

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

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1. REPORT DATE: May 19, 1998	2. BUREAU AGENDA NO.: JUN-98-TS-MC-138*
3. BUREAU: Transportation and Safety	DOCKETED FOLDER JUN 12 1998
4. SECTION(S): MCS&E	
5. PUBLIC MEETING DATE: June 4, 1998	
6. APPROVED BY: Director: Farrell 3-2846 Supervisor: Marzolf 3-5945 <i>pam</i>	
7. PERSONS IN CHARGE: Zeigler 3-5946	
8. DOCKET NO.: A-00106548, F. 1, Am-D	

19. (a) CAPTION (abbreviate if more than 4 lines)
(b) Short summary of history & facts, documents & briefs
(c) Recommendation

(a) Application of Debo Moving and Storage, Inc., a Pennsylvania Corporation, Baden, Beaver County, for the transfer of part of the operating authority of Trans American Trucking Service, Inc., under the certificate issued at A-00107793, F. 2, subject to the same limitations and conditions.

(b) The application is unopposed. The transferee seeks to acquire the household goods in use authority of the transferor. The applicant has the fitness necessary to render the proposed service. Approval of the application is necessary for the continued accommodation and convenience of the public.

(c) The Bureau of Transportation and Safety recommends the Commission adopt the proposed order approving the application; and modifying the certificate of the transferor by supplemental order.

10. MOTION BY: Commissioner Chm. Quain Commissioner Rolka - Yes
 Commissioner Brownell - Yes
 Commissioner
- SECONDED: Commissioner Bloom

EEF

CONTENT OF MOTION: Staff recommendation adopted.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held June 4, 1998

Commissioners Present:

John M. Quain, Chairman
Robert K. Bloom, Vice Chairman
David W. Rolka
Nora Mead Brownell

Application of Debo Moving and Storage, Inc., a corporation of the Commonwealth of Pennsylvania, for the transfer of part of the operating rights of Trans American Trucking Service, Inc., authorized under the certificate issued at A-00107793, F. 2, subject to the same limitations and conditions.

A-00106548
F. 1
Am-D

DOCKETED

John A. Pillar for the applicant.

JUN 15 1998

O R D E R

DOCUMENT
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BY THE COMMISSION:

This matter comes before the Commission on an application filed March 30, 1998. Public notice of the application was given in the Pennsylvania Bulletin of April 18, 1998. The unopposed application is certified to the Commission for its decision without oral hearing.

DISCUSSION AND FINDINGS

Debo Moving and Storage, Inc., is a currently certificated carrier of household goods in use domiciled in Baden, Beaver County. It holds several grants of authority permitting, inter alia, the transportation of household goods in use in the counties of Allegheny and Beaver. The transferor, Trans American Trucking Service, Inc., is transferring only its household goods in use authority and will retain its other authority to transport property between points in Pennsylvania, with the exception of household goods in use.

The household goods authority is being transferred for the total consideration of \$2,000.00. The applicant has provided a recent balance sheet and income statement establishing its financial capacity to provide expanded

service. As a currently certificated carrier there is a presumption of fitness.

The authority to transfer consists of two rights permitting the transportation of household goods, in use, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County; and from points in the said boroughs, to other points in Pennsylvania. Since Trans American Tucking Services, Inc., is retaining authority to transport property, except household goods in use, between points in Pennsylvania, no duplication of authority will result between the authority to transfer and the authority to be retained.

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

After complete review of the record, We Find:

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

IT IS ORDERED: That the transfer application be and is hereby approved and that the certificate issued April 11, 1986, as amended, be further amended to include the following rights:

To transport, as a Class B carrier, household goods, in use, between points in the boroughs of Sewickley, Haysville, Glen Osborne, Edgeworth and Leetsdale, Allegheny County.

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

subject to the following general conditions:

1. That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the applicant shall not be

construed as conferring more than one operating right.

2. That the approval hereby given is not to be understood as committing the Commission, in any proceeding that may be brought before it for any purpose, to fix a valuation on the property and/or rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by the applicant, or to approve or prescribe rates sufficient to yield a return thereon.
3. That the applicant record in its Utility Account 1321 - Franchises, the actual cost of such rights recorded by the original holder thereof.
4. That the utility accounts of the transferee shall reflect the same book values for all utility property acquired as shown in the records of the transferor at the effective date of the transfer, and previously recorded depreciation having been deleted therefrom.
5. That the applicant charge to Account 1341 - Other Intangible Property, any amount of the consideration paid for the rights and going concern value attributable thereto in excess of the amounts recorded under condition no. 2 and 3 above.
6. That the certificate holder shall not transfer, sell or in anyway convey any of its outstanding capital stock to any individual, partnership, corporation or any other entity, without the prior filing of an application and approval thereof by the Commission under Section (a)(3) of Title 66 PA C.S.

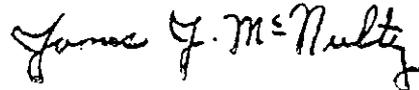
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted in this application until the following is submitted to the Commission:

1. A tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That upon compliance with this order, the first and second rights granted the transferor, Trans American Trucking Service, Inc., under the certificate issued at A-00107793, F. 2, as contained in our order adopted March 22, 1991, entered October 9, 1991, be and are hereby canceled and the record shall be marked closed.

BY THE COMMISSION



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: June 4, 1998

ORDER ENTERED: JUN 10 1998