

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	September 1, 1989	2. <u>BUREAU AGENDA NO.</u>	SEP-89-T-1030*
3. <u>BUREAU:</u>	Transportation	5. <u>PUBLIC MEETING DATE:</u>	September 21, 1989
4. <u>SECTION</u>	Technical Review		
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-00107560, F. 1, Am-B		
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)	(b) Short summary of history & facts, documents & briefs		
	(c) Recommendation		

DOCUMENT FOLDER

(a) Application of Al's Leasing, Inc., a corporation of the Commonwealth of Pennsylvania, Canton, Bradford County, for amendment to its contract carrier permit: SO AS TO PERMIT the transportation of property (except in bulk) for Corning Glassworks, Inc., between points in Pennsylvania.

(b) The application was opposed by one carrier which later withdrew upon reconsideration. The applicant now provides contract carrier service in Pennsylvania for several shippers and desires to expand that service to include one new shipper. The applicant has demonstrated its fitness to properly render the proposed service as a contract carrier and that it stands ready, willing and able to meet the needs of the shipper. We find that approval of the application is in the public interest.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order granting the additional contract carrier authority.

TZ:rs

DOCKETED
OCT 25 1989

11. <u>MOTION BY:</u>	CommissionerChm. Shane	Commissioner Rhodés - Yes
		Commissioner Fischl - Yes
<u>SECONDED:</u>	CommissionerSmith	Commissioner

CONTENT OF MOTION: Staff recommendation adopted.



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

September 26, 1989

IN REPLY PLEASE
REFER TO OUR FILE
A-00107560
F.1,Am-B

William A. Gray, Esquire
2310 Grant Building
Pittsburgh, PA. 15219

Application of Al's Leasing, Inc.
a corporation of the Commonwealth of Pennsylvania

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

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

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

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of September 21, 1989 and dismiss the application without further proceedings.

Very truly yours,

Jerry Rich
Secretary

smk
Enclosure
Certified Mail
Receipt Requested
Tariff Contact Person: Joseph Machulsky (717) 787-5521

cc:applicant
Al's Leasing, Inc.
R.D.1
Canton, Pa. 17724

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held September 21, 1989

Commissioners Present:

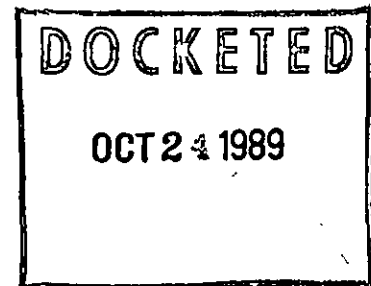
Bill Shane, Chairman
William H. Smith, Vice-Chairman
Joseph Rhodes, Jr.
Frank Fischl



Application of Al's Leasing, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its contract carrier permit, to transport, by motor vehicle, property (except in bulk) for Corning Glassworks, Inc., between points in Pennsylvania.

A-00107560
F. 1
Am-B

William A. Gray for the applicant.
Dwight C. Koerber, Jr. for McCormick Dray Line, Inc.



O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed May 5, 1989. Public notice of the application was given in the Pennsylvania Bulletin of May 27, 1989. A protest filed by McCormick Dray Line, Inc., was later withdrawn upon reconsideration. The now unopposed application is certified to the Commission for its decision without oral hearing. The record consists of a verified statement entered by Ellwood W. Snyder, president of Al's Leasing, Inc.

DISCUSSION AND FINDINGS

The applicant is a currently permitted contract carrier in Pennsylvania providing service for the Paper Magic Group, Inc. and for Shop-Vac Corp. and its wholly-owned subsidiary, Canton Manufacturing Corp. The applicant provides service between points in Pennsylvania for these shippers. By the instant application, it seeks to provide service for one additional shipper, Corning Glassworks, Inc.

Al's Leasing, Inc., operates from facilities in Canton, Bradford County, Pennsylvania and Elmyra Heights, New York. It currently owns 27 tractors and 105 trailers. All this equipment is in good working order and is subject to a preventative maintenance program and rigid safety program. The applicant is prepared to provide whatever service is required by the

supporting shipper. This includes scheduled pickup and delivery service as well as expedited pickup and delivery service when needed. The shipper in this proceeding is a major manufacturer of glass and glass products. The applicant will be requested to transport firebrick, lead, funnels, plates, glassware, boxes and fiberboard.

The applicant entered a balance sheet and income statement dated March 31, 1989, reporting assets of \$1,585,240 with total liabilities of \$350,421. The first three months of 1989 produced a net income of \$258,240 from income of \$678,190.

The applicant and shipper are required to file a bilateral contract in compliance with the Commission's requirements as outlined at 52 Pa. Code §31.45. The contract must contain the exact language as granted by the instant order, contain or refer to specific schedule of minimum rates and charges and contain a minimum amount of business to be tendered over the life of the contract. This contract must be submitted to the Commission for its approval prior to the applicant providing service.

After due consideration of the record, we find that:

1. The applicant has demonstrated that it stands ready, willing and able to provide the service proposed as a contract carrier and that it has the equipment and experience necessary to properly provide service to the shipper.

2. The applicant has demonstrated its fitness to provide the additional 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 the additional contract carrier authority; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved so that the permit issued January 7, 1988, as amended, be further amended to include the following right:

To transport, as a contract carrier by motor vehicle, property for Corning Glassworks, Inc., between points in Pennsylvania;

subject to the following condition:

That no right, power or privilege is granted to transport property in bulk.

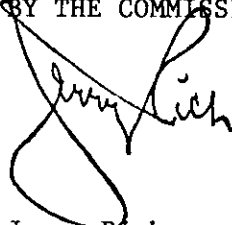
IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have filed a schedule of minimum

rates and charges in accordance with 66 Pa. C.S. §2502 and a contract in compliance with the Commission's requirements at 52 Pa. Code §31.45.

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,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over the printed name below.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: September 21, 1989

ORDER ENTERED: SEP 26 1989

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 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. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: <i>A-00107560, F.1, Am-B</i> <i>C.O.</i>		4. Article Number 44074	
<i>Dwight L. Koerber, Jr., Esq.</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 <input type="checkbox"/> Return Receipt for Merchandise	
		Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Address X		8. Addressee's Address (ONLY if requested and fee paid)	
6. Signature - Agent <i>S. Danich</i>			
7. Date of Delivery			

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 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 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. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: <i>A-00107560 F.1, Am-B</i> <i>C.O.</i>		4. Article Number 44075	
<i>William A. Gray, Esq.</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 <input type="checkbox"/> Return Receipt for Merchandise	
		Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Address X <i>[Signature]</i>		8. Addressee's Address (ONLY if requested and fee paid)	
6. Signature - Agent X			
7. Date of Delivery 28 SEP 1989			

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT