

1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
October 8, 1993	:	
3. <u>BUREAU:</u>	:	NOV-93-T-957*
Transportation	:	
4. <u>SECTION:</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Technical Review	:	
6. <u>APPROVED BY:</u>	:	November 10, 1993
<i>RE</i>	:	
Director: Ernst 7-2154	:	
Supervisor: Marzolf 3-5945	:	
7. <u>PERSON IN CHARGE:</u>	:	
White 7-4387	:	
8. <u>DOCKET NO.:</u>	:	
A-00108448, F. 1, Am-A	:	

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

(a) Application of Empire Wrecking Company of Reading, PA, a corporation of the Commonwealth of Pennsylvania, for amendment to its contract carrier permit, for the right to transport by motor vehicle, cranes, crane parts, concrete pumps and concrete pump parts, for Dickinson Crane & Concrete Pump Services, between points in Pennsylvania.

(b) The application is unopposed. The applicant has shown that it is fit, ready, willing and able to render the proposed service and that approval of the application is in the public interest.

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

RW:rs

10. MOTION BY:	Commissioner Chm. Rolka	Commissioner Quain - Yes
		Commissioner Crutchfield-Yes
SECONDED:	Commissioner Rhodes	Commissioner Hanger - Yes

LDA CONTENT OF MOTION: Staff recommendation adopted.

DOCUMENT DOCKETED
FOLDER
FEB 25 1994



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



November 23, 1993

IN REPLY PLEASE
REFER TO OUR FILE

A-00108448
F.1, Am-A

THOMAS P BROGAN ESQUIRE
MALATESTA HAWKE & MCKEON
PO BOX 1778
HARRISBURG PA 17105-1778

Application of Empire Wrecking Company of Reading, PA,
a corporation of the Commonwealth of Pennsylvania

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

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

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

Commission regulations require compliance with the above requirements
within sixty (60) days of the date of this letter. Failure to comply
within the sixty (60) day period will cause the Commission to rescind
the action of November 10, 1993 and dismiss the application without
further proceeding.

Very truly yours,

John G. Alford
John G. Alford, Secretary

DOC 11/23/93
FOLDER

smk
Encls.
Cert. Mail
Receipt Requested

Tariff Contact Person: Joseph Machulsky (717) 787-5521
EMPIRE WRECKING COMPANY OF READING PA
1420 CLARION STREET
READING PA 19601

INDEXED

DEC 09 1993

MODIFICATION

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held November 10, 1993

Commissioners Present:

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

DOCUMENT
FOLDER

Application of Empire Wrecking Company of Reading, PA, a corporation of the Commonwealth of Pennsylvania, for amendment to its contract carrier permit, for the right to transport by motor vehicle, cranes, crane parts, concrete pumps, and concrete pump parts, for Dickinson Crane & Concrete Pump Services, between points in Pennsylvania.

A-00108448
F. 1
Am-A

DISKITED
DEC 09 1993

Malatesta, Hawke & McKeon, by Thomas P. Brogan for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on May 7, 1993, and published in the Pennsylvania Bulletin of June 26, 1993. There are no protests and the record is now certified to the Commission for its decision without oral hearing. Verified statements were submitted by the applicant and the shipper. A copy of the contract between the applicant and the shipper has also been submitted.

Harry J. O'Neill, president of Empire Wrecking Company of Reading, PA, (applicant), has submitted a verified statement in which he sets forth, inter alia, that the applicant has its principal place of business located at 1420 Clarion Street, Reading, Berks County. It currently serves two other shippers in the capacity of a contract carrier, transporting property which, because of size or weight, requires the use of special equipment. The applicant is affiliated with Delaware Valley Contractors, Inc., a common carrier holding authority from this Commission at A-00110333. Both carriers are subsidiaries of O'Neill Financial, Inc., in which the applicant witness is a stockholder and president.

The Reading terminal is staffed with 22 full-time drivers and 15 office persons. In addition, it employs approximately 45 laborers, 10 heavy trucks and heavy equipment mechanics, and approximately 65 heavy equipment operators. The operating fleet consists of 11 tractors and 26 trailers. A comprehensive safety program is maintained.

The consolidated financial statement of O'Neill Financial, Inc., of which the applicant is a wholly-owned subsidiary, shows that as of October 31, 1992, it has current assets of \$5,185,177, total assets of \$8,281,158, with current liabilities of \$3,726,084 and total liabilities of \$6,015,370, leaving stockholders' equity of \$2,265,788.

Donald I. Dickinson, president of Dickinson Crane & Concrete Pump Services, states that in the company's business of renting cranes and concrete pumps, it has need for the applicant's proposed service at the rate of 200 to 300 truckloads per year. The company is currently meeting its transportation needs with its own equipment; however, there are times when it is necessary to seek outside help. The applicant can provide immediate service with the proper equipment.

The bilateral contract submitted with the application falls slightly short of complying with the provisions at 52 Pa. Code §31.45, in that it contains no reference to the area in Pennsylvania in which service is to be provided. The right to provide the proposed service is contingent upon our receipt of a revised bilateral contract.

We find:

1. That the applicant is fit, ready, willing and able to provide the proposed service.

2. That approval of the application is in the public interest;
THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that the permit issued to the applicant on October 30, 1991, be amended to include the following right:

To transport, as a contract carrier by motor vehicle, cranes, crane parts, concrete pumps and concrete pump parts, for Dickinson Crane & Concrete Pump Services, between points in Pennsylvania.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a revised bilateral contract and a schedule of minimum rates and charges.

IT IS FURTHER ORDERED: That in the event the applicant has not, on or before sixty (60) days of 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 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.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: November 10, 1993

ORDER ENTERED: NOV 23 1993