

PENNSYLVANIA PUBLIC UTILITIES COMMISSION  
Uniform Cover and Calendar Sheet

1. <u>REPORT DATE:</u> May 1, 1986	:	2. <u>BUREAU AGENDA NO.</u> MAY-86-T-586*
3. <u>BUREAU:</u> Transportation	:	
4. <u>SECTION(S):</u> Technical Review	:	5. <u>PUBLIC MEETING DATE:</u> May 22, 1986
6. <u>APPROVED BY:</u> Director: Ernst 7-2154 Supervisor: Bigelow/Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
8. <u>PERSON IN CHARGE:</u> Hoshour 7-5513	:	
9. <u>DOCKET NO:</u> A-00106803	:	

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

(a) Application of Kleins' Bus Service, Inc., Douglassville, Berks County, for approval of the transfer to the applicant of all of the rights held by William J. Klein at A-00100442.

(b) The transferor proposes to transfer his PUC group and party rights to the applicant for the nominal fee of \$1.00. The transferor is incorporating his sole proprietorship.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the transfer application and by supplemental order cancelling the certificate issued to the transferor.

**POCKETED**  
  
 JUN 2 - 1986

11. **MOTION BY:** CommissionerChm. Taliaferro CommissionerFischl - Yes  
 Commissioner  
**SECONDED:** CommissionerShane Commissioner

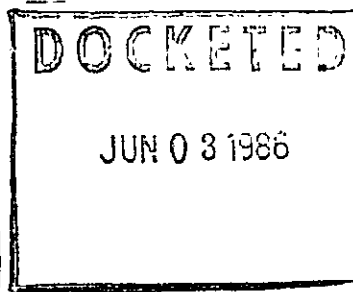
**CONTENT OF MOTION:** Staff recommendation adopted.



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

May 29, 1986

IN REPLY PLEASE  
REFER TO OUR FILE

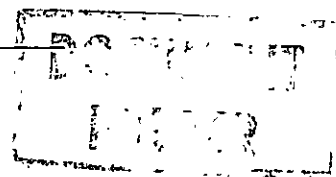


A-00106803

J. Bruce Walter, Esquire  
P.o. Box 1146  
Harrisburg, PA 17108

Application of Klein's Bus Service, Inc., a corporation  
of the Commonwealth of Pennsylvania.

Dear Sir:



Enclosed is the compliance order issued by the Commission in the  
above entitled proceeding.

The Certificate of Public Convenience evincing 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:

- I A Form E as evidence of minimum public liability and  
property damage insurance coverage as shown on the back  
of this page.
- II Prepare and file a tariff, instructions for which are  
enclosed and return to the Pa. Public Utility Commission,  
Bureau of Non-Rail Transportation, Tariff Section, Room 411  
Transportation & Safety Building, Harrisburg, PA 17120

No motor carrier shall operate or engage in any transportation  
until all of the above requirements have been complied with and a certificate  
of public convenience issued authorizing actual operations. You are  
advised that any equipment to be used in rendering the service authorized  
under the certificate must be registered with the Bureau of Motor Vehicles,  
Department of Revenue, as a motor bus. Motor carriers  
operating without complying with the above requirements will be subject  
to the penalty provisions of the Public Utility Law.

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

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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

Commission regulations require compliance with all of the requirements within sixty days of the date of this letter. Failure to comply within the sixty days will cause the Commission to rescind the action of May 22, 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: Joseph Machulsky-Tariff Section (717)787-5521

Very truly yours,

A handwritten signature in cursive script that reads "Jerry Rich". The signature is written in dark ink and is positioned above the typed name of the signatory.

Jerry Rich, Secretary

Enclosures  
Certified Mail  
Receipt Requested

cc;applicant  
P.O. box 334, Route 422  
Douglassville, PA 19518

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

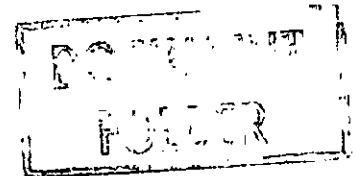
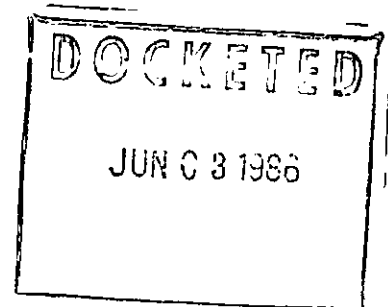
Public Meeting held May 22, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman  
Frank Fischl  
Bill Shane

Application of Kleins' Bus Service, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, groups and parties of persons between points in the townships of Douglass, Union, Amity and Colebrookdale, and the borough of Birdsboro, Berks County, and from points in said territory to points in Pennsylvania and return to the points of origin, expressly excluding special excursions and tours or sight-seeing trips; groups and parties of persons, from points in the borough of Elverson, Chester County, the borough of Pottstown, and the townships of Lower Pottsgrove, Upper Pottsgrove and West Pottsgrove, Montgomery County, to points in Pennsylvania and return; subject to the following condition: That no right, power or privilege is granted to render tour, special excursion and sight-seeing trip service; and groups and parties of persons and persons on tours or sight-seeing trips between points in the townships of Earl, Oley, Alsace, Muhlenberg, Bern, Lower Heidelberg, South Heidelberg, Spring, Brecknock, Cumru, Lower Alsace, Robeson, Caernarvon and Exeter, the boroughs of Sinking Springs, Wyomissing, Adamstown, Mohnton, Shillington, Kenhorst, West Reading, Wyomissing Hills, Laureldale, Temple, St. Lawrence, Mt. Penn, Wernersville, Leesport, West Lawn and the city of Reading, Berks County, the townships of Caernarvon, Brecknock, East Cocalico and West Cocalico, the boroughs of Denver and Adamstown, Lancaster County, and from points in said area to points in the counties of Adams, Bucks, Chester, Cumberland,

A-00106803



Dauphin, Delaware, Lancaster, Lebanon, Montgomery, Philadelphia and York; restricted to the following condition: That no right, power or privilege is granted to provide transportation in conventional school bus type equipment; which is to be a transfer of the rights authorized under the certificate issued at A-00100442 to William J. Klein, subject to the same limitations and conditions.

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Rhoads & Sinon by J. Bruce Walter for the applicant.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed February 24, 1986. Public notice of the application was given in the Pennsylvania Bulletin of March 22, 1986, and in the Intelligencer Journal, Lancaster County; the Reading-Eagle Times, Berks County; and the Philadelphia Inquirer, Philadelphia, all newspapers of general circulation within the area of application. No protests were filed and the record is certified to the Commission for its decision without an oral hearing.

Kleins' Bus Service, Inc. (applicant or transferee), P.O. Box 334, Route 422, Douglassville, Berks County, seeks by the instant application to purchase all of the operating authority of William J. Klein (transferor), at A-00100442, for the nominal sum of one dollar (\$1.00). The intent of the instant application is for the transferor to incorporate his sole proprietorship. All current business debts of the transferor will be assumed by the transferee. The transferor's 1983 and 1984 annual reports show total operating revenues of \$304,497 and \$749,660, respectively. All of the transferor's due assessments have been paid and all reports have been filed.

We find:

1. That the applicant is fit to hold a certificate of public convenience.
2. That there is a continuing necessity for the rights herein involved.
3. That approval of the instant application is necessary for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of the rights held by William J. Klein at A-00100442, be and is hereby approved, and that a certificate be issued to the applicant granting the following rights:

To transport, as a common carrier, by motor vehicle, groups and parties of persons between points in the townships of Douglass, Union, Amity and Colebrookdale, and the borough of Birdsboro, Berks County, and from points in said territory to points in Pennsylvania and return to the points of origin, expressly excluding special excursions and tours or sight-seeing trips.

To transport, as a common carrier, groups and parties of persons between points in the townships of North Coventry and Warwick, Chester County and from points in said territory to points in Pennsylvania, and return.

with the right immediately above subject to the following condition:

That no right, power or privilege is granted to render tour, special excursion and sight-seeing trip service.

To transport, as a common carrier, groups and parties of persons, from points in the borough of Elverson, Chester County, the borough of Pottstown, and the townships of Lower Pottsgrove, Upper Pottsgrove and West Pottsgrove, Montgomery County, to points in Pennsylvania and return.

with the right immediately above subject to the following condition:

That no right, power or privilege is granted to render tour, special excursion and sight-seeing trip service.

To transport, as a common carrier, groups and parties of persons and persons on tours or sight-seeing trips between points in the townships of Earl, Oley, Alsace, Muhlenberg, Bern, Lower Heidelberg, South Heidelberg, Spring, Brecknock, Cumru, Lower Alsace, Robeson, Caernarvon and Exeter, the boroughs of Sinking Springs, Wyomissing, Adamstown, Mohnton, Shillington, Kenhorst, West Reading, Wyomissing Hills, Laureldale, Temple, St. Lawrence, Mt. Penn, Wernersville, Leesport, West Lawn and the city of Reading, Berks County, the townships of Caernarvon, Brecknock, East Cocalico and West Cocalico, the boroughs of Denver and Adamstown, Lancaster County, and from points in said area to points in the counties of Adams, Bucks, Chester, Cumberland, Dauphin, Delaware, Lancaster, Lebanon, Montgomery, Philadelphia and York.

with the right immediately above subject to the following condition:

That no right, power or privilege is granted to provide transportation in conventional school bus type equipment.

subject to the following 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, \$1.00, 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 Law as now existing or as may hereafter be amended, and Pa. 52 Pa. Code §29, 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.

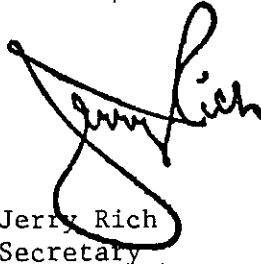
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1985 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, William J. Klein at A-00100442 be cancelled and the record be marked closed.

BY THE COMMISSION,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: May 22, 1986

ORDER ENTERED: **MAY 29 1986**

PS Form 3811, July 1983 447-945

**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. *A-106803*

- 1.  Show to whom, date and address of delivery.
- 2.  Restricted Delivery. *order*

**3. Article Addressed to:**

*J. Bruce Walter, Esq*

**4. Type of Service:**

- Registered
- Certified
- Express Mail
- Insured
- COD

**Article Number**

**44977**

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

**5. Signature - Addressee**

X

**6. Signature - Agent**

X

**7. Date of Delivery**

**8. Address to Which Returned (if requested and fee paid)**

**MAY 30 1988**

DOMESTIC RETURN RECEIPT

0201 03 YAM

June 25, 1986

A-00106803

R-16

J. Bruce Walter, Esquire  
P.O. Box 1146  
Harrisburg, PA 17108

**Klein's Bus Service**

Dear Sir:

Under date of May 29, 1986 the Secretary's office transmitted to you the Commission's compliance order of May 22, 1986, evidencing approval of the above carrier's application at A-00106803, which is in effect a transfer of the rights formerly held by William J. Klein at A-00100442. The letter transmitting the order directs attention to the requirement for the filing of a tariff.

In accordance with the provisions of PA Code, Title 52, Section 23.13(c), you should immediately arrange to file adoption supplements with us whereby the tariff of the former operator will become the tariff of the latter, and no change in rates is permitted to cover the transfer of rights. To assist you in meeting this tariff requirement, we are enclosing three copies of the necessary supplement to be properly executed by you, the original and one copy of which must be returned to us for filing and the remaining one to be retained for your records. Upon the proper filing of the adoption supplements, the tariff requirements will be satisfied.

Very truly yours,  
Barry L. Ernst, Director  
Bureau of Transportation

*[Handwritten signature]*  
By: Joseph M. Machulsky, Chief  
Financial Document Section

RHF:lpw //

Enclosure

cc: Applicant  
P.O. Box 334 Route 422  
Douglassville, PA 19518

Contact Person: R. H. Fickes  
(717) 783-5937

