

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
August 14, 1987	:	SEP-87-T-1018*
3. <u>BUREAU:</u>	:	
Transportation	:	
4. <u>SECTION</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	
6. <u>APPROVED BY:</u>	:	September 17, 1987
Director: Ernst 7-2154	:	<p>DOCKETED</p> <p>OCT 7 - 1987</p>
Supervisor: Bigelow/Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
White 7-4387	:	
9. <u>DOCKET NO.:</u>	:	
A-00107449	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		

(a) Application of Price's Moving & Storage, Inc., a corporation of the Commonwealth of Pennsylvania, Graterford, Montgomery County, for the transfer to it of all of the rights authorized under the certificate issued at A-00090947 to Harry T. Price, subject to the same limitations and conditions.

(b) The application is unopposed. This application merely represents a conversion from a sole proprietorship to a corporation. The applicant proposes to purchase the operating rights of the transferor for the sum of \$700. The transferor will retain no other authority. We find that the applicant has shown that a continuing public need for service under the authority does exist and that it is fit, ready, willing and able to render same. A slight duplication of authority has been eliminated in passing the authority to the applicant.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the application as modified, and that the certificate of the transferor be cancelled by supplemental order.

11. <u>MOTION BY:</u>	Commissioner Chm. Shane	Commissioner Taliaferro - Yes
<u>SECONDED:</u>	Commissioner Fischl	Commissioner Smith - Yes
		Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

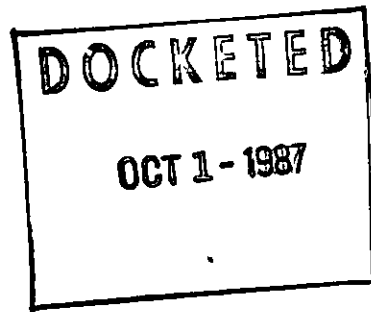
**DOCUMENT
FOLDER**



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120
September 24, 1987

IN REPLY PLEASE
REFER TO OUR FILE

A-00107449



Arthur J. King, Esquire
305 Main Street
Collegeville, PA 19426

Application of Price's Moving & Storage, Inc., a corporation of the Commonwealth of Pennsylvania

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

A Certificate of Public Convenience 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:

- I. 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 sheet.
 - b. A Form H or Form UCPC-31 as evidence of cargo insurance coverage in an amount not less than \$5,000 per vehicle. Under certain circumstances, exemption from the cargo insurance requirement may be secured by filing the enclosed Form PUC-288.
- II. Prepare and file a tariff according to the enclosed instructions except applicants for transfer of authority must file a tariff adoption supplement which will be forwarded by separate cover at a later date.

Effective date: August 1, 1987

Minimum Limits for PA Public Utility Commission Authorized Service

Passenger Carriers:

15 passengers or less: \$35,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.

\$25,000 first party medical benefits, \$10,000 first party wage loss benefits and \$1,500 first party funeral benefits for all passengers and pedestrians.

\$10,000 first party medical benefits, \$5,000 first party wage loss benefits, and \$1,500 first party funeral benefits for drivers (PA registered vehicles only).

16 passengers or more: \$5,000,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.

Property Carriers:

Common or Contract: \$300,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.

\$10,000 first party medical benefits, \$5,000 first party wage loss benefits, and \$1,500 first party funeral benefits (PA registered vehicles only).

Common only: \$5,000 per accident per vehicle for loss or damage to cargo.

No motor carrier shall operate or engage in any transportation until compliance with all of the above requirements and a certificate has been issued authorizing actual operations. A motor carrier operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Code.

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 17, 1987 and dismiss the application without further proceedings.

If you foresee problems in meeting these requirements, please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section
(717) 783-5933

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Jerry Rich". The signature is written in a cursive style with a large loop at the end.

Jerry Rich, Secretary

cc: Price's Moving & Storage, Inc.
511 Gravel Pike
Graterford, PA 19426

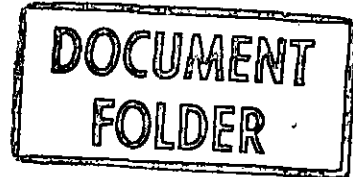
fao
Enclosures
Certified Mail
Receipt Requested

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held September 17, 1987

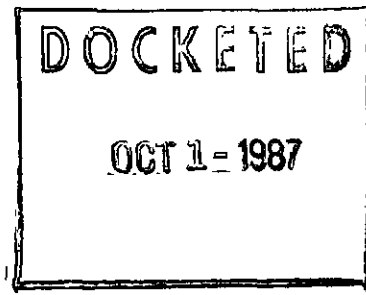
Commissioners Present:

Bill Shane, Chairman
Linda C. Taliaferro
Frank Fischl
William H. Smith



Application of Price's Moving & Storage, Inc., a corporation of the Commonwealth of Pennsylvania, for the transfer to it of all of the rights authorized under the certificate issued at A-00090947 to Harry T. Price, subject to the same limitations and conditions.

A-00107449



Arthur J. King for the applicant.

ORDER

BY THE COMMISSION:

This matter comes before the Commission by an application for transfer of authority filed on May 4, 1987, and published in the Pennsylvania Bulletin of May 23, 1987. There are no protests and the record is now certified to the Commission for its decision without oral hearing.

Price's Moving & Storage, Inc. (applicant or transferee) is a close corporation formed under the Business Corporation Law of the Commonwealth of Pennsylvania, having obtained a Certificate of Incorporation on February 24, 1986. It is domiciled at 511 Gravel Pike, Graterford, Montgomery County.

The corporation is authorized to issue 1,000 shares of no par common stock. Harry T. Price, president of the corporation, and his wife Nancy, own 70 percent of the issued stock. Their sons, Richard G. (vice president) and Robert G. (secretary/treasurer) each hold 15 percent of the stock. They are all residents of Montgomery County. The corporation does not hold any other operating authority from either this Commission or the ICC.

The applicant's balance sheet indicates that at the time the application was placed before us, it had total assets of \$61,000 (including \$5,000 cash on hand), with total liabilities of \$23,000, leaving a net

worth of \$38,000. The equipment with which it will provide service consists of three vans, one tractor, one trailer, one pickup truck and one passenger automobile. Collectively, the vehicles have an estimated market value of \$39,500 and are encumbered in the amount of \$17,000.

The transferor, Harry T. Price, operating as a sole proprietor, has held the pertinent common carrier certificate since May 6, 1964, docketed at A-00090947. Continuous, uninterrupted service has been rendered under the authority up to the present time. It is now the desire of Mr. Price to have his sons take an active role in the operation and ownership of the family business, and has established the applicant close-corporation for that purpose. By this application he would transfer all of the operating rights into the corporation.

Pursuant to the terms of an Agreement of Sale made between the applicant and the transferor on April 1, 1986, the applicant will purchase the operating rights for the sum of \$700. The title and interest to all equipment, materials and supplies of the moving business will be transferred to the corporation.

Our records show that the transferor has been actively exercising the authority, having generated revenues of \$131,432 in 1984; \$143,260 in 1985; and \$163,431 in 1986. All due assessments have been paid and he has active insurance coverage. He avers that he will leave no unpaid business debts.

We have taken note of some duplication of authority in the rights as now held by the transferor. The transferor's lead right at Folder 1 authorizes the transportation of household goods in use between points in Graterford, Montgomery County, and within five miles by the usually traveled highways of the limits thereof. The second right held at Folder 1 authorizes the same type of service from Graterford and within five miles thereof to points in Pennsylvania, and vice versa.

The two rights cited above are totally encompassed within the first right held by the transferor at Folder 1, Am-A. This latter right consists of broad form household goods authority between points in Graterford and within an airline distance of five statute miles thereof, and from points in said territory to points in Pennsylvania and vice versa.

In order to eliminate the obvious duplication of operating authority and in the interests of maintaining an orderly record, the duplicated rights held at Folder 1 will be omitted from the authority as passed on to the applicant. This modification will not detract from the applicant's ability to render the same service provided by its predecessor.

... Giving due consideration to all matters of record, we find:

1. That a continuing public need for service under the modified authority to be transferred does exist.

2. That the applicant is fit, ready, willing and able to render the service.

3. That approval of the application as modified is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of all of the rights held by Harry T. Price at A-00090947 be and is hereby approved as modified granting the applicant the following rights:

1. To transport, as a Class D carrier, farm products, cattle, horses, farm machinery, farm equipment, crushed stone and other highway and building construction materials, usually transported in dump trucks, between points in the village of Graterford, Montgomery County, and within ten (10) miles by the usually traveled highways of said village limits.
2. To transport, as a Class D carrier, household goods in use between points in the township of Perkiomen, Montgomery County, and points in Montgomery County within twelve (12) miles by the usually traveled highways of the limits of said township, excluding points located east of Highway Route 202, excluding the borough of Lansdale, Montgomery County, and points within eight (8) miles by the usually traveled highways of the limits of the borough of Lansdale and excluding the borough of Pottstown, Montgomery County, and points within ten (10) miles by the usually traveled highways of the limits of the borough of Pottstown, and from points in said territory to other points in Pennsylvania, and vice versa, excluding points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the municipal boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville but not including said places, except Chester.
3. To transport, as a Class D carrier, farm products, supplies and household goods in use between points in the village of Zieglersville, Montgomery County, and within ten (10) miles by the usually traveled highways of the limits of said village.

4. To transport, as a Class D carrier, farm products supplies and household goods in use from points in the village of Zieglersville, Montgomery County, and within ten (10) miles by the usually traveled highways of the limits of said village, to other points in Pennsylvania within thirty-five (35) miles by the usually traveled highways of the limits of said village, and vice versa.
5. To transport, as a Class D carrier, personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling, in connection with the removal by a householder from one house or dwelling to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another, including inter-office moves; and articles, including objects of art, furniture displays, musical instruments and exhibits, which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the village of Graterford, Montgomery County, and within an airline distance of five (5) statute miles of the said village and from points in the said village and territory to other points in Pennsylvania, and vice versa.
6. To transport, as a Class D carrier, personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling, in connection with the removal by a householder from one house or dwelling to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another including inter-office moves; and articles, including objects of art, furniture displays, musical instruments and exhibits, which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the township

of Perkiomen, Montgomery County, and points in Montgomery County within an airline distance of twelve (12) statute miles of the limits of the said township, excluding points located east of Highway 202, excluding the borough of Lansdale, Montgomery County, and within an airline distance of eight (8) statute miles of the limits of the borough of Lansdale, and excluding the borough of Pottstown, Montgomery County, and points within an airline distance of ten (10) statute miles of the limits of the borough of Pottstown, and from points in the said territory to other points in Pennsylvania, and vice versa, excluding points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks included within a line which connects the municipal boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not excluding said places, except Chester.

7. To transport, as a Class D carrier, personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling in connection with the removal by a householder from one house or dwelling to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments in connection with a removal from one location to another including inter-office moves; and articles, including objects of art, furniture displays, musical instruments and exhibits, which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the village of Zieglersville, Montgomery County, and within an airline distance of ten (10) statute miles of the Post Office in said village and from points in said village and territory to other points within an airline distance of thirty-five (35) statute miles and vice versa;

with all of the above subject to the following general 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.

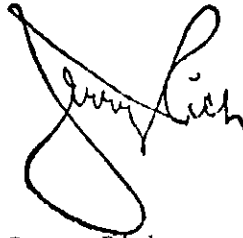
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$700, being the amount of the consideration 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 Code as now existing or as may hereafter be amended, and 52 Pa. Code §31, 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. Section 1102(3).

IT IS FURTHER ORDERED: That upon compliance with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of evidence of insurance and a tariff establishing just and reasonable rates, a certificate issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That in the event the 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, Harry T. Price at A-00090947, be cancelled and the record marked closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich". The signature is written in a cursive style with a large loop at the end.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: September 17, 1987

ORDER ENTERED: **SEP 24 1987**

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:

A107449
Arthur J. King, Esq.

4. Article Number

44094

Type of Service:

- Registered Insured
 Certified COD
 Express Mail

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

5. Signature - Addressee

X Paula Samilist

6. Signature - Agent

X

7. Date of Delivery

9/28/87

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

0001
PRICE'S MOVING & STORAGE, INC.
511 GRAVEL PIKE
GRATERFORD PA 19426
SELF

0002
ARTHUR J KING ESQ
305 MAIN STREET
COLLEGEVILLE PA 19426
- APPLICANT

0003
HARRY T PRICE
511 GRAVEL PIKE
GRATERFORD PA 19426
TRANSFEROR