

A-109698  
F. 1-Am-A.

KJR

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

Public Meeting held September 20, 1991

Commissioners Present:

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

Application of Bill Snoddy Construction Co., Inc., for emergency temporary authority to transport coal for Mon-West Enterprises of Uniontown, from points in the counties of Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington, to points in the counties of Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny, Washington, Indiana and Cambria.

A-00109698  
F. 600

Old Route 119 North  
P.O. Box 945  
Uniontown, PA 15401



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Gregg M. Rosen for the applicant.  
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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application for emergency temporary authority filed July 29, 1991. The applicant has filed corresponding applications for permanent authority and temporary authority.

Bill Snoddy Construction Co., Inc., is a currently certificated carrier which holds several grants of authority permitting the transportation of coal in western Pennsylvania. By the instant application for emergency temporary authority it will provide service "for" Mon-West Enterprises of Uniontown transporting coal between points in the counties of Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington and from points in those counties to points in the counties of Indiana and Cambria.

The applicant has equipment, experience and rates and insurance on file which will permit it to immediately begin providing service under a grant of emergency temporary authority.

The request for emergency temporary authority is supported by Mon-West Enterprises through a statement entered by John Hart. Mon-West Enterprises has a current need for the transportation of 8,000 to 10,000 tons of coal each month.

It requires transportation from Fayette County to Greene County, 2 to 6 trucks per day; from Westmoreland County to Indiana County, 10 to 20 trucks per day; Fayette County to Lawrence County, 15 to 20 trucks per day; and from Greene County to Fayette County, 4 trucks per day. A future haul involves up to 25 trucks from Beaver County to Lawrence County. This need should exist through the end of 1993. This volume involves up to 20 trucks per day hauling five days per week. Based upon the investigations of the shipper, it has not found carriers with a combination of necessary operating authority and equipment to provide this level of service. The shipper has provided with its statement several examples when it has contacted carriers, but the carriers have been unable to commit trucks to provide the service.

A grant of emergency temporary authority will be made where it is established that there is or soon will be an immediate transportation need. A showing of immediate need may involve service to a new or relocated plant, a different method of distribution, new or unusual commodities, an origin or destination not presently served by carriers, a discontinuance of existing service, failure of existing carriers to provide service or comparable situations which require new carrier service before an application for permanent authority can be filed or processed.

In this instance, the shipper has indicated it has contacted other carriers for the service desired, but those carriers have been unable to guarantee equipment to meet the needs of Mon-West Enterprises. The shipper has indicated it is supporting the applicant in its request for permanent authority but requires service immediately to meet its high volume requirements.

From the information provided, it is our determination that the applicant, through the supporting shipper, has made a reasonable showing that an immediate need for service does exist which warrants a grant of emergency temporary authority pending disposition of the corresponding applications for temporary authority and/or permanent authority. Approval of the emergency temporary authority application will meet the immediate stated needs of the shipper and is proper for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application for emergency temporary authority be and is hereby approved granting the following right:

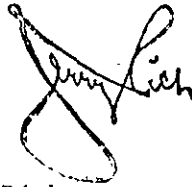
To transport, as a Class D carrier, coal for Mon-West Enterprises, from points in the counties of Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington, to

points in the counties of Beaver, Fayette,  
Greene, Lawrence, Westmoreland, Allegheny,  
Washington, Indiana and Cambria.

IT IS FURTHER ORDERED: That the grant of emergency temporary  
authority shall become effective upon the date of adoption of the order and  
shall remain in effect pending disposition of the applications for temporary  
authority and/or permanent authority.

IT IS FURTHER ORDERED: That our grant of emergency temporary  
authority in this matter shall have no bearing upon final disposition of the  
applications for temporary and/or permanent authority.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich". The signature is written in a cursive style with a large loop at the end.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: September 20, 1991

ORDER ENTERED: September 20, 1991