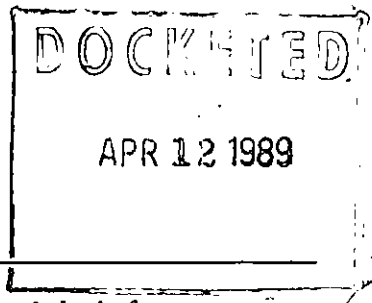


PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	February 23, 1989	2. <u>BUREAU AGENDA NO.</u>	MAR-89-T-265*
3. <u>BUREAU:</u>	Transportation		
4. <u>SECTION</u>	Technical Review	5. <u>PUBLIC MEETING DATE:</u>	March 30, 1989
6. <u>APPROVED BY:</u>			
	Director: Ernst 7-2154		
	Supervisor: Bigelow/Marzolf 3-5945		
7. <u>MONITOR:</u>			
8. <u>PERSON IN CHARGE:</u>	Hoshour 7-5513		
9. <u>DOCKET NO.:</u>	A-00108516		
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)			
(b) Short summary of history & facts, documents & briefs			
(c) Recommendation			



(a) Application of Sloane Moving and Storage Co., Inc., Elkins Park, Montgomery County, a corporation of the Commonwealth of Pennsylvania, for the transfer of all the operating rights of Patrick J. Stanton, t/d/b/a Sloane Moving and Storage Company under the certificate issued at A-00100631, F. 2, subject to the same limitations and conditions.

(b) The transferor operates as a sole proprietorship and is seeking by the instant application to transfer his authority to the corporation that he and his wife have formed. Total consideration for the transferor's four common carrier rights and other tangible assets have been set at \$1.00.

(c) The Bureau of Transportation recommends that the Commission adopt the proposed order approving the transfer application; and cancelling by supplemental order the certificate issued at A-00100631, F. 2.

WH:rs

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

CONTENT OF MOTION: Staff recommendation adopted.



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

April 7, 1989

IN REPLY PLEASE  
REFER TO OUR FILE

A-108516

Raymond A. Thistle, Jr., Esquire  
206 B Benson East  
100 Old York Road  
Jenkintown, PA 19046

Application of Sloane Moving and Storage Co. Inc., a corporation of the  
Commonwealth of Pennsylvania

To Whom It May Concern:

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

The Certificate of Public Convenience 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  
minimum public liability and property damage insurance  
coverage as shown on the back of this sheet.
- II. Prepare and file a tariff according to the enclosed instruc-  
tions except applicants for transfer of authority must file a  
tariff adoption supplement which will be forwarded by separate  
cover at a later date.

RECEIVED  
MAY 08 1989

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 to 28 passengers: \$1,000,000 combined single limit per accident per vehicle to cover liability because of bodily injury, death or property damage.
- 29 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 certificate of public convenience has been issued authorizing actual operations. You are advised that any equipment to be used in rendering the service authorized under the certificate must be registered with the Bureau of Motor Vehicles, Department of Transportation, as a bus or taxi. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Code.

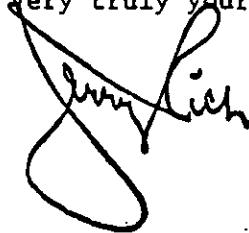
Commission regulations require compliance with all of the requirements within sixty days of the date of this letter. Failure to comply within the sixty days will cause the Commission to rescind the action of March 30, 1989 and dismiss the application without further proceedings.

If you foresee 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

lg

Enclosures

Certified Mail

Receipt Requested

cc:applicant

Sloane Moving & Storage Co. Inc.

855 Township Line Road

Elkins Park, PA 19117

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

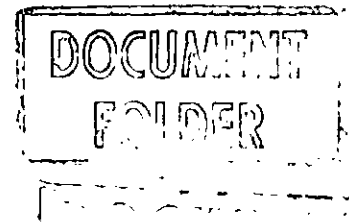
Public Meeting held March 30, 1989

Commissioners Present:

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

Application of Sloane Moving and Storage Co., Inc., a corporation of the Commonwealth of Pennsylvania, for the transfer of all of the operating rights of Patrick J. Stanton, t/d/b/a Sloane Moving and Storage Company under the certificate issued at A-00100631, F. 2, subject to the same limitations and conditions.

A-00108516



\_\_\_\_\_  
Raymond A. Thistle, Jr. for the applicant.

\_\_\_\_\_  
O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed January 9, 1989. Public notice of the application was given in the Pennsylvania Bulletin of February 18, 1989. No protests were filed. The unopposed application is certified to the Commission for its decision without an oral hearing.

Sloane Moving and Storage Co. Inc. (applicant), 855 Township Line Road, Elkins Park, Montgomery County, is a Pennsylvania corporation organized on August 22, 1988. Corporate officers of the applicant are Patrick J. Stanton, president and secretary; and Wendy Jo Stanton, treasurer and vice president. The officers of the applicant hold 1,000 shares as tenants by the entirety.

By the instant application, the applicant seeks to acquire from the transferor, Patrick J. Stanton, t/d/b/a Sloane Moving and Storage Company, the four common carrier rights issued to the transferor at A-00100631, F. 2. The transferor has made the business decision to incorporate and is transferring to the applicant all of his rights and equipment. Pursuant to the sales agreement dated January 4, 1989, the applicant is to receive all of the common carrier authority and nine motor vehicles for the total consideration of one dollar (\$1.00).

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing public need, which may be overcome only by evidence to the contrary. In re: Byerly, 440 Pa. 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.

We find:

1. The applicant is fit, willing and able to provide the service proposed.
2. The 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 a certificate be issued granting the following rights:

- (1) To transport, as a Class D carrier, household furniture in use between points in the city and county of Philadelphia, east of Broad Street and north of Erie Avenue and from points in the said area, to points in the counties of Philadelphia, Montgomery, Delaware and Bucks, and vice versa;
- (2) To transport, as a Class D carrier, property (excluding household goods in use and perishable fruit and produce) between points in the city and county of Philadelphia;
- (3) To transport, as a Class D carrier, household goods, aircraft and personal property in use, including furniture, furnishings, stock and fixtures, equipment and works of art of dwelling houses, stores, institutions and libraries, between points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the boundaries of Chester, West Chester, Norristown, Paoli, Doylestown and Morrisville, but not including said places;
- (4) To transport, as a Class D carrier, household goods, aircraft and other personal property in use, including furniture,

furnishings, stock and fixtures, equipment and works of art of dwelling houses, stores, institutions and libraries, from points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the boundaries of Chester, West Chester, Norristown, Paoli, Doylestown and Morrisville, but not including said places, to points in Pennsylvania within an airline distance of one hundred fifty (150) statute miles of the Philadelphia City Hall.

subject to the following conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and 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 applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$1.00, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above; and subject to further adjustment due to any normal interim transactions to the date of actual transfer.
4. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. Section 1102(a)(3).

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.

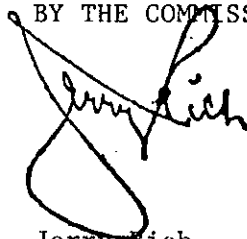
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1988 Annual Report of the transferor.

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 rights granted the transferor Patrick J. Stanton, Sloane Moving and Storage Company at A-00100631, F. 2 be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized, looped flourish.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: March 30, 1989

ORDER ENTERED: APR 7 1989



**SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in "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-108516 order Raymond A. Thistle, Jr. Esq</i>	4. Article Number <b>44565</b>
5. Signature - Address <i>X M. Schade</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
6. Signature - Agent <i>X</i>	Always obtain signature of addressee or agent and <b>DATE DELIVERED</b> .
7. Date of Delivery <i>4-10-89</i>	8. Addressee's Address (ONLY if requested and fee paid)

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

100 509A

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