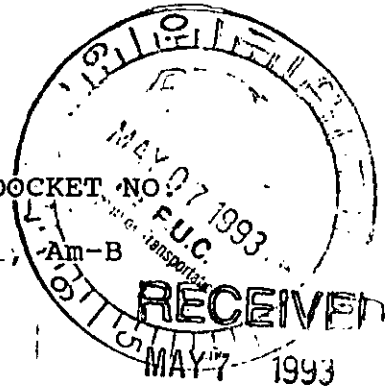


Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION



IN RE: APPLICATION OF  
JOYCO, INC.,  
t/d/b/a RAPID DELIVERY

:  
:  
:  
:

APPLICATION DOCKET NO. 7  
A-109534, F.1, Am-B

PROTEST

SECRETARY'S OFFICE  
Public Utility Commission

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

In accordance with 52 Pa. Code §3.381, protest of the above application is hereby made on behalf of the below-named motor carrier(s):

CARRIER	ADDRESS	DOCKET NO.
Jamour, Inc. t/d/b/a Quick Courier Service	1347 Wood St. Philadelphia, PA 19107	A-99753

on the following grounds:

(1) The service proposed will be competitive with and detrimental to the existing authorized service of the above-named motor carrier(s). Adverse impact upon the above-named motor carrier(s) is set forth at Appendix 1 hereto.

(2) There is no need for the proposed service.

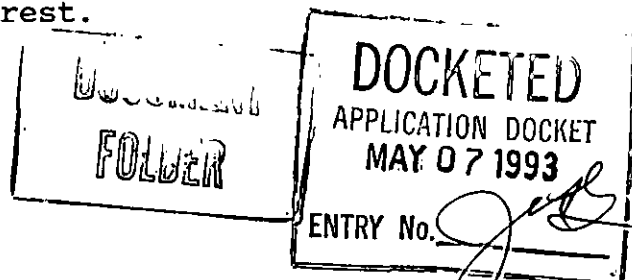
(3) The applicant is unfit to receive the operating rights sought to be transferred in this proceeding (hereinafter "the Rights").

(4) Transferor and the predecessor holders of the Rights abandoned them.

(5) The Rights are dormant and cannot be transferred.

(6) The transfer of the Rights and beginning of service by the applicant will constitute the initiation of a new and additional service in the territory encompassed by the Rights without the requisite showing that such service is necessary or proper for the service, accommodation, convenience or safety of the public.

A copy of the pertinent operating authority of the above-named motor carrier is attached hereto as Appendix 2. Protestant cannot, at this time, suggest a restrictive amendment other than the withdrawal of the application to the extent it concerns protestant's authorized territory, which would be acceptable to satisfy protestant's interest.



I hereby certify that a copy of this Notice of Protest has, on this date, been served upon applicant and/or its counsel (if any) by mailing a copy of same to the address(es) set forth in the Pennsylvania Bulletin dated 04/17/93.

cc: Louis J. Carter, Esq.  
Eugene Minahan, Operations Mgr.  
Joyco, Inc.,  
t/d/b/a Rapid Delivery

By: Edward L. Ciemniecki  
EDWARD L. CIEMNIECKI  
Attorney for Protestant(s)  
1800 Penn Mutual Tower  
510 Walnut Street  
Philadelphia, PA 19106  
(215) 925-8300

Date: May 4, 1993

JAMOUR, INC.  
t/d/b/a QUICK COURIER SERVICE

Adverse Impact

Jamour, Inc. t/d/b/a Quick Courier Service provides active service within the scope of the instant application pursuant to authority issued by the Pennsylvania Public Utility Commission at A-99753 and folders thereunder. The operating rights presently held and/or sought by Jamour, Inc. are attached hereto as Appendix 2.

A grant of the authority requested by Joyco, Inc. t/d/b/a Rapid Delivery would tend to divert both traffic and revenues from Jamour, Inc., thereby adversely affecting this protestant's overall operation, and its continued ability to provide service in Pennsylvania intrastate commerce.

Jamour, Inc., t/d/b/a  
QUICK COURIER SERVICE

SECTION 1  
RULES AND REGULATIONS

ITEM 650 - SCOPE OF CARRIER'S OPERATING AUTHORITY

Rates and provisions named in this tariff, or as amended, are limited in their application on Pennsylvania intrastate traffic to the extent of the operating authority set forth below. Unless otherwise specifically provided, the provisions are to be interpreted in the same manner as the Pennsylvania Public Utility Commission interprets the Certificate from which they are quoted.

Certificate No. A-00099753

1. To transport, as a Class B Carrier, property, excluding household goods in use, between points in the city and county of Philadelphia.
2. To transport, as a Class C Carrier, emergency shipments of property for E. I. Du Point and General Dyestuff Corporation from points in the city and county of Philadelphia to points in the city of Chester, Delaware County.

Folder 1, Am-F

To transport, as a Class D carrier, property, no single shipment to exceed two hundred fifty (250) pounds in weight, a shipment being defined as one lot of freight moving from one consignor to one consignee on one day on one bill of lading, between points in the counties of Cumberland, Dauphin, Lancaster, Lebanon and York, and from points in said counties, to points in Pennsylvania, and vice versa;

subject to the following conditions:

- (1) That no right, power or privilege is granted to provide service for the International Business Machine Company from the townships of Hampden and Silver Spring, Cumberland County.
- (2) That no right, power or privilege is granted to transport cash letters, checks, drafts, evidences of indebtedness, securities and other commercial papers.
- (3) That no right, power or privilege is granted to transport commodities in bulk.

(Continued)

Abbreviations and reference marks are explained on last page of tariff.

ISSUED: JULY 5, 1991

EFFECTIVE: AUGUST 5, 1991

Issued By:  
Henry T. Sweeney, President  
1347 Wood Street  
Philadelphia, Pennsylvania 19107

Jamour, Inc., t/d/b/a  
QUICK COURIER SERVICE

SECTION 1  
RULES AND REGULATIONS

ITEM 650 - SCOPE OF CARRIER'S OPERATING AUTHORITY (Continued)

Certificate No. A-00099753

Folder 1, Am-G

To transport, as a Class D carrier, parcels, packages and items of property, between points in and east of the counties of McKean, Elk, Clearfield, Cambria and Somerset, and from points in said territory to points in Pennsylvania located west of said counties, and vice versa;

subject to the following conditions:

1. That no right, power or privilege is granted to transport any single parcel, package or item of property weighing in excess of one hundred twenty-five (125) pounds.
2. That no right, power or privilege is granted to provide service in the transportation of shipments weighing in excess of five hundred (500) pounds from one consignor to one consignee in any one calendar day.
3. That no right, power or privilege is granted to provide service from points in the counties of Crawford, Erie, Mercer and Venango, except when such service is requested by and provided for a customer located in or east of the counties of McKean, Elk, Clearfield, Cambria and Somerset, and immediately follows service provided for the same customer to points in the counties of Crawford, Erie, Mercer or Venango.

Abbreviations and reference marks are explained on last page of tariff.

ISSUED: JULY 5, 1991

EFFECTIVE: AUGUST 5, 1991

Issued By:  
Henry T. Sweeney, President  
1347 Wood Street  
Philadelphia, Pennsylvania 19107

LAW OFFICES  
LOUIS J. CARTER  
7300 CITY LINE AVENUE  
PHILADELPHIA, PA. 19151-2291  
(215) 879-8665

LOUIS J. CARTER\*  
JOEL E. MAZOR\*\*  
JILL EISEMAN BRONSON\*\*

\* PENNA. & D.C. BAR  
\*\* PENNA. & N.Y. BAR

TELECOPIER #(215) 877-0955

IN REPLY PLEASE  
REFER TO FILE NO.

20416.221U9534

May 10, 1993

Edward Ciemniecki, Esq.  
Rubin, Quinn, Moss and Patterson  
1800 Penn Mutual Tower  
510 Walnut Street  
Philadelphia, PA 19106-3619

RECEIVED

MAY 12 1993

SECRETARY'S OFFICE  
Public Utility Commission

Re: Application of

Docket No.

JOYCO, INC. t/d/b/a RAPID DELIVERY  
(transfer of authority of Charles S.  
Creighton t/d/b/a 5C Delivery)

A.00109534,  
F.1, Am-B

Dear Ed:

Enclosed are two copies of (First Set) Interrogatories Propounded By the Applicant Addressed to Jamour, Inc. t/d/b/a Quick Courier Service, protestant in this matter.

The enclosed are to be answered, under oath, within twenty (20) days of the date of this letter, and any objection is required to be served within 10 days of service in accordance with the provisions of 52 Pa. Code Sec. 5.342(d).

Kindly acknowledge receipt on the enclosed copy.

Sincerely,



LOUIS J. CARTER  
Attorney for Applicant

LJC/kmd  
(RpdJamor.320)  
Enclosure: Interrogatories (2 copies)  
cc: Office of the Secretary (w/o encl)  
Joyco, Inc. t/d/b/a Rapid Delivery

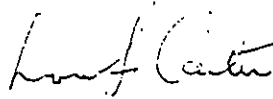


CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on the date indicated below, he served a copy of the foregoing document by first class priority mail, postage prepaid upon the following persons.

Edward Ciemniecki, Esq.  
Rubin, Quinn, Moss and Patterson  
1800 Penn Mutual Tower  
510 Walnut Street  
Philadelphia, PA 19106-3619  
(Attorney for Protestant)

Dated this 10th day of May, 1993.



---

LOUIS J. CARTER  
Attorney for Applicant  
Joyco, Inc. t/d/b/a Rapid Delivery

ORIGINAL

RM/R

RUBIN QUINN MOSS & PATTERSON, P. C.

ATTORNEYS AT LAW  
1800 PENN MUTUAL TOWER  
510 WALNUT STREET  
PHILADELPHIA, PA 19106-3619  
(215) 925-8300  
FAX (215) 925-1572

OF COUNSEL  
MALCOLM L. LAZIN  
ALAN KAHN  
GOFF & RUBIN

ALEXANDER N. RUBIN, JR.  
JERROLD V. MOSS  
DANIEL B. PIERSON, V  
ROBERT P. STYLE  
G. BRADLEY RAINER  
MARY ELLEN O'LAUGHLIN  
EDWARD L. CIEMNIECKI  
LESLIE BETH BASKIN  
RICHARD A. FRANKLIN  
HOWARD H. SOFFER  
PAUL GERARD WEISS  
WILLIAM R. QUINN  
JAMES W. PATTERSON  
DENIS JAMES LAWLER  
WILLIAM D. PARRY  
DON P. FOSTER  
ERIC M. HOCKY  
JOSEPH F. MESSINA  
PETER C. CILIO  
JOAN F. JAFFE  
JEFFREY P. BATES

DIRECT DIAL NUMBER

(215) 931-0604

May 24, 1993

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

**Re: Application of Joyco, Inc., t/d/b/a Rapid Delivery**  
**Docket No. A-109534, F.1, Am-B**

Dear Secretary Alford:

Enclosed please find the original and two copies of the Objections to Interrogatories filed on behalf of Jamour, Inc., t/d/b/a Quick Courier Service in the above-captioned matter.

A copy of the enclosed has been served upon Louis J. Carter, Esquire, counsel for applicant.

Very truly yours,

*Edward L. Ciemniecki*  
EDWARD L. CIEMNIECKI

ELC/hs  
Enclosure  
cc: Louis J. Carter, Esquire  
Eugene Minahan, Operations Manager

DOCUMENT  
FOLDER

RECEIVED  
MAY 24 1993  
SECRETARY'S OFFICE  
Public Utility Commission



**Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

<b>APPLICATION OF</b>	:	<b>DOCKET NO.</b>
<b>JOYCO, INC., t/d/b/a</b>	:	<b>A-109543, F.1, Am-B</b>
<b>RAPID DELIVERY</b>	:	

---

**OBJECTIONS OF JAMOUR, INC.  
t/d/b/a QUICK COURIER SERVICE  
TO INTERROGATORIES**

---

On May 10, 1993 Joyco, Inc., t/d/b/a Rapid Delivery ("Rapid Delivery") served seventeen (17) Interrogatories on counsel for protestant, Jamour, Inc. t/d/b/a Quick Courier Service ("Quick Courier").

Pursuant to 52 Pa. Code §5.342, Quick Courier objects to Interrogatories 10, 11, 13 and 15. The full text of these Interrogatories is attached hereto as Appendix 1.

**OBJECTIONS**

**A. Rapid Delivery Interrogatory No. 10.a.:**

Rapid Delivery's Interrogatory No. 10.a. is objected to as unreasonably burdensome, expensive and oppressive.

Although Quick Courier's financial statements reflect system-wide profitability, Quick Courier does not maintain the records necessary to produce information regarding the specific profitability of its Pennsylvania intrastate operations. Requiring

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JUN 07 1993

**RECEIVED**

MAY 24 1993

**SECRETARY'S OFFICE  
Public Utility Commission**

Quick Courier to respond to Rapid Delivery's Interrogatory No 10.a. would necessitate a complete overhaul of Protestant's accounting procedures for the sole purpose of responding to this Interrogatory and the creation of records where none currently exist. In fact, based upon the current state of Quick Courier's recordkeeping, it is unlikely that the requested information could ever be produced. The onerous burden to be imposed upon Quick Courier in an attempt to respond to this Interrogatory is unwarranted in this proceeding.

**B. Rapid Delivery Interrogatories 10.b. and 11:**

Quick Courier objects to Interrogatories 10.b. and 11 because they seek confidential information. Moreover, these Interrogatories seek information irrelevant to this proceeding and are, therefore, not reasonably calculated to lead to the discovery of admissible evidence.

**C. Rapid Delivery Interrogatory 13:**


Rapid Delivery's Interrogatory 13 requests information relating to "any complaint to the Pennsylvania Public Utility Commission, the Pennsylvania Department of Transportation or to any other governmental agency concerning any transportation activity or service conducted or rendered by Protestant." Since Quick Courier's regulatory fitness is not an issue to be determined in this proceeding, Rapid Delivery's Interrogatory 13 is not reasonably calculated to lead to the discovery of admissible evidence.

D. Rapid Delivery Interrogatory 14:

Quick Courier objects to Interrogatory 14 on the basis that it is too wide-spread and detailed. Requiring Quick Courier to "state each and every fact and identify each and every document upon which [it relies] in support of the allegations set forth in [its] Protest and/or which in any way evidences, supports or relates to the basis for your Protest" is an overbroad request and places an onerous burden upon Protestant.

WHEREFORE, Jamour, Inc., t/d/b/a Quick Courier Service requests issuance of an Order sustaining its objections.

Respectfully submitted,

  
EDWARD L. CIEMNIECKI  
Attorney for Jamour, Inc.  
t/d/b/a Quick Courier Service

APPLICATION OF JOYCO, INC., t/d/b/a RAPID DELIVERY

Docket No. A-109543, F.1, Am-B

Interrogatories to Which Objections Are Made

10. a. State the net profit Protestant earned a profit from its PUC operations in each of the last two calendar years?

b. State the salaries, other benefits and perquisite paid its officers and majority shareholders in those years.

11. Identify by name and address the accountant(s) or other person(s) who prepared the annual reports to the PA PUC.

13. Has Protestant been the subject of any complaint to the Pennsylvania Public Utility Commission, The Pennsylvania Department of Transportation or to any other governmental agency concerning any transportation activity or service conducted or rendered by Protestant? If the answer is yes, provide details regarding each such complaint and its outcome and produce all documents related to such complaint.

14. State each and every fact and identify each and every document upon which you rely in support of the allegations set forth in your Protest and/or which in any way evidences, supports or relates to the basis for your Protest. Attach list.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing Objections to Interrogatories were served as follows this 24th day of May, 1993, by regular United States mail, postage prepaid:

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

Louis J. Carter, Esquire  
7300 City Line Avenue  
Philadelphia, PA 19151-2291



---

EDWARD L. CIEMNIECKI, ESQUIRE  
Attorney for Jamour, Inc.  
t/d/b/a Quick Courier Service

Objections to Interrogatories 10, 11, 13 and 14.

LAW OFFICES  
LOUIS J. CARTER  
7300 CITY LINE AVENUE  
PHILADELPHIA, PA. 19151-2291  
(215) 879-8665

ORIGINAL

LOUIS J. CARTER\*

JOEL E. MAZOR\*\*

\* PENNA. & D.C. BAR  
\*\* PENNA. & N.Y. BAR

TELECOPIER #(215) 877-0955

IN REPLY PLEASE  
REFER TO FILE NO.

20416.221U9534

June 17, 1993

Sent UPS

Office of the Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

RECEIVED

JUN 22 1993

Re: Application of

SECRETARY'S OFFICE  
Public Utility Commission  
Docket No.

JOYCO, INC. t/d/b/a RAPID DELIVERY

A.109534, F.1, Am-B

To the Secretary:

Enclosed for filing is the original and two copies of "Motion By Applicant To Compel Responses To Interrogatories Propounded By Applicant Rapid Delivery To Protestant Jamour, Inc. t/d/b/a Quick Courier Service". This motion is filed on behalf of Joyco, Inc. t/d/b/a Rapid Delivery in the above-captioned matter.

Copies have been served on those parties listed on the attached Certificate of Service.

Kindly acknowledge receipt on the enclosed extra copy of this letter and return same in the self-addressed, stamped envelope provided.

Sincerely,



LOUIS J. CARTER  
Attorney for Applicant

DOCUMENT  
FOLDER

LJC/kmd

(RpdJmour.325)

Enclosure: Motion to Compel (0+2)

cc: Edward L. Ciemniecki, Esq., Attorney for Jamour, Inc.  
Joyco, Inc. t/d/b/a Rapid Delivery

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION OF

DOCKET NO.

JOYCO, INC. t/d/b/a RAPID DELIVERY

A-109534, F.1, Am-B

(transfer of authority issued to  
CHARLES C. CREIGHTON, t/d/b/a 5C  
DELIVERY SERVICE, at A-106772, F.1, Am-A)

RECEIVED

JUN 22 1993

O R D E R

SECRETARY'S OFFICE  
Public Utility Commission

Upon consideration of the "Objections of Jamour, Inc. t/d/b/a Quick Courier Service to Interrogatories" dated May 24, 1993 and the "Motion by Applicant to Compel Responses to Interrogatories Propounded by Applicant Rapid Delivery to Protestant Jamour, Inc. t/d/b/a Quick Courier Service" filed June 18, 1993 pursuant to 52 Pa. Code Section 5.342(e)(2).

IT IS ORDERED THAT:

1. The "Objections of Jamour, Inc. t/d/b/a Quick Courier Service to Interrogatories" dated May 24, 1993 are denied; and

2. Jamour, Inc. t/d/b/a Quick Courier Service shall answer all interrogatories and provide all information and documents requested in the ("First Set) Interrogatories Propounded by the Applicant Addressed to Jamour, Inc. t/d/b/a Quick Courier Service" within ten (10) days from the date of service of this order.

Dated: \_\_\_\_\_ 1993 By: \_\_\_\_\_  
ALJ

ORIGINAL

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION OF

DOCKET NO.

JOYCO, INC. t/d/b/a RAPID DELIVERY

A-109534, F.1, Am-B

(transfer of authority issued to  
CHARLES C. CREIGHTON, t/d/b/a 5C  
DELIVERY SERVICE, at A-106772, F.1, Am-A)

RECEIVED

JUN 22 1993

DECLINATED  
JUL 09 1993

MOTION BY APPLICANT TO COMPEL RESPONSES TO INTERROGATORIES PROPOUNDED BY APPLICANT TO PROTESTANT JAMOUR, INC. t/d/b/a QUICK COURIER SERVICE

SECRETARY'S OFFICE  
PUBLIC UTILITY COMMISSION

I. Background

On February 16, 1993, Joyco, Inc. t/d/b/a Rapid Delivery (hereinafter referred to as "Rapid Delivery") filed its "Application for Approval of Transfer and Exercise of the Common Carrier Rights issued to Charles Creighton t/d/b/a 5C Delivery Service."

On May 4, 1993, Jamour, Inc., t/d/b/a Quick Courier Service (hereinafter referred to as Quick Courier") filed its Protest to that Application.

Pursuant to 52 Pa. Code Section 5.341, Rapid Delivery on May 10, 1993 served on Counsel for Quick Courier "Applicant's (First Set) Interrogatories Propounded by Applicant Addressed to Jamour, Inc. t/d/b/a Quick Courier. On May 26, 1993, Protestant

C2/RdMtnCpl.325

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filed and served "Objections of Jamour, Inc. t/d/b/a Quick Courier Service to Interrogatories."

Pursuant to 52 Pa. Code Section 5.342 (e), Applicant submits this Motion to Compel Production of Responses to all Interrogatories propounded to Quick Courier by the applicant.

II. Protestant Has Failed To Answer Interrogatories As To Which no Objection Was Filed.

Interrogatories 1 through 9, 12, 14, 16 and 17:

To date, Counsel for Rapid Delivery has not received responses to the above-identified Interrogatories in contravention to the mandate of 52 Pa. Code Section 5.342 (c) which states:

The statement of an objection does not excuse the answering participant from answering the remaining interrogatories or subparts of interrogatories to which no objection is stated.

Said responses were due on or before June 2, 1993. 52 Pa. Code Section 5.342 (d) and are approximately 15 days late.

Moreover, Rapid Delivery requested a copy of said reports in Interrogatory Number 16, to which it has received no response or objection. The Applicant should not be forced to the time, trouble and expense to secure Annual Reports from the Commission files since they are readily available to the Protestant, Quick Courier. Refusal to respond to

Interrogatories 10. a and 16 may indicate that information provided to the Commission is either incomplete, incorrect or intentionally misleading. Applicant should not be required to wait until there is a hearing in order to complete preparation and discover protestant's case.

III. Applicant's Answers To Protestant's Objections Are Set Forth Below. The Paragraphing follows That Used In The Objections Of Protestant.

A. Rapid Delivery Interrogatory 10.a.:

This interrogatory reads as follows:

10.a. State the net profit Protestant earned a profit (sic) from its PUC operations in each of the last two calendar years.

Quick Courier objects to stating its net profit earned from PUC operations in each of the last two calendar years as "unreasonably burdensome, expensive and oppressive." This objection is specious and should be sanctioned. The information requested is contained in Quick's Annual Reports and Assessment Reports to the Commission. See Annual Report form, page 3, and Assessment Report form, attached hereto as Appendices A and B respectively.

B. Rapid Delivery Interrogatories 10.b. & 11:

These Interrogatories read as follows:

10. State the salaries, other benefits and perquisites paid its officers and majority shareholders in those years.

11. Identify by name and address the accountant(s) or other person(s) who prepared the annual reports to the PA PUC.

Again, Protestant Quick Courier by this objection intentionally delays this matter and obdurately refuses to provide information it has already provided to the Commission in its annual report.

The matter of the salaries, benefits, etc. of its officers is required to be stated in the Annual Report, page 4, Part 6, under "Administrative and General Expense." See Appendix "C". The requested information about the principal shareholders is required to be stated on the first page of the Annual Report.

As to Interrogatory 11, the identification of the person(s) who prepared the Annual Reports is also required to be stated on the first page of the Annual Report. Obviously, the Protestant would rather waste time of Applicant and the Commission by objecting rather than providing a few pages of Annual Report and supporting data and confirming that it is accurate.

In this case, Protestant has standing only if it can show the transfer of the rights in question will impair and endanger Protestant's operations as required by Sec. 41.14. Thus, Quick's objection of irrelevancy is intentionally specious. When made by so experienced counsel, it borders on intentional delay.

Further, it is difficult to see how Quick Courier can argue that the salaries, benefits, etc. of its officers and majority shareholders and the names and addresses of persons whom prepared Annual Reports to the Pennsylvania Public Utility Commission in each of the last two years is "irrelevant to this proceeding and, therefore, not reasonably calculated to lead to the discovery of admissable evidence."

Jamour also objects that the Interrogatories seek "confidential information." Aside from the fact that the information sought is a public record, Jamour does not contend that such information is "privileged" under the general limitations of the scope of discovery. See 52 Pa. Code Sections 5.321 and 5.361. Those sections do not provide a limitation for what Quick Courier falsely claims is confidential information. As to both objections, Protestant cannot honestly contend that providing the basis for data given in Annual Reports, i.e. salaries, benefits, perquisites of officers and majority shareholders and names and addresses of persons whom prepared

Annual Reports to the Commission are irrelevant and could cause harm to Protestant. It must emphasize that information about shareholders' and officers' compensation and benefits is necessary to determine whether salaries are reasonable and necessary and if they were paid in lieu of profits and dividends in an effort to show lower profits.

Assuming arguendo that the Presiding Officer decides that the proper procedure is to protect the alleged "confidential information" as proprietary the Presiding Officer can formulate a proper protective order to insure that the confidential status is preserved. 52 Pa. Code Section 5.423(b)(4). Under all circumstances, however, Quick Courier may not refuse to provide that information which is regularly provided to the Commission in a multitude of rate and tariff matters making citation unnecessary. As to how salaries and taxes affect profit see Tunis Bros. Co. Inc. v. Ford Motor Co. 952 F.2d 715, at 736 (USCA 3d Cir. 1992).

C. Rapid Delivery Interrogatory Number 13:

This Interrogatory reads as follows:

13. Has the protestant been the subject of any complaint to the Pennsylvania Public Utility Commission, The Pennsylvania Department of Transportation or to any other governmental agency concerning any transportation activity or service conducted or rendered by the Protestant? If the answer is yes, provide details regarding

each such complaint and its outcome and produce all documents related to such complaint.

Quick Courier objects to providing Rapid Delivery with information relating to complaints against concerning transportation service filed by governmental agencies, claiming that such information is not reasonably calculated to lead to the discovery of admissable evidence "since Quick Courier's regulatory fitness is not an issue to be determined in this proceeding...."

Applicant's answer is that records of a protestant carrier with regard to violations of safety, environmental and public utility laws and regulations are, not only reasonably calculated to lead to the discovery of admissable evidence, but relevant and admissable as evidence during Pennsylvania Public Utility Commission hearings, in which the primary consideration in granting an application is the public interest. As stated by A.L.J. Schnierle, in Re: Application of Central Transport, Inc., Docket No. A-00108155, Order dated 2/2/89, at pages 13-14:

All other things being equal, it would be in the public interest to approve a carrier's application if that carrier is shown to be much less likely than the existing carriers to engage in violations of the law, particularly violations involving safety or the release of hazardous substances into the environment.

Moreover, any complaint to the Commission, the

Pennsylvania Department of Transportation, or other governmental agencies concerning transportation or other service activities rendered by Quick Courier also is germane with respect to their fitness criteria. The primary purpose of that criteria is to protect the public. Brinks, Inc. v. Pennsylvania Public Utility Commission, 500 Pa. 387, 456 A. 2d 1342 (1983). That purpose could not be served if Quick Courier could use the fitness criteria to bar Rapid's admittance into the market when Rapid Delivery's safety record and compliance with law may be much better than that of Quick Courier. See In re: Application of Central Transport, Docket No. A-00108155, Initial Decision of A.L.J. Schnierle, dated 3/5/90, pages 138 and 139.

D. Rapid Delivery Interrogatory 14:

This Interrogatory reads as follows:

14. State each and every fact and identify each and every document upon which you rely in support of the allegations set forth in your Protest and/or which in any way evidences, supports or relates to the basis for your Protest. Attach list.

Quick Courier contends that production of facts and documents upon which it relies to support the allegations of its protest "places an onerous burden upon Protestant." This objection ignores the purpose of pre-trial discovery, i.e., to prevent unfair surprise, which would be obviated if a party/protestant could refuse to substantiate allegations contained in pleadings with a conclusionary assertion that to

produce such information would be "unfairly" burdensome. "Unfair" more appropriately describes the result to Rapid Delivery's pre-trial preparation should Quick Courier be permitted to refuse to identify the facts forming the basis for the allegations contained in its Protest.

Interrogatory 14 is nothing more or less than what most Administrative Law Judges say to Counsel where preliminary statements are requested at the start of a hearing. Simply stated, the Protestant would be asked on what facts it based its protest and whether there are any documents that support its position.

WHEREFORE, Applicant, Rapid Delivery, requests that the Objections Of Jamour, Inc. t/d/b/a Quick Courier Service to Interrogatories Propounded by Applicant, Rapid Delivery, be dismissed and that Quick Courier be ordered to respond to all Interrogatories and provide the necessary documents.

Respectfully submitted,



---

LOUIS J. CARTER  
Attorney for Applicant  
Joyco, Inc. t/d/b/a Rapid Delivery



**OPERATING REVENUES (omit cents)**

Show hereunder the revenues derived by the carrier during the year from transportation service and for service incident thereto classified between intrastate and interstate revenues and in accordance with the accounts contained in the Uniform System of Accounts.

Classification	Revenues From Intrastate (PA) Operations			Revenues From Interstate Operations			Total Revenues		
Passenger Revenue — Scheduled route service									
— Group and party service									
— Call or demand service									
— Limousine Service									
— Airport transfer service									
— Para-Transit service									
Other Revenue — Baggage, mail, express, newspaper, etc.									
Total									
Other Revenue — School Contracts									
Other Income from Lease Drivers									
Other Operating Revenue — Submit Detail									
Total Operating Revenue									
Senior citizens grant and purchase of service agreement included in above \$ _____									

**COMPARATIVE INCOME STATEMENT (omit cents)**

1. State the Income of the carrier classified in accordance with the instructions prescribed in the Uniform System of Accounts.
2. Enter in Column (c) the Income applicable to the year covered by this report; in Column (d) enter the Income applicable to the preceding year and in Column (e) enter the difference between Columns (c) and (d). Current year excesses over previous year figures shall be shown in black and the decreases shown in red (or in black followed by appropriate symbol).
3. If the increases and decreases are in anywise inconsistent with previously reported figures, explain under Explanatory Remarks.

Description	Amounts Applicable To The Year Covered By This Report			Comparison With Preceding Year					
	(b)	(c)	(c)	Amount			Difference Increase — Black Decrease — Red (e)		
<b>I. CARRIER OPERATING INCOME</b>	**	***	***	**	***	***	**	***	***
Revenues:	**	***	***	**	***	***	**	***	***
Operating Revenues (A)									
Expenses:	**	***	***	**	***	***	**	***	***
*Operation and Maintenance Expenses (Total From Page 4)									
Depreciation Expense									
Amortization Chargeable to Operations									
Operating Taxes and Licenses									
Operating Rents									
(Gain) or Loss on Disposition of Operating Assets									
<b>Total (B)</b>									
Net Operating Revenue									
<b>II. OTHER INCOME</b>	**	***	***	**	***	***	**	***	***
Net Income from Non-Carrier Operations									
Net Income from Non-Operating Property									
Interest Income									
Dividend Income									
Income from Sinking and Other Funds									
Other Non-Operating Income									
<b>Total Other Income</b>									
Gross Income									
<b>III. INCOME DEDUCTIONS</b>	**	***	***	**	***	***	**	***	***
Interest on Long-Term Obligations									
Other Interest Deductions									
Taxes Assumed on Interest									
Amortization of Debt Discount and Expenses									
Amortization of Premium on Debt — Credit									
Other Deductions									
<b>Total Income Deductions</b>									
Net Income Before Income Taxes									
Provision for Income Taxes (C)									
Net Income (or Loss) Transferred to Earned Surplus									
Operating Ratio Before Income Taxes (B) ÷ (A)									
Operating Ratio After (Gain) or Loss on Disposition of Operating Assets = _____%									

**EXPLANATORY REMARKS — Comparative Income Statement**

This space may be used by the carrier in furnishing additional data in support of any item appearing in the above Income Statement which by reason of its unusual character justifies an explanation.

The method of computation of intrastate operating revenue is as follows:

- a. ( ) Actual Records
- b. ( ) Estimated
- c. ( ) Other (Explain)

**OPERATING REVENUES**

Show hereunder the revenues derived by the carrier during the year from transportation service and for service incident thereto classified between intrastate and interstate revenues and in accordance with accounts contained in the Uniform System of Accounts.

CLASSIFICATION	Revenues from Intrastate (PA) Operations	Revenues from Interstate Operations	Total Revenues
<b>TRANSPORTATION OF PASSENGERS</b>	*****	*****	*****
Passenger Revenue:	*****	*****	*****
Schedule route service			
Group and party service			
Call or demand service			
Limousine service			
Airport transfer service			
Para-Transit service			
Other Revenue:	*****	*****	*****
Baggage, mail, express, newspapers, etc.			
Total			
Other Revenue: School Contracts			
Total Revenue - Passengers			
Senior citizens grant included in above			
Purchase of Service agreement included in above			
Other subsidies included in above			
<b>TRANSPORTATION OF PROPERTY</b>	*****	*****	*****
Freight Revenue - Common Carrier - Intercity			
Freight Revenue - Local Cartage			
Total Revenue - Property			
Other Operating Revenue - Submit Detail			
Total Revenues			

**GROSS OPERATING REVENUES**

1. Total gross operating revenues earned from operating as a common carrier of property and/or persons, as shown by competent records. If you had no revenue, insert "NONE". \$ \_\_\_\_\_
2. Less gross operating revenues earned from interstate operations. DO NOT DEDUCT EXPENSES. \$ \_\_\_\_\_
3. Gross intrastate revenue before exemptions. \$ \_\_\_\_\_
4. Less exemptions (Itemize below). \$ \_\_\_\_\_
5. Balance: Intrastate gross operating revenues, on which assessment will be based under Section 510 of the Public Utility Code. (Subtract line 4 from line 3 and enter this amount on line 3 on face of form.) \$ \_\_\_\_\_



PENNSYLVANIA PUBLIC UTILITY COMMISSION  
HARRISBURG, PENNSYLVANIA 17120

STATEMENT OF OPERATING REVENUES FOR GENERAL ASSESSMENT  
PURPOSES OF COMMON CARRIER OF PROPERTY  
AND/OR PERSONS BY MOTOR VEHICLE

ASSESSMENT REPORT  
FORM MT-89

FILE THIS COPY WITH YOUR 1989 ANNUAL REPORT

P.U.C. Certificate No. \_\_\_\_\_

I.C.C. Permit No. \_\_\_\_\_

Did you operate during all  
of 1989 \_\_\_\_\_

If not, show operating period \_\_\_\_\_

(Property \_\_\_\_\_

Do you haul

(Both \_\_\_\_\_

(Persons \_\_\_\_\_

**THIS REPORT MUST BE FILED ON OR BEFORE MARCH 31, 1990 . NO EXTENSIONS  
IF THIS REPORT IS NOT FILED THE COMMISSION WILL ESTIMATE YOUR INTRASTATE  
OPERATING REVENUES AND ISSUE A BINDING ASSESSMENT UPON SAID BASIS.**

GROSS OPERATING REVENUES

CALENDAR YEAR  
1989

1. Total gross operating revenues earned from operating as a common carrier of property and/or persons, as shown by competent records. If you had no revenue, insert NONE . \$ \_\_\_\_\_
2. Deduct: Operating revenues earned from interstate operations and/or revenues exempt under the Public Utility Code DO NOT DEDUCT EXPENSES. \$ \_\_\_\_\_
3. Balance: Gross intrastate operating revenues, on which assessment will be based under Section 510 of the Penna. Public Utility Code. (omit cents) \$ \_\_\_\_\_

**THE SOURCE OF YOUR GROSS OPERATING REVENUE AS SHOWN ON  
LINE 1 MUST BE SHOWN IN THE PROPER COLUMNS ON THE REVERSE  
SIDE OF THIS REPORT. MISCELLANEOUS (OTHER) OPERATING REVENUE  
MUST BE ITEMIZED ON THE REVERSE SIDE HEREOF.**

FILE THIS COPY WITH YOUR 1989 ANNUAL REPORT

**OPERATION AND MAINTENANCE EXPENSES (omit cents)**

Show hereunder the operating and maintenance expenses of the carrier for the year covered by this report, classified in accordance with the Uniform Systems of Accounts for Carriers of passengers and/or property by motor vehicle.

Account Title (b)	Total (c)			Account Title (b)	Total (c)		
<b>1. EQUIPMENT MAINTENANCE AND GARAGE EXPENSE</b>	**	***	***	<b>5. INSURANCE AND SAFETY EXPENSE (Continued)</b>	**	***	***
Supervision of Shop and Garage				Workmen's Compensation — Self Insurance			
Repairs to Shop and Garage				Baggage and Express or Cargo Insurance			
Operation and Maintenance of Service Equipment				Baggage and Express or Cargo Loss and Damage			
Repairs to Shop and Garage Buildings and Grounds				Fire and Theft Insurance			
Light, Heat, Power and Water for Shops and Garages				Other Insurance			
Other Shop and Garage Expenses				<b>Total</b>			
Repair to Revenue Equipment				<b>6. ADMINISTRATIVE AND GENERAL EXPENSE</b>	**	***	***
Servicing of Revenue Equipment				Salaries of General Officers			
Tires and Tubes — Revenue Equipment				Expenses of General Officers			
<b>Total</b>				Salaries of General Office Employees			
<b>2. TRANSPORTATION EXPENSE</b>	**	***	***	Expenses of General Office Employees			
Supervision of Transportation				Law Expenses			
Drivers and Helper's Wages and Bonuses				General Office Supplies and Expenses			
Fuel for Revenue Equipment				Communication Service			
Call or Demand Contra				Outside Auditing Expenses			
Purchased Transportation — Submit Detail				Employees' Welfare Expenses			
Road Expense				Purchasing and Store Expenses			
Bridge, Tunnel and Ferry Tolls				Other General Expenses			
Wages of Miscellaneous Transportation Employees				Management and Supervision Fees and Expenses (Supply Detail)			
Other Transportation Expense				Franchise Requirements — Debit			
<b>Total</b>				Franchise Requirements — Credit			
<b>3. TERMINAL OR STATION EXPENSE</b>	**	***	***	Other Regulatory Commission Expenses			
Salaries and Commissions (Passenger) — Terminal Employees (Property)				Uncollectible Revenues			
Supplies and Expenses				<b>Total</b>			
Repairs to Station Buildings or Terminals and Equipment				*Grand Total (Enter on Page 3)			
Commission Agents and Connecting Lines							
Commissions Paid				<b>7. OPERATING STATISTICS — PASSENGER TRANSPORTATION</b>			
Other Expenses Allowed				<b>Revenue Mileage During Year:</b>	Live Miles During Year		
Interline Commissions Paid				Fixed Route Service:	Dead Miles During Year		
Interline Commission Earned — Credit				Intrastate	Total		
Collection and Delivery				Interstate	Number of Trips		
Purchased Collection and Delivery or Local Cartage				Total	Number of Passengers		
<b>Total</b>				Group or Party Service:	Average number of passengers per trip		
<b>4. TRAFFIC SOLICITATION OR SALES, TARIFFS &amp; ADV. EXP.</b>	**	***	***	Intrastate	Population of area in which certificated:		
Sales and Expenses				Interstate	___ Under 20,000		
Tariffs and Schedules				Total	___ Over 20,000		
Tickets and Baggage Checks				<b>Passengers Carried:</b>	Number of competitive taxicab carriers also		
Other Traffic or Sales Expenses				Fixed Route Service	serving all or part of above area:		
Advertising				Regular Fare Passengers	___ None		
<b>Total</b>				Transfer Passengers	___ One		
<b>5. INSURANCE AND SAFETY EXPENSE</b>	**	***	***	Total	___ More Than One		
Salaries and Expenses — Insurance and Safety				Group or Party Service:	Phila. Taxicabs Only:		
Public Liability and Property Damage Insurance				Intrastate	Show Current Authorized		
Injuries and Damages				Interstate	TX Numbers		
Workmen's Compensation — Insurance				Total			

APPENDIX "C"

CERTIFICATE OF SERVICE

I hereby certify that true and correct copies of the foregoing

MOTION BY APPLICANT TO COMPEL RESPONSES  
TO INTERROGATORIES PROPOUNDED BY APPLICANT  
RAPID DELIVERY TO PROTESTANT JAMOUR, INC.  
t/d/b/a QUICK COURIER SERVICE

were served as follows this 17th day of June, 1993, by regular United States mail, postage prepaid:

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

Edward L. Ciemniecki, Esq.  
1800 Penn Mutual Tower  
510 Walnut Street  
Philadelphia, PA 19106-3619

(Attorney for Jamour, Inc. t/d/b/a  
Quick Courier Service)



---

LOUIS J. CARTER  
Attorney for Applicant  
Joyco, Inc. t/d/b/a Rapid Delivery

ORIGINAL

RUBIN QUINN MOSS & PATTERSON, P. C.

ATTORNEYS AT LAW

1800 PENN MUTUAL TOWER

510 WALNUT STREET

PHILADELPHIA, PA 19106-3619

(215) 925-8300

FAX (215) 925-1572

OF COUNSEL  
MALCOLM L. LAZIN  
ALAN KAHN  
GOFF & RUBIN

ALEXANDER N. RUBIN, JR.	WILLIAM P. QUINN
JERROLD V. MOSS	JAMES W. PATTERSON
DANIEL B. PIERSON, V	DENIS JAMES LAWLER
ROBERT P. STYLE	WILLIAM D. PARRY
G. BRADLEY RAINER	DON P. FOSTER
MARY ELLEN O'LAUGHLIN	ERIC M. HOCKY
EDWARD L. CIEMNIECKI	JOSEPH F. MESSINA
LESLIE BETH BASKIN	PETER C. GILIO
RICHARD A. FRANKLIN	JOAN F. JAFFE
HOWARD H. SOFFER	JEFFREY P. BATES
PAUL GERARD WEISS	

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JUN 29 1993

DIRECT DIAL NUMBER

(215) 931-0604

SECRETARY'S OFFICE  
Public Utility Commission

June 24, 1993

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

Re: Application of Joyco, Inc. t/d/b/a Rapid Delivery  
Docket No. A-109534, F.1, Am-B

Dear Secretary Alford:

We represent Jamour, Inc. t/d/b/a Quick Courier Service as a  
Protestant in the above-captioned matter.

Quick Courier has reconsidered its interests in this matter. We  
therefore request that the Protest of Quick Courier be marked  
"Withdrawn."

We do wish to remain a party of record for the receipt of any  
orders or decisions entered by the Commission in this matter.

By a copy of this letter I am advising counsel for applicant of the  
withdrawal of my client's Protest.

Very truly yours,

*Edward L. Ciemniecki*  
EDWARD L. CIEMNIECKI

ELC/hs  
enclosures  
cc: Louis J. Carter, Esquire  
Eugene Minahan, Operations Manager

LDA

DOCUMENT  
FOLDER

DOCKETED

JUL 19 1993

RMR

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
June 24, 1993

In Re: A-00109534, F0001, Am-B

(See attached list)

Application of Joyco, Inc., t/d/b/a Rapid Delivery

For amendment so as to permit the transportation of property, in parcels and packages, no single parcel or package to exceed one hundred (100) pounds in weight, between points in the borough of Folcroft, Delaware County, and points within Delaware County within an airline distance of ten (10) statute miles of the limits thereof, and from points in said territory to points in the counties of Delaware, Philadelphia, Montgomery, Chester and Bucks, limited to the pick up and delivery of shipments on the same calendar day; which is to be a transfer of the rights authorized under the certificate issued at A-00106772 to Charles S. Creighton, t/d/b/a 5C Delivery, subject to the same limitations and conditions.

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, August 4, 1993 at 10:00 a.m. in Room 1306, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130.

The presiding officer in this proceeding is Administrative Law Judge Marlane R. Chestnut. Judge Chestnut can be contacted at 1302 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia, Pennsylvania 19130; telephone (215) 560-2105.

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.

cc: Judge Chestnut  
John Frazier - PIO  
Norma Lewis  
Susan Licon  
Beth Plantz  
Docket Room

**DOCKETED**  
JUL 6 1993

PA. P. U. C.  
INFO. CONTROL DIV.  
JUL 05 AM 9:57

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**DOCUMENT  
FOLDER**

A-00109534, F0001, Am-B - Parties of Record

Louis J. Carter, Esquire  
7300 City Line Avenue  
Suite 120  
Philadelphia, PA 19151-2291

Joyco, Inc., t/a  
Rapid Delivery  
1933 Chestnut Street  
Philadelphia, PA 19103

Edward L. Ciemiecki, Esquire  
Rubin Quinn Moss Heaney & Patterson, P.C.  
1800 Penn Mutual Tower  
510 Walnut Street  
Philadelphia, PA 19106



LAW OFFICES  
LOUIS J. CARTER  
7300 CITY LINE AVENUE  
PHILADELPHIA, PA. 19151-2291  
(215) 879-8665

371

LOUIS J. CARTER\*

JOEL E. MAZOR\*\*

\* PENNA. & D.C. BAR  
\*\* PENNA. & N.Y. BAR

TELECOPIER #(215) 877-0955

IN REPLY PLEASE  
REFER TO FILE NO.

20416.221U9534

June 28, 1993

Hon. Marlane R. Chestnut  
1302 Philadelphia State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130

Re: Application of

Docket No.

Joyco, Inc. t/d/b/a Rapid Delivery

A.00109534,  
F0001, Am-B

("Transfer of the rights authorized under the certificate issued at A-00106772 to Charles S. Creighton, t/d/b/a 5C Delivery,..." )

Dear Judge Chestnut:

I have just received the notice of the hearing in the above-captioned matter scheduled for Wednesday, August 4, 1993.

Inasmuch as the one protest has been withdrawn by attorney Edward L. Ciemniecki, Esq., I submit that the hearing is not required.

I await Your Honor's instructions.

**DOCKETED**  
JUL 20 1993

Sincerely,



LOUIS J. CARTER  
Attorney for Applicant

LJC/kmd  
(RDChstnt.327)

cc: Edward L. Ciemniecki, Esq.  
Mr. Huntington, Office of ALJ  
Joyco, Inc. t/d/b/a Rapid Delivery  
Office of the Secretary

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JUN 30 1993

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SECRETARY'S OFFICE  
Public Utility Commission



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
PHILADELPHIA STATE OFFICE BUILDING  
1400 WEST SPRING GARDEN STREET  
PHILADELPHIA, PENNSYLVANIA 19130

IN REPLY PLEASE  
REFER TO OUR FILE

(215) 560-2105  
June 28, 1993

See Attached Service List

Re: Application of Joyco, Inc., t/d/b/a Rapid Delivery  
Docket Number A-00109534, F0001, Am-B

To All Parties:

I have been assigned to preside over the above-captioned case. The purpose of this letter is to bring to the attention of all parties certain procedural rules applicable to this proceeding.

First, pursuant to 52 Pa. Code §3.381(g), requests for postponement or continuance of hearings must be submitted in writing no later than five (5) days prior to the hearing. Requests for postponement or continuance of initial hearings are to be sent to the Chief Administrative Law Judge, with copies to the presiding officer and parties of record. Requests for postponement of subsequent hearings should be served directly on the presiding officer.

Second, pursuant to 52 Pa. Code §3.381(f), absent good cause, restrictive amendments to the application will not be considered after expiration of the 20-day period following the protest period or commencement of the initial hearing. Please bear in mind that restrictive amendments which result in undue and unreasonable fragmentation of authority have been held to be not in the public interest. Any amended authority is expected to be clear, understandable and enforceable.

Absent timely notice of settlement, no later than July 30, 1993 (5 days prior to the first scheduled hearing on August 4, 1993), I anticipate that all parties to this proceeding shall be prepared to participate in the hearing set for August 4, 1993.

**DOCKETED**

JUL 19 1993

**DOCUMENT  
FOLDER**

If you wish to offer into evidence at the hearing material in the form of documents (letters, bills, cancelled checks and the like), please bring with you one copy for me, two copies for the reporter, and at least one copy for every other party.

If you need to subpoena witnesses for the hearing, please review 52 Pa. Code §5.421. You should submit your written application for subpoenas sufficiently in advance of the hearing so that the other parties will have the requisite five days' notice to answer your application, and so that you will have enough time to receive the subpoenas and serve them.

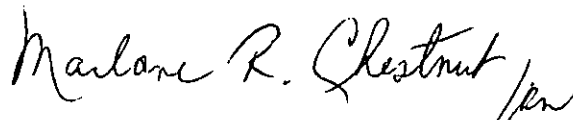
Finally, I would also like to bring to your attention 52 Pa. Code §5.331(b) which provides, inter alia, that "[p]articipants shall endeavor to initiate discovery as early in the proceedings as reasonably possible," and 52 Pa. Code §5.322 which encourages participants to exchange information on an informal basis. I urge all parties to cooperate in discovery. Such cooperation is preferable to numerous or protracted discovery disagreements which require the presiding officer's participation for resolution. Please be aware that there are limitations on discovery and sanctions for abuse of the discovery process. 52 Pa. Code §§5.361, 5.371-5.372.

Please be aware that there often is a delay in my receiving documents filed in Harrisburg. Therefore, serve me directly with any documents that you file in this proceeding.

For your convenience, I am enclosing a copy of the Commission's service list as of this date.

In closing, I hope for the cooperation of all parties in achieving a fair, prompt and efficient resolution of this case.

Very truly yours,



MARLANE R. CHESTNUT  
Administrative Law Judge

MRC:kn

SERVICE LIST

Louis J. Carter, Esquire  
7300 City Line Avenue  
Suite 120  
Philadelphia, PA 19151-2291

Joyco, Inc.  
t/a Rapid Delivery  
1933 Chestnut Street  
Philadelphia, PA 19103

Edward L. Ciemiecki, Esquire  
Rubin Quinn Moss Heaney & Patterson, P.C.  
1800 Penn Mutual Tower  
510 Walnut Street  
Philadelphia, PA 19106

cc: File Room

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
July 2, 1993

KJR

In Re: A-00109534, F0001, Am-B

(See letter of 6/24/93)

Application of Joyco, Inc., t/d/b/a Rapid Delivery

For amendment so as to permit the transportation of property, in parcels and packages, no single parcel or package to exceed one hundred (100) pounds in weight, between points in the borough of Folcroft, Delaware County, and points within Delaware County within an airline distance of ten (10) statute miles of the limits thereof, and from points in said territory to points in the counties of Delaware, Philadelphia, Montgomery, Chester and Bucks, limited to the pick up and delivery of shipments on the same calendar day; which is to be a transfer of the rights authorized under the certificate issued at A-00106772 to Charles S. Creighton, t/d/b/a 5C Delivery, subject to the same limitations and conditions.

NOTICE

Since all protests against the above captioned application have been withdrawn, the hearing scheduled for Wednesday, August 4, 1993, in Philadelphia, has been cancelled.

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

cc: Judge Chestnut  
John Frazier - PIO  
Norma Lewis  
Susan Licon  
Beth Plantz  
Docket Room

DOCKETED

JUL 22 1993

RECEIVED  
23 JUL - 6 PM 12:09  
PA. P. U. C.  
INFO. CONTROL DIV.

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