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AUG 22 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Richard T. Mulcahey, Jr.
Also Member of New York Bar
Direct Dial No.: (215) 587-0107
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August 22, 2014

****VIA FEDERAL EXPRESS****

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building, 2nd Floor
Harrisburg, PA 17120

Re: Application of Kris Eckerl, t/a Michaels Moving and Storage
PUC Docket No.: ~~A-2014-2404482~~

A-2014-2429336

Dear Ms. Chiavetta:

Please be advised that this office represents Matheson Transfer Company. Accordingly, I enclose herewith an original Protest of our client to the above captioned Application.

Kindly acknowledge receipt of the enclosure by time-stamping the enclosed copy of this letter and returning to me in the self-addressed, stamped envelope provided.

Respectfully submitted,

Richard T. Mulcahey, Jr.

RTMJR/mac
Enclosures

cc: Kris Eckerl, t/a Michaels Moving and Storage (w/encls.)
Matheson Transfer Company (w/encls.)

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and
AUG 22 2014

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

IN RE: APPLICATION OF : PUC DOCKET NO.:
KRIS ECKERL, T/A MICHAELS : A-2014-2404482
MOVING AND STORAGE

PROTEST

TO THE HONORABLE, THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, comes Matheson Transfer Company ("Protestant"), by its attorneys, Richard T. Mulcahey, Jr. of Schubert, Gallagher, Tyler & Mulcahey, and files this Protest to the instant Application and respectfully represents that:

1. The name, address and telephone number of the Protestant are:

Matheson Transfer Company
157 Welles Street
Forty Fort, PA 18704
(570) 714-5685

2. The name, address and telephone number of the Protestant's attorneys are:

Richard T. Mulcahey, Jr., Esquire
Schubert, Gallagher, Tyler & Mulcahey
121 South Broad Street, 20th Floor
Philadelphia, PA 19107-4533
(215) 587-0107

3. Protestant is certificated by Your Honorable Commission at Application Docket No. A-00068360. A copy of the relevant portions of the Protestant's authority upon which its Protest is herein predicated is attached hereto as Exhibit "A" and incorporated by reference herein.

4. Applicant does not possess the technical and financial ability to provide the proposed service and lacks a propensity to operate safely and legally and, therefore, does not have

the fitness to be granted a Certificate of Public Convenience by Your Honorable Commission.

5. Approval of the Application would create new and unwarranted competition to the detriment of Protestant and other existing carriers and ultimately the public, tending to deprive Protestant and other carriers of customers and to divert revenues which are essential to the maintenance of an adequate transportation system responsive to the needs of the public.

6. Approval of the Application would be contrary to the accommodation, convenience, service and safety of the public because Protestant and other carriers are providing adequate service to the public in the areas involved in the Application.

7. Protestant will consider withdrawing its Protest in the event Applicant agrees not to provide service in the geographic area which is included in Protestant's Certificate of Public Convenience.

Respectfully submitted,

By: 
RICHARD T. MULCAHEY, JR.
SCHUBERT, GALLAGHER,
TYLER & MULCAHEY
Attorneys for Protestant

Matheson Transfer Company
PUC Docket No. A-00068360

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

EXHIBIT "A"

MATHESON TRANSFER COMPANY

ITEM 5 - SCOPE OF CARRIER'S OPERATING AUTHORITY

Rates and provisions named in this tariff, or as amended, are limited in their application on Pennsylvania intrastate traffic to the extent of the operating rights set forth below. Unless specifically provided, the provisions are to be interpreted in the same manner as the Commission interprets the certificate from which the following is quoted.

Certificate No. A-00068360Folder 2

To transport, as a Class B carrier, property between points in the Borough of Forty Fort, Luzerne County, and within five (5) miles by the usually traveled highways of the limits of said borough.

To transport, as a Class D carrier, household goods, in use, from points in the said area to points in Pennsylvania, and vice versa.

To transport, as a Class D carrier, used silk machinery for David Speizman from Ashley, Luzerne County, to points within 50 miles by the usually traveled highways of the limits of said borough and vice versa.

Folder 2, Am-A

To transport, as a Class D carrier, household goods and office furniture, in use, between points in the city of Wilkes-Barre, Luzerne County, and within twenty-five (25) miles by the usually traveled highways of the limits of the said city, excluding the cities of Hazleton and Scranton and points within three (3) miles of the limits of the said cities, except transportation from points in this area to points in the Borough of Kingston, Luzerne County, and within three (3) miles of the limits of the said borough, and vice versa.

To transport, as a Class D carrier, household goods and office furniture and industrial furniture, in use, from points in the city of Wilkes-Barre and within twenty-five (25) miles by the usually traveled highways of the limits of the said city, excluding the cities of Hazleton and Scranton and points within three (3) miles of the limits of the said cities, to points in Pennsylvania, and vice versa, except transportation from points in this area to points in the Borough of Kingston, Luzerne County, and within three (3) miles of the limits of the said borough, and vice versa.

Folder 2, Am-B

To transport, as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the house-

(Continued on next page)

Abbreviations and reference marks are explained on last page of tariff.

ISSUED: MAY 19, 1988

EFFECTIVE: JUNE 25, 1988

Issued By:

Edward M. Hinchey, Vice President

P. O. Box 1324

Forty Fort, Pennsylvania 18704

MATHESON TRANSFER COMPANY

ITEM 5 - SCOPE OF CARRIER'S OPERATING AUTHORITY (Continued)

Rates and provisions named in this tariff, or as amended, are limited in their application on Pennsylvania intrastate traffic to the extent of the operating rights set forth below. Unless specifically provided, the provisions are to be interpreted in the same manner as the Commission interprets the certificate from which the following is quoted.

Certificate No. A-00068360Folder 2, Am-B (Concluded)

holder from one domicile 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; and articles in use including objects of art, displays 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 City of Wilkes-Barre, Luzerne County and within 25 miles by the usually traveled highways of the limits of said city; and from said territory to points in Pennsylvania and vice versa; and uncrated new furniture, machinery, computers and new office fixtures and equipment, between points in the City of Wilkes-Barre, Luzerne County and within 25 miles by the usually traveled highways of the limits of said city; and from points in said territory to points in Pennsylvania and vice versa;

subject to the following conditions:

Provided that no right, power or privilege is granted to transport machinery to or from points in the Borough of Stroudsburg, Monroe County, and points within an airline distance of 25 statute miles of the limits of said borough; and also provided that no right, power or privilege is granted to transport property which, because of size or weight, requires the use of special equipment or requires highway permits for its transportation, to or from points in the Borough of Stroudsburg, Monroe County, and points within an airline distance of 25 statute miles of the limits of said borough.

Folder 2, Am-C

To transport, as a Class D carrier. (1) household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the holder from one domicile 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; and articles in use including objects of art, displays and exhibits which, because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods between points

(Continued on next page)

Abbreviations and reference marks are explained on last page of tariff.

ISSUED: MAY 19, 1988

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Edward M. Hinchey, Vice President

P. O. Box 1324

Forty Fort, Pennsylvania 18704

MATHESON TRANSFER COMPANY

ITEM 5 - SCOPE OF CARRIER'S OPERATING AUTHORITY (Concluded)Folder Am-C (Concluded)

in the counties of Susquehanna, Wayne, Wyoming, Lackawanna, Pike, Luzerne, Schuylkill, Carbon and Monroe and from points in said counties to points in Pennsylvania, and vice versa;

Provided that no right, power or privilege is granted in part (1) above to provide service to or from points in the counties of Bradford or Sullivan.

(2) New furniture, machinery, computers, office fixtures and equipment between points in the counties of Bradford, Susquehanna, Wayne, Sullivan, Wyoming, Lackawanna, Pike, Columbia, Luzerne, Schuylkill, Carbon and Monroe and from points in said counties to points in Pennsylvania, and vice versa;

Provided that no right, power or privilege is granted in part (2) above to transport commodities which, because of size or weight, require the use of special equipment such as lowboys, dropdecks, pole trailers or extendible trailers between points in Monroe County or from points in said county to points in Pennsylvania, or vice versa.

Abbreviations and reference marks are explained on last page of tariff.

ISSUED: MAY 19, 1988

EFFECTIVE: JUNE 25, 1988

Issued By:

Edward M. Hinchey, Vice President

P. O. Box 1324

Forty Fort, Pennsylvania 18704

CERTIFICATE OF SERVICE

I, Mary Anne Cranage, hereby certify that on August 22, 2014, I forwarded by first-class mail, postage pre-paid, a copy of the Protest filed on behalf of Matheson Transfer Company to Applicant, Kris Eckerl, t/a Michaels Moving and Storage at 126 Snowshoe Drive, Dingmans Ferry, PA 18328.

DATE: August 22, 2014



MARY ANNE CRANAGE

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AUG 22 2014

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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City PHILADELPHIA State PA ZIP 19107-4533



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Company PA Public Safety Commission

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address, someone at a neighboring
address may sign for delivery for
residential deliveries only. Fee applies.

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