



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

November 5, 1990

IN REPLY PLEASE
REFER TO OUR FILE

David H. Radcliff
Attorney at Law
407 North Front Street
Harrisburg, PA 17101

In re: A-00109496 - Application of William H. Oester, t/d/b/a
Oester Trucking

Dear Mr. Radcliff:

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 verified statements in accordance with 52 Pa. Code §3.381(e)(1). You will be required to file:

- A. VERIFIED STATEMENT OF APPLICANT.
- B. VERIFIED STATEMENTS IN SUPPORT OF APPLICATION.

The verified statements 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 to file verified statements. They will be due on or before December 5, 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.

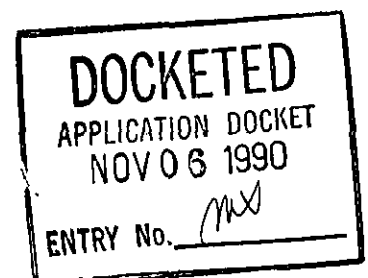
Questions about your application should be directed to Richard H. White (717) 787-4387.

Very truly yours,

By Richard H. White
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation

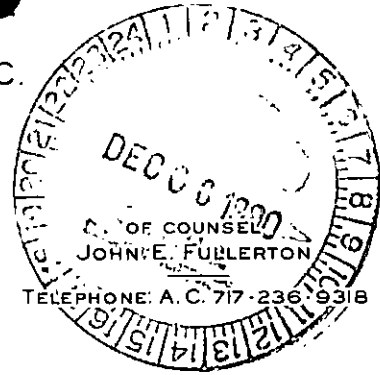
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DOCUMENT
FOLDER



GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF
FREDERICK W. ANDREWS
DAVID H. RADCLIFF
GREGORY R. LYONS



December 5, 1990
File: 1306.0

RE: WILLIAM OESTER t/d/b/a OESTER TRUCKING
(Named shippers)

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

A-109496

RECEIVED

DEC 5 1990

SECRETARY'S
Public Utility Commission

Dear Mr. Rich

I enclose for filing herewith the original and one copy of the verified statement of Applicant in the above case to which the supporting shippers' statements are attached. This is in accordance with Mr. White's letter of November 5, 1990.

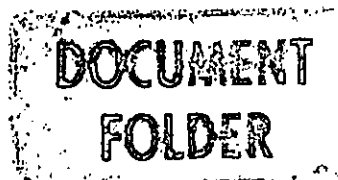
We are forwarding a copy to Mr. White in Mr. Marzolf's office, to Applicant and to the supporting shippers.

Very truly yours,

David H. Radcliff

DHR/kr
Enclosure

cc: (See following page)



Jerry Rich, Secretary
Page 2
December 5, 1990
File: 1306.0

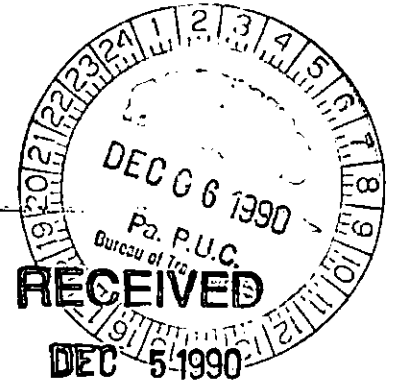
cc: Mr. Richard H. White
Technical Review Section
Bureau of Transportation
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Mr. William Oester
R. D. 1, Box 142 A
Salisbury, PA 15558

William S. Woods, Transportation Manager
Stanton Industries of Pennsylvania, Inc.
P.O. Box 429
Salisbury, PA 15558

Catherine K. Berkebile Poorbaugh, President
Berkebile Oil Company, Inc.
P.O. Box 715, R. D. 4
Somerset, PA 15501-0715

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION



DEC 5 1990

SECRETARY OF
Public Utility Commission

VERIFIED STATEMENT IN SUPPORT OF
APPLICATION

In Re: WILLIAM OESTER, t/d/b/a OESTER TRUCKING
A.00109496

GRAF, ANDREWS & RADCLIFF, P.C.
David H. Radcliff, Esquire
407 North Front Street
Harrisburg, PA 17101

Due Date: December 5, 1990

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
DEC 06 1990
ENTRY No. *MS*

VERIFIED STATEMENT OF WILLIAM OESTER
FOR
OESTER TRUCKING

1. LEGAL NAME AND DOMICILE OF APPLICANT

William Oester, t/d/b/a Oester Trucking
R. D. 1, Box 142 A
Salisbury, PA 15558

Telephone: (814) 662-2703

2. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR APPLICANT

My name is William Oester and I am the applicant in this proceeding. As the owner and operator of this business, I am familiar with facilities, authorities and operations utilized and to be utilized in motor carrier operations by my company. I am the proper person to make this statement.

3. IS THE APPLICANT AFFILIATED WITH OTHER CARRIERS?

I am not affiliated with other Pennsylvania intrastate carriers.

4. AUTHORITY SOUGHT

By this application Oester Trucking seeks the following authority:

"To transport, as a common carrier, by motor vehicle, property (except household goods, common commodities in bulk and Classes A and B explosives) for Stanton Industries of Pennsylvania, Inc., and Berkebile Oil Company, Inc. from their facilities in the county of Somerset to points in Pennsylvania, and vice versa."

The application is unopposed.

5. GENERAL SCOPE OF CURRENTLY AUTHORIZED OPERATIONS

I presently hold no authority from this Commission.

At MC-207057 Sub 0-C I hold common carrier authority from the Interstate Commerce Commission authorizing transportation between all points in the continental United States. See copy of Certificate attached as Exhibit 1.

6. DUPLICATING AUTHORITY WHICH WILL RESULT FROM GRANT OF AUTHORITY

There will be no duplication inherent in this application as it relates to our existing authority.

7. DUAL OPERATIONS RESULTING FROM GRANT OF AUTHORITY

No dual operations will result from this grant of authority.

8. PERTINENT TERMINAL FACILITIES AND COMMUNICATIONS NETWORK

The garage and office facilities utilized by my company at Salisbury, Pennsylvania will be utilized as the base for our Pennsylvania operations upon approval of this application. That facility currently serves as the base for our interstate operations. We would require no additional terminals in connection with this application.

Parking at the garage facility is sufficient for all of my equipment. The garage is equipped for routine maintenance.

I have multiple telephone lines which the public may utilize to call with request for service.

The service to be provided is primarily in truckload quantities so that no terminal facilities will be required.

9. PERTINENT EQUIPMENT

I have included as Exhibit 2 a list of the equipment setting forth the tractors, vans and reefers which I own. All of these units are available for applicant's Pennsylvania operations.

Additional equipment is available by lease to meet the immediate demands of any of the shippers. I will obtain additional equipment as the traffic requires.

10. SAFETY PROGRAM

Safety training is conducted on a day-to-day basis with each driver. I utilize booklets or pamphlets produced by the insurance companies and the American Trucking Association for driver safety education. I conduct four safety meetings a year with the drivers. Safety is a top priority in my company.

11. TYPE OF SERVICE CURRENTLY PROVIDED TO THE SUPPORTING WITNESS

Under our present operations in interstate commerce I provide service to both of the supporting shippers. No Pennsylvania service is currently provided to either supporting shipper as their commodities do not fall within the scope of my present authority.

As indicated in their supporting statements, both Stanton Industries of Pennsylvania and Berkebile Oil Company, Inc. want to use our service to points in Pennsylvania.

12. TYPE OF SERVICE TO BE OFFERED

Upon approval, we would offer the following type service:

1. I will provide truck load and less-than-truck load service.

2. I will transport the full range of products manufactured and distributed by both shippers utilizing the appropriate type of equipment for the transportation.
3. I will handle truck load traffic for multiple deliveries in transit.
4. I will coordinate inbound and outbound shipments at the request of the shippers.
5. I will provide scheduled pickup and deliveries by appointment.

13. FINANCIAL DATA

I have attached as Exhibit 3 my financial statement as at October 1, 1990.

I am financially sound and capable of continuing service to the public. I am able to acquire additional equipment should it be needed to meet the shippers' requirements by either lease or purchase.

14. WHETHER SERVICE PROVIDED WILL CREATE EMPTY MILES OR BACKHAULS

There will be minimum empty miles on a backhaul basis. Through coordination of interstate shipments with the same equipment the efficiency of my operation will be maintained.

15. OTHER PERTINENT INFORMATION

I am presently serving the shippers in interstate transportation. When my equipment is at their facility, it would improve our efficiency and benefit the shippers if we were able to load their Pennsylvania traffic for coordinated movements.




William Oester

VERIFICATION OF STATEMENT

The undersigned deposes and says that he is the person who signed the Statement for the above-captioned application and that he is authorized to and does make this verification and that the facts set forth therein are true and correct to the best of his knowledge, information and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 C.S. §4904 relating to unsworn falsification to authorities.

Dated: 12/4/90



William S. Oester

SERVICE DATE

JUL 14 1988

PM-26
(Rev. 10/84)

INTERSTATE COMMERCE COMMISSION

CERTIFICATE

No. MC 207057 (Sub 0-C)

WILLIAM H. OESTER
d/b/a OESTER TRUCKING
SALISBURY, PA

This Certificate is evidence of the carrier's authority to engage in transportation as a common carrier by motor vehicle.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043); the designation of agents upon whom process may be served (49 CFR 1044); and tariffs or schedules (49 CFR 1300 through 1310, revised). The carrier shall also render reasonably continuous and adequate service to the public. Failure to meet these conditions will constitute sufficient grounds for the suspension, change, or revocation of this authority.

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

For common carriers with irregular route authority: Any irregular route authority authorized in this Certificate may not be tacked or joined with your other irregular route authority unless joinder is specifically authorized.

The transportation service to be performed is described on the reverse side of this document.

By the Commission.

(SEAL)

NORETA R. MCGEE,
Secretary.

NOTE: If there are any discrepancies regarding this document, please notify the Commission within 30 days.

To operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting general commodities (except classes A and B explosives and household goods), between points in the U.S. (except AK and HI).

OESTER TRUCKING

WILLIAM H. OESTER, OWNER

R.D. #1, BOX 142-A • SALISBURY, PA 15558

EQUIPMENT LIST

Truck Tractors

1983	Freightliner	#26
1985	Freightliner	#27
1985	Freightliner	#35
1985	Freightliner	#36
1985	Freightliner	#38
1986	Freightliner	#37
1986	Freightliner	#61
1988	Freightliner	#51
1988	Freightliner	#52
1989	Freightliner	#53
1990	Freightliner	#54
1990	Freightliner	#55
1990	Freightliner	#56
1990	Freightliner	#57
1991	Freightliner	#58
1991	Freightliner	#59

Freight Vans

101-110	1989	Great Dane
111-115	1990	Great Dane
116-120	1990	Great Dane
201-202	1984	Stoughton
6339	1981	Fruehauf

Reefers

1001	1989	Great Dane
4145	1981	Hobbs

OESTER TRUCKING

WILLIAM H. OESTER, OWNER

R.D. #1, Box 142-A • SALISBURY, PA 15558

FINANCIAL STATEMENT AS OF OCTOBER 1, 1990

ASSETS

Cash on hand	\$ 125,000
ICC Trucking Rights	\$ 200,000
10 Acres of Land with 54' x 56' Garage 7 Room House Small Barn Office Building	\$ 200,000
Office Equipment	\$ 8,300
30 New Tires	\$ 9,200
50 Recapped Tires	\$ 9,000
Garage Equipment	\$ 10,000
Fuel Tank & Island	\$ 20,000
Vehicle Equipment	\$1,159,000

TOTAL ASSETS	\$1,741,000

LIABILITIES

Mortgage	\$ 32,000
Bank loans on equipment	\$ 988,199

TOTAL LIABILITIES	\$ 920,199

NET WORTH

TOTAL ASSETS	\$1,741,000
TOTAL LIABILITIES	\$ 920,199

	\$ 820,801

VERIFIED STATEMENT OF WILLIAM S. WOODS
FOR
BERKEBILE OIL COMPANY, INC.

1. NAME AND ADDRESS OF SUPPORTING GROUP

Berkebile Oil Company, Inc.
P.O. Box 715, R. D. 4
Somerset, PA 15501-0715

Telephone: (814) 443-1656

2. NAME AND ADDRESS OF PERSON MAKING STATEMENT ON BEHALF OF GROUP

My name is Catherine K. Berkebile Poorbaugh and I am President of Berkebile Oil Company, Inc. I am directly involved in the approval of all shipments and selection of the trucking company. I also oversee the transportation rates and all other matters regarding transportation of our products. I am authorized to support this application.

3. GENERAL DESCRIPTION OF SUPPORTING PARTY OR COMPANY

Berkebile Oil Company, Inc. started in business in 1954. The company manufactures automotive chemicals in Somerset Industrial Park, Somerset, PA. Products are stacked on pallets and shipped to distributors in the United States and some overseas points. The facility is a manufacturing plant and warehouse owned by the Berkebile Oil Company, Inc.

Berkebile Oil Company, Inc. ships between Pennsylvania points a wide variety of automotive lubricants, solvents and cleaners. The only place that we have trouble finding trucks for is in the Pennsylvania areas.

4. FREQUENCY OF INTENDED USE

We contemplate using the applicant to the extent of approximately 400,000 pounds per month for Pennsylvania delivery. We need Oester Trucking for delivery in Pennsylvania, ^{there} are times that we have to hold orders as we cannot find a truck that can pick up and deliver in the state of Pennsylvania. There is a shortage of trucks with the carrier's that can pick up and deliver in the state of Pennsylvania.

5. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH

The origin for all shipments would be the company's facilities at Somerset Industrial Park, Somerset County, Pennsylvania.

Destinations for Pennsylvania shipments in October 1990 included Philadelphia, Bridgeport, Stewartstown, Freeland, and Frazer. Additionally we have perspective customers and solicit business from the automotive industry throughout Pennsylvania. Representative destinations include Erie, Beaver, Indiana, Pittsburgh, St. Marys, Bellefonte, Altoona, Williamsport, Scranton, Easton, Harrisburg, Carlisle, Lancaster, Reading, West Chester, and Spring City.

6. TYPE OF SERVICE REQUIRED

We require service in 48 foot dry vans for all freight. We schedule pickups and require the carriers to make prompt pickups. Additionally most deliveries are on an appointment basis so the carriers play a large roll in keeping our customers happy by meeting the delivery appointments.

Overnight service is required on most shipments. Occasionally there is a requirement for same day delivery.

7. SIMILAR APPLICATIONS SUPPORTED

We have supported no similar applications in the past two years for Pennsylvania service.

8. ANY OTHER INFORMATION DEEMED PERTINENT

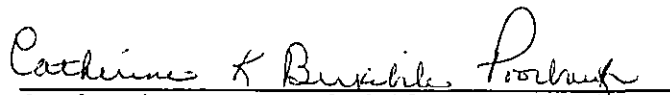
We have utilized the service of the applicant in interstate commerce to such destinations as Flint, MI, Nutley, NJ, Bronx, NY, Richmond, VA, Rocky Mount, NC and Lincoln, NE. Service is very satisfactory; we are very pleased with Oester Trucking.

We anticipate at least 10 to 15% increase in volume. The faster we can satisfy our customers, the faster they will reorder from us.

We need Oester's ability to pickup and deliver within the state of Pennsylvania. This would mean increased revenue for Berkebile, Oester, our customers, and our employees. Western Pennsylvania has been hit hard with unemployment.

There are many times that we have to delay a shipment because no one has a truck available. Sometimes the customer will not take the order if it cannot be delivered on the day that they want it. The customers get upset with us and at times ^{they} by competitive products depriving workers in Pennsylvania of the income provided by Pennsylvania customers purchasing Pennsylvania products.

Please do what you can to help Pennsylvania business and employees


Catherine K. Berkebile Poorbaugh
President

VERIFICATION OF STATEMENT

The undersigned deposes and says that she is the person who signed the Statement for the above-captioned application and that she is authorized to and does make this verification and that the facts set forth therein are true and correct to the best of her knowledge, information and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 C.S. §4904 relating to unsworn falsification to authorities.

Dated: 12/4/90

Catherine K. Berkebile Poorbaugh
Catherine K. Berkebile Poorbaugh
President

VERIFIED STATEMENT OF WILLIAM S. WOODS
FOR
STANTON INDUSTRIES OF PENNSYLVANIA, INC.

1. NAME AND ADDRESS OF SUPPORTING GROUP

Stanton Industries of Pennsylvania, Inc.
P.O. Box 429
Salisbury, PA 15558

Telephone: (814) 662-2715

2. NAME AND ADDRESS OF PERSON MAKING STATEMENT ON BEHALF OF GROUP

My name is William S. Woods and I am Assistant Plant Manager and Traffic Manager of the supporting shipper. My address is the same as the shipper's address set forth above. I am familiar with the transportation requirements of Stanton Industries and I am familiar with the scope of this application. I am authorized to support Oester Trucking for Pennsylvania intrastate authority.

3. GENERAL DESCRIPTION OF SUPPORTING PARTY OR COMPANY

Stanton Industries of Pennsylvania, Inc., is a manufacturer of all types of upholstered furniture. We manufacture and ship chairs, sofas, love seats, rockers, recliners and various accessories.

4. FREQUENCY OF INTENDED USE

We are presently using the applicant for interstate delivery. Oester Trucking handles approximately 80% of our outbound interstate service and has done so for the past two years. We anticipate that we will tender daily shipments to Oester for Pennsylvania delivery.

5. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH

Our support is for outbound service only. All shipments will originate at the company's facilities at Salisbury, Somerset County, Pennsylvania. Destinations are retail furniture dealers throughout the state.

The retail furniture dealers who are current customers are located throughout the state. Additionally we are soliciting additional business from retail furniture dealers in all parts of Pennsylvania. I have included as Attachment 1 a list of representative destinations for our Pennsylvania shipments.

6. TYPE OF SERVICE REQUIRED

The service which we require is basically as follows:

1. Truckload shipments.
2. Truckload shipments with multiple deliveries in transit.
3. On time deliveries by appointment with receiving customer.
4. Transit time requirements vary from the same day between points where possible to next day delivery when necessitated by the distance involved.

5. The carrier's personnel must meet the needs of our customers including unloading of furniture and return of merchandise to our factory.

7. SIMILAR APPLICATIONS SUPPORTED

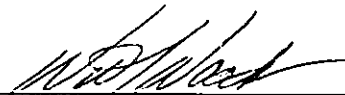
We have supported no similar PUC applications in the past two years.

8. ANY OTHER INFORMATION DEEMED PERTINENT

We have utilized the service of Oester Trucking in interstate commerce for the past two years. We are extremely pleased with all facets of Oester's service. We seek to have applicant available between points in Pennsylvania.

We currently utilize our own equipment for outbound service. We no longer desire to delivery on our own trucks. We have a lack of equipment, personnel, and feel we can save money with shipping our product via Oester Trucking.

We anticipate an increase in traffic volume of 15% based on projections of customer need. The availability of Oester Trucking will assist us in meeting the existing requirements and the anticipated future increase in traffic.




William S. Woods

VERIFICATION OF STATEMENT

The undersigned deposes and says that he is the person who signed the Statement for the above-captioned application and that he is authorized to and does make this verification and that the facts set forth therein are true and correct to the best of his knowledge, information and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 C.S. §4904 relating to unsworn falsification to authorities.

Dated: 11/29/90



William S. Woods
Transportation Manager

WITNESS: WOODS
ATTACHMENT 1

Representative destinations for motor carrier shipments in
Pennsylvania:

Allentown	Gettysburg	Northampton
Altoona	Harrisburg	Philadelphia
Bangor	Hazleton	Pottsville
Beaver	Huntingdon	Reading
Bedford	Johnstown	Red Lion
Berwick	King of Prussia	Scotland
Camp Hill	Lebanon	Slippery Rock
Carlisle	Leola	Somerset
Chambersburg	Lock Haven	State College
Clarion	Marietta	Sunbury
Clarks Summit	Marshalls Creek	Towanda
Clearfield	Mechanicsburg	Trevorton
Coatesville	Mercersburg	Tunkhannock
Collegeville	Mifflintown	Washington
Elizabethtown	Milford	Waynesboro
Erie	Muncy	Wellsboro
Everett	Myerstown	West Chester
		York



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

December 6, 1990

IN REPLY PLEASE
REFER TO OUR FILE

David H. Radcliff
Attorney at Law
407 North Front Street
Harrisburg, PA 17101

In re: A-00109496 - Application of William H. Oester, t/d/b/a
Oester Trucking

Dear Mr. Radcliff:

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

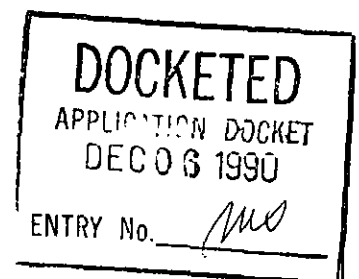
The record will be reviewed and will be put before the
Commission for its decision. You will be notified of the Commission's
action.

Very truly yours,

By Richard H. White
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation

RW:rs

DOCUMENT
FOLDER





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

February 4, 1991

IN REPLY PLEASE
REFER TO OUR FILE

• David H. Radcliff
Attorney at Law
407 North Front St.
Harrisburg, PA 17101

• In re: A-00109496 - Application of William H. Oester t/a Oester
Trucking

Dear Mr. Radcliff:

The applicant in the above referenced application seeks authority to provide service for two specifically named shippers from their facilities in Somerset County to points in Pennsylvania, and vice versa.

Upon reviewing the shippers' verified statements, we find no evidence of need for inbound service for either shipper. In fact, on page 2 of the statement of Stanton Industries of Pennsylvania, Inc., it is specially stated that "our support is for outbound service only". The statement of Berkebile Oil Company, Inc., shows an outbound service need from its Somerset facility only.

The point is, that unless some need is expressed for vice versa or inbound service, we would be hard pressed to approve this segment of the proposed authority. Please advise if, in fact, there is a need for inbound service which might have been inadvertently omitted from the shipper statements.

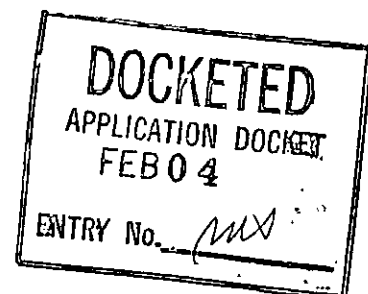
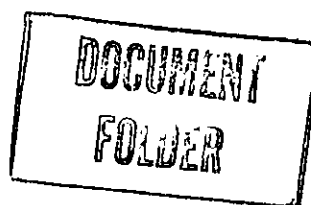
Please allow us your response by February 15, 1991. Thank you.

Very truly yours,

Richard H. White
Technical Review Section
Bureau of Transportation

CERTIFIED MAIL

RETURN RECEIPT REQUESTED



GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF
FREDERICK W. ANDREWS
DAVID H. RADCLIFF
GREGORY R. LYONS

OF COUNSEL
JOHN E. FULLERTON
TELEPHONE: A. C. 717-236-9318

February 6, 1991
File: 1306.0

A - 10949L


RE: WILLIAM OESTER t/d/b/a OESTER TRUCKING
(Named shippers)

Mr. Richard H. White
Technical Review Section
Bureau of Transportation
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Dear Mr. White:

This will confirm our telephone conversation of February 6, 1991 regarding the above-captioned application. The applicant has authorized me to further modify the authority sought in the proceeding by deleting the "vice versa" portion. Applicant seeks authority consistent with the statements of the supporting shippers seeking outbound service to points in Pennsylvania.

Very truly yours,


David H. Radcliff

DHR/kr

cc: Mr. William Oester
R. D. 1, Box 142 A
Salisbury, PA 15558

