



PILLAR AND MULROY, P.C.

ATTORNEYS-AT-LAW

SUITE 700

312 BOULEVARD OF THE ALLIES

PITTSBURGH, PA 15222

TELEPHONE (412) 471-3300

FAX: (412) 471-6068

RECEIVED

APR 23 1990

SECRETARY'S OFFICE
Public Utility Commission

JOHN A. PILLAR
THOMAS M. MULROY
ANTHONY A. SEETHALER, JR.

April 18, 1990

Re: Joseph E. Marecic, t/d/b/a
Marecic Trucking
Docket No. A-00109237

Hon. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

FILE

Dear Mr. Rich:

Enclosed is a protest filed on behalf of the following
to the above-captioned application:

WAYNE W. SELL CORPORATION

A copy of this protest has been served on applicant's
representative named below in accordance with the Commission's
Rules of Practice.

Very truly yours,

John A. Pillar
JOHN A. PILLAR

SW
Enclosure
cc: Robert R. Watson, Esq.

DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Before the



RECEIVED

APR 23 1990

SECRETARY'S OFFICE
Public Utility Commission

In re: APPLICATION OF
JOSEPH E. MARECIC,
t/d/b/a
MARECIC TRUCKING

)
) Docket No. A-00109237
)
)

PROTEST

FILE

In accordance with the Rules of Practice of the Pennsylvania Public Utility Commission, the carrier(s) named herein desire(s) to protest the above application and, in support thereof, state(s) as follows:

1. The name and address of the protestant(s) are set forth in Appendix "A" hereto.

2. The name, address and telephone number of protestant(s)' attorney:

PILLAR AND MULROY, P.C.
Suite 700
312 Boulevard of the Allies
Pittsburgh, PA 15222
(412) 471-3300

DOCKETED
APPLICATION DOCKET
APR 24 1990
ENTRY No. 112

3. Protestant(s) hold(s) authority in conflict with this application as summarized in Appendix "A" attached hereto. A true and correct copy of the pertinent portions of authority held by protestant(s), or a summary thereof, is attached hereto as Appendix "B".

4. Protestant(s) is/are presently providing service in the application area and/or is/are willing and able to provide such

**DOCUMENT
FOLDER**

service. To the extent of protestant(s) authority, there is no need or demand for additional service and the proposed service is not necessary or proper for the service, accommodation, convenience or safety of the public. Diversion of traffic and loss of revenues in connection with the transportation proposed by applicant will be so seriously detrimental to protestant(s) so as to have a substantial adverse impact upon the public.

5. Protestant(s) hereby request(s) that the application be set for oral hearing. If an oral hearing is held, protestant(s) represent(s) that it/they will appear and present evidence pertinent to the application.

6. Pursuant to Section 333(c) of the Public Utility Code (66 Pa. C.S.A. Sec. 333(c)), protestant(s) hereby request(s) a list of the witnesses expected to testify in the above entitled proceeding, together with the subject matter of their anticipated testimony and, in particular, any complaints or any evidence pertaining to the service of the protestant(s).

7. If a restrictive amendment will satisfy the interest(s) of protestant(s), a proposed amendment is attached hereto as Appendix "C".

Respectfully submitted,

PILLAR AND MULROY, P.C.

By: John A. Pillar
JOHN A. PILLAR
Attorney for Protestant(s)

Due Date: April 30, 1990

APPENDIX "A"

Re: JOSEPH E. MARECIC, t/d/b/a
MARECIC TRUCKING
Docket A-00109237

The foregoing protest to the above application is filed on behalf of:

WAYNE W. SELL CORPORATION
236 Winfield Road
Sarver, PA 16055

Wayne W. Sell Corporation holds authority from this Commission at Docket No. A.93415. As pertinent hereto, Sell is authorized to transport brick, clay products, tile, cement, lime, lumber, stone, laths and concrete blocks from points within 100 miles of the Borough of Wilkinsburg, Allegheny County, to points in the Borough of Wilkinsburg and within 50 miles of said borough. Sell holds other authority which may be in conflict with that sought herein, as more fully set forth on Appendix B.

WAYNE W. SELL CORPORATION

SCOPE OF CARRIER'S OPERATING AUTHORITY

The provisions published herein, or as amended, are limited in their application to Pennsylvania Intrastate Commerce to the extent of the operating rights set forth below.

CERTIFICATE NO. 93415

Folder 1

1. To transport, as a Class D carrier, coal or coke for domestic consumption, between points in the County of Allegheny, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination.
2. To transport, as a Class D carrier, coal from mines or stripping operations in the County of Allegheny to railroad sidings, coke ovens, docks or stockpiles in the said county, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.
3. To transport, as a Class D carrier, building materials, in bulk in dump trucks, between points in the County of Allegheny, provided that no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.
4. To transport, as a Class D carrier, property moving under bills of lading, waybills and tariffs of The Pennsylvania Railroad Company within the collection and delivery area designated in said company's collection and delivery tariffs for the station of the said company in the Borough of Tarentum, Allegheny County.
5. To transport, as a Class D carrier, sand, gravel, soil, limestone, coal, clay in bulk, stone, sod, cinders, broken glass, broken concrete, broken tile and used brick, in bulk in dump trucks, between points in the Counties of Armstrong, Clarion, Indiana, Westmoreland, Allegheny and Butler, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.
6. To transport, as a Class D carrier, sand, gravel, lime, soil, limestone, coal, clay in bulk, stone, sod, cinders, broken glass, broken tile and used brick, in bulk, between points in the Counties of Armstrong, Clarion, Indiana, Westmoreland, Allegheny and Butler and within fifty (50) miles of the limits thereof.

With right No. 6 above, to be subject to the following conditions:

That no right, power or privilege is granted to transport coal, sand, gravel, crushed stone and limestone to, from or between points in the County of Allegheny, except as authorized in paragraphs (1) through (5) above.

That no right, power or privilege is granted to transport coal, sand, gravel, crushed stone and limestone to, from or between points in the County of Washington.

That no right, power or privilege is granted to render any service to, from or between points in the County of Butler, except as authorized in paragraphs (1) through (5) above.

(Continued on next page)

For explanation of abbreviations, reference marks and symbols not explained on page, refer to Rule 120 of tariff.

ISSUED: JULY 13, 1984

EFFECTIVE: AUGUST 13, 1984

ISSUED BY: JAMES BEECHEY, VICE PRESIDENT, 236 WINFIELD ROAD, SARVER, PA 16055

Human environmental qualities not effected by provisions published herein. MCS

WAYNE W. SELL CORPORATION

SCOPE OF CARRIER'S OPERATING AUTHORITY

CERTIFICAT NO. 93415

Folder 1 (Continued)

That no right, power or privilege is granted to render any service to, from or between points in the Counties of Beaver, Lawrence and Mercer.

That no right power or privilege is granted to render any service to or from the plants of The Freeport Brick Company in the Borough of Freeport, Armstrong County, Kittanning Brick Company in the Village of Reesedale, Armstrong County, Haws Refractories Company in the Village of Bridgeburg, Armstrong County, Howe Sound Company in the Township of Rayburn, Armstrong County, and Allegheny Brick Company in the Township of East Deer, Allegheny County, except as hereinabove authorized.

7. To transport, as a Class D carrier, property from the plant of Mitchell and Westerman Manufacturing Contractors in the Township of Jefferson, Butler County, to points in Pennsylvania, and vice versa.

Subject to the following condition:

That no right, power or privilege is granted to transport lime and lime products, limestone and limestone products, concrete mix, mortar mix, sand mix and masonry cement, from the Warner Company in the Townships of Charlestown, East Whiteland, and Tredyffrin, Chester County, to the plant of Mitchell and Westerman Manufacturing Contractors in the Township of Jefferson, Butler County.

8. To transport, as a Class D carrier, brick, clay products, tile, cement, lime, lumber, stone, laths and concrete blocks from points within one hundred (100) miles of the Borough of Wilkinsburg, Allegheny County, to points in the Borough of Wilkinsburg and within fifty (50) miles by the usually traveled highways of the limits of said borough.
9. To transport, as a Class D carrier, brick, clay products, tile, stone, cement, lime, lumber, laths and concrete blocks, between points in the Borough of Wilkinsburg, Allegheny County, and within fifty (50) miles by the usually traveled highways of the limits of said borough.
10. To transport, as a Class D carrier, equipment and building materials in bulk in dump trucks, between points in the County of Allegheny.
11. To transport, as a Class D carrier, brick tile and other clay products from points in the County of McKean to points in the Borough of Wilkinsburg, Allegheny County, and within fifty (50) miles by the usually traveled highways of the limits of said borough.
12. To transport, as a Class D carrier, brick in truckload lots from the plant of Alwine Brick Company in Oxford Township, Adams County, to job and construction sites in the Borough of Wilkinsburg, Allegheny County, and within fifty (50) miles by the usually traveled highways of the limits of said borough.

(Continued on next page)

For explanation of abbreviations, reference marks and symbols not explained on page, refer to Rule 120 of tariff.

ISSUED: JULY 13, 1984

EFFECTIVE: AUGUST 13, 1984

ISSUED BY: JAMES BEECHEY, VICE PRESIDENT, 236 WINFIELD ROAD, SARVER, PA 16055

Human environmental qualities not effected by provisions published herein. MCS

WAYNE W. SELL CORPORATION

CERTIFICATE NO. 93415

Folder 1 (Continued)

With the rights at 8, 9, 10, 11 and 12 above to be subject to the following conditions:

That no right, power or privilege is granted to transport household goods or office furnishings, in use.

That no right, power or privilege is granted to pick up or deliver any property except contractors' supplies and building materials on the William Penn Highway east of the Allegheny County line.

Folder 1 Am-E

To transport, as a Class D carrier, fresh and processed meats, in temperature controlled vehicles, for Jiffy Foods Corporation, from the facilities of said company located in the Borough of North East, Erie County, to points in Pennsylvania, and the return of refused, rejected or damaged shipments to the point of origin.

Folder 1 Am-F

To transport, as a Class D carrier, dry salt, in bulk in tank vehicles, from the facilities of Standard Terminals, Inc., in the cities of New Kensington and Arnold, Westmoreland County, to points in Pennsylvania lying on and west of the eastern boundaries of the Counties of McKean, Cameron, Clearfield, Blair and Bedford, and the return of refused, rejected or damaged shipments to the point of origin.

Folder 1 Am-G

To transport, as a Class D carrier, salt, in tank vehicles, from the facilities of Morton Salt Company in the Borough of West Elizabeth, Allegheny County, to points in Pennsylvania.

Folder 1 Am-H

To transport, as a Class D carrier, calcilox (dry processed slag), in tank vehicles, between points in the Township of Neville, Allegheny County, and from points in said township to points in Pennsylvania.

Folder 1 Am-I

To transport, as a Class D carrier, salt and salt products for Cargill, Inc., from the cities of Arnold, New Kensington and Lower Burrell, Westmoreland County, to points in Pennsylvania.

Subject to the following conditions:

That no right, power or privilege is granted to transport rock salt and/or calcium chloride, for de-icing purposes, in bulk, to points in Pennsylvania on and east of U. S. Highway route 15.

For explanation of abbreviations, reference marks and symbols not explained on page, refer to Rule 120 of tariff.

ISSUED: JULY 13, 1984

EFFECTIVE: AUGUST 13, 1984

ISSUED BY: JAMES BEECHEY, VICE PRESIDENT, 236 WINFIELD ROAD, SARVER, PA 16055

Human environmental qualities not effected by provisions published herein. MCS

WAYNE W. SELL CORPORATION

SCOPE OF CARRIER'S OPERATING AUTHORITY

Folder I Am-J

To transport, as a Class D carrier, coal between points in Butler and Allegheny Counties and from points in said Counties to points in Pennsylvania within a radius of 50 miles of the limits of said Counties and vice versa, for Bethlehem Mines Co., United Coal and Commodities Co., American International Co., Sechan Coal Co., Energy Engineering Co., Kitt Coal Co., and Clinton Fuel and Transport, Inc.

Subject to the following condition:

That no right, power or privilege is hereby granted to transport coal or coke from the facilities of Carpentertown Coal and Coke Company at or near Templeton, Armstrong County, except as presently authorized.

Folder I Am-K

To transport, as a Class D carrier, property in bulk in dump vehicles, and which is unloaded by dumping, between points within fifty (50) miles of the limits of the Borough of Homestead, Allegheny County, and from points in said territory to points in Pennsylvania, and vice versa.

Subject to the following conditions:

That no right, power or privilege is granted to transport steel in sheets, bars, coils, plates and rods to or from points within thirty-five (35) miles of the City of Philadelphia.

That no right, power or privilege is granted to transport sand in bulk from the Pennsylvania Glass Sand Corporation in the Boroughs of Mapleton, Huntingdon County, and McVeytown, Mifflin County.

That in the rendition of the service herein authorized the container to be used and employed in the transportation of bulk commodities shall be the vehicle itself and not a separate container.

Folder F-1 Am-N

To transport, as a Class D carrier, property, in bulk, in dump vehicles, for Buffalo Builders, Inc., between points in Pennsylvania.

Folder F-1 Am-O @ *

To transport, as a Class D carrier, property for Armstrong Cement and Supply Corporation from its facilities located in the township of Winfield, Butler County, to points in Pennsylvania, and vice versa.

* Issued under authority PA Title 52, Section 23-42

For explanation of abbreviations, reference marks and symbols not explained on page, refer to Rule 120 of tariff.

ISSUED: OCTOBER 2, 1985

EFFECTIVE: INTERSTATE - OCTOBER 3, 1985
INTRASTATE - OCTOBER 8, 1985 *

ISSUED BY: JAMES BEECHEY, VICE PRESIDENT, 236 WINFIELD ROAD, SARVER, PA 16055

Human environmental qualities not effected by provisions published herein. MCS

WAYNE W. SELL CORPORATION

Docket A-00093415, F.1, Am-P

To transport, as a Class D carrier, property, from the facilities of Pittsburgh Intermodal Terminals, Inc., located in the borough of Ambridge, Beaver County, to points in Pennsylvania, and vice versa;

To transport, as a Class D carrier, property, from the facilities of Freeport Terminals, Inc. located in the borough of Freeport, Armstrong County, to points in Pennsylvania, and vice versa;

with both rights subject to the following condition:

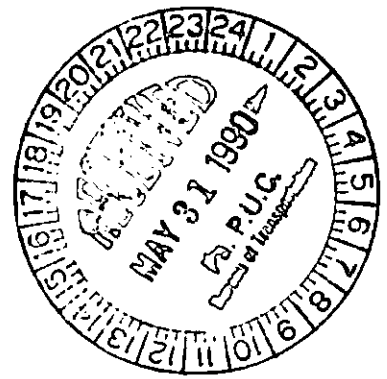
That no right, power or privilege is granted to transport petroleum and petroleum products, in bulk, in tank-type vehicles.

APPENDIX "C"

Re: JOSEPH E. MARECIC, t/d/b/a
MARECIC TRUCKING
Docket A-00109237

Protestant would consider withdrawing its opposition to this application if the application were amended to exclude the transportation of cement.

PILLAR AND MULROY, P.C.
ATTORNEYS-AT-LAW
SUITE 700
312 BOULEVARD OF THE ALLIES
PITTSBURGH, PA 15222
TELEPHONE (412) 471-3300
FAX: (412) 471-6068



JOHN A. PILLAR
THOMAS M. MULROY
ANTHONY A. SEETHALER, JR.

May 29, 1990

RECEIVED

MAY 31 1990

SECRETARY'S OFFICE
Public Utility Commission

Re: Joseph E. Marecic, t/d/b/a
Marecic Trucking
Docket No. A-~~05~~109237

FILE

Hon. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

FILE

Dear Mr. Rich:

We are in receipt of a letter dated May 24, 1990, from Robert R. Watson to you regarding the above docketed proceeding. Counsel for the applicant has requested that the application be republished so that the destination territory will be slightly enlarged. We represent Wayne W. Sell Corporation, a protestant. Our client has no objection to republication and enlargement of the application area.

We understand that a restrictive amendment will also be imposed that will preclude the transportation of cement from the facilities of Armstrong Cement & Supply Corporation located in the Township of Winfield, Butler County. If the application is so amended, it will satisfy the interests of Wayne W. Sell Corporation.

Very truly yours,

John A. Pillar
JOHN A. PILLAR

SW
cc: Robert R. Watson, Esq.
Wayne W. Sell Corporation

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DOCKETED
APPLICATION DOCKET
AUG 10 1990
ENTRY No. _____

ROBERT R. WATSON

ORIGINAL

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MAY 30 1990

Office of A. L. J.
Public Utility Commission

682 THIRD STREET
BEAVER, PA 15009
412-773-2900

RECEIVED

MAY 29 1990



Hon. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

SECRETARYS OFFICE
Public Utility Commission

RE: **AMENDMENTS TO APPLICATION OF JOSEPH E. MARECIC,
t/d/b/a MARECIC TRUCKING**
DOCKET No.: **A-00109237**

Dear Mr. Rich:

As a result of a Protest filed by WAYNE W. SELL CORPORATION on or about April 20, 1990 to the above-referenced application, subsequent conversations with the Attorney for the Protestant, JOHN A. PILLAR, and subsequent developments and changes in the applicant's business, we are submitting the language below as a proposed Restrictive and Enlargement Amendments to the original application of JOSEPH E. MARECIC t/d/b/a MARECIC TRUCKING, and would respectfully request that the same be re-published in the PENNSYLVANIA BULLETIN in accordance with applicable regulations:

A-00109237 JOSEPH E. MARECIC, t/d/b/a MARECIC TRUCKING (345 Colonial Street, P.O. Box 105, Fallston, Beaver County, PA 15066) - contract carrier - sand, gravel, cement, stone, slag, dirt, and limestone, for Big Foot Metered Concrete, from points in the counties of Allegheny, Beaver, Butler, Greene, Lawrence, Mercer, Washington, Westmoreland, Fayette and Armstrong, to points in the borough of Fallston, Beaver County, and to destinations within a twenty-five (25) mile radius of said borough, with the right to return refused, rejected or damaged shipments to the point of origin; PROVIDED THAT, no right, power, or privilege is granted to transport cement from the facilities of Armstrong Cement and Supply Corporation located in the Township of Winfield, Butler County, Pennsylvania. Attorney: Robert R. Watson, 682 Third Street, Beaver, PA 15009.

It is my understanding that once the restrictive amendatory

(Cranberry) 412-772-2755

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JUN 6 1990

(Fax) 412-773-2909

LETTER TO HONORABLE JERRY RICH RE: MARECIC TRUCKING
PAGE TWO OF TWO
MAY 24, 1990

language is added to the application, the Protest of WAYNE W. SELL CORPORATION will be withdrawn.

Thank-you for your continued cooperation in this licensing matter. I would also like to extend my thanks for the assistance one of your employees, Frances Walkinshaw, has extended to this office during this process. Her assistance has been beneficial in expediting the application procedure.

If there are any questions or problems, please contact the undersigned at (412) 773-2900.

Very truly yours,



Robert R. Watson

RRW:tlm
cc: John A. Pillar, Esquire
Joseph E. Marecic

ROBERT R. WATSON
ATTORNEY AT LAW
682 THIRD STREET
BEAVER, PA 15009
(412) 773-2900
FAX 773-2909

DATE: July 16, 1990

SUBJECT: A-00109237

TO: Bureau of Transportation

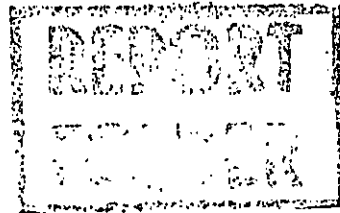
JUL 24 1990

FROM: Jerry Rich, Secretary

Joseph E. Marecic t/d/b/a Marecic Trucking

The above entitled proceeding is referred to your Bureau for re-publication in the Pennsylvania Bulletin.

CC: Office of ALJ
JEP:wh



235

PILLAR AND MULROY, P.C.

ATTORNEYS-AT-LAW
SUITE 700

312 BOULEVARD OF THE ALLIES
PITTSBURGH, PA 15222

TELEPHONE (412) 471-3300
FAX: (412) 471-6068

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AUG 24 1990

SECRETARY'S OFFICE
Public Utility Commission

August 20, 1990

JOHN A. PILLAR
THOMAS M. MULROY
ANTHONY A. SEETHALER, JR.

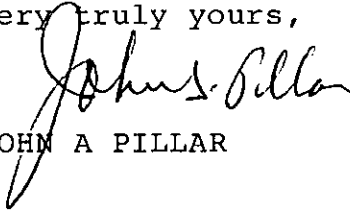
Re: Application of Joseph E. Marecic
t/d/b/a Marecic Trucking
Docket No. A-00109237

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
North Office Building
P.O. Box 3265
Harrisburg, PA 17120

Dear Mr. Rich:

By letter dated May 29, 1990, we informed the Commission that if the above application were restricted to exclude the transportation of cement from the facilities of Armstrong Cement and Supply Corporation, located in the township of Winfield, Butler County, that the protest of Wayne W. Sell Corporation would be withdrawn. The application was republished in the Pennsylvania Bulletin of July 28, 1990, and contained the above described description. Accordingly, the protest of Wayne W. Sell Corporation is hereby withdrawn.

Very truly yours,


JOHN A PILLAR

cac
cc: Bud Huntingdon
Robert R. Watson, Esq.
Wayne W. Sell Corporation

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DOCKETED
AUG 28 1990



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

August 24, 1990

IN REPLY PLEASE
REFER TO OUR FILE

Robert R. Watson
Attorney at Law
682 Third Street
Beaver, PA 15009

In re: A-00109237 - Application of Joseph E. Marecic, t/d/b/a
Marecic Trucking

Dear Mr. Watson:

The above referenced application has been assigned for review without an oral hearing. In order to reach a determination on the application, you are being requested to file a verified statement in accordance with 52 Pa. Code §3.381(e)(1). You will be required to file:

A. VERIFIED STATEMENT OF APPLICANT.

The verified statement should be in paragraph form. Each heading contained in the attached minimum outline should be a separate section or paragraph.

You are being granted an initial thirty (30) days in which to file the verified statement. The statement is due on or before September 24, 1990.

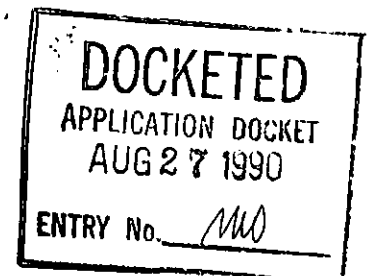
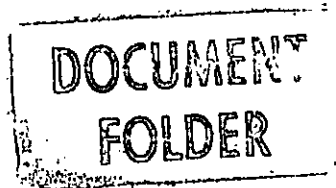
If additional time is required, it may be requested by telephone but should be followed in writing with the reasons for the extension stated.

Questions about your application should be directed to Tim Zeigler at 717-783-5946.

Very truly yours,

By Tim Zeigler
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation

TZ:kmb



ROBERT R. WATSON

Attorney at Law

682 THIRD STREET
BEAVER, PA 15009
412-773-2900

September 21, 1990

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120
Attention: Tim Zeigler

**IN RE: A-00109237 - APPLICATION OF JOSEPH E. MARECIC, t/d/b/a
MARECIC TRUCKING**

Dear Mr. Zeigler:

Enclosed please find the Original completed Verified Statement of Applicant for Contract Carrier License. We trust it contains all of the information required by 52 Pa. Code Section 3.381(e)(1).

A copy of the contract between Marecic Trucking and Big Foot Metered Concrete will be forwarded to your attention once it has been executed by the parties.

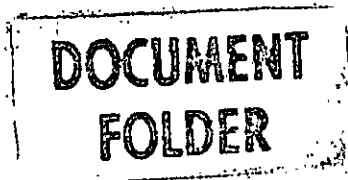
I wanted to take this opportunity to thank-you for your assistance in submitting this information. If any additional information is required, please feel free to contact me at (412) 773-2900.

Very truly yours,



Robert R. Watson
Attorney at Law

ENCLOSURE
cc: Joseph E. Marecic



VERIFIED STATEMENT OF APPLICANT IN SUPPORT OF APPLICATION FOR MOTOR
VEHICLE CERTIFICATE OR PERMIT

1. Legal name and domicile of applicant: Joseph E. Marecic,
P. O. Box 105, Route 51, New Brighton, Beaver County,
Pennsylvania 15066.

2. Identity and qualifications of person making statement of
applicant: Joseph E. Marecic, P.O. Box 105, Route 51, New
Brighton, Beaver County, Pennsylvania 15066. Owner and
operator of the vehicle which is the subject of this
application.

3. Is the applicant affiliated with other carriers?
(Name of affiliate and description of affiliation.)
Lease truck to other registered carriers such as Diamond Head
Trucking Inc., Third & Center, Leetsdale, PA 15056; R. J.
Rhodes Transit Inc., 101 Ridge Avenue, Freedom, PA
1515042, August Ron Trucking, Inc., 425 Constitution Blvd.,
Fallston, PA 15066.

4. Authority sought: Joseph E. Marecic, t/d/b/a MARECIC TRUCKING
(345 Colonial Street, P.O. Box 105, Fallston, Beaver County,
PA 15066)-contract carrier, sand, gravel, cement stone, slag,
dirt and limestone, for Big Foot Metered Concrete, from points
in the counties of Allegheny, Beaver, Butler, Greene, Lawrence,
Mercer, Washington, Westmoreland, Fayette and Armstrong, to
points in the Borough of Fallston, Beaver County, and to
destinations within a twenty-five (25) mile radius of said
borough, with the right to return refused, rejected or damages
shipments to the point of origin; PROVIDED THAT, no right,
power, or privilege is granted to transport cement from the

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ENTRY No. 1110

facilities of Armstrong Cement and Supply Corporation located in the Township of Winfield, Butler County, Pennsylvania.

5. General scope of currently authorized operations:
(Attach copies of pertinent operating rights.) None applicable.
6. Duplicating authority which will result from grant of authority: None Known.
7. Dual operations resulting from grant of authority: None known.
8. Pertinent terminal facilities and communications network: 50' X 30' garage with 130' X 60' fenced-in yard/storage area; mobile telephone and citizens band radio in truck.
9. Pertinent equipment: 1979 International Tri-axle dump, steel body 16' long, 290 hp, 8 speed, radial tires VIN#CF267KGB17484. owned by Joseph E. Marecic.
10. Safety Program: Daily driver examinations, safety check-list, weekly maintenance of vehicles, including inspection of all parts and adjustment of brakes.
11. Type of service to be offered: Contract carrier-sand, gravel, cement, stone, slag, dirt and limestone for Big Foot Metered Concrete, from points in the Counties of Allegheny, Beaver, Butler, Greene, Lawrence, Mercer, Washington, Westmoreland, Fayette and Armstrong, to points in the Borough of Fallston, Beaver County, and to destinations within a twenty-five (25) mile radius of said borough, with the right to return refused, rejected or damaged shipments to the point

of origin; PROVIDED THAT, no right, power or privilege is granted to transport cement from the facilities of Armstrong Cement and Supply Corporation located in the Township of Winfield, Butler County, Pennsylvania.

12. Financial data: (Corporations and partnerships must submit a current balance sheet and income statement. Sole proprietorships must file a current statement of assets and liabilities. Pa. PUC carriers may reference the most recent annual report on file with the Commission.) SEE ATTACHED BALANCE SHEET FOR PERIOD ENDED JUNE 30, 1990 ATTACHED HERETO AS "EXHIBIT A".
13. Whether service provided will create empty miles or backhauls:
Some empty miles haul. No backhauls.
14. Describe shipper (manufacturer, distributor, etc.) and state the types of commodities to be transported: Big Foot Metered Products, distributor. Cement, gravel, sand, concrete, stone, slag, dirt and limestone.
15. Any other information deemed pertinent. Applicant is an experienced mechanic and truck driver, is financially responsible and of good character, and the licence applied for will benefit the economy of Beaver County.

VERIFICATION

I, Joseph E. Marcic, verify that the statements made in the foregoing document are true and correct to the best of my personal knowledge and belief. I understand that false statements herein are made subject to the penalties of 18 P.S.A. Section 4904, relating to unsworn falsification to authorities.

9/14/90

DATE

Joseph E. Marcic

STATE OF PENNSYLVANIA)
COUNTY OF BEAVER)

On the 14th day of September, 1990, before me, a Notary Public, personally appeared Joseph Marcic, known to me to be the person whose name subscribed to the within documents and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Tricia L. Miller

Notarial Seal
Tricia L. Miller, Notary Public
Beaver Boro, Beaver County
My Commission Expires June 27, 1994

JOSEPH E. MARECIC
BALANCE SHEET
JUNE 30, 1990

ASSETS

CHECKING\SAVINGS ACCOUNTS

| | |
|-------------------------------|---------------|
| BEAVER TRUST CHECKING | 1080.36 |
| BEAVER TRUST CHECKING | 2289.90 |
| BEAVER TRUST PAYROLL CHECKING | 2056.50 |
| BEAVER TRUST SAVINGS | 5792.70 |
| EQUIBANK SAVINGS | <u>141.72</u> |

TOTAL CHECKING\SAVINGS ACCOUNTS 11361.18

CERTIFICATES OF DEPOSITS

| | |
|-----------------|----------------|
| BEAVER TRUST CD | 10461.77 |
| BEAVER TRUST CD | 11737.15 |
| EQUIBANK CD | <u>1154.14</u> |

TOTAL CERTIFICATES OF DEPOSIT 23353.06

ANNUITIES (SURRENDER VALUE)

| | | |
|------------------|-----------|----------------|
| AMERICAN GENERAL | (8115.64) | 8458.20 |
| AMERICAN GENERAL | (4414.32) | 4600.65 |
| AMERICAN GENERAL | (4414.92) | 4601.27 |
| AMERICAN GENERAL | (4411.92) | <u>4598.15</u> |

TOTAL ANNUITIES 22258.27

FIXED ASSETS

| | |
|-------------------|------------------|
| TRUCK | 4000.00 |
| BOAT | 15300.00 |
| TRUCK | 24500.00 |
| LESS DEPRECIATION | (12495.00) |
| GARAGE | 23000.00 |
| LESS DEPRECIATION | (1856.00) |
| TOOLS | 6552.00 |
| LESS DEPRECIATION | (6006.00) |
| TRUCK | 11500.00 |
| LESS DEPRECIATION | <u>(1150.00)</u> |

TOTAL FIXED ASSETS 63345.00

TOTAL ASSETS 120317.51

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LIABILITIES AND CAPITAL

LIABILITIES

| | |
|--------------------------|----------------|
| BEAVER TRUST GARAGE LOAN | 11683.85 |
| BEAVER TRUST TRUCK LOAN | 11268.96 |
| BEAVER TRUST BOAT LOAN | <u>9810.00</u> |

TOTAL LIABILITIES 32762.81

CAPITAL

JOSEPH MARECIC CAPITAL 87554.70

TOTAL LIABILITIES AND CAPITAL 120317.51

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

October 2, 1990

IN REPLY PLEASE
REFER TO OUR FILE

Robert R. Watson
Attorney at Law
682 Third Street
Beaver, PA 15009

In re: A-00109237 - Application of Joseph E. Marecic, t/d/b/a Marecic
Trucking

Dear Mr. Watson:

We have received the verified statements filed in the above
referenced proceeding.

The record will be reviewed and will be put before the
Commission for its decision. You will be notified of the Commission's
action.

Very truly yours,

By Tim Zeigler
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation

TZ:kmb

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
OCT 03 1990
ENTRY No. *PLW*