

PUC-77

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheets

1. <u>REPORT DATE:</u>	January 14, 1991	:	2. <u>BUREAU AGENDA NO.</u>	
		:		FEB-91-T-125*
3. <u>BUREAU:</u>	Transportation	:		
4. <u>SECTION</u>	Technical Review	:	5. <u>PUBLIC MEETING DATE:</u>	
		:		February 7, 1991
6. <u>APPROVED BY:</u>		:		
	Director: Ernst 7-2154	:		
	Supervisor: Bigelow/Marzolf 3-5945	:		
7. <u>MONITOR:</u>		:		
		:		
8. <u>PERSON IN CHARGE:</u>	White 7-4387	:		
		:		
9. <u>DOCKET NO.:</u>	A-00109468	:		
		:		
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)		:		
(b) Short summary of history & facts, documents & briefs		:		
(c) Recommendation		:		

**DOCKETED**  
  
**MAR 27 1991**

(a) Application of Russell J. Golden, t/d/b/a Predator Trucking Company, McDonald, Ohio, for the right to begin to transport, as a contract carrier by motor vehicle, property (excluding household goods and office furnishings in use), for Reactive Metals & Alloys Corporation, from its facilities in the township of Taylor, Lawrence County, to points in Pennsylvania, and vice versa.

(b) One carrier protested the application. The protest was withdrawn upon restrictive amendment which precludes the transportation of petroleum and petroleum products in bulk, and dry litharge in bulk. The applicant has requested that the middle initial "J" be eliminated from his operating name. The record is to be changed accordingly. We find that the applicant has shown that he is fit, ready, willing and able to provide the proposed service as amended, and that 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 as amended, and that the record of the applicant at A-00109468 be changed to stand in the name of Russell Golden, t/d/b/a Predator Trucking Company.

RW:np

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

CONTENT OF MOTION: Staff recommendation adopted.

**DOCUMENT**  
**FOLDER**



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

KJR

February 12, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

A-00109468

John A. Vuono, Esquire  
2310 Grant Building  
Pittsburgh, PA 15219

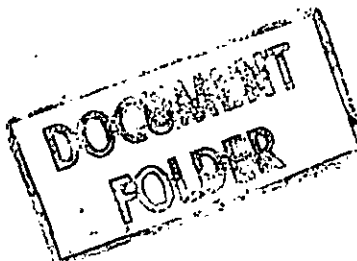
Application of Russell Golden,  
t/d/b/a Predator Trucking Company

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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.



DOCKETED  
FEB 14 1991

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.

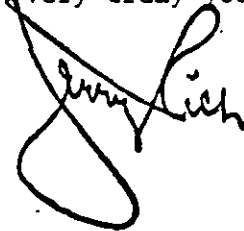
Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty days will cause the Commission to rescind the action of February 7, 1991 and dismiss the application without further proceedings.

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 black ink, appearing to read "Jerry Rich", written over a large, stylized loop.

Jerry Rich, Secretary

smk  
Enclosures  
Certified Mail  
Receipt Requested

Russell J. Golden  
3174 Trumbull Avenue  
McDonald, Ohio 44437

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

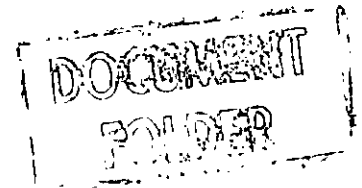
Public Meeting held February 7, 1991

Commissioners Present:

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

Application of Russell Golden, t/d/b/a  
Predator Trucking Company, for the right to  
begin to transport, as a contract carrier  
by motor vehicle, property (excluding  
household and office furnishings in use),  
for Reactive Metals & Alloys Corporation,  
from its facilities in the township of  
Taylor, Lawrence County, to points in  
Pennsylvania, and vice versa.

A-00109468



\_\_\_\_\_  
Vuono, Lavelle & Gray, by John A. Vuono and William A. Gray for the applicant.  
Peter G. Loftus for protestant, Seaboard Tank Lines, Inc.

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

**DOCKETED**  
FEB 14 1991

BY THE COMMISSION:

This matter comes before the Commission by an application filed on October 15, 1990, and published in the Pennsylvania Bulletin of October 27, 1990. One carrier filed a protest but withdrew upon restrictive amendment which precludes the transportation of petroleum and petroleum products in bulk, and dry litharge in bulk.

The unopposed record is now certified to the Commission for its decision without oral hearing. A verified statement was submitted by the applicant.

Russell J. Golden operates as a sole proprietor under the registered fictitious trade name of Predator Trucking Company from a terminal located at 3181 Trumbull Avenue, McDonald, Ohio 44437. He holds no other authority from this Commission. He has an application pending before the Interstate Commerce Commission.

The applicant conducts business with ten tractors which he leases under long-term arrangements. The trailers involved in this application are owned by the shipper who produces a magnesium powder which is injected into

steel to lower the sulphur content of the steel. The applicant provides a substantial amount of service for the shipper in interstate commerce and is therefore familiar with its shipping requirements.

The applicant states that he will comply with all applicable safety regulations and will make sure that the equipment is operated in a safe manner. A rigid safety program will be maintained which will include periodic safety meetings with all personnel.

An unaudited balance sheet shows that the applicant has total assets of \$2,409,700 with total liabilities of \$291,700, leaving a net worth of \$2,118,000. The assets include \$65,000 cash on hand.

The application is not accompanied by a copy of a bilateral contract between the applicant and the shipper as required by the provisions at 52 Pa. Code §31.45. We alert both parties that issuance of the permit is contingent upon our receipt of a copy of an acceptable contract.

The applicant has requested that his middle initial "J" be omitted since his ICC authority will not carry it. The removal thereof will allow consistency in setting forth the name on vehicles used in both interstate and intrastate operations. We have no problem with the request and the applicant's record will be changed accordingly.

We find:

1. That the applicant is fit, ready, willing and able to provide the service as proposed and amended.
2. That approval of the application, as amended, is in the public interest; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved as amended, and that a permit be issued granting the applicant the right to operate as follows:

To transport, as a contract carrier by motor vehicle, property for Reactive Metals & Alloys Corporation, from its facilities located in the township of Taylor, Lawrence County, to points in Pennsylvania, and vice versa;

subject to the following conditions:

1. That no right, power or privilege is granted to transport household goods and office furnishings in use.
2. That no right, power or privilege is granted to transport petroleum and petroleum products in bulk, or dry litharge in bulk.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until he shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of evidence of insurance, a schedule of minimum rates and charges, and a bilateral contract between the applicant and the shipper.

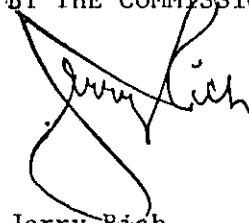
IT IS FURTHER ORDERED: That upon compliance with the requirements as set forth, a permit issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That in the event the 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 the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the applicant, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That the applicant's record at A-00109468 be changed to stand in the name of Russell Golden, t/d/b/a Predator Trucking Company.

BY THE COMMISSION,

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

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: February 7, 1991

ORDER ENTERED: FEB 12 1991