

PILLAR AND MULROY, P.C.

ATTORNEYS-AT-LAW  
SUITE 700

312 BOULEVARD OF THE ALLIES  
PITTSBURGH, PA 15222

TELEPHONE (412) 471-3300  
FAX: (412) 471-6068



December 6, 1990

JOHN A. PILLAR  
THOMAS M. MULROY  
ANTHONY A. SEETHALER, JR.

Re: Transamerican Trucking  
Service, Inc.--Purchase (Portion)--  
Nicklaus Freight Lines, Inc.  
File No. 1342

Hon. Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

RECEIVED

DEC 8 1990

SECRETARY'S OFFICE  
Public Utility Commission

Dear Mr. Rich:

We enclose herewith for filing the original and two copies of the application of Transamerican Trucking Service, Inc. to purchase a portion of the operating rights of Nicklaus Freight Lines, Inc. The filing fee of \$350.00 is also enclosed.

Please acknowledge receipt on the duplicate copy of this letter of transmittal and return it to the undersigned. If any further information is required, please advise.

Very truly yours,

JOHN A. PILLAR

SW

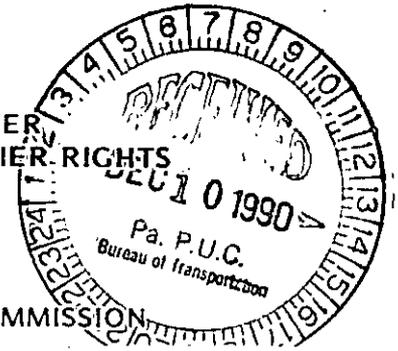
Enclosures

cc: Transamerican Trucking Service, Inc.  
William J. Lavelle, Esq.

*1/2 called atty - he will send petition for conversion  
file*



APPLICATION FOR APPROVAL OF TRANSFER  
AND EXERCISE OF COMMON OR CONTRACT CARRIER RIGHTS



BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of TRANS AMERICAN TRUCKING SERVICE, INC.  
(Applicant/Transferee-Buyer)

for approval of the transfer and to exercise the right

as a common carrier, described at Docket  
(common-contract)

No. A-100901, Folder No. \_\_\_\_\_, issued to

NICKLAUS FREIGHT LINES, INC.  
(Transferor-Seller)

**PUC USE ONLY**  
Docket No. 107793  
Folder No. 2

for transportation of property  
(persons-property)

**RECEIVED**

**DEC 8 1990**

SECRETARY'S OFFICE  
Public Utility Commission

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

1. TRANS AMERICAN TRUCKING SERVICE, INC.  
(Full and correct name of applicant/transferee)

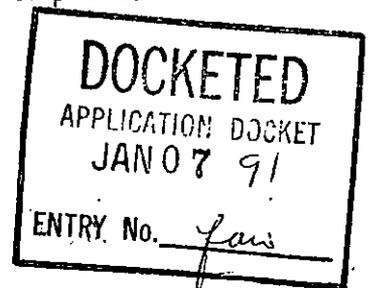
2. N/A  
(Trade name, if any)

The trade name \_\_\_\_\_ been registered with the Secretary of the  
(has or has not)

Commonwealth on \_\_\_\_\_ (attach copy of stamped registration form.)  
(date)

3. 115 St. Nicholas Avenue  
(Business Street Address) (P.O. Box, if any)

South Plainfield, NJ 07080 201/755-9000  
(City) (County) (State) (Zip) (Telephone)



4. Applicant's attorney (for this application) is: JOHN A. PILLAR, ESQ., Pillar and Mulroy, P.C., Suite 700, 312 Boulevard of the Allies, Pgh., PA 15222  
(Name) (Address) (Telephone) 412/471-3300

5. Any documents should be mailed to:  
Transferee: JOHN A. PILLAR, ESQ., Suite 700, 312 Boulevard of the Allies, Pittsburgh, PA 15222  
(Name) (Address)

Transferor: \_\_\_\_\_  
(Name) (Address)

6. Applicant does hold Pa. PUC authority under Docket Number (does or does not)  
A- 107793 and operates as a contract carrier.  
(common or contract)

7. Applicant does hold Interstate Commerce Commission authority (does or does not)  
at Docket No. MC-149576.

8. Applicant is (check one):  
 Individual.  
 Partnership. Must attach a copy of the partnership agreement (unless a copy is presently on file with PUC), and list names and addresses of partners below (use additional sheet if necessary).

\_\_\_\_\_  
(Name) (Address)  
\_\_\_\_\_  
\_\_\_\_\_

Corporation. Organized under the laws of the State of New Jersey  
and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on Oct. 9, 1987 (Attach copy of Certificate of Incorporation or Authority and statement of charter purpose). Include as an attachment a list of corporate officers and their titles and the names, addresses and number of shares held by each stockholder.

9. If applicant, its stockholders or partnership members are in control of or affiliated with any other carrier, state name of carrier(s), Docket Number(s) and nature of control or affiliation.

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10. Applicant proposes to acquire part of the operating rights now held  
(all or part)  
by transferor. Attach sheet describing rights to be transferred to applicant and rights to be retained by transferor, if any. If any rights are to be omitted, give reasons.

11. The reason for the transfer is Transferor is selling a part of its PUC rights to transferee and intends to sell the balance of its rights in order to terminate its operations.

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12a. The following must be attached:

- Sales Agreement.
- List of equipment to be used to render service. (summarize by type)
- Operating authority to be transferred/retained. See Appendices to Agreement
- Statement of Financial Condition.
- Statement of unpaid business debts of transferor and how they will be satisfied. NONE
- Statement of safety program.
- Statement of transferee's experience.

b. Attach the following, as appropriate (check those attached):

- Partnership Agreement.
- Trade Name registration certificate.
- Certificate of Incorporation. (Pa. Corporation only)
- Certificate of Authority. (Foreign ((out-of-state)) Corporation only)
- Statement of corporate charter purpose. (corporations only) SEE BELOW
- List of corporate officers and stockholders. (corporations only)
- Copy of short form certificate showing date of death of transferor and name of executor or administrator/administratrix.

CHARTER PURPOSE: To engage in any activity within the purposes for which corporation may be organized under the New Jersey Business Corporation Act.

13. Transferor attests that all general assessments and fines are paid, that no annual reports are due and agrees to continue to render the service which is to be transferred until this application is approved, whereupon transferor will surrender said certificate or permit for cancellation.

14. Transferee agrees to assume and pay any General Assessments that may be made against transferor as a common carrier for any and all operating periods up to the actual date of the transfer.

WHEREFORE, Transferee and Transferor request that the Commission grant the Transfer.

TRANS AMERICAN TRUCKING SERVICE, INC.

Transferee sign here: By: \_\_\_\_\_ 11/5/90  
(Corporate Seal) (each partner must sign) (Date)

Transferor sign here: Harry N. Nicklaus 11/29/90  
NICKLAUS FREIGHT LINES, INC.

Transferor sign here: \_\_\_\_\_  
(Corporate Seal) \_\_\_\_\_

THIS MUST BE COMPLETED BY NOTARY PUBLIC  
AFFIDAVIT OF TRANSFEREE/APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :  
: ss:  
\_\_\_\_\_ County :

\_\_\_\_\_, being duly sworn (affirmed) according to law, deposes and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this \_\_\_\_\_  
day of \_\_\_\_\_ 19 \_\_\_\_  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :  
: ss:  
\_\_\_\_\_ County :

Ron McGraw, being duly sworn (affirmed) according to law, desposes and says that he is President of TRANS AMERICAN TRUCKING SERVICE, INC.  
(Office of Affiant) (Name of Corporation)

that he is authorized to and does make this affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said TRANS AMERICAN TRUCKING SERVICE, INC. to be able to prove the same  
(Name of Corporation)  
the same at the hearing hereof.

\_\_\_\_\_  
Signature of Affiant

Ron McGraw

Sworn and subscribed before me this 16<sup>TH</sup>  
day of November 19 90  
My Commission Expires \_\_\_\_\_



Signature of Official Administering Oath

**PETER H. DECKER**  
**NOTARY PUBLIC OF NEW JERSEY**  
My Commission Expires Dec. 21, 1992

THIS MUST BE COMPLETED BY NOTARY PUBLIC  
AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
\_\_\_\_\_ County :

\_\_\_\_\_, being duly sworn (affirmed) according to law,  
deposes and says that the facts above set forth are true and correct; or are true and correct  
to the best of his knowledge, information and belief and he expects to be able to prove the same  
at the hearing hereof.

\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this \_\_\_\_\_  
day of \_\_\_\_\_ 19 \_\_\_\_  
My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEROR/SELLER (Corporation)

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
ALLEGHENY County :

HARRY N. NICKLAUS, being duly sworn (affirmed) according to law,  
deposes and says that he is PRESIDENT of NICKLAUS FREIGHT LINES, INC. ;  
(Office of Affiant) (Name of Corporation)

that he is authorized to and does make this affidavit for it; and that the facts above set forth  
are true and correct; or are true and correct to the best of his knowledge, information and belief  
and that he expects the said NICKLAUS FREIGHT LINES, INC. to be able to prove the  
(Name of Corporation)  
same at the hearing hereof.

Harry N. Nicklaus  
Signature of Affiant

Sworn and subscribed before me this 29<sup>TH</sup>  
day of NOV 19 90  
My Commission expires \_\_\_\_\_

Robert E. Taylor  
Signature of Official Administering Oath

NOTARIAL SEAL  
ROBERT E. TAYLOR, NOTARY PUBLIC  
PITTSBURGH, ALLEGHENY COUNTY  
MY COMMISSION EXPIRES JUNE 29, 1991  
Member, Pennsylvania Association of Notaries

Commonwealth of Pennsylvania  
Department of State

87621977



CERTIFICATE OF AUTHORITY

To All to Whom These Presents Shall Come, Greeting:

Whereas, Under the provisions of the Corporation Law, a Foreign Corporation is required to obtain a "Certificate of Authority" before it may do business in the Commonwealth and

Whereas, TRANS AMERICAN TRUCKING SERVICE, INC.

has presented to the Department of State an Application for the same, and in accordance with the requirements of the law, has designated as its registered office in this Commonwealth  
CT CORPORATION SYSTEM 123 SOUTH BROAD STREET  
PHILADELPHIA, PA 19101

Therefore, Know Ye, I Do By These Presents, issue unto such corporation, this Certificate of Authority to transact in the Commonwealth of Pennsylvania the business of

OPERATE MOTOR CARRIER EQUIPMENT FOR HIRE

Given under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 9th day of October in the year of our Lord one thousand nine hundred and eighty-seven and of the Commonwealth the two hundred twelfth



James J. Blayney  
Secretary of the Commonwealth

1002852

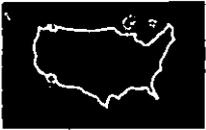
GROVE JASKIEWICZ GILLIAM AND COBERT  
ATTN: E KILEY  
1730 M STREET, NORTHWEST  
SUITE 501  
WASHINGTON, DC 20036

TRANS AMERICAN TRUCKING SERVICE INC  
BALANCE SHEET - UNAUDITED  
AS OF JUNE 30, 1990

ASSETS	
CURRENT ASSETS	
Cash and cash equivalents	\$462,178
Accounts receivable net of allowance	1,200,194
Loans receivable - employees	21,864
Due from affiliated company	6,491
Prepaid expenses	25,990
	-----
Total current assets	1,716,717
	-----
FIXED ASSETS at cost	2,562,064
Less: accumulated depreciation	(1,330,125)
	-----
	1,231,939
	-----
OTHER ASSETS	
Security deposits	7,000
Intangible assets, net of amortization	34,329
	-----
Total other assets	41,329
	-----
Total assets	\$2,989,985
	=====
LIABILITIES AND STOCKHOLDERS' EQUITY	
CURRENT LIABILITIES	
Note payable - officers	\$100,000
Current portion of long-term debt	332,655
Accounts payable	533,263
Accrued expenses	154,346
Drivers escrow payable	11,000
Income taxes payable	12,008
	-----
Total current liabilities	1,143,273
LONG-TERM LIABILITIES	
Long-term debt net of current portion	485,093
Deferred state income taxes	12,000
	-----
Total long-term liabilities	497,093
	-----
Total liabilities	1,640,366
	-----
STOCKHOLDER'S EQUITY	
Common stock, no par value 2500 shares authorized; 206 shares issued and outstanding	9,002
Current year profit (loss)	161,900
Retained earnings	1,178,717
	-----
Total stockholder's equity	1,349,619
	-----
Total liabilities and stockholder's equity	\$2,989,985
	=====

TRANS AMERICAN TRUCKING SERVICE INC  
INCOME STATEMENT - UNAUDITED  
SIX MONTHS ENDING JUNE 30, 1990

	\$	%
NET SALES	7,138,210	100.0%
COST OF GOODS SOLD	5,410,618	75.8%
	-----	-----
GROSS PROFIT	1,727,592	24.2%
	-----	-----
OPERATING EXPENSES		
Selling expenses	535,704	7.5%
Administrative expenses	1,040,280	14.6%
	-----	-----
Total operating expenses	1,575,984	22.1%
	-----	-----
INCOME (LOSS) FROM OPERATIONS	151,608	2.1%
	-----	-----
OTHER INCOME (EXPENSES)		
Management fee	63,180	0.9%
Gain (loss) on sale of fixed assets	4,424	0.1%
Interest income	6,100	0.1%
Interest expense	(47,412)	-0.7%
	-----	-----
Total other income (expense)	26,292	0.4%
	-----	-----
INCOME BEFORE PROVISION FOR INCOME TAXES	177,900	2.5%
PROVISION FOR STATE INCOME TAXES	16,000	0.2%
	-----	-----
NET INCOME	161,900	2.3%
	=====	=====



# TRANS AMERICAN TRUCKING SERVICE, INC.

115 St. Nicholas Avenue  
South Plainfield, New Jersey 07080  
Phone: (201) 755-9000  
Fax: (201) 755-9167

## STOCKHOLDERS

Ronald McGraw 100%  
115 St. Nicholas Avenue  
South Plainfield, NJ 07080

## OFFICERS

Ronald McGraw ..... President  
..... Treasurer

Jeffrey McGraw ..... Vice President  
..... Secretary



# TRANS AMERICAN TRUCKING SERVICE, INC.

115 St. Nicholas Avenue  
South Plainfield, New Jersey 07080  
Phone: (201) 755-9000  
Fax: (201) 755-9167

## DESCRIPTION/INVENTORY OF EQUIPMENT

150 TON	19 AXLE	LOW BOY TRAILER
100 TON	12 AXLE	LOW BOY TRAILER
80 TON	11 AXLE	LOW BOY TRAILER
70 TON	10 AXLE	LOW BOY TRAILER
60 TON	9 AXLE	LOW BOY TRAILER
60 TON	9 AXLE	LOW BOY TRAILER
50 TON	8 AXLE	LOW BOY TRAILER
50 TON	8 AXLE	LOW BOY TRAILER

23 LOW BED TRAILERS (STANDARD CAPACITY UP TO 35 TONS, AIR RIDE)

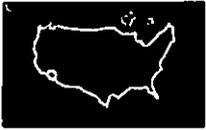
19 DROP DECK TRAILERS (STANDARD CAPACITY UP TO 35 TONS, AIR RIDE)

21 FLAT BED TRAILERS (STANDARD CAPACITY UP TO 35 TONS, AIR RIDE)

14 45' VAN TRAILERS

6 REMOVABLE GOOSENECK TRAILERS

14 TRACTORS, COMPANY OWNED/ 53 OWNER OPERATORS, 22 OF WHICH ARE QUALIFIED HEAVY-HAUL DRIVERS.



# TRANS AMERICAN TRUCKING SERVICE, INC.

115 St. Nicholas Avenue  
South Plainfield, New Jersey 07080  
Phone: (201) 755-9000  
Fax: (201) 755-9167

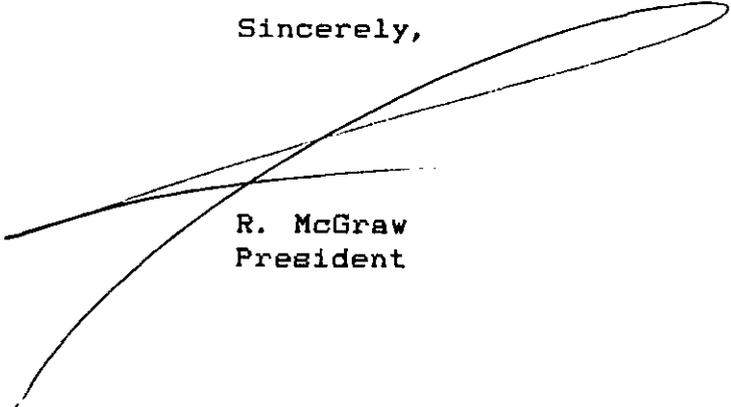
September 20, 1990

Pennsylvania Public Utilities  
Commission  
Harrisburg, Pennsylvania

Trans American Trucking Service, Inc. was founded in 1980 and is incorporated in the state of New Jersey. Mr. Peter Decker is the full time Safety Director, who monitors and controls the safety and insurance programs. In our latest 1988 DOT compliance check, Trans American Trucking was rated satisfactory.

The safety program involves inspections of equipment every 30 days or whenever the equipment comes into a terminal, it is physically inspected and repairs are made before going back onto the road. A driver's safety refresher course is given every year, coinciding with our yearly insurance review. At the present time, our fleet consists of approximately 125 trailers, plus 65 tractors and drivers.

Sincerely,



R. McGraw  
President

RM:vm  
Enc/

**TRANS AMERICAN TRUCKING SERVICE, INC.**

**Statement of Experience**

Applicant is a motor contract carrier having been issued a permit by the Pennsylvania Public Utility Commission to serve Voith Hydro, Inc. The applicant also holds operating rights from the Interstate Commerce Commission as a motor common carrier and as a licensed property broker. The applicant maintains facilities at Pittsburgh and New Castle, PA, in addition to its office in South Plainfield, NJ. It operates a large fleet of both leased and company owned equipment, including equipment specialized for the transportation of heavy commodities such as are transported for Voith Hydro, Inc. The applicant was founded in 1980 and has been in business continuously since that time.

A G R E E M E N T

THIS AGREEMENT is made this 6<sup>th</sup> day of November, 1990, between NICKLAUS FREIGHT LINES, INC. (SELLER), a Pennsylvania corporation having its principal office in Pittsburgh, Allegheny County, PA, and TRANS AMERICAN TRUCKING SERVICE, INC. (BUYER), a New Jersey corporation, having its principal office in South Plainfield, NJ.

I. PREMISES

A. SELLER is a motor common carrier of property and holds a Certificate of Public Convenience issued by the Pennsylvania Public Utility Commission (PUC) at Docket No. A-00106901.

B. BUYER is a motor contract carrier of property and holds a Permit issued by the PUC at Docket No. A-00107793, Folder 1.

C. SELLER has agreed to sell, and BUYER has agreed to buy, free and clear of all liens, encumbrances, security interests, and other claims, a portion of SELLER's operating rights, subject to certain restrictions as more fully set forth on Appendix "A" (herein called "the operating rights to be transferred"). A complete copy of all of the operating rights of SELLER is attached hereto as Appendix "B".

D. The parties understand that, as a condition to approval of this transaction, a petition to convert BUYER's contract carrier permit to a certificate of public convenience

must and will be filed simultaneously with the application for approval of this transaction:

E. This transaction will require the prior approval of the PUC. BUYER and SELLER will file and diligently prosecute an application with the PUC for approval of the transfer of the operating rights pursuant to 66 Pa. C.S.A. § 1102 of the Pennsylvania Public Utility Code (herein called "the application").

## II. TERMS AND CONDITIONS

In consideration of the mutual covenants and promises herein contained, the parties, intending to be legally bound, agree, represent and warrant as follows:

1. Purchase Agreement. SELLER will sell to BUYER and BUYER will buy, free and clear of all liens, encumbrances, security interests, and other claims, a portion of the operating rights owned by SELLER under its Certificate of Public Convenience issued by the PUC at Application Docket No. A-00106901, subject to certain restrictions thereon as summarized on Appendix "A" attached hereto (the operating rights to be transferred).

2. Price and Payment. BUYER will pay to SELLER for the operating rights the total sum of ~~Five Thousand~~ (\$5,000.00) Dollars, to be paid by certified or bank cashier's check at the

closing.

3. Warranties as to Operating Rights. SELLER warrants and guarantees that the operating rights to be transferred have been duly issued by the PUC; the rights are in full force and effect; the rights are not subject to any liens, encumbrances, security interests or claims of any kind at the execution of this agreement; no liens, encumbrances or security interests will be placed thereon pending consummation of this transaction; and that there are, and on the date of consummation will be, no actions at law or equity, nor any proceedings before any agency pending or threatened against SELLER to revoke, suspend or otherwise restrict the operating authority.

4. Application for Approval. The parties agree that this transaction requires the prior approval of the PUC and that the transaction may not be consummated until final approval is secured from the PUC.

Within thirty (30) days after the execution of this agreement, BUYER and SELLER will promptly file the application for approval. In addition, the BUYER will file concurrently with the application for permanent approval of this transaction, a petition to convert BUYER's contract carrier permit to a common carrier certificate. The petition will be prepared by BUYER's counsel at BUYER's expense. Counsel for

BUYER will also prepare and file the necessary PUC transfer application and counsel for SELLER shall assist in such preparation. BUYER shall pay all filing fees, printing and reproduction costs and other out-of-pocket expenses in connection with the preparation, filing and prosecution of the application and the petition to convert. Each party shall bear the expenses of its counsel, its accountants and other witnesses.

BUYER and SELLER will, with due diligence and in good faith, cooperate fully in the preparation, filing and prosecution of the transfer application and agree to join in and execute any and all such applications and other documents, subject to the approval of counsel. BUYER and SELLER and their respective counsel and accountants will supply such information as may be required, attend hearings, present testimony and otherwise cooperate to the end that approval of this application may be secured.

5. Approval of Permanent Application Subject to Restrictions.

It is the intention of the parties that BUYER will purchase all of the operating rights set forth on Appendix "A", subject to the restrictions set forth thereon, and that SELLER will retain all of the remaining operating rights set forth on Appendix "B", subject to the restrictions set forth thereon.

The operating rights to be retained by SELLER are depicted on Appendix "B" by an asterisk adjacent to each paragraph number; the operating rights to be transferred are depicted on Appendix "B" by a circle around the paragraph number. Certain other operating rights shown on Appendix "B", which are depicted with lines drawn through the rights, have been previously transferred to another buyer.

If the PUC, by its final order, approves the application subject to conditions which restrict, delete or cancel any of the operating rights set forth on Appendix "A", or limit their use by BUYER in any way other than as set forth on Appendix "A", BUYER shall have the option to declare this agreement null and void and forthwith terminate the agreement by giving SELLER written notice thereof within twenty (20) days after the service date of any such orders.

If the PUC, by its final order, approves the application subject to conditions which restrict, delete or cancel any of the operating rights to be retained by SELLER, or limit their use in any way other than as set forth on Appendix "B", SELLER shall have the option to declare this agreement null and void and forthwith terminate the agreement by giving BUYER written notice thereof within twenty (20) days after the service date of any such orders.

In the absence of the exercise of either of the

aforesaid options to terminate, any such restrictions shall be considered modifications hereto and this agreement, as modified, shall remain in full force and effect.

The terms and conditions of this paragraph shall be subject to the appeal provisions set forth in paragraph 7.

6. Denial of the Permanent Application. In the event the PUC, by its final order, should deny approval of the application, this agreement shall be null and void. In such event, the parties shall have no further rights or obligations under this agreement.

The terms and conditions of this paragraph shall be subject to the appeal provisions set forth in paragraph 7.

7. Appeals. In the event the PUC, by its final order, should deny the application, or if the PUC grants the application subject to conditions of the type set forth in paragraph 5, either party may seek judicial review of those orders to the extent available.

In the event that either party elects to seek judicial review, the termination provisions set forth in paragraphs 5 and 6 shall not become effective until the exhaustion of such judicial remedies. In such event, if the final order of the PUC denying the application is sustained by the court, this agreement shall be cancelled in accordance with paragraph 6. If the final order of the PUC approving the permanent

application, subject to conditions, is sustained by the court, BUYER may exercise the right to terminate as set forth in paragraph 5 within twenty (20) days after the service of the order or judgment of the last court of review.

If either party elects to seek judicial review, the party so electing shall pay all expenses incurred in connection with the appeal, excluding counsel fees of the other party.

For the purposes of this agreement, the term "final order" shall be defined as an order of the PUC finally determining the application, specifically: (a) in the case of denial of the application, upon the expiration of the period permitted by the Rules of Practice and regulations of the PUC, or by PUC order, whichever time period is greater, within which petitions for rehearing, reargument, or reconsideration may be filed, or upon a denial of any such petitions if filed; and (b) in the case of approval of such application, the effective date of the order of approval unless stayed by the PUC or by a court.

8. SELLER'S Representations and Warranties. SELLER represents and warrants as follows:

8.1 SELLER is a corporation duly organized, validly existing and in good standing under the laws of the Commonwealth of Pennsylvania, and has full power and authority under its articles of incorporation or charter to engage in the

business which it is now conducting;

8.2 SELLER is a motor carrier of property and is lawfully conducting operations under the operating rights to be transferred. The certificate of public convenience evidencing the operating rights is in good standing with the PUC and there are no citations, formal complaints, investigations or enforcement proceedings pending against SELLER by the PUC, the Department of Transportation, or any other regulatory agency applicable to the operating rights;

8.3 The operating rights to be transferred are not subject to any prior claims, options to purchase, agreements of sale, or other contracts or obligations of purchase, and SELLER will not enter into any such contractual arrangements prior to the final closing date.

8.4 The Board of Directors of SELLER has, by proper resolution, duly authorized the execution and delivery of this agreement, the filing of the necessary applications with the PUC, and the performance of such other actions as may be required to effectuate the purposes of this agreement. If required by law or by the articles of incorporation or bylaws of SELLER, proper shareholder approval has been obtained in connection with this transaction.

8.5 The execution and performance of this agreement by SELLER will not violate any provision of law or contravene any provision of the articles of incorporation or bylaws of SELLER.

9. BUYER's Representations and Warranties. BUYER represents and warrants as follows:

9.1 BUYER has full power and authority to engage in the business which it is now conducting and to enter into this transaction.

9.2 The Board of Directors of BUYER has, by proper resolution, duly authorized the execution and delivery of this agreement, the filing of the necessary applications with the PUC, and the performance of such other actions as may be required to effectuate the purposes of this agreement. If required by law or by the articles of incorporation or bylaws of BUYER, proper shareholder approval has been obtained in connection with this transaction.

9.3 The execution and performance of this agreement by BUYER will not violate any provisions of law nor any other agreement.

10. PUC Assessments. SELLER warrants that all general assessments heretofore made, or that may be made pursuant to 66 Pa. C.S.A. § 510 of the Pennsylvania Public Utility Code, for any and all operating periods up to the date of

consummation of this transaction have been paid or will be paid by that date. In the event the PUC requires the payment of any such assessments due from SELLER as a condition precedent to processing the transfer application, SELLER agrees to promptly pay any such assessments.

11. No Broker's Fees or Commissions. BUYER and SELLER agree that, to the best of their knowledge, there are no claims for any finder's fees or broker's commissions in connection with this transaction. Notwithstanding the foregoing, each of the parties agrees to indemnify the other against, and hold it harmless from, any and all liabilities (including reasonable attorney's fees and expenses incurred in defending such claims) for any finder's fees or broker's commission in connection with the transaction contemplated by this agreement, insofar as such claim shall be based on arrangements or agreements made or allegedly made by or on behalf of the indemnifying party.

12. No Right of Assignment. Neither party shall have the right to assign this agreement to any other party without securing the prior written approval of the other party to the agreement.

13. Arbitration. Any dispute under this agreement shall be determined by arbitration conducted in accordance with the procedures of the American Arbitration Association. Each party shall appoint one arbitrator and notify the other of such

appointment within ten (10) days after written request for appointment of an arbitrator is received from the other party. If the party so requested fails to appoint an arbitrator, the party making the request shall be entitled to designate two arbitrators. The two arbitrators shall then select a third arbitrator.

The decision of a majority of the arbitrators shall be conclusive and binding upon the parties. The arbitrators shall have the right to determine how their decision may be implemented or enforced. There shall be no appeal from the decision of the arbitrators.

An action to compel arbitration pursuant to this agreement may be brought in the Court of Common Pleas of Allegheny County, PA. Application may also be made to such Court for confirmation of any decision or award of a majority of the arbitrators, for an order of enforcement of the decision or award and for any other remedies which may be necessary to effectuate such decision or award. The parties hereto consent to the jurisdiction of the arbitrators and of such Court and waive any objection to the jurisdiction of the arbitrators and the Court.

The costs of any court actions of the type authorized in this paragraph shall be borne by the party taking such action.

14. Closing. This transaction will be consummated on the closing date, which shall be the day selected by agreement of the parties within a period of thirty (30) days after the effective date of the order of the PUC approving the transfer application, or the thirtieth (30th) such day if no other day is selected. The closing shall be held at the offices of Pillar and Mulroy, P.C., in Pittsburgh.

15. Rights of Successors and Assigns. This agreement shall be binding upon, and inure to the benefit of, the parties hereto and their respective successors in interest, assigns, and legal representatives.

16. Notices. Any notices, demands, or other communications delivered or tendered under this agreement shall be in writing and shall be sufficient if sent by registered or certified mail, with return receipt requested, to the parties at the addresses shown below:

SELLER:

Harry N. Nicklaus, President  
Nicklaus Freight Lines, Inc.  
840 Osage Road  
Pittsburgh, PA 15243

BUYER:

Ron McGraw  
Trans American Trucking Service, Inc.  
115 St. Nicholas Avenue  
South Plainfield, NJ 07080

A copy of any such communication shall also be mailed

to the following counsel for the parties:

Attorney for SELLER:

WILLIAM J. LAVELLE, ESQ.  
Vuono, Lavelle & Gray  
2310 Grant Building  
Pittsburgh, PA 15219

Attorney for BUYER:

JOHN A. PILLAR, ESQ.  
Pillar and Mulroy, P.C.  
Suite 700  
312 Boulevard of the Allies  
Pittsburgh, PA 15222

Such notice shall be sufficient, whether accepted at the address referred to or not, if tendered at such address during the normal business hours by the United States Postal Service. The address may be changed from time to time, by either party giving written notice pursuant to the terms of this paragraph.

17. Construction. This agreement shall be construed in accordance with the laws of the Commonwealth of Pennsylvania.

18. Entire Agreement of Parties. This agreement cannot be changed orally and constitutes the entire contract between the parties hereto. It shall not be modified nor changed by any expressed or implied promises, warranties, guarantees, representations or other information expressly and specifically set forth in this agreement or an addendum thereto

properly executed by the parties.

19. Paragraph Headings. The headings referring to the contents of paragraphs of this agreement are inserted for convenience and are not to be considered as part of this agreement nor a limitation on the scope of the particular paragraphs to which they refer.

III. EXECUTION

IN WITNESS WHEREOF, the parties, intending to be legally bound, have executed this agreement the day and year first above stated.

ATTEST:

Charles L. Hammel

NICKLAUS FREIGHT LINES, INC.  
(SELLER)

By: H. J. Miller PR.

ATTEST:

Jeffrey R. ...

TRANS AMERICAN TRUCKING  
SERVICE, INC. (BUYER)

By: [Signature]

NICKLAUS FREIGHT LINES, INC.

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

43. 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.

58. To transport, as a Class D carrier, building materials, excavated materials and road 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.
59. 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 the return of refused or damaged merchandise and containers.
60. 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.
61. 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 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.

62. 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.
63. 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 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.
64. To transport, as a Class B carrier, property, excluding household goods in use, between points in the borough of Curwensville, Clearfield County.
65. 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.
66. 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.
67. 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.

68. 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 and refractory products, from the facilities of North American Refractories Co. in the county of Berks, to points in Pennsylvania, and vice versa.

Right 68 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport sand in bulk from the facilities of Pennsylvania Glass Sand Corp. in the counties of Mifflin and Huntingdon.

SECOND: 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.

69. 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.

71. 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.

72. 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.

73. 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.
74. 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.
88. 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.
90. 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 90 subject to the following conditions:

FIRST: 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.

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

93. 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.

Rights 91, 92 and 93 subject to the following conditions:

FIRST: 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.

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

94. 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 Logansport, Armstrong County, and its warehouse in the borough of Cheswick, Allegheny County.
95. 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, and the return of damaged or refused merchandise.
96. 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 95 and 96 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.

98. 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 98 subject to the following conditions:

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

SECOND: 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.

100. 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.

Right 100 subject to the following conditions:

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

SECOND: 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.

THIRD: That no right, power or privilege is granted to transport limestone and limestone products from points in York County.

FOURTH: 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.

FIFTH: That no right, power or privilege is granted to transport pipe, to and from points located in the counties of McKean, Potter and Warren.

SIXTH: 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.

SEVENTH: 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.

101. 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 101 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles.

SECOND: 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.

THIRD: That no right, power or privilege is granted to transport pipe, to and from points located in McKean, Potter and Warren Counties.

FOURTH: That no right, power or privilege is granted to transport limestone and limestone products from points in York County.

FIFTH: 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.

102. 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 102 subject to the following conditions:

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

SECOND: 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.

103. 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 Porrer, Clarion County, to points in Pennsylvania, and vice versa.

Right 103 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.

104. 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 104 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.

105. 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 105 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.

106. To transport, as a Class D carrier, by motor vehicles, property, for St. Joe Zinc Company, between points in Pennsylvania; provided that no right, power or privilege is granted to transport commodities in bulk, in dump, in tank or hopper-type vehicles.

107. 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 107 subject to the following conditions:

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

SECOND: 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.

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

Right 108 subject to the following conditions:

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

SECOND: That no right, power or privilege is granted to transport household goods.

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

Right 109 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport property in dump vehicles from or between points in Mercer County.

SECOND: 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.

THIRD: 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.

FOURTH: That no right, power or privilege is granted to transport coal, sand and gravel in dump vehicles.

111. 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 111 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles.

SECOND: 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.

THIRD: 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, and the return of damaged, refused or rejected shipments to the point of origin in said county.

FOURTH: 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 for the Thomasville Stone and Lime Company, from its plant in the township of Jackson, York County, and the return of damaged, refused or rejected shipments to the point of origin in said counties.

FIFTH: 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.

With Rights No. 1 through 111, inclusive, subject to the following conditions:

That no right, power or privilege is granted to transport household goods and office furnishings and equipment, in use, or baggage, (a) from points in the city of New Castle and the townships of Tavior, Hickory, Neshannock, Union, Shenango and North Beaver, Lawrence County, to other points in Pennsylvania; (b) 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; (c) 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; (d) 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 (e) 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.

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.

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, and the return of refused, rejected or damaged merchandise.

That no right, power or privilege is granted to transport shipments for the American Sheet and Tin Plate 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 the said borough, and vice versa.

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 of the limits of said borough, and vice versa.

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.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held September 4, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman  
Frank Fischl  
Bill Shane

Application of Nicklaus Freight  
Lines, Inc., a corporation of the  
Commonwealth of Pennsylvania, for  
the transfer of part of the operating  
authority of Breman's Express Company,  
a corporation of the Commonwealth of  
Pennsylvania, under the certificate  
issued at A-00080581, Folders 2, 3,  
6, 8 and 10, subject to the same  
limitations and conditions.

A-00106901

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John A. Vuono for Nicklaus Freight Lines, Inc.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 30, 1986. Public notice of the application was given in the Pennsylvania Bulletin of May 17, 1986. The unopposed application is certified to the Commission for its decision without oral hearing.

By the instant application, Nicklaus Freight Lines, Inc., seeks to purchase and have transferred to it a part of the operating rights of Breman's Express Company. Breman's Express Company is in bankruptcy and is selling all its operating authority. In addition to the authority being purchased by the applicant, Pittsburgh-Johnstown-Altoona Express, Inc. is purchasing the remainder of the Breman's authority; that transfer proceeding is docketed at A-00102956, F. 1, Am-C.

The applicant does not hold authority from the Commission or the Interstate Commerce Commission. It will begin operating the rights to be transferred using three straight trucks, three tractors and three trailers. No equipment is subject to transfer in the instant proceeding.

The rights are being purchased for the total consideration of \$25,000.00. Four thousand dollars has been paid and placed in escrow. The remaining part of the total purchase price will be paid upon approval of the transfer.

The transfer of this part of the transferor's rights will not create duplication between the rights acquired by the applicant and those acquired by Pittsburgh-Johnstown-Altoona Express, Inc., as Pittsburgh-Johnstown-Altoona Express has agreed to accept certain conditions on its portion of the transferred authority to avoid any duplications.

Rights 99 and 108 are being transferred with the understanding that the applicant will provide the Commission with information concerning the current disposition of the involved Breman's Express Company facilities. The two rights involve transportation from Breman's Express Company facilities, however, the transferor has or is in the process of selling its facilities relative to bankruptcy proceedings.

The transferor is currently under suspension for failure to maintain insurance. The transferee is not under investigation or suspension.

We find:

1. The applicant has the equipment, experience and fitness to render the proposed service.
2. Approval of the transfer application is in the public interest and is necessary for the continued accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of part of the operating rights of Breman's Express Company, at A-00080581, Folders 2, 3, 6, 8, and 10, be and is hereby approved, granting the following rights:

- \* 1. To transport, as a Class B carrier, property between points in the city of Pittsburgh, Allegheny County.
- \* 2. To transport, as a Class D carrier, property from the city of Pittsburgh, Allegheny County, to points in the said county, and vice versa.

Right No. 2 subject to the following condition:

That the rights, powers and privileges hereby granted shall not include the right to transport from one municipality to another with the exception of Pittsburgh, or to transport between points in any municipality, except Pittsburgh.

- \* 3. To transport, as a Class D carrier, property from points in the county of Allegheny to points on the following routes, and vice versa:

Route 1: Between the city of Beaver Falls, Beaver County, and the city of Pittsburgh, Allegheny County, via Highway Routes 88 and 18; and between the borough of Aliquippa, Beaver County, and the city of Pittsburgh, Allegheny County, via Highway Route 51, Ohio River Bridge at Sewickley and Highway Route 88.

Route 2: Between the borough of West Homestead and the city of Pittsburgh, Allegheny County, via Homestead, Munhall and Hays.

Route 3: Between the city of Pittsburgh, Allegheny County, and the city of Washington, Washington County, via Hendersonville, Canonsburg, Houston and Meadowlands; between the city of Pittsburgh, Allegheny County, and the village of Richfol, Washington County, via Highway Route 19 to Donaldson Crossroads, thence via connecting route to Highway Route 519 to Morganza, thence via Highway Route 519 to the village of Richfol; alternate route between the city of Pittsburgh, Allegheny County, and the village of Richfol, Washington County, via Point Bridge, Noblestown Road, Carnegie and Highway Route 519.

Route 4: Between the cities of Pittsburgh and Clairton, Allegheny County, via Boulevard of the Allies, Twenty-second Street Bridge, Carson Street and Boulevard through Hays, Lincoln Place and Dravosburg to Clairton, and between Clairton, Elizabeth and West Elizabeth via the Clairton and Elizabeth Road.

Route 5: Between the cities of Pittsburgh and Clairton, Allegheny County, via Liberty Tubes, Saw Mill Run Boulevard, Pleasant Hills and Large;

with Route 5 subject to the following conditions:

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

SECOND: That no right, power or privilege is granted to transport beer except during such time as the certificate holder holds a permit from the Liquor Control Board or other governmental authority from which such permits will be required.

Route 6: Between the cities of Pittsburgh, Allegheny County, and Butler, Butler County, via Highway Route 8, and between said cities via Etna, Bakerstown, Highway Route 855, Valencia, Mars, Evans City, Conoquenessing and Highway Route 68; between Beaver Falls and Butler, via New Brighton, Zelienople, Harmony and Evans City over and along Highway Route 68; and between New Castle and Butler via Highway Route 422;

with Route 6 subject to the following conditions:

FIRST: That no right, power or privilege is granted to render direct service from points in the county of Allegheny to points on the above described Route 6 between Beaver Falls and Butler and between New Castle and Butler, including Portersville, Butler County, or vice versa.

SECOND: That applicant's trucks in furnishing the above authorized transportation shall be limited to the highways included in the authorized routes except in the county of Allegheny.

- \* 4. To interchange property at the city of Pittsburgh, Allegheny County, with other Class A carriers and Class D carriers operating over regular routes subject to the provisions of Pa. Code Title 52, §31.22 governing Class A carriers.
- 5. To transport, as a Class B carrier, household goods, in use, and livestock, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County.
- 6. To transport, as a Class D carrier, household goods, in use, and livestock, from points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County, to other points in Pennsylvania.
- \* 7. To transport, as a Class A carrier, property between the city of Beaver Falls, Beaver County, and the city of Pittsburgh, Allegheny County, over the following route:

Beginning in the city of Beaver Falls, thence via Highway Route 18 to the borough of New Brighton, Beaver County, thence via Highway Route 88 to the city of Pittsburgh.

- \* 8. To transport, as a Class A carrier, property between the borough of Aliquippa, Beaver County, and the city of Pittsburgh over the following route:

Beginning in the borough of Aliquippa, thence via Highway Route 51 to the south side of the bridge crossing the Ohio River from Sewickley, thence across said bridge to the borough of Sewickley, Allegheny County, thence via Highway Route 88 to the city of Pittsburgh.

- \* 9. To transport, as a Class D carrier, property from municipalities located immediately on both sides of the Ohio River from Pittsburgh to the dividing line between Allegheny and Beaver Counties, on both sides of the Monongahela River from Pittsburgh to the dividing line between Allegheny and Washington Counties, and on the west side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Butler Counties, and on the east side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Westmoreland Counties, to points on the following route:

Beginning in the city of Beaver Falls, thence via Highway Route 18 to the borough of New Brighton, Beaver County, thence via Highway Route 88 to the city of Pittsburgh, and vice versa.

Right 9 subject to the following condition:

That the applicant's trucks in furnishing the above, authorized transportation shall be limited to the highways included in the authorized routes except in the county of Allegheny.

- \* 10. To transport, as a Class A carrier, property between the borough of West Homestead and the city of Pittsburgh, Allegheny County, via Homestead, Munhall and Hays.
- \* 11. To transport, as a Class C carrier, uncrated refrigerators, coolers, or meat display cases, weighing not less than nine hundred pounds, for commercial installation, for McCray Refrigerator Sales Corporation, from the city of Pittsburgh, Allegheny County, to points in Pennsylvania within fifty miles, by the usually traveled highways of the limits of the city of Pittsburgh.

A-00106901

- \* 12. To transport, as a Class D carrier, property from municipalities located immediately on both sides of the Ohio River from Pittsburgh to the dividing line between Allegheny and Beaver Counties, on both sides of the Monongahela River from Pittsburgh to the dividing line between Allegheny and Washington Counties, and on the west side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Butler Counties, and on the east side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Westmoreland Counties, to points on the following route:

Between the borough of West Homestead and the city of Pittsburgh, Allegheny County, via Homestead, Munhall and Hays, and vice versa.

Right 12 subject to the following condition:

That the applicant's trucks in furnishing the above authorized transportation shall be limited to the highways included in the authorized routes except in the county of Allegheny.

Rights Nos. 10, 11 and 12 subject to the following condition:

That no right, power or privilege is granted to transport property between points in the city of Pittsburgh, Allegheny County.

- \* 13. To transport, as a Class A carrier, property, over the following route:

Between the city of Pittsburgh, Allegheny County, and the city of Washington, Washington County, via Hendersonville, Canonsburg, Houston and Meadowlands.

- \* 14. To transport, as a Class A carrier, property between the city of Pittsburgh, Allegheny County, and the village of Richfol, Washington County, over the following route:

Beginning at 25th and Penn Avenues in the city of Pittsburgh, thence via Tenth Street, William Penn Way, Sixth Street, Liberty Bridge, Liberty Tubes, West Liberty Avenue, Washington Road to Highway Route 19, thence via Highway Route 19 through Brookside Farms to the village of Lawrence, Washington County, thence via Donaldson Crossroads to Highway Route 519, thence via the Borough of Canonsburg, and the villages of Houston and Meadowlands, Washington County, to the village of Richfol, Washington County, including intermediate points;

and an alternate route:

Beginning at 25th and Penn Avenues in the city of Pittsburgh, Allegheny County, thence via Point Bridge to West Carson Street, West End Traffic Signal, South Main Street, Mansfield Avenue, Crafton Boulevard and Noblestown Road to the borough of Carnegie, Allegheny County, thence via Highway Route 519 to the village of Hendersonville, Washington County, thence through the borough of Canonsburg and the villages of Houston and Meadowlands to the village of Richfol, including intermediate points.

- \* 15. To transport, as a Class D carrier, property, from municipalities located immediately on both sides of the Ohio River from Pittsburgh to the dividing line between Allegheny and Beaver Counties on both sides of the Monongahela River from Pittsburgh to the dividing line between Allegheny and Washington Counties, and on the west side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Butler Counties, and on the east side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Westmoreland Counties, to points on the following route:

between the city of Pittsburgh, Allegheny County and the city of Washington, Washington County, via Hendersonville, Canonsburg, Houston, and Meadowlands and vice versa.

Right 15 subject to the following condition:

That the applicant's trucks in furnishing the above authorized transportation shall be limited to the highways included in the authorized routes except in the county of Allegheny.

- \* 16. To transport, as a Class D carrier, food commodities for the Bureau of Public Assistance of the Commonwealth of Pennsylvania, from the city of Pittsburgh, Allegheny County, to points in the counties of Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Lawrence, Mercer, Washington and Westmoreland.
- \* 17. To transport, as a Class D carrier, bakery products for the Colonial Biscuit Company, from the city of Pittsburgh, Allegheny County, to points within an airline distance of seventy-five (75) statute miles of the City-County Building in the said city and vice versa.

- \* 18. To transport, as a Class A carrier, property between the cities of Pittsburgh and Clairton, Allegheny County, via Boulevard of Allies, over the Twenty-Second Street Bridge to the South Side; thence by Carson Street and Boulevard through Hays, Lincoln Place and Dravosburg to Clairton and between Clairton, Elizabeth and West Elizabeth, via the Clairton and Elizabeth Road.
- \* 19. To transport, as a Class D carrier, property between the cities of Pittsburgh and Clairton, Allegheny County, including intermediate points, via the Liberty Tubes, the Saw Mill Run Boulevard, Overbrook, Pleasant Hills and Large; and the right to consolidate and render through service, or to use it as an alternate route with its certificated route between said cities, via the Boulevard of the Allies, Twenty-Second Street Bridge, South Side, Carson Street, the Boulevard through Hays, Lincoln Place, Dravosburg, Elizabeth and West Elizabeth.
- \* 20. To transport, as a Class B carrier, property between points in the city of Jeannette, Westmoreland County, and within five (5) miles by the usually traveled highways of the limits of said city.
- \* 21. To transport, as a Class C carrier, property from points in the city of Jeannette, Washington County, 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.
- \* 22. To transport, as a Class D carrier, beer for the Fort Pitt Brewing Company (previously operated as the Victory Brewing Company) from the city of Jeannette, Westmoreland County, to points in Pennsylvania within one hundred (100) miles by the usually traveled highways of the limits of said city and the return of empty containers to the said city.
- \* 23. To transport, as a Class D carrier, rubber products, tires, glass, glass products, kitchen utensils, power accessories, electric shades, toys, brewing supplies, and raw materials used in the manufacture of said commodities, from points in the city of Jeannette, Westmoreland County, to points in the city of Pittsburgh, Allegheny County, and vice versa.

\*24. To interchange shipments of rubber products, tires, glass, glass products, kitchen utensils, power accessories, electric shades, toys, brewing supplies, and raw materials used in the manufacture of said commodities, with Class A and Class D certificated carriers operating over regular routes, at the certificate holder's terminals in the cities of Pittsburgh, Allegheny County, and Jeannette, Westmoreland County, subject to the provisions of Pa. Code Title 52, §31.22 governing Class A carriers.

\* 25. To transport, as a Class D carrier, property from the city of Jeannette, Westmoreland County, and points within fifteen (15) miles by the usually traveled highways of the limits of the said city, and from the boroughs of Latrobe, Derry, Ligonier, Mount Pleasant, and Youngwood, Westmoreland County, to points in the county of Allegheny, and vice versa; with the right to interchange shipments with Class A carriers and with Class D carriers operating over regular routes at the certificate holder's terminals in the cities of Pittsburgh, Allegheny County, and Jeannette, Westmoreland County, subject to the provisions of Pa. Code Title 52, §31.22 governing Class A carriers.

Right 25 subject to the following condition:

That no right, power or privilege is granted to transport property between points, both of which are located in the county of Allegheny, except as authorized in Paragraphs 20 through 24 above.

Rights 20, 21, 22, 23, 24 and 25 subject to the following conditions:

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

SECOND: That no right, power or privilege is granted to transport beer except during such times as the certificate holder holds a permit from the Liquor Control Board or other governmental authority from which such permits will be required.

\* 26. To transport, as a Class A carrier, property, excluding household goods and related articles, over the following routes:

Between Pittsburgh, Allegheny County, and Butler, Butler County, via Etna, Talley Cavey, Bakerstown, and Cooperstown, over Highway Route 8, and also via Etna, Bakerstown, Highway Route 855, Valencia, Mars, Evans City and Conoquenessing, over Highway Routes 68 and 8, (Three Degree Road and other connecting roads).

Between Beaver Falls, Beaver County, and Butler, Butler County, via New Brighton, Zelienople, Harmony and Evans City, over and along Highway Route 68.

Between New Castle, Lawrence County, and Butler, Butler County, via Highway Route 422.

- \* 27. To transport, as a Class D carrier, property from municipalities located immediately on both sides of the Ohio River from Pittsburgh, to the dividing line between Allegheny and Beaver Counties, on both sides of the Monongahela River from Pittsburgh to the dividing line between Allegheny and Washington Counties, and on west side of Allegheny River from Pittsburgh to the dividing line between Allegheny and Butler Counties and on the east side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Westmoreland Counties to points on the above described routes between the city of Butler and the city of Pittsburgh, Allegheny County, and vice versa.

Rights 26 and 27 subject to the following condition:

That the applicant's trucks in furnishing the above authorized transportation shall be limited to the highways included in the authorized routes except in the county of Allegheny.

- \* 28. To transport, as a Class A carrier, property between the city of Pittsburgh, Allegheny County, and the borough of Beaver Falls, Beaver County, over the following route:

Beginning at 600 West Lacock Street, N.S. Pittsburgh; thence following route of the old Lincoln Highway through the boroughs of Ambridge, Baden, Conway, Freedom, Rochester, Monaca, Beaver and New Brighton to the terminus of the company in Beaver Falls.

and over the following spur route;

Beginning at the borough of Beaver, thence via Highway Route No. 68 to Midland and return.

- \* 29. To transport, as a Class D carrier, property from municipalities located immediately on both sides of the Ohio River from Pittsburgh to the dividing line between Allegheny and Beaver Counties, on both sides of the Monongahela River from Pittsburgh to the dividing line between Allegheny and Washington Counties, and on the west side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Butler Counties, and on the east side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Westmoreland Counties, to points on the route and spur route in right No. 28 above between the city of Pittsburgh and the borough of Beaver Falls, Beaver County.

Rights 28 and 29 subject to the following condition:

That the certificate holder's trucks in furnishing the above authorized transportation shall be limited to the highways included in the authorized route, except in the county of Allegheny.

- \* 30. To transport, as a Class A carrier, property over the following spur routes between the borough of Monaca and the village of Kobuta, Beaver County, over the following route:

Beginning in the borough of Monaca, Beaver County, thence via Highway Route 18 to the village of Kobuta, Beaver County, and return.

Right 30 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport property requiring special equipment to load, unload or transport.

SECOND: That no right, power or privilege is granted to transport commodities in bulk in tank vehicles.

- \* 31. To transport, as a Class D carrier, property for the Mackintosh Hemphill Company from the borough of Midland, Beaver County, to Allenport, Washington County, Monessen, Westmoreland County, Butler, Butler County, Ellwood City and New Castle, Lawrence County, and Sharon, Mercer County, in LTL quantities, and vice versa.

- \* 32. To transport, as a Class A carrier, property, between Pittsburgh and New Castle, via Millvale, Babcock Boulevard and Keown, thence over Highway Route 19, via Wexford, Warrendale and Zelienople, thence via Highway Route 288 to Ellwood City, thence via Highway

Route 88 to New Castle; between Beaver Falls and New Castle via Highway Route 18 and via Highway Route 351 between Koppel and Ellwood City.

- \* 33. To transport, as a Class D carrier, property from municipalities located immediately on both sides of the Ohio River from Pittsburgh to the dividing line between Allegheny and Beaver Counties, on both sides of the Monongahela River from Pittsburgh to the dividing line between Allegheny and Washington Counties, and on the west side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Butler Counties, and on the east side of the Allegheny River from Pittsburgh to the dividing line between Allegheny and Westmoreland Counties, to points on the said Pittsburgh-New Castle Route as described in right 32 and vice versa;

Alternate Route between Pittsburgh and Beaver Falls via Ohio River Boulevard; provided, however, that no right, power or privilege is granted to transport property to or from Pittsburgh and Beaver Falls and intermediate points between said places.

- \* 34. To transport, as a Class D carrier, property, excluding household goods, in use, from the Ellwood Foundry and Machine Company in the borough of Ellwood City, Lawrence County, and the Shenango Pottery Company at New Castle, Lawrence County, to the city of Pittsburgh, Allegheny County, for further transportation by rail.
- \* 35. To transport, as a Class B carrier, property between points in the city of New Castle and the townships of Taylor, Hickory, Neshannock, Union, Shenango and North Beaver, Lawrence County.
- \* 36. To transport, as a Class C carrier, property 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 the counties of Mercer, Lawrence and Beaver, and the western part of the county of Butler extending as far east as the city of Butler, excluding the said city.
- ~~37. To transport, as a Class D carrier, household goods, in use, and baggage 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.~~

- \* 38. To transport, as a Class D carrier, property from points in the county of Allegheny to points on the following routes, and vice versa:

Beginning in the city of Pittsburgh, Allegheny County, thence via Millvale, Babcock Boulevard and Keown, thence over Highway Route 19, via Wexford, Warrendale and Zelienople, thence via Highway Route 288 to Ellwood City, thence via Highway Route 88 to New Castle, between Beaver Falls and New Castle via Highway Route 18 and between Koppel and Ellwood City via Highway Route 351; and to the boroughs of Valencia, Mars, Evansburg and Harmony, Butler County, and vice versa.

Right 38 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport property from points in Allegheny County to points on the above-described routes located in Allegheny County.

SECOND: That no right, power or privilege is granted to transport property requiring the use of carryalls, winch trucks or tractors and/or pole trailers.

Rights 32 through 38 subject to the following condition:

FIRST: That the rights, powers and privileges hereby granted include the right to serve Ingomar, Warrendale, Wexford, Evans City, Harmony and other stations on the former route of the Pittsburgh, Harmony, Butler and New Castle Railway Company and of the Pittsburgh, Mars and Butler Railway Company, near the main highways hereinbefore described, together with the right to pick up and deliver along these routes and within the terminal cities, except as otherwise prohibited.

SECOND: That no rights, powers or privileges are granted to transport freight, express or merchandise on any trip or trips in either direction locally between the city of Pittsburgh and the borough of Millvale.

THIRD: That no right, power or privilege is granted to render local service in the city of Pittsburgh.

- \* 39. To transport, as a Class A carrier, property over an alternate route between the intersection of Highway Route 19 and Interstate Highway 79 near the borough of Zelienople, Butler County, and the city of New Castle, Lawrence County, via Interstate Highway 79 to its intersection with Highway Route 488, thence via Highway Route 488 to its intersection with Highway Route 19 at the borough of Portersville, Butler County, thence via Highway Route 19 to its intersection with Highway Route 422, thence via Highway Route 422 to the city of New Castle, Lawrence County.
- \* 40. To transport, as a Class A carrier, property over an alternate route between the intersection of Highway Route 19 and Interstate Highway 79 near the borough of Zelienople, Butler County, and the city of New Castle, Lawrence County, via Interstate Highway 79 to its intersection with Highway Route 422, thence via Highway Route 422 to the city of New Castle, Lawrence County.
- \* 41. To transport, as a Class D carrier, property between points in the borough of Portersville, Butler County, and from points in the said borough to points in the counties of Allegheny, Beaver, Butler and Washington, and vice versa; and from points in the said borough to other points in Pennsylvania, and vice versa, by interchange with Class A and Class D carriers at points in the county of Allegheny; excluding the transportation of commodities in bulk in dump vehicles, tank vehicles or in hopper-type vehicles and commodities which because of size or weight require special equipment such as winch trucks or tractors, pole trailers, carryalls and extendible trailers.
- \* 42. To transport, as a Class D carrier, property (excluding property in bulk and household goods in use) between points in the counties of Greene, Fayette, Washington and Westmoreland, and from points in said counties to points in the counties of Beaver, Butler and Lawrence, and vice versa; restricted against any transportation to, from or between points in Allegheny County, except as presently authorized, and to interchange property (excluding property in bulk and household goods in use) with other Class A and Class D carriers who are authorized to interchange traffic, in the city of Pittsburgh, Allegheny County, restricted to traffic moving to or from points in the counties of Mercer, Greene, Fayette, Washington and Westmoreland.

Right 42 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport shipments of iron and steel, iron and steel products, and materials, supplies and equipment used or useful in the manufacture thereof which weigh more than 1500 pounds and which move to or from steel mills, steel warehouses, steel fabricating plants, machine shops and foundries, except as presently authorized.

SECOND: 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 winch trucks, pole or extendible trailers or carryalls or which requires a highway permit from the Department of Transportation of the Commonwealth of Pennsylvania.

THIRD: That no right, power or privilege is granted to interchange property moving to or from points in Fayette County, except those presently authorized.

FOURTH: That no right, power or privilege is granted to interchange any traffic with any other carrier moving to or from the facilities of the Latrobe Electric Steel Company, American Locomotive Company, Latrobe Foundry Machine & Supply Company, all in Latrobe, Westmoreland County.

FIFTH: That no right, power or privilege is granted to transport property from points in Mercer County to points in the counties of Greene, Fayette, Washington, Westmoreland, Allegheny, Beaver, Butler and Lawrence, and vice versa.

SIXTH: That no right, power or privilege is granted to provide service to or from Allegheny Ludlum Steel Corporation in the borough of West Leechburg, General Refractories Company in the village of Salina, General Steel Industries, Inc., National Roll Division in the borough of Avonmore, United Engineering and Foundry Company (presently known as Wean United, Inc.) in the borough of Vandergrift, United States Steel Corporation in the borough of Vandergrift, Lumus Chemical Company in the city of New Kensington and Reynolds Manufacturing

Company in the borough of Avonmore, all in Westmoreland County; and Allegheny Brick Company in the township of East Deer, Allegheny County; Pittsburgh Metals Purifying, Division of The Susquehanna Corporation and the Ingot Aid Division of The Susquehanna Corporation in the city of New Castle, Lawrence County, and the township of Clinton, Butler County; Allegheny Minerals Corp., in the township of Mercer, Butler County; Treesdale Laboratories, Division of The Susquehanna Corporation in the borough of Bellevue, Allegheny County; Monongahela Concrete Products Co. in the city of Monongahela, Washington County; General Chemical Division of Allied Chemical and Dye Corp. at the village of Newell, Fayette County; except as applicant is presently authorized to serve the above-named companies.

43. 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.
- \* 44. To transport, as a Class D carrier, products of the Washington Sales Corporation from its plant in the village of Norvelt, Westmoreland County, to points in the city of Greensburg, Westmoreland County.
- \* 45. To transport, as a Class D carrier, express from the city of Greensburg to the plant of the Washington Sales Corporation at Norvelt, Westmoreland County.
- \* 46. To transport, as a Class D carrier, property for department stores and mercantile houses (excluding Sears, Roebuck & Company, Greensburg Primary Dealer and Vegetation Control Service Company) between points in the city of Greensburg and the borough of South Greensburg, Westmoreland County, and from points in the said city and borough to points within ninety-five (95) miles by the usually traveled highways of the limits of the said city and borough and vice versa, excluding the city of Pittsburgh, Allegheny County.

- \* 47. To transport, as a Class B carrier, property between points in the city of Jeannette, Westmoreland County.
- \* 48. To transport, as a Class D carrier, property from points in the city of Jeannette, Westmoreland County, to points in the county of Westmoreland within fifteen (15) miles by the usually traveled highways of the limits of said city, and vice versa.
- \* 49. To transport, as a Class D carrier, property from points in the city of Jeannette, Westmoreland County, to points in the borough of Leechburg, Armstrong County, and vice versa.
- \* 50. To transport, as a Class D carrier, fertilizer and building supplies between points in the city of Jeannette, Westmoreland County, and within five (5) miles by the usually traveled highways of the limits of said city.
- \* 51. To transport, as a Class D carrier, beer from points in the cities of Jeannette and Greensburg, Westmoreland County, to points within one hundred (100) miles by the usually traveled highways of the limits of said cities, and the return of empty containers on the return trips.
- \* 52. To transport, as a Class D carrier, property in emergencies for the Elliot Company between its plants in the city of Jeannette, Westmoreland County, and the borough of Ridgway, Elk County, and from the said plants to points within one hundred (100) miles by the usually traveled highways of the point of origin and vice versa.
- \* 53. To interchange shipments of rubber products, tires, glass and glass products, kitchen utensils, power accessories, electric shades, toys, brewing supplies, and raw materials used in the manufacture of said commodities, with Class A and Class D carriers operating over the regular routes in the cities of Jeannette, Westmoreland County and Pittsburgh, Allegheny County, subject to Pa. Code Title 52, §31.22 governing Class A carriers.

Right 53 subject to the following condition:

That no right, power or privilege is granted to transport property requiring the use of special equipment such as carryalls, winch trucks, winch tractors or pole trailers.

- \* 54. To transport, as a Class A carrier, property between points in the following territory previously served by the West Penn Railways Company, Penn Transit Company, and other carriers having the right to render pick up and delivery service for said companies, via the following routes:

Between the city of Pittsburgh, Allegheny County, and the borough of Fairchance, Fayette County, via Highway Route 30 to the intersection of Highway Route 981, thence via Highway Route 981 to the borough of Latrobe, Westmoreland County, thence returning via Highway Route 981 to the village of Pleasant Unity, Westmoreland County, and thence by Highway Route 819 to the borough of Scottdale, Westmoreland County, and Highway Route 119 to the borough of Fairchance;

and the following alternate route:

Between the city of Greensburg, Westmoreland County, and the borough of Scottdale, via Highway Route 119 or Highway Route 819;

and the following spur routes:

Beginning in the borough of Irwin, Westmoreland County, thence via the village of Rillton, the village of Herminie and the borough of Arona, Westmoreland County, to Highway Route 30 and vice versa;

Between the city of Jeannette and the village of Harrison City, Westmoreland County;

Between the city of Jeannette and the village of Claridge, Westmoreland County;

Between the borough of Latrobe and the borough of Derry, Westmoreland County;

also the following off-route points which are located within three (3) miles on either side of the above described routes:

Irwin Zone - Larimer, Ardara, Cavettsville, Trafford, Edna Numbers 1 and 2, Hahntown, Yukon, North Irwin, Penglyn, Shawtown, Sheridan, Terrace, County Playground, Westmoreland City, Manor, Manor Heights, Straw Pump, Adamsburg, Jacktown, Circleville, Claridge, Rillton, Shafton, Cereal, Herminie-Numbers 1 and 2, Harrison City, Stewardsville, Madison, Arona;

Jeannette Zone - Oakford Park, Penn Station, Penn, Fort Pitt, Arlington, Oakford, Carbonworks, Grapeville, Lincoln Heights, Pleasant Valley;

Greensburg Zone - Youngwood, Armbrust, Country Club, South Greensburg, Haydenville, Country Home, Ludwick, Southwest Greensburg;

Latrobe Zone - Youngstown, Baggaley, Kingston, Musick Store, Dorothy, Loyalhanna, Derry, Bradenville, Saint Vincent, Beatty, Oakville, Pandora, McChesneytown, Whitney;

Mt. Pleasant Zone - Hecla Junction, Trout's Crossing, Standard Shaft, Bridgeport, Hurst High School, Hecla, Carpentertown, Middle Churches, Hammondville, Morewood, Central Tarr, Ruffsdale, Laurelville;

Scottdale Zone - Iron Bridge, Everson, North Scottdale, West Overton, Prittstown, Keiferstown, Owensdale, Browntown, Alverton, Donnelly, Hawkeye, Kingview;

Connellsville Zone - Pennsville, Murphy Siding, Moyer, Coalbrook, Whistle Park, Poplar Grove, Davidson, Broadford, Liberty, Vanderbilt, Dawson, Dickerson Run, South Connellsville, Trotter, Leisenring Number 1, Graham's Crossing, Leisenring Number 3, Wheeler, Morrell, Dunbar;

Uniontown Zone - Mt. Braddock, Shady Grove, Percy, Youngstown, Bethelboro, Gaddis Crossing, Lemont, Coolspring, Walnut Hill, Keisterville, Upper Middletown, Crossland, Bittner, Leisenring Number 2, Bute, Phillips, Oliver Numbers 1, 2, and 3, Continental Numbers 1, 2, and 3, Leith, Hopwood, Brownfield, Oliphant, Wynn, Kyle, Fairchance, Shamrock, Revere, Footedale Numbers 1 and 2, New Salem, Buffington, Fairbanks, Filbert, Searights, Brownsville Junction;

excluding the transportation of property from the city of Pittsburgh, Allegheny County, to the borough of Scottdale, Westmoreland County, the cities of Connellsville, Uniontown and the borough of Fairchance, Fayette County, and points in the Scottdale, Connellsville and Uniontown Zones, as above set forth, and vice versa.

Right 54 subject to the following conditions:

FIRST: That no right, power or privilege is granted to render service from any point in the above described zones to another point in the same zone, unless either the point of origin or the point of destination of the shipment is a point at which a freight station of the West Penn Railways Company was formerly located.

SECOND: That no right, power or privilege is hereby granted to provide local pick up and delivery service in the borough of Scottdale, Westmoreland County, the cities of Connellsville and Uniontown and the borough of Fairchance, Fayette County, and in the Scottdale, Uniontown and Connellsville Zones; nor to transport property between any 2 points on the aforesaid route situate between the boroughs of Scottdale, Westmoreland County, and Fairchance, Fayette County, and/or points in the Scottdale, Connellsville and Uniontown Zones, and vice versa.

\* 55. To transport, as a Class D carrier, rubber products, tires, glass and glass products, kitchen utensils, power accessories, electric shades, toys, brewing supplies, and raw materials used in the manufacture of said commodities, from points in the city of Jeannette, Westmoreland County, to points in the county of Allegheny, and vice versa.

\* 56. To transport, as a Class D carrier, freight and merchandise for Walworth & Company from points in the borough of South Greensburg, Westmoreland County, to points in the county of Allegheny, with the right to interchange with Class A and Class D carriers operating over regular routes at the city of Pittsburgh, subject to Pa. Code Title 52 §31.22 governing Class A carriers.

\* 57. To transport, as a Class D carrier, property from points in the county of Allegheny to points on the following routes and to points in the following areas, and vice versa:

Between the city of Pittsburgh, Allegheny County, and the borough of Fairchance, Fayette County, via Highway Route 30 to the intersection of Highway Route 981, thence via Highway Route 981 to the borough of Latrobe, Westmoreland County, thence returning via Highway Route 981 to the village of Pleasant Unity, Westmoreland County, and thence by Highway Route 819 to the borough of Scottdale, Westmoreland County, and Highway Route 119 to the borough of Fairchance;

and the following alternate route:

Between the city of Greensburg, Westmoreland County, and the borough of Scottdale, via Highway Route 119 or Highway Route 819;

and the following spur routes:

Beginning in the borough of Irwin, Westmoreland County, thence via the village of Rillton, the village of Herminie and the borough of Arona, Westmoreland County, to Highway Route 30, and vice versa.

Between the city of Jeannette and the village of Harrison City, Westmoreland County.

Between the city of Jeannette and the village of Claridge, Westmoreland County.

Between the borough of Latrobe and the borough of Derry, Westmoreland County;

Also the following off-route points which are located within 3 miles on either side of the above described routes:

Irwin Zone - Larimer, Ardara, Cavettsville, Trafford, Edna Nos. 1 and 2, Hahntown, Yukon, North Irwin, Penglyn, Shawtown, Sheridan, Terrace, County Playground, Westmoreland City, Manor, Manor Heights, Straw Pump, Adamsburg, Jacktown, Circleville, Claridge, Rillton, Shafton, Cereal, Herminie Nos. 1 and 2, Harrison City, Stewartsville, Madison and Arona.

Jeannette Zone - Oakford Park, Penn Station, Penn, Fort Pitt, Arlington, Oakford, Carbonworks, Grapeville, Lincoln Heights and Pleasant Valley.

Greensburg Zone - Youngwood, Armbrust, Country Club, South Greensburg, Haydenville, County Home, Ludwick, and Southwest Greensburg.

Latrobe Zone - Youngstown, Baggaley, Kingston, Musick Store, Dorothy, Loyalhanna, Derry, Bradenville, Saint Vincent, Beatty, Oakville, Pandora, McChesneytown and Whitney.

Mt. Pleasant Zone - Hecla Junction, Trout's Crossing, Standard Shaft, Bridgeport, Hurst High School, Hecla, Carpentertown, Middle Churches, Hammondville, Morewood, Central Tarr, Ruffsdale and Laurelville.

Right 57 subject to the following conditions:

FIRST: That no right, power or privilege is granted to render service to or from the city of Pittsburgh, except as presently authorized.

SECOND: That no right, power or privilege is granted to render service from points in the county of Allegheny to points in the borough of Scottdale, Westmoreland County, the cities of Connellsville and Uniontown, and the borough of Fairchance, Fayette County, or vice versa.

Rights 55 through 57 subject to the following condition:

That no right, power or privilege is granted to transport property which because of its size or weight requires the use of special equipment such as carryalls, winch trucks, winch trailers or pole trailers.

58. To transport, as a Class D carrier, building materials, excavated materials and road 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.
59. 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 the return of refused or damaged merchandise and containers.
60. 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.
61. 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 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.

62. 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.

63. 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 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.

64. To transport, as a Class B carrier, property, excluding household goods in use, between points in the borough of Curwensville, Clearfield County.

65. 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.

66. 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.

67. 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.

68. 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 and refractory products, from the facilities of North American Refractories Co. in the county of Berks, to points in Pennsylvania, and vice versa.

Right 68 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport sand in bulk from the facilities of Pennsylvania Glass Sand Corp. in the counties of Mifflin and Huntingdon.

SECOND: 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.

69. To transport, as a Class D carrier, property 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. *(except household goods and office furniture, in use)*

~~70. To transport, as a Class D carrier, household goods and office equipment, in use, 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, (except that no household goods or office equipment, in use, may be transported to and from points within the limits of White Township and the borough of Indiana, Indiana County).~~

71. 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.

72. 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.

73. 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.
74. 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.
- \* 75. To transport, as a Class D carrier, property *(except household goods and office furniture, in use)* 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.
- ~~76. To transport, as a Class D carrier, household goods in use 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.~~
- \* 77. To transport, as a Class D carrier, property from the boroughs of Leechburg, Armstrong County, West Leechburg and Hyde Park, Westmoreland County, to the city of Pittsburgh, Allegheny County, and vice versa, excluding intermediate points.
- \* 78. To transport, as a Class D carrier, property from points in the boroughs of Apollo and North Apollo, Armstrong County, Vandergrift, East Vandergrift and Oklahoma, Westmoreland County, North Vandergrift and the township of Parks, Armstrong County, to the city of Pittsburgh, Allegheny County, and vice versa, excluding intermediate points.

~~79. To transport, as a Class B carrier, property for the Allegheny Ludlum Steel Corporation between its plants located in the borough of West Leechburg, Westmoreland County, and its plants located in the borough of Brackenridge, Allegheny County, excluding intermediate points.~~

80. To transport, as a Class C carrier, property for the Allegheny Ludlum Steel Corporation from the borough of West Leechburg, Westmoreland County, to points within one hundred (100) miles by the usually traveled highways of the limits of said borough.

81. To transport, as a Class C carrier, machinery in shipments not to exceed twenty thousand (20,000) pounds, for the Allegheny Ludlum Steel Corporation, from the borough of Brackenridge, Allegheny County, to the plant of the said corporation in the borough of West Leechburg, Westmoreland County, and in emergencies to points within one hundred (100) miles by the usually traveled highways of the limits of the plant in the borough of Brackenridge, Allegheny County.

82. To transport, as a Class C carrier, property, excluding machinery (except as herein approved), contractors' equipment, structural and reinforcing steel and other property which requires the use of special built drop frame low bed trailers equipped with winches for the Allegheny Ludlum Steel Corporation from the borough of Brackenridge, Allegheny County, to points within one hundred (100) miles by the usually traveled highways of the limits of said plant.

\* 83. To transport, as a Class D carrier, property, between the borough of Avonmore, and the village of Salina, Bell Township, Westmoreland County, and the borough of Saltsburg, Indiana County, and the boroughs of Leechburg and Apollo, Armstrong County, and the right to consolidate said operation with the certificate holder's presently certificated routes between Pittsburgh, Leechburg, Vandergrift, and Apollo, and the right to render through service between Pittsburgh and Avonmore, Salina and Saltsburg.

Right 83 subject to the following condition:

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

- \* 84. To transport, as a Class D carrier, property (excluding property which, because of size or weight requires the use of special equipment such as carryalls, winch trucks, winch trailers or pole trailers) from points in the county of Allegheny to points in the boroughs of Leechburg, Apollo, and North Apollo, the village of North Vandergrift and the township of Parks, Armstrong County, the boroughs of West Leechburg, Hyde Park, Vandergrift, East Vandergrift, Oklahoma and Avonmore, and the village of Salina, Bell Township, Westmoreland County, and the borough of Saltsburg, Indiana County, and vice versa, excluding intermediate points.

Right 84 subject to the following condition:

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

- ~~85. To transport, as a Class D carrier, 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.~~

- \* 86. To transport, as a Class D carrier, property, excluding household goods in use, between points in the borough of Vandergrift, Westmoreland County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough.

- ~~87. To transport, as a Class D carrier, shipments for the American Sheet and Tin Plate 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 the said borough, and vice versa.~~

88. 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.

~~89. To transport, as a Class D carrier, 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, and the return of refused, rejected or damaged merchandise.~~

90. 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 90 subject to the following conditions:

FIRST: 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.

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

~~91. To transport, as a Class D carrier, 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 of the limits of said borough, and vice versa.~~

92. To transport, as a Class D carrier, 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.

93. 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.

Rights 91, 92 and 93 subject to the following conditions:

FIRST: 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.

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

94. 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 Logansport, Armstrong County, and its warehouse in the borough of Cheswick, Allegheny County.

95. 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, and the return of damaged or refused merchandise.

96. 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 95 and 96 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.

\* 97. To transport, as a Class D carrier, property, excluding household goods in use, between points within an airline distance of fifteen (15) statute miles of the City-County Building in the city of Pittsburgh, Allegheny County.

98. 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 98 subject to the following conditions:

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

SECOND: 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.

\* 99. To transport, as a Class D carrier, property, in less-than-truckload quantities, from the facilities of Breman's Express Company, located in the borough of Monroeville, Allegheny County, to points in the counties of Allegheny, Armstrong, Beaver, Cambria, Centre, Clearfield, Fayette, Greene, Huntingdon, Indiana, Washington and Westmoreland, and vice versa.

Right 99 subject to the following conditions:

FIRST: That such transportation is restricted to shipments which have a prior or subsequent transportation by Transport Services Division of Dresser Industries, Inc., an Ohio corporation.

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

THIRD: That no right, power or privilege is granted to transport household goods.

100. 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.

Right 100 subject to the following conditions:

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

SECOND: 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.

THIRD: That no right, power or privilege is granted to transport limestone and limestone products from points in York County.

FOURTH: 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.

FIFTH: That no right, power or privilege is granted to transport pipe, to and from points located in the counties of McKean, Potter and Warren.

SIXTH: 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.

SEVENTH: 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.

101. 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 101 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles.

SECOND: 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.

THIRD: That no right, power or privilege is granted to transport pipe, to and from points located in McKean, Potter and Warren Counties.

FOURTH: That no right, power or privilege is granted to transport limestone and limestone products from points in York County.

FIFTH: 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.

102. 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 102 subject to the following conditions:

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

SECOND: 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.

103. 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 103 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.

104. 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 104 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.

105. 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 105 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.

106. To transport, as a Class D carrier, by motor vehicles, property, for St. Joe Zinc Company, between points in Pennsylvania; provided that no right, power or privilege is granted to transport commodities in bulk, in dump, in tank or hopper-type vehicles.

107. 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 107 subject to the following conditions:

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

SECOND: 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.

108. 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 108 subject to the following conditions:

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

SECOND: That no right, power or privilege is granted to transport household goods.

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

Right 109 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport property in dump vehicles from or between points in Mercer County.

SECOND: 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.

THIRD: 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.

FOURTH: That no right, power or privilege is granted to transport coal, sand and gravel in dump vehicles.

\* 110. To transport, as a Class D carrier, property between points in the county of Butler, and from points in the said county to points in Pennsylvania.

Right 110 subject to the following conditions:

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

SECOND: That no right, power or privilege is granted to transport Class A and Class B explosives.

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

FOURTH: That no right, power or privilege is granted to transport commodities which because of unusual value are normally transported in armored vehicles; and monies, bullion, securities, currency, coins, checks, negotiable instruments and other documents, coin wrappers or containers, securities, books of account, statements, drafts, security interests and other valuables.

FIFTH: 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.

111. 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 111 subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles.

SECOND: 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.

THIRD: 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, and the return of damaged, refused or rejected shipments to the point of origin in said county.

FOURTH: 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 for the Thomasville Stone and Lime Company, from its plant in the township of Jackson, York County, and the return of damaged, refused or rejected shipments to the point of origin in said counties.

FIFTH: 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.

with the above rights further 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 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 applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
- (3) That the applicant charge to Account 1550, Other Intangible Property, \$25,000, being the amount of the consideration payable by it for the right and going concern value attributable thereto less any amount recorded under condition 2 above.
- (4) That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
- (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 entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1984 and 1985 Annual Report of the transferor.

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 the 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.

IT IS FURTHER ORDERED: That upon compliance with this order the rights granted the transferor, Breman's Express Company, at A-00080581, Folders 2, 3, 6, 8 and 10 be cancelled as provided for in the attached Supplemental Order.

BY THE COMMISSION,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: September 4, 1986

ORDER ENTERED: SEP 12 1986

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held January 29, 1988

Application Docket No. A-00106901, Nicklaus Freight Lines, Inc.

SUPPLEMENTAL ORDER MODIFYING  
CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

It appearing that part of the rights granted to Nicklaus Freight Lines, Inc., under the certificate of public convenience issued at A-00106901, have been transferred to South Hills Movers, Inc., at A-00099073, F. 2, Am-D, 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-00099073, F, 2, Am-D, the operating rights and the certificate of public convenience at A-00106901 be and are hereby modified so as to include the following restriction:

with rights no. 1 through 108, inclusive, subject to the following condition:

That no right, power or privilege is granted to transport household goods and office furnishings and equipment, in use, or baggage, (a) 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; (b) 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; (c) 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; (d) 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 (e) 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.

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,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a faint, illegible stamp or background.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: January 29, 1988

ORDER ENTERED: April 18, 1988

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held September 15, 1988

Commissioners Present:

Bill Shane, Chairman  
William H. Smith, Vice-Chairman  
Linda C. Taliaferro  
Joseph Rhodes, Jr.  
Frank Fischl

Application Docket No. A-00106901, Nicklaus Freight Lines, Inc.

CORRECTED  
SUPPLEMENTAL ORDER CANCELLING  
CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

It appearing that part of the rights granted to Nicklaus Freight Lines, Inc., under the certificate of public convenience issued at A-00106901, have been transferred to Hammel's Express, Inc., at A-00088995, F. 4, Am-B

and are now contained under the certificate of public convenience issued to it; and that Nicklaus Freight Lines, Inc., is retaining certain operating authority which requires modification to eliminate duplication; 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-00088995, F. 4, Am-B, the operating rights and the certificate of public convenience at A-00106901 be and are hereby modified as provided hereinafter; and rights numbered 79, 80, 81, 82, 85, 87, 89, 91, and 92, contained in the order adopted September 4, 1986, entered September 12, 1986, at A-00106901, be and are hereby cancelled and privileges granted thereby shall forthwith cease and terminate.

IT IS FURTHER ORDERED: That the retained operating authority contained in the Commission's order adopted September 4, 1986, entered September 12, 1986, and the certificate of public convenience issued thereunder shall be modified to include the following restrictions:

with rights no. 1 through 111, inclusive, subject to the following conditions:

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;

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, and the return of refused, rejected or damaged merchandise.

To transport shipments for the American Sheet and Tin Plate 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 the said borough, and vice versa;

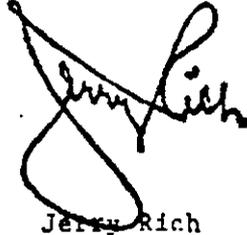
To transport property for the Allegheny Ludlum Steel Corporation, Leechburg Supply Company and Leechburg Mining Company from points in the borough of Leechburg, Armstrong County, and within an airline distance of ten (10) statute miles of the limits of said borough to points within an airline distance of one hundred (100) statute miles of the limits of said borough, and vice versa;

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.

IT IS FURTHER ORDERED: That the transferor shall file an amended tariff in compliance with the modifications stated herein.

IT IS FURTHER ORDERED: That a copy of this supplemental order at A-00106901 be forwarded to Mr. George R. Otto, Regional Audit Supervisor, Department of Revenue, 10th Floor, Strawberry Square, Harrisburg, Pennsylvania.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized loop.

Jerry Rich  
Secretary

(SEAL.)

ORDER ADOPTED: September 15, 1988

ORDER ENTERED: November 28, 1988

Additional Conditions to be Imposed on  
Applicable Rights Being Retained By  
Nicklaus Freight Lines, Inc. (\*) In Appendix B  
In Order to Avoid Any Duplicating Rights Issues  
(The number in parentheses at the end of each condition  
refers to the corresponding route number in Appendix A)

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With Rights No. 1 through 111, inclusive, subject to the following conditions:

That no right, power or privilege is granted to transport household goods, in use, or livestock. (5 and 6)

That no right, power or privilege is granted to transport property for Union Electric Steel Corp., to or from its plant in the township of Smith, Washington County. (43)

That no right, power or privilege is granted to transport lumber, lime, brick, clay products, coal, hides and beer from points in Butler County to points in the borough of Curwensville and the township of Pike, Clearfield County. (66)

That no right, power or privilege is granted to transport firebrick, fire clay, clay, high temperature bonding mortar and cement, plastic firebrick, brickbats, and pallets from points in Butler County to points in the borough of Lumber City and the townships of Penn and Pike, Clearfield County. (67)

That no right, power or privilege is granted to transport 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 and refractory products, from points in Butler County to the facilities of North American Refractories Co. in Berks County. (68)

That no right, power or privilege is granted to transport lumber and building materials for W. E. Oakes Estate from points in Butler County to points in the borough of Clymer, Indiana County. (73)

That no right, power or privilege is granted to transport iron and steel articles, wooden patterns, equipment and supplies for the United Engineering and Foundry Company to or from points in the borough of Vandergrift, Westmoreland County. (88)

That no right, power or privilege is granted to transport property for the Raychord Corporation to or from its plant in the borough of Apollo, Armstrong County. (90)

That no right, power or privilege is granted to transport property for the General Refractories Company and General Steel Industries, Inc., National Roll Division, to or from their plants in the village of Salina, Bell Township, and the borough of Avonmore, Westmoreland County. (93 and 98)

That no right, power or privilege is granted to transport 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, Alladin and Logansport, Armstrong County, and its warehouse in the borough of Cheswick, Allegheny County. (94)

That no right, power or privilege is granted to transport alcoholic beverages, and materials or supplies used in the manufacture of alcoholic beverages, to or from the plants and warehouses of Schenley Distributors, Inc., Joseph S. Finch Company, Logansport Distilling Company and other affiliated companies located in the counties of Allegheny and Armstrong. (95 and 96)

That no right, power or privilege is granted to transport 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, to or from the facilities of Jones & Laughlin Steel Corporation located in the borough of Aliquippa, Beaver County, and the city of Pittsburgh, Allegheny County, or to or from the facilities of Crucible, Inc., a Division of Colt Industries, located in the borough of Midland, Beaver County. (100 and 101)

That no right, power or privilege is granted to transport iron and steel, and iron and steel articles, to or from the facilities of National Materials Corporation located in the cities of Arnold and New Kensington, Westmoreland County. (102)

That no right, power or privilege is granted to transport 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 and refractory products, and commodities used or useful in the installation of refractories and refractory products, from points in Butler County to the facilities of A. P. Green Refractories Co. located in the city and county of Philadelphia and the township of Porter, Clarion County, or to the facilities of Harbison-Walker Refractories, Division of Dresser Industries, Inc., located in the borough of Mt. Union, Huntingdon County, and the village of Templeton, Pine Township, Armstrong County. (103, 104 and 105)

That no right, power or privilege is granted to transport property for St. Joe Zinc Company, All Metals, Inc. and Charles Bluestone Company. (106 and 109)

That no right, power or privilege is granted to transport property for Cerro Metal Products to points in Centre County. (107)

That no right, power or privilege is granted to transport property having a prior or subsequent movement by Sherwin-Williams Company trucks, to or from the facilities of Breman's Express Company located in the counties of Allegheny and Clearfield. (108)

That no right, power or privilege is granted to transport 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, to or from the facilities of United States Steel Corporation. (111)

January 25, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

John A. Pillar  
Attorney at Law  
Suite 700  
312 Boulevard of the Allies  
Pittsburgh, PA 15222

In re: A-00107793, F. 2 - Application of Trans American Trucking  
Service, Inc.

Dear Sir:

Acknowledgement is made of an application filed by you on behalf  
of Trans American Trucking Service, Inc. for the rights of Nicklaus Freight  
Lines, Inc.

The application has been captioned as attached and will be  
submitted for review, provided no protests are filed on or before  
February 19, 1991. If protests are filed, you will be advised as to further  
procedure.

This application is accepted with the understanding that Nicklaus  
Freight Lines, Inc. will continue to render the service covered by its  
certificate and comply with all the rules of the Commission, including the  
carrying of continuous insurance, until final disposition is made of the  
application by the Commission.

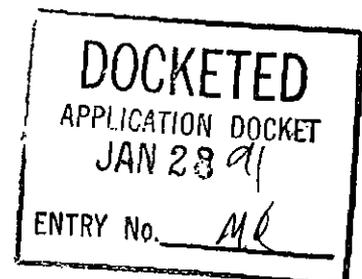
You are further advised that the above application will be  
published in the Pennsylvania Bulletin of January 26, 1991.

Very truly yours,

David Ehrhart  
Supervisor - Application Section  
Bureau of Transportation

DE:RP:rs

cc: Applicant  
115 St. Nicholas Avenue  
South Plainfield, NJ 07080



A-00107793, Folder 2 TRANS AMERICAN TRUCKING SERVICE, INC. (115 St. Nicholas Avenue, South Plainfield, NJ 07080), a corporation of the State of New Jersey - (A) 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: WHICH IS TO BE IN LIEU OF its contract carrier permit issued at A-00107793 to Trans American Trucking Service, Inc.; and (B) (1) as a Class B carrier, household goods, in use, and livestock, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County; (2) household goods, in use, and livestock, from points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County, to other points in Pennsylvania; (3) 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) building materials, excavated materials and road 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) 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 the return of refused or damaged merchandise and containers; (6) 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) 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 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) 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) 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) as a Class B carrier, property, excluding household goods in use, between points in the borough of Curwensville, Clearfield County; (11) 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) 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) 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) 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 and refractory products, from the facilities of North American Refractories Co. in the county of Berks, to points in Pennsylvania, and vice versa; with Right No. 14 subject to the following conditions: That no right, power or privilege is granted to transport sand in bulk from the facilities of Pennsylvania Glass Sand Corp. in the counties of Mifflin and Huntingdon; and 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) 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) 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) 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) 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) 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) 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) 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; with Right No. 21 subject to the following conditions: 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; and That no right, power or privilege is granted to transport

commodities in bulk in tank vehicles or in hopper-type vehicles; (22) 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; with Right No. 22 subject to the following conditions: 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; and That no right, power or privilege is granted to transport commodities in bulk and tank vehicles or in hopper-type vehicles; (23) 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 Logansport, Armstrong County, and its warehouse in the borough of Cheswick, Allegheny County; (24) 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, and the return of damaged or refused merchandise; (25) 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; with 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) property for General Refractories Company from its plant in the village of Salina, Bell Township, Westmoreland County, to points in Pennsylvania, and vice versa; with Right No. 26 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles; and 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) 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; with Right No. 27 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles; 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; That no right, power or privilege is granted to transport limestone and limestone products from points in York County; 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; That no right, power or privilege is granted to transport pipe, to and from points located in the counties of McKean, Potter and Warren; 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; and 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) 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; with Right No. 28 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles; 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; That no right, power or privilege is granted to transport pipe, to and from points located in McKean, Potter and Warren Counties; That no right, power or privilege is granted to transport limestone and limestone products from points in York County; and 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) 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; with Right No. 29 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles; and 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) 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; with 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) 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; with 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) 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; with 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) property, for St. Joe Zinc Company, between points in Pennsylvania; provided that no right, power or privilege is granted to transport commodities in bulk, in dump, in tank or hopper-type vehicles; (34) 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; with Right No. 34 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump, in tank or hopper-type vehicles; and 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) 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; with Right No. 35 subject to the following conditions: That no right, power or privilege is granted to transport property, in bulk, in tank or hopper-type vehicles; and That no right, power or privilege is granted to transport household goods; (36) property for All Metals, Inc. and Charles Bluestone Company, between points in Pennsylvania; with Right No. 36 subject to the following conditions: That no right, power or privilege is granted to transport property in dump vehicles from or between points in Mercer County; 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; 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; and That no right, power or privilege is granted to transport coal, sand and gravel in dump vehicles; and (37) 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; with Right No. 37 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles; 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; 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, and the return of damaged, refused or rejected shipments to the point of origin in said county; 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 for the Thomasville Stone and Lime Company, from its plant in the township of Jackson, York County, and the return of damaged, refused or rejected shipments to the point of origin in said counties; 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; with Rights No. 1 through 37, inclusive, subject to the following conditions: That no right, power or privilege is granted to transport household goods and office furnishings and equipment, in use, or baggage, (a) 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; (b) 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; (c) 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; (d) 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 (e) 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; 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; 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, and the return of refused, rejected or damaged merchandise; That no right, power or privilege is granted to transport shipments for the American Sheet and Tin Plate 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 the said borough, and vice versa; 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 of the limits of said borough, and vice versa; and 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; which is to be a transfer of part of the rights authorized under the certificate issued at A-00106901 to Nicklaus Freight Lines, Inc., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. Attorney: John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, PA 15222.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE JAN 26 1991

BUREAU OF TRANSPORTATION  
COMMON CARRIER  
JANUARY 1991

A-00107793  
F. 2

Application of Trans American Trucking Service, Inc., a corporation of the State of New Jersey, for the right to begin to transport, as a common carrier, by motor vehicle, (A) 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: WHICH IS TO BE IN LIEU OF its contract carrier permit issued at A-00107793 to Trans American Trucking Service, Inc.; and (B) (1) as a Class B carrier, household goods, in use, and livestock, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County; (2) household goods, in use, and livestock, from points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County, to other points in Pennsylvania; (3) 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) building materials, excavated materials and road 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) 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 the return of refused or damaged merchandise and containers; (6) 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

NA

FEB 19 1991

Protests due on No Hearings \_\_\_\_\_  
Protests due on Hearings - (5 days prior to date of hearing)  
Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
JAN 28 91  
ENTRY No. 111

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

- 2 -

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) 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 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) 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) 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) as a Class B carrier, property, excluding household goods in use, between points in the borough of Curwensville, Clearfield County; (11) 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) 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) 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) 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 and refractory products, from the facilities of North American Refractories Co. in the county of Berks, to points in Pennsylvania, and vice versa; with Right No. 14 subject to the following conditions: That no right, power or privilege is granted to transport sand in bulk from the facilities of Pennsylvania Glass Sand Corp. in the counties of Mifflin and Huntingdon; and That no right, power or privilege is granted to transport commodities in

Protests due on No Hearings \_\_\_\_\_

Protests due on Hearings - (5 days prior to date of hearing)

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PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

- 3 -

bulk, in dump vehicles, to or from the borough of Homestead, Allegheny County, and points within fifty (50) miles of the limits thereof; (15) 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) 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) 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) 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) 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) 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) 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; with Right No. 21 subject to the following conditions: 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; and That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles; (22) 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; with Right No. 22 subject to the following

Protests due on No Hearings \_\_\_\_\_

Protests due on Hearings - (5 days prior to date of hearing)

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PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

- 4 -

conditions: 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; and That no right, power or privilege is granted to transport commodities in bulk and tank vehicles or in hopper-type vehicles; (23) 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 Logansport, Armstrong County, and its warehouse in the borough of Cheswick, Allegheny County; (24) 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, and the return of damaged or refused merchandise; (25) 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; with 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) property for General Refractories Company from its plant in the village of Salina, Bell Township, Westmoreland County, to points in Pennsylvania, and vice versa; with Right No. 26 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles; and 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) 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; with Right No. 27 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles; That no right, power or privilege is granted to transport

Protests due on No Hearings \_\_\_\_\_

Protests due on Hearings - (5 days prior to date of hearing)

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PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

- 5 -

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; That no right, power or privilege is granted to transport limestone and limestone products from points in York County; 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; That no right, power or privilege is granted to transport pipe, to and from points located in the counties of McKean, Potter and Warren; 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; and 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) 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; with Right No. 28 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles; 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; That no right, power or privilege is granted to transport pipe, to and from points located in McKean, Potter and Warren Counties; That no right, power or privilege is granted to transport limestone and limestone products from points in York County; and 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

Protests due on No Hearings \_\_\_\_\_

Protests due on Hearings - (5 days prior to date of hearing)

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PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

- 6 -

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) 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; with Right No. 29 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles; and 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) 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; with 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) 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; with 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) 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; with Right No. 32 subject to the following

Protests due on No Hearings \_\_\_\_\_

Protests due on Hearings - (5 days prior to date of hearing)

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PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

- 7 -

condition: That no right, power or privilege is granted to transport commodities in bulk, in dump, tank or hopper-type vehicles; (33) property, for St. Joe Zinc Company, between points in Pennsylvania; provided that no right, power or privilege is granted to transport commodities in bulk, in dump, in tank or hopper-type vehicles; (34) 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; with Right No. 34 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump, in tank or hopper-type vehicles; and 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) 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; with Right No. 35 subject to the following conditions: That no right, power or privilege is granted to transport property, in bulk, in tank or hopper-type vehicles; and That no right, power or privilege is granted to transport household goods; (36) property for All Metals, Inc. and Charles Bluestone Company, between points in Pennsylvania; with Right No. 36 subject to the following conditions: That no right, power or privilege is granted to transport property in dump vehicles from or between points in Mercer County; 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; 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; and That no right, power or privilege is granted to transport coal, sand and gravel in dump vehicles; and (37) 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; with Right No. 37 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk, in dump vehicles; That no right, power or privilege is granted to transport sand, in bulk in

Protests due on No Hearings \_\_\_\_\_

Protests due on Hearings - (5 days prior to date of hearing)

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PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

- 8 -

truckloads, from the Pennsylvania Glass Sand Corporation in the boroughs of Mapleton, Huntingdon County, and McVeytown, Mifflin County; 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, and the return of damaged, refused or rejected shipments to the point of origin in said county; 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 for the Thomasville Stone and Lime Company, from its plant in the township of Jackson, York County, and the return of damaged, refused or rejected shipments to the point of origin in said counties; 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; with Rights No. 1 through 37, inclusive, subject to the following conditions: That no right, power or privilege is granted to transport household goods and office furnishings and equipment, in use, or baggage, (a) 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; (b) 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; (c) 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; (d) 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 (e) 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; 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; 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, and

Protests due on No Hearings \_\_\_\_\_

Protests due on Hearings - (5 days prior to date of hearing)

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PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

- 9 -

the return of refused, rejected or damaged merchandise; That no right, power or privilege is granted to transport shipments for the American Sheet and Tin Plate 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 the said borough, and vice versa; 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 of the limits of said borough, and vice versa; and 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; which is to be a transfer of part of the rights authorized under the certificate issued at A-00106901 to Nicklaus Freight Lines, Inc., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions.

FW:11  
1/10/90

Application received: 12/8/90  
Application docketed: 1/7/91

Protests due on No Hearings \_\_\_\_\_  
Protests due on Hearings - (5 days prior to date of hearing)  
Notice of the above application was mailed to all certificate  
holders and railroad companies in the service area as noted above.

*File Out - Dave Ehrhart 7/6*

PILLAR AND MULROY, P.C.  
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JOHN A. PILLAR  
THOMAS M. MULROY  
ANTHONY A. SEETHALER, JR.

February 4, 1991

Re: Trans American Trucking Service, Inc.  
Docket No. A-00107793, F.2  
File No. 1342

David Ehrhart, Supervisor  
Application Section  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

Dear Dave:

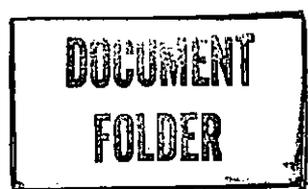
I am enclosing the original and two copies of a petition to convert the permit of Trans American Trucking Service, Inc. to a certificate of public convenience in connection with the above docketed proceeding. This petition should have been filed with the transfer application, but was misplaced and did not become part of the original filing.

We would appreciate your republishing the transfer application to show the intent of the applicant/buyer to convert its contract carrier permit to a certificate, so that the transfer can be approved without any conditions. If you require anything further, please advise.

Very truly yours,

*John A. Pillar*  
JOHN A. PILLAR

SW  
Enclosures



Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION Pa. P.U.C.



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Application of  
**TRANS AMERICAN TRUCKING SERVICE, INC.**

Docket No. A-00107793, F.1

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**PETITION TO CONVERT BUYER'S PERMIT  
TO A CERTIFICATE OF PUBLIC CONVENIENCE**

NOW COMES Trans American Trucking Service, Inc., by its attorneys, Pillar and Mulroy, P.C., and respectfully petitions this Honorable Commission to convert its contract carrier permit to a certificate of public convenience and, in support hereof, petitioner states as follows:

1. By application to which this petition is attached, Trans American Trucking Service, Inc. seeks to purchase the operating rights of Nicklaus Freight Lines, Inc. issued by the Pennsylvania Public Utility Commission at Docket No. A.106901. The operating authority to be acquired is a common carrier certificate of public convenience.

2. Trans American Trucking Service, Inc. presently holds authority, as a contract carrier, at Docket No. A-00107793, F.1. Pursuant to § 2504 of the Public Utility Code, 66 Pa. P.S.A. § 2504, petitioner may not hold both a certificate of public convenience and a permit "unless for good cause shown, the Commission shall find that the certificate and

permit may be held consistently with the public interest."

3. As a condition to the transaction between the buyer and seller, the parties have agreed to petition the Commission to convert the contract carrier permit of the buyer to a certificate of public convenience so that the acquisition of the operating rights here involved of the seller by the buyer will not violate § 2504.

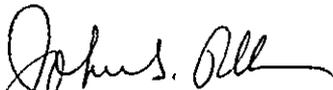
4. It is the buyer's intention to operate pursuant to the operating rights of the seller as a common carrier. Petitioner/buyer is presently authorized to transport heavy machinery and equipment, together with materials, equipment and supplies used in their manufacture and distribution, for Voith Hydro, Inc. between points in the County of York, and from points in the County of York to points in Pennsylvania, and vice versa. The service provided for Voith Hydro in Pennsylvania does not require dedication of equipment to the shipper's exclusive use and does not require any more specialized service than Trans American provides for many shippers in interstate commerce under its ICC common carrier authority. Petitioner/buyer's own operations have developed into a service that is more precisely that of a common carrier, since its equipment is used interchangeably by its various customers under its ICC rights which authorize the transportation of general commodities between points in the U.S. The relief requested here will enable petitioner/buyer to further diversify its business which has been its trend over

the years.

5. There is attached to this petition the affidavit of Robert Firestone, Transportation Analyst for Voith Hydro, Inc., consenting to the relief requested.

WHEREFORE, Trans American Trucking Service, Inc. respectfully petitions this Honorable Commission that its operating rights at Docket No. A-107793, F.1 be converted to a certificate of public convenience so that approval of the above referenced transaction will not violate § 2504 of the Pennsylvania Public Utility Code.

Respectfully submitted,  
PILLAR AND MULROY, P.C.

By:   
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JOHN A. PILLAR  
Attorney for Petitioner





# PENNSYLVANIA PUBLIC UTILITY COMMISSION



## RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

**Trans American Trucking Service, Inc.**  
115 St. Nicholas Ave.  
S. Plainfield, NJ 07080

Date February 12, 1991

CR 143845 A

**DOCUMENT  
FOLDER**

**BTL**

In re application of Trans. American Trucking Service Inc.  
A-107793, F.2.....\$350.00

**DOCKETED  
FEB 21 1991**

Revenue account 001780-018601-102 (ck)

ck 031128 Checks \$350.00 Currency \_\_\_\_\_

Utility account 50:26

C. Joseph Meisner  
For Department of Revenue