

Law Offices

VUONO & GRAY, LLC

310 Grant Street, Suite 2310

Pittsburgh, PA 15219-2383

*John A. Vuono
William A. Gray
Mark T. Vuono*
Dennis J. Kusturiss
Louise Vuono Schrage
William H. Stewart, III
Erica G. Wilson*

**Also Admitted in Florida*

*Telephone
412-471-1800*

*Facsimile
412-471-4477*

www.vuonogray.com

*Email Address
wgray@vuonogray.com*

October 14, 2014

Re: Hindman & Isaacs Moving & Storage, Inc.
Docket No. A-2014-2435970

Ms. Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

MAILED WITH U.S. POSTAL SERVICE
CERTIFICATE OF MAILING FORM 3817

Dear Ms. Chiavetta:

We enclose for filing with the Commission the signed original of a protest to the above application.

Please acknowledge receipt and filing of the enclosed on the duplicate copy of this letter of transmittal and return it to the undersigned in the self-addressed stamped envelope provided.

Very truly yours,

VUONO & GRAY, LLC

William A. Gray

mm/143231

Enclosure

cc: Hindman & Isaacs Moving & Storage, Inc. (w/enc.)(By Certified Mail)
Weleski Transfer, Inc.

RECEIVED
2014 OCT 16 PM 11:29
PA.P.U.C.
SECRETARY'S BUREAU

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKET NO. A-2014-2435970

HINDMAN & ISAACS MOVING & STORAGE, INC.

PROTEST AND REQUEST
FOR ORAL HEARING

RECEIVED
2014 OCT 16 PM 11:29
PA.P.U.C.
SECRETARY'S BUREAU

The motor carrier shown on Appendix A hereof (herein called protestant) protests the above application and requests that the application be assigned for oral hearing and in support thereof respectfully represents as follows:

1. By this application, notice of which has been published in the Pennsylvania Bulletin, applicant seeks authority as set forth in Appendix A.
2. Protestant holds authority from this Commission at the docket number shown in Appendix A and the relevant authority is attached to the protest. Unless otherwise indicated in Appendix A, protestant will withdraw the protest only in the event an amendment is made which will totally eliminate the interest of the protestant.
3. Approval of this application is neither necessary nor proper for the service, accommodation, safety or convenience of the public since (a) protestant presently holds authority to provide service in the area affected by the application, (b) protestant and other existing carriers are providing adequate service to the public in the areas involved in the application, (c) there is no need for the service proposed by applicant and approval of the application will result in the diversion from existing carriers of revenue necessary to sustain their existing operations, (d) the applicant does not possess the technical and

financial ability to provide the proposed service and lacks a propensity to operate safely and legally, and (e) approval of the application will adversely affect protestant and other existing carriers which have a substantial investment in facilities and equipment and are willing and able to provide service in the application area.

4. Protestant requests that the application be set for oral hearing and that applicant be required to prove by competent evidence the elements of proof required by statute. If an oral hearing is held, protestant will appear and present evidence in opposition to the grant of the application unless the application is amended so as to eliminate its interest as set forth in this protest.

WHEREFORE, protestant requests that the granting of the application be withheld; the proceeding be assigned for oral hearing with leave to protestant to participate fully therein; and applicant be required to make available at the hearing competent witnesses for examination on all material and relevant facts bearing on the application.

Respectfully submitted,

WELESKI TRANSFER, INC.

By: _____

William A. Gray, Esq.
Attorney for Protestant

VUONO & GRAY, LLC
310 Grant Street, Suite 2310
Pittsburgh, PA 15219-2383
(412) 471-1800

Dated: October 14, 2014

/143230

Re: Hindman & Isaacs Moving & Storage, Inc.
Docket No. A-2014-2435970

APPENDIX A

SCOPE OF AUTHORITY SOUGHT:

By application published in the Pennsylvania Bulletin on September 27, 2014,
applicant seeks authority to operate as a common carrier, transporting:

Household goods in use, between points in Butler County.

INTEREST OF PROTESTANT:

Weleski Transfer, Inc., 140 West Fourth Avenue, Tarentum, PA 15084, (412-361-3125) holds authority at Docket No. A-00096502. A copy of the relevant authority of Weleski is attached hereto. Weleski can provide service in Butler County.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 96502

Application of WELESKI TRANSFER, INC., a corporation of the Commonwealth of Pennsylvania

REPORT AND ORDER
APPROVING TRUCKING SERVICE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of WELESKI TRANSFER, INC., a corporation of the Commonwealth of Pennsylvania, dated February 16, 1971, to operate motor vehicles as a common carrier, and having been duly presented in accordance with the rules of the Commission, and full investigation of the matters and things involved having been had, and it appearing that the rights granted herein are in effect a transfer of the rights which have been held by ANDY L. WELESKI (deceased) and ANTHONY L. WELESKI, copartners, trading and doing business as WELESKI TRANSFER, under report and order issued at A. 84519, Folder 1 on August 19, 1957 and the certificate of public convenience issued thereunder, as modified and amended, and under report and order issued at A. 84519, Folder 2 on August 19, 1957 and the certificate of public convenience issued thereunder, which certificates will be subsequently cancelled, as of the date of this order upon compliance with the tariff and insurance requirements of the Commission by WELESKI TRANSFER, INC., a corporation of the Commonwealth of Pennsylvania, the Commission finds and determines that approval of the application limited to the following rights:

1. To transport, as a Class B carrier, property between points in the borough of Tarentum, Allegheny County. (Formerly A. 84519, Folder 1)
2. To transport, as a Class D carrier, household goods and office furniture, in use, from points in the borough of Tarentum and within an airline distance of three (3) statute miles of the limits of said borough to points within an airline distance of forth (40) statute miles of point of origin, and vice versa. (Formerly A. 84519, Folder 1)
3. To transport, as a Class B carrier, property between points in the borough of New Kensington, Westmoreland County. (Formerly A. 84519, Folder 1)
4. To transport, as a Class B carrier, household goods and equipment, in use, between points in the borough of New Kensington, Westmoreland County, and within five (5) miles by the usually traveled highways of

5. To transport, as a Class D carrier, household goods and equipment, in use, from the borough of New Kensington, Westmoreland County, and within five (5) miles by the usually traveled highways of the limits of said borough to points in Pennsylvania, and vice versa. (Formerly A. 84519, Folder 1)
6. To transport, as a Class D carrier, electrical household equipment for the Keller Electric Company from Ochiltree Electric Company in the city of Pittsburgh, Allegheny County, to the borough of New Kensington, Westmoreland County. (Formerly A. 84519, Folder 1)
7. To transport, as a Class D carrier, property for Montgomery Ward & Company and M. Rom & Sons Company from points in the borough of New Kensington to points in a westerly, northerly and easterly direction within thirty (30) miles by the usually traveled highways of the limits of said borough and to points in a southerly direction within twelve (12) miles by the usually traveled highways of the limits of said borough and vice versa. (Formerly A. 84519, Folder 1)
8. To transport, as a Class D carrier, household goods and office furniture, in use, between points in the city of Pittsburgh, Allegheny County, and within thirty (30) miles by the usually traveled highways of the limits of said city. (Formerly A. 84519, Folder 1)
9. To transport, as a Class D carrier, household goods and office furniture, in use, between points in the county of Allegheny. (Formerly A. 84519, Folder 1)
10. To transport, as a Class D carrier, household goods and office furniture, in use, from points in the county of Allegheny to other points in Pennsylvania, and vice versa. (Formerly A. 84519, F.1)
11. To transport, as a Class D carrier, amiesite, stone, limestone, wire tools, sawed and planed lumber, coal, building materials and building construction materials, such as are usually transported in dump trucks, between points in the borough of Apollo, Armstrong County, and within twenty (20) miles by the usually traveled highways of the limits of said borough; provided that no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination. (Formerly A. 84519, Folder 1)

- /2. To transport, as a Class D carrier, mine machinery and supplies from the freight station in the borough of Apollo, Armstrong County, to mines within twenty (20) miles by the usually traveled highways of the limits of said borough. (Formerly A. 84519, Folder 2)
- /3. To transport, as a Class D carrier, household goods, in use, between points in the borough of Apollo, Armstrong County, and within five (5) miles by the usually traveled highways of the limits of said borough. (Formerly A. 84519, Folder 2)
- /4. To transport, as a Class D carrier, household goods in use, from points in the borough of Apollo, Armstrong County, and within five (5) miles by the usually traveled highways of the limits of said borough to points in Pennsylvania, and vice versa; (Formerly A. 84519, Folder 2)

and subject to the following conditions, is necessary or proper for the service, accommodation or convenience of the public:

FIRST: That the certificate holder is limited and restricted to the operation of the motor vehicles as named and described in the equipment certificate, to be subsequently issued.

SECOND: 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/or 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.

THIRD: That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof;

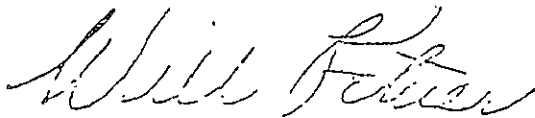
FOURTH: That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Revised General Order No. 29, effective July 1, 1939, or as may hereafter be revised, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the

NOW, to wit, May 17, 1971, IT IS ORDERED: That upon compliance with the requirements of the Public Utility Law relating to insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate of public convenience issue evidencing the Commission's approval of the right to operate as above determined.

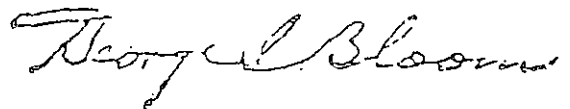
IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:



Secretary



Chairman

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held May 15, 1981

Commissioners Present:

Susan M. Shanahan, Chairman
Michael Johnson
James H. Cawley
Linda C. Taliaferro

Application of Welaski Transfer, Inc.,
a corporation of the Commonwealth of
Pennsylvania, for amendment to its
common carrier certificate: SO AS TO
PERMIT the transportation of household
goods, personal effects and property
used or to be used in a dwelling, when
a part of the equipment or supplies of
such dwelling, as an incidental part of
a removal by the householder from one
domicile to another; furniture, fixtures,
equipment and the property of stores,
offices, museums, institutions, labo-
ratories, hospitals or other establish-
ments, when a part of the stock, equip-
ment or supply of such stores, offices,
museums, institutions, laboratories,
hospitals or other establishments, in
connection with a removal from one
location to another; and articles, in
use, including objects of art, displays
and exhibits which, because of their
unusual nature or value require specialized
handling and equipment usually employed in
moving household goods, between points in
the County of Butler, and from points in
said County to points in Pennsylvania,
and vice versa.

A-00096502,
F.1, Am-C

O R D E R

BY THE COMMISSION:

We adopt as our action the Initial Decision of Administrative Law Judge
Matuschak dated January 12, 1981, and his Ruling on Exceptions dated March 26, 1981;
THEREFORE,

IT IS ORDERED:

1. That the application of Welaski Transfer, Inc., at Docket A-00096502,
F.1, Am-C, as amended, be and is hereby approved in part and denied in part, and that
the Certificate of Public Convenience issued to applicant on July 15, 1971, as amended
be further amended to include the following right:

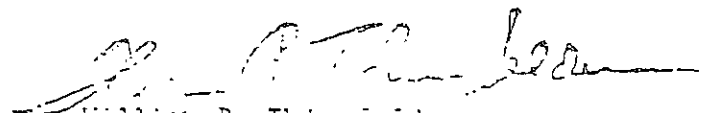
To transport, as a Class D carrier, by motor vehicle, household goods, personal effects and property used or to be used in a dwelling, when a part of the equipment or supplies of such dwelling, as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, laboratories, hospitals or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, laboratories, hospitals or other establishments, in connection with a removal from one location to another; and articles, in use, including objects of art, displays and exhibits which, because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods, from points in the County of Butler, to points in Pennsylvania, and vice versa;

PROVIDED, however, that no right, power or privilege is granted to provide any transportation from Monroe County to Butler County.

2. That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Public Utility Code and the rules and regulations of this Commission relating to the filing and acceptance of a tariff establishing just and reasonable rates.

3. That in the event said applicant has not, on or before sixty (60) days from the date of service of this Order, complied with the requirements hereinabove set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,


William P. Thierfelder
Secretary

(SEAL)

ORDER ADOPTED: May 15, 1981

ORDER ENTERED: MAY 9 1981

RECEIVED
2014 OCT 16 PM 11:30
PA.P.U.C.
SECRETARY'S BUREAU



UNITED STATES
POSTAL SERVICE

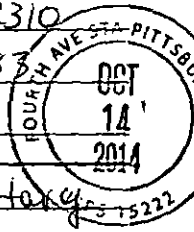
Certificate Of
Mailing

To pay fee, affix stamps or
meter marks here

This Certificate of Mailing provides evidence that mail has been presented to USPS® for
This form may be used for domestic and international mail.

From: Vuono & Gray, LLC
310 Grant Street, Suite 2310
Pittsburgh PA 15219-2383
Re:

To: Rosemary Chicavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265



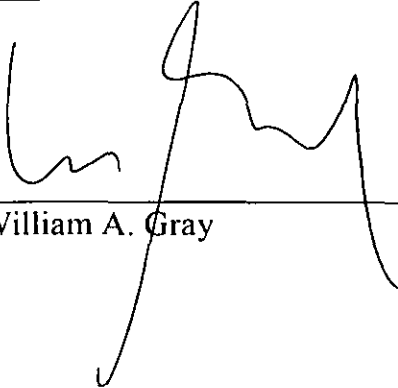
neopost
10/14/2014
US POSTAGE

ZIP 15219
04111242930

\$01.30

CERTIFICATE OF SERVICE

I hereby certify that I have this 14th day of October, 2014, served a copy of the above protest and request an oral hearing upon applicant or upon applicant's attorney or representative as shown in the Pennsylvania Bulletin notice.



William A. Gray

RECEIVED

2014 OCT 16 PM 11:29

PA.P.U.C.
SECRETARY'S BUREAU

neopost[®]

10/14/2014

US POSTAGE

FIRST-CLASS MAIL

\$01.61⁰



ZIP 15219
041L11242930

Law Offices

VUONO & GRAY, LLC

310 Grant Street, Suite 2310

Pittsburgh, PA 15219-2383

TO:

Ms. Rosemary Chiavetta

Secretary

Pennsylvania Public Utility Commission

P. O. Box 3265

Harrisburg, PA 17105-3265