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DOCUMENT  
FOLDER

August 22, 2014

**\*\*VIA FEDERAL EXPRESS\*\***

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
400 North Street  
Harrisburg, PA 17120

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AUG 22 2014

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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 Cadden Bros. Moving & Storage, Inc. 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.)  
Cadden Bros. Moving & Storage, Inc. (w/encls.)

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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 Cadden Bros. Moving & Storage, Inc. ("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:

Cadden Bros. Moving & Storage, Inc.  
1106 Mid Valley Drive  
Olyphant, PA 187447  
(570) 489-4005

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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, 20<sup>th</sup> Floor  
Philadelphia, PA 19107-4533  
(215) 587-0107

3.       Protestant is certificated by Your Honorable Commission at Application Docket No. A-00123871. 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

**Cadden Bros. Moving & Storage, Inc.**  
**PUC Docket No. A-00123871**

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**EXHIBIT "A"**

Certificate No. A-00123871

Supplement 1 contains all changes.

Supplement 1

to  
FEIGHT PA. P.U.C.NO.1

CADDEN BROS. MOVING & STORAGE, INC.

LOCAL MOTOR FREIGHT TARIFF  
NAMING  
RATES, RULES AND REGULATIONS  
GOVERNING THE TRANSPORTATION OF  
PROPERTY  
BETWEEN POINTS IN PENNSYLVANIA  
DESCRIBED IN ITEM 10 HEREIN

For reference to Governing Publications, see Item 20 herein.

(C) Amend Item 10 in Tariff to include the following operating authority.

To transport, by motor vehicle, as a common carrier, household goods in use, from points in the City of Scranton, Lackawanna County, and within three (3) statute miles of the limits of said city, to other points in Pennsylvania; and vice versa.

ISSUED: NOVEMBER 26, 2013

EFFECTIVE: NOVEMBER 27, 2013

Issued on one (1) day's notice under authority of the Pa. Code, Title 52, Section 23.42.

Issued By:

Patrick A. Cadden, President  
1106 MidValley Drive  
Olyphant, PA 18447

SECTION 1  
RULES AND REGULATIONS

ITEM 10 - SCOPE OF CARRIER'S OPERATING AUTHORITY

Rates and provisions named in this tariff, or as amended, are limited in their application on Pennsylvania intrastate commerce to the extent of the operating rights set forth below.

Certificate No. A-00123871

To transport, as a common carrier, by motor vehicle, (1) uncrated household furniture and uncrated household appliances, purchased from retailers or wholesalers for household use from points in the city of Scranton, Lackawanna County, to the homes of such purchasers in Pennsylvania, and vice versa (2) household goods in use, between points in the counties of Luzerne, Susquehanna, Monroe, and Wyoming, and from points in said counties, to points in Pennsylvania, and vice versa, right (2) subject to the following conditions: that no right, power or privilege is granted to transport from or between points in Monroe County; that no right, power or privilege is granted to transport to, from or between points in the city of Nanticoke, Luzerne County, and points within three statute miles of the limits of said city; that no right, power or privilege is granted to transport to, from or between points in the borough of Duryea, Luzerne County, and within eight miles by the usually traveled highways of the limits of said borough; that no right, power or privilege is granted to transport to or from points in the counties of Pike, Wayne, Columbia, and Lackawanna; (3) household goods in use, between points in the city of Scranton, Lackawanna County, and from points in the city of Scranton, Lackawanna County, to points in Pennsylvania, and vice versa; (4) household goods in use, from points in the borough of Olyphant, Lackawanna County, and within three statute miles of the said borough, to points in Pennsylvania, and vice versa.

Abbreviations, explanation marks and symbols explained on last page of tariff.

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 Cadden Bros. Moving & Storage, Inc. 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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