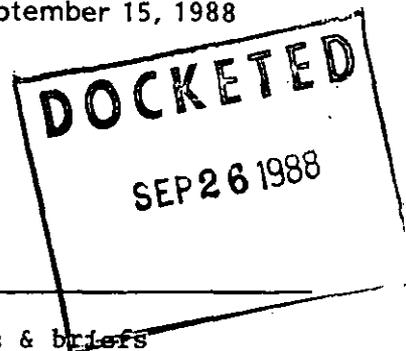


PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
August 30, 1988	:	SEP-88-T-963*
3. <u>BUREAU:</u>	:	
Transportation	:	
4. <u>SECTION</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	September 15, 1988
6. <u>APPROVED BY:</u>	:	
Director: Ernst 7-2154	:	
Supervisor: Bigelow/Marzolf 3-5945	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
Zeigler 3-5946	:	
9. <u>DOCKET NO.:</u>	:	
A-00107793	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		
(b) Short summary of history & facts, documents & briefs		
(c) Recommendation		

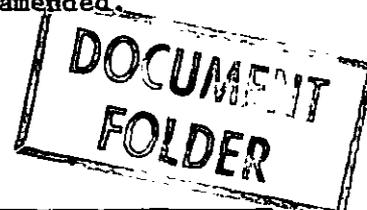


(a) Application of Trans American Trucking Service, Inc., a corporation of the State of New Jersey, South Plainfield, New Jersey, for the right to begin to transport, as a contract carrier, by motor vehicle, heavy machinery and equipment, together with materials, equipment and supplies used in the manufacture and distribution thereof for Voith-Hydro, Inc., between points in Pennsylvania.

(b) The application was opposed by Daily Express, Inc., which later withdrew predicated upon our acceptance of a restrictive amendment which limits service from the county of York, to points in Pennsylvania, and vice versa. The applicant has the necessary experience and equipment to render the proposed contract carrier service and has established its fitness to hold contract carrier authority. Approval of the application, as amended, is in the public interest.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the application, as amended.

TZ:rs



11. <u>MOTION BY:</u>	Commissioner Chm. Shane	Commissioner Taliaferro - Yes
		Commissioner Rhodes - Yes
<u>SECONDED:</u>	Commissioner Smith	Commissioner Fischl - Yes

CONTENT OF MOTION: Staff recommendation adopted.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

September 20, 1988

IN REPLY PLEASE
REFER TO OUR FILE

A-00107793

Edward J. Kiley, Esquire
1730 M Street, N.W.
Suite 501
Washington, DC 20036

DOCKETED
SEP 30 1988

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

Dear Sir

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

A Contract Carrier Permit evidencing the Commission's approval
of the right to operate will not be issued until the applicant has
complied with the following insurance and tariff requirements:

- I. Arrange through an insurance agent to have an insurance
company file with the Commission a Form E as evidence of
public liability and property damage insurance coverage as
shown on the back of this sheet.
- II. File a bilateral contract, if required by the order.
- III. Prepare and file a schedule of minimum rates and charges
according to the enclosed instructions.

**DOCUMENT
FOLDER**

Effective date: August 1, 1987

Minimum Limits for PA Public Utility Commission Authorized Service

Passenger Carriers:

15 passengers or less: \$35,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.

\$25,000 first party medical benefits, \$10,000 first party wage loss benefits and \$1,500 first party funeral benefits for all passengers and pedestrians.

\$10,000 first party medical benefits, \$5,000 first party wage loss benefits, and \$1,500 first party funeral benefits for drivers (PA registered vehicles only).

16 passengers or more: \$5,000,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.

Property Carriers:

Common or Contract: \$300,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.

\$10,000 first party medical benefits, \$5,000 first party wage loss benefits, and \$1,500 first party funeral benefits (PA registered vehicles only).

Common only: \$5,000 per accident per vehicle for loss or damage to cargo.

No motor carrier shall operate or engage in any transportation until compliance with all of the above requirements and a contract carrier permit has been issued authorizing actual operations. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Code.

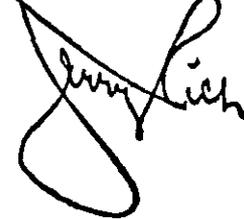
Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty days will cause the Commission to rescind the action of September 15, 1988 and dismiss the application without further proceedings.

If you foresee any problems in meeting these requirements, please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section
(717) 783-5933

Tariff Filings: Mr. Joseph Machulsky-Tariff Section
(717) 787-5521

Very truly yours,



Jerry Rich, Secretary

JZ
Enclosures
Certified Mail
Receipt Requested

CC:applicant
115 St. Nicholas Avenue
South Plainfield, NJ 07080

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

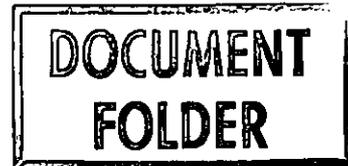
Application of Trans American Trucking Service, Inc., a corporation of the State of New Jersey, for the right to begin to transport, as a contract carrier by motor vehicle, heavy machinery and equipment together with materials, equipment and supplies used in the manufacture and distribution thereof for Voith Hydro, Inc., between points in Pennsylvania.

A-00107793

DOCKETED
SEP 3 01988

Edward J. Kiley for the applicant.
William A. Chesnutt for Daily Express, Inc.

O R D E R



BY THE COMMISSION:

This matter comes before the Commission on an application filed October 9, 1987. Public notice of the application was given in the Pennsylvania Bulletin of November 7, 1987. A protest filed by Daily Express, Inc., was later withdrawn predicated upon our acceptance of a restrictive amendment. The applicant has amended the proposed service to permit the transportation of heavy machinery and equipment together with materials, equipment and supplies used in their manufacture and distribution, for Voith-Hydro, Inc., from points in the county of York, to points in Pennsylvania, and vice versa. For the sake of clarity, we have modified the amended authority to read "between points in the county of York, and from points in York County to points in Pennsylvania, and vice versa".

The now unopposed application, as amended, is certified to the Commission for its decision without oral hearing. The record consists of a verified statement entered by Ronald M. McGraw, president of Trans American Trucking Service, Inc.

The applicant currently holds no operating authority from the Commission, but is authorized by the Interstate Commerce Commission to transport general commodities, with certain exceptions, between all points in the Continental United States. Much of the applicant's operations require the use of special equipment. The applicant maintains facilities at Pittsburgh and New Castle which would be used to provide service in Pennsylvania. The Pittsburgh facility is an office with dispatch and sales personnel. The New Castle facility also maintains dispatch and sales services. Most of the applicant's terminals are serviced by WATS lines and FAX equipment. The applicant currently operates a large fleet of leased and owned equipment comprised of straight trucks, tractors, and trailers, some of which are specialized for the transportation of heavy machinery and equipment. It is expected that from six to 10 units will be dedicated to providing service for the shipper.

Voith-Hydro, Inc., the shipper in this proceeding, is a leading manufacturer of hydro-electric turbine equipment. Nearly all of its products require specially designed trailer equipment for over-dimensioned loads that require permits for their transportation. The manufacturing facility at York supplies various construction sites with this equipment. Trans American will provide the company with flatbed, single-drop and low-boy trailers with shipments delivered directly to job sites.

As evidence of its financial capacity to initiate the proposed service, Trans American entered a balance sheet dated December 31, 1987, reporting total current assets of \$1,970,084, total assets of \$2,677,386, total current liabilities of \$860,755, and total liabilities of \$1,620,186.

In an application proceeding for initial contract carrier authority, it is our primary responsibility to determine that the applicant is fit, ready, willing and able to provide the service proposed. In this instance, we have an applicant with the appropriate specialized equipment needed by the shipper and by virtue of interstate service provided, has experience in the transportation of heavy equipment and machinery. We are satisfied that the applicant has the necessary equipment and personnel to provide specialized service to the shipper.

The applicant and shipper will be required to file a bilateral contract to further evidence their intention to enter into this contract carrier-shipper arrangement. The contract must meet the Commission's requirements as outlined at 52 Pa. Code §31.45. The contract must contain the language granted by the contract carrier permit, indicate a minimum number of shipments over a stated period of time and specify the length of time the contract will be in effect. Issuance of the permit is made contingent upon the applicant filing and our accepting the contract.

We find:

1. For the sake of clarity the amended authority to issue shall read between points in the county of York, and from points in York County to points in Pennsylvania.

2. The applicant has demonstrated that it stands ready, willing and able to provide service as a contract carrier.

3. The applicant has demonstrated its fitness to provide service as a contract carrier and in accordance with the provisions of 66 Pa. C.S. §2501, it is in the public interest to grant a contract carrier permit; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that a permit issue granting the following right:

To transport, as a contract carrier, by motor vehicle, 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.

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 the requirements of the Public Utility Code and the rules and regulations of the Commission relating to the filing of evidence of insurance, the filing and acceptance of a contract in accordance with 52 Pa. Code §31.45, and the filing and acceptance of a schedule of minimum rates and charges in accordance with 66 Pa. C.S. §2502, a permit shall issue evidencing the Commission's approval of the right to operate as above-determined.

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

BY THE COMMISSION,

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: September 15, 1988

ORDER ENTERED: SEP 20 1988

SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you with the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. Restricted Delivery
 ↑(Extra charge)↑

3. Article Addressed to: <i>A-00107793 Compliance Order</i>	4. Article Number <i>44545</i>
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
<i>Wm. A. Chesnut, Esq</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee <i>X</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent <i>X</i> <i>Allen E. Sadle</i>	
7. Date of Delivery <i>SEP 22 1988</i>	

PS Form 3811, Mar. 1987

* U.S.G.P.O. 1987-178-268

DOMESTIC RETURN RECEIPT

SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you with the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. Restricted Delivery
 ↑(Extra charge)↑

3. Article Addressed to: <i>A-107793 Compliance Order</i>	4. Article Number <i>44546</i>
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail
<i>Edward J. Kiley, Esq</i>	Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Addressee <i>X</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent <i>X</i> <i>Edward J. Kiley</i>	
7. Date of Delivery <i>9/23/88</i>	

PS Form 3811, Mar. 1987

* U.S.G.P.O. 1987-178-268

DOMESTIC RETURN RECEIPT