

ADELMAN LAVINE GOLD AND LEVIN
ATTORNEYS AND COUNSELORS AT LAW

LEWIS H. GOLD
ROBERT H. LEVIN
GARY M. SCHILDHORN
MYRON A. BLOOM
BARRY D. KLEBAN
GARY D. BRESSLER
STEVEN D. USDIN
KEVIN W. WALSH
MARK J. PACKEL
DEBBIE S. BUCHWALD
RAYMOND H. LEMISCH
MITCHELL B. KLEIN
TAMMI J. LIPSKY

SUITE 1900
TWO PENN CENTER PLAZA
PHILADELPHIA, PA 19102-1799
(215) 568-7515
TELECOPIER (215) 557-7922

OF COUNSEL
NATHAN LAVINE
SIDNEY CHAIT

RECEIVED

OCT 17 1988

SECRETARYS OFFICE
Public Utility Commission

October 13, 1988

Jerry Rich, Secretary
Penna. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

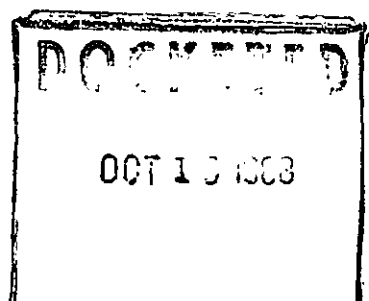
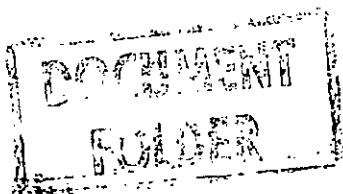
Re: Application of F. Ambrose Moving, Inc.
A-108228

Gentlemen:

By Order entered October 6, 1988, the Commission, at public meeting of September 29, 1988, approved in full the above captioned Transfer Application. I represent F. Ambrose Moving, Inc., the transferee in this proceeding, and I have carefully reviewed the approval Order. I wish to draw your attention to two errors in the approval Order, one of which is substantive.

The first error is contained in the third authorizing paragraph of the Order. In that paragraph 3, the Commission intended to combine the first two authorizing paragraphs of the transferor's authority held at A-90678, Folder 3. However, in so doing, the Commission omitted the critical words "and vice versa" which appear in the second authorizing paragraph of the transferor's Folder 3 authority. It is therefore necessary that the approval Order herein be amended so as to add the words "and vice versa" immediately following the word "courthouse" in the final line of paragraph 3.

The minor error in the Order appears in the paragraph following the fourth authorizing paragraph, namely in the condition, in the fourth line, where the proper name of the excluded township is "Newtown" and not "Newton", as presently appears in the Order.



Jerry Rich, Secretary
October 13, 1988
Page Two

To the extent that it is necessary for you to treat this letter as a Petition for Reconsideration of the approval Order, please do so. For your assistance, I am enclosing copies of the applicable portions of the transferor's rights and the approval Order, on which I have underlined the errors pointed out above.

Please feel free to contact me if you require anything further.

Sincerely,



BARRY D. KLEBAN

BDK:db

Enclosures

cc: Mr. Douglas Pike, Technical Review Section (w/encl.)
F. Ambrose Moving, Inc. (w/encl.)

36573

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held September 29, 1988

Commissioners Present:

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

Application of F. Ambrose Moving, Inc.
for the transfer of all of the operating
rights of Stillwell of Media, Inc.
under the certificate issued at A-00090678
subject to the same limitations and
conditions.

A-00108228

Barry B. Kleban for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed July 1, 1988. Public notice of the application was given in the Pennsylvania Bulletin of August 13, 1988. The unopposed application is certified to the Commission for its decision without oral hearing.

The applicant, F. Ambrose Moving, Inc., Horsham, Montgomery County, is a close Pennsylvania corporation. Francis J. Ambrose is president and sole stockholder, Frieda Ambrose is secretary/treasurer. The applicant will operate four vans equipped for the transportation of household goods. The applicant's terminal facility is located at 515 Easton Road in Warrington, Bucks County.

An application for emergency temporary authority filed simultaneously with this application was denied. The application for temporary authority is also hereby dismissed. The authority to be transferred contains duplicative and overlapping authority which will herein be amended to eliminate these duplications. Part of the authority to be transferred is for the transportation of coal, coke and crushed stone. The applicant does not currently

3. To transport, as a Class D carrier, household goods and personal effects in use, between points within an airline distance of ten (10) statute miles of Media Courthouse and from said points to points within an airline distance of twenty-five (25) statute miles of said courthouse.
4. To transport, as a Class D carrier, household goods, works of art, fixtures, office furnishings, plant equipment and furnishings, in use or to be used, between points in the county of Delaware and from said points to points in Pennsylvania and vice versa;

with right number 4 subject to the following condition:

That no right, power or privilege is granted to transport from, to or between points in the townships of Edgmont, Upper Providence, Marple, Newton, Radnor and Haverford, Delaware County.

5. To transport, as a Class B carrier, household goods and office furnishings in use, between points in the city and county of Philadelphia.
6. To transport, as a Class D carrier, household goods and office furnishings, in use, from points in the city of Philadelphia to points in Pennsylvania within an airline distance of twenty-five (25) statute miles of the Philadelphia City Hall and vice versa.

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 property and 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.

176001000

Certificate No. A-90678
Folder 3, Folder 3, Am-A

FREIGHT PA. P.U.C. NO. 13
Cancels
Freight Pa. P.U.C. No. 12

200

STILLWELL OF MEDIA, PA., INC.

566 5252

H " 7083

LOCAL MOTOR FREIGHT TARIFF

NAMING

RATES, RULES AND REGULATIONS

Jerry Stillwell

GOVERNING

THE RIGHT

Folder 3

To transport, as a Class D carrier, household goods and personal effects, in use, between points within a ten (10) mile airline radius of Media Courthouse, excluding the City of Philadelphia.

To transport, as a Class D carrier, household goods and personal effects, in use, from points within a ten (10) mile airline radius of the Media Courthouse to points within a twenty-five (25) mile airline radius of the said courthouse, and vice versa, excluding transportation from the City of Philadelphia.

To transport, as a Class D carrier, household goods, works of art, fixtures, office furnishings, plant equipment and furnishings, in use, or to be used, between points in the County of Delaware, exclusive of points in the townships of Edgmont, Upper Providence, Marple, Newtown, Radnor and Haverford.

To transport, as a Class D carrier, household goods, works of art, fixtures, office furnishings, plant equipment and furnishings, in use, or to be used, from points in the County of Delaware, exclusive of points in the townships of Edgmont, Upper Providence, Marple, Newtown, Radnor and Haverford, to other points in Pennsylvania, and vice versa.

Folder 3, Am-A

To transport, as a Class B carrier, household goods and office furnishings, in use, between points in the city and county of Philadelphia.

To transport, as a Class D carrier, household goods and office furnishings, in use, from points in the City of Philadelphia to points in Pennsylvania within an airline distance of twenty-five (25) miles of the Philadelphia City Hall, and vice versa.

For reference to Governing Publications, see Item 10 herein.

ISSUED: April 20, 1987

EFFECTIVE: June 1, 1987

Issued By:

Geraldine J. Stillwell
700 West Baltimore Pike
Media, Pennsylvania 19063

(87-125)



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

November 18, 1988

A-00108228

IN REPLY PLEASE
REFER TO OUR FILE

DOCKETED

R-16

NOV 28 1988

Barry D. Kleban, Esquire
1900 Two Penn Center Plaza
Philadelphia, PA 19102

F. Ambrose Moving, Inc.

Dear Sir:

Under date of October 6, 1988 the Secretary's office transmitted to you the Commission's compliance order of September 29, 1988, evidencing approval of the above carrier's application at A-00108228, which is in effect a transfer of the rights formerly held by Stillwell of Media, PA, Inc., at A-00090678, F. 3. The letter transmitting the order directs attention to the requirement for the filing of a tariff.

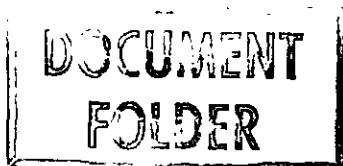
PA Code, Title 52, Section 23.13(c) provides that in the case of change in ownership, etc., if feasible to do so, the tariffs of the former operator shall be adopted by the new operator, and no change in rates is permitted to cover the transfer of rights.

In this instance it is not possible to meet the tariff requirements by the adoption of the former tariff for the reason that the present tariff description of operating authority does not conform with the approval of this application.

It will be necessary therefore, to file a new tariff which should be designated Freight - PA PUC No. 1. The tariff should name the same rates, rules and regulations as were filed by the former operator and may be issued to become effective on one days notice under authority of PA Code, Title 52, Section 23.42.

We notice that rates for a part of the authorized service of Stillwell of Media, PA, Inc. are provided in tariffs published by Tristate Household Goods Tariff Conference, Inc., Agent. Should you elect to participate in the agency publication(s), two copies of a suitable power of attorney should be included with the filing. If you do not elect to participate in the agency publication(s), a new tariff(s) should be filed containing the same rates, rules and regulations published by the agency for a minimum of 30 days.

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



By: Joseph M. Machulsky, Chief
Financial Document Section

MHD:lpw

cc: Tristate Household Goods Tariff Conference, Inc.
P.O. Box 9023
Lester, PA 19113

New power of attorney to be designated:
PA F. 1 No. 1 cancels PA F. 1 No. 2
(Series of Stillwell of Media, PA, Inc.0

Applicant
624 Wilhelmina Avenue
Horsham, PA 19044

Contact Person: G. L. Baker
(717) 783-5936