

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RE: APPLICATION OF  
Joyco, Inc.  
t/d/b/a Rapid Delivery  
1933 Chestnut Street  
Philadelphia Pa 19103

APPLICATION DOCKET  
A-00109534, Folder 1, Am-A

PROTEST

TO: THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

In accordance with 52 PA. Code 53.381, protest of the above application is hereby made on behalf of

A. Duie Pyle, Inc.

P.O. Box 564  
West Chester, Pa. 19380

A.100089

on the following grounds:

(1) That the service proposed will be competitive with and detrimental to the existing authorized service of the above named motor carrier.

(2) That there is no public need for the proposed service, nor would the approval of the application for such proposed service be necessary or proper for the service, accomodation, convenience or safety of the public.

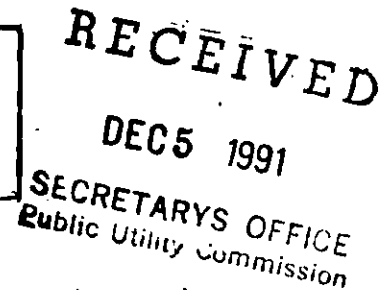
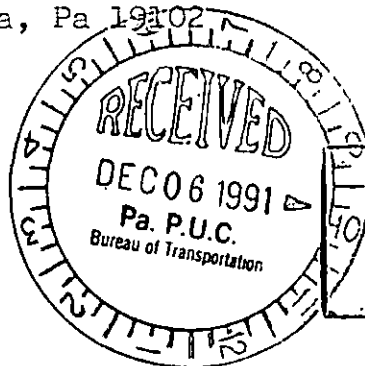
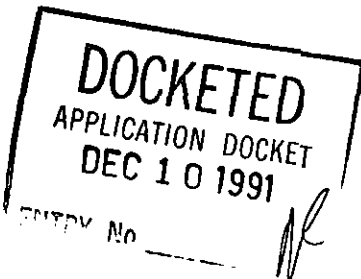
A copy of the pertinent operating authority of the above named carrier is appended hereto. Also appended hereto is a restrictive amendment which, if accepted by the Commission, will result in the withdrawal of the protest of the carrier above named.

I hereby certify that a copy of the Notice of Protest has, on this date, been served upon applicant and its counsel by mailing a copy of same to the address set forth in the Pennsylvania Bulletin dated November 30, 1991.

By Henry L. Wahls  
Henry L. Wahls

cc: Leonard Zack, Esquire  
1429 Walnut Street  
Philadelphia, Pa 19102

A. DUIE PYLE INC.  
P.O. Box 564  
West Chester, Pa. 19380



A. DUIE PYLE, INC.

ADVERSE IMPACT

A. Duie Pyle, Inc., provides an active, daily service pursuant to Pennsylvania Public Utility Commission authority which duplicates, in part, the authority sought by the instant application. In addition, A. Duie Pyle, Inc. is constantly soliciting additional traffic within the application territory.

The protestant presently derives approximately \$2,000,000 annually in revenue from traffic handled within the scope of this application. A grant of the authority requested would tend to divert both traffic and revenue from A. Duie Pyle, Inc., thereby adversely affecting protestant's overall operation.

DESCRIPTION OF CERTIFICATED RIGHTS

(e) Iron and steel articles in shipments of 10,000 lbs. or more from Philadelphia to points in Lehigh and Northampton Counties and vice versa; and from the facilities of Bethlehem Steel Corporation in Lehigh and Northampton Counties, and from the facilities of American Nickeloid Company, Inc. in Walnutport, Northampton County.

46. To transport, as a Class D carrier, iron and steel, iron and steel articles and products, and materials, equipment and supplies used in the manufacture and distribution of iron and steel, and iron and steel articles and products, for Lukens Steel Company, between points in the city of Coatesville, Chester County, and within an airline distance of three (3) statute miles of the limits of said city, and from the said territory to points in Pennsylvania, and vice versa.

with right no. 46 subject to the following condition:

That no right, power or privilege is granted to transport liquid commodities in tank vehicles.

47. To transport, as a Class D carrier, property, except household goods in use and commodities, in bulk, between points in the counties of Lackawanna, Luzerne, Monroe, Carbon, Schuylkill, Lehigh, Northampton, Dauphin, Lebanon, Berks, Bucks, Cumberland, York, Lancaster, Chester, Montgomery, Philadelphia, Franklin, Adams and Delaware.

with right no. 47 subject to the following conditions:

That no right, power or privilege is granted to transport:

1. From the facilities of AMP, Inc., in the counties of Adams, Chester, Cumberland, Dauphin, Franklin, Lancaster, Schuylkill and York,
2. From the facilities of Hershey Foods Corporation in the counties of Dauphin, Lebanon, Lancaster and Cumberland,
3. Limestone and limestone products from the facilities of J.E. Baker Co. in York County,

CERTIFICATE - A00107226

Freight PA. P.U.C. No.12  
Cancels Freight PA. P.U.C.  
No. 2 and No. 11

PYLE CORPORATION, t/d/b/a

A. DUIE PYLE, INC.

DIRECTORY OF OPERATING AUTHORITY

between points in

PENNSYLVANIA

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This tariff applies only when, and to the extent its application is authorized in tariffs made subject hereto by specific reference to the Freight PA. P.U.C. number shown

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All rates and charges not brought forward are cancelled

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ISSUED: JUNE 18, 1987

EFFECTIVE: June 19, 1987

(Except as otherwise provided)

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Effective Date: June 19, 1987

As specified under authority of  
PA Code, Title 52, Section 23.42

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Issued by

PYLE CORPORATION, t/d/b/a

A. DUIE PYLE, INC.

200 Garfield Avenue

West Chester, Pennsylvania 19380

SUGGESTED RESTRICTIVE AMENDMENT

Limit the scope of the application to shipments of 200# or less

or

Limit the scope of the application to specific shippers or consignees

or

Limit the scope of the application to shipments of specific commodities.

APPENDIX III

LAW OFFICES

**VUONO, LAVELLE & GRAY**

2310 GRANT BUILDING

PITTSBURGH, PA. 15219-2363

(412) 471-1800

JOHN A. VUONO  
WILLIAM J. LAVELLE  
WILLIAM A. GRAY  
MARK T. VUONO  
RICHARD R. WILSON  
DENNIS J. KUSTURISS  
CHRISTINE M. DOLFI  
PETER J. SCANLON

December 2, 1991

TELECOPIER  
(412) 471-4477

\* ALSO MEMBER OF FLORIDA BAR

Re: Joyco, Inc., t/d/b/a Rapid Delivery  
Docket No. A-00109534, F. 1, Am-A

RECEIVED  
DEC 4 1991

SECRETARY'S OFFICE  
Public Utility Commission

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

Dear Mr. Rich:

We hereby request that our name be placed on the service list in connection with the above-captioned matter.

Sincerely yours,

VUONO, LAVELLE & GRAY

*William J. Lavelle*  
William J. Lavelle

pz

DOCUMENT  
FOLDER

DOCKETED  
APPL. IN DOCKET  
DEC 10 1991  
BY No. *RL*

# COURIER EXPRESS

December 3, 1991

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

RECEIVED  
DEC 6 - 1991  
SECRETARY'S OFFICE  
Public Utility Commission

RE: Application of:  
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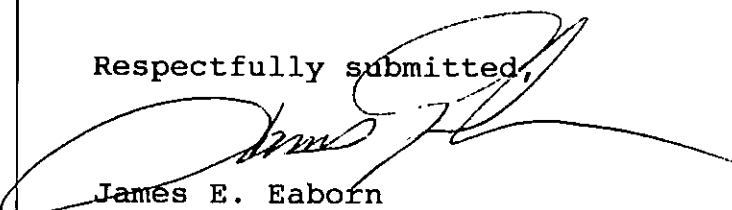
Dear Mr. Rich:

Please find enclosed a protest filed to the above captioned application.

A copy of this protest has been served upon the applicant and their representative named below in accordance with the Commission's Rules of Practice.

Also, Mr. John A. Pillar, Esq., will represent us at all hearings. Please make him a party of record and direct a duplicate copy of all correspondence and notices regarding this proceeding to 312 Blvd. of the Allies, Suite 700, Pittsburgh, PA 15222.

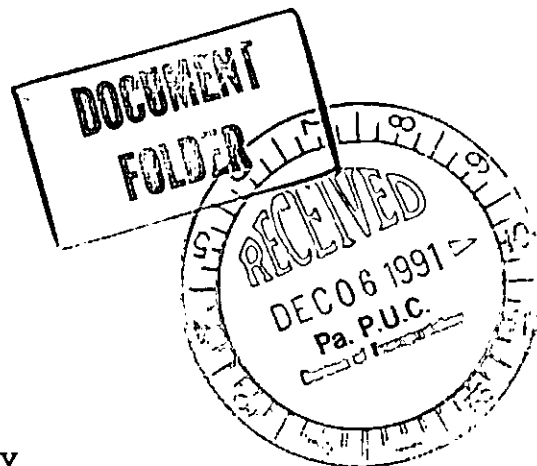
Respectfully submitted,

  
James E. Eaborn  
President

JEE/mlj

Enclosures

cc: Joyco, Inc., t/d/b/a Rapid Delivery  
Leonard Zack, Esq.



**RUSH DELIVERY SPECIALISTS**

172 South 21st Street, Pittsburgh, PA 15203 • (412) 481-7300 • Fax 481-1280

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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In Re:

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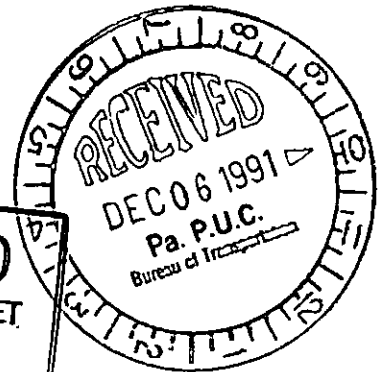
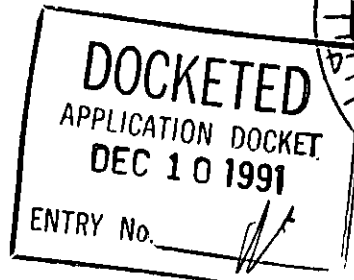
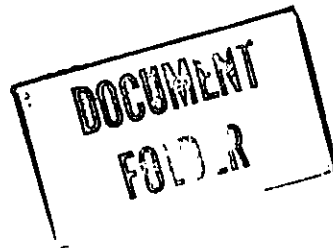
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Pennsylvania Bulletin reference: 11 / 30 / 91, Page: 5584 Vol. 21 No. 48

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PROTEST OF

COURIER EXPRESS, INC.



AND NOW, comes Courier Express, Inc., 172 South 21st Street, Pittsburgh, PA 15203 (412) 481-7300, which hereby protest the granting of the above captioned application and in support thereof aver as follows:



1. Protestant holds authority at A-105585, summarized in Appendix A attached hereto and thereby made a part hereof, in conflict with this application.

2. Protestant performs a specialized service within its territory and, within the scope of its authority, provides an adequate and satisfactory service to the shipping public. Approval of an additional carrier would disrupt protestant's traffic patterns, thereby hindering its ability to render an efficient service to the public and detriment will thereby result to the shipping public in Pennsylvania.

3. If a restrictive amendment will satisfy the interest of the protestant, a proposed restrictive amendment is attached as Appendix B which, if accepted by the Commission, will result in the withdrawal of the protest of the protestant.

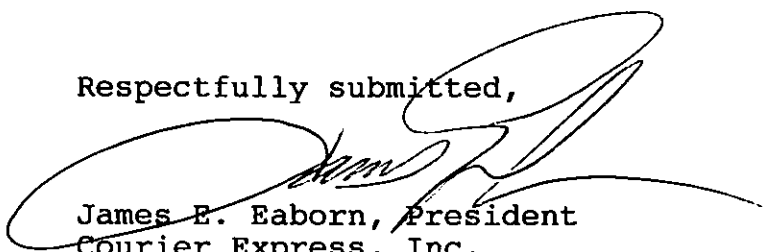
4. Pursuant to Section 333(c) of the Public Utility Code (66 Pa.C.S. 333[c]), we hereby request a list of the witnesses expected to testify in the above entitled proceeding, together with the subject matter of their anticipated testimony.

5. Protestant is represented by counsel: Mr. John A. Pillar, Esq., located at 312 Blvd. of the Allies, Suite 700, Pittsburgh, PA 15222.

WHEREFORE, absent an appropriate amendment, protestant prays the application may be dismissed.

AND IT WILL EVER PRAY.

Respectfully submitted,



James E. Eaborn, President  
Courier Express, Inc.  
172 South 21st Street  
Pittsburgh, PA 15203  
(412) 481-7300

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

Docket No. A-00109534,  
Folder 1, Am-A

APPENDIX A

Summary of Authority

A-105585, Folder 1:

To transport, as a Class D carrier, property for American Red Cross Blood Services, Johnstown Region, and Central Blood Bank of Pittsburgh, between points in Pennsylvania on and west of U.S. Highway Route 15.

To transport, as a Class D carrier, property between points in that portion of Pennsylvania in and west of the eastern boundaries of the counties of McKean, Elk, Clearfield, Blair and Bedford, and from points in said territory to points on and west of U.S. Highway Route 15, and vice versa.

Both rights subject to the following conditions:

That no right, power or privilege is granted to provide service between points in the counties of Perry, Cumberland and that part of Adams County on and west of U.S. Highway Route 15.

Transportation is restricted to shipments weighing not more than 1,000 pounds and which are transported in a vehicle which contains the freight of only one consignor moving from one origin to one destination.

Transportation is restricted to shipments picked up and delivered on the same calendar day.

That no right, power or privilege is granted to transport new or used household goods and new or used office furniture and commodities in bulk.

A-105585, Folder 1, Am-B:

To transport, as a Class B carrier, parcels and packages between points in the City of Harrisburg, Dauphin County, and within an airline distance of five (5) statute miles of the limits of the said city, excluding transportation to or from the United States Navel Supply Depot, located near Mechanicsburg, Cumberland County.

APPENDIX A continued

A-105585, Folder 1, Am-B continued:

To transport, as a Class D carrier, parcels and packages for Montgomery Ward and Company between points in the City of Harrisburg, Dauphin County, and within fifteen (15) miles by the usually traveled highways of the limits of the said city.

To transport, as a Class D carrier, property, from the facilities of W. W. Grainger, Inc., in the Township of Swatara, Dauphin County, to points in the Counties of Adams, Blair, Centre, Cumberland, Dauphin, Huntingdon, Juniata, Lancaster, Lebanon, Franklin, Fulton, Mifflin, Perry, Snyder, Union, York, and Clairfield, provided no single shipment is to exceed five hundred (500) pound in weight;

Subject to the following condition:

That the word shipment, as used herein is defined as being a lot of freight received from a shipper at one point, at one time, for delivery to one consignee at one destination, and covered by one bill of lading

A-105585, Folder 2:

To transport as a Class D carrier, property of unusual value, including money and securities, in armored vehicles, between points in Pennsylvania.

A-105585, Folder 1, Am-E:

To transport, as a Class D Carrier, Property, for Westinghouse Electric Corporation, its subsidiaries and divisions, between points in Pennsylvania;

Subject to the following condition:

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

A-105585, Folder 1 Am-A:

To transport, as a Class D carrier, property for American Red Cross Blood Services, Johnstown Region, and Central Blood Bank of Pittsburgh, between points in Pennsylvania on and west of U.S. Highway Route 15.

APPENDIX A continued

A-105585, Folder 1, Am-A:

To transport, as a Class D carrier, property between points in that portion of Pennsylvania in and west of the eastern boundaries of the counties of McKean, Elk, Clearfield, Blair and Bedford, and from points in the said territory to points on and west of U.S. Highway Route 15, and vice versa.

To transport, as a Class D carrier, human laboratory specimens, clinical laboratory instruments and related supplies and reports, between points in the county of Allegheny for hospitals in the said county;

all rights above subject to the following conditions:

That no right, power or privilege is granted to provide service between points in the counties of Perry, Cumberland and that part of Adams County on and west of U.S. Highway Route 15.

That the service herein authorized is restricted to the following transportation:

- (a) A shipment which weighs more than 200 pounds but not more than 2,000 pounds may not be transported in a vehicle which contains other shipments and may be transported in a vehicle which contains the freight of only one consignor moving from one origin to one destination;
- (b) Shipments weighing more than 50 pounds but not more than 200 pounds may not be transported in a vehicle which contains the freight of more than 3 consignors, may not move from more than 3 origins and may not move to more than 3 destinations;
- (c) Shipments weighing 50 pounds or less may not be transported in a vehicle containing any shipment weighing more than 50 pounds.

The service herein authorized is restricted to transportation of shipments which are delivered within 8 hours after the time of pick up, both of which times must be noted on carrier's delivery receipt.

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

That no right, power or privilege is granted to transport shipments between points in the city of Pittsburgh, Allegheny County, and from points in the said city to points within 30 miles by the usually traveled highways of the limits of the said city.

APPENDIX A continued

A-105585, Folder 1, Am-B continued:

That no right, power or privilege is granted to transport human laboratory instruments and related supplies and reports, between points in the counties of Allegheny (except as above authorized), Armstrong, Lawrence, Butler, Somerset, Washington, Westmoreland, Green, Indiana, Mercer, Bedford and Beaver.

That no right, power or privilege is granted to transport property to or from the facilities of Westinghouse Electric Supply Company in the counties of Blair, Cambria and Erie, and that no right, power or privilege is granted to transport property for the account of McCreary Tire & Rubber Company, Gidden Division of SCM Corporation, McKesson Chemical Company, The Drug House, Inc., Value Drug Company and Alco Health Service Company.

The transportation herein authorized relative to the transportation of shipments shall be defined as a lot of freight moving from one consignor at one origin point on one day to one consignee at one destination point.

A-105585, Folder 1, Am-F:

The transportation of property, between points in the city of Pittsburgh, Allegheny County, and from points in said city, to points within an airline distance of 30 statute miles of the limits of said city; subject to the following conditions:

- (a) Excluding household goods and office furniture in use, new or used household goods and office furniture, and commodities in bulk;
- (b) Service is restricted to the transportation of shipments which are delivered within 8 hours after the time of pickup, both of which times must be noted on the carrier's delivery receipt;
- (c) A shipment which weighs more than 200 pounds but not more than 2,000 pounds may not be transported in a vehicle which contains the freight of only one consignor moving from one origin to one destination;
- (d) Shipments weighing more than 50 pounds but not more than 200 pounds may not be transported in a vehicle which contains the freight of more than three consignors, may not move from more than three origins and may not move to more than three destinations;

APPENDIX A continued

A-105585, Folder 1, Am-F continued:

- (e) A shipment as defined hereinabove shall mean a lot of freight moving from one consignor to one origin of one day consignee at one destination point; and
- (f) That no right, power or privilege is granted to transport human laboratory specimens, clinical laboratory instruments and related supplies and reports from points in the city of Pittsburgh, Allegheny County, to points beyond the county of Allegheny which are within an airline distance of 30 statute miles of limits of said city.

A-105585, Folder 1, Am-G

To transport, as a Class D carrier, property, for the Commonwealth of Pennsylvania and its agencies, between points in Pennsylvania:

subject to the following conditions:

- (1) That no single parcel, package or container is to exceed one hundred (100) pounds in weight.
- (2) That no right, power or privilege is granted to transport commodities in bulk.
- (3) That no right, power or privilege is granted to transport household goods in use.
- (4) That no right, power or privilege is granted to provide service for the Pennsylvania Lottery of the Commonwealth of Pennsylvania, Department of Revenue.

A-105585, Folder 1, Am-H (pending application)

The transportation of property, between points in that portion of Pennsylvania east of the Counties of McKean, Elk, Clearfield, Blair and Bedford, and from said territory to points west of the eastern boundaries of the Counties of McKean, Elk, Clearfield, Blair and Bedford, and vice versa, subject to the following conditions:

- 1. That no right, power or privilege is granted to transport commodities in bulk, household goods and office furniture;
- 2. That no right, power or privilege is granted to transport any single shipment in excess of 2,000 pounds;

APPENDIX A continued

3. That the time of pickup and the time of delivery shall be set forth in the bill of lading for each shipment and all shipments shall be made on an expedited basis, if not more than 10 hours from the time of pickup to the time of delivery, subject to the consignee's availability but, in no event, more than 24 hours from the time of pickup to the time of delivery, except that on weekends or holidays, deliveries may be made more than 24 hours after pickup but, in no event, later than 12:00 noon on the next business day.

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

Docket No. A-00109534,  
Folder 1, Am-A

APPENDIX B

Proposed Restrictive Amendment

Protestant knows of no amendment which will satisfy its interests in this matter but is willing to discuss the same with applicant's counsel.



*Counsel for the applicant:* David M. Kleppinger, James P. Dougherty, McNeese, Wallace and Nurick, 100 Pine Street, P.O. Box 1166, Harrisburg, Pa. 17108-1166.

JERRY RICH,  
Secretary

[Pa. B. Doc. No. 91-2407, Filed November 27, 1991, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without a hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 23, 1991, and shall conform with the provisions for the content of protests as set forth at 52 Pa. Code § 3.381(c) (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent authority application or both.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of property as described under each application.

A-00103838, Folder 1, Am-A, Casselman Enterprises, Inc. (140 West Union Street, Somerset, Somerset County, Pa. 15501), a corporation of the Commonwealth of Pennsylvania—coal, shale, clay and red dog, for the Syonavec Coal Co. and New Enterprise Sand & Limestone Company, Inc., between points in the borough of Rockwood, Somerset County, and within an airline distance of 50 statute miles of the limits of the said borough; subject to the following condition: that no right, power or privilege is granted to transport coal, shale, clay and red dog to or from the plants or other facilities of Bognar and Co., Inc. and its affiliates located in the borough of Somerset, Somerset County, so as to permit the transportation of (1) Fresh Water, Drilling Mud, and Production Fluids used for the development and drilling of oil or natural gas wells; and (2) equipment used for the development and drilling of oil and natural gas wells between points in the counties of Allegheny, Armstrong, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Clinton, Elk, Fayette, Greene, Indiana, Jefferson, Lycoming, Potter, Somerset, Tioga, Washington, and Westmoreland. Attorney: Barbera and Barbera, 146 West Main Street, Somerset, Pa. 15501.

A-00109534, Folder 1, Am-A, Joyce, Inc., d/b/a Rapid Delivery (1933 Chestnut Street, Philadelphia, Philadelphia County, Pa. 19103), a corporation of the Commonwealth of Pennsylvania—as a Class B carrier, property between points in the city and county of Philadelphia, including the 69th Street area, so as to permit the transportation of property, between points in the counties of Chester, Montgomery, Bucks and Lancaster. Application for temporary authority has been filed at A-00109534, Am-A, seeking the right cited above. Attorney: Leonard Zack, 1429 Walnut Street, Philadelphia, Pa. 19102.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor

vehicles as contract carriers for transportation of property as described under each application.

A-00109975, Robert E. Taggart, d/b/a R. E. Taggart Courier (1301 Ridge Road, Ambridge, Beaver County, Pa. 15003)—contract carrier—moving casting machinery, and foundry supplies, for Beaver Valley Alloy Foundry, between points in the counties of Allegheny, Beaver, and Butler, and new and replacement parts for roof supports, and conveyor equipment for coal mines, for Meco International from Allegheny County to points in the counties of Greene, Indiana, Lawrence and Washington, with the right to return refused, rejected or damaged shipments to the point of origin. Attorney: W. D. Slomski, 411 Seventh Avenue, Suite 1050, Pittsburgh, Pa. 15219.

A-00109980, George P. Sampson (R. D. 4, Ridge Road, Box 569-B, Monongahela, Washington County, Pa. 15063-9403)—contract carrier—coal for Twilight Industries, Division of U.S. Natural Resources, Inc., between points in the county of Washington. Application for temporary authority has been filed at A-00109980, seeking the right cited above.

Applications of the following for amendment to the contract carrier permits which authorize the transportation of property as described under each application.

A-00106996, Folder 1, Am-B, Brownlee Trucking, Inc. (Route 844 East Main Street, P. O. Box 51, West Middletown, Washington County, Pa. 15379), a corporation of the Commonwealth of Pennsylvania—contract carrier—property for Pittsburgh Tank Co., Chemco, Inc., A. C. Dellovade, Inc., from points in the county of Washington, to points in Pennsylvania; with the right to return refused, rejected or damaged shipments to the point of origin; property for Steelite, Inc., from points in the county of Mercer, to points in Pennsylvania; with the right to return refused, rejected or damaged shipments to the point of origin; and property for Steel Factory Corp., from points in the county of Allegheny, to points in Pennsylvania; with the right to return refused, rejected or damaged shipments to the point of origin.

A-00109643, Folder 1, Am-A, GTS Trucking, Inc. (499 Nixon Road, Cheswick, Allegheny County, Pa. 15024), a corporation of the Commonwealth of Pennsylvania—contract carrier—property for General Commodities Warehouse and Distributing, Inc. and Distribution Resources, Inc., between the Pennsylvania facilities of said shippers, and from said facilities, to points in Pennsylvania, and vice versa.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.

A-00109965, Charles K. Trupe (310 Valley View Drive, New Holland, Lancaster County, Pa. 17557)—persons in paratransit service, between points in the county of Lancaster, and from points in said county, to points in Pennsylvania; limited to persons whose personal convictions prevent them from owning or operating motor vehicles. Attorney: James K. Weaver, 118 East Main Street, New Holland, Pa. 17557-1228.

A-00109977, David Alan Zebrasky (128 Roberta Drive, Uniontown, Fayette County, Pa. 15401)—persons upon call or demand, in the city of Uniontown, Fayette County, and within an airline radius of 35 statute miles of said city. Attorney: Thomas A. Bowlen, Esquire, Three Court Street, Uniontown, Pa. 15401.

A-00109978, Scott Canter (8108 Hammond Road, Elkins Park, Montgomery County, Pa. 19117)—persons, in lim-

# COURIER EXPRESS

December 3, 1991

RECEIVED

DEC 6 - 1991

SECRETARY'S OFFICE  
Public Utility Commission

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

RE: Application of:  
Joyco, Inc.  
t/d/b/a Rapid Delivery  
Docket No. A-00109534  
Folder 1, Am-A  
Temporary Authority

Dear Mr. Rich:

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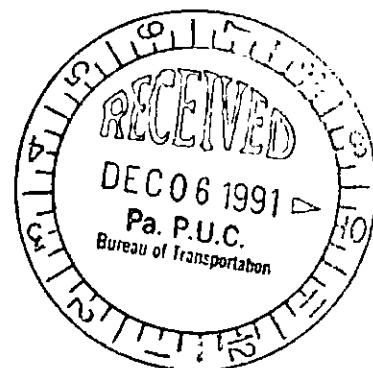
  
James E. Eaborn  
President

JEE/mlj

Enclosures

cc: Joyco, Inc., t/d/b/a Rapid Delivery  
Leonard Zack, Esq.

DOCUMENT  
FOLDER



**RUSH DELIVERY SPECIALISTS**

172 South 21st Street, Pittsburgh, PA 15203 • (412) 481-7300 • FAX 481-1280

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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In Re:

Joyco, Inc.  
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Docket Number: A-00109534  
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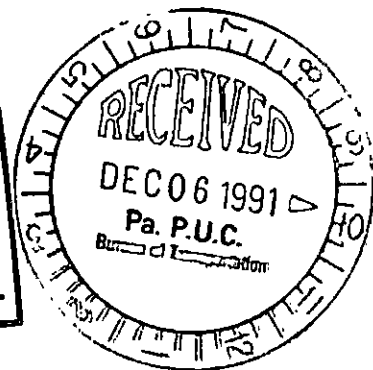
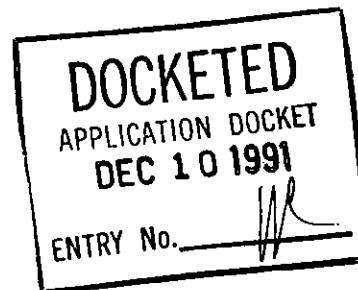
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PROTEST OF

COURIER EXPRESS, INC.

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AND NOW, comes Courier Express, Inc., 172 South 21st Street, Pittsburgh, PA 15203 (412) 481-7300, which hereby protest the granting of the above captioned application and in support thereof aver as follows:

1. Protestant holds authority at A-105585, summarized in Appendix A attached hereto and thereby made a part hereof, in conflict with this application.

2. Protestant performs a specialized service within its territory and, within the scope of its authority, provides an adequate and satisfactory service to the shipping public. Approval of an additional carrier would disrupt protestant's traffic patterns, thereby hindering its ability to render an efficient service to the public and detriment will thereby result to the shipping public in Pennsylvania.

3. If a restrictive amendment will satisfy the interest of the protestant, a proposed restrictive amendment is attached as Appendix B which, if accepted by the Commission, will result in the withdrawal of the protest of the protestant.

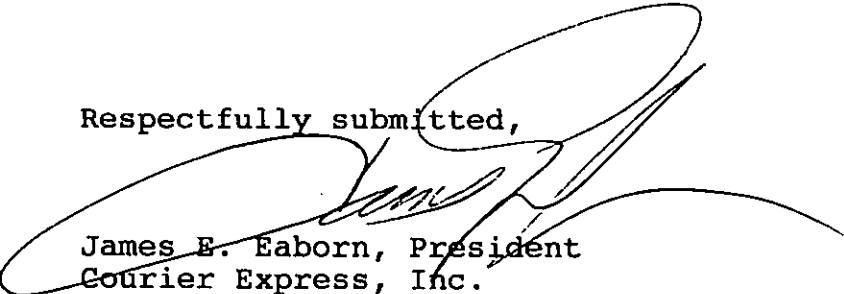
4. Pursuant to Section 333(c) of the Public Utility Code (66 Pa.C.S. 333[c]), we hereby request a list of the witnesses expected to testify in the above entitled proceeding, together with the subject matter of their anticipated testimony.

5. Protestant is represented by counsel: Mr. John A. Pillar, Esq., located at 312 Blvd. of the Allies, Suite 700, Pittsburgh, PA 15222.

WHEREFORE, absent an appropriate amendment, protestant prays the application may be dismissed.

AND IT WILL EVER PRAY.

Respectfully submitted,



James E. Eaborn, President  
Courier Express, Inc.  
172 South 21st Street  
Pittsburgh, PA 15203  
(412) 481-7300

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

Docket No. A-00109534,  
Folder 1, Am-A  
Temporary Authority

APPENDIX A

Summary of Authority

A-105585, Folder 1:

To transport, as a Class D carrier, property for American Red Cross Blood Services, Johnstown Region, and Central Blood Bank of Pittsburgh, between points in Pennsylvania on and west of U.S. Highway Route 15.

To transport, as a Class D carrier, property between points in that portion of Pennsylvania in and west of the eastern boundaries of the counties of McKean, Elk, Clearfield, Blair and Bedford, and from points in said territory to points on and west of U.S. Highway Route 15, and vice versa.

Both rights subject to the following conditions:

That no right, power or privilege is granted to provide service between points in the counties of Perry, Cumberland and that part of Adams County on and west of U.S. Highway Route 15.

Transportation is restricted to shipments weighing not more than 1,000 pounds and which are transported in a vehicle which contains the freight of only one consignor moving from one origin to one destination.

Transportation is restricted to shipments picked up and delivered on the same calendar day.

That no right, power or privilege is granted to transport new or used household goods and new or used office furniture and commodities in bulk.

A-105585, Folder 1, Am-B:

To transport, as a Class B carrier, parcels and packages between points in the City of Harrisburg, Dauphin County, and within an airline distance of five (5) statute miles of the limits of the said city, excluding transportation to or from the United States Navel Supply Depot, located near Mechanicsburg, Cumberland County.

APPENDIX A continued

A-105585, Folder 1, Am-B continued:

To transport, as a Class D carrier, parcels and packages for Montgomery Ward and Company between points in the City of Harrisburg, Dauphin County, and within fifteen (15) miles by the usually traveled highways of the limits of the said city.

To transport, as a Class D carrier, property, from the facilities of W. W. Grainger, Inc., in the Township of Swatara, Dauphin County, to points in the Counties of Adams, Blair, Centre, Cumberland, Dauphin, Huntingdon, Juniata, Lancaster, Lebanon, Franklin, Fulton, Mifflin, Perry, Snyder, Union, York, and Clairfield, provided no single shipment is to exceed five hundred (500) pound in weight;

Subject to the following condition:

That the word shipment, as used herein is defined as being a lot of freight received from a shipper at one point, at one time, for delivery to one consignee at one destination, and covered by one bill of lading

A-105585, Folder 2:

To transport as a Class D carrier, property of unusual value, including money and securities, in armored vehicles, between points in Pennsylvania.

A-105585, Folder 1, Am-E:

To transport, as a Class D Carrier, Property, for Westinghouse Electric Corporation, its subsidiaries and divisions, between points in Pennsylvania;

Subject to the following condition:

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

A-105585, Folder 1 Am-A:

To transport, as a Class D carrier, property for American Red Cross Blood Services, Johnstown Region, and Central Blood Bank of Pittsburgh, between points in Pennsylvania on and west of U.S. Highway Route 15.

APPENDIX A continued

A-105585, Folder 1, Am-A:

To transport, as a Class D carrier, property between points in that portion of Pennsylvania in and west of the eastern boundaries of the counties of McKean, Elk, Clearfield, Blair and Bedford, and from points in the said territory to points on and west of U.S. Highway Route 15, and vice versa.

To transport, as a Class D carrier, human laboratory specimens, clinical laboratory instruments and related supplies and reports, between points in the county of Allegheny for hospitals in the said county;

all rights above subject to the following conditions:

That no right, power or privilege is granted to provide service between points in the counties of Perry, Cumberland and that part of Adams County on and west of U.S. Highway Route 15.

That the service herein authorized is restricted to the following transportation:

- (a) A shipment which weighs more than 200 pounds but not more than 2,000 pounds may not be transported in a vehicle which contains other shipments and may be transported in a vehicle which contains the freight of only one consignor moving from one origin to one destination;
- (b) Shipments weighing more than 50 pounds but not more than 200 pounds may not be transported in a vehicle which contains the freight of more than 3 consignors, may not move from more than 3 origins and may not move to more than 3 destinations;
- (c) Shipments weighing 50 pounds or less may not be transported in a vehicle containing any shipment weighing more than 50 pounds.

The service herein authorized is restricted to transportation of shipments which are delivered within 8 hours after the time of pick up, both of which times must be noted on carrier's delivery receipt.

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

That no right, power or privilege is granted to transport shipments between points in the city of Pittsburgh, Allegheny County, and from points in the said city to points within 30 miles by the usually traveled highways of the limits of the said city.

APPENDIX A continued

A-105585, Folder 1, Am-B continued:

That no right, power or privilege is granted to transport human laboratory instruments and related supplies and reports, between points in the counties of Allegheny (except as above authorized), Armstrong, Lawrence, Butler, Somerset, Washington, Westmoreland, Green, Indiana, Mercer, Bedford and Beaver.

That no right, power or privilege is granted to transport property to or from the facilities of Westinghouse Electric Supply Company in the counties of Blair, Cambria and Erie, and that no right, power or privilege is granted to transport property for the account of McCreary Tire & Rubber Company, Gidden Division of SCM Corporation, McKesson Chemical Company, The Drug House, Inc., Value Drug Company and Alco Health Service Company.

The transportation herein authorized relative to the transportation of shipments shall be defined as a lot of freight moving from one consignor at one origin point on one day to one consignee at one destination point.

A-105585, Folder 1, Am-F:

The transportation of property, between points in the city of Pittsburgh, Allegheny County, and from points in said city, to points within an airline distance of 30 statute miles of the limits of said city; subject to the following conditions:

- (a) Excluding household goods and office furniture in use, new or used household goods and office furniture, and commodities in bulk;
- (b) Service is restricted to the transportation of shipments which are delivered within 8 hours after the time of pickup, both of which times must be noted on the carrier's delivery receipt;
- (c) A shipment which weighs more than 200 pounds but not more than 2,000 pounds may not be transported in a vehicle which contains the freight of only one consignor moving from one origin to one destination;
- (d) Shipments weighing more than 50 pounds but not more than 200 pounds may not be transported in a vehicle which contains the freight of more than three consignors, may not move from more than three origins and may not move to more than three destinations;



APPENDIX A continued

A-105585, Folder 1, Am-F continued:

- (e) A shipment as defined hereinabove shall mean a lot of freight moving from one consignor to one origin of one day consignee at one destination point; and
- (f) That no right, power or privilege is granted to transport human laboratory specimens, clinical laboratory instruments and related supplies and reports from points in the city of Pittsburgh, Allegheny County, to points beyond the county of Allegheny which are within an airline distance of 30 statute miles of limits of said city.

A-105585, Folder 1, Am-G

To transport, as a Class D carrier, property, for the Commonwealth of Pennsylvania and its agencies, between points in Pennsylvania:

subject to the following conditions:

- (1) That no single parcel, package or container is to exceed one hundred (100) pounds in weight.
- (2) That no right, power or privilege is granted to transport commodities in bulk.
- (3) That no right, power or privilege is granted to transport household goods in use.
- (4) That no right, power or privilege is granted to provide service for the Pennsylvania Lottery of the Commonwealth of Pennsylvania, Department of Revenue.

A-105585, Folder 1, Am-H (pending application)

The transportation of property, between points in that portion of Pennsylvania east of the Counties of McKean, Elk, Clearfield, Blair and Bedford, and from said territory to points west of the eastern boundaries of the Counties of McKean, Elk, Clearfield, Blair and Bedford, and vice versa, subject to the following conditions:

- 1. That no right, power or privilege is granted to transport commodities in bulk, household goods and office furniture;
- 2. That no right, power or privilege is granted to transport any single shipment in excess of 2,000 pounds;

APPENDIX A continued

3. That the time of pickup and the time of delivery shall be set forth in the bill of lading for each shipment and all shipments shall be made on an expedited basis, if not more than 10 hours from the time of pickup to the time of delivery, subject to the consignee's availability but, in no event, more than 24 hours from the time of pickup to the time of delivery, except that on weekends or holidays, deliveries may be made more than 24 hours after pickup but, in no event, later than 12:00 noon on the next business day.

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

Docket No. A-00109534,  
Folder 1, Am-A  
Temporary Authority

APPENDIX B

Proposed Restrictive Amendment

Protestant knows of no amendment which will satisfy its interests in this matter but is willing to discuss the same with applicant's counsel.

*Counsel for the applicant:* David M. Kleppinger, James P. Dougherty, McNees, Wallace and Nurick, 100 Pine Street, P. O. Box 1166, Harrisburg, Pa. 17108-1166.

JERRY RICH,  
Secretary

[Pa.B. Doc. No. 91-2407. Filed November 27, 1991. 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without a hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 23, 1991 and shall conform with the provisions for the content of protests as set forth at 52 Pa. Code § 3.381(c) (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent authority application or both.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of property as described under each application.

A-00103838, Folder 1, Am-A, Casselman Enterprises, Inc. (140 West Union Street, Somerset, Somerset County, Pa. 15501), a corporation of the Commonwealth of Pennsylvania—coal, shale, clay and red dog, for the Svonavec Coal Co. and New Enterprise Sand & Limestone Company, Inc., between points in the borough of Rockwood, Somerset County, and within an airline distance of 50 statute miles of the limits of the said borough, subject to the following condition: that no right, power or privilege is granted to transport coal, shale, clay and red dog to or from the plants or other facilities of Bognar and Co., Inc., and its affiliates located in the borough of Somerset, Somerset County, so as to permit the transportation of (1) Fresh Water, Drilling Mud, and Production Fluids used for the development and drilling of oil or natural gas wells; and (2) equipment used for the development and drilling of oil and natural gas wells between points in the counties of Allegheny, Armstrong, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Clinton, Elk, Fayette, Greene, Indiana, Jefferson, Lycoming, Potter, Somerset, Tioga, Washington and Westmoreland. *Attorney:* Barbera and Barbera, 146 West Main Street, Somerset, Pa. 15501.

A-00109534, Folder 1, Am-A, Joyco, Inc., (t/d/b/a Rapid Delivery (1933 Chestnut Street, Philadelphia, Philadelphia County, Pa. 19103), a corporation of the Commonwealth of Pennsylvania—as a Class B carrier, property between points in the city and county of Philadelphia, including the 69th Street area: so as to permit the transportation of property, between points in the counties of Chester, Montgomery, Bucks and Lancaster. Application for temporary authority has been filed at A-00109534, F. 1, Am-A, seeking the right cited above. *Attorney:* Leonard Zack, 1429 Walnut Street, Philadelphia, Pa. 19102.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor

vehicles as contract carriers for transportation of property as described under each application.

A-00109975, Robert E. Taggart, (t/d/b/a R. E. Taggart Courier (1301 Ridge Road, Ambridge, Beaver County, Pa. 15003)—contract carrier—moving casting machinery, and foundry supplies, for Beaver Valley Alloy Foundry, between points in the counties of Allegheny, Beaver and Butler; and new and replacement parts for roof supports, and conveyor equipment for coal mines, for Meco International from Allegheny County to points in the counties of Greene, Indiana, Lawrence and Washington; with the right to return refused, rejected or damaged shipments to the point of origin. *Attorney:* W. D. Slomski, 411 Seventh Avenue, Suite 1050, Pittsburgh, Pa. 15219.

A-00109980, George P. Sampson (R. D. 4, Ridge Road, Box 569-B, Monongahela, Washington County, Pa. 15063-9403)—contract carrier—coal for Twilight Industries, Division of U. S. Natural Resources, Inc., between points in the county of Washington. Application for temporary authority has been filed at A-00109980, seeking the right cited above.

Applications of the following for amendment to the contract carrier permits which authorize the transportation of property as described under each application.

A-00106996, Folder 1, Am-B, Brownlee Trucking, Inc. (Route 844 East Main Street, P. O. Box 51, West Middletown, Washington County, Pa. 15379), a corporation of the Commonwealth of Pennsylvania—contract carrier—property for Pittsburgh Tank Co., Chemco, Inc., A. C. Delovade, Inc., from points in the county of Washington, to points in Pennsylvania; with the right to return, refused, rejected or damaged shipments to the point of origin; property for Steelite, Inc., from points in the county of Mercer; to points in Pennsylvania; with the right to return refused, rejected or damaged shipments to the point of origin; and property for Steel Factory Corp., from points in the county of Allegheny, to points in Pennsylvania; with the right to return refused, rejected or damaged shipments to the point of origin.

A-00109643, Folder 1, Am-A, GTS Trucking, Inc. (499 Nixon Road, Cheswick, Allegheny County, Pa. 15024), a corporation of the Commonwealth of Pennsylvania—contract carrier—property, for General Commodities Warehouse and Distributing, Inc., and Distribution Resources, Inc., between the Pennsylvania facilities of said shippers, and from said facilities, to points in Pennsylvania, and vice versa.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.

A-00109965, Charles K. Trupe (310 Valley View Drive, New Holland, Lancaster County, Pa. 17557)—persons in paratransit service, between points in the county of Lancaster, and from points in said county to points in Pennsylvania; limited to persons whose personal convictions prevent them from owning or operating motor vehicles. *Attorney:* James K. Weaver, 118 East Main Street, New Holland, Pa. 17557-1228.

A-00109977, David Alan Zebrasky (128 Roberta Drive, Uniontown, Fayette County, Pa. 15401)—persons upon call or demand, in the city of Uniontown, Fayette County, and within an airline radius of 35 statute miles of said city. *Attorney:* Thomas A. Bowlen, Esquire, Three Court Street, Uniontown, Pa. 15401.

A-00109978, Scott Canter (8108 Hammond Road, Elkins Park, Montgomery County, Pa. 19117)—persons, in lim-

Kenneth A. Olsen

Attorney at Law

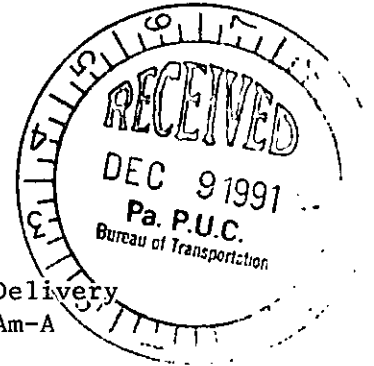
P. O. Box 357

Gladstone, New Jersey 07034-0357

December 4, 1991

Certified Mail No. P 322 349 807  
(Return Receipt Requested)

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



Dear Sir:

Re: Joyco, Inc. t/d/b/a Rapid Delivery  
No. A-00109534, Folder 1, Am-A

Attached hereto, for filing with your Commission on behalf of my client, find original and two copies of Protest of GTS, Inc. to the above captioned temporary and permanent authority applications.

I hereby certify that a copy of the Protest has been served upon the Applicant and Applicant's Attorney named below in accordance with the Commission's Rules of Practice.

Kindly acknowledge receipt on the duplicate of this letter attached, showing thereon that this document was duly filed. A self-addressed stamped envelope is enclosed for your convenience.

Your cooperation and expedited handling are greatly appreciated.

Very truly yours,

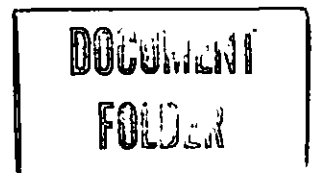
*Kenneth A. Olsen*  
Kenneth A. Olsen

KAO:jnw

Enc.

cc with encl.: Leonard Zack, Esq.  
1429 Walnut St.  
Philadelphia, PA 19102

Joyco, Inc. t/d/b/a Rapid Delivery  
1933 Chestnut St.  
Philadelphia, PA 19103



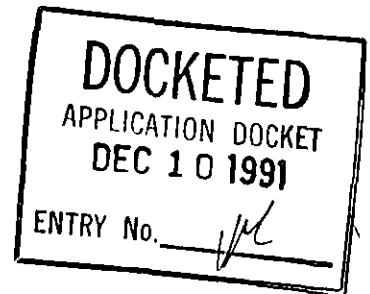
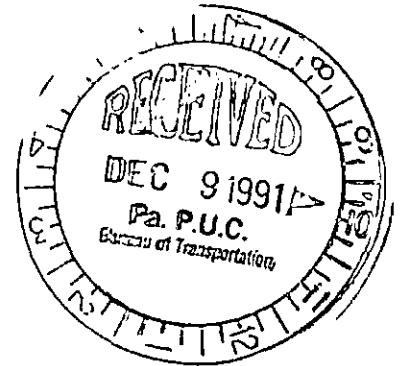
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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IN THE MATTER OF:  
TEMPORARY AND PERMANENT AUTHORITY  
APPLICATION OF  
JOYCO, INC. t/d/b/a

RAPID DELIVERY  
NUMBER A-00109534, FOLDER 1, Am-A

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PROTEST OF

GTS, INC.  
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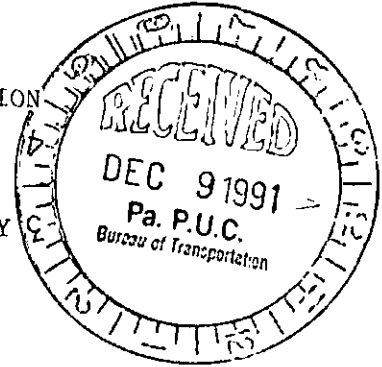
Filed By:

Kenneth A. Olsen  
P.O. Box 357  
Gladstone, New Jersey 07934  
(908) 234-0301  
Attorney for  
GTS, Inc.,  
Protestant

Dated: December 4, 1991

Due Date: December 23, 1991

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION



-----  
IN THE MATTER OF:  
TEMPORARY AND PERMANENT AUTHORITY  
APPLICATION OF  
JOYCO, INC. t/d/b/a

RAPID DELIVERY  
NUMBER A-00109534, FOLDER 1, Am-A

-----  
PROTEST OF  
  
GTS, INC.

-----  
PROTEST

Comes now, GTS, Inc., hereinafter called GTS or Protestant, in the above entitled proceeding, a corporation of the Commonwealth of Pennsylvania, with offices and principal place of doing business at 7 Allen Street, Bath, Pennsylvania 18014, (215-837-8585), by its attorney Kenneth A. Olsen, and in accordance with the Rules of Practice of the Pennsylvania Public Utility Commission, submits this Protest to the above/applications for the following temporary and permanent authority reasons:

1. The approval of said applications is not necessary or proper for the accommodation, convenience, service or safety of the public. Applicant does not possess the requisite fitness to perform the proposed service.

2. Protestant is presently providing service in the territory sought herein and is ready, willing, and able to provide such service. The service and facilities of Protestant and other authorized carriers are sufficient to meet all of the requirements of the shipping and receiving public in the territory involved in the above applications.

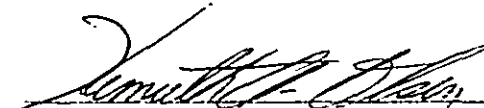
3. The approval of these applications will be prejudicial and detrimental to your Protestant and other authorized carriers in this territory, since it will authorize additional unnecessary competition, with the resulting loss in revenues by Protestant and other authorized carriers. The operations of Protestant will be endangered and impaired, which is contrary to the public interest.

4. Protestant holds operating authority from this Commission in Docket No. A-00105705, and folders thereunder. A copy of said operating authority as already held is attached hereto as Exhibit No. 1 and made a part hereof.

5. If the applications were amended to exclude the authority described in Exhibit No. 1 from the subject application, more specifically as to excluding garments and wearing apparel, the interest of Protestant would be satisfied and this protest withdrawn.

WHEREFORE, Protestant, GTS, Inc., respectfully prays that the above application be dismissed.

Pursuant to Section 333(c) of the Public Utility Code (66 Pa. C.S. § 333(c)), Protestant hereby requests a list of the witnesses expected to testify in the above entitled proceeding, together with the subject matter of their anticipated testimony.

  
Kenneth A. Olsen  
P. O. Box 357  
Gladstone, New Jersey 07934  
(908) 234-0301  
Attorney for  
GTS, Inc.,  
Protestant

Dated: December 4, 1991



BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

AUTHORITY HELD  
BY  
GTS, INC.

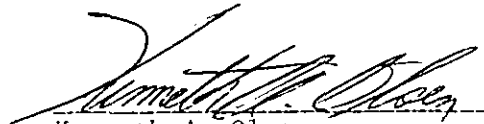
CERTIFICATE NO. A-00105705

To transport, as a Class D carrier, by motor vehicle, (1) garments and wearing apparel on hangers, and (2) garments, wearing apparel and the materials, equipment and supplies used in the manufacture and sale of garments and wearing apparel, when moving in the same vehicle as garments and wearing apparel on hangers, between points in Pennsylvania.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing protest upon applicant Joyco, Inc. t/d/b/a Rapid Delivery, 1933 Chestnut St., Philadelphia, Pennsylvania 19103, and upon applicant's counsel Leonard Zack, Esq., 1429 Walnut Street, Philadelphia, Pennsylvania 19102, by forwarding a copy of said protest to each of the aforesaid parties via first class mail, postage prepaid, in accordance with the Commission's Rules of Practice.

Dated at Gladstone, New Jersey, this 4th day of December, 1991.



Kenneth A. Olsen  
Attorney for  
GTS, Inc.  
Protestant

December 4, 1991

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

DEC 5 - 1991

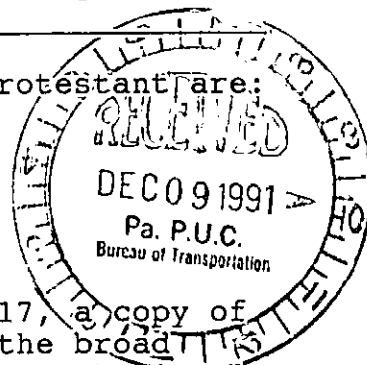
SECRETARY'S OFFICE  
Public Utility Commission

A-00109534. Folder 1, Am-A, Joyco, Inc. t/d/b/a Rapid Delivery (1933 Chestnut Street, Philadelphia, Philadelphia County, PA 19103), a corporation of the Commonwealth of Pennsylvania - as a Class B carrier, property between points in the city and county of Philadelphia including the 69th Street area: so as to permit the transportation of property, between points in the counties of Chester, Montgomery, Bucks and Lancaster.

PA. BULLETIN, Vol. 21, No. 48, November 30, 1991, Pg. 5584

1. The name, address and telephone number of Protestant are:

Marty's Express, Incorporated  
4201 Tacony Street  
Philadelphia, PA 19124  
215-537-2700

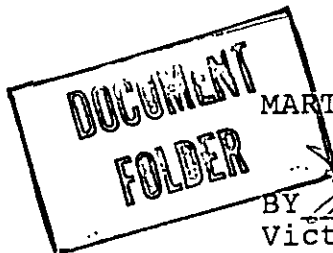


2. The Protestant possesses authority at A.94717, a copy of which is attached as Exhibit A. In view of the broad scope of this application all of the Marty's authority is adversely effected. Protestant performs an adequate and satisfactory service within the scope of its authority.

3. In absence of knowledge of which companies, if any, support this application, it is not possible for the Protestant to attach a meaningful traffic exhibit.

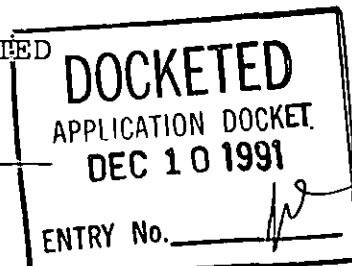
4. Protestant knows of no amendment which currently will satisfy its interest, but is willing to discuss the matter with the applicant or its attorney.

WHEREFORE, Protestant prays this instant application be dismissed.



MARTY'S EXPRESS, INCORPORATED

BY *Victor Marano*  
Victor Marano, President



A copy of this protest has been served upon the applicants attorney: Leonard Zack, 1429 Walnut Street, Philadelphia, PA 19102.

Certificate No. A-94717

Freight PA P.U.C. NO. 50

                                cancels

Freight PA P.U.C. NO. 49

MARTY'S EXPRESS, INC.

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LOCAL MOTOR FREIGHT TARIFF OF

OPERATING AUTHORITY

ISSUED BY

THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

---

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ISSUED: JANUARY 13, 1986

EFFECTIVE: FEBRUARY 17, 1986

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ISSUED BY:

Martin Marano, Sr., President  
4201 Tacony Street  
Philadelphia, PA 19124

Folder 1

To transport, as a Class B carrier, property between points in the City and County of Philadelphia, excluding the transportation of heavy machinery, structures requiring loading or unloading by crane, rigging, skidding or special handling, and household goods in use.

the right immediately above to be subject to the following conditions:

that no right, power or privilege is granted to perform transportation for Gimbel Brothers:

- (a) between stores,
- (b) between service buildings, warehouses and any other facility of Gimbel Brothers,
- (c) to Gimbel Brothers customers.

Folder 1, Am-C

To transport, as a Class D carrier, iron and steel pipe and tubing and pipe fittings, shapes, forms, strips, rods and wires, on equipment specially constructed or modified to accomodate mechanical unloading devices, from the plants and warehouse facilities of Allied Tube and Conduit Corporation and the Allied Rolled Form Products Corp. in the City and County of Philadelphia to points within an airline distance of fifty (50) statute miles of the limits of the said City, and vice versa.

Folder 1, Am-G

To transport, as a Class A carrier, property between points on the following routes, alternate routes and spur routes:

- A. Between the cities of Lancaster and Philadelphia, including intermediate points, via Highway Route 30, excluding, however, local service between the cities of Philadelphia and Coatesville; with alternate routes between Downingtown and Blue Ball, via Highway Route 322; between Blue Ball and Lancaster via Highway Route 23; between Gap and White Horse via Highway Route 897, between White Horse and Lancaster via Highway Route 340; spur routes between Blue Ball and Terre Hill via Highway Route 897; between Blue Ball and Beartown via Highway Route 23, Churchtown and Highway Route 36053; between Gap and Atglen via Highway Route 41 and Christiana; between Paradise and the intersection of Highway Route 36029 and Highway Route 340 via Gordonville and Highway Route 36029; between Soudersburg and Bird-in-Hand via Highway Route 36031 and Ronks; and between Highway Route 30 and Parkesburg via Highway Route 122.

- B. Between the cities of Lancaster and Reading via Highway Route 222; with an alternate route between Lancaster and Reading via Highway Route 501 to Lititz, thence via Highway Route 772, Highway Routes 36076, 36030, 36046 and 36001 and Highway Route 422, through Rothsville, Ephrata, Stevens, Denver and Sinking Spring; with spur routes between Ephrata and Murrell via Highway Route 322; and between Ephrata and Lincoln via Highway Route 322; excluding however, all transportation between Philadelphia and points between Adamstown and Reading, including Reading, except shipments from Philadelphia to Reading and vice versa for Acme Fast Freight.
- C. Between the cities of Lancaster, Lancaster County, Lebanon, Lebanon County, the Edward Martin Military Reservation at Indiantown Gap and the townships of East Hanover and Union, Lebanon County, via Highway Route 230, Elizabethtown, Highway Routes 340 and 322 at a point south of Hershey, thence via an unnumbered highway to Hershey, thence via Palmyra and Highway Route 422 to the city of Lebanon, thence via Highway Route 72, to Lickdale, thence via Highway Route 343, to Indiantown Gap; with an alternate route between Lancaster and Lebanon, via Highway Route 72 to Manheim, thence via Highway Route 36002 and 36045, to Lititz, thence via Highway Route 501 through Brickerville to Schaefferstown, thence via Highway Route 897 to Lebanon; spur routes between Bricker-ville and Quentin via Cornwall and Highway Route 322; spur route between Lebanon and Cornwall via an unnumbered highway; and a spur route between Palmyra and Campbelltown via Highway Route 117; excluding the right to transport current newspapers or other periodicals from Lebanon or Harrisburg to Indiantown Gap.
- D. Between the city of Lancaster and the borough of Columbia via Highway Route 30; with an alternate route between Lancaster and the intersection of Highway Route 30 and Highway Route 36006 via Highway Route 340 to Rohrerstown, thence via Highway Route 36006 to the intersection of Highway Route 30; with connecting spurs between Mountville and Landisville via Highway Route 36005; and between Rohrerstown and East Petersburg, via Highway Route 36006; with the right to render through service between points on any of the said routes.

To transport, as a Class A carrier, property over the following alternate route for operating purposes only:

Between the city of Lebanon, Lebanon County and the city of Philadelphia, Philadelphia County, through the city of Reading, Berks County, via Highway Route 422.

excluding the right to transport any property originating at points on Highway Route 422 between the village of Hershey, Dauphin County, and the city of Lebanon, Lebanon County, including the said village and city, to the city of Reading, Berks County, or vice versa.

To transport as a Class A carrier, property between the city of Lebanon, Lebanon County and the city of Philadelphia, Philadelphia County, over the following alternate routes:

Beginning in the city of Lebanon, Lebanon County, thence via Highway Route 897 to Schaefferstown, Lebanon County, thence via Highway Route 501 to Brickerville, Lancaster County, thence via Highway Route 322 to Downingtown, Chester County, thence via Highway Route 30 to the city of Philadelphia, Philadelphia County;

excluding the right to render any service over the said alternate route except as authorized in the certificate holder's present certificate.

the rights immediately above to be subject to the following conditions:

that no right, power or privilege is granted to perform transportation for Gimbel Brothers:

- (a) between stores,
- (b) between service buildings, warehouses and any other facility of Gimbel Brothers,
- (c) to Gimbel Brothers customers.

To transport, as a Class D carrier, property between points in the city of Lancaster, Lancaster County.

To transport, as a Class D carrier, confectionary and children's novelties between points in the County of Lancaster, provided such transportation shall be limited and restricted to truckload lots from one consignor to not more than three consignees.

To transport, as a Class D carrier, confectionary and children's novelties from points in the County of Lancaster to points within one hundred (100) miles by the usually traveled highways of the city of Lancaster, provided such transportation shall be limited and restricted to truckload lots from one consignor to not more than three consignees.

To transport, as a Class D carrier, feed and seeds from points in county of Lancaster to farms within one hundred (100) miles by the usually traveled highways of the limits of the city of Lancaster, provided such transportation shall be limited and restricted to truckload lots from one consignor to not more than three consignees.

To transport, as a Class C carrier, property from points in the city of Lancaster, Lancaster County, to points within thirty (30) miles by the usually traveled highways of the said city, and vice versa.

To transport, as a Class C carrier, property between points in the cities of Lancaster and Harrisburg, in truckloads containing the goods of one shipper only, moved in emergency service after the Central Storage and Transfer truck has left Lancaster.

and subject to the following conditions is necessary or proper for the service, accomodation or conveneince of the public:

That no right, power or priviledge is granted to transport tobacco between points in the county of Lancaster.

That no right, power or priviledge is granted to transport household goods, fixtures, office furnishings, plant equipment and furnishings, farm furnishings, implements and equipment, all in use, in connection with the removal from one location to another, and works of art and carnivals.

Folder 1, Am-J

To transport, as a Class D carrier, property for William H. Rorer, Inc. and Dermik Labs., Inc., and its wholly-owned subsidiary, from points in the townships of Upper Dublin and Whitemarsh, Montgomery County and the township of Middletown, Bucks County, to points in Pennsylvania on and east of U.S. Highway Route 220, and vice versa.

Subject to the following conditions:

That no right, power or priviledge is granted to transport household goods in use and commodities in bulk in tank or hopper-type vehicles.



Folder 1, Am-K

To transport, as a Class D carrier, property (excluding commodities in bulk, household goods and office furniture in use, and property which because of size and weight requires special equipment, such as winch trucks, pole trucks, carryalls or extendible trailers) between points in that portion of Pennsylvania in and east of U.S. Highway Route 220 (except the Counties of Adams, Cumberland, Dauphin, Franklin, Lackawanna, Lebanon, Luzerne and York), and vice versa.

Subject to the following restriction:

Provided that no right, power or privilege is granted to provide service for American Home Foods Division of American Home Products Corporation from or to its facilities in the borough of Milton and the Township of Turbot, Northampton County.

Folder 1, Am-L

To transport, as a Class D carrier, property from the facilities of The Kellogg Company, in the township of East Hempfield, Lancaster County, to points in Pennsylvania, and vice versa.

Folder 1, Am-N (New)

To transport as a Class D carrier property (excluding commodities in bulk, household goods and office furniture in use, and property which, because of size and weight, requires special equipment such as winch trucks, pole trucks, carryalls or extendible trailers) between points in the counties of Adams, Cumberland, Dauphin, Franklin, Lebanon and York, and from said territory to points in Pennsylvania in the east of the counties of Lancaster, Berks, Lehigh and Northampton, and vice versa; and property (excluding commodities in bulk, household goods and office furniture in use, and property which, because of size and weight requires special equipment such as winch trucks, pole trucks, carryalls or extendible trailers) between points in the counties of Lackawanna and Luzerne and from points in said counties, to points in Pennsylvania in and east of the counties of Lancaster, Berks, Lehigh and Northampton, and vice versa.

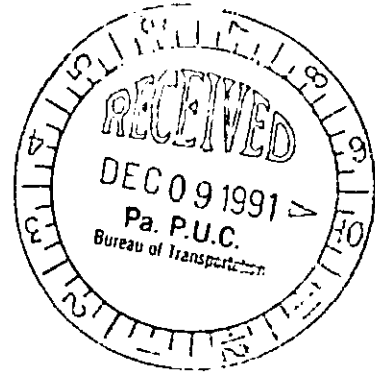
Subject to the following restrictions:

Provided that no right, power or privilege is granted:

1. To transport garments and garment materials between garment cutting, sewing, assembly and manufacturing plants;
2. To transport limestone and limestone products from York County;
3. To transport shipments in excess of 12,000 pounds from or to Penn Township, York County.

Peter G. Loftus  
—  
Laura M. Siberski

Law Offices  
**PETER G. LOFTUS, P.C.**  
Suite 724 Bank Towers  
321 Spruce Street  
Scranton, Pennsylvania 18503-1447  
—  
(717) 347-1453



Allentown  
(215) 433-7939  
Philadelphia  
(215) 625-3777  
Pittsburgh  
(412) 471-2662  
Wilkes-Barre  
(717) 826-0676  
Fax:  
(717) 347-5559

December 4, 1991

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

**RECEIVED**  
DEC 9 1991  
**SECRETARY'S OFFICE**  
**Public Utility Commission**

RE: Joyco, Inc., t/d/b/a Rapid Delivery  
A-00109534  
Folder 1, Am-A

Dear Secretary Rich:

Enclosed for filing are the original and two copies of a Protest directed to the above-captioned applicant by Seaboard Tank Lines, Inc. Copies have been mailed to the applicant's Counsel of record.

Your prompt attention to this matter is appreciated.

Very truly yours,

PETER G. LOFTUS, P.C.

Peter G. Loftus

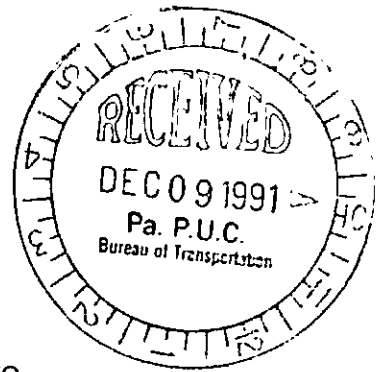
PGL/ss  
Encl:

cc: Walter P. Orzolek, Manager  
Seaboard Tank Lines, Inc.

Leonard Zack, Esquire  
1429 Walnut Street  
Philadelphia, PA 19102

**DOCUMENT**  
**FOLDER**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION



IN RE:

DOCKET NO.

APPLICATION OF:

A-00109534

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

FOLDER 1, Am-A

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DEC 9 1991

P R O T E S T

SECRETARY'S OFFICE  
Public Utility Commission

TO: THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In accordance with 52 Pa. Code Section 31.3 (b) and 3.381 (a), SEABOARD TANK LINES, INC., Box 166 Monahan Avenue, Dunmore, Pennsylvania 18512, Docket No. 00071220, herein protests the captioned application on the following grounds:

1. The Protestant is Seaboard Tank Lines, Inc., which has its principal place of business located at Box 166, Monahan Avenue, in the Borough of Dunmore, County of Lackawanna and Commonwealth of Pennsylvania. The telephone number of the Protestant is (717) 343-2491.

2. Protestant's attorney is Peter G. Loftus, Esquire, Suite 724, Bank Towers, Scranton, Pennsylvania 18503. The telephone number is (717) 347-1453.

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
DEC 10 1991  
ENTRY No.

3. Protestant has the authority to haul petroleum products and dry litharge throughout the Commonwealth of Pennsylvania with only several minor restrictions. Since the applicant is requesting the general category of property, approval of the application would have the following adverse impacts:

(i) property obviously could be construed to include petroleum products and/or dry litharge, thus giving applicant at least equal, if not greater authority than the Protestant.

(ii) even if it is not the intent of the applicant to haul petroleum products at present, if at any time the applicant sells his rights to another company, that company would then be able to haul petroleum products unless a restrictive amendment has been made prior to the transfer.


(iii) the number of applicants to haul petroleum products has increased substantially during the last several years and have eroded the Protestant's shipper's list which conversely has not increased substantially, thus having an adverse impact.

4. The Protestant operates under Docket No. A-00071220. A copy of the Protestant's authority is attached hereto, intended to be made a part hereof, and market as Exhibit "A".

5. The Protestant's interest would be protected resulting in a withdrawal of the protest if the following amendment were made:

"provided no right, power or privilege is granted to transport petroleum, and petroleum products in bulk or dry litharge in bulk."

PETER G. LOFTUS, P.C.

BY:   
PETER G. LOFTUS, ESQUIRE  
Counsel for Protestant

Suite 724, Bank Towers  
321 Spruce Street  
Scranton, PA 18503-1447

Date: November 5, 1991

SEABOARD TANK LINES, INC.

FOLDER NOS. 3 and 7

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles from points within five (5) miles by the usually traveled highways of the limits of the Boroughs of Bradford and Eldred, McKean County; Warren, Warren County; Titusville, Crawford County; Oil City, Venango County; Butler and Karns City, Butler County, to points in the Pennsylvania east of a line running northeast and southwest from the New York-Pennsylvania state line near Eldred, McKean County, Southwesterly through Renovo, Clinton County and Tyrone, Blair County and hereinafter referred to as the Renovo-Tyrone Line.

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles for the Tulsa Petroleum Corporation from Marcus Hook, Delaware County, and Eldred, McKean County and from point to point in Pennsylvania, as designated by the Tulsa Petroleum Corporation and vice versa.

To transport, as a Class D Carrier, petroleum products in bulk, in tank vehicles for the Pennsylvania Refining Company from points in the City of Scranton, Lackawanna County, to points in the territory east of the Renovo - Tyrone Line, starting at a point in the northeasterly part of Pennsylvania on the New York - Pennsylvania Border at or near Hallstead; thence to Honesdale; thence to Stroudsburg; thence to Easton; thence to Marcus Hook; thence to Reading; thence to Clarks Ferry; thence to Butler; thence to Franklin; thence to Titusville; thence to Warren; thence to Bradford; thence to Eldred; thence in a straight line along the Pennsylvania - New York Border to the place of beginning.

To transport, as a Class D Carrier, petroleum and petroleum products in bulk, in tank vehicles, between points in the Borough of Macungie, Lehigh County and within one hundred fifty (150) miles of the limits of said Borough.

FOLDER 7, AM-A

To transport, as a Class D Carrier, litharge, dry, in bulk, from the Borough of Dunmore, Lackawanna County, to points in Pennsylvania, with the right to return refused, rejected, or damaged shipments to point of origin.

FOLDER 7, AM-B

To transport, as a Class D carrier, petroleum and petroleum products, in bulk, in tank-type vehicles, between points in Pennsylvania; subject to the following conditions:

1. That no right, power or privilege is granted to provide service from points in the Borough of Warren, Warren County, to points in the Borough of Northeast, Erie County, and the Borough of Corsica, Jefferson County.

2. That no right, power or privilege is granted to provide service for United Refining Company; Pennzoil Products Co.; Witco Chemical Co.; Kendall-Amalie Division, from, to or between points in the counties of Warren, Venango and McKean.

*Counsel for the applicant:* David M. Kleppinger, James P. Dougherty, McNeese, Wallace and Nurick, 100 Pine Street, P. O. Box 1166, Harrisburg, Pa. 17108-1166.

JERRY RICH,  
Secretary

[Pa.B. Doc. No. 91-2407. Filed November 27, 1991, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without a hearing in the absence of protests to the application. Protests to the applications published herein are due on or before December 23, 1991 and shall conform with the provisions for the content of protests as set forth at 52 Pa. Code § 3.381(c) (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent authority application or both.

Applications of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of property as described under each application.

A-00103838, Folder 1, Am-A. Casselman Enterprises, Inc. (140 West Union Street, Somerset, Somerset County, Pa. 15501), a corporation of the Commonwealth of Pennsylvania—coal, shale, clay and red dog, for the Svonavec Coal Co. and New Enterprise Sand & Limestone Company, Inc., between points in the borough of Rockwood, Somerset County, and within an airline distance of 50 statute miles of the limits of the said borough; subject to the following condition: that no right, power or privilege is granted to transport coal, shale, clay and red dog to or from the plants or other facilities of Bognar and Co., Inc., and its affiliates located in the borough of Somerset, Somerset County: *so as to permit* the transportation of (1) Fresh Water, Drilling Mud, and Production Fluids used for the development and drilling of oil or natural gas wells; and (2) equipment used for the development and drilling of oil and natural gas wells between points in the counties of Allegheny, Armstrong, Bedford, Blair, Butler, Cambria, Cameron, Clarion, Clearfield, Clinton, Elk, Fayette, Greene, Indiana, Jefferson, Lycoming, Potter, Somerset, Tioga, Washington and Westmoreland. *Attorney:* Barbera and Barbera, 146 West Main Street, Somerset, Pa. 15501.

A-00109534, Folder 1, Am-A. Joyco, Inc., t/d/b/a Rapid Delivery (1933 Chestnut Street, Philadelphia, Philadelphia County, Pa. 19103), a corporation of the Commonwealth of Pennsylvania—as a Class B carrier, property between points in the city and county of Philadelphia, including the 69th Street area: *so as to permit* the transportation of property, between points in the counties of Chester, Montgomery, Bucks and Lancaster. Application for temporary authority has been filed at A-00109534, F. 1, Am-A, seeking the right cited above. *Attorney:* Leonard Zack, 1429 Walnut Street, Philadelphia, Pa. 19102.

Applications of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor

vehicles as *contract carriers* for transportation of property as described under each application.

A-00109975. Robert E. Taggart, t/d/b/a R. E. Taggart Courier (1301 Ridge Road, Ambridge, Beaver County, Pa. 15003)—contract carrier—moving casting machinery, and foundry supplies, for Beaver Valley Alloy Foundry, between points in the counties of Allegheny, Beaver and Butler; and new and replacement parts for roof supports, and conveyor equipment for coal mines, for Meco International from Allegheny County to points in the counties of Greene, Indiana, Lawrence and Washington; with the right to return refused, rejected or damaged shipments to the point of origin. *Attorney:* W. D. Slomski, 411 Seventh Avenue, Suite 1050, Pittsburgh, Pa. 15219.

A-00109980. George P. Sampson (R. D. 4, Ridge Road, Box 569-B, Monongahela, Washington County, Pa. 15063-9403)—contract carrier—coal for Twilight Industries, Division of U. S. Natural Resources, Inc., between points in the county of Washington. Application for temporary authority has been filed at A-00109980, seeking the right cited above.

Applications of the following for *amendment* to the contract carrier permits which authorize the transportation of property as described under each application.

A-00106996, Folder 1, Am-B. Brownlee Trucking, Inc. (Route 844 East Main Street, P. O. Box 51, West Middletown, Washington County, Pa. 15379), a corporation of the Commonwealth of Pennsylvania—contract carrier—property for Pittsburgh Tank Co., Chemco, Inc., A. C. Dellovade, Inc., from points in the county of Washington; to points in Pennsylvania; with the right to return refused, rejected or damaged shipments to the point of origin; property for Steelite, Inc., from points in the county of Mercer, to points in Pennsylvania; with the right to return refused, rejected or damaged shipments to the point of origin; and property for Steel Factory Corp., from points in the county of Allegheny, to points in Pennsylvania; with the right to return refused, rejected or damaged shipments to the point of origin.

A-00109643, Folder 1, Am-A. GTS Trucking, Inc. (499 Nixon Road, Cheswick, Allegheny County, Pa. 15024), a corporation of the Commonwealth of Pennsylvania—contract carrier—property, for General Commodities Warehouse and Distributing, Inc.; and Distribution Resources, Inc., between the Pennsylvania facilities of said shippers, and from said facilities, to points in Pennsylvania, and vice versa.

Applications of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.

A-00109965. Charles K. Trupe (310 Valley View Drive, New Holland, Lancaster County, Pa. 17557)—persons in paratransit service, between points in the county of Lancaster, and from points in said county to points in Pennsylvania; limited to persons whose personal convictions prevent them from owning or operating motor vehicles. *Attorney:* James K. Weaver, 118 East Main Street, New Holland, Pa. 17557-1228.

A-00109977. David Alan Zebrasky (128 Roberta Drive, Uniontown, Fayette County, Pa. 15401)—persons upon call or demand, in the city of Uniontown, Fayette County, and within an airline radius of 35 statute miles of said city. *Attorney:* Thomas A. Bowlen, Esquire, Three Court Street, Uniontown, Pa. 15401.

A-00109978. Scott Canter (8108 Hammond Road, Elkins Park, Montgomery County, Pa. 19117)—persons, in lim-



CALDWELL & KEARNS

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

717-232-7661  
FAX: 717-232-2766

THOMAS D. CALDWELL, JR.  
RICHARD L. KEARNS  
CARL G. WASS  
JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
RICHARD B. SWARTZ  
JAMES G. NEALON, III  
MATTHEW R. GOVER

December 6, 1991

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DEC 9 1991  
SECRETARY'S OFFICE  
Public Utility Commission

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

Re: Application of Joyco, Inc., t/d/b/a Rapid Delivery  
Docket No.: A-00109534, Folder 1, Am-A

Dear Secretary Rich:

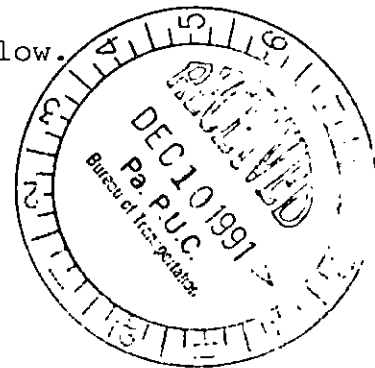
Please find enclosed herewith the original and two (2) copies of a Protest filed by New Penn Motor Express, Inc. in the above captioned matter.

A copy has been provided to Applicant as indicated below.

Sincerely,



James D. Campbell, Jr.  
CALDWELL & KEARNS



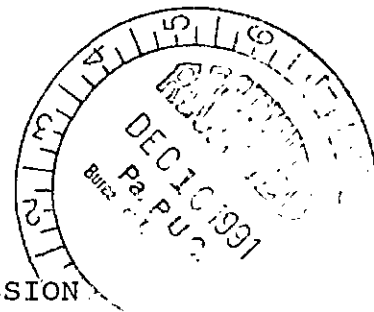
JDC:njd

Enclosures

cc: Leonard Zack, Esquire  
Robert L. Wesley, Traffic Manager

DOCUMENT  
FOLDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION



In Re: Application of : A-00109534  
Joyco, Inc. :  
t/d/b/a Rapid Delivery : Folder 1, Am-A

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DEC 9 1991

SECRETARY'S OFFICE  
Public Utility Commission

PROTEST

1. AND NOW, comes NEW PENN MOTOR EXPRESS, INC., and protests the above Application, both as to temporary authority and permanent authority.

2. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the shipping public in the territory involved in this Application.

3. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service of the public.

4. Approval of the Application would be contrary to the public interest.

5. Your Protestant holds operating authority docketed to A. 84240. A copy of said authority is attached hereto as Exhibit "A", and made a part hereof.

DOCUMENT  
FOLDER


DOCKETED  
APPLICATION DOCKET  
DEC 10 1991  
ENTRY No.

6. Protestant is not aware of any amendment which would satisfy its interest but is willing to discuss the same with Applicant or Applicant's counsel.

7. Pursuant to Section 333(c) of the Public Utility Law, Protestant request Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the supporting shippers they will represent, at least ten (10) days prior to the commencement of evidentiary hearings in this case.

WHEREFORE, NEW PENN MOTOR EXPRESS, INC., respectfully prays that the above Application be dismissed.

NEW PENN MOTOR EXPRESS, INC.

By:   
James D. Campbell, Jr.  
CALDWELL & KEARNS  
3631 North Front St.  
Harrisburg, Pa. 17110

Dated: December 6, 1991

Application of New Penn Motor Express, Inc.  
for amendment to permit the transportation  
of property between points on and east of  
U. S. Highway Route 15, and west of U. S.  
Highway Route 15, within an airline distance  
of 25 statute miles of the limits of the  
City of Williamsport, Lycoming County

A. 84240, F.7, A-A

O R D E R

In accordance with the provisions of Act 294 of 1978 (66 Pa. C.S. 5332(h)), the decision of Administrative Law Judge Buchanan dated February 1, 1984 has become final without further Commission action; THEREFORE,

IT IS ORDERED:

1. That the application of New Penn Motor Express, Inc., at Application Docket No. 84240, Folder No. 7, Amendment A, be and the same is hereby approved and that the certificate issued to Applicant at Application Docket No. 84240, Folder 7, November 8, 1982, be amended to include the following rights:

To transport, as a Class D Carrier, property between points on and east of U. S. Highway 15, and west of U. S. Highway Route 15, within an airline distance of twenty-five (25) statute miles of the limits of the City of Williamsport, Lycoming County, and/or on and south of Interstate Highway Route 80, with the right to interchange traffic with Class A, Class B, and Class D carriers so authorized.

subject to the following conditions:

That no right, power or privilege is granted to transport commodities in bulk.

EXHIBIT "A"

That no right, power or privilege is granted to transport commodities which because of size or weight require the use of special handling or equipment.

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

That no right, power or privilege is granted to render truckload transportation originating at points in the County of Lycoming utilizing open-top or flatbed trailers.

That no right, power or privilege is granted to transport refractory products originating at points within thirty-five (35) statute miles of the City-County Building in the City of Pittsburgh, Allegheny County.

That no right, power or privilege is granted to transport iron and steel articles using flatbed trailers except between points on and east of U. S. Highway Route 15.

That no right, power or privilege is granted to transport limestone and limestone products originating in the County of York, except as presently authorized.

That no right, power or privilege is granted to transport such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses to or from points in Penn Township, York County, except as presently authorized.

That no right, power or privilege is granted to render transportation to or from the facilities of California Cannery and Growers located in the Township of Coneago, Adams County; nor to or from the facilities of R. H. Sheppard Co., D & D Distribution Services, Inc.; Hanover Terminal, Inc.; Shultz Foods Company; and National Can Corp., all in the County of York, except as presently authorized.

That no right, power or privilege is granted to transport wood and wood products to or from the City of Lock Haven, Clinton County, and points within 35 air miles of the limits thereof; except as presently authorized.

That no right, power or privilege is granted to transport scrap metal for Hodex Industries, Inc., except as presently authorized.

That no right, power or privilege is granted to render transportation to or from the facilities of American Home Foods Division of American Home Products Corporation, located in the Township of Turbot and the Borough of Milton, Northumberland County, except as presently authorized.

That no right, power or privilege is granted to render transportation to or from the facilities of Cerro Metal Products, located in the Borough of Bellefonte and the Township of Spring, Centre County.

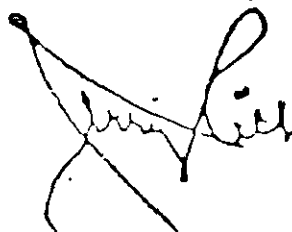
That no right, power or privilege is granted to transport truckload traffic on flatbed equipment which originate at facilities of The Celotex Corporation.

IT IS FURTHER ORDERED: That upon compliance with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates, a certificate be issued 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, or does not, before sixty (60) days from the date of 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 Applicant, shall not be construed as conferring more than one operating right.

BY THE COMMISSION,

  
Jerry Rich  
Secretary

(SEAL)

ORDER ENTERED: April 13, 1984

well established, however, that the Commission cannot grant broader rights than were published in the Pennsylvania Bulletin. Moreover, since the language excluding the twenty-five mile area within Williamsport was published, it is possible that potential protestants were not aware that New Penn intended to transport property to and from points in the excluded area. To grant New Penn additional authority now without notice would preclude existing carriers from having an adequate opportunity to be heard. Therefore, we shall grant this Petition and approve New Penn's application, as amended and further modified, by Tentative Decision. This will afford existing carriers an opportunity to file exceptions on the sole issue of whether New Penn should be granted authority to transport property, subject to the previously designated conditions and restrictions, from points north of I-80 and west of U.S. 15 which are beyond twenty-five miles of Williamsport to points within twenty-five miles of Williamsport, located north of I-80 and west of U.S. 15, and vice versa. All other aspects of New Penn's application have been disposed of and will not be permitted to be relitigated now. In order to inform any potential protestants of the limited nature of this proceeding, we will publish the entire Tentative Decision in the Pennsylvania Bulletin. If no exceptions are filed within twenty days after publication, the Commission's decision will be deemed a final order without further action; THEREFORE,

IT IS TENTATIVELY ORDERED: That the Petition for Reconsideration of the Commission order entered March 6, 1987, filed by New Penn Motor Express, Inc. on March 12, 1987, is hereby granted.

IT IS FURTHER ORDERED: That the application at A-00034240, Y.7, Am-B, as amended and further modified, is hereby approved, and that the certificate issued on December 20, 1982 be amended to include the following right:

To transport, as a Class D carrier, property between points north of Interstate Highway Route 80 and west of U.S. Highway Route 15 which are beyond an airline distance of twenty-five (25) statute miles of the limits of the city of Williamsport, Lycoming County, and from points in said territory, to points in Pennsylvania, and vice versa, with the right to interchange traffic with Class A, Class B and Class D carriers so authorized;

subject to the following conditions:

1. That no right, power or privilege is granted to transport commodities in bulk.
2. That no right, power or privilege is granted to transport commodities which, because of size or weight, require the use of special handling or equipment.
3. That no right, power or privilege is granted to transport household goods in use.

4. That no right, power or privilege is granted to render truckload transportation originating at points in the county of Lycoming utilizing open-top or flatbed trailers.
5. That no right, power or privilege is granted to transport refractory products originating at points within thirty-five (35) statute miles of the City-County Building in the city of Pittsburgh, Allegheny County.
6. That no right, power or privilege is granted to transport iron and steel articles using flatbed trailers.
7. That no right, power or privilege is granted to transport limestone and limestone products originating in the county of York.
8. That no right, power or privilege is granted to transport such merchandise as dealt in by wholesale, retail and chain grocery and food business houses to or from points in Penn Township, York County.
9. That no right, power or privilege is granted to render transportation to or from the facilities of California Cannery and Growers located in the township of Conewago, Adams County; nor to or from the facilities of R. H. Sheppard Co., D & D Distribution Services, Inc.; Hanover Terminal, Inc.; Schultz Foods Company; and National Can Corp., all in the county of York.
10. That no right, power or privilege is granted to transport wood and wood products to or from the city of Lock Haven, Clinton County, and points within the thirty-five (36) statute miles of the limits thereof.
11. That no right, power or privilege is granted to transport scrap metal for Hodex Industries, Inc.
12. That no right, power or privilege is granted to render transportation to or from the facilities of American Home Division of American Home Products Corporation, located in the township of Turbot and the borough of Milton, Northumberland County.
13. That no right, power or privilege is granted



to render transportation to or from the facilities of Carro Metal Products, located in the borough of Bellefonte and the township of Spring, Centre County.

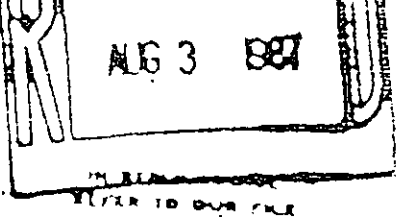
14. That no right, power or privilege is granted to transport, trackload traffic on flatbed equipment which originates at facilities of The Calotax Corporation.
15. That no right, power or privilege is granted to render transportation in dump vehicles.
16. That no right, power or privilege is granted to render transportation for Brockway Glass Company, or to or from the facilities of Brockway Glass Company.
17. That no right, power or privilege is granted to transport shipments exceeding 10,000 pounds for Owens-Illinois, Inc. from its facilities in Clarion County; for Pierca Glass Company or Pittsburgh Corning Corporation from their facilities in McKean County; for Quaker State Oil Refining Corporation from its facilities in Venango County; for Foamex Products, Inc., from its facilities in Erie County; or for Keystone Carbon Company from its facilities in Elk County.

IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That the Secretary publish this Tentative Decision in the Pennsylvania Bulletin.

IT IS FURTHER ORDERED: That Exceptions to this Tentative Decision be filed within twenty (20) days of publication in the Pennsylvania Bulletin to the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17120. These Exceptions shall be limited to the sole issue of whether How Penn Motor Express, Inc. should be granted authority to transport property, subject to the previously designated conditions and restrictions, from points north of Interstate Highway Route 80 and west of U.S. Highway Route 15 which are beyond twenty-five miles of Williamsport, Lycoming County, to points within twenty-five miles of Williamsport, Lycoming County, located north of Interstate Highway Route 80 and west of U.S. Highway Route 15, and vice versa.

IT IS FURTHER ORDERED: That if no Exceptions are received within the specified time period, this Tentative Decision will be deemed a final Order without further Commission action in accordance with 52 Pa. Code 15.533.



July 28, 1987

A. 00084242  
Y. 7, Am-B

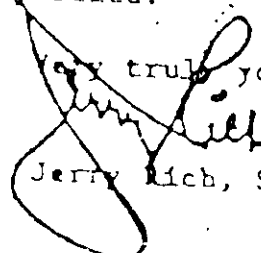
All Parties

Application of NEW PENN MOTOR EXPRESS, INC., PETITION FOR RECONSIDERATION

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Dear Sir:

This is to inform you that the Tentative Decision adopted in public meeting held June 4, 1987 and published in the PA Bulletin on June 27, 1987 became final since no exceptions were timely filed.

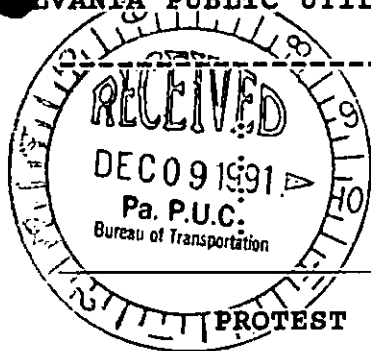
Very truly yours,  
  
Jerry Rich, Secretary

EMD  
Certified Mail

Since your tariff is on file you may now utilize those rights.

Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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



DOCKET NO.  
A-109534, F.1, Am-A

RECEIVED  
DEC 9 1991  
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.
Mustang Expediting, Inc.	P.O. Box 2236 Aston, PA 19014	A-106955

on the following grounds:

(1) That the service proposed will be detrimental to the authorized and/or proposed 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) That there is no public need for the proposed service, nor would the approval of the application for such proposed service be 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(s) is attached hereto as Appendix 2. Also attached hereto, as Appendix 3, is a suggested restrictive amendment which, if accepted by the Commission, will result in the withdrawal of the protest of the carrier(s) above-named. If no amendment is attached, no amendment is acceptable to satisfy protestant's interest.

PURSUANT TO SECTION 333(c) OF THE PUBLIC UTILITY CODE (66 PA. C.S. §333(c)), WE HEREBY REQUEST A LIST OF THE WITNESSES EXPECTED TO TESTIFY IN THE ABOVE-ENTITLED PROCEEDING, TOGETHER WITH THE SUBJECT MATTER OF THEIR ANTICIPATED TESTIMONY.

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 11/30/91.

cc: Leonard Zack, Esquire  
Joyco, Inc., t/d/b/a Rapid Delivery  
Stephanie A. Fleetman, President

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

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
DEC 10 1991  
Date: Dec 6, 1991  
ENTRY No. MM

**MUSTANG EXPEDITING, INC.**

Adverse Impact

Mustang Expediting, Inc. provides active service within the scope of the instant application pursuant to authority issued by the Pennsylvania Public Utility Commission at A-106955 and folders thereunder. The operating rights presently held and/or sought by Mustang Expediting, 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 Mustang Expediting, Inc., thereby adversely affecting this protestant's overall operation, and its continued ability to provide service in Pennsylvania intrastate commerce.

**MUSTANG EXPEDITING, INC.**

Certificate No. A-106955. Folder 3

1. To transport, as a Class D carrier, property, for Sorbus, Inc. between points in Pennsylvania;

subject to the following conditions:

- (a) That no right, power or privilege is granted to transport property in bulk.
- (b) That no right, power or privilege is granted to transport wearing apparel and materials, equipment and supplies used in the manufacture thereof.

2. To transport, as Class D carrier, property for AT&T Technologies, Inc., from its facilities located in the township of Upper Merion, Montgomery County, to points in Pennsylvania, and vice versa.

subject to the following condition:

That no right, power or privilege is granted to transport petroleum and petroleum products in bulk, in tank type vehicles.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held December 13, 1990

Commissioners Present:

William H. Smith, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
Frank Fischl  
Wendall F. Holland, not participating  
David W. Rolka

Application Mustang Expediting, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, property, for Sorbus, Inc., between points in Pennsylvania; subject to the following conditions: (a) That no right, power or privilege is granted to transport property in bulk; and (b) That no right, power or privilege is granted to transport wearing apparel and materials, equipment and supplies used in the manufacture thereof: SO AS TO PERMIT the transportation of property, except household goods and commodities in bulk, for Tozour Energy Systems, Inc., between points in Pennsylvania.

A-00106955  
F. 3  
Am-A

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Rubin, Quinn, Moss, Heaney & Patterson, by Edward L. Ciemniecki,  
for the applicant.  
Mario F. Driggs for the protestant, Hart Delivery Systems, Inc.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed June 25, 1990. Public notice of the application was given in the Pennsylvania Bulletin of August 4, 1990. One protest was filed but withdrawn, without a restrictive amendment. The now unopposed application is certified to the Commission for its decision without oral hearing. The record consists of verified statements filed by the applicant and one supporting shipper.

Emergency temporary authority was approved by an order adopted July 26, 1990. Temporary authority was approved by an order adopted

October 4, 1990. Both of these grants of authority were for the same shipper but of a lesser geographical territory than sought by this permanent authority application.

Mustang Expediting, Inc. (Mustang or applicant), is a Pennsylvania corporation, with its principal place of business in Aston, Delaware County. Mustang was initially certificated in 1987 and presently operates under seven paragraphs of authority. The applicant maintains a terminal facility at Aston that consists of a warehouse, administrative offices and a fenced, paved parking lot for its vehicles. A fleet of ten trucks, four tractors and thirteen trailers of various types is available to perform the proposed service. Additional equipment will be leased to meet service demands. As a currently operating carrier, Mustang has an intensive safety program for drivers and vehicles in place. As evidence of its financial capacity to assume the burden of the additional operating rights, the applicant reports assets of \$413,855, with liabilities of \$315,741, leaving a shareholders' equity of \$98,114.

John Schuerger, warehouse manager for Tozour Energy Systems, Inc. (Tozour or shipper), submitted a verified statement in support of this application. Tozour maintains a facility in King of Prussia, Montgomery County, where it sells and services heating, ventilating, and air conditioning equipment. The shipper intends to tender five to fifteen shipments, ranging from 100 to 10,000 pounds, per day to the applicant. Primarily, service will require closed vans with lift gates but occasionally flat-bed trailers, unloaded by crane, will be needed. Both inbound and outbound service is required and movements direct from suppliers to customers. Tozour has used Mustang for its transportation needs in Delaware and New Jersey and is satisfied with their service and full supports the grant of authority proposed by this application.

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 October 22, 1987, be amended to include the following right:

To transport, as a Class D carrier, property, for Tozour Energy Systems, Inc., between points in Pennsylvania;

subject to the following condition:

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

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it 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,



Jerry Eich  
Secretary

(SEAL)

ORDER ADOPTED: December 13, 1990

ORDER ENTERED: DEC 21 1990



PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held July 16, 1987

Commissioners Present:

Bill Shane, Chairman  
Linda C. Taliaferro  
Frank Fischl  
William H. Smith

Application of Mustang Expediting, Inc.,  
a corporation of the Commonwealth of  
Pennsylvania, for the right to begin to  
transport, as a common carrier, by motor  
vehicle, (1) garments, loose and in bundles,  
for National Academic Cap and Gown Company,  
National Church Goods and National Customers  
and Manufacturing Company from the city of  
Philadelphia, Philadelphia County, to points  
within one hundred (100) miles of the limits  
of said city, and vice versa; (2) wearing  
apparel, piece goods and trimmings for Sun  
Clothes, Inc., and The Jay Company, Inc., in  
bundles, open cartons and open hampers, between  
their plants located in the city of Philadelphia,  
Philadelphia County, the villages of Fredericksburg,  
Lebanon County and Eddington, Bucks County, and  
the borough of Norristown, Montgomery County,  
excluding transportation between points in the  
city of Philadelphia; (3) as a Class B carrier,  
property, excluding household goods in use, between  
points in the city and county of Philadelphia and  
that portion of Delaware County bounded by Cobb's  
Creek, Township Line Road, Lansdowne Avenue and  
Baltimore Avenue (commonly known as the Sixty-Ninth  
Street area); and (4) electrical appliances, radios  
and items as dealt in by, Everybody's Supply Company,  
Inc., from said company's facilities in the village  
of Cornwells Heights, Bensalem Township, Bucks  
County, to the city and county of Philadelphia and  
that portion of Delaware County bounded by Cobb's  
Creek, Township Line Road, Lansdowne Avenue and  
Baltimore Avenue (commonly known as the Sixty-Ninth  
Street area); which is to be transfer of the rights  
authorized under the certificates issued at A-00089342,  
Folder 2 and Folder 3 to Reliable Delivery Company,  
Inc., a corporation of the State of Delaware, subject to  
the same limitations and conditions.

A-00106955  
P. 4

presumption of continuing public need applies to this transfer application.

We find:

1. That the applicant has the technical and financial ability to provide the proposed service.
2. That a continuing need exists for the transportation involved herein.
3. That approval of the application is necessary for the accommodation and convenience of the public; **THEREFORE,**

**IT IS ORDERED:** That the application for the transfer of all of the rights held by Reliable Delivery Company, Inc., at A-00089342, Folders 2 and 3, be and is hereby approved and that a certificate be issued the applicant granting the following rights:

1. To transport, as a Class D carrier, garments, loose and in bundles, for National Academic Cap and Gown Company, National Church Goods and National Customers and Manufacturing Company from the city of Philadelphia, Philadelphia County, to points within one hundred (100) miles of the limits of said city, and vice versa;
2. To transport, as a Class D carrier, wearing apparel, piece goods and trimmings for Sun Clothes, Inc., and The Jay Company, Inc., in bundles, open cartons and open hampers, between their plants located in the city of Philadelphia, Philadelphia County, the villages of Fredericksburg, Lebanon County and Eddington, Bucks County, and the borough of Norristown, Montgomery County, excluding transportation between points in the city of Philadelphia;
3. To transport, as a Class B carrier, property, excluding household goods in use, between points in the city and county of Philadelphia and that portion of Delaware County bounded by Cobb's Creek, Township Line Road, Lansdowne Avenue and Baltimore Avenue (commonly known as the Sixty-Ninth Street area);
4. To transport, as a Class D carrier, electrical appliances, radios and items as dealt in by, Everybody's Supply Company, Inc., from said company's facilities in the village of Cornwells Heights, Bensalem Township, Bucks County, to

the city and county of Philadelphia and that portion of Delaware County bounded by Cobb's Creek, Township Line Road, Lansdowne Avenue and Baltimore Avenue (commonly known as the Sixty-Ninth Street area).

with all of the rights above subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$4,500, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above.
4. That the certificate holder shall comply with all of the provisions of the Public Utility Code as now existing or as may hereafter be amended, and 52 Pa. Code §31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
5. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. §1102(3).

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held January 26, 1989

Commissioners Present:

Bill Shane, Chairman  
William H. Smith, Vice-Chairman  
Joseph Rhodes, Jr.  
Frank Fischl

Application of Mustang Expediting, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, electrical appliances, radios and items as dealt in by Everbody's Supply Company, Inc., from said company's facilities in the village of Cornwells Heights, Bensalem Township, Bucks County, to the city and county of Philadelphia and that portion of Delaware County bounded by Cobb's Creek, Township Line Road, Lanedowne Avenue and Baltimore Avenue (commonly known as the Sixty-Ninth Street Area): SO AS TO PERMIT the transportation of property (except household goods, commodities in bulk and commodities which, because of size or weight, require special handling or special equipment) for Bell of Pennsylvania, between points in Pennsylvania.

A-00106955

P. 4

AB-A

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Rubin, Quinn & Moss by James W. Patterson for the applicant.  
Robert R. Kennedy for the protestant, Kennedy Transfer.  
Vuono, Lavelle & Gray by William J. Lavelle for the protestants,  
South Hills Movers, Inc., McNaughton Bros., Inc. and B. F.  
Fields, Inc., t/d/b/a B. F. Fields Moving & Storage.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed November 12, 1987. Public notice of the application was given in the Pennsylvania Bulletin of December 5, 1987. Protests to the application were

3. That approval of the application is necessary for the accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application, as amended and further modified, be and is hereby approved, and that the certificate issued to the applicant on October 6, 1987, be amended to include the following right:

To transport, as a Class D carrier, property, for Bell of Pennsylvania, between points in Pennsylvania;

subject to the following condition:

That no right, power or privilege is granted to transport household goods, commodities in bulk and commodities which, because of size or weight, require special handling or special equipment.

That no right, power or privilege is granted to provide transportation between points in and west of the counties of Potter, Cameron, Clearfield, Cambria and Somerset; or from points in the counties of McKean, Potter, Forest, Elk, Cameron, Clarion, Jefferson and Clearfield to points east of the eastern boundaries of the counties of Potter, Cameron, Clearfield, Cambria and Somerset.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

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.

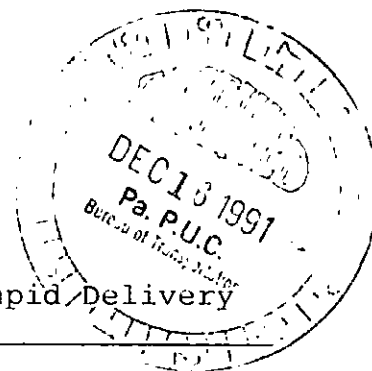
CASEY AND ROSSI  
ATTORNEYS AT LAW  
99 EAST COURT STREET  
DOYLESTOWN, PENNSYLVANIA 18901

HARRY L. ROSSI  
WILLIAM H. R. CASEY

(215) 348-7300  
FAX (215) 348-1456

December 11, 1991

Jerry Rich, Secretary  
Commonwealth of Pennsylvania  
PA PUBLIC UTILITY COMMISSION  
P.O. Box 265  
Harrisburg, PA 17120



RE: Application of Joyco, Inc. t/d/b/a Rapid Delivery  
A-00109534, Folder 1, Am-A

Dear Secretary Rich:

Enclosed please find an original and three copies of a Protest pertaining to the above-captioned Application on behalf of my client, Hatboro Delivery Service, Inc. A copy of this Protest is being sent to the Applicant on this date, by copy of this letter.

Thank you for your cooperation in this matter.

Very truly yours,

*William H. Casey*  
WILLIAM H. R. CASEY

WHRC: rb

cc: Hatboro Delivery Service, Inc.  
Leonard Zack, Esq.

Enclosure



RECEIVED  
DEC 16 1991  
SECRETARYS OFFICE  
Public Utility Commission

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of Joyco, Inc., t/d/b/a Rapid Delivery (1933 Chestnut Street, Philadelphia, Philadelphia County, Pa. 19103), a corporation of the Commonwealth of Pennsylvania--as a Class B Carrier, Property between points in the city and county of Philadelphia, including the 69th Street area: so as to permit the transportation of property between points in the counties of Chester, Montgomery, Bucks and Lancaster, as more particularly described in the Pennsylvania Bulletin, Volume 21, No. 48, dated November 30, 1991. A-00109534, Folder 1, Am-A.

PROTEST OF

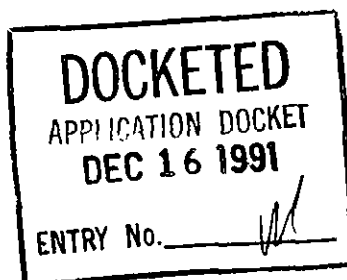
HATBORO DELIVERY SERVICE, INC.  
P.O. BOX 269  
WARMINSTER, PA 18974

The Protestant, above named, supplying common carrier services for the transportation of property within the territory covered by the above-entitled Application, by means of motor vehicles, hereby protests approval of the Application above referred to, among others, for the following reasons:

1. The Application prayed for is not necessary or proper for the service, accommodation, convenience or safety of the public.
2. The Application prayed for, if granted, would authorize a service which would be unnecessary and destructively competitive with rights, powers and privileges now being exercised by Protestant or which Protestant is authorized to exercise.

PROPOSED AMENDMENT

A RESTRICTION TO THE APPLICATION WOULD BE ACCEPTABLE IF TRANSPORTATION WITHIN THE RESPECTIVE AREAS OF THE PROTESTANT'S RIGHTS WERE ELIMINATED.



RECEIVED

DEC 16 1991

SECRETARYS OFFICE  
Public Utility Commission

HATBORO DELIVERY SERVICE, INC.

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OPERATING AUTHORITY AS ISSUED BY THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN CERTIFICATE NO. A-00097036, Folder 1:

- (1) To transport, as a Class D carrier, property in parcels and packages from retail stores in the Borough of Hatboro, Montgomery County, and within ten (10) miles by the usually travelled highways of the limits of said borough, to customers of said stores in said territory, excluding the City and County of Philadelphia.
- (2) To transport, as a Class B carrier, property between points in the Borough of Hatboro, Montgomery County.
- (3) To transport, as a Class D carrier, property from points in the Borough of Hatboro, Montgomery County, to points within five (5) miles by the usually travelled highways of the limits of the said borough, and vice versa.
- (4) To transport, as a Class D carrier, property from retail or service establishments in the Townships of Cheltenham and Abington and the Borough of Jenkintown, Montgomery County, to the homes of their customers in the said townships and borough.
- (5) To transport, as a Class D carrier, property from retail or service establishments in the Township of Cheltenham and Abington and the Borough of Jenkintown, Montgomery County, to points within twenty (20) miles by the usually travelled highways of the limits of the Borough of Jenkintown, Montgomery County and vice versa, but limited to shipments where the order originates in the said townships and borough.
- (6) To transport, as a Class D carrier, household or personal articles from homes in the Townships of Cheltenham and Abington and the Borough of Jenkintown, Montgomery County, to points in the said townships and borough and to points within twenty (20) miles of the limits of the Borough of Jenkintown, Montgomery County, and vice versa, and limited to shipments where the order originates in the said townships and borough.

RESTRICTION: That no right, power or privilege is granted to transport any shipments of household goods in use in connection with the transfer of the owner's domicile exceeding five hundred (500) pounds in weight. (This restriction applies to (4), (5) and (6) above.)

To transport, as a Class D carrier, limited to emergency service constituting pickups and deliveries in less than eight (8) hours, property (excluding household goods in use and commodities in bulk in tank vehicles or in hopper type vehicles) between points in the Borough of Hatboro, Montgomery County, and



HATBORO DELIVERY SERVICE, INC.

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OPERATING AUTHORITY AS ISSUED BY THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

within five (5) miles of the limits of said borough and from points in the said borough and within five (5) miles of the limits thereof to points in the City and County of Philadelphia, and vice versa.

IN CERTIFICATE NO. A-00097036, Folder 1:

To transport, as a Class D carrier, property for the W.T. Grant Company from its retail stores in the Villages of Warminster, Warminster Township, and Southampton, Upper Southampton Township, Bucks County, and the Village of Willow Grove, Upper Moreland Township, Montgomery County, to customers of the said stores in the Townships of Warminster and Upper Southampton, Bucks County, and Upper Moreland, Montgomery County, and within twenty (20) miles of the limits of said townships, and the return of rejected or damaged property from said customers to the said stores.

To transport, as a Class D carrier, property for Strawbridge and Clothier, from its retail store in the Neshaminy Mall, Bensalem Township, Bucks County, to said customers of the said store within an airline distance of twenty-five (25) statute miles thereof, and the return of rejected and damaged property from said customers to the point of origin; excluding the transportation of a single package or parcel which weighs fifty (50) pounds or less and which has an over-all dimension of six (6) cubic feet or less.

To transport, as a Class D carrier, checks, deposit tickets, notes, money orders, drafts, traveler's checks, commercial papers, documents, written instruments and office supplies, for the Philadelphia National Bank, from its branch banks in the counties of Montgomery and Bucks to heliports in said counties and offices of said bank in the city and county of Philadelphia and vice versa.

IN CERTIFICATE NO. A-00097036, FOLDER 1, Am-A:

- (1) To transport, as a Class D carrier, property, for Vicks Health Care Division, a Division of Richardson-Vicks, U.S.A., from the plants and warehouses of said companies located in the counties of Philadelphia and Montgomery, to points located within an airline distance of one-hundred (100) statute miles of said plants and warehouses, and vice versa.

- (2) To transport, as a Class D carrier, waste water, in tank trucks, for Vicks Health Care Division, a Division of Richardson-Vicks, U.S.A., from the plants and warehouses of said companies located in the counties of Philadelphia and Montgomery to disposal sites approved by the Pennsylvania Department of Environmental Resources located within an airline distance of one-hundred (100) statute miles of said plants and warehouses; with the right immediately above, subject to the following condition:

That the disposition of any waste water at points other than regularly established disposal sites licensed by the Pennsylvania Department of Environmental Resources may be deemed just and sufficient cause for the revocation of the authority herein granted.

IN CERTIFICATE NO. A-00097036, Folder 1, Am-B:

To transport, as a Class D carrier, food products for R.T. French Company, from the Borough of Souderton, Montgomery County, to the Borough of Langhorne, Bucks County, and vice versa.

IN CERTIFICATE NO. A-00097036, Folder 2:

To transport, as a Class B carrier, property between points in the City and County of Philadelphia.

IN CERTIFICATE NO. A-00097036, Folder 2, Am-A:

To transport, as a Class B carrier, property excluding household goods in use, between points in the Boroughs of Norristown, Bridgeport and Conshohocken, Montgomery County, and within one (1) mile of the limits of each of said Boroughs.

To transport, as a Class B carrier, property, excluding household goods in use, between points in the Borough of Norristown, Montgomery County, and within three (3) miles of the limits of the said Borough.

To transport, as a Class D carrier, property, excluding furniture in use and household goods in use, between points in the Borough of Ambler, Montgomery County, and within an airline distance of ten (10) statute miles of the Reading Company's station in said borough.

SUBJECT TO THE FOLLOWING CONDITIONS:

That no right, power or privilege is granted to transport:

Household goods in use, office furniture and furnishings in use;

General machine parts, fabricated steel parts and supplies and materials incidental to the manufacture or fabrication of such articles, such as are usually transported on flat trailers, for the McCarter Iron Works, Inc., to or from its plant in the Borough of Norristown, Montgomery County;

HATBORO DELIVERY SERVICE, INC.

---

OPERATING AUTHORITY AS ISSUED BY THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Property between points in the Borough of Collegeville, Montgomery County and to or from points located within four (4) miles of the limits of Collegeville;

Property from points in the Boroughs of Norristown, Bridgeport and Conshohocken, Montgomery County and within one (1) mile of the limits of each of said boroughs, to or from points in the City and County of Philadelphia;

Property to or from Norristown Magnesia and Asbestos Company located in the Borough of Norristown, Montgomery County;

Property between points in the City and County of Philadelphia.

IN CERTIFICATE NO. A-00097036, Folder 2, Am-B:

To transport as a Class B carrier, property between points in the Borough of Sellersville, Bucks County, and within five (5) miles by the usually travelled highways of the Post Office in said borough.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. That no right, power or privilege is granted to transport excavated materials and road and building construction materials, such as are usually transported in dump trucks.
2. That no right, power or privilege is granted to transport raw materials, (except coal) for the manufacture of gauges, from or to the plant of the United States Gauge Company in the Borough of Sellersville, Bucks County.

IN CERTIFICATE NO. A-00097036, Folder 1, Am-D

To transport, as a Class D carrier, checks, deposit tickets, notes, money orders, drafts, travelers checks, commercial papers, documents, written instruments and office supplies from the facilities of The Bank of Old York Road, Fox Chase Federal Savings & Loan Association, Fidelity Bank, Philadelphia National Bank, Union National Bank, Independence Bancorp (including Bucks County Bank, Independence International, Freedom Valley Bank, Lehigh Valley Bank and Cheltenham Bank), located in the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia Counties, and the city of Allentown, Lehigh County, to points in the said counties and city, and vice versa.

HATBORO DELIVERY SERVICE, INC.

---

OPERATING AUTHORITY AS ISSUED BY THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SUBJECT TO THE FOLLOWING CONDITION:

That no right, power or privilege is granted to transport between points in the city and county of Philadelphia.

IN CERTIFICATE NO. A-00097037, Folder 1, Am-E

To transport, as a Class D carrier, property, for CRC Chemicals, USA, from its facility in the Township of Warminster, Bucks County, to points in Pennsylvania, and vice versa.

SUBJECT TO THE FOLLOWING CONDITION:

- (a) That no right, power or privilege is granted to transport petroleum products in bulk or in tank vehicles;
- (b) That no right, power or privilege is granted to transport shipments weighing less than two hundred and one (201) pounds.



S.T.S. MOTOR FREIGHT INC.

RECEIVED

DEC 16 1991

SECRETARYS OFFICE  
Public Utility Commission

December 11, 1991

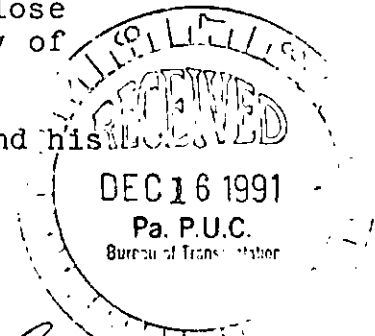
Penna Public Utility Comm.  
PO Box 3265  
Harrisburg, Pa. 17120

Gentlemen:

RE: Joyco  
T/A Rapid Delivery  
A-00109534 F1 Am-A  
Protest of STS Mtr.Frt.

On behalf of STS Motor Freight, Inc. I enclose for your consideration, an original and one copy of a protest to the above referenced application.

Copies have been mailed to the applicant and his attorney.



Yours truly,

*Joseph J. Carroll*  
Joseph J. Carroll  
Traffic Manager

JJC:emc

CC: Joyco, Inc  
1933 Chestnut Street  
Philadelphia, Pa. 19103

Leonard Zack, Esq.  
1429 Walnut Street  
Philadelphia, Pa. 19102



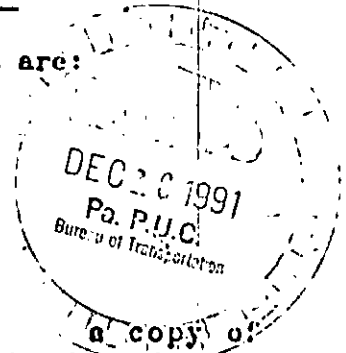
BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: A-00109534, Folder 1, Am-A  
Joyco T/A Rapid Delivery - 1933 Chestnut St. Phila., Pa. 19103

Attorney: Leonard Zack, Esq. 1429 Walnut St. Phila., Pa. 19102

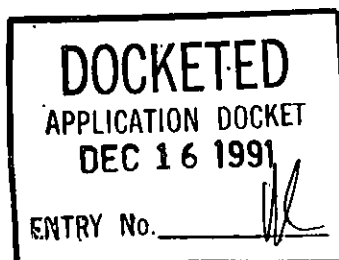
1. The name, address and telephone number of Protestant are:

STS Motor Freight, Inc.  
4219 Richmond Street  
Philadelphia, Penna. 19137  
Telephone A/C 215 831 1400



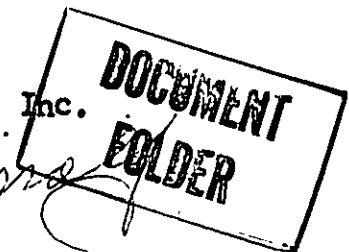
2. The Protestant possesses authority at 97417 which is attached as Exhibit A. In view of the broad scope of this application, all of the S.T.S. Authority is adversely affected. Protestant performs an adequate and satisfactory service within the scope of its authority.
3. In absence of knowledge of which companies, if any, support this application, it is not possible for the Protestant to attached a meaningful traffic exhibit.
4. Protestant knows of no amendment which currently will satisfy its interest, but is willing to discuss the matter with the applicant or its attorney.

WHEREFORE, Protestant prays this instant application be dismissed.



STS Motor Freight, Inc.

*Joseph J. Carroll*  
Joseph J. Carroll  
Traffic Manager



## S.T.S. MOTOR FREIGHT, INC.

## 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 commerce to the extent of the operating rights set forth below. Unless otherwise specifically provided, the provisions are to be interpreted in the same manner as the Commission interprets the certificate from which they are quoted.

A-00097417 Folder 1, Am-G

To transport, as a Class D carrier, property, except commodities in bulk, malt beverages and household goods in use, between points in the Counties of Bucks, Chester, Delaware, Montgomery, and Philadelphia, and from the said territories to points on and east of U. S. Route No. 15, and vice versa!

## RESTRICTIONS:

No right, power or privilege is granted to transport:

1. Commodities on flatbed trailers.
2. Such commodities as by reason of size and weight, require special handling or special equipment.
3. Commercial papers, documents, written instruments and cash letters.
4. From the following named facilities: Arrow Company, Elysburg, Northumberland County; Exxon Film Co., Pottsville, Van Heusen Corp., Schuylkill Haven and Zapata Industries, Frackville, all in Schuylkill County; International Paper Co., Lewisburg, Union County; North Central X-Ray, Inc., Scranton, Lackawanna County; Shop Vac Co. and Wundies, both in Williamsport, Lycoming County.
5. From the facilities of AMP, Inc. and Dauphin Distribution Services Co.; and the facilities of Hershey Foods Corp. in Hershey, Dauphin County.
6. From and to the Boroughs of New Freedom, Shrewsbury and Hanover and the Townships of Penn and Shrewsbury, York County.
7. From and to the facilities of American Home Foods in the Township of Turbot and the Borough of Milton, Northumberland County.
8. Computer paper and computer forms from the Counties of Cumberland, Dauphin, Lancaster and York.

Abbreviations, reference marks, symbols and notes are explained in Item 50,000.

ISSUED: OCTOBER 31, 1984

EFFECTIVE: NOVEMBER 1, 1984

Issued By:  
Joseph J. Carroll, Traffic Manager  
4219 Richmond Street  
Philadelphia, Pennsylvania 19137

ICC STSM 100

FREIGHT PA. P.U.C. NO. 9

2ND REVISED PAGE 54-A

S.T.S. MOTOR FREIGHT, INC.

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 commerce to the extent of the operating rights set forth below. Unless otherwise specifically provided, the provisions are to be interpreted in the same manner as the Commission interprets the certificate from which they are quoted.

@ A-00097417 Folder 1, Am-H

To transport, as a Class D carrier, property except commodities in bulk, household goods in use, commodities on flatbed trailers, and commodities which by reason of size or weight require special equipment or special handling, between points in Pennsylvania on and east of U. S. 15 and from the said territory to points in Pennsylvania west of U. S. 15 and vice versa.

A-00097417 Folder 1, Am-I

To transport, as a Class D carrier, computer paper products for Bowater Computer Forms, a division of Bowater, Inc., from the facilities of Bowater Computer Forms located in the Borough of Leola, Lancaster County, Pennsylvania, to points in Pennsylvania, and vice versa.

Effective December 21, 1989 under authority of the Pennsylvania Code, Title 52, Section 23.42.

Abbreviations, reference marks, symbols and notes are explained in Item 50,000.

ISSUED: DECEMBER 20, 1989

EFFECTIVE: FEBRUARY 4, 1990 (Except As Noted)

Issued By:

Joseph J. Carroll, Traffic Manager  
4219 Richmond Street  
Philadelphia, Pennsylvania 19137



EDWARD D. REIBMAN  
ATTORNEY AT LAW  
108 NORTH EIGHTH STREET  
ALLENTOWN, PENNSYLVANIA 18101

MEMBER: PENNSYLVANIA  
AND FLORIDA BARS

TELEPHONE (215) 434-4402  
FACSIMILE (215) 770-0992

December 19, 1991

**RECEIVED**  
DEC 20 1991  
SECRETARY'S OFFICE  
Public Utility Commission

Jerry Rich, Secretary  
Public Utility Commission  
Commonwealth of Pennsylvania  
Post Office Box 3265  
Harrisburg, Pennsylvania 17120

Re: Applicant: Joyco, Inc., t/d/b/a Rapid Delivery,  
(A=00109534, Folder 1, Am-A  
Protestant: Calvin L. Schiffer and Michael J.  
Schiffer, co-partners, t/d/b/a  
H. O. Schiffer & Sons

Dear Mr. Rich:

Joyco, Inc., t/d/b/a Rapid Delivery ("Joyco") has applied to transport property between points in Pennsylvania.

The undersigned represents Calvin L. Schiffer and Michael J. Schiffer, co-partners, t/d/b/a H. O. Schiffer & Sons, which presently has rights to transport by motor vehicle frozen and fresh foods within the territory sought by Joyco as more fully set forth under its Certificate issued at A-00106900 F.1 Am-A. We believe the granting of Joyco's application, to the extent it duplicates service already provided by Schiffer, will jeopardize the public's convenience with respect to such activities. That market is adequately served and the entry of another entity into it will be of no benefit to the public, and, indeed, may well jeopardize service to it.

Please regard this as Schiffer's formal Protest and contact me if you have any question regarding any aspect of it.

**DOCUMENT  
FOLDER**

**DOCKETED**  
APPLICATION DOCKET  
DEC 26 1991  
ENTRY No. M

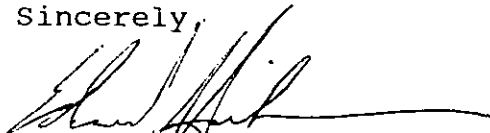
**RECEIVED**  
DEC 24 1991  
Pa. P.U.C.

Jerry Rich, Secretary  
Public Utility Commission  
Page 2  
December 19, 1991

A certified copy of this letter is being sent concurrently herewith to the Applicant and its attorney Leonard Zack, 1429 Walnut Street, Philadelphia, Pennsylvania 19102.

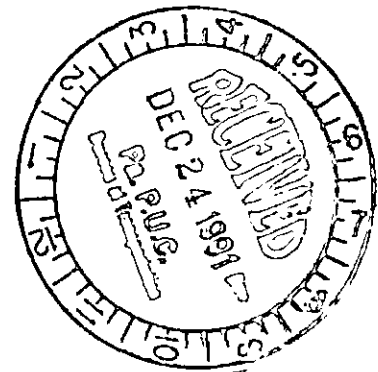
Thank you for your consideration.

Sincerely,



Edward D. Reibman

EDR/lfm  
Certified Mail #P 228 203 173  
cc: Joyco, Inc., t/d/b/a Rapid Delivery  
Leonard Zack, Esquire  
H. O. Schiffer & Sons



RAYMOND A. THISTLE, JR.

ATTORNEY AT LAW  
206B BENSON EAST  
100 OLD YORK ROAD  
JENKINTOWN, PA. 19046

December 19, 1991

DEC 23 1991  
Pa. P.U.C.  
Public Utility Commission (215) 576-0131  
RECEIVED

Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

DEC 23 1991  
SECRETARY'S OFFICE  
Public Utility Commission

Re: Application of Joyco, Inc.,  
t/d/b/a Rapid Delivery  
Docket A-00109534, F.1, AM-A and  
Docket A-00109534, F.1, AM-A TA  
Protests

Dear Secretary Rich:

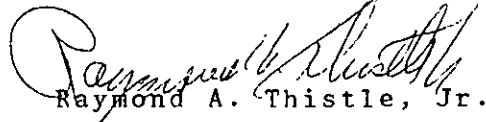
Enclosed herewith for filing are an original plus two copies of a Protest of Courier Unlimited, Inc., against the above captioned Temporary and Permanent Authority Applications.

Proper, receipted and timely U.S. Mail Service has been made per the Certificate of Service.

Please acknowledge receipt hereof on that provided.

Thank you for your attention and consideration in this matter.

Very truly yours,

  
Raymond A. Thistle, Jr.

RAT:mt

cc: Courier Unlimited, Inc.

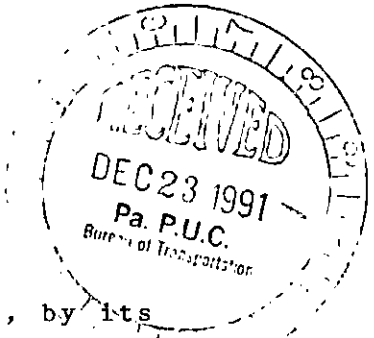
DOCUMENT  
FOLDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

-----  
IN RE: APPLICATION OF JOYCO, INC.,  
T/D/B/A RAPID DELIVERY

DOCKET A-00109534, FOLDER 1, AM-A AND  
DOCKET A-00109534, FOLDER 1, AM-A TA  
-----

PROTEST AGAINST GRANT OF  
APPLICATIONS FOR TEMPORARY AND  
PERMANENT AUTHORITIES



AND NOW COMES the protestant identified below, by its attorney, and files this its Protest against the grant of the above captioned temporary and permanent authority applications, the basis of which are as follows:

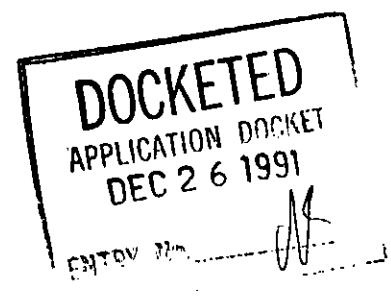
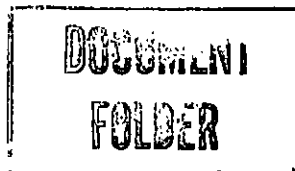
1. Applicant's name and docket numbers of the applications:

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

Docket A-00109534, F.1, AM-A and  
Docket A-00109534, F.1, AM-A TA

2. Name, business address and telephone number of the protestant:

Courier Unlimited, Inc.  
660 Hollow Road  
Oaks, PA 19456  
(215) 666-0660



3. Name, business address and telephone number of protestant's attorney:

Raymond A. Thistle, Jr.  
206B Benson East  
100 Old York Road  
Jenkintown, PA 19046  
(215) 576-0131

4. Statement of the nature of protestant's interest in the applications and of the adverse impact upon protestant and the public:

(a) Nature of protestant's interest

The applicant seeks the following authority,

"So as to permit the transportation of property between points in the counties of Chester, Montgomery, Bucks and Lancaster. Application for temporary authority has been filed at A-00109534, Folder 1, AM-A, seeking the right cited above."

Courier Unlimited, Inc. possesses authority from the PA PUC which enables it to transport parcels and packages, no one parcel or package to exceed one hundred (100) pounds in weight, between points in Pennsylvania within 125 miles of the township of Upper Providence, Montgomery County (A-00097535, F.1, AM-D). In addition, protestant holds authority for like commodities (A-00097535, F.1, Am-E) which enables protestant to perform transportation (inter alia) of parcels and packages, each not exceeding 100 pounds in weight, from points within 125 miles of the township of Upper Providence to points beyond 125 miles of Upper Providence and vice versa. Such application also granted authority between points in that area of Pennsylvania beyond 125 miles of

Upper Providence Township, subject to some restrictions. The authority sought which duplicates that held by protestant is as described above. See adverse impact statement.

Protestant is presently providing a complete service within the scope of protestant's authority which includes all of the area involved in applicant's broad application. Effectively, protestant has territorial authority between points in Pennsylvania with some exceptions not here relevant.

With regard to applicant's request for **Temporary Authority**, let us first analyze the support given or not given for the Temporary Authority Application for the transportation of property between points in the counties of Chester, Montgomery, Bucks and Lancaster.

Submitted with the application for Temporary Authority are twelve (12) one-sentence letters of support. Such 12 one-sentences may be paraphrased thusly:

"We support the emergency grant of authority in the following counties  
Montgomery  
Chester  
Delaware  
Bucks  
Lancaster."

The county of Delaware does not appear in the PA Bulletin publication notice of the application and therefore is not part of the authority sought in the permanent and temporary authority applications.

Of the twelve (12) alleged supporting statements, all twelve (12) give no description of any commodity to be shipped; there are no origin point or points of any shipments; no representative destination points of any shipments; no expression of need for motor carrier transportation; no frequency of any transportation now utilized; no allegation of any unsatisfactory service.

Seldom has the protestant seen temporary authority supporting shipper statements so void of any basic and fundamental information. There is absolutely no factual or legal basis presented upon which a grant of temporary authority could properly be granted.

Thus, standing upon its own merits, the applicant has failed to make out even a prima facie case of need for the proposed property temporary authority and such application should be denied.

The protestant **Courier Unlimited, Inc.** holds authority to transport packages (100 lbs or less) effectively between points in Pennsylvania, with certain restrictions. See copies of authority attached. As here pertinent, it transports between points in Chester, Montgomery, Bucks and Lancaster Counties; it operates terminals at Oaks with 14 vehicles and 30 employees of which 22 are drivers.

Courier Unlimited, Inc. is able and willing to perform transportation for any shippers requiring transportation of parcels and packages between points in the four counties sought by applicant within the scope of its weight limitations.

(b) Adverse Impact

There is no need for additional authority as sought by applicant which would conflict with that held by protestant. The service of protestant within the scope of its pertinent authorities meets any public need. A grant of authority to applicant which would duplicate any of the areas of transportation activity of protestant, would impair the operations of protestant to the extent, on balance, that it would be adverse to the public interest; there would be an adverse public impact by a grant of the application.

Protestant challenges the fitness of applicant to conduct the proposed service; there is no need for the authority.

5. List of all Commission Docket Numbers under which protestant operates (with pertinent authorities hereto designated and attached)

The PA PUC docket numbers under which protestant Courier Unlimited, Inc. operates are A-97535; A-97535, F.1, Am-A; A-00097535, F.1, Am-C; A-00097535, F.1, Am-D and A-00097535, F.1, Am-E. Copies of pertinent portions of protestant's authority upon which it protests these applications are attached.

6. Proposed Restriction

If applicant were to restrict its permanent authority application as follows:



"Provided, however, that no right, power or privilege is granted to transport property weighing 100 lbs or less"

protestant would consider withdrawing its protest. Since no criteria has been met to warrant a grant of the TA, no restriction by applicant is appropriate.

WHEREFORE, Protestant prays your Honorable Commission to deny the applications for temporary and permanent authority.

Respectfully Submitted

COURIER UNLIMITED, INC.

By 

Raymond A. Thistle, Jr.  
Attorney for Protestant

IN THE MATTER OF THE APPLICATION OF

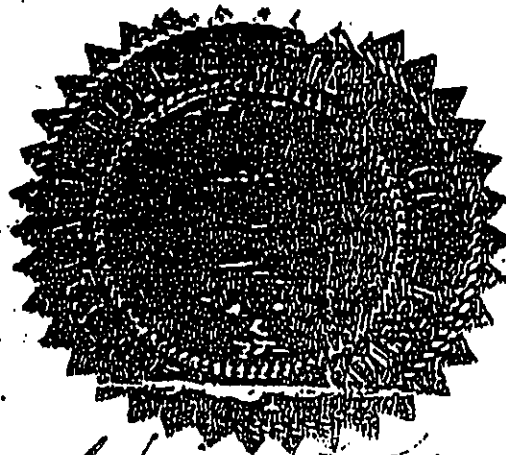
COUNTY DELIVERY CORPORATION, a  
corporation of the Commonwealth  
of Pennsylvania

CERTIFICATE  
OF  
PUBLIC CONVENIENCE

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

In Testimony Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 24th day of January, 1973.

Attest:



*Mill Peterson*

Secretary

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

*George Bloom*

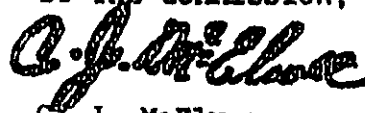
Chairman

It appearing that the holder of the certificate of public convenience in this proceeding requests that said certificate be amended to stand in the name of COURIER UNLIMITED, INC., and it further appearing that said certificate holder has properly filed with the Secretary of the Commonwealth to amend its name; THEREFORE,

IT IS ORDERED: That the certificate issued to COUNTY DELIVERY CORPORATION, a corporation of the Commonwealth of Pennsylvania, be and is hereby modified and amended to stand in the name of COURIER UNLIMITED, INC.

attest:

BY THE COMMISSION,



C. J. McElwae  
Secretary

Order Adopted: June 15, 1978  
Order Entered: June 27, 1978

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held June 24, 1988

Commissioners Present:

Bill Shane, Chairman  
William H. Smith, Vice-Chairman  
Linda C. Taliaferro  
Joseph Rhodes, Jr.  
Frank Fieschi

Application of Courier Unlimited, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, property in parcels and packages, no parcel or package to exceed one hundred (100) pounds in weight, from points in the borough of Norristown, Montgomery County, to points within twenty-five (25) miles by the usually traveled highways of the limits of said borough, and vice versa: SO AS TO PERMIT the transportation of property, in parcels and packages, no parcel or package to exceed one hundred (100) pounds in weight, between points in the township of Upper Providence, Montgomery County, and within an airline distance of one hundred twenty-five (125) statute miles of the limits thereof.

A-00097535  
F. 1  
Am-D

---

Raymond A. Thistle, Jr., for the applicant.  
Graf, Andrews & Radcliff, by Christian V. Graf for protestant, Silver Line, Inc.  
Joseph J. Carroll for protestant, S. T. S. Motor Freight, Inc.  
Abrahams & Loewenstein, by Alan Kahn for protestants: Jamour, Inc.,  
t/d/b/a Quick Courier Service and Choice Courier Systems.

---

There are 26 individual shippers supporting this application which represent a wide variety of business endeavors and an equally wide variety of commodities. There are eight banks, three manufacturers, three advertising agencies, a toy distributor, three printing companies, a healthcare organization and a law firm among the shippers, all professing a need for expedited transportation services. A wide range of commodities are involved, such as product samples, payroll documents, artwork, graphic designs, brochures, video tape, promotional material, medical records, banking documents, etc. The property description proposed by the applicant is well supported and justified.

There are 35 individual counties embraced within the proposed 125 airline mile radius of Upper Providence Township, Montgomery County. Collectively, the shippers have demonstrated a need for service either to, from or between points in each county. The very nature of the service dictates that in a majority of instances, those shipments moving from a shipper's place of business to a branch location or other customers, will in turn, result in shipments back to the shipper's place of business. Several shippers attest to the need for service locally between specified counties.

It is not necessary for an applicant to prove absolute need in every square mile of the territory proposed, but rather, within the territory generally through representative origins and destinations. We believe the applicant has successfully met this burden.

We find:

1. That the applicant has shown that a public need for the proposed service, as amended, does exist.
2. That the applicant is fit, ready, willing and able to render the proposed service as amended.
3. That approval of the application as amended is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved as amended and that the certificate issued to the applicant on January 24, 1973, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property, in parcels and packages, no single parcel or package to exceed one-hundred (100) pounds in weight, between points in the township of Upper Providence, Montgomery County, and within an airline distance of one hundred twenty-five (125) statute miles of the limits thereof;

subject to the following condition:


That no right, power or privilege is granted to transport wearing apparel and accessories.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it 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 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.

BY THE COMMISSION,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: June 24, 1988

ORDER ENTERED: JUN 30 1988

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held November 21, 1990

Commissioners Present:

William H. Smith, Chairman  
Frank Fischl  
David W. Rolka  
Joseph Rhodes, Jr.

Application of Courier Unlimited, Inc.,  
a corporation of the Commonwealth of  
Pennsylvania, for amendment to its common  
carrier certificate, which grants the right,  
inter alia, to transport, by motor vehicle,  
property, in parcels and packages, no single  
parcel or package to exceed one-hundred (100)  
pounds in weight, between points in the town-  
ship of Upper Providence, Montgomery County,  
and within an airline distance of one hundred  
twenty-five (125) statute miles of the limits  
thereof; subject to the following condition:  
That no right, power or privilege is granted  
to transport wearing apparel and accessories:  
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, (1) between points in that part  
of Pennsylvania beyond an airline distance  
of one hundred twenty-five (125) statute  
miles of the limits of the township of Upper  
Providence, Montgomery County; and (2) from  
points in the township of Upper Providence,  
Montgomery County and within an airline  
distance of one hundred twenty-five (125)  
statute miles of the limits thereof to points  
beyond one hundred twenty-five (125) statute  
miles of the limits of the township of Upper  
Providence, Montgomery County, and vice versa;  
with the right to interline with Class A, B  
and D carriers so authorized.

A-00097535  
F. 1  
Am-E

2. The applicant has the support of 47 parties which are representative of the type of service proposed in the amended territory.

3. Approval of the amended application is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved and that the certificate issued January 24, 1973, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property in parcels and packages, no single parcel or package to exceed one hundred (100) pounds in weight, between points in that part of Pennsylvania beyond an airline distance of one hundred twenty-five (125) statute miles of the limits of the township of Upper Providence, Montgomery County, and from points in the township of Upper Providence, Montgomery County, and within an airline distance of one hundred twenty-five (125) statute miles of the limits thereof, to points beyond one hundred twenty-five (125) statute miles of the limits of the township of Upper Providence, Montgomery County, and vice versa; with the right to interline with Class A, B and D carriers so authorized;

subject to the following conditions:

That no right, power or privilege is granted to provide transportation of human laboratory specimens, clinical laboratory instruments, and supplies therefore, and reports relative to human laboratory specimens, clinical laboratory instruments and supplies therefore, between points in the counties of Allegheny, Armstrong, Lawrence, Butler, Washington, Westmoreland, Greene, Indiana, Mercer, Somerset, Bedford and Beaver.

That no right, power or privilege is granted to provide transportation between points in the county of Allegheny.

That no right, power or privilege is granted to provide transportation for the Pennsylvania Department Environmental Resources.

That no right, power or privilege is granted to pickup and deliver any shipment within the same calendar day between points in the counties of Crawford, Erie, Mercer and Venango.



That no right, power or privilege is granted to provide transportation for General Electric Company and Copes-Vulcan, Inc., from their facilities in the county of Erie, to points in Pennsylvania, and vice versa.

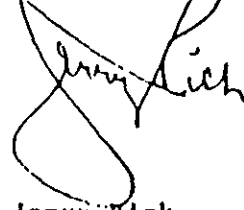
That no right, power or privilege is granted to pickup and deliver any shipment within the same calendar day from points in the city of Pittsburgh, Allegheny County, to points in Pennsylvania beyond the limits of the county of Allegheny, but which are within thirty (30) miles of the usually traveled highways of the City-County Building in the City of Pittsburgh, Allegheny County.

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 applicant shall not engage in any transportation granted herein until it 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 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 heretofore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: November 21, 1990

ORDER ENTERED: NOV 28 1990

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below, he served a copy of the foregoing Protest upon applicant and its counsel of record, at their proper addresses as indicated below, by placing a copy thereof with the United States Postal Service, first class mail, postage prepaid:

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

Leonard Zack, Esquire  
1429 Walnut Street  
Philadelphia, PA 19102

Dated at Jenkintown, PA this 19th day of December, 1991.



Raymond A. Thistle, Jr.  
Attorney for Protestant  
Courier Unlimited, Inc.

PROTEST DUE: December 23, 1991  
PROTEST POSTED WITH POSTAL RECEIPT  
#3817 ATTACHED: December 19, 1991

KJR

RAYMOND A. THISTLE, JR.  
ATTORNEY AT LAW  
206B BENSON EAST  
100 OLD YORK ROAD  
JENKINTOWN, PA. 19046

December 19, 1991

RECEIVED (215) 576-0131  
DEC 23 1991  
SECRETARY'S OFFICE  
Public Utility Commission

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

Re: Your PA PUC Application  
Docket A-00109534, F.1, AM-A and  
Docket A-00109534, F.1, AM-A TA  
First Set of Interrogatories

Gentlemen:

Enclosed herewith are an original plus one copy of protestant  
Courier Unlimited, Inc.'s First Set of Interrogatories.

I have sent a copy to your attorney who can advise you  
concerning these Interrogatories.

Thank you for your attention and consideration in this  
matter.

DOCKETED  
JAN 07 1992

Very truly yours,  
*Raymond A. Thistle, Jr.*  
Raymond A. Thistle, Jr.

RAT:mt

cc: ✓ Honorable Jerry Rich, Secretary  
PA PUC (letter only)  
Leonard Zack, Esquire  
Courier Unlimited, Inc.

DOCUMENT  
FOLDER

ORIGINAL

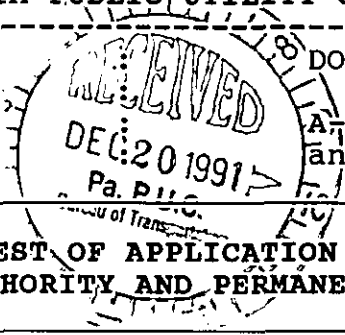
Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF

JOYCO, INC., t/d/b/a  
HEAVEN SENT COURIERS

DOCKET NO.

A-109534, F.1, Am-A.  
and A-109534, F.1, Am-A(TA)



PROTEST OF APPLICATION FOR  
TEMPORARY AUTHORITY AND PERMANENT AUTHORITY

RECEIVED  
DEC 20 1991

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 Street Philadelphia, PA 19107	A-99753

on the following grounds:

(1) That the service proposed will be detrimental to the authorized service of the above-named motor carrier. Adverse impact upon the above-named motor carrier is set forth at Appendix 1 hereto.

(2) That there is no public need for the proposed service, nor would the approval of the application for such proposed service be necessary or proper for the service, accommodation, convenience or safety of the public.

(3) That there is no immediate and urgent public need for the proposed service such as would justify a grant of temporary authority to applicant.

A copy of the pertinent operating authority of the above-named motor carrier is attached hereto as Appendix 2. Also attached hereto, as Appendix 3, is a suggested restrictive amendment which, if accepted by the Commission, will result in the withdrawal of the protest of the carrier(s) above-named. If no amendment is attached, no amendment is acceptable to satisfy protestant's interest.

PURSUANT TO SECTION 333(c) OF THE PUBLIC UTILITY CODE (66 PA. C.S. §333[c]), WE HEREBY REQUEST A LIST OF THE WITNESSES EXPECTED TO TESTIFY IN THE ABOVE-ENTITLED PROCEEDING, TOGETHER WITH THE SUBJECT MATTER OF THEIR ANTICIPATED TESTIMONY.

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 11/30/91.

cc: Leonard Zack, Esquire  
Joyco, Inc., t/d/b/a Rapid Delivery  
Eugene A. Minahan, Operations Mgr.

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

Date: Dec 18, 1991

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
DEC 26 1991  
ENTRY No. 11

**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

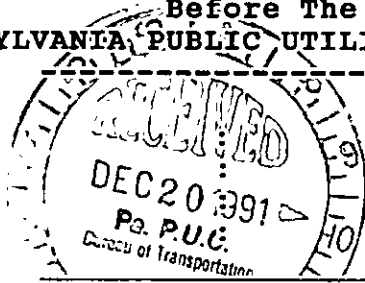
EFFECTIVE: AUGUST 5, 1991

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

ORIGINAL

Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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



DOCKET NO.  
A-109534, F.1, Am-A, (TA)

PROTEST OF APPLICATION FOR  
TEMPORARY AUTHORITY

RECEIVED

DEC 20 1991

SECRETARY OF  
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.
Mustang Expediting Company	P.O. Box 2236 Aston, PA 19014	A-106955

on the following grounds:

- (1) That the service proposed will be detrimental to the authorized service of the above-named motor carrier. Adverse impact upon the above-named motor carrier is set forth at Appendix 1 hereto.
- (2) That there is no immediate and urgent public need for the proposed service such as would justify a grant of temporary authority to applicant.

A copy of the pertinent operating authority of the above-named motor carrier is attached hereto as Appendix 2. Also attached hereto, as Appendix 3, is a suggested restrictive amendment which, if accepted by the Commission, will result in the withdrawal of the protest of the carrier(s) above-named. If no amendment is attached, no amendment is acceptable to satisfy protestant's interest.

PURSUANT TO SECTION 333(c) OF THE PUBLIC UTILITY CODE (66 PA. C.S. §333[c]), WE HEREBY REQUEST A LIST OF THE WITNESSES EXPECTED TO TESTIFY IN THE ABOVE-ENTITLED PROCEEDING, TOGETHER WITH THE SUBJECT MATTER OF THEIR ANTICIPATED TESTIMONY.

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 11/30/91.

cc: Leonard Zack, Esquire  
Joyco, Inc., t/d/b/a Rapid Delivery  
Stephanie A. Fleetman, President

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

Date: Dec. 18, 1991

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
DEC 26 1991  
ENTRY No. 11



**MUSTANG EXPEDITING, INC.**

Adverse Impact

Mustang Expediting, Inc. provides active service within the scope of the instant application pursuant to authority issued by the Pennsylvania Public Utility Commission at A-106955 and folders thereunder. The operating rights presently held and/or sought by Mustang Expediting, 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 Mustang Expediting, Inc., thereby adversely affecting this protestant's overall operation, and its continued ability to provide service in Pennsylvania intrastate commerce.

**MUSTANG EXPEDITING, INC.**

Certificate No. A-106955. Folder 3

1. To transport, as a Class D carrier, property, for Sorbus, Inc. between points in Pennsylvania;

subject to the following conditions:

- (a) That no right, power or privilege is granted to transport property in bulk.
  - (b) That no right, power or privilege is granted to transport wearing apparel and materials, equipment and supplies used in the manufacture thereof.
2. To transport, as Class D carrier, property for AT&T Technologies, Inc., from its facilities located in the township of Upper Merion, Montgomery County, to points in Pennsylvania, and vice versa.

subject to the following condition:

That no right, power or privilege is granted to transport petroleum and petroleum products in bulk, in tank type vehicles.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held December 13, 1990

**Commissioners Present:**

William H. Smith, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
Frank Fischl  
Wendell F. Holland, not participating  
David W. Rolka

Application Mustang Expediting, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, property, for Sorbus, Inc., between points in Pennsylvania; subject to the following conditions: (a) That no right, power or privilege is granted to transport property in bulk; and (b) That no right, power or privilege is granted to transport wearing apparel and materials, equipment and supplies used in the manufacture thereof: SO AS TO PERMIT the transportation of property, except household goods and commodities in bulk, for Tozour Energy Systems, Inc., between points in Pennsylvania.

A-00106955  
F. 3  
Am-A

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Rubin, Quinn, Moss, Heaney & Patterson, by Edward L. Ciemniecki,  
for the applicant.  
Mario F. Driggs for the protestant, Hart Delivery Systems, Inc.

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O R D E R

**BY THE COMMISSION:**

This matter comes before the Commission on an application filed June 25, 1990. Public notice of the application was given in the Pennsylvania Bulletin of August 4, 1990. One protest was filed but withdrawn, without a restrictive amendment. The now unopposed application is certified to the Commission for its decision without oral hearing. The record consists of verified statements filed by the applicant and one supporting shipper.

Emergency temporary authority was approved by an order adopted July 26, 1990. Temporary authority was approved by an order adopted

October 4, 1990. Both of these grants of authority were for the same shipper but of a lesser geographical territory than sought by this permanent authority application.

Mustang Expediting, Inc. (Mustang or applicant), is a Pennsylvania corporation, with its principal place of business in Aston, Delaware County. Mustang was initially certificated in 1987 and presently operates under seven paragraphs of authority. The applicant maintains a terminal facility at Aston that consists of a warehouse, administrative offices and a fenced, paved parking lot for its vehicles. A fleet of ten trucks, four tractors and thirteen trailers of various types is available to perform the proposed service. Additional equipment will be leased to meet service demands. As a currently operating carrier, Mustang has an intensive safety program for drivers and vehicles in place. As evidence of its financial capacity to assume the burden of the additional operating rights, the applicant reports assets of \$413,855, with liabilities of \$315,741, leaving a shareholders' equity of \$98,114.

John Schuerger, warehouse manager for Tozour Energy Systems, Inc. (Tozour or shipper), submitted a verified statement in support of this application. Tozour maintains a facility in King of Prussia, Montgomery County, where it sells and services heating, ventilating, and air conditioning equipment. The shipper intends to tender five to fifteen shipments, ranging from 100 to 10,000 pounds, per day to the applicant. Primarily, service will require closed vans with lift gates but occasionally flat-bed trailers, unloaded by crane, will be needed. Both inbound and outbound service is required and movements direct from suppliers to customers. Tozour has used Mustang for its transportation needs in Delaware and New Jersey and is satisfied with their service and full supports the grant of authority proposed by this application.

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 October 22, 1987, be amended to include the following right:

To transport, as a Class D carrier, property, for Tozour Energy Systems, Inc., between points in Pennsylvania;

subject to the following condition:

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

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it 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.



Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: December 13, 1990

ORDER ENTERED: DEC 21 1990

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held July 16, 1987

Commissioners Present:

Bill Shane, Chairman  
Linda C. Taliaferro  
Frank Fischl  
William H. Smith

Application of Mustang Expediting, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, (1) garments, loose and in bundles, for National Academic Cap and Gown Company, National Church Goods and National Customers and Manufacturing Company from the city of Philadelphia, Philadelphia County, to points within one hundred (100) miles of the limits of said city, and vice versa; (2) wearing apparel, piece goods and trimmings for Sun Clothes, Inc., and The Jay Company, Inc., in bundles, open cartons and open hampers, between their plants located in the city of Philadelphia, Philadelphia County, the villages of Fredericksburg, Lebanon County and Eddington, Bucks County, and the borough of Norristown, Montgomery County, excluding transportation between points in the city of Philadelphia; (3) as a Class B carrier, property, excluding household goods in use, between points in the city and county of Philadelphia and that portion of Delaware County bounded by Cobb's Creek, Township Line Road, Lansdowne Avenue and Baltimore Avenue (commonly known as the Sixty-Ninth Street area); and (4) electrical appliances, radios and items as dealt in by Everybody's Supply Company, Inc., from said company's facilities in the village of Cornwells Heights, Bensalem Township, Bucks County, to the city and county of Philadelphia and that portion of Delaware County bounded by Cobb's Creek, Township Line Road, Lansdowne Avenue and Baltimore Avenue (commonly known as the Sixty-Ninth Street area); which is to be transfer of the rights authorized under the certificates issued at A-00089342, Folder 2 and Folder 3 to Reliable Delivery Company, Inc., a corporation of the State of Delaware, subject to the same limitations and conditions.

A-00106955  
P. 4

presumption of continuing public need applies to this transfer application.

We find:

1. That the applicant has the technical and financial ability to provide the proposed service.
2. That a continuing need exists for the transportation involved herein.
3. That approval of the application is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of all of the rights held by Reliable Delivery Company, Inc., at A-00089342, Folders 2 and 3, be and is hereby approved and that a certificate be issued the applicant granting the following rights:

1. To transport, as a Class D carrier, garments, loose and in bundles, for National Academic Cap and Gown Company, National Church Goods and National Customers and Manufacturing Company from the city of Philadelphia, Philadelphia County, to points within one hundred (100) miles of the limits of said city, and vice versa;
2. To transport, as a Class D carrier, wearing apparel, piece goods and trimmings for Sun Clothes, Inc., and The Jay Company, Inc., in bundles, open cartons and open hampers, between their plants located in the city of Philadelphia, Philadelphia County, the villages of Fredericksburg, Lobancon County and Eddington, Bucks County, and the borough of Norristown, Montgomery County, excluding transportation between points in the city of Philadelphia;
3. To transport, as a Class B carrier, property, excluding household goods in use, between points in the city and county of Philadelphia and that portion of Delaware County bounded by Cobb's Creek, Township Line Road, Lansdowne Avenue and Baltimore Avenue (commonly known as the Sixty-Ninth Street area);
4. To transport, as a Class D carrier, electrical appliances, radios and items as dealt in by, Everybody's Supply Company, Inc., from said company's facilities in the village of Cornwells Heights, Bensalem Township, Bucks County, to

the city and county of Philadelphia and that portion of Delaware County bounded by Cobb's Creek, Township Line Road, Lansdowne Avenue and Baltimore Avenue (commonly known as the Sixty-Ninth Street area).

with all of the rights above subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$4,500, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above.
4. That the certificate holder shall comply with all of the provisions of the Public Utility Code as now existing or as may hereafter be amended, and 52 Pa. Code §31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
5. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. §1102(3).

**IT IS FURTHER ORDERED:** That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of



PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held January 26, 1989

Commissioners Present:

Bill Shane, Chairman  
William H. Smith, Vice-Chairman  
Joseph Rhodes, Jr.  
Frank Fischl

Application of Mustang Expediting, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, electrical appliances, radios and items as dealt in by Everbody's Supply Company, Inc., from said company's facilities in the village of Cornwells Heights, Bensalem Township, Bucks County, to the city and county of Philadelphia and that portion of Delaware County bounded by Cobb's Creek, Township Line Road, Lansdowne Avenue and Baltimore Avenue (commonly known as the Sixty-Ninth Street Area): SO AS TO PERMIT the transportation of property (except household goods, commodities in bulk and commodities which, because of size or weight, require special handling or special equipment) for Bell of Pennsylvania, between points in Pennsylvania.

A-00106955  
P. 4  
Am-A

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Rubin, Quinn & Moss by James W. Patterson for the applicant.  
Robert R. Kennedy for the protestant, Kennedy Transfer.  
Vuono, Lavelle & Gray by William J. Lavelle for the protestants,  
South Hills Movers, Inc., McNaughton Bros., Inc. and B. F.  
Fields, Inc., t/d/b/a B. F. Fields Moving & Storage.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed November 12, 1987. Public notice of the application was given in the Pennsylvania Bulletin of December 5, 1987. Protests to the application were

3. That approval of the application is necessary for the accommodation and convenience to the public; **THEREFORE,**

**IT IS ORDERED:** That the application, as amended and further modified, be and is hereby approved, and that the certificate issued to the applicant on October 6, 1987, be amended to include the following right:

To transport, as a Class D carrier, property, for Bell of Pennsylvania, between points in Pennsylvania;

subject to the following condition:

That no right, power or privilege is granted to transport household goods, commodities in bulk and commodities which, because of size or weight, require special handling or special equipment.

That no right, power or privilege is granted to provide transportation between points in and west of the counties of Potter, Cameron, Clearfield, Cambria and Somerset; or from points in the counties of McKean, Potter, Forest, Elk, Cameron, Clarion, Jefferson and Clearfield to points east of the eastern boundaries of the counties of Potter, Cameron, Clearfield, Cambria and Somerset.

**IT IS FURTHER ORDERED:** That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

**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.

LAW OFFICES

**VUONO, LAVELLE & GRAY**

2310 GRANT BUILDING

PITTSBURGH, PA. 15219-2383

December 20, 1991

JOHN A. VUONO  
WILLIAM J. LAVELLE  
WILLIAM A. GRAY  
MARK T. VUONO  
RICHARD R. WILSON  
DENNIS J. KUSTURISS  
CHRISTINE M. DOLFI  
PETER J. SCANLON

• ALSO MEMBER OF FLORIDA BAR

**RECEIVED** (412) 471-1800  
DEC 20 1991  
**SECRETARY'S OFFICE** TELECOPIER (412) 471-4477  
**Public Utility Commission**

Re: Joyco, Inc., t/d/b/a Rapid Delivery  
Docket No. A-00109534, F. 1, Am-A

MAILED WITH U.S. POSTAL SERVICE  
CERTIFICATE OF MAILING FORM 3817

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

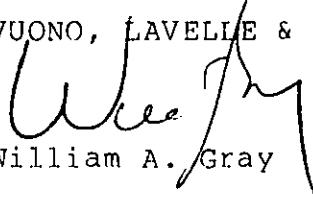
Dear Mr. Rich:

We enclose for filing with the Commission the signed original of a protest to the above application.

Please acknowledge receipt and filing of the enclosed on the duplicate copy of this letter of transmittal and return it to the undersigned in the self-addressed, stamped envelope provided.

Very truly yours,

VUONO, LAVELLE & GRAY

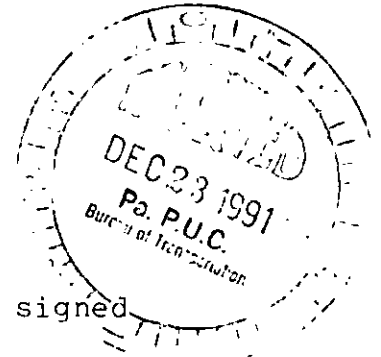
  
William A. Gray

jv

Enclosure

cc: Leonard Zack, Esq. (w/enc.)(certified mail)

**DOCUMENT  
FOLDER**

  
DEC 23 1991  
Pa. P.U.C.  
Bureau of Investigation

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

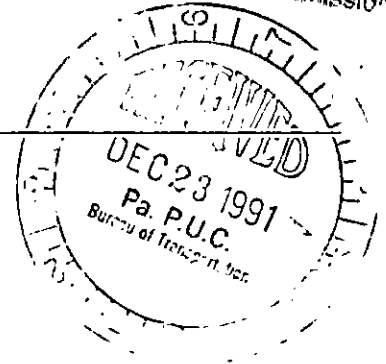
RECEIVED

DEC 20 1991

SECRETARY'S OFFICE  
Public Utility Commission

DOCKET NO. A-00109534, F. 1, Am-A

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



PROTEST AND REQUEST  
FOR ORAL HEARING

The motor carrier shown on Appendix A hereof (herein called "protestant") protests the above application and requests that the application be assigned for oral hearing and in support thereof respectfully represents as follows:

1. By this application, notice of which has been published in the Pennsylvania Bulletin, applicant seeks authority as set forth in Appendix A.

2. Protestant holds authority from this Commission at the docket numbers shown in Appendix A and the relevant portions of the authority are attached to the protest. Unless otherwise indicated in Appendix A, protestant will withdraw the protest only in the event an amendment is made which will totally eliminate the conflict between the authority sought by the application and the authority presently held by protestant.

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
DEC 26 1991  
ENTRY No.

3. Approval of this application is neither necessary nor proper for the service, accommodation, safety or convenience of the public since (a) protestant presently holds authority to provide service in the area affected by the application, (b) protestant and other existing carriers are providing adequate service to the shipping public in the areas involved in the application, (c) there is no need for the service proposed by applicant and approval of the application will result in the diversion from existing carriers of tonnage and revenue necessary to sustain their existing operations, and (d) approval of the application will adversely affect protestant and other existing carriers which have a substantial investment in facilities and equipment and are willing and able to provide service in the application area.


4. Protestant requests that the application be set for oral hearing and that applicant be required to prove by competent evidence the elements of proof required by statute. If an oral hearing is held, protestant will appear and present evidence of protestant's own operations and particular interest unless this application is amended so as to eliminate that interest as set forth in this protest.

WHEREFORE, protestant requests that the granting of the application be withheld; the proceeding be assigned for oral hearing with leave to protestant to participate fully therein;

and applicant be required to make available at the hearing competent witnesses for examination on all material and relevant facts bearing on the application.

Respectfully submitted,

THE UNITED STATES CARGO AND  
CARRIER SERVICE INCORPORATED

By:   
\_\_\_\_\_  
William A. Gray  
Attorney for Protestant

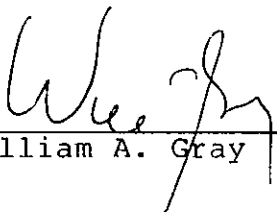
VUONO, LAVELLE & GRAY  
2310 Grant Building  
Pittsburgh, PA 15219  
(412) 471-1800  
Of Counsel

Dated: December 20, 1991

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the above protest and request for oral hearing upon applicant or upon applicant's attorney or representative as shown in the Pennsylvania Bulletin notice.

Dated at Pittsburgh, Pa. this 20<sup>th</sup> day of December, 1991.

  
\_\_\_\_\_  
William A. Gray

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

APPENDIX A

SCOPE OF AUTHORITY SOUGHT:

By application published in the Pennsylvania Bulletin on November 30, 1991, applicant seeks authority to operate as a common carrier, transporting:

Property, between points in the counties of Chester, Montgomery, Bucks and Lancaster.

INTEREST OF PROTESTANT:

THE UNITED STATES CARGO AND COURIER SERVICE INCORPORATED, P. O. Box 1169, Columbus, OH 43216, (614) 491-8608, holds authority at Docket No. A-00104628. A copy of the authority, which is self-explanatory, is attached hereto. The protestant can provide service between points in all of the counties involved in this application.

The protestant does not know of any amendment which would result in the withdrawal of its protest.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held October 3, 1985

Commissioners Present:

Linda C. Taliaferro, Chairman  
Frank Fischl  
Bill Shane

Application of The United States Cargo and Courier Service Incorporated, a corporation of the State of Ohio, for the right to begin to transport, as a common carrier, by motor vehicle, checks drafts, cash letters, evidences of indebtedness, securities and other commercial papers; business, commercial, professional, educational, governmental and private documents, written instruments and records; audit, accounting and data processing media, film, microfilm, microfiche, microforms, prints and related items; and materials and supplies used or useful in connection therewith, between points in Pennsylvania.

A-00104628

O R D E R

BY THE COMMISSION:

We adopt as our action the Initial Decision of Administrative Law Judge John K. Clements dated June 4, 1985, and his Ruling on Exceptions dated August 12, 1985; THEREFORE,

IT IS ORDERED:

1. That the application of United States Cargo and Courier Service Incorporated be and is hereby approved and that a certificate be issued at A. 104628 granting the following rights as amended:

To transport, as a Class D carrier, by motor vehicle, checks, drafts, cash letters, evidences of indebtedness, securities and other commercial papers; business, commercial, governmental and private documents, written instruments and records; accounting and data processing media; film, microfilm, microfiche, microforms, prints and related items; and materials and supplies used or useful in connection therewith, between points in Pennsylvania.



2. That the Applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of the Commission relating to the filing and acceptance of insurance and a tariff establishing just and reasonable rates.

3. That in the event the Applicant has not complied with the said provisions within 60 days of the date this order is entered, the application will be dismissed without further proceedings.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over the typed name and title.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: October 3, 1985

ORDER ENTERED: October 4, 1985

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 The United States Cargo and Courier Service Incorporated, a corporation of the State of Ohio, for amendment to its common carrier certificate, which grants the right to transport, by motor vehicle, checks, drafts, cash letters, evidences of indebtedness and securities and other commercial papers; business, commercial, governmental and private documents, written instruments and records; accounting and data processing media; film, microfilm, microfiche, microforms, prints and related items; and materials and supplies used or useful in connection therewith, between points in Pennsylvania: SO AS TO PERMIT the transportation of parcels, packages and items of property, no single parcel, package or item of property to exceed one hundred (100) pounds in weight, between points in Pennsylvania; subject to the following conditions: (a) That no right, power or privilege is granted to provide service to, from or between points in the counties of Crawford, Erie, Mercer and Venango, except as presently authorized; (b) That no right, power or privilege is granted to provide service between points in the city of Pittsburgh, Allegheny County, except as presently authorized; (c) That no right, power or privilege is granted to provide service from points in the city of Pittsburgh, Allegheny County, to points in Pennsylvania within thirty (30) miles by the usually traveled highways of the City-County Building in said city, except where the transportation involves the carrying of the goods of more than one consignor on

A-00104628  
F. 1  
Am-A

the truck at one time, except as presently authorized; and (d) That no right, power or privilege is granted to transport human laboratory specimens and clinical laboratory instruments, supplies and reports between points in the counties of Allegheny, Armstrong, Lawrence, Butler, Washington, Westmoreland, Greene, Indiana, Mercer, Somerset, Bedford and Beaver.

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Vuono, Lavelle & Gray, by William A. Gray, for the applicant.  
Kenneth A. Olsen for the protestants, SMP, Inc., and GTS, Inc.  
Rhoads & Sinon, by J. Bruce Walter, for the protestant, Way Services, Inc.  
James W. Patterson for the protestant, Jamour, Inc., t/d/b/a Quick Courier Service.  
Pillar and Mulroy, P.C., by John A. Pillar, for the protestant, Courier Express, Inc.  
Wolf, Block, Schorr and Solis-Cohen, by Mark C. Morrow, for the protestant, Allied Physical Distribution, Inc.  
John E. Fullerton for the protestant, Posten Taxi, Inc.

---

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 16, 1990. Public notice of the application was given in the Pennsylvania Bulletin of May 19, 1990.

Seven protests were filed to this application but subsequently withdrawn, conditioned upon the Commission's acceptance of four additional paragraphs of restrictions:

- (e) That no right, power or privilege is granted to provide service for Victaulic Company of America, Inc., Atlantic Track & Turnout Co.; Union Camp Corporation; John Konopka & Sons,; S.I. Handling Systems, Inc.; Atlantic States Cast Iron and Pipe Co.; and American Metallurgical Products Company, except as presently authorized;
- (f) That no right, power or privilege is granted to transport garments and wearing apparel on hangers and garments, wearing apparel and the materials, equipment and supplies used in the manufacture and sale of garments and wearing apparel, when moving in the same vehicles as garments and wearing apparel on hangers, except as presently authorized;

- (g) That no right, power or privilege is granted to transport bound and unbound printed paper and partially printed paper and printing orders, instructions and materials for commercial printers and suppliers to commercial printers to or from points in the counties of Berks, Cumberland, Dauphin, Lancaster, Lebanon, York, except as presently authorized;
- (h) That no right, power or privilege is granted to provide service for hospitals or the American Red Cross between points in the city of Wilkes-Barre, Luzerne County, and within an airline distance of 30 statute miles of the limits of said city, and from points in said territory to points within an airline distance of 150 statute miles of the limits of said city, and vice versa, except as presently authorized.

The now unprotested application is certified to the Commission for its decision without oral hearing. The record consists of verified statements filed on behalf of the applicant and forty-seven supporting shippers.

Unite States Cargo and Courier Service, Incorporated, (USCCS or applicant), is an Ohio corporation, initially certificated as a common carrier in 1985. It presently operates under one paragraph of authority, transporting various financial and business documents and media between points in Pennsylvania. The applicant's corporate headquarters is in Columbus, Ohio; as relevant to Pennsylvania service, it has terminals in Pittsburgh, Philadelphia, Conshohocken, Harrisburg and State College and it has vehicles stationed in Williamsport and Oil City. It also anticipates opening new terminals in Allentown and Wilkes-Barre, USCCS has a fleet of approximately 225 vehicles available for intrastate service and a comprehensive safety program is presently in operation. As evidence of its financial capacity to assume the burden of the additional operation, the applicant reports assets of \$2,540,957, with liabilities of \$2,053,817, leaving a shareholders' equity of \$487,139. By this application, USCCS seeks the right to transport small packages and items between points in Pennsylvania, subject to certain restrictions on shippers, geographical area and commodities.

#### SUMMARY OF NEED SERVICE

Forty seven supporting shippers submitted standardized verified statements, stating a need for the transportation of various types of property, no single package, parcel or item of property to exceed one hundred pounds, between points in Pennsylvania. The basic evidence of each witness in terms of origins and destinations, are summarized below.

Edwin C. Koontz, manager of human resources for Clinical Pathology Facility, submitted a verified statement in support of the amended application. This shipper operates medical testing facilities in Erie and Pittsburgh. Representative destinations include Erie, Scranton, Philadelphia, Reading and Johnstown. It expects to use the applicant's

service on a daily basis for three to five outbound shipments and as many as ten inbound shipments.

Thomas E. Miller, sales representative for United Business Association, submitted a verified statement in support of the amended application. This shipper is an office supplies dealer, with a facility in Pittsburgh. Representative destinations include Claysville, Sarver, Somerset, McMurray, New Eagle, Philadelphia, Lewistown, Burgettstown, North Versailles, Indiana, Charleroi, Jeannette and Arnold. It expects to use the applicant's service for approximately five shipments per day.

John J. Jenkins, general manager for West Homestead Parts, Inc., submitted a verified statement in support of the amended application. This shipper is a distributor of automotive parts, with a facility in Homestead, Allegheny County. Representative destinations include Bedford, Greensburg, and Pittsburgh. It expects to use the applicant's service for approximately fifty shipments per month.

Forrest Liermann, operations manager for Electrospec, Inc., submitted a verified statement in support of the amended application. This shipper manufactures electronic controls at a facility in Apollo, Armstrong County. Representative destinations include Johnstown, Ebsenburg, Pittsburgh, Indiana, Washington and Monroeville. It expects to use the applicant's service for approximately ten shipments per month.

Michael R. Richter, manager of Adam's Eve, submitted a verified statement in support of the amended application. This shipper distributes gourmet gift baskets and silk floral arrangements from a facility in Pittsburgh. Representative destinations include Butler, Jamestown, Carrick, Baldwin, Pittsburgh and Pleasant Hills. It expects to use the applicant's service for approximately thirty shipments per month.

Ronald Ludovici, regional manager of Guardian Fastener and Closure Systems, submitted a verified statement in support of the amended application. This shipper manufactures and distributes industrial fasteners, washers and closures at a facility in Coraopolis, Allegheny County. Representative destinations include Philadelphia, Harrisburg and State College. It expects to use the applicant's service for approximately twelve shipments per month.

David R. Lechel, general manager of Kingco, submitted a verified statement in support of the amended application. This shipper manufactures labels at a facility in McKeesport, Allegheny County. Representative destinations include Altoona, Indiana, Johnstown, New Castle, Somerset and Washington. It expects to use the applicant's service for approximately twenty shipments per month.

Russell T. Klein, transportation manager for Fidelity Bank, submitted a verified statement in support of the amended application. This shipper operates banks in Chester, Philadelphia and Allentown. It requires transportation between points in the counties of Bucks, Chester, Delaware, Lehigh and Philadelphia for approximately fifteen shipments per month.

Aric N. Wagner, president of Wagner Corp., submitted a verified statement in support of the amended application. This shipper is a distributor of university clothing items, with a facility in State College, Centre County. Representative destinations include Greenville, Lock Haven, Pittsburgh and Slippery Rock. It expects to use the applicant's service for approximately twelve shipments per month.

Jerry Galloway, sales manager for Rider Auto, Inc., submitted a verified statement in support of the amended application. This shipper is a distributor of automobile parts, with a facility in State College, Centre County. Representative destinations include Altoona, Harrisburg, Philadelphia and Pittsburgh. At this time, it could not give a volume of intended use.

S. Paul Mazza, president of Mazza Computer Systems, submitted a verified statement in support of the amended application. This shipper is involved in the computer sales and service business, with facilities in State College, Centre County. Representative destinations include Carlisle, Harrisburg, Philadelphia and Pittsburgh. It expects to use the applicant's service for approximately four shipments per month.

Kenneth Barnett, owner of Allegheny Outdoorsman Supply, submitted a verified statement in support of the amended application. This shipper is a retail sporting goods business, with a store in State College, Centre County. Representative destinations include Johnstown, Philadelphia and Pittsburgh. It expects to use the applicant's service for approximately four trips per month.

Stephen A. Albert, president of Microcomputer Centre, submitted a verified statement in support of the amended application. This shipper is a retail computer business, with a store in State College, Centre County. Representative destinations include Brockway, Clearfield, King of Prussia, Selingsrove, Sharon and Williamsport. It expects to use the applicant's service for approximately fifty shipments per month.

Lee Cole, assistant manager of Valley Home Supply, submitted a verified statement in support of the amended application. This shipper is a retail hardware business, with a store in State College, Centre County. Potentially, all points in Pennsylvania are possible destinations. It expects to use the applicant's service for approximately twenty shipments per month.

J. William Seay, an environmental scientist and field project supervisor for Nittany Geoscience, submitted a verified statement in support of the amended application. This shipper is a geological consulting firm, with offices in State College, Centre County. It requires transportation between its office and such points as Danville, Lancaster, Lansdale and State College. It expects to have a "random" need for the applicant's service.

David D. Bevdine, a partners in Keystone Printing Co., submitted a verified statement in support of the amended application. This shipper is involved in the commercial printing business, with a facility in Warren,

Warren County. Representative destinations include Erie, Harrisburg and Pittsburgh. It expects to have an "occasional" need for the applicant's service.

Alfred H. Peterson, secretary-treasurer of Clearfield Wholesale Paper Co., Inc., submitted a verified statement in support of the amended application. This shipper is a wholesale distributor of paper, with a facility in Clearfield, Clearfield County. It expects to use the applicant's service for approximately three shipments per month.

Ona E. Piland, bookkeeper of Penrose Auto Body, Inc., submitted a verified statement in support of the amended application. This shipper is in the automotive body repair business, with a facility in Philadelphia. Representative destinations include Bala Cynwyd, Concordville, Darby, King of Prussia, and Springfield. It expects to use the applicant's service for approximately fifteen shipments per month.

Joseph Gentile, manager of Havertown Auto Parts, submitted a verified statement in support of the amended application. This shipper is involved in the automotive parts business, with a facility in Havertown, Delaware County. Representative destinations include Bala Cynwyd, Philadelphia and Springfield. It expects to use the applicant's service for approximately twenty shipments per month.

Simon Ouloughogian, president of Speedway Auto Radiator Co., Inc., submitted a verified statement in support of the amended application. This shipper is involved in the sales and service of automotive cooling and heating systems, with facilities in Upper Darby and Concordville, Delaware County. Representative destinations include Harrisburg, Hughesville, Lancaster, Paoli and Scranton. It expects to use the applicant's service for approximately fifteen shipments per month.

Marlene Richardson, manager of Dave's Beauty Supplies, submitted a verified statement in support of the amended application. This shipper is a distributor of beauty supplies, with a facility in Philadelphia. Representative destinations include Coatesville, Fraser, Chester and Swedesford. It expects to use the applicant's service for approximately three shipments per month.

J. Thomas Flanagan, vice president of IMM, Inc., submitted a verified statement in support of the amended application. This shipper is in the audio production and advertising business, with a facility in Conshohocken, Montgomery County. Representative destinations include Allentown, Bethlehem, Philadelphia, Reading and Scranton. It expects to use the applicant's service for five shipments per month.

Robert Irwin, support manager for Apertus Technologies, submitted a verified statement in support of the amended application. This shipper is involved in the computer repair business, with a facility in Trooper, Montgomery County. It expects to use the applicant's service for approximately forty shipments per month to customers located throughout the state.

Michael C. Mullen, processing manager of Bell Savings Bank, submitted a verified statement in support of the amended application. This shipper operates banks in the counties of Bucks, Delaware, Montgomery and Philadelphia. It expects to use the applicant's service at least once a month for shipments between its various branches.

Michael M. Montanya, assistant vice president of Core States Bank, submitted a verified statement in support of the amended application. This shipper operates banks in the counties of Berks, Bucks, Chester, Dauphin, Delaware, Lancaster, Luzerne, Montgomery and Philadelphia. It expects to use the applicant's service for approximately one hundred shipments per month between its various branches.

Harold C. Dengel, vice president of Philadelphia Savings Fund Society, submitted a verified statement in support of the amended application. This shipper operates banks in the counties of Delaware, Montgomery and Philadelphia. It expects to use the applicant's services for approximately eight shipments per month between its various branches.

Phyllis Mason Rosenberg, owner of Ambitious Endeavors, submitted a verified statement in support of the amended application. This shipper is involved in the retail sale of glassware, plateware and ceramics, with a store in Bala Cynwyd, Montgomery County. It expects to use the applicant's service for approximately seventy-two shipments per month to customers located throughout the Delaware Valley.

Tim Smith, transportation representative for Motorola, Inc., submitted a verified statement in support of the amended application. This shipper is involved in the communications and electronic business, with a facility in Essington, Delaware County. It expects to use the applicant's service for approximately four shipments per month to customers located in the Philadelphia metropolitan area.

Paul A. Kerr, sales manager for Nittany Office Equipment, Inc., submitted a verified statement in support of the amended application. This shipper is a retailer of office equipment and supplies, with a store in State College, Centre County. Representative destinations include Huntingdon, Lewistown, Lock Haven, Milton and Tyrone. It expects to use the applicant's service for approximately thirty shipments per month.

Dale L. Hoover, sales manager for Connecting Point, submitted a verified statement in support of the amended application. This shipper is involved in the computer hardware and software business, with a facility in State College, Centre County. It expects to use the applicant's service for approximately thirty shipments per month to customers located throughout Pennsylvania, including such distant points as Philadelphia and Pittsburgh.

Robert Khayat, owner of Penn State Mobil, submitted a verified statement in support of the amended application. This supporting shipper is a service station, located in State College, Centre County. It expects to use the applicant's service for approximately five inbound shipments of automobile parts per month.



Mike V. Favetti, manager of Sola Optical USA, Inc., submitted a verified statement in support of the amended application. This shipper is involved in the manufacture and distribution of optical lens, with a facility in Harrisburg. Representative destinations include Allentown, Philadelphia, Pittsburgh, Reading and York. It expects to use the applicant's service for approximately one hundred shipments per month.

Rex Rothrock, vice president for Ad-Tech Electronics, Inc., submitted a verified statement in support of the amended application. This shipper is involved in the sale and distribution of electrical and electronic components, with a facility in Harrisburg. Representative destinations include Lancaster, Philadelphia, Pittsburgh, Reading, State College and York. It expects to use the applicant's service for approximately one hundred shipments per month.

Lisa Elfner, vice president for Guildcraft, Inc., submitted a verified statement in support of the amended application. This shipper is a manufacturer, wholesaler and retailer of furniture, with a facility in Harrisburg. Representative destinations include Carlisle, Hanover, Lancaster, Mechanicsburg, New Cumberland, Philadelphia, Pittsburgh, Scranton, Wilkes-Barre and York. It expects to use the applicant's service for approximately one hundred shipments per month.

Lawrence A. Swingle, assistant vice president for Federal Home Loan Bank of Pittsburgh, submitted a verified statement in support of the amended application. This shipper operates offices in Pittsburgh and Conshohocken, Montgomery County. It expects to use the applicant's service on an "as needed basis" for shipments between its offices.

Robert R. Grover, president of Grover Associates, submitted a verified statement in support of the amended application. This shipper manufactures devices for blood and urine testing at a facility in Philadelphia. Representative destinations include Allentown, Bethlehem, Erie, Harrisburg, Scranton, State College and Wilkes-Barre. It expects to use the applicant's service for approximately fifty shipments per month.

Kevin F. Brett, industrial insurance specialist for Damon Chemical, submitted a verified statement in support of the amended application. This shipper operates a medical analysis facility in Trevoise, Bucks County. It expects to use the applicant's service for approximately ten shipments per month between its facility and customers located in Allentown, Camp Hill, Harrisburg, Lancaster, Norristown, Philadelphia and Pittsburgh.

Patricia Moore, manager of Town and Country, submitted a verified statement in support of the amended application. This shipper is involved in the automotive rental business, with facilities in Philadelphia, Germantown and Bala Cynwyd. It expects to use the applicant's service for approximately eight shipments per month between its facilities.

Roland H. Vollman, president of Automation Aides, submitted a verified statement in support of the amended application. This shipper is involved in the warehousing of tools, with a facility in Philadelphia. It

expects to use the applicant's service for inbound shipments from such points as Allentown, Chester and Philadelphia, approximately three times a month.

Herman Parodie, general manager of Mayfair Collision Service, submitted a verified statement in support of the amended application. This shipper is involved in the automobile repair business, with a facility in Philadelphia. It expects to use the applicant's service for inbound shipments from such points as King of Prussia, Montgomeryville, Norristown and Philadelphia approximately six times a month.

Jacob Manteka, manager of Mobicare, submitted a verified statement in support of the amended application. This shipper is involved in the maintenance of automotive fleets, with a facility in Huntingdon, Huntingdon County. It expects to use the applicant's service for inbound shipments from such points as Altoona, Bellefonte and State College approximately twenty-three shipments per month.

Suzanne Kadingo, general manager of State College Associates, Ltd., submitted a verified statement in support of the amended application. This shipper is involved in the hotel business. It expects to use the applicant's service for inbound shipments to State College from such points as Altoona, Bellefonte, Pittsburgh and Pleasant Gap approximately seventy-five times a month.

Kenneth C. Wyland, vice president of Mellon Bank (Central), submitted a verified statement in support of the amended application. This shipper operates a bank in State College. It expects to use the applicant's service for approximately twenty shipments per month to thirty-six destination points, including Altoona, Harrisburg, Mansfield, Towanda and Williamsport.

Harvey P. Hanlen, a partner in Stein, Hanlen & Theodorous, submitted a verified statement in support of the amended application. This partnership is involved in a general practice of optometry, with an office in State College, Centre County. Representative destinations include Greensburg, Pittsburgh, Scranton and Williamsport. It expects to use the applicant's service for approximately fifteen shipments per month.

Greg Merritt, traffic supervisor for Chemcut Corp., submitted a verified statement in support of the amended application. This shipper is a manufacturer of wet processing equipment, with a facility in State College. Representative destinations include Easton, Ephrata and Malvern. It expects to use the applicant's service for approximately one shipment per month.

Michael Soloman, manager of K & G Speed Associates, submitted a verified statement in support of the amended application. This shipper is involved in the sale of automobile parts and accessories, with a facility of Elkins Park, Montgomery County. Representative destinations include points in the counties of Montgomery and Philadelphia. It expects to use the applicant's service for approximately four shipments per month.

Jules Stein, manager of Sabott Beauty Supply, submitted a verified statement in support of the amended application. This shipper is involved in the wholesale distribution of beauty supplies, with a facility in Philadelphia. Representative destinations include various points in the counties of Bucks, Chester, Delaware, Montgomery and Philadelphia. It expects to use the applicant's service for approximately twenty-five shipments per month.

#### DISCUSSION AND FINDINGS

The applicant is a currently certificated carrier, operating under a limited commodity statewide authority. It has a large fleet (225 vehicles) and seven facilities (with two more to be added in the future) in the state. Its balance sheet and income statement indicate that it has the financial ability to begin the additional proposed service. It has demonstrated no propensity to operate in an unsafe or illegal manner. USCCS has thus demonstrated that it is fit to provide the proposed service, pursuant to 52 Pa. Code §41.14(b).

Forty-seven witnesses have submitted support statements indicative of a public demand or need for the proposed service, as required by 52 Pa. Code §41.14(a). Whether this is sufficient evidence must be judged in terms of the breadth of the operating authority and the commodity description. Application of Bluebird Coach Lines, Inc., A-00088807, F. 2, Am-K (order adopted March 15, 1990). In this case, the geographical area is the entire state, subject to certain restrictions (see especially restrictions (a), (b) and (c) in the caption). The commodity description, "property", is also broad even with its restrictions (see especially restrictions (d), (f) and (g)). The limiting factor of this application, however, is the one hundred pound weight limit. Taking that factor into consideration, we must view the proposed right as rather limited. Considering the variety of origins and destinations, which cover most of the population centers of the state, we believe that the applicant's forty-seven witnesses do represent a cross-section of the shipping public for this type of service and, as such, is evidence of a public demand or need for the proposed service. We also note that the applicant presently holds statewide authority for transporting various financial and business documents and media. The extension into the small shipment business will allow for a more efficient use of the applicant's fleet and such efficiency will ultimately be to the public's benefit.

Several of the supporting witnesses testified to a need for some service that would not be permitted under the restrictions to the proposed right. We will, therefore, caution the applicant to carefully instruct its sales staff and drivers in the limits of its new operating authority, and to distinguish it from its initial right, so that no problems arise as to the commodities, geographical area, or shippers that may be served.

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, as amended.

2. That the applicant possesses the necessary equipment, experience, and financial capacity to perform the proposed service, as amended.

3. That approval of the application, as amended, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved and that the certificate issued to the applicant on October 9, 1985, be amended to include the following right:

To transport, as a Class D carrier, parcels, packages and items of property, no single parcel, package or item of property to exceed one hundred (100) pounds in weight, between points in Pennsylvania;

subject to the following conditions:

- (a) That no right, power or privilege is granted to provide service to, from or between points in the counties of Crawford, Erie, Mercer and Venango;
- (b) That no right, power or privilege is granted to provide service between points in the city of Pittsburgh, Allegheny County;
- (c) That no right, power or privilege is granted to provide service from points in the city of Pittsburgh, Allegheny County, to points in Pennsylvania within thirty (30) miles by the usually traveled highways of the City-County Building in said city, except where the transportation involves the carrying of the goods of more than one consignor on the truck at one time;
- (d) That no right, power or privilege is granted to transport human laboratory specimens and clinical laboratory instruments, supplies and reports between points in the counties of Allegheny, Armstrong, Lawrence, Butler, Washington, Westmoreland, Greene, Indiana, Mercer, Somerset, Bedford and Beaver;
- (e) That no right, power or privilege is granted to provide service for Victaulic Company of America, Inc.; Atlantic Track &

Turnout Co.; Union Camp Corporation;  
John Konopka & Sons; S.I. Handling Systems,  
Inc.; Atlantic States Cast Iron Pipe Co.;  
and American Metallurgical Products Company;

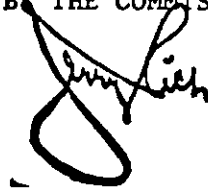
- (f) That no right, power or privilege is granted to transport garments and wearing apparel on hangers and garments, wearing apparel and the materials, equipment and supplies used in the manufacture and sale of garments and wearing apparel, when moving in the same vehicles as garments and wearing apparel on hangers;
- (g) That no right, power or privilege is granted to transport bound and unbound printed paper and partially printed paper and printing orders, instructions and materials for commercial printers and supplies to commercial printers to or from points in the counties of Berks, Cumberland, Dauphin, Lancaster, Lebanon and York;
- (h) That no right, power or privilege is granted to provide service for hospitals or the American Red Cross between points in the city of Wilkes-Barre, Luzerne County, and within an airline distance of 30 statute miles of the limits of said city, and from points in said territory to points within an airline distance of 150 statute miles of the limits of said city, and vice versa;

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it 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,

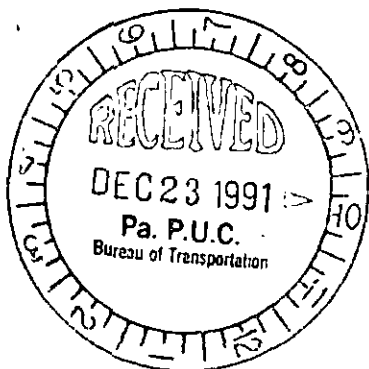
A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized flourish or scribble.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: March 6, 1991

ORDER ENTERED: MAR 13 1991



BEFORE THE  
PA PUBLIC UTILITY COMMISSION

\_\_\_\_\_  
A. 109534 F1, Am-A  
RAPID DELIVERY  
\*INCLUDING TEMPORARY AUTHORITY\*

\_\_\_\_\_  
PROTEST  
\*INCLUDING TEMPORARY AUTHORITY \*

RECEIVED

DEC 23 1991

OFFICE

Authority sought: SO AS TO PERMIT property between points in the counties of Chester, Montgomery, Bucks & Lancaster.

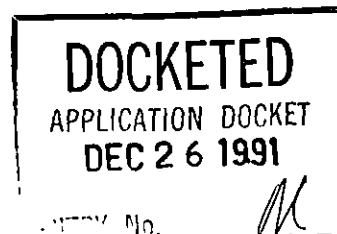
\*\* Protestant asserts that w/in the scope of its authority there is no immediate or urgent need to justify any grant of TA.

1. Protestant(s) is (are):

DePen Line Inc.

2. Name and address of protestant's (s') attorney are:

John Fullerton  
407 N. Front St.  
Harrisburg, PA 17101  
(717) 236-9318



3. Protestant(s) hold operating rights which conflict with the instant application, copy(ies) attached.

4. Protestant(s) provide an adequate and satisfactory service within the scope thereof.

5. To the extent of the conflict there is no need for the proposed service.

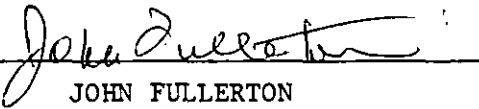
1.



(PROTEST PaPUC)

Approval will impair protestant's(s') operations to an extent that, on balance, the granting of authority sought herein would be contrary to the public interest.

6. The only amendment that will satisfy protestant(s) is the exclusion of the conflicting authority from that sought herein.



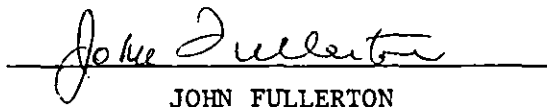
JOHN FULLERTON  
Attorney for Protestant(s)

Dated: December 21, 1991

CERTIFICATE OF SERVICE

I certify that a copy of this protest has been served upon applicant and/or applicant's attorney by first class US mail, postage prepaid.

c: Leonard Zack, Esq.  
1429 Walnut St  
Philadelphia, PA 19102



JOHN FULLERTON

NOTICE: As required by Section 333(c) of the PU Code, please furnish forthwith the identity of the shipper witnesses supporting this application and the subject matter of their expected testimony. Failure to so do will be a basis for a motion by protestant(s) to dismiss.



PA OPERATING RIGHTS

Box 486  
Phoenixville, PA 19460  
(215) 935-1535

A. 92681  
De Pen Line Inc.

Folder 1, Am-G: Class D

To transport as a Class D carrier, property (except commodities in bulk, household goods in use, dry cement, commodities which because of size or weight require the use of special equipment such as winch trucks or tractors, pole or extendible trailers, lowboys, or which require permits from the Department of Transportation for their movement) between points in the counties of Philadelphia, Bucks, Montgomery and that part of Chester on and north of PA Route 23 and from points in said counties to points in the counties of Berks, Carbon, Dauphin, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Monroe, Northampton and Wyoming and vice versa;

**FITZPATRICK LENTZ & BUBBA**

ATTORNEYS AT LAW  
300 SOVEREIGN BUILDING  
609 HAMILTON MALL  
P. O. BOX 4520  
ALLENTOWN, PA. 18105-4520

TELEPHONE (215) 432-1818

TELEFAX (215) 770-0591

EDWARD J. LENTZ  
JOSEPH A. FITZPATRICK, JR.  
JOSEPH A. BUBBA  
FRANK G. PROCYK  
TIMOTHY D. CHARLESWORTH  
LINDA R. GARDNER •  
JOSEPH A. ZATOR II  
JOSEPH P. McDONALD, JR.  
MARK D. AURAND  
DONNA M. MILLER  
FRANCIS G. TROYAN

OF COUNSEL  
ANDREW W. MARKLEY

\* ADMITTED IN NJ

January 6, 1992

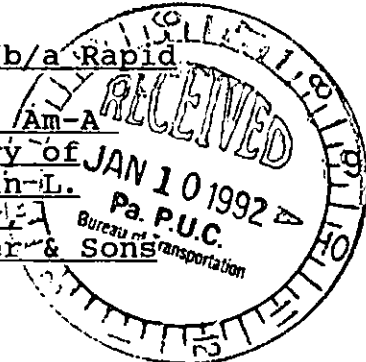
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JAN 10 1992

SECRETARY'S OFFICE  
Public Utility Commission

Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth of Pennsylvania  
P.o. Box 3265  
Harrisburg, PA 17120

Re: Application of Joyco, Inc., t/d/b/a Rapid  
Delivery  
Docket No. A-00109534, Folder 1, Am-A  
Substitution of Counsel and Entry of  
Appearance for Protestant, Calvin L.  
Schiffer and Michael J. Schiffer,  
Copartners, t/d/b/a H.O. Schiffer & Sons



Dear Mr. Rich:

Enclosed for filing with your office, please find the original and two copies of a Substitution of Counsel and Entry of Appearance for the Protestant, Calvin L. Schiffer and Michael J. Schiffer, Copartners, t/d/b/a H.O. Schiffer & Sons, in the above-captioned Application for Permanent Authority.

DOCUMENT  
FOLDER

RECEIVED

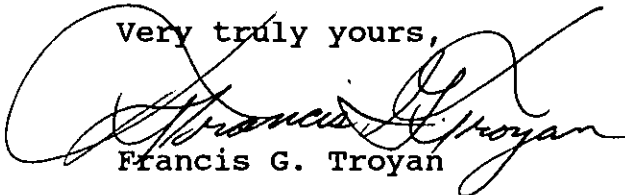
JAN 10 1992

SECRETARY'S OFFICE  
Public Utility Commission

Jerry Rich, Secretary  
January 6, 1992  
Page -2-

By copy of this letter, counsel for the Applicant, and the Participants are being served with a true and correct copy of the same.

Very truly yours,



Francis G. Troyan

FGT:kn  
Enclosures  
cc: Leonard Zack, Esquire  
cc: Calvin L. Schiffer

RECEIVED

JAN 10 1992

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE  
Public Utility Commission

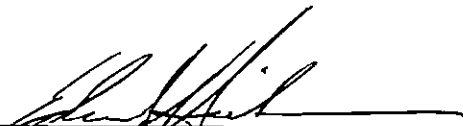
Application of :  
Joyco, Inc., t/d/b/a : A-00109534, Folder 1,  
Rapid Delivery : Am-A

SUBSTITUTION OF COUNSEL

To: Pennsylvania Public Utility Commission

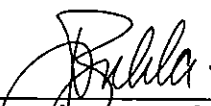
Withdraw my appearance for Protestant, Calvin L. Schiffer and Michael J. Schiffer, co-partners, t/d/b/a H. O. Schiffer & Sons, in the above-captioned matter.

Dated: December 27, 1991

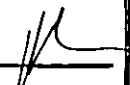
  
Edward D. Reibman, Esquire  
108 North Eighth Street  
Allentown, Pennsylvania 18101  
Telephone (215) 434-4402  
PA Supreme Court ID #18374

ENTRY OF APPEARANCE

Enter my appearance for Protestant, Calvin L. Schiffer and Michael J. Schiffer, co-partners, t/d/b/a H. O. Schiffer & Sons.

  
Joseph A. Bubba, Esquire  
Fitzpatrick, Lentz & Bubba  
609 Hamilton Mall  
P. O. Box 4520  
Allentown, Pennsylvania 18101  
Telephone (215) 432-1818

DOCUMENT  
FOLDER

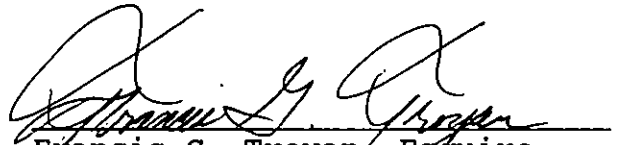
DOCKETED  
APPLICATION DOCKET  
JAN 10 1992  
ENTRY No. 

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon all parties of record in accordance with the requirements of Section 1.54 (relating to service by a participant).

Dated this 6<sup>th</sup> day of January, 1992.

BY:



Francis G. Troyan, Esquire  
Attorney for Calvin L.  
Schiffer & Michael J.  
Schiffer, co-partners,  
t/d/b/a H.O. Schiffer  
& Sons

January 14, 1992

SUBJECT:

TO: Chief Administrative Law Judge

FROM: David Ehrhart  
Supervisor - Application Section

**DOCUMENT  
FOLDER**

In Re:

- A-00103838, F.1, Am-A - Casselman Enterprises, Inc.
- A-00105584, F.5 - PGT Trucking, Inc., t/d/b/a  
Pittsburgh Logistic Systems
- A-00106996, F.1, Am-B - Brownlee Trucking, Inc.
- ~~A-00109534, F.1, Am-A~~ - Joyco, Inc., t/d/b/a  
Rapid Delivery
- A-00109643, F.1, Am-A - GTS Trucking, Inc.
- A-00109975 - Robert E. Taggart, t/d/b/a  
R. E. Taggart Courier
- A-00109977 - David Alan Zebrasky

The application were advertised in the Pennsylvania Bulletin of November 30, 1991, to be disposed of without hearing provided no protests are filed on or before Dec 23, 1991.

Since protests have been filed for approval of the application of the period of twenty days for filing restrictive amendments had expired, it is necessary that the application be set for hearing.

DE:rp

**DOCKETED**  
APPLICATION DOCKET  
JAN 14 1992  
ENTRY No. \_\_\_\_\_