

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
November 30, 1993

In Re: A-00109496, F000~~0~~, AMB

(See attached list)

Application of William H. Oester, t/d/b/a Oester Trucking

For amendment so as to permit the transportation of property (except household goods in use and commodities in bulk) for Laurel Packaging, Incorporated, from its facilities in Cambria County, to points in Pennsylvania, and vice versa.

NOTICE

The Public Utility Code directs that hearings shall be commenced in this case by the Administrative Law Judge within 90 days after the proceeding is initiated.

In compliance with this directive, an initial hearing is hereby scheduled for Wednesday, January 5, 1994 at 10:00 a.m. in the 11th Floor Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222.

The presiding officer in this proceeding is Administrative Law Judge John H. Corbett, Jr. Judge Corbett can be contacted at 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, Pennsylvania 15222; telephone (412) 565-3550.

If you intend to file exhibits, please be advised that two copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

IF YOU ARE A PERSON WITH A DISABILITY, AND WISH TO ATTEND THE HEARING SCHEDULED ABOVE, AND REQUIRE AN AUXILIARY AID, SERVICE, OR OTHER ACCOMMODATION TO PARTICIPATE IN THE PROCEEDING, PLEASE CONTACT THE AT&T RELAY SERVICE NUMBER 1-800-654-5988 OR NORMA R. LEWIS (717) 787-1399 AT THE PENNSYLVANIA PUBLIC UTILITY COMMISSION (PUC) TO DISCUSS HOW THE PUC MAY BEST ACCOMMODATE YOUR NEEDS.

cc: Judge Corbett
John Frazier - BPL
Norma Lewis
Stephen Springer
Beth Plantz
Docket Room

**DOCUMENT
FOLDER**

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A-00109496, F0001, AmB Application of William H. Oester, t/a
Oester Trucking

For amendment so as to permit the transportation of property (except household goods in use and commodities in bulk) for Laurel Packaging, Incorporated, from its facilities in Cambria County, to points in Pennsylvania, and vice versa.

David H. Radcliff, Esquire
David H. Radcliff, P.C.
2216 Walnut Street
Harrisburg, PA 17103

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

Rex W. McQuaide, Esquire
1405 Eisenhower Boulevard
Richland Square, Suite 200
Johnstown, PA 15904

Sally Davoren, Esquire
201 Pilgrims Building
508 Allegheny River Boulevard
Oakmont, PA 15139

OESTER TRUCKING, INC. D
R. D. 1, Box 142A
Salisbury PA 17558 9:32

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PA. INFO. CONTROL DIV.

PA PUC
BUREAU OF
TRANSPORTATION

SECRETARY'S OFFICE
Public Utility Commission

REUR

John Alford, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pa 17120

Dear Secretary Alford:

This letter is to notify the Commission that I have incorporated the sole proprietorship which holds authority at A.109496 in my own name, William H. Oester. The corporation's name is Oester Trucking, Inc.

Copies of the Articles of Incorporation indicating the acceptance of the same for filing and the letter from the Corporation Bureau returning the originals are enclosed. No certificate of incorporation is issued by the Department of State.

Currently I own 100 shares of stock in Oester Trucking, Inc. No other shares are issued or outstanding.

The only director is myself. I am also President, Secretary and Treasurer of the corporation. There has been no change in ownership or control of the business.

I will direct my insurance carrier and so forth.

Very truly yours,
William H. Oester

William H. Oester
President

The undersigned deposes and says that he is the person who gave the Statement above 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.

William H. Oester
William H. Oester

Enclosure
e:\letters\oester.

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PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU
ROOM 308 NORTH OFFICE BUILDING
P.O. BOX 8722
HARRISBURG, PA 17105-8722

106

OESTER TRUCKING, INC.

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. PLEASE NOTE THE FILE DATE AND SIGNATURE OF THE SECRETARY OF THE COMMONWEALTH. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA. IF YOU HAVE ANY QUESTIONS PERTAINING TO THE CORPORATION BUREAU CALL 717-787-1057.

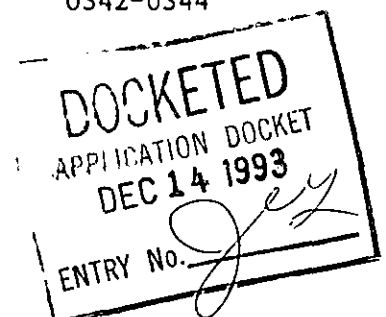
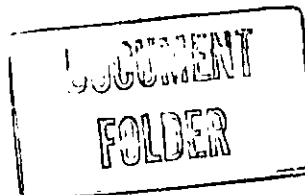
ENTITIES ACTING AS PROFESSIONAL FUNDRAISING CONSULTANTS OR PROFESSIONAL SOLICITORS ON BEHALF OF CHARITIES SOLICITING CONTRIBUTIONS WITHIN THE COMMONWEALTH OF PENNSYLVANIA MUST REGISTER WITH THE DEPARTMENT OF STATE, BUREAU OF CHARITABLE ORGANIZATIONS, ROOM 308, NORTH OFFICE BUILDING, HARRISBURG, PENNSYLVANIA 17120-0029 (717)/783-1720).

ENTITY NUMBER: 2553708

MICROFILM NUMBER: 09373

0342-0344

DAVID H RADCLIFF PC
2216 WALNUT ST
HARRISBURG, PA 17103



NOV 08 1993

Microfilm Number _____

Filed with the Department of State on

Entity Number 2553708

T. B. K. K. K.

Secretary of the Commonwealth

PH

ARTICLES OF INCORPORATION-FOR PROFIT
OF

OESTER TRUCKING, INC.

Name of Corporation

A TYPE OF CORPORATION INDICATED BELOW

Indicate type of domestic corporation:

- Business-stock (15 Pa.C.S. § 1305)
- Business-nonstock (15 Pa.C.S. § 2102)
- Business-statutory close (15 Pa.C.S. § 2303)
- Cooperative (15 Pa.C.S. § 7102)
- Management (15 Pa.C.S. § 2702)
- Professional (15 Pa.C.S. § 2903)
- Insurance (15 Pa.C.S. § 3101)

DSQB:15-1306/2102/2303/2702/2903/3101/7102A (Rev 91)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) the undersigned, desiring to incorporate a corporation for profit hereby, state(s) that:

1. The name of the corporation is: OESTER TRUCKING, INC.

2. The (a) address of this corporation's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) <u>R. D. 1, BOX 142-A</u>	<u>SALISBURY, PA</u>	<u>15558</u>	<u>Somerset</u>
Number and Street	City	State	Zip
			County

(b) c/o: _____
 Name of Commercial Registered Office Provider

County _____

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

- 3. The corporation is incorporated under the provisions of the Business Corporation Law of 1988.
- 4. The aggregate number of shares authorized is: 1,000 common (other provisions, if any, attach 8 1/2 x 11 sheet)

5. The name and address, including number and street, if any, of each incorporator is:

Name	Address
<u>William H. Oester</u>	<u>R. R. 1, Box 142-A, Salisbury, PA 15558</u>

6. The specified effective date, if any, is: January 1, 1994

month day year hour, if any

- 7. Additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet. See Attachment
- 8. Statutory close corporation only: Neither the corporation nor any shareholder shall make an offering of any of its shares of any class that would constitute a "public offering" within the meaning of the Securities Act of 1933 (15 U.S.C. § 77a et seq.).
- 9. Cooperative corporations only: (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: _____

IN TESTIMONY WHEREOF, the incorporator(s) has (have) signed these Articles of Incorporation this 2nd day of November, 1993.

(Signature)

William H. Ooster

(Signature)

OESTER TRUCKING, INC.

Articles of Incorporation

Additional Provisions:

The corporation shall have unlimited power to engage in and do any lawful business for which corporations may be incorporated under the Business Corporation Law of 1988.

The board of directors shall have the full authority permitted by law to fix by resolution full, limited, multiple or fractional, or no voting rights, and such designations, preferences, qualifications, privileges, limitations, restrictions, options, conversion rights, and other special or relative rights of, and the number of authorized shares (within the total number of shares of all classes and series authorized by these articles) of, any class or any series of any class that may be desired.

The common stock of this corporation shall have a \$10.00 par value.

Shareholders of the Corporation shall not be entitled to cumulate their votes in the election of directors.

ORIGINAL

Rex W. McQuaide

Attorney at Law



1405 Eisenhower Blvd., Richland Square I - Suite 200 • Johnstown, Pennsylvania 15904

Telephone (814) 266-2070

Fax (814) 266-5108

Rex W. McQuaide

Thomas W. Cartwright

C. Susan Mankamyer

December 20, 1993

Mr. John G. Alford, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17120

RE: APPLICATION OF OESTER TRUCKING
A-00109496, Folder 1, Am-B

Dear Mr. Alford:

On behalf of W.C. McQuaide, Inc., I hereby withdraw our Protest in regards to the above-captioned application.

I do desire to remain a party of record for the receipt of all orders which may be issued.

DOCKETED

JAN 05 1994

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Rex W. McQuaide'.

Rex W. McQuaide
Attorney at Law

RWM:sas

cc: Mr. William F. McQuaide
David H. Radcliff, Esquire

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DEC 22 1993
SECRETARY'S OFFICE
Public Utility Commission

SALLY A. DAVOREN

ATTORNEY AT LAW

201 PILGRIMS BUILDING

508 ALLEGHENY RIVER BOULEVARD

OAKMONT, PA 15139-1617

(412) 826-1413

FAX (412) 826-0620

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January 3, 1994

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JAN 06 1994

John G. Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

SECRETARY'S OFFICE
Public Utility Commission

Re: Application of William H. Oester, t/d/b/a Oester Trucking
Docket No. A-00109496, F.1, Am-B
File No. 451

Dear Mr. Alford:

I represent Galaxy Trucking, Inc., a protestant to the above application. This is to inform you that, upon further consideration, this carrier has decided to withdraw its protest to the application, and I am doing so by this letter.

Galaxy Trucking, Inc., wishes to remain a party of record for the purpose of receiving any correspondence, pleadings filed or Orders issued in connection with the case. I am sending a copy of this letter to the applicant's representative, so that he will serve any subsequent Restrictive Amendments or other pleadings filed in connection with the case on me. Thank you.

Sincerely,



Sally A. Davoren

cc: Hon. John H. Corbett, Jr.
Administrative Law Judge
Bud Huntington, Office of Administrative Law Judges
David H. Radcliff, Esq.
Galaxy Trucking, Inc.

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FOLDER

JA451CRP.014

(12)

COMMONWEALTH OF PENNSYLVANIA RECEIVED
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265 (310) 10
January 4, 1994

In Re: ~~A-001094967~~ F0000, AmB
JAN 10 1994
MAIL ROOM

(See letter dated 11/30/93)

Application of William H. Oester, t/d/b/a Oester Trucking

For amendment so as to permit the transportation of property (except household goods in use and commodities in bulk) for Laurel Packaging, Incorporated, from its facilities in Cambria County, to points in Pennsylvania, and vice versa.

NOTICE

Since all protests against the above captioned application have been withdrawn, the hearing scheduled for Wednesday, January 5, 1994 at 10:00 a.m., in Pittsburgh, Pennsylvania, has been cancelled.

The application will be referred to the Bureau of Transportation for review and report to the Commission.

cc: Judge Corbett
John Frazier - BPL
Norma Lewis
Stephen Springer
Beth Plantz
Docket Room

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JAN 11 1994

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COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA PUBLIC UTILITY COMMISSION
 P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
 REFER TO OUR FILE

January 24, 1994

DAVID H RADCLIFF
 ATTORNEY AT LAW
 2216 WALNUT STREET
 HARRISBURG PA 17103

In re: A-00109496, F. 1, Am-B - 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 required 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 should be aware of the fact that the verified statements will be reviewed based on the Commission's decision in the Application of Bluebird Coach Lines, Inc. A-00088807, F. 2, Am-K, which indicates: (1) the supporting witnesses must give evidence which is probative and relevant to the application proceeding; (2) the supporting witnesses must identify Pennsylvania origin and destination points between which they require transportation and those points must correspond with the scope of the operating territory specified in the application including requests for vice versa authority; and (3) the number of witnesses which will represent a cross section of the public on the issue of need will vary with the breadth of the intended territory and commodity description.

You are being granted an initial thirty (30) days to file verified statements. They will be due on or before February 24, 1994.

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

Questions about your application should be directed to Douglas A. Pike (717)783-5947.

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DAP:lg

Very truly yours,

DOCKETED
 APPLICATION DOCKET
 JAN 25 1994
 ENTRY NO. *14*

Douglas A. Pike
 Technical Review Section
 Bureau of Transportation

DAVID H. RADCLIFF, P.C.
2216 WALNUT STREET
HARRISBURG, PA 17103

DAVID H. RADCLIFF

TELEPHONE: (717) 236-9318

February 8, 1994
File: 1306.2

RE: OESTER TRUCKING, INC., A.109496, F.1, Am-B
(Laurel Packaging Incorporated)

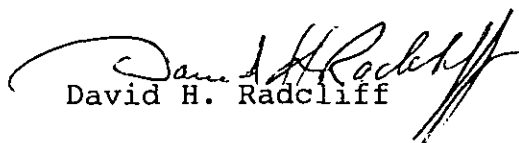
John Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Dear Mr. Alford:

I enclose the original and one copy of the verified statements in the above application proceeding. These are filed in accordance with the letter of Douglas Pike in the Technical Review Section.

By copy of this letter, copies of the verified statements are being forwarded to the applicant and the Technical Review Section.

Very truly yours,


David H. Radcliff

DHR/br
c:\wp51\forms\vs.1tr

cc: Douglas A. Pike
Technical Review Section
Bureau of Transportation
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg; PA 17120

William Oester, President
Oester Trucking, Inc.
R. D. 1, Box 142-A
Salisbury, PA 15558

DAVID H. RADCLIFF, P.C.
2216 WALNUT STREET
HARRISBURG, PA 17103

DAVID H. RADCLIFF

February 8, 1994
File: 1306.2

RE: OESTER TRUCKING, INC., A.109496, F.1, Am-B
(Laurel Packaging Incorporated)

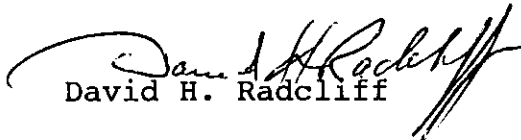
John Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Dear Mr. Alford:

I enclose the original and one copy of the verified statements in the above application proceeding. These are filed in accordance with the letter of Douglas Pike in the Technical Review Section.

By copy of this letter, copies of the verified statements are being forwarded to the applicant and the Technical Review Section.

Very truly yours,


David H. Radcliff

DHR/br
c:\wp51\forme\vs.ltr

cc: Douglas A. Pike
Technical Review Section
Bureau of Transportation
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

William Oester, President
Oester Trucking, Inc.
R. D. 1, Box 142-A
Salisbury, PA 15558

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PA PUC
BUREAU OF
TRANSPORTATION
TELEPHONE: (717) 236-9318
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PA. P. U. C.
INFO. CONTROL DIV.

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PA. P. U. C. DIV.
INFO. CONTROL DIV.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Docket No. A.109496, F.1, Am-B

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FEB 10 1994

IN THE CASE OF
OESTER TRUCKING, INC.

PREPARED TESTIMONY OF WILLIAM OESTER
ON BEHALF OF APPLICANT OESTER TRUCKING, INC.

- Q. Please state your name, business address and company affiliation.
- A. My name is William Oester. I am President of the applicant, Oester Trucking, Inc. The applicant's offices are at R. D. 1, Box 142A, Salisbry, PA 15558.
- Q. What is the legal entity which is seeking additional authority in this proceeding.
- A. Oester Trucking, Inc. is the corporate entity. The sole proprietorship was incorporated with myself as President by a filing with the Corporation Bureau in Pennsylvania on November 8, 1993. I have attached as Exhibit A a copy of the Articles of Incorporation.

Neither this Commission nor the Interstate Commerce Commission require prior approval or an application proceeding when a sole proprietorship is incorporated. I have notified the Commissions from which I hold authority as sole proprietorship to change their records indicating the

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APPLICATION
FEB - 9 1994
ENTRY No. *[Signature]*

corporation is now the operating entity under the certificates previously held by the sole proprietorship. A copy of the letter filed with the Secretary of this Commission is attached as Exhibit B.

I request that the application be amended to reflect the corporate name for further proceedings on this application.

Q. Please describe the responsibilities of your position as President of the applicant.

A. I am the Principal Operating Officer and the Chief Executive of the Company. My duties include all levels of administration and oversight of the corporation's operating activities. My appearance as a witness on behalf of the company before this Commission is included within the scope of my duties. I am familiar with the equipment, facilities, operations, authorities and finances of the applicant.

Q. Please define the scope of authority sought in this proceeding.

A. Oester Trucking, Inc. seeks an amendment to add an additional shipper to its existing authorities from this Commission. The corporation requests an amendment authorizing the provision of transportation service for Laurel Packaging, Inc. from its facilities in Somerset County to points in Pennsylvania and vice versa.

Q. Please describe the current operating authority of Oester Trucking, Inc.

A. Under the current operating authority at A.109496 the Commission approved specific authority for named shippers. The named shippers include Super Value Holdings, Inc. and Wetterau, Inc. I have attached as Exhibit C a complete copy of the authorities previously issued to the sole proprietorship. As noted above I have requested that the Commission place those authorities in the name of the corporation.

Q. Would a grant of this application result in any duplication of authority presently held by Oester Trucking, Inc. from this Commission?

A. In this proceeding applicant seeks authority to serve a specific shipper. No duplication with existing authorities will result.

Q. Would approval of this application result in any dual operations?

A. Applicant operates only as a common carrier in Pennsylvania. Approval of this application will not result in any dual authority.

Q. Does the applicant hold authority from the Interstate Commerce Commission?

A. Applicant holds authority from the Interstate Commerce Commission at docket MC-207057. The broadest scope of authority from the Interstate Commerce Commission is at MC-207057 Sub 0-C and authorizes transportation between all points in the continental United States. A copy of the Sub 0-C certificate is attached as Exhibit D.

Q. What terminal facilities are maintained by applicant in Pennsylvania?

A. The garage and office facilities utilized by my company at Salisbury, Pennsylvania are utilized as the base for my Pennsylvania operations. That facility also serves as the base for my interstate operations. We would require no additional terminals in connection with this application. I do not require terminal facilities for my operations as a contract carrier. Parking at the garage facility is sufficient for all of my equipment. The garage is equipped for routine maintenance.

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

Q. What communications facilities are maintained and operated by Oester Trucking, Inc.?

A. The shipping public may reach us with requests for service by using our "800" service number which covers all of the Pennsylvania area codes.

Q. What vehicle equipment is operated by the applicant?

A. I have attached as Exhibit E 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.

Q. What personnel are employed by applicant?

A. Oester Trucking, Inc. employs twenty-eight drivers, one mechanic, and four office personnel.

Q. What safety program does the applicant maintain?

A. I have on file with this Commission insurance sufficient to satisfy the requirements for public liability, property damage and cargo insurance. I am presently a certificated carrier. All of my equipment is licensed in Pennsylvania and is inspected in accordance with Pennsylvania law. Safety is a priority matter in my operations. All of my drivers are carefully screened and are tested for familiarity with the D.O.T. regulations. Before a driver is hired, I check driving records with regard to prior violations and also check references from previous employers. Safety training is conducted on a day-to-day basis with each driver. I conduct four safety meetings a year with the drivers to discuss current safety issues. I use pamphlets and safety information provided by my insurance company to supplement safety training. My program emphasizes safe handling of the vehicles and an effort to increase safety awareness among all employees.

Q. What are the principal service features offered by Oester Trucking, Inc.?

A. 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 items sold and distributed by the three supporting shippers.
3. I will handle truck load traffic and outbound shipments at the request of the shippers.
4. I will provide the appropriate type of equipment for the transportation of grocery items in clean, dry van-trailers and refrigerated commodities in appropriate temperature controlled trailers.
5. I will provide scheduled pickup and deliveries by appointment.

Q. What is the financial status of the applicant?

A. Attached to this prepared testimony as Appendix F is a balance sheet for the sole proprietorship as of September 30, 1993.

The incorporation of the sole proprietorship will make the same assets available although the contribution of those assets to the corporation will not be made in exchange for stock. Some of the equipment will be leased to the corporation and the cash assets other than the acquisition of stock will be in the form of a loan. As this corporation has just begun no balance sheet has been prepared for it.

I have attached as Exhibit G an income and expense statement for the nine month period ended September 30, 1993 for the sole proprietorship. As the corporation will be continuing the same business performed by the sole proprietorship this income and expense statement is the most accurate estimate available for the income and expenses of the corporation.

Microfilm Number _____

Filed with the Department of State on NOV 08 1993

Entity Number 2553708

[Signature]

Secretary of the Commonwealth

[Initials]

ARTICLES OF INCORPORATION-FOR PROFIT
OF
OESTER TRUCKING, INC.
Name of Corporation
A TYPE OF CORPORATION INDICATED BELOW

Indicate type of domestic corporation:

- Business-stock (15 Pa.C.S. § 1306) ___ Management (15 Pa.C.S. § 2702)
- ___ Business-nonstock (15 Pa.C.S. § 2102) ___ Professional (15 Pa.C.S. § 2903)
- ___ Business-statutory close (15 Pa.C.S. § 2303) ___ Insurance (15 Pa.C.S. § 3101)
- ___ Cooperative (15 Pa.C.S. § 7102)

DSCB:15-1306/2102/2303/2702/2903/3101/7102A (Rev 91)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) the undersigned, desiring to incorporate a corporation for profit hereby, state(s) that:

1. The name of the corporation is: OESTER TRUCKING, INC.

2. The (a) address of this corporation's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) <u>R. D. 1, BOX 142-A</u>	<u>SALISBURY, PA</u>	<u>15558</u>	<u>Somerset</u>
Number and Street	City	State	Zip County

(b) c/o: _____
Name of Commercial Registered Office Provider County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

- 3. The corporation is incorporated under the provisions of the Business Corporation Law of 1988.
- 4. The aggregate number of shares authorized is: 1,000 common (other provisions, if any, attach 8 1/2 x 11 sheet)

5. The name and address, including number and street, if any, of each incorporator is:

Name	Address
<u>William H. Oester</u>	<u>R. R. 1, Box 142-A, Salisbury, PA 15558</u>

6. The specified effective date, if any, is: January 1, 1994
month day year hour, if any

EXHIBIT A

- 7. Additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet. See Attachment
- 8. Statutory close corporation only: Neither the corporation nor any shareholder shall make an offering of any of its shares of any class that would constitute a "public offering" within the meaning of the Securities Act of 1933 (15 U.S.C. § 77a et seq.).
- 9. Cooperative corporations only: (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: _____

IN TESTIMONY WHEREOF, the incorporator(s) has (have) signed these Articles of Incorporation this 2nd day of November, 19 93.

(Signature)

William H. Ooster

(Signature)

7575 - 311

OESTER TRUCKING, INC.

Articles of Incorporation

Additional Provisions:

The corporation shall have unlimited power to engage in and do any lawful business for which corporations may be incorporated under the Business Corporation Law of 1988.

The board of directors shall have the full authority permitted by law to fix by resolution full, limited, multiple or fractional, or no voting rights, and such designations, preferences, qualifications, privileges, limitations, restrictions, options, conversion rights, and other special or relative rights of, and the number of authorized shares (within the total number of shares of all classes and series authorized by these articles) of, any class or any series of any class that may be desired.

The common stock of this corporation shall have a \$10.00 par value.

Shareholders of the Corporation shall not be entitled to cumulate their votes in the election of directors.

OESTER TRUCKING, INC.
R. D. 1, Box 142A
Salisbury, Pa 15558

John Alford, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, Pa 17120

Dear Secretary Alford:

This letter is to notify the Commission that I have incorporated the sole proprietorship which holds authority at A.109496 in my own name, William H. Oester. The corporation's name is Oester Trucking, Inc.

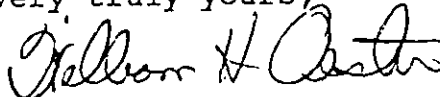
Copies of the Articles of Incorporation indicating the acceptance of the same for filing and the letter from the Corporation Bureau returning the originals are enclosed. No certificate of incorporation is issued by the Department of State.

Currently I own 100 shares of stock in Oester Trucking, Inc. No other shares are issued or outstanding.

The only director is myself. I am also President, Secretary and Treasurer of the corporation. There has been no change in ownership or control of the business.

I will direct my insurance carrier and so forth.

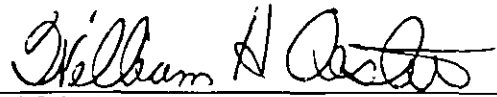
Very truly yours,



William H. Oester
President

The undersigned deposes and says that he is the person who gave the Statement above 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.



William H. Oester

Enclosure

e:\letters\oester.

EXHIBIT B

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held March 6, 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 William H. Oester, t/d/b/a Oester
Trucking, for the right to begin to transport,
as a common carrier by motor vehicle, property
(except household goods, commodities in bulk, and
Classes A and B explosives), for Stanton
Industries of Pennsylvania, Inc., and Berkebile
Oil Company, Inc., from their facilities
located in the county of Somerset, to points in
Pennsylvania, and vice versa.

A-00109496

Graf, Andrews & Radcliff, by David H. Radcliff for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on September 18, 1990, and published in the Pennsylvania Bulletin of October 6, 1990. The application is unopposed and the record is now certified to the Commission for its decision without oral hearing. Verified statements were submitted by the applicant and two shippers.

William Oester operates as a sole proprietor under the name of Oester Trucking (or applicant) from facilities located at R.D. 1, Salisbury, Somerset County. He holds no other authority from this Commission, but does hold common carrier authority from the I.C.C. at MC-207057. He is not affiliated with other carriers.

The applicant's facility in Salisbury consists of a garage and office which currently serves as the base for interstate operations. Multiple telephone lines are installed and parking at the garage is sufficient for all of the company vehicles. The vehicles consist of 16 tractors, 21 van-type trailers and two refrigerated trailers, all company-owned. Additional

equipment is readily available by lease if necessary. A safety program has been implemented.

An unaudited financial statement discloses that as of October 1, 1990, the applicant had total assets of \$1,741,000 with total liabilities of \$920,199, leaving a net worth of \$820,801. The assets include \$125,000 cash on hand and vehicles valued at \$1,159,000.

Catherine K. Berkebile Poorbaugh is president of Berkebile Oil Company, Inc., located in Somerset, Somerset County. She supports the applicant and states that the company manufactures automotive chemicals, including lubricants, solvents and cleaners, at a facility located in Somerset Industrial Park, Somerset County, which it ships to distributors throughout the United States, including all of Pennsylvania. She further states that of all the areas to which the company ships, the most difficult place to obtain a sufficient amount of service has been Pennsylvania.

The origin for all shipments is the Somerset facility with destinations at points such as Philadelphia, Bridgeport, Stewartstown, Freeland, Frazer, Erie, Beaver, Indiana, Pittsburgh, St. Marys, Bellefonte, Altoona, Scranton, Williamsport, Easton, Harrisburg, Carlisle, Lancaster, Reading, West Chester and Spring City. Service is required in 48-foot dry vans with overnight delivery required in most instances. The applicant has been utilized in interstate commerce with very satisfactory results. The applicant's ability to provide service in Pennsylvania will mean increased revenue for all concerned, especially meaningful to western Pennsylvania which, it states, has been hard hit by unemployment.

William S. Woods is assistant plant manager and traffic manager for Stanton Industries of Pennsylvania, Inc., and states, inter alia, that his support is for outbound service from the company's plant located in Salisbury, Somerset County only. It is a manufacturer of all types of furniture, including chairs, sofas, love seats, rockers, recliners and accessories therefor. The products are shipped to retail furniture dealers located throughout Pennsylvania, and the company is continually seeking new accounts. The applicant has been handling approximately 80 percent of the outbound interstate traffic over the past two years. It has been making Pennsylvania deliveries with its own trucks, but wishes to disband the private carriage operation and use the applicant instead. The applicant's experience in handling the freight will be very valuable in also handling the additional Pennsylvania tonnage.

DISCUSSION AND FINDINGS

William H. Oester, t/d/b/a Oester Trucking seeks a common carrier certificate which would give him the right to transport property, except household goods, commodities in bulk and Classes A and B explosives, for Stanton Industries of Pennsylvania, Inc., and Berkebile Oil Company, Inc., from their facilities located in the county of Somerset, to points in Pennsylvania, and vice versa.

Upon careful review of the transportation needs expressed by both shippers in their verified statements, we find those needs to fall somewhat short of supporting the service proposed by the applicant. The most obvious

shortcoming is the need for "vice versa" service. One shipper, Stanton Industries of Pennsylvania, Inc., states specifically that its support is limited to outbound service only. Berkebile Oil Company, Inc., has shown no need for inbound service of any kind. In response to Staff inquiry in this regard, counsel for the applicant advised by letter of February 6, 1991, that the applicant seeks authority consistent with the shippers' support and that reference to "vice versa" should be deleted.

The shippers' support also falls short of a need for service involving the broad commodity description of "property". One shipper produces and ships automotive chemicals such as cleaners, solvents and lubricants. The other manufactures and ships upholstered furniture such as chairs, sofas, love seats, and various accessories, which are deemed to be more compatible with a new furniture commodity description. Accordingly, any authority conveyed hereinafter will reflect the true needs of each shipper. By limiting the service to the transportation of specific commodities for each shipper, the conditions prohibiting the transportation of household goods and Class A and B explosives are unnecessary.

With further regard to the needs of Stanton Industries involving furniture; at first glance, it would appear that by virtue of the exclusion of transportation of household goods as contained in the captioned authority, any service for this shipper is questionable. We have, however, looked at household goods transportation as the act of moving from one household to another, and not embracing the transportation of new furniture from a manufacturer to its customers.

The applicant is a certificated I.C.C. common carrier and has been serving each shipper under that authority for some time. The evidence of record shows it to be well qualified to serve the shippers in Pennsylvania intrastate traffic. The applicant has facilities located in Somerset County and has the equipment necessary to adequately meet the shippers' needs. Its financial position is good.

We find:

1. That a public need for the proposed service to the extent modified hereinafter does exist.
2. That the applicant is fit, ready, willing and able to provide the service as proposed and hereinafter modified.
3. That approval of the application, as modified, is necessary for the accommodation and convenience of the public; THEREFORE,

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

- (1) To transport, as a Class D carrier, automotive chemicals, including lubricants, solvents and cleaners, for Berkebile Oil Company, Inc., from its facilities in Somerset County, to points in Pennsylvania;

- (2) To transport, as a Class D carrier, new furniture and accessories therefor, for Stanton Industries of Pennsylvania, Inc., from its facilities in Somerset County, to points in Pennsylvania;

with both rights subject to the following condition:

That no right, power or privilege is granted to transport commodities 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 and a tariff establishing just and reasonable rates.

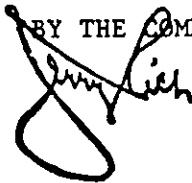
IT IS FURTHER ORDERED: That upon compliance with the requirements as set forth, a certificate issue evidencing the Commission's approval of the right to operate as above-determined.

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 application in all other respects be and is hereby denied for lack of proof of necessity.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: March 6, 1991

ORDER ENTERED: MAR ' 2 1991

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held August 19, 1993

Commissioners Present:

David W. Rolka, Chairman
Joseph Rhodes, Jr., Vice-Chairman
John M. Quain
Lisa Crutchfield
John Hanger

Application of William H. Oester, t/d/b/a
Oester Trucking, Salisbury, Somerset County,
for amendment to his common carrier certificate,
which grants the right, inter alia, to transport,
by motor vehicle, automotive chemicals, including
lubricants, solvents and cleaners, for Berkebile
Oil Company, Inc., from its facilities in Somerset
County, to points in Pennsylvania; subject to the
following condition: That no right, power or
privilege is granted to transport commodities in
bulk: SQ AS TO PERMIT the transportation of property
(except household goods in use and commodities in
bulk) for Supervalu Holdings, Inc., Charlie Brothers
Division of Supervalu, Incorporated and Wetterau,
Incorporated from points in Pennsylvania to the
facilities owned, leased or utilized by Supervalu
Holdings, Inc., Charlie Brothers Division of Supervalu,
Incorporated and Wetterau, Incorporated in the counties
of Westmoreland and Fayette.

A-00109496
F. 1
Am-A

David H. Radcliff for the applicant.
Michael J. Bosilovich for the protestant, Pleasant Trucking, Inc.
William J. Lavelle for the protestants, W. F. Burns Trucking, Inc.,
and Reid J. Cavanaugh.

ORDER

BY THE COMMISSION:

This matter comes before the Commission on an applicant filed
February 8, 1993. Public notice of the application was given in the
Pennsylvania Bulletin of March 20, 1993. Three protests were filed to the
application but were withdrawn without of a restrictive amendment. The now
unopposed application is certified to the Commission for its decision without
oral hearing. The record consists of verified statements submitted by the
applicant and the supporting shippers.

William H. Oester (applicant) is a sole proprietor who trades as "Oester Trucking". He was initially certificated in 1991 and presently holds two paragraphs of operating authority. A fleet of twenty-six tractors and sixty trailers is available to perform the proposed service. As a currently operating carrier, the applicant has a comprehensive safety program for drivers and vehicles. As evidence of his financial capacity to assume the burden of the additional operation, Oester reports assets of \$1,931,861, with liabilities of \$1,492,943, leaving a net worth of \$438,918.

Gregory D. Basinger, traffic manager for Pittsburgh Division of Supervalu, Inc. (PDS), submitted a verified statement on behalf of PDS and Supervalu Holdings, Inc. (Supervalu), in support of this application. Charlie Brothers Division of Supervalu, Incorporated, and Wetterau, Incorporated, two of the shippers named in the initial application were merged as of June 30, 1993, to form PDS. Since all of the shipper corporations are affiliated and the same facilities are involved, we believe that it is in the public interest to substitute PDS for the predecessor corporations. We further believe that no potential protestants would be prejudiced by this change since the parent company, Supervalu, was clearly named in the public notice. Supervalu and PDS are involved in the wholesale grocery distribution business. They operate facilities in Youngwood, Westmoreland County, and Belle Vernon, Fayette County, and require inbound shipments from suppliers located throughout the state. Representative origins include Allentown, Bloomsburg, Erie, Harrisburg, Philadelphia, Pittsburgh, Reading and York. The shippers anticipate using the applicant's service for approximately eighteen truckloads per day.

After a complete review of the record before us, we find:

1. That the applicant has shown that there is a public need for the proposed service.
2. That the applicant possesses the necessary equipment, experience, and financial capacity to perform the proposed service.
3. That approval of the application is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that the certificate issued to the applicant on April 16, 1991, be amended to include the following right:

To transport, as a Class D carrier, property, for Supervalu Holdings, Inc., and Pittsburgh Division of Supervalu, Inc., from points in Pennsylvania to their facilities, owned, leased or utilized, in the county of Westmoreland and Fayette;

subject to the following condition:

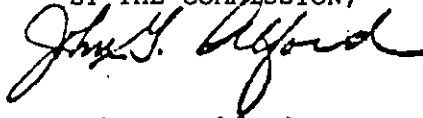
That no right, power or privilege is granted to transport household goods in use and commodities in bulk.

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 a tariff establishing just and reasonable rates.

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 in the event said 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.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: August 19, 1993

ORDER ENTERED: AUG 24 1993

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.

EXHIBIT D

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).

VEHICLE SCHEDULE

INSURED: OESTER TRUCKING CON'T
12/2/93

VEH	YR.	MAKE	EFF. DATE	VEHICLE I.D. NUMBER	STATED VALUE	<input type="checkbox"/> FULL LIAB <input type="checkbox"/> HIRED CAR <input type="checkbox"/> VEH TAIL/DEAD HEAD			COMP. CO.	PHYS. DED.	DED.
						LIAB	PIP	UM			
128	91	GREAT DANE		1GRAA9627MBO75308	15,000	X	X		ROYAL IND. CO.		
129	91	GREAT DANE		1GRAA9629MBO75309	15,000	X	X		"		
130	91	GREAT DANE		1GRAA9625MB705310	15,000	X	X		"		
133	89	GREAT DANE		1PTO2DAH1K9011125	9,500	X	X		"		
134	89	TRAILMOBILE		1PTO2DAH3K9011126	9,500	X	X		"		
135	89	TRAILMOBILE		1PTO2DAH5K9011127	9,500	X	X		"		
136	89	TRAILMOBILE		1PTO2DAH5K9011128	9,500	X	X		"		
137	89	TRAILMOBILE		1PTO2DAH9K9011129	9,500	X	X		"		
138	89	TRAILMOBILE		1PTO2DAH5K9011130	9,500	X	X		"		
139	92	STOUGHTON	10/18/92	1DW1A4825ND763703	13,000						
140	92	STOUGHTON	10/18/91	1DW1A4825NS763704	13,000						
145	91	GREAT DANE	2/28/92	1GRAA9621MB074803	15,000						
301	92	GREAT DANE	6/15/92	1GRAA0624NB113011	14,000				LCSS PAYEE ASSOC. COMM. CORP.		
302	92	GREAT DANE	6/15/92	1GRAA0626NB113012	14,000				"		
303	92	GREAT DANE	6/15/92	1GRAA0628NB113013	14,000				"		
304	92	GREAT DANE	6/15/92	1GRAA062XNB113014	14,000				"		
305	92	GREAT DANE	6/15/92	1GRAA0621NB113015	14,000				"		
306	93	GREAT DANE	12/22/92	1GRAA00625PB024801	15,970				ASSOC. COMM. CORP.		
307	93	GREAT DANE	12/22/92	1GRAA00627PB024802	15,970				"		
308	93	GREAT DANE	12/22/92	1GRAA00629PB024803	15,970				"		
309	93	GREAT DANE	12/22/92	1GRAA00620PB024804	15,970				"		
310	93	GREAT DANE	12/22/92	1GRAA00622PB024805	15,970				"		
311	92	STOUGHTON	3/15/93	1DW1A4824NS763711							
312	92	STOUGHTON	3/15/93	1AW1A4826NS763712							
313	92	UTILITY	3/15/93	TUYVS248XNC698104							
314	92	UTILITY	3/15/93	1UXVS2487NC698108							
315	89	GREAT DANE	3/15/93	1GRAA9620KW000505							
316	88	UTILITY	3/15/93	1UFVS24893T889507							
317	93	GREAT DANE	3/15/93	1GRAA9624B054436							
318	93	UTILITY	3/22/93	1UYVS2484PC980709							
319	93	UTILITY	3/22/93	1UYVS2480PC980710							
320	93	UTILITY	3/22/93	1UYVS2482PC980711							
321	89	GREAT DANE	8/30/93	1GRAA9621KB003601	20,000				LLOYDS ASSOC. MONROEVILLE		
322	93	UTILITY	8/30/93	1UYVA2485PM976002	38,000				"		
		CO Constitutes Owner/Operator									

OESTER TRUCKING

 STATEMENT OF ASSETS, LIABILITIES AND CAPITAL - CASH BASIS

 SEPTEMBER 30, 1993

ASSETS

CURRENT ASSETS:

Cash	\$34,823	
Advances	5,125	

TOTAL CURRENT ASSETS		\$39,948

PROPERTY AND EQUIPMENT:

Land	\$25,000	
Buildings and improvements	62,825	
Trucks	2,031,083	
Trailers	1,130,806	
Garage equipment	17,150	
Office equipment	2,208	

(Less): Accumulated depreciation	3,269,072	
	(1,368,952)	

TOTAL PROPERTY AND EQUIPMENT		1,900,120

TOTAL ASSETS		\$1,940,068

LIABILITIES AND PROPRIETOR'S CAPITAL

CURRENT LIABILITIES:

Payroll tax withholdings	\$14,102	
Current portion of long-term debt	540,536	

TOTAL CURRENT LIABILITIES		\$554,638

LONG-TERM DEBT, net of current portion		908,504

PROPRIETOR'S CAPITAL		476,926

TOTAL LIABILITIES AND PROPRIETOR'S CAPITAL		\$1,940,068

OESTER TRUCKING

 STATEMENT OF REVENUES AND EXPENSES - CASH BASIS

 FOR THE NINE MONTHS ENDED SEPTEMBER 30, 1993

	CURRENT QUARTER		YEAR TO DATE	
	AMOUNT	AMOUNT PER MILE	AMOUNT	AMOUNT PER MILE
MILEAGE:	805,371		2,359,775	
REVENUES:				
Hauling income	\$810,228	\$1.01	\$2,477,967	\$1.05
Interest income	532	0.00	1,540	0.00
Gain (Loss) on sale of assets	0	0.00	(3,658)	(0.00)
TOTAL REVENUES	\$810,760	\$1.01	\$2,475,849	\$1.05
EXPENSES:				
Salaries and Wages	\$257,153	\$0.32	\$695,107	\$0.29
Contract labor	2,335	0.00	5,524	0.00
Payroll taxes	1,959	0.00	61,725	0.03
Gas, oil, and fuel	143,187	0.18	483,506	0.20
Insurance	115,853	0.14	343,830	0.15
Parts, supplies, and repairs	55,745	0.07	201,173	0.09
Licenses	17,156	0.02	74,782	0.03
Tolls	12,265	0.02	37,182	0.02
Rent	255	0.00	2,001	0.00
Loading and Unloading	6,549	0.01	17,492	0.01
Depreciation	116,953	0.15	338,943	0.14
Interest	35,312	0.04	112,882	0.05
Telephone and utilities	8,433	0.01	29,596	0.01
Office supplies and expense	1,402	0.00	8,454	0.00
Legal and accounting	2,400	0.00	2,693	0.00
Advertising	0	0.00	1,692	0.00
Claims	586	0.00	3,537	0.00
Pension expense	2,397	0.00	9,029	0.00
Other	18,286	0.02	31,414	0.01
TOTAL EXPENSES	\$798,226	\$0.99	\$2,460,562	\$1.04
NET INCOME	\$12,534	\$0.02	\$15,287	\$0.01

VERIFICATION OF STATEMENT

The undersigned deposes and says that he is the person who gave 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: February 4, 1994



William H. Oester

PREPARED TESTIMONY

of

BARRY CLARK

Oester Trucking, Inc.
A.109496, F.1, Am-B

TESTIMONY OF BARRY CLARK
IN SUPPORT OF APPLICATION OF
OESTER TRUCKING, INC. A.109496, R. 1, Am-B

RECEIVED
FEB 19 11 08:59
PAMIC
FOR THE RECORD

Q. Would you please state your full name for the record and provide your business address?

A. My name is Barry Clark. I am Transport Manager for Laurel Packaging, Inc. This company's address is Industrial Park Drive, Johnstown, PA 15904.

Q. What is your experience in the transportation industry?

A. I have 29 years experience as a transport driver including 20 years as a driver for Laurel Packaging. For the past three years I have worked in the transportation office at Laurel Packaging and I am familiar with the transportation requirements of the company.

Q. What are your duties as Transport Manager?

A. My duties include oversight of the company fleet for scheduling and delivery purposes. I am also responsible for scheduling pick up and deliveries by common carriers for both interstate and Pennsylvania shipments. I have previously appeared on behalf of the company in support of carriers.

Q. Do you select motor carriers for shipping purposes?

A. My duties include selection of motor carriers and working with the carriers with regard to pick up and delivery scheduling, handling of our product and return of empty bottles and cases.

Q. Are you familiar with the service proposed under this application?

A. I discussed the proposed application for statewide service to and from the facilities of Laurel Packaging with Bill Oester at the time he was filing the application.

Q. What is the nature of the business of Laurel Packaging, Inc.?

A. The company is primarily a bottler and distributor of Pepsi Cola in cans and bottles. In addition the company packages and sells a full line of beverages in bottles and cans and a line of fountain syrups in bottles and tanks.

Q. What facilities are at the Industrial Park Drive address?

A. The Laurel Packaging facilities at Johnstown are bottling and storage facilities. We have a shipping dock with twelve doors. There is also a large parking area to accommodate our

DOCKETED
APPLICATION DOCKET
FEB 19 1994
ENTRY No. *[Signature]*

DOCUMENT
FOLDER

fleet of fourteen tractors and forty-six trailers and the employees' vehicles. At this facility more than 1,300,000 cases of cans and bottles are shipped on a yearly basis.

Q. Please explain the transportation requirements of your company within Pennsylvania.

A. 80% of Laurel's business is in Pennsylvania. We ship the full line of canned and bottled beverages and fountain syrups to points throughout the state. The Pepsi Cola line is well known. In addition to our production of soft drinks, iced teas and fruit drinks are shipped widely in Pennsylvania. Laurel is a co-packer of these additional beverage lines which means that the product is packaged under a house brand name as required by our particular customer.

Q. How is the product prepared for shipment?

A. All of the bottled and canned items are packed in cartons and the cartons are palletized for shipment. The tanks of fountain syrup are occasionally palletized but frequently move as individual items.

Q. What product do you have inbound for purposes of this application proceeding?

A. We receive some of our flavorings and ingredients by motor carrier from points in Pennsylvania. We have occasional inbound shipments of packaging materials by for-hire motor carriers. The majority of the inbound traffic is the return of over supplies of product, damaged product, and empty packaging materials and cases.

Q. What are the destination points of your outbound traffic?

A. Representative destinations of the beverage items in Pennsylvania include Erie, Franklin, St. Marys, Farrell, Altoona, Wilkes-Barre, Scranton, Kittanning, Reading, Kecksburg, Philadelphia, West Chester, McKees Rocks, Lewistown.

Q. Who pays the freight charges on the outbound traffic?

A. All outbound freight is prepaid by Laurel Packaging, Inc.

Q. Who pays the freight charges on the inbound traffic?

A. Laurel Packaging pays the charges for inbound delivery of the items mentioned above.

Q. What are some representative origin points of the inbound freight?

A. Representative origins of the inbound freight include Philadelphia, Kittanning, Farrell and all of the customers' destinations to which outbound shipments of beverage product have been made.

Q. What kind of equipment do you require for your shipments?

A. We require tractor trailer combinations with a 49,000 lb. gross payload capacity. The trailers should be either 45 or 48 feet long, either 96 or 102 inches wide and 110 inches in height.

Q. Do you require refrigerated equipment?

A. No. Our traffic all moves in regular van trailers. However, freeze protection is required in the winter months.

Q. Do you currently use Oester Trucking for any of your shipping needs?

A. Yes. We have used the Applicant for interstate shipments both on an inbound and outbound basis.

Q. Will the Applicant be utilized if this authority were approved?

A. Upon approval of this application we would tender to Applicant one to five truckloads of Pennsylvania traffic per week. Our shipments are both full truckload and truckload for multiple stop deliveries in transit.

Q. Have you previously supported other carriers for Pennsylvania authority?

A. Laurel Packaging, Inc. has supported the application of Michael A. Tokarksy at A-89561 in June of 1990 and of Galaxy Trucking at A-109168 in April of 1990. Our shipping volume has increased and Laurel requires the flexibility of utilizing the Applicant for Pennsylvania as well as interstate transportation.

Additionally, Galaxy Trucking does not have equipment available to meet our transportation requirements in Pennsylvania. Galaxy will only take the number of loads for available equipment per day. Galaxy will accept the shorter trips.

VERIFICATION OF STATEMENT

The undersigned deposes and says that he is the person who gave 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: February 3, 1994



Barry Clark



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

February 9, 1994

DAVID H RADCLIFF
ATTORNEY AT LAW
2216 WALNUT STREET
HARRISBURG PA 17103

In re: A-00109496, F. 1, Am-B - Application of Oester
Trucking, Inc.

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 Douglas A. Pike
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation

DAP:lg

