.S. §2502, a permit issue evidencing the Commission's approval of the right to operate as above-determined.

IT IS FURTHER ORDERED: That the issuance of the permit is contingent upon the applicant filing an acceptable contract in accordance with the requirements of 52 Pa. Code §31.45.

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 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 18, 1986

ORDER ENTERED: **SEP 29 1986**

**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 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. 2.  Restricted Delivery.

3. Article Addressed to:

*Peter G. Loftus, Esq.*

4. Article Number: **44118**

Type of Service:  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD

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

5. Signature - Addressee

6. Signature - Agent  
 *[Signature]*

7. Date of Delivery  
*9-30-86*

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

DOMESTIC RETURN RECEIPT

PS Form 3811, July 1983 447-845

**SENDER:** Complete items 1, 2, 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 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 service(s) requested.

1.  Show to whom, date and address of delivery.

2.  Restricted Delivery.

3. Article Addressed to:

*Larry J. Saupp +  
 Frank Saupp, cpts, t/a  
 Saupp's Excavating*

4. Type of Service:  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD

Article Number  
**44331**

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

5. Signature - Addressee  
 *[Signature]*

6. Signature - Agent

7. Date of Delivery

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

DOMESTIC RETURN RECEIPT

PS Form 3811, July 1983 447-845

**AMILL, PA**  
**OCT 1 1986**  
**1960**