

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held May 11, 1989

Application Docket No. A-00084442, John D. Aiken.

SUPPLEMENTAL ORDER CANCELLING
CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

It appearing that all the rights granted to John D. Aiken, under the certificate of public convenience issued at A-00084442 have been transferred to A.R. Oliastro, Inc., a corporation of the Commonwealth of Pennsylvania, at A-00108557, and are now contained under the certificate of public convenience issued to it; and that the transferor holds no other 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 set forth in the order at A-00108557, all the operating rights and the certificate of public convenience at A-00084442 be and are hereby cancelled, and all rights, powers and privileges granted thereby shall forthwith cease and terminate.

IT IS FURTHER ORDERED: That a copy of this supplemental order at A-00084442 be forwarded to Mr. George R. Otto, Regional Audit Supervisor, Department of Revenue, 10th Floor, Strawberry Square, Harrisburg, Pennsylvania.

BY THE COMMISSION,

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: May 11, 1989

ORDER ENTERED:



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

June 8, 1989

A-00108557

IN REPLY PLEASE
REFER TO OUR FILE
R-16

Thomas W. Minett, Esquire
780 Longvue Drive
Ellwood City, PA 16117

A. R. Oliastro, Inc.

Dear Mr. Minett:

Under date of May 18, 1989, the Secretary's office transmitted to you the Commission's compliance order of May 11, 1989, evidencing approval of the above carrier's application at A-00108557, which is in effect a transfer of the rights formerly held by John D. Aiken at A-00084442. The letter transmitting the order directs attention to the requirement for the filing of a tariff.

Pa. Code, Title 52, Section 23.13(c) provides that in the case of change in ownership, etc., if feasible to do so, the tariffs of the former operator shall be adopted by the new operator, and no change in rates is permitted to cover the transfer of rights.

In this instance is it not possible to meet the tariff requirements by the adoption of the former tariff for the reason that the present tariff does not contain a rule to determine mileage.

It will be necessary, therefore, to file a new tariff which should be designated Freight Pa. P.U.C. No. 1. The tariff should name the same rates, rules and regulations as were filed by the former operator and may be issued to become effective on one day's notice under authority of Pa. Code, Title 52, Section 23.42.

Very truly yours,
Barry L. Ernst, Director
Bureau of Transportation

By: Joseph M. Machulsky, Chief
Financial Document Section

MHD:dmm

cc: A. R. Oliastro, Inc.
1690 Windover Avenue
P.O. Box 148
Ellwood City, PA 16117

Contact Person: G. L. Baker
(717) 783-5936

