





COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
September 29, 1993

IN REPLY PLEASE  
REFER TO OUR FILE  
A-00107793  
F.2, Am-C

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

Application of Trans American Trucking Service, Inc.,  
a corporation of the State of New Jersey

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

The application 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 Commission.

Commission regulations require compliance with the above requirements  
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 September 23, 1993 and dismiss the application without  
further proceeding.

Very truly yours,

*John G. Alford*  
John G. Alford, Secretary

DOCUMENT  
FOLDER

DOCKETED  
OCT 14 1993

smk  
Encls.  
Cert. Mail  
Receipt Requested  
Tariff Contact Person: Joseph Machulsky (717) 787-5521

MODIFICATION

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: DAVID M O'BOYLE ESQ  
ADDRESS1: 1450 TWO CHATHAM CENTER  
ADDRESS2:  
CITY: PITTSBURGH STATE: PA ZIP: 15219  
REPRESENTING: TRANSFEROR TYPE

ENTRY NO.: 0003  
NAME: JACOB PHILLIPS (DECEASED)  
ADDRESS1: 88 BEAVER GRADE ROAD  
ADDRESS2:  
CITY: MCKEES ROCKS STATE: PA ZIP: 15136  
REPRESENTING: TRANSFEROR TYPE

CU25 A-00107793 F 0002 AMC PRINT-

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

Public Meeting held September 23, 1993

Commissioners Present:

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

DOCUMENT  
FOLDER

Application of Trans American Trucking Service, Inc., a corporation of the State of New Jersey, for the transfer to it of part of the rights authorized under the certificates issued at A-00042033, Folders 1 and 3, to Jacob Phillips (Deceased), subject to the same limitations and conditions.

A-00107793  
F. 2  
Am-C

DOCKETED

OCT 14 1993

Ron McGraw for the applicant.  
Wick, Streiff, Meyer, Metz & O'Boyle, by David M. O'Boyle for the transferor.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application for transfer of operating authority filed on April 28, 1993, and published in the Pennsylvania Bulletin of June 26, 1993. There are no protests and the record is now certified to the Commission for its decision without oral hearing.

Trans American Trucking Service, Inc. (applicant) is a New Jersey corporation domiciled at 115 St. Nicholas Avenue, South Plainfield, New Jersey. Ronald McGraw is the sole stockholder, president and treasurer. Jeffrey McGraw is vice president/secretary. The applicant holds a substantial amount of operating authority in Pennsylvania under a certificate issued to it on October 9, 1991, docketed at A-00107793, and Folders thereto.

The applicant has operated as an I.C.C. certificated motor carrier for the past 13 years and as a Pennsylvania P.U.C. authorized carrier since 1991. The fleet of equipment consists of 14 company owned tractors, 14 van trailers, 21 flatbed trailers, 23 lowbed trailers, 19 drop-deck trailers, 10 lowboys and six gooseneck trailers. There are 53 owner-operators leased under long-term arrangements, 22 of which are qualified heavy haulers. An unaudited balance sheet shows that as of December 31, 1992, the applicant had current assets of \$1,544,711, total assets of \$2,388,739, with current

liabilities of \$665,547 and total liabilities of \$1,005,138, leaving stockholder's equity of \$1,383,601.

Jacob Phillips (transferor) passed away on October 26, 1992. He established a trust and all of his assets are being distributed pursuant to the trust provisions. The trust appoints Harry G. Phillips, Jacob L. Phillips, Jr. and Nancy Coulter as Trustees, all being children of the transferor. A copy of the Trust Agreement has been made part of the record.

The transferor holds 15 paragraphs of authority at Folder 1, one paragraph of authority at Folder 2, and one paragraph of authority at Folder 3. The applicant is purchasing 13 of the 15 paragraphs of authority at Folder 1 and all of the authority at Folder 3. The authority being retained by the transferor consists of two paragraphs of household goods in use authority from Folder 1, and the authority at Folder 2 authorizing the transportation of certain commodities between points in the city of Pittsburgh and within 25 highway miles thereof, limited to length of haul of 25 miles.

In order to eliminate duplications of authority between the rights being transferred and the rights being retained by the transferor, the rights being transferred and/or the rights being retained will be conditioned accordingly.

Pursuant to the terms of an agreement of sale between the applicant and the estate of the transferor, the applicant will pay the sum of \$16,000 for the operating authority. No tangible assets are involved. The sum of \$3,000 was paid upon execution of the agreement on March 30, 1993, with the balance to be paid within 30 days of receipt of our order approving this application.

The provisions at 52 Pa. Code §31.45(b) authorized a legal representative (in this case, the children of the deceased transferor) to hold the Pa. P.U.C. operating rights for a period of one year after the death of the certificate holder. We alert all parties concerned that the one-year period expires on October 26, 1993, and unless an application has been made for transfer of the authority on or before this date, the rights being retained shall be terminated.

We find:

1. That the applicant is fit, willing and able to provide the service sought herein.
2. That the transfer of authority is in the public interest and is necessary for the continued accommodation and convenience of the public;  
THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that the certificate issued to the applicant on October 9, 1991, as amended, be further amended to include the following rights:

1. To transport building materials and supplies, excavated materials and road and building construction materials,

and other materials usually transported in dump trucks, as a Class D carrier, between points in the county of Allegheny; provided that no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of construction or disposal.

2. To transport, as Class B carrier, property between points in the Borough of Coraopolis and the Townships of Crescent, Moon, Neville and that portion of the Township of Robinson which is within three (3) miles of 912 Fourth Avenue in said borough, all in the County of Allegheny;
3. To transport, as a Class C carrier, property from points in the Borough of Coraopolis and the townships of Crescent, Moon, Neville and that portion of the Township of Robinson which is within (3) miles of 912 Fourth Avenue in said borough to points within thirty-five (35) miles by the usually traveled highways of the limits of the said area;

with Rights Nos. 2 and 3 subject to the following condition:

That no right, power or privilege is granted to transport household goods in use.

4. To transport, as a Class B carrier, builders' supplies, coal, coke and other fuel, baled hay and shavings, manure, cinders and slag between points in the Borough of Coraopolis, Allegheny County, and within five (5) miles by the usually traveled highways of the limits of said borough.
5. To transport, as a Class D carrier, builders' supplies, coal, coke and other fuel, baled hay and shavings, manure, cinders and slag from points in the Borough of Coraopolis, Allegheny County, and within five (5) miles by usually traveled highways of the limits of said borough to other points within twenty-five (25) miles by the usually traveled highways of the limits of said borough, and vice versa.
6. To transport, as a Class B carrier, property between points in the Township of Neville, Allegheny County;
7. To transport, as a Class C carrier, property from points in the Township of Neville, Allegheny County, to points in Pennsylvania within fifty (50) miles by the usually traveled highways of the limits of said township, and vice versa.

with Right Nos. 6 and 7 subject to the following condition:

That no right, power or privilege is granted to transport household goods in use.

8. To transport, as a Class D carrier, property between points within fifty (50) miles of the usually traveled highways of the limits of the Township of Neville, Allegheny County, from one point of construction to another point of construction on orders from customers located in the Township of Neville, Allegheny County;

with Right No. 8 subject to the following conditions:

- (a) That no right, power or privilege is granted to transport household goods in use between points in the County of Allegheny which are west of the City of Pittsburgh.
  - (b) That no right, power or privilege is granted to transport, household goods in use from points in the County of Allegheny west of the City of Pittsburgh to points within sixty (60) miles by the usually traveled highways of the limits of the said area, and vice versa.
9. To transport, as a Class D carrier, property for the Pittsburgh Forgings Company from its plant in the Borough of Coraopolis, Allegheny County, to points in the County of Allegheny;
  10. To transport, as a Class D carrier, property for the Standard Steel Company from its plant in the Borough of Coraopolis, Allegheny County, to points in the County of Allegheny and the City of Butler, Butler County;
  11. To transport, as a Class D carrier, property (excluding commodities in bulk in tank vehicles) for Pittsburgh Coke & Chemical Company, from the plant of said company in Neville Township, Allegheny County, to the warehouses of said company in Stowe Township, Allegheny County, and vice versa;

with Right Nos. 9, 10 and 11 subject to the following condition:

That no right, power or privilege is granted to transport household goods in use.

12. To transport coal and coke, as a Class D carrier, from mines and yards in Robinson Township, Allegheny County, to homes and office buildings in the said county; provided that no haul shall exceed a distance of fifteen (15) miles from point of origin to point of consumption.

13. To transport, as a Class D carrier, coal from the Pittsburgh Coal Company from its mine near the borough of Coraopolis to points in the Beaver Valley district.
14. To transport, as a Class D carrier, manure, from the Bell Farm near the borough of Coraopolis to the Pittsburgh Cut Flowers Company near the Village of Mars, Butler County.

with all of the above subject to the following general conditions:

1. 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.
2. That the applicant record in its Utility Account 1321 - Franchises, the actual cost of such rights recorded by the original holder thereof.
3. 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(s) 2 above.
4. 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.
5. That the certificate holder shall not transfer, sell or in any way 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 herein until it shall have complied with the requirements of the Pennsylvania 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.

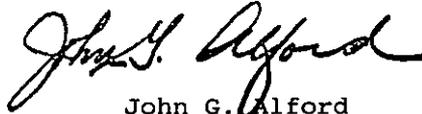
IT IS FURTHER ORDERED: That the transfer of the authority sought herein be withheld pending payment of the 1993 assessment by the transferor.

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, Jacob Phillips (deceased), at A-00042033, Folder 1, be changed so that they shall now read as they are shown in the supplemental order, and that the right granted the transferor at A-00042033, Folder 3 be cancelled and the record be marked closed.

IT IS FURTHER ORDERED: That unless an application for transfer of operating authority is filed on or before October 26, 1993, the rights being retained by the transferor at A-00042033 shall be cancelled and all rights, powers and privileges granted thereby shall cease and terminate.

BY THE COMMISSION,



John G. Alford  
Secretary

(SEAL)

ORDER ADOPTED: September 23, 1993

ORDER ENTERED: SEP 29 1993

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and  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  ces (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 A-00107793, F.2, AME  
 LDA  
 David M. O'Boyle, Esq

4a. Article Number  
 044307

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
 OCT 01 1993

5. Signature (Addressee)

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

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **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  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  ces (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 A-00107793, F.2, AME  
 Trans American Tracking  
 Service, Inc.

4a. Article Number  
 044308

4b. Service Type  
 Registered  Insured  
 Certified  COD  
 Express Mail  Return Receipt for Merchandise

7. Date of Delivery  
 10/1/93

5. Signature (Addressee)

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

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.