

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

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APPLICATION OF SANFORD ALDERFER : Docket No.
ANTIQUE TRANSPORT, INC. : A-00108714
For the right to transport, as a :
common carrier, antiques, collectibles, :
and household goods for appraisal :
or resale, from the facilities :
of Sanford Alderfer Auction Center, : **RECEIVED**
located in the township of Hatfield, :
Montgomery County, to points in : **DEC 26 1989**
Pennsylvania, and vice versa. :
Initial Hearing : **SECRETARYS OFFICE**
-----x **Public Utility Commission**

Pages 1 through 5

Hearing Room 1
State Office Building
Broad and Spring Garden Streets
Philadelphia, Pennsylvania

Tuesday, December 5, 1989

- - - - -
The above-entitled matter met, pursuant to notice,
at 10:00 a.m.

BEFORE:

THE HONORABLE HERBERT SMOLEN
Administrative Law Judge

APPEARANCES:

JAMES W. MAZA, ESQUIRE
LISA D. STERN, ESQUIRE
P.O. Box 739
Souderton, Pennsylvania 18964
(For Sanford Alderfer Antique
Transport, Inc.)

- - - - -
BLUM-MOORE REPORTING SERVICES, INC.
350 S. Main Street, Suite 203
Doylestown, PA 18901
(215) 345-7966

**DOCUMENT
FOLDER**
DOCKETED
JAN 05 1990

1 ADMINISTRATIVE LAW JUDGE HERBERT SMOLEN: This is
2 the matter of the application of Sanford Alderfer Antique
3 Transport, Incorporated for the right to transport, as a
4 common carrier, antiques, collectibles, and household
5 goods for appraisals or resale, from the facilities of
6 Sanford Alderfer Auction Center located in the township of
7 Hatfield, Montgomery County, to points in Pennsylvania and
8 vice versa. The Docket Number is A-00108714.

9 My name is Herbert Smolen, Administrative Law Judge,
10 assigned by the Commission to hear the evidence in this
11 case and to render an initial decision in due course.

12 I note from the appearance sheet that appearing on
13 behalf of applicant are James W. Maza, Esquire, and Lisa
14 D. Stern, Esquire.

15 There are no appearances at this time on behalf of
16 the protestants.

17 Before proceeding further, are there any preliminary
18 matters which should be brought to the attention of the
19 Commission.

20 MR. MAZA: Thank you, Judge, and good morning.

21 I am the attorney as was mentioned for the applicant
22 in this case. I have been in communication for some time
23 with William H. R. Casey, Esquire, who represents
24 protestants, Clemmer Moving and Storage, Inc., Diehl
25 Storage, and Ware's Van and Fischer-Hughes Transport, Inc.

1 I'm in receipt, as of yesterday by FAX, a withdrawal
2 of the protests of all four of those protestants, which,
3 based upon my understanding of the file in the Commission
4 today would eliminate all protestants to this application.
5 And I would ask that it be marked I guess as an exhibit
6 and I'll pass them around.

7 JUDGE SMOLEN: This is not a restrictive amendment.

8 MR. MAZA: No.

9 JUDGE SMOLEN: It's just a straight withdrawal?

10 MR. MAZA: There are no restrictive amendments
11 required as a condition of withdrawal. And I have a cover
12 letter from Mr. Casey to myself where there would be no
13 restrictions for the authority requested therefore.

14 JUDGE SMOLEN: Let me ask this question: Do you
15 have an original or has he sent the original by separate
16 cover?

17 MR. MAZA: I do not know that. My understanding was
18 that I was to submit this to you on his behalf for today.
19 If you'd like to another procedure --

20 JUDGE SMOLEN: No, this is fine. I don't have to
21 mark this as an exhibit.

22 This is a photocopy of a withdrawal of protest by
23 William H. R. Casey, Esquire on behalf of Clemmer Moving
24 and Storage, Inc., Diehl Storage Company, Ware's Van and
25 Storage, Inc., and Fischer-Hughes Transport, Inc.

1 This of course is only a copy of the withdrawal and
2 I will ask counsel to check with Mr. Casey to make certain
3 that he has forwarded the original to the secretary of the
4 Commission and to notify me if he has done so.

5 MR. MAZA: I will do that.

6 JUDGE SMOLEN: When that withdrawal, the original
7 withdrawal is received by the Commission, the matter in
8 due course will be referred, if that is your request, to
9 the Bureau of Safety and Compliance under the Commission's
10 modified procedure.

11 MR. MAZA: That is our request this morning, Judge.

12 JUDGE SMOLEN: Then we'll proceed in that fashion
13 and let me ask, is there anything further?


14 MR. MAZA: Nothing further.

15 JUDGE SMOLEN: I appreciate your coming in this
16 morning. Thank you for attending. And we'll adjourn the
17 hearing. With that thanks a lot.

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19 (Hearing adjourned at 10:10 a.m.)
20 - - - - -

C E R T I F I C A T I O N

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on Tuesday, December 5, 1989, and this is a correct transcript of same.


CAROL J. ANGIOLILLO

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or supervision of the certifying reporter.)

END