

1. <u>REPORT DATE:</u>	November 19, 1991	:	2. <u>BUREAU AGENDA NO.</u>
3. <u>BUREAU:</u>	Transportation	:	DEC-91-T-1101*
4. <u>SECTION</u>	Technical Review	:	5. <u>PUBLIC MEETING DATE:</u>
6. <u>APPROVED BY:</u>		:	December 12, 1991
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-00109874	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)			
(b) Short summary of history & facts, documents & briefs			
(c) Recommendation			

(a) Application of Jet Messenger Service, Inc., a corporation of the State of New Jersey, Edison, New Jersey, for the right to begin to transport, as a contract carrier by motor vehicle, property for Hilti, Inc., between points in the city and county of Philadelphia and within an airline distance of thirty (30) statute miles of the limits thereof.

(b) The application is unopposed. The applicant has the fitness to provide service as a contract carrier and has provided evidence that it stands ready, willing and able to meet the needs of the shipper. The applicant has the support of the shipper and has entered a bilateral contract which meets the Commission's requirements. 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 for contract carrier authority.

TZ:rs

11. MOTION BY:	Commissioner Chm. Smith	Commissioner Holland - Yes
SECONDED:	Commissioner Rhodes	Commissioner Rolka - Yes
		Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

DOCUMENT  
FOLDER

DOCKETED

FEB 4 1992



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

December 16, 1991

KJR

IN REPLY PLEASE  
REFER TO OUR FILE

A-00109874

JAMES D CAMPBELL JR ESQUIRE  
3631 NORTH FRONT STREET  
HARRISBURG PA 17110

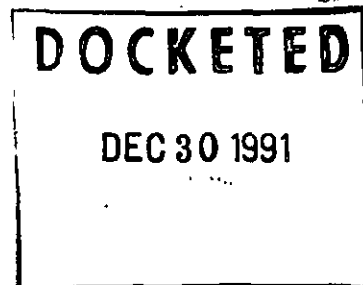
Application of Jet Messenger Service, Inc.,  
a corporation of the State of New Jersey

---

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

A Contract Carrier Permit 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 public liability and property damage insurance coverage as shown on the back of this sheet.
- II. File a bilateral contract, if required by the order.
- III. Prepare and file a schedule of minimum rates and charges according to the enclosed instructions.



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 contract carrier permit has been issued authorizing actual operations. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Code.

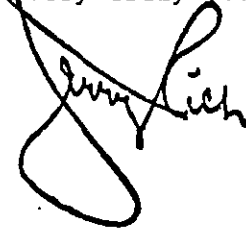
Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty days will cause the Commission to rescind the action of December 12, 1991 and dismiss the application without further proceedings.

If you foresee any 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,

A handwritten signature in cursive script, appearing to read "Jerry Rich". The signature is written in black ink and is positioned below the typed name.

Jerry Rich, Secretary

smk  
Enclosures  
Certified Mail  
Receipt Requested

JET MESSENGER SERVICE INC  
54 ETHEL ROAD  
EDISON NJ 08817

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265



Public Meeting held December 12, 1991

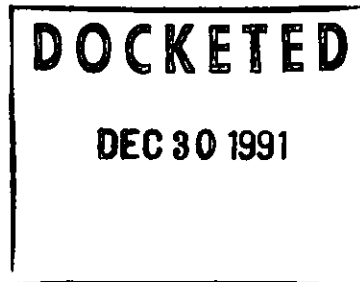
Commissioners Present:

William H. Smith, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
Wendell F. Holland, Commissioner  
David W. Rolka, Commissioner

Application of Jet Messenger Service, Inc., a corporation of the State of New Jersey, for the right to begin to transport, as a contract carrier by motor vehicle, property for Hilti, Inc., between points in the city and county of Philadelphia and within an airline distance of thirty (30) statute miles of the limits thereof.

A-00109874

\_\_\_\_\_  
James D. Campbell, Jr. for the applicant.



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

BY THE COMMISSION:

This matter comes before the Commission on an application filed July 29, 1991. Public notice of the application was given in the Pennsylvania Bulletin of August 17, 1991. The unopposed application is certified to the Commission for its decision without oral hearing. The record consists of a verified statement entered by Lawrence J. Day, vice president of Jet Messenger Service, Inc.

DISCUSSION AND FINDINGS

The applicant corporation is a New Jersey corporation with its principal office at 54 Ethel Road, Edison, New Jersey. It has qualified to do business in Pennsylvania by filing an application for a certificate of authority with the Pennsylvania Department of State on July 26, 1991. The applicant is currently authorized by the Interstate Commerce Commission to provide interstate service.

The applicant operates 40 vehicles which are suitable for the provision of the subject service. This equipment includes vans and straight trucks. Fifteen of the applicant's vehicles are owned and 25 are operated

under long-term leases. If further equipment is required, the applicant has stated it is in a position to acquire it. All equipment is routinely maintained and is subject to a comprehensive safety program.

The applicant is prepared to offer the shipper individualized transportation between various points in the city and county of Philadelphia and points within 30 miles of the city limits. It will provide expedited delivery. Due to service provided interstate, it is very familiar with the shipper's requirements.

As evidence of its financial capacity to initiate contract carrier service, the applicant entered a financial report dated June 30, 1991 setting forth total assets of \$690,367 with total liabilities of \$388,666. For the six-month period January 1, 1991 through June 30, 1991, operating revenue of \$1,115,207 provided a net income of \$6,886.

The supporting shipper, Hilti, Inc., ships and receives such items as tools, fasteners, shop equipment, and those materials, equipment and supplies used in the manufacture and distribution of tools, fasteners and other related items.

Submitted with the applicant's verified statement is a bilateral contract between Jet Messenger Service, Inc., and Hilti, Inc. The contract meets the Commission's requirements as outlined at 52 Pa. Code §31.45 and is acceptable for filing.

In a contract carrier proceeding for initial authority, it is our responsibility to determine that the applicant is fit and that the applicant stands ready, willing and able to properly render the proposed service. The applicant in this proceeding has experience in the transportation industry by virtue of the service it renders on an interstate basis and has stated it is prepared to meet the needs of the supporting shipper with individualized service. The shipper has entered into a bilateral contract with the carrier which is further evidence of the intentions of the parties to engage in this contract carrier-shipper arrangement.

We find:

1. The applicant has demonstrated that it stands ready, willing and able to provide service as a contract carrier to meet the needs of the single shipper.

2. The applicant has demonstrated its fitness to provide 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 contract carrier application; THEREFORE,

IT IS ORDERED: That the unopposed application for a contract carrier permit be and is hereby approved granting the following right:

To transport, as a contract carrier by motor vehicle, property for Hilti, Inc., between points in the city

and county of Philadelphia and within an airline distance of thirty (30) statute miles of the limits thereof.


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 Public Utility Code and the rules and regulations of the Commission relating to the filing of evidence of insurance and the filing of a schedule of minimum rates and charges in accordance with 66 Pa. C.S. §2502.

IT IS FURTHER ORDERED: That upon compliance with the requirements hereinbefore set forth, a permit shall issue evidencing the Commission's approval of the right to operate as above-determined.

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 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,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: December 12, 1991

ORDER ENTERED: DEC 16 1991