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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

Public Meeting held June 16, 1994

LOUIS J CARTER
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PHILADELPHIA PA 19151

Application Docket No. A-00107793, F. 2, Trans American Trucking Service, Inc.

SUPPLEMENTAL ORDER CANCELLING
CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

It appearing that the rights granted to Trans American Trucking Service, Inc., under the certificate of public convenience issued at A-00107793, F. 2, have been transferred to Ace Moving and Storage Corporation at A-00108519, F. 1, Am-C and are now contained under the certificate of public convenience issued to it; and that the transferor is retaining certain operating authority; and the matters and things involved having been duly considered by the Commission; THEREFORE,

IT IS ORDERED: That upon compliance with the conditions and requirements as set forth in the order at A-00108519, F. 1, Am-C, the operating rights and the certificate of public convenience at A-00107793 be and are hereby modified so as to eliminate the following rights:

1. To transport, as a Class B carrier, household goods, in use, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County.
2. To transport, as a Class D carrier, household goods in use, from points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County, to other points in Pennsylvania.

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with right No. 1 and 2 subject to the following condition:

That no right, power or privilege is granted to transport household goods in use to points in the borough of Leechburg, Armstrong County, and within ten (10) miles by the usually travelled highways of the limits of said borough.

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3. To transport, as a Class B carrier, household goods, works

- of art, fixtures, office furnishings, plant equipment and furnishings, in use, or to be set up for use, between points in the borough of Dickson City, Lackawanna County and within an airline distance of three (3) statute miles of the limits of said borough;
4. To transport, as a Class B carrier, household goods in use from points in the borough of Dickson City, Lackawanna County and within an airline distance of three (3) statute miles of the limits of said borough, to other points in Pennsylvania; and vice versa;
 5. To transport, as a Class B carrier, household goods in use from points in the city of Scranton, Lackawanna County, and within five (5) miles by the usually traveled highways of the limits of said city;
 6. To transport, as a Class D carrier, household goods, works of art, fixtures, office furnishings, plant equipment and furnishings, in use, or to be set up for use, between points in the city of Wilkes-Barre, Luzerne County, and within ten (10) miles, by the usually traveled highways, of the limits of said city;
 7. To transport, as a Class D carrier, household goods, works of art, fixtures, office furnishings, plant equipment and furnishings, in use, or to be setup for use, from points in the city of Wilkes-Barre, Luzerne County, and within ten (10) miles, by the usually traveled highways, of the limits of said city to other points in Pennsylvania, and vice versa;
 8. To transport, as a Class B carrier, household goods in use, office furniture in use, office fixtures in use, equipment and property of stores, offices, museums, institutions, hospitals or other establishments when presently a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments; 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 Scranton and borough of Dunmore, Lackawanna County, and within an airline distance of three (3) statute miles of the limits of said city and borough.
 9. To transport, as a Class D carrier, household goods in use from points in the city of Scranton and borough of Dunmore, Lackawanna County, and within an airline distance of three (3) statute miles of the limits of said city and borough to other points in Pennsylvania, and vice versa.
 10. To transport, as a Class D carrier, household goods, office furnishings and plant equipment, in use, between

points in the borough of Old Forge, Lackawanna County, and within an airline distance of ten (10) statute miles of the limits of the said borough;

11. To transport, as a Class D carrier, household goods, office furnishings and plant equipment, in use, from points in the borough of Old Forge, Lackawanna County, and within an airline distance of three (3) miles of the limits of the said borough to the cities of Wilkes-Barre, Luzerne County, and Carbondale, Lackawanna County, and points intermediate between those cities and the borough of Old Forge;
12. To transport, as a Class D carrier, household goods in use, from points in the borough of Old Forge, Lackawanna County, and within an airline distance of ten (10) statute miles of the limits of said borough to points in Pennsylvania, and vice versa, excluding service to or from points in the city of Nanticoke, Luzerne County, and excluding service to or from points in the borough of Clarks Green, Dalton and Moscow and the village of Waverly, Lackawanna County, except as authorized under the 10th right hereinabove granted.

IT IS FURTHER ORDERED: That the rights retained by the transferor shall now read as follows:

1. To transport, as a Class B carrier, livestock, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County.
2. To transport, as a Class D carrier, livestock, from points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County, to other points in Pennsylvania;
3. To transport, as a Class D carrier, property for Union Electric Steel Corp. from its plant in the township of Smith, Washington County, to points in the counties of Allegheny, Beaver, Butler, Lawrence and Washington, and vice versa; and from the plant of Union Electric Steel Corp. in the said township to other points in Pennsylvania, and vice versa, by interchange with Class A and D carriers at points in the county of Allegheny; excluding the transportation of commodities in bulk in tank or hopper-type vehicles.
4. To transport, as a Class D carrier, building materials, and building construction materials, such as are usually transported in dump trucks, between points not to exceed a distance of twenty-five (25) miles from point of origin to point of destination in the county of Clearfield.
5. To transport, as a Class D carrier, brick, structural tile, clay and clay products, bonding mortar and other

- refractories, materials and products used in the manufacture of brick, structural tiles, clay products and refractories and containers between points in the borough of Clearfield, Clearfield County, and within twenty-five (25) miles of the limits thereof, and from points in said territory to points in Pennsylvania, and return of containers.
6. To transport, as a Class D carrier, building materials, such as are usually transported in dump trucks, between points in the borough of Clearfield, Clearfield County, and within twenty-five (25) miles by the usually traveled highways of the limits of the said borough, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.
 7. To transport, as a Class D carrier, brick structural tile, clay and clay products, bonding mortar and other refractories, materials and products used in the manufacture of brick, structural tile, clay products and refractories and containers from plant of Harbison-Walker Refractories Company, in the county of Clearfield to plants of said company in the counties of Allegheny, Armstrong and Huntingdon, and vice versa.
 8. To transport, as a Class D carrier, brick, structural tile, clay and clay products, bonding mortar and other refractories, materials and products used in the manufacture of brick, structural tile, clay products and refractories and containers from plants of General Refractories Company in the county of Clearfield, to plants of said company in the counties of Blair and Huntingdon, and vice versa.
 9. To transport, as a Class B carrier, brick, structural tile, clay and clay products, bonding mortar and other refractories, materials and products used in the manufacture of brick, structural tile, clay products and refractories and containers from plants of North American Refractories Company in the county of Clearfield, to plants of said company in the counties of Berks, Clinton, Elk and Huntingdon, and vice versa.
 10. To transport, as a Class B carrier, property, excluding household goods in use, between points in the borough of Curwensville, Clearfield County.
 11. To transport, as a Class C carrier, property, excluding household goods in use, from points in the borough of Curwensville, Clearfield County, to points within twenty-five (25) miles by the usually traveled highways of the limits of the said borough, and vice versa.
 12. To transport, as a Class D carrier, lumber, lime, brick, clay products, coal, hides and beer from points in the

borough of Curwensville and the township of Pike, Clearfield County, to points in Pennsylvania, and vice versa.

13. To transport, as a Class D carrier, firebrick, fire clay, clay, high temperature bonding mortar and cement, plastic firebrick, brickbats, palletized or otherwise, and pallets used in the transportation of same from the borough of Lumber City and the townships of Penn and Pike, Clearfield County, to points in Pennsylvania, and vice versa.
14. To transport, as a Class D carrier, refractories, refractory products and commodities used or useful in the installation of refractories and refractory products; and those materials, equipment and supplies used in the production and distribution of refractories of North American Refractories Co. in the county of Berks, to points in Pennsylvania, and vice versa;

Right No. 14 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport said commodities in bulk from the facilities of Pennsylvania Glass Sand Corp. in the counties of Mifflin and Huntingdon.
 - (b) That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles, to or from the borough of Homestead, Allegheny County, and points within fifty (50) miles of the limits thereof.
15. To transport, as a Class D carrier, property (except household goods and office furniture, in use) from the borough of Clymer, Indiana County, and within five (5) miles by the usually traveled highways of the limits of said borough to points within twenty-five (25) miles by the usually traveled highways of the limits of said borough, and vice versa.
 16. To transport, as a Class D carrier, brick and clay products from the plants of Hiram Swank's Sons, Inc., in the borough of Clymer, Indiana County, the borough of Irvona, Clearfield County, and the city of Johnstown, Cambria County, to points in Pennsylvania.
 17. To transport, as a Class D carrier, brick and clay products for Hiram Swank's Sons, Inc., on emergency shipments from the city of Johnstown, Cambria County, to the borough of Clymer, Indiana County, excluding intermediate points.
 18. To transport, as a Class D carrier, lumber and building materials for W.E. Oakes Estate from the borough of

Clymer, Indiana County, to points within fifty (50) miles by the usually traveled highways of the limits of said borough, and vice versa.

19. To transport, as a Class D carrier, mine machinery for repair and/or replacement from points in the borough of Clymer, Indiana County, and within five (5) miles by the usually traveled highways of the limits of said borough to points in the said borough and the city of Johnstown, Cambria County, and the village of Benedict, Cambria County, and vice versa, provided that such transportation shall not exceed twelve (12) trips to each point in each calendar year and provided further that no mine machinery for repair and/or replacement may be transported to and from points within the limits of White Township and the borough of Indiana, Indiana County.
20. To transport, as a Class D carrier, iron and steel articles, wooden patterns, equipment and supplies for the United Engineering and Foundry Company from the borough of Vandergrift, Westmoreland County, to points in Pennsylvania, and vice versa.
21. To transport, as a Class D carrier, property for the Raychord Corporation from its plant in the borough of Apollo, Armstrong County, to points within an airline distance of two hundred (200) statute miles of the said plant, and vice versa.

Right No. 21 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport property which, because of size or weight, requires the use of special equipment such as pole trailers, carryalls, winch trucks or tractors.
 - (b) That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles.
22. To transport, as a Class C carrier, property for the General Refractories Company and General Steel Industries, Inc., National Roll Division, from their plants in the village of Salina and the borough of Avonmore, Westmoreland County, respectively, to points within an airline distance of one hundred (100) statute miles of said plants.

Right No. 22 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport other than less-than-truckload shipments from the Central Warehouse, Pittsburgh, to Avonmore and Salina.

(b) That no right, power or privilege is granted to transport commodities in bulk and tank vehicles or in hopper-type vehicles.

23. To transport, as a Class D carrier, property, including alcoholic beverages, materials and supplies used in the manufacture of alcoholic beverages between the plants of Schenley Distributors, Inc., and affiliated companies in the villages of Schenley, Aladdin and Longanport, Armstrong County, and its warehouse in the borough of Cheswick, Allegheny County.
24. To transport, as a Class D carrier, alcoholic beverages, from plants and warehouses of Schenley Distributors, Inc., Joseph S. Finch Company, Logansport Distilling Company and other affiliated companies located in Allegheny and Armstrong Counties to points in Pennsylvania;
25. To transport, as a Class D carrier, materials and supplies, used in the manufacture of alcoholic beverages from points in Pennsylvania to the plants and warehouses of Schenley Distributors, Inc., Joseph S. Finch Company, Logansport Distilling Company and other affiliated companies, located in the counties of Armstrong and Allegheny, and the return of damaged or refused merchandise.

Rights No. 24 and 25 subject to the following condition

That no right, power or privilege is granted to transport property which is usually transported in carryall trucks, winch trucks, winch tractors and pole trailers, or commodities which require special equipment to load or unload from or to the vehicles.

26. To transport, as a Class D carrier, property for General Refractories Company from its plant in the village of Salina, Bell Township, Westmoreland County, to points in Pennsylvania, and vice versa.

Right No. 26 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles.
- (b) That no right, power or privilege is granted to render service to the plants of Bethlehem Steel Corporation in the city of Bethlehem, Lehigh and Northampton Counties.
27. To transport, as a Class D carrier, iron and steel, iron and steel articles, and products and materials, supplies

and equipment used or useful in the manufacture, assembly and distribution of iron and steel and iron and steel articles and products, from the facilities of Jones & Laughlin Steel Corporation, located in the borough of Aliquippa, Beaver County, and in the city of Pittsburgh, Allegheny County, to points within an airline distance of one hundred fifty (150) statute miles of the City-County Building located in the city of Pittsburgh, Allegheny County, and vice versa.

Rights No. 27 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles.
- (b) That no right, power or privilege is granted to transport commodities which, because of size or weight, require special handling or the use of special equipment such as winch trucks or tractors, poles or extendible trailers, or carryalls, or which require a permit from the Pennsylvania Department of Transportation for their transportation.
- (c) That no right, power or privilege is granted to transport limestone and limestone products from points in York County.
- (d) That no right, power or privilege is granted to transport property to and from Standard Steel Works, Division of Baldwin Locomotive Works, located in the borough of Burnham, Mifflin County; New Holland Machine Company and New Holland Machine Division of Sperry-Rand Corporation, located in the village of Belleville, Mifflin County; and Overhead Door Company and Modern Door, Inc., located in the borough of Lewistown, Mifflin County.
- (e) That no right, power or privilege is granted to transport pipe, to and from points located in the counties of McKean, Potter and Warren.
- (f) That no right, power or privilege is granted to transport limestone, limestone products and quarry products, to or from quarries, mines and related facilities located in the county of Centre, except as presently authorized.
- (g) That no right, power or privilege is granted to transport refractories, refractory products, and materials and supplies used in the production and installation thereof, from and to points in Armstrong County, except as

presently authorized.

28. To transport, as a Class D carrier, iron and steel, iron and steel articles and products, and materials, supplies and equipment used or useful in the production, assembly and distribution of iron and steel and iron and steel articles and products, from the facilities of Crucible, Inc., a Division of Colt Industries, located in the borough of Midland, Beaver County, to points located within an airline distance of one hundred and fifty (150) statute miles of the limits of said borough, and vice versa.

Right No. 28 subject to the following conditions

- (a) That no right, power or privilege is granted to transport commodities in bulk, in dump, vehicles.
- (b) That no right, power or privilege is granted to transport commodities which, because of size or weight, require special handling or the use of special equipment such as winch trucks or tractors, poles or extendible trailers, or carryalls, or which require a permit from the Pennsylvania Department of Transportation for their transportation.
- (c) That no right, power or privilege is granted to transport pipe, to and from points located in McKean, Potter and Warren Counties.
- (d) That no right, power or privilege is granted to transport limestone and limestone products from points in York County.
- (e) That no right, power or privilege is granted to transport property to and from Standard Steel Works, Division of Baldwin Locomotive Works, located in the borough of Burnham, Mifflin County; New Holland Machine Company and New Holland Machine Division of Sperry-Rand Corporation, located in the village of Belleville, Mifflin County; and Overhead Door Company and Modern Door, Inc., located in the borough of Lewistown, Mifflin County.

29. To transport, as a Class D carrier, iron and steel, and iron and steel articles, from the facilities of National Materials Corporation located in the cities of Arnold and New Kensington, Westmoreland County, to points in Pennsylvania, and vice versa.

Right No. 29 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles.
- (b) That no right, power or privilege is granted to transport commodities which, because of size or weight, require special handling or the use of special equipment such as winch trucks or tractors, pole or extendible trailers, or carryalls, or which require a permit from the Pennsylvania Department of Transportation for their transportation.

30. To transport, as a Class D carrier, refractories, refractory products and commodities used or useful in the installation of refractories and refractory products; and materials, equipment and supplies used in the production and distribution of refractories, refractory products, and commodities used or useful in the installation of refractories and refractory products, from the facilities of A.P. Green Refractories Co., located in the city and county of Philadelphia and the township of Porter, Clarion County, to points in Pennsylvania, and vice versa.

Right No. 30 subject to the following condition:

That no right, power or privilege is granted to transport commodities in bulk in dump, tank or hopper-type vehicles.

31. To transport, as a Class D carrier, refractories, refractory products and commodities used or useful in the installation of refractories and refractory products; and materials, equipment and supplies used in the production and distribution of refractories, refractory products, and commodities used or useful in the installation of refractories and refractory products, from the facilities of Harbison-Walker Refractories, Division of Dresser Industries, Inc., located in the borough of Mt. Union, Huntingdon County, to points in Pennsylvania, and vice versa.

Right No. 31 subject to the following condition:

That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles.

32. To transport, as a Class D carrier, refractories, refractory products and commodities used or useful in the installation of refractories and refractory products; and materials, equipment and supplies used in the production and distribution of refractories, refractory products, and commodities used or useful in the installation of refractories and refractory products, from the facilities

of Harbison-Walker Refractories, Division of Dresser Industries, Inc., located in the village of Templeton, Pine Township, Armstrong County, to points in Pennsylvania, and vice versa.

Right No. 32 subject to the following condition:

That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles.

33. To transport, as a Class D carrier, property, (except household goods and office furniture, in use) for St. Joe Zinc Company, between points in Pennsylvania;

Right No. 33 subject to the following condition:

That no right, power or privilege is granted to transport commodities in bulk, in dump, in tank or hopper-type vehicles.

34. To transport, as a Class D carrier, property, for Cerro Metal Products, between points in the county of Centre, and from points in said county to other points in Pennsylvania, and vice versa.

Right No. 34 subject to the following condition:

(a) That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles.

(b) That no right, power or privilege is granted to render transportation from the county of Centre to points in the counties of Bedford, Blair, Cambria, Franklin, Fulton, Huntingdon, Juniata, Mifflin, and Somerset, and vice versa.

35. To transport, as a Class D carrier, property having a prior or subsequent movement by Sherwin Williams Company trucks, from the facilities of Breman's Express Company, located in the counties of Allegheny and Clearfield, to points in Pennsylvania, and vice versa.

Right No. 35 subject to the following conditions:

(a) That no right, power or privilege is granted to transport commodities in bulk, tank or hopper-type vehicles.

(b) That no right, power or privilege is granted to transport household goods.

- . 36. To transport, as a Class D carrier, property for All Metals, Inc., and Charles Bluestone Company, between points in Pennsylvania.

Right No. 36 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport property in dump vehicles from or between points in Mercer County.
- (b) That no right, power or privilege is granted to transport property in dump vehicles between points in the borough of Homestead, Allegheny County, and points within sixty (60) miles of the limits thereof, and from points in said territory to points in Pennsylvania, and vice versa.
- (c) That no right, power or privilege is granted to transport scrap metal, in bulk, in dump vehicles, between points in the city of Altoona, Blair County, and points within thirty (30) miles of the limits thereof, and from points in said territory to points in Pennsylvania, and vice versa.
- (d) That no right, power or privilege is granted to transport coal, sand and gravel in dump vehicles.

37. To transport, as a Class D carrier, iron and steel, iron and steel articles and products, and equipment, machinery, materials and supplies used or useful in the manufacturing, assembly, sale and distribution of iron and steel, iron and steel articles and products, from the Pennsylvania facilities of United States Steel Corporation, to points in Pennsylvania, and vice versa.

Right No. 37 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles.
- (b) That no right, power or privilege is granted to transport sand, in bulk in truckloads, from the Pennsylvania Glass Sand Corporation in the boroughs of Mapleton, Huntingdon County, and McVeytown, Mifflin County.
- (c) That no right, power or privilege is granted to transport limestone and limestone products, in bulk, in dump semi-trailers, tank and hopper vehicles and air-unloading bulk vehicles, from points in the county of York.

- (d) That no right, power or privilege is granted to transport limestone or limestone products, in bags or other types of containers for the J.E. Baker Company from its plant in the township of West Manchester, York County, and the Thomasville Stone and Lime Company, from its plant in the township of Jackson, York County.
- (e) That no right, power or privilege is granted to transport property, which, because of size or weight, requires a special highway weight, permit to be issued by the Pennsylvania Department of Transportation.

Rights Nos.1 and 37 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport household goods and office furnishings and equipment, in use, or baggage, (i) from points in the city of New Castle and the townships of Taylor, Hickory, Neshannock, Union, Shenango and North Beaver, Lawrence County to other points in Pennsylvania; (ii) from the borough of Clymer, Indiana County, and within five (5) miles by the usually traveled highways of said borough to points within twenty-five (25) miles by the usually traveled highways of the limits of said borough, and vice versa; (iii) from points in the borough of Clymer, Indiana County, and within twenty-five (25) miles by the usually traveled highways of the limits of said borough to points in Pennsylvania, and vice versa; (iv) between points in the borough of Leechburg, Armstrong County, and within twelve (12) miles by the usually traveled highways of the limits of said borough; and (v) from points in the borough of Leechburg, Armstrong County, and within ten (10) miles by the usually traveled highways of the limits of said borough to other points in Pennsylvania, and vice versa.
- (b) That no right, power or privilege is granted to transport property for A.P. Green Fire Brick Company, from its plant in the borough of Tarentum, Allegheny County, to points in Pennsylvania, and vice versa.
- (c) That no right, power or privilege is granted to transport refractory products consisting of high temperature bonding mortar, castables, gun mixes, tap hole mixes, grog, ladle pocket

mixes, and hangers for the Butler Refractories Company from its plant in the township of Penn Hills (formerly Penn Township), Allegheny County, to points within an airline distance of one hundred twenty-five (125) statute miles of said plant.

- (d) That no right, power or privilege is granted to transport shipments for the American Sheet and Tin Company (now known as United States Steel Corporation) from points in the borough of Vandergrift, Westmoreland County, to points in Pennsylvania within fifty (50) miles by the usually traveled highways of the limits of said borough, and vice versa.
 - (e) That no right, power or privilege is granted to transport property for the Allegheny Ludlum Steel Corporation, Leechburg Supply Company and Leechburg Mining Company from points in the borough of Leechburg, Armstrong County, and within an airline distance of ten (10) statute miles of the limits of said borough to points within an airline distance of one hundred (100) statute miles by the limits of said borough, and vice versa.
 - (f) That no right, power or privilege is granted to transport property for the United States Steel Corporation and Apollo Industries, Inc., from points in the borough of Leechburg, Armstrong County, and within ten (10) miles by the usually traveled highways of the limits of said borough to points within an airline distance of one hundred (100) statute miles of the limits of said borough, and vice versa.
38. To transport, as a Class D carrier, heavy machinery and equipment, together with materials, equipment and supplies used in their manufacture and distribution, for Voith-Hydro, Inc., between points in the county of York, and from points in the county of York, to points in Pennsylvania, and vice versa.
39. To transport, as a Class B carrier, property (except household goods, works of art, fixtures, office furnishings, plant equipment and furnishings, in use or to be set up for use), between points in the borough of Dickson City, Lackawanna County and within an airline distance of three (3) statute miles of the limits of said borough.
40. To transport, as a Class D carrier, coal from mines and breakers in the county of Lackawanna to points in the said county.

- . 41. To transport, as a Class B carrier, property between points in the city of Wilkes-Barre, and within five (5) miles, by the usually traveled highways, of the limits of said city;
42. To transport, as a Class C carrier, property from points in the city of Wilkes-Barre, and within five (5) miles, by the usually traveled highways, of the limits of said city, to points within fifteen (15) miles, by the usually traveled highways, of the limits of said city, and vice versa;

Rights No. 41 and 42 subject to the following condition:

That no right, power or privilege is granted to transport household goods in use, works of art, fixtures in use and office furnishings, plant equipment and furnishings between points in the city of Wilkes-Barre and ten (10) miles thereof or from points in the city of Wilkes-Barre and ten (10) miles thereof.

43. To transport, as a Class D carrier, wire, cables and electrical equipment, in emergencies, from the city of Wilkes-Barre to points in Pennsylvania within seventy-five (75) miles, by the usually traveled highways of the limits of said city; provided, that the rights, powers and privileges hereby granted shall be limited and restricted to twelve (12) trips per calendar year, and a report of such trips to be filed with the Public Utility Commission;
44. To transport, as a Class D carrier, structural steel and other structural materials requiring rigging or special equipment between points in Pennsylvania within seventy-five (75) miles, by the usually traveled highways of the limits of the city of Wilkes-Barre;
45. To transport, as a Class D carrier, freight in less-than-carload lots for The Delaware and Hudson Railroad Corporation at Wilkes-Barre, Hudson, Pittston and Avoca, Luzerne County, Moosic, Scranton, Dickson City, Olyphant, Jessup, Peckville, Archbald, Jermyn, Mayfield, and Carbondale, Lackawanna County;

Right Nos. 41 through 45 subject to the following condition:

That no right, power or privilege is granted to transport raw silk, materials or finished products of the silk industry, provided, however, that the applicant may transport silk and silk products to and from mills and railroad stations or other places of business.

46. To transport, as a Class D carrier, property between points in the city of Wilkes-Barre, Luzerne County, and

within ten (10) miles by the usually traveled highways of the limits of the said city;

Right No. 46 subject to the following condition:

That no right, power or privilege is granted to transport household goods in use, works of art, fixtures in use and office furnishings, plant equipment and furnishings between points in the city of Wilkes-Barre and ten (10) miles thereof or from points in the city of Wilkes-Barre and ten (10) miles thereof.

47. To transport, as a Class D carrier, property, excluding household goods in use, from points in the city of Wilkes-Barre, Luzerne County, and within ten (10) miles by the usually traveled highways of the limits of the said city, to points within twenty-five (25) miles by the usually traveled highways of the limits of the said city and vice versa; excluding the cities of Scranton and Hazelton; and excluding the transportation of structural steel and other heavy objects and materials requiring special handling, rigging or hoisting, and excluding the transportation of products of the silk (natural or artificial) industry;

Right No. 47 above subject to the following condition:

That no right, power or privilege is granted to transport works of art, fixtures in use and office furnishings in use from points in the city of Wilkes-Barre, Luzerne County, and within ten (10) miles thereof.

48. To transport, as a Class D carrier, tobacco, tobacco products and property used in the processing thereof, and containers of tobacco products and property used in processing tobacco and tobacco products, for the Consolidated Cigar Company, from its plants in the township of Banks, Carbon County, to its plants in the borough of Berwick, Columbia County, and vice versa;

Right No. 48 above subject to the following condition:

That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles.

49. To transport, as a Class D carrier, property between points in the borough of Old Forge, Lackawanna County, and within an airline distance of ten (10) statute miles of the limits of the said borough;
50. To transport, as a Class D carrier, property from points in the borough of Old Forge, Lackawanna County, and within an airline distance of three (3) miles of the limits of

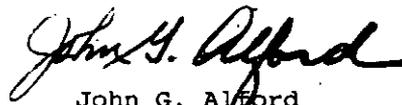
said borough to the cities of Wilkes-Barre, Luzerne County, and Carbondale, Lackawanna County, and points intermediate between those cities and the borough of Old Forge;

Rights Nos. 49 and 50 above subject to the following conditions:

- (a) That no right, power or privilege is granted to pick up or deliver between the city of Scranton, Lackawanna County, and the city of Carbondale, Lackawanna County, or intermediate points.
- (b) That no right, power or privilege is granted to pick up or deliver between the borough of Old Forge, Lackawanna County, and the city of Wilkes-Barre, Luzerne County, or between the borough of Old Forge and the city of Scranton, Lackawanna County, or intermediate points lying between and adjacent thereto.
- (c) That no right, power or privilege is granted transport raw silk, materials and finished products of the silk industry, provided, however, that the applicant may transport silk and silk products to and from mills or other places of business and railroad station.
- (d) That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles.

IT IS FURTHER ORDERED: That the transferor shall amend its tariff to comply with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relating to the filing and acceptance of a tariff.

BY THE COMMISSION,


John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: June 16, 1994

ORDER ENTERED: **SEP 30 1994**



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

August 29, 1994

IN REPLY PLEASE
REFER TO OUR FILE

A-00107793F0002Am-E

JOHN A PILLAR ESQUIRE
312 BOULEVARD OF THE ALLIES
SUITE 700
PITTSBURGH PA 15222

DOCUMENT DOCKETED
FOLDER SEP 23 1994

Application of Trans American Trucking Service, Inc.

Enclosed is the compliance order issued by the Commission in this proceeding.

The applicant will not be permitted to operate or engage in any transportation granted by the enclosed order until a tariff has been prepared and filed in accordance with the enclosed instructions.

Motor carriers operating without complying with the above requirement will be subject to the penalty provisions of the Public Utility Code.

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of August 18, 1994 and dismiss the application without further proceedings.

Very truly yours,

John G. Alford
Secretary

JEP
Enclosure
Certified Mail

Tariff Contact Person: Joseph Machulsky (717) 787-5521

TRANS AMERICAN TRUCKING SERVICE INC
115 ST NICHOLAS AVENUE
SOUTH PLAINFIELD NJ 07080

BTL

ENTRY NO.: 0001
NAME: TRANS AMERICAN TRKG SERVICE,INC
ADDRESS1: 115 ST. NICHOLAS AVENUE
ADDRESS2:
CITY: SOUTH PLAINFIELD STATE: NJ ZIP: 07080
REPRESENTING: SELF TYPE

ENTRY NO.: 0002
NAME: JOHN A PILLAR ESQ
ADDRESS1: 312 BLVD OF THE ALLIES
ADDRESS2: SUITE 700
CITY: PITTSBURGH STATE: PA ZIP: 15222
REPRESENTING: APPLICANT TYPE

ENTRY NO.: 0003
NAME: AMERICAN TRANSPORT INC
ADDRESS1: ONE PARKRIDGE CENTER
ADDRESS2: SUITE 350
CITY: PITTSBURGH STATE: PA ZIP: 15275
REPRESENTING: TRANSFEROR TYPE

CU25 A-00107793 F 0002 AME PRINT-

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held August 18, 1994

Commissioners Present:

David W. Rolka, Chairman
Joseph Rhodes, Jr., Vice-Chairman
John M. Quain
Lisa Crutchfield
John Hanger

DOCUMENT
FOLDER

Application of Trans American Trucking Service, Inc., for the transfer of part of the operating rights of American Transport, Inc., a corporation of the Commonwealth of Pennsylvania, under the certificate issued at A-00108770, F. 2, subject to the same limitations and conditions.

A-00107793
F. 2
Am-E

DOCKETED
SEP 23 1994

John A. Pillar for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 18, 1994. Public notice of the application was given in the Pennsylvania Bulletin of May 14, 1994. The unopposed application is certified to the Commission for its decision without oral hearing.

Trans American Trucking Service, Inc., is a currently certificated carrier in Pennsylvania domiciled at South Plainfield, New Jersey. It holds several grants of authority which permit it to provide the transportation of various classes of property from and to the facilities of named shippers. By the instant application, it seeks to acquire by transfer a part of the authority now held by American Transport, Inc.

As a currently certificated carrier, there is a presumption of fitness. Trans American Trucking Service, Inc., has supplied a balance sheet dated February 28, 1994 reporting total assets of \$1,978,660 with total liabilities of \$730,996.

Since only a part of the rights held by the transferor are being transferred in this proceeding, it is necessary to examine the rights being transferred and the rights being retained to determine if any duplication of authority will result. The transferor is retaining the right to transport, as a Class D carrier, paper and paper products from the facilities of Hammermill Papers Group in Clinton County to points in Pennsylvania, and vice versa. It is our determination that the authority to transfer should be conditioned to exclude the transportation of paper and paper products from and to Hammermill in Clinton County, to limit any possible duplication between the authority to be transferred and the authority to be retained.

The total consideration for the rights is \$42,500. The rights have been assigned a value of \$42,500. The applicant has placed \$2,500 into an escrow account. The balance of \$40,000 will be paid at closing which will occur within 30 days of approval of the transfer application by the Commission.

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing need, which may be overcome only by evidence to the contrary. In re: Byerly, 440 Pa. 521 (1970); Hostetter v. Pa. P.U.C., 160 Super. Ct. 94 (1947). Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

We find:

1. The applicant is fit, willing and able to provide the service proposed.
2. Transfer of the authority is in the public interest and is necessary for the continued accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the transfer application be and is hereby approved and that a certificate be issued granting the following rights:

1. To transport, as a Class B carrier, property between points in the city and county of Philadelphia serving railroad terminals, wholesalers, jobbers, manufacturers and to retailers, but excluding transportation from retail stores to their customers.
2. To transport, as a Class D carrier, machinery, pipe and heavy objects requiring rigging, skidding or special handling onto or off of trucks/and or in connection with the dismantling of machinery and the transportation of parts so dismantled between points in the county of Philadelphia, and points within one hundred and seventy (170) miles of the city of Philadelphia, subject to the

restriction that at any time any one truck shall carry the goods of not more than one shipper to not more than one consignee or destination.

3. To transport, as a Class D carrier, property from the facilities of American Coastal Industries, Inc. in the borough of Renovo, Clinton County, to points in Pennsylvania, and vice versa;

right 3 subject to the following condition:

That no right, power, or privilege is granted to transport paper and paper products from or to the facilities of Hammermill Papers Group in Clinton County.

4. To transport, as a Class D carrier, machinery, pipe and heavy objects requiring rigging, skidding or special handling onto or off of trucks and/or in connection with the dismantling of machinery and the transportation of parts so dismantled from points in the city of Philadelphia and points within an airline distance of one hundred seventy (170) statute miles of the limits thereof, to points in Pennsylvania beyond an airline distance of one hundred and seventy (170) statute miles of the limits of the city of Philadelphia and vice versa;

right 4 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport property on trailers where the loading bed is forty (40) inches or less above ground level to or from points in the counties of Cumberland, Dauphin, Perry and Lebanon, nor to or from points in the county of York within an airline distance of twenty-five (25) statute miles of the state capitol in Harrisburg, Dauphin County; provided that this restriction shall not preclude transportation to or from the facilities of York-Shipley, Inc., York, York County;
- (b) That no right, power or privilege is granted to transport pipe from the facilities of Phoenix Steel Corporation, Phoenixville, Chester County, to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the City-County Building in the said city;
- (c) That no right, power or privilege is granted to transport pipe from the facilities of Babcox & Wilcox Co., Beaver Falls, Beaver County, the facilities of U.S.X. (formerly United States Steel Corporation), McKeesport, Allegheny County, and the facilities of Jones & Laughlin Steel Corporation, Aliquippa,

Beaver County, to points in the city of Philadelphia and points within an airline distance of thirty-five (35) statute miles of the City Hall in the said city.

5. To transport, as a Class D carrier, property, for the United States Government, from the facilities of the Defense Depot, Mechanicsburg and the Navy Ships Parts Control Center, Mechanicsburg, located in the county of Cumberland, to points in Pennsylvania and vice versa;

with right no. 5 subject to the conditions:

- (a) That no right, power or privilege is granted to transport property in van trailers or household goods in use and commodities in bulk.
 - (b) That no right, power or privilege is granted to transport paper or paper products to or from the facilities of Hammermill Papers Group in Clinton County.
- (6) To transport, as a Class D carrier, property, for NRG Barriers West, Inc. from its facilities located in the county of Luzerne to points in Pennsylvania, and vice versa;

right no. 6 subject to the conditions:

- (a) That no right, power or privilege is granted to transport petroleum, petroleum products and dry litharge in bulk.
- (b) That no right, power or privilege, is granted to transport paper or paper products to or from the facilities of Hammermill Papers Group in Clinton County.

subject to the following general conditions:

1. That the operating authority granted herein or now held, or subsequently granted to the applicant to the extent that it is duplicative, shall not be construed as conferring more than one operating right.
2. 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/or 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.

3. That the applicant record in its Utility Account 1321 - Franchises, the actual cost of such rights recorded by the original holder thereof.
4. That the utility accounts of the transferee shall reflect the same book values for all utility property acquired as shown in the records of the transferor at the effective date of the transfer, any previously recorded depreciation having been deleted therefrom.
5. That the applicant charge to Account 1341 - Other Intangible Property, any amount of the consideration paid for the rights and going concern value attributable thereto in excess of the amounts recorded under condition no. 3 above.
6. That the certificate holder shall not transfer, sell or in anyway convey any of its outstanding capital stock to any individual, partnership, corporation or any other entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(a) (3) of Title 66, PA C.S.A.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted in this application until the following is submitted to the Commission.

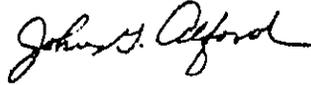
1. A tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That upon compliance with the requirements above set forth, a certificate issue evidencing the Commission's approval of the right to operate as above-determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the 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 this order, the rights granted the transferor, American Transport, Inc. at A-0000108770, F. 2, Am-B be modified pursuant to the supplemental order.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: August 18, 1994

ORDER ENTERED: AUG 29 1994

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4 b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

A-00107793 F2AME

4a. Article Number

44929

4b. Service Type

- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

7. Date of Delivery

31 AUG 1994

5. Signature (Addressee)

JOHN A. PILLAR ESO

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

A. Burgom

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4 b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

A-00107793 F2AME

4a. Article Number

44430

4b. Service Type

- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

7. Date of Delivery

8/31/94

5. Signature (Addressee)

AMERICAN TRANSPORT INC

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

S. McWalter

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.