

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
February 13, 1990	:	
3. <u>BUREAU:</u>	:	MAR-90-T-299*
Transportation	:	
4. <u>SECTION</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	
6. <u>APPROVED BY:</u>	:	March 15, 1990
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-00108714	:	
10. (a) CAPTION (abbreviate if more than 4 lines)	:	
(b) Short summary of history & facts, documents & briefs	:	
(c) Recommendation	:	

DOCKETED

AUG 13 1990

(a) Application of Sanford Alderfer Antique Transport, Inc., Hatfield, Montgomery County, for the right to begin to transport, as a common carrier, by motor vehicle, antiques, collectibles, and household goods for appraisal or resale, from the facilities of Sanford Alderfer Auction Center, located in the township of Hatfield, Montgomery County, to points in Pennsylvania, and vice versa.

(b) The application was protested by four carriers, however, all of the protests were withdrawn upon reconsideration without amendment. The applicant and five supporting parties have entered verified statements. The commodity classification, household goods, has been used by this Commission to designate household goods moving from one domicile to another by the householder. It is in the public interest to modify the authority granted so that the terminology, household goods, be changed to read used furniture and accessories. We have also determined that the authority granted should be reworded so as to clearly define the transportation authorized. The applicant has demonstrated that there exists a public need for the service proposed by the application.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the application, as modified.

WH:rs

11. MOTION BY:	Commissioner	Chm. Shane	Commissioner	Rhodes
			Commissioner	Smith - Yes
SECONDED:	Commissioner	Fischl	Commissioner	Rolka - Yes

DOCUMENT
FOLDER

CONTENT OF MOTION: Staff recommendation adopted.



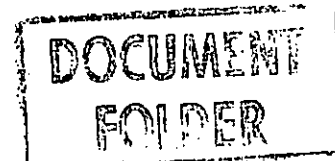
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120
March 26, 1990

IN REPLY PLEASE
REFER TO OUR FILE

A-00108714

James W. Mazza, Esquire
120 East Broad Street
Souderton, Pa. 18964

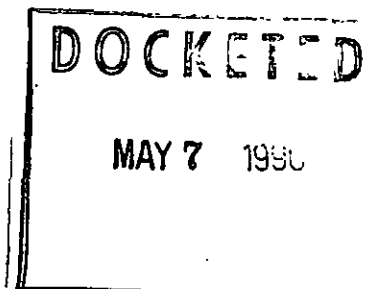
Application of Sanford Alderfer Antique Transport, Inc.,



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.



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 to 28 passengers: \$1,000,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.

29 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.

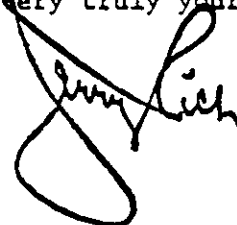
Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty day period will cause the Commission to rescind the action of March 15, 1990 and dismiss the application without further proceedings.

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 dark ink, appearing to read "Jerry Rich", written over a large, loopy flourish.

Jerry Rich, Secretary

smk
Enclosures
Certified Mail
Receipt Requested
Sanford Alderfer Antique Transport, Inc.
501 Fairgrounds Road
Hatfield, Pa. 19440

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

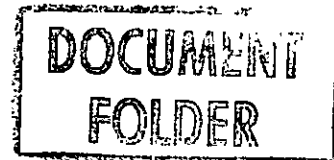
Public Meeting held March 15, 1990

Commissioners Present:

Bill Shane, Chairman
William H. Smith, Vice-Chairman
Joseph Rhodes, Jr.
Frank Fischl
David W. Rolka

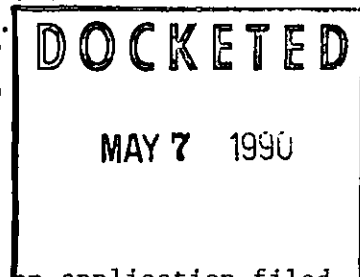
Application of Sanford Alderfer Antique Transport, Inc., for the right to begin to transport, as a common carrier, by motor vehicle, antiques, collectibles, and household goods for appraisal or resale, from the facilities of Sanford Alderfer Auction Center, located in the township of Hatfield, Montgomery County, to points in Pennsylvania, and vice versa.

A-00108714



Souder, Rosenberger, Bricker, Buschman & Maza by James W. Maza for the applicant.

Casey and Rossi by William H. R. Casey for the protestants, Clemmer Moving & Storage, Inc., Diehl Storage Company, Ware's Van & Storage, Inc. and Fischer-Hughes Transport, Inc.



O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 7, 1989. Public notice of the application was given in the Pennsylvania Bulletin of May 13, 1989. Protests to the application were filed by Clemmer Moving & Storage, Inc., Diehl Storage Company, Ware's Van & Storage, Inc. and Fischer-Hughes Transport, Inc. Upon reconsideration, all of the protests were withdrawn without amendment.

The application is now unprotested and is certified to the Commission for its decision without an oral hearing. The record consists of verified statements submitted by the applicant and five supporting parties.

DISCUSSION AND FINDINGS

Sanford Alderfer Antique Transport, Inc. (applicant) is a Pennsylvania corporation domiciled at 501 Fairground Road, Hatfield, Montgomery County. By the instant application, the applicant seeks an initial grant of operating authority which would authorize the transportation of antiques, collectibles and household goods for appraisal or resale, from the facilities of Sanford Alderfer Auction Center (hereinafter Auction Center), located in the township of Hatfield, Montgomery County, to points in Pennsylvania, and vice versa.

At the present time, the applicant has available one 45-foot furniture van and three tractors. Upon approval of the application, the applicant intends to lease or purchase from the Auction Center the following equipment: three trailers, one 19-foot trailer and three utility vehicles.

The applicant will transport antiques, collectibles, and household goods from the client's place of residence to the Auction Center so that the items can be appraised or sold by auction. The applicant would also provide a delivery service for those persons who purchase items at the Auction Center.

The unaudited balance sheet of the applicant indicates that as of December 31, 1988, it had current assets of \$20,379, total assets of \$78,237, total current liabilities of \$10,892, total liabilities of \$61,042 and total stockholders' equity of \$17,195.

Terry L. Derstine, vice president and secretary of The Prudential-Rittenhouse Realty Group (hereinafter Prudential-Rittenhouse), 48 Main Street, Harleysville, Montgomery County, stated in support of the pending application that Prudential-Rittenhouse is engaged in the selling, leasing and developing of real estate. Prudential-Rittenhouse anticipates using the applicant's services three to four times per year to transport household goods and antiques to the Auction Center for appraisal and/or resale. Transportation would be needed between Bucks and Montgomery Counties.

Prudential-Rittenhouse believes the applicant to be highly qualified to transport antiques, collectibles and household goods, because of the close relationship between the applicant and the Auction Center. Prudential-Rittenhouse would like to be able to recommend a single company to its clients, which is qualified to inventory, appraise and transport antiques, collectibles and household goods.

Rodney E. Mason, assistant administrator, Peter Becker Memorial Home (hereinafter Home), 800 Maple Avenue, Harleysville, provides the following information in support of the pending application. The Home is a continuing care retirement facility. Transportation of collectibles, antiques and household goods would be needed from the homes of the individuals who are moving into the Home; to the Auction Center, and from the Home to the Auction Center or vice versa. Shipments could be comprised of from one or two items to as much as the entire contents of a home.

Paul Meyer, associate broker and vice president of Sanford A. Alderfer, Inc., Real Estate Division (hereinafter Alderfer), Harleysville, states in support of the pending application that Alderfer is engaged in the selling, appraising and leasing of real estate. Alderfer anticipates using the applicant in connection with 20 to 25 real estate sales per year. The applicant will be tendered shipments of household goods, antiques and collectibles by homeowners for transportation to the Auction Center and vice versa.

Randy L. Shelly, administrator at Rockhill Mennonite Community (hereinafter Rockhill), states that Rockhill is a continuing care retirement community, a nursing center and an adult day-care for retirees, located in Sellersville. Rockhill anticipates using the applicant's services five or six times per year. Transportation will originate at Rockhill and will be destined for the Auction Center in Hatfield, and vice versa. Shipments will consist of household goods, antiques and collectibles.

Willard McKay, sole proprietor of Willard McKay Antiques, states that he will use the services of the applicant to transport antiques from the Auction Center to his clients or vice versa. He has no knowledge of any carrier with experience in the handling and transportation of antiques.

The applicant in the instant proceeding is seeking an initial grant of operating authority which would authorize the transportation of antiques, collectibles and household goods, for appraisal or resale. After review of the record, we have determined that there is sufficient evidence that the applicant possesses the experience, equipment and financial capacity to institute the proposed transportation services. The statements of support of the five supporting parties demonstrate the existence of a public need for the proposed transportation.

The instant application is proposing transportation of antiques, collectibles and household goods. The commodity description, household goods, has been used by this Commission to designate those shipments moving between two domiciles on behalf of the householder. After due consideration, we find it to be in the public interest to modify the authority hereinafter granted so that the commodity description, household goods, be modified to read, used furniture and accessories. This modification does not result in an expansion of the authority sought herein.

The transportation which the applicant seeks to provide involves the transportation of antiques, collectibles and used furniture and accessories (household goods) for appraisal or resale. Shipments moving to the Auction Center would clearly fall within the limitation of being for either appraisal or resale. However, those shipments which would be transferred from the Auction Center to a point in Pennsylvania, would not fall within the limitation, since the shipments would not be moving for appraisal or resale.

Although it was clearly the intent of the applicant to transport not only shipments moving to the Auction Center for appraisal or resale, but to also provide transportation for appraised and/or collectible items which

are returned to the owner after being appraised; and to transport those items from the Auction Center which may have been sold to a third party. The authority as proposed by the applicant would not permit the transportation of the shipments which are moving from the Auction Center and which are comprised of items which have been appraised or which have been sold at the Auction Center.

The authority hereinafter granted will be restated so that it clearly defines the service the applicant can render. The authority will be so worded as to indicate that the applicant can render transportation to the Auction Center for appraisal and resale; from the Auction Center for those items being returned to the owner after appraisals; or for those items which were for resale which may have not been sold; and from the Auction Center to points in Pennsylvania for those items which have been purchased by a third party. By restating the right, we have eliminated the need for vice versa service.

We find:

1. That it is in the public interest to revise the wording of the authority sought so that the authority clearly defines the transportation which the applicant will be authorized to provide from the Sanford Alderfer Auction Center.

2. That the commodity description of household goods should be replaced with the commodity description of used furniture and accessories.

3. That the applicant is fit, willing and able to provide the proposed transportation, as modified.

4. That the applicant has demonstrated that a public need exists for the transportation proposed by the instant application, as modified.

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

IT IS ORDERED: That the application, as modified, be and is hereby approved, granting the following right:

- (1) To transport, as a Class D carrier, antiques, collectibles and used furniture and accessories, for appraisal or resale, from points in Pennsylvania to the facilities of Sanford Alderfer Auction Center, located in the township of Hatfield, Montgomery County;
- (2) To transport, as a Class D carrier, antiques, collectibles and used furniture and accessories, which were appraised or sold at the Sanford Alderfer Auction Center, from said facility located in the township of Hatfield, Montgomery County, to points in Pennsylvania.


IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Public Utility Code 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 in the event said applicant has not, on or before sixty (60) days from the date of 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 the requirements of the Public Utility Code relating to insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate issue evidencing this Commission's approval of the right to operate as above-determined.

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.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: March 15, 1990

ORDER ENTERED: MAR 26 1990

0001
SANFORD ALDERFER ANTIQUE TRANSPORT INC
501 FAIRGROUNDS ROAD
HATFIELD PA 19440
SELF

0002
JAMES W MAZZA ESQ
120 EAST BROAD STREET
SQUIDERTON PA 18964
APPLICANT

0003
WILLIAM H R CASEY ESQ
99 EAST COURT STREET
DOYLESTOWN PA 18901
CLEMMER MOVING & STORAGE INC PROTESTANT

0004
WILLIAM H R CASEY ESQ
99 EAST COURT STREET
DOYLESTOWN PA 18901
WARE'S VAN & STORAGE INC PROTESTANT

0005
WILLIAM H R CASEY ESQ
99 EAST COURT STREET
DOYLESTOWN PA 18901
DIEHL STORAGE CO PROTESTANT

0006
WILLIAM H R CASEY ESQ
99 EAST COURT STREET
DOYLESTOWN PA 18901
FISCHER-HUGHES TRANSPORT PROTESTANT

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. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: C.O. A-00108714 William H.R. Casey, Esq.	4. Article Number 044073
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
5. Signature — Addressee X <i>[Signature]</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature — Agent X	8. Addressee's Address (ONLY if requested and fee paid) A
7. Date of Delivery 3/28	

PS Form 3811, Apr. 1989

★ U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

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. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: C.O. A-00108714 James W. Mazza, Esq.	4. Article Number 044074
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
5. Signature — Addressee X	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature — Agent X <i>[Signature]</i>	8. Addressee's Address (ONLY if requested and fee paid) A
7. Date of Delivery 3/28/90	

PS Form 3811, Apr. 1989

★ U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT

A