



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

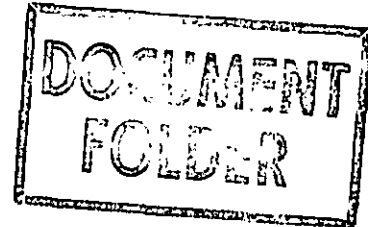
December 19, 1990

IN REPLY PLEASE
REFER TO OUR FILE

R-16

AMV

Herbert R. Nurick, Esquire
P.O. Box 1166
Harrisburg, PA 17108



Re: A-00109494, Evergreen Express Lines, Inc.

Dear Mr. Nurick:

Under date of 11-28-90, the Secretary's office transmitted to you the Commission's compliance order adopted 11-21-90, evidencing approval of the above application which is in effect a transfer of the rights formerly held by Clark Transfer, Inc. at A-00084200, Fs. 2, 3, 5 and 6. The letter transmitting the order directs attention to the requirement for the filing of a tariff.

Pa. Code, Title 52, Section 23.13(c) provides that in the case of change in ownership, etc., if feasible to do so, the tariffs of the former operator shall be adopted by the new operator, and no change in rates is permitted to cover the transfer of rights.


In this instance it is not possible to meet the tariff requirements by the adoption of the former tariff for the reason that the present tariffs description of operating authority does not conform with the approval of this application.

It will be necessary, therefore, to file a new tariff which should be designated Freight Pa. P.U.C. No. 1. The tariff should name the same rates, rules and regulations as were filed by the former operator and may be issued to become effective on one day's notice under authority of Pa. Code, Title 52, Section 23.42.

We notice that rates for a part of the authorized service being transferred are provided in tariffs published by Transportation Traffic Services, John J. Hartsell, Agent and Household Goods Carriers Bureau, Agent.

Should you elect to participate in the agency publication(s), two copies of a suitable power of attorney should be included with the filing. If you do not elect to participate in the agency publication(s), a new tariff or tariffs should be filed containing the same rates, rules and regulations currently on file, for a minimum of 30 days.

Very truly yours,
Barry L. Ernst, Director
Bureau of Transportation



By: Joseph M. Machulsky, Chief
Financial Document Section

cc: John J. Hartsell, Agent
1400 Spring St., Suite 550
Silver Spring, Maryland 20910

New Power of Attorney to be designated:
Pa. F. 1 No. 1 cancels 8 (series of transferor)

Household Goods
1611 Duke Street
Alexandria, Virginia 22314-3482
New Power of Attorney to be designated:
Pa. F. 1 No. 2 cancels 9 (series of transferor)

Evergreen Express Lines, Inc.
121 New York Avenue
Trenton, NJ 08603

Contact Person: G.B. Harry
(717) 783-5937

McNEES, WALLACE & NURICK

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JEFFREY L. KODROFF

January 4, 1991.

In re: Application of Evergreen Express Lines, Inc.
A-00109494

Ms. Elzalena McConnell Ditzler
Service Section
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17120

Dear Ms. Ditzler:

We represent Evergreen Express Lines, Inc. The order, at the above-captioned docket number, was entered on November 28, 1990. Evergreen must coordinate operations under the Pa. PUC order with matters before other governmental agencies, and it may take a year before total operations as Evergreen can commence.


In view of the above, we respectfully request an extension of time, to November 28, 1991, to comply with the requirements of the order. We shall be grateful for your cooperation on this matter.

If you have any questions, please contact the undersigned.

Very truly yours,

McNEES, WALLACE & NURICK

By


Herbert R. Nurick

HRN/ec

cc: Timothy Teagan, President

