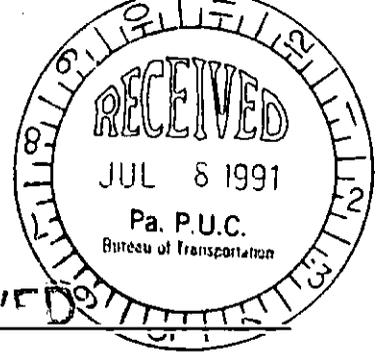


Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. Box 3265  
Harrisburg, PA 17120



DOCKET NO. A-00109798

JUL 8 1991

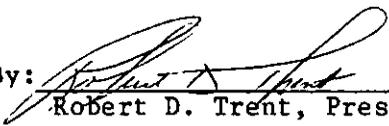
FLOYD C. MATTHEWS, t/d/b/a SECRETARY'S OFFICE  
F.C. MATTHEWS TRUCKING Public Utility Commission

PROTEST AND REQUEST FOR ORAL HEARING

1. Protestant is: Bruce Trent Trucking, Inc., R. D. #1, Friedens, PA 15541 (814-445-7013).
2. Protestant's representative is: Robert D. Trent, President, Bruce Trent Trucking, Inc., R. D. #1, Friedens, PA 15541 (814-445-7013).
3. Trent holds operating rights which conflict with the application. A copy of the authority at Docket No. A-00108190 is attached to this protest. All of the authority is involved with the exception of paragraphs 9 and 11.
4. Trent provides satisfactory service and there is no need for additional service for these shippers which would duplicate our service.

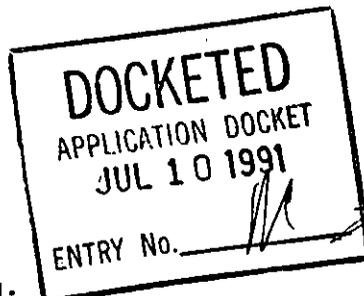
BRUCE TRENT TRUCKING, INC.

Dated: 7-5-91

By:   
Robert D. Trent, President

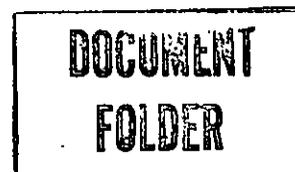
CERTIFICATE OF SERVICE

I certify that a copy of this protest has been served upon applicant or its attorney by first class U.S. mail, postage prepaid. Dated: 7-5-91



  
Robert D. Trent, President

cc: William A. Gray, Esq.  
2310 Grant Building  
Pittsburgh, PA 15219



PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held September 29, 1988

Commissioners Present:

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

Application of Bruce Trent Trucking,  
Inc., a corporation of the Commonwealth  
of Pennsylvania, for the transfer to it  
of all of the rights authorized under  
the certificate issued at A-00094646  
to Bruce W. Trent, subject to the same  
limitations and conditions.

A-00108190

---

Vuono, Lavelle & Gray, by William J. Lavelle for the applicant.

---

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on June 9, 1988, and published in the Pennsylvania Bulletin of July 23, 1988. There are no protests and the record is now certified to the Commission for its decision without oral hearing.

The applicant also filed an application for temporary authority. Because of our action on the immediate application, the temporary authority application will be dismissed.

Bruce Trent Trucking, Inc. (or applicant) is a recently formed Pennsylvania corporation headquartered at R.D. #1, Friedens, Somerset County. It has authority to issue 50,000 shares of common stock with a par value of \$1.00 per share. Robert D. Trent is president and the son of Bruce W. Trent the transferor, and holds 1,000 shares which is all of the shares issued to date. Blaine E. Trent, a resident of R.D. #3, Somerset, is secretary-treasurer.

The applicant owns 26 tri-axle dump trucks, 24 tractors, 26 dump trailers, two tank trailers, four van trailers and one flatbed trailer with

which the service will be provided. A statement of financial condition shows that the applicant has total assets of \$875,000 (including motor vehicles valued at \$730,665) and total liabilities of \$850,000, leaving a net worth of \$25,000.

Bruce W. Trent (or transferor), has held a certificate from this Commission since 1968. He is retiring as soon as all of his business interests are transferred to other members of his family. He is current in all obligations due this Commission, and he will leave no unpaid business debts from the operation.

Under the terms of an agreement of sale dated June 2, 1988, the applicant will purchase all of the P.U.C. and I.C.C. rights of the transferor for the sum of \$19,000. The P.U.C. rights are allocated at \$18,000 and the I.C.C. rights at \$1,000. No other tangible assets of the transferor are involved. Settlement will be made within 30 days of the effective date of the final order approving the application.

We find:

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

IT IS ORDERED: That the application for transfer of the rights held by Bruce W. Trent at A-00094646, be and is hereby approved and that a certificate be issued granting the applicant the right to operate as follows:

1. To transport, as a Class D carrier, coal, wood, ashes, ground, lumber, stone, sand, road and bridge building materials between points not to exceed a distance of twenty-five (25) miles from point of origin to point of disposal in the counties of Cambria and Somerset.
2. To transport, as a Class D carrier, coal from mines or stripping operations in the counties of Somerset and Cambria to points in the counties of Somerset, Cambria, Bedford and Blair, no haul to exceed a distance of one hundred (100) miles from point of origin to point of destination.
3. To transport, as a Class D carrier, lime from point in the county of Bedford to points in the county of Somerset.

4. To transport, as a Class D carrier, coal from mines and stripping operations in the counties of Somerset and Bedford to points within fifty (50) miles of the point of origin.
5. To transport coal as a Class D carrier, from the mining facilities of Solar Fuel, Inc. and P.B.S. Coals, Inc. in the county of Somerset, to the Shennango Steel Co. facilities, Neville Island, Neville Township, Allegheny County, Pennsylvania.
6. To transport coal as a Class D carrier, from the P.B.S. Coals, Inc. cleaning plant in Shade Township, Somerset County, Pennsylvania, to the city of Monessen, Westmoreland County.
7. To transport, as a Class D carrier, potato chips, farm materials, farm products, farm supplies, livestock, coal, lime, fertilizer, timber, wood products, milk and empty milk containers, mining supplies and equipment and construction machinery, from points in the county of Somerset, to points in Pennsylvania and vice versa;

with Right No. 7 subject to the following condition:

That no right, power or privilege is granted to transport mining supplies and equipment or construction machinery which, because of its size or weight requires special handling and the use of special equipment, such as trucks having winches, or special equipment attached, or trucks of special body construction, or pole trailers or drop frame trailers.

8. To transport, as a Class D carrier, fertilizer and fertilizer ingredients from the facilities of Bethlehem Steel Corporation in the city of Johnstown, Cambria County, to the facilities of the Agway Fertilizer Chemical Plant, in the city of York, York County.
9. To transport, as a Class D carrier, rock salt, in bags, no shipment to exceed six thousand (6,000) pounds, from the facilities of Rochez Bros., Inc., in the borough of Braddock, Allegheny County, to the Agway Supply Center in the borough of Somerset, Somerset County.

10. To transport, as a Class D carrier, building materials, in bulk in dump trucks, between points in the counties of Somerset, Bedford and Fayette, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.
11. To transport, as a Class D carrier, rough lumber from portable sawmills and yards in the counties of Allegheny, Cambria, Westmoreland, Bedford, Somerset and York, to points in the said counties.
12. To transport, as a Class D carrier, coal for domestic consumption between points in the borough of Somerset, Somerset County and within eighty (80) miles by the usually traveled highways of the limits of the said borough in the counties of Somerset, Bedford and Fayette, provided no haul shall exceed a distance of eighty (80) miles from point of origin to point of destination.
13. To transport, as a Class D carrier, coal from mines or stripping operations in the counties of Somerset, Bedford and Fayette to railroad sidings in the said counties, provided no haul shall exceed a distance of eighty (80) miles from point of origin to point of destination.
14. To transport, as a Class D carrier, farm products, farm supplies, sand, fertilizer and lime from points in the county of Somerset to points in the counties of Allegheny, Cambria, Westmoreland and Bedford and Somerset, and vice versa; and said commodities from farms in the county of Somerset to points in the county of York, and vice versa;

with all of the above subject to the following conditions:

- (a) 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 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.

- (b) 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.
- (c) That the applicant charge to Account 1550, Other Intangible Property, \$18,000, 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; and subject to further adjustment due to any normal interim transactions to the date of actual transfer.
- (d) 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(a)(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 evidence of insurance and a tariff establishing just and reasonable rates.

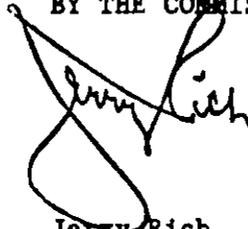
IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

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 application for temporary authority be and is hereby dismissed.

IT IS FURTHER ORDERED: That upon compliance with this order, the rights granted the transferor, Bruce W. Trent, at A-00094646 be cancelled and the record be marked closed.

BY THE COMMISSION,

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

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: September 29, 1988

ORDER ENTERED: OCT 5 1988

KJR

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
August 8, 1991

In Re: A-00109798

(See attached list)

Application of Floyd C. Matthews, t/a F. C. Matthews Trucking  
Right to transport, as a common carrier, property, in bulk, in dump  
vehicles, for Addbe Mining Co.; Addbe Coal Co.; Coal Associates, Inc.;  
Darmac Coal, Inc.; Darmac Associates Corporation; and Kittanning Coal  
Company, Inc.; between points in Pennsylvania.

NOTICE

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

In compliance with this directive, an initial hearing is hereby  
scheduled for Tuesday, October 1, 1991, at 10:00 a.m., in the 11th Floor  
Hearing Room, Pittsburgh State Office Building, 300 Liberty Avenue,  
Pittsburgh, Pennsylvania 15222.

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

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

cc: Judge Corbett  
Mr. Bramson  
Ms. Kelly  
Mrs. Howell  
Docket Room

DOCKETED  
AUG - 9 1991

DOCUMENT  
FOLDER

A-00109798 Parties of Record

William A. Gray, Esquire  
Vuono, Lavelle & Gray  
2310 Grant Building  
Pittsburgh, PA 15219

Floyd C. Matthews  
t/a F. C. Matthews Trucking  
R.D. #2, Box 2171A  
Stoneboro, PA 16153

Robert D. Trent, President  
Bruce Trent Trucking, Inc.  
R.D. #1  
Firdens, PA 15541

LAW OFFICES

ACT

**VUONO, LAVELLE & GRAY**

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

2310 GRANT BUILDING

PITTSBURGH, PA. 15219-2383

(412) 471-1800

September 13, 1991

ORIGINAL

TELECOPIER  
(412) 471-4477

\* ALSO MEMBER OF FLORIDA BAR

Re: Application of Floyd C. Matthews,  
d/b/a F. C. Matthews Trucking  
Docket No. A-00109798  
Our File 3783-2

RECEIVED

SEP 16 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 enclose for filing with the Commission the signed original and two (2) copies of a Restrictive Amendment and Withdrawal of Protest Stipulations on behalf of the applicant in connection with the above application.

Since this application is now unopposed, we hereby request that it be assigned to the Bureau of Transportation for handling under modified procedure.

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 &amp; GRAY



William A. Gray

mm

Enclosures

cc: Honorable John Corbett, Jr. (w/ enc.)  
Mr. Bud Huntington (PUC) (w/ enc.)  
Bruce Trent Trucking, Inc. (w/ enc.)  
Mr. Floyd C. Matthews (w/ enc.)

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DECIDED  
SEP 16 1991

RECEIVED  
SEP 16 1991  
SECRETARY'S OFFICE  
Public Utility Commission

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APPLICATION

FLOYD C. MATTHEWS d/b/a.  
F. C. MATTHEWS TRUCKING

Docket No. A-00109798

---

RESTRICTIVE AMENDMENT AND WITHDRAWAL OF PROTEST STIPULATION

I. Floyd C. Matthews d/b/a F. C. Matthews Trucking hereby amends paragraph 10 of the application so that the authority sought will read as follows:

Property, in bulk, in dump vehicles, for Adobe Mining Co.; Adobe Coal Co.; Coal Associates, Inc.; Darmac Coal, Inc.; Darmac Associates Corporation; and Kittanning Coal Company, Inc., between points in Pennsylvania.

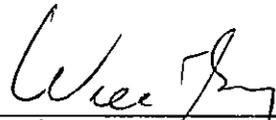
Subject to the following condition:

That no right, power or privilege is granted to provide service to, from or between points in Somerset County.

II. Based on the foregoing Amendment and conditioned upon its acceptance by the Commission and any grant being consistent with the Amendment, Bruce Trent Trucking, Inc. ("Protestant") hereby withdraws its protest to the application.

III. Protestant will remain a party of record for the purpose of receiving copies of all notices and orders issued in this proceeding.

Dated this 13<sup>th</sup> day of September, 1991.

By:   
William A. Gray,  
Attorney for  
FLOYD C. MATTHEWS d/b/a  
F. C. MATTHEWS TRUCKING

By:   
Robert D. Trent,  
President  
BRUCE TRENT TRUCKING,  
INC.

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
September 17, 1991

In Re: A-00109798

(See letter of 8/8/91)

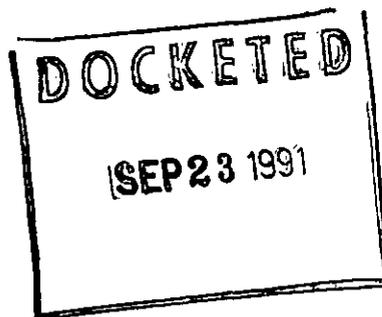
Application of Floyd C. Matthews, t/a F. C. Matthews Trucking  
Right to transport, as a common carrier, property, in bulk, in dump  
vehicles, for Addbe Mining Co.; Addbe Coal Co.; Coal Associates, Inc.;  
Dammac Coal, Inc.; Dammac Associates Corporation; and Kittanning Coal  
Company, Inc.; between points in Pennsylvania.

NOTICE

Since all protests against the above captioned application have been  
withdrawn, the hearing scheduled for Tuesday, October 1, 1991, in  
Pittsburgh, has been cancelled.

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

cc: Judge Corbett  
Mr. Bramson  
Ms. Kelly  
Mrs. Howell  
Docket Room





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

September 26, 1991

IN REPLY PLEASE  
 REFER TO OUR FILE

WILLIAM A GRAY  
 ATTORNEY AT LAW  
 2310 GRANT BUILDING  
 PITTSBURGH PA 15219-2383

Re: Applications of:

A-00109846	Edward G. Dillick
A-00109284, F. 1, Am-A	Clifford H. Kuhn
A-00100844, F. 1, Am-C	James T. Adams
A-00100484, F. 1, Am-B	W.E. Wike
A-00080639, F. 1, Am-F	Raymond E. Pierce
A-00100160, F. 1, Am-A	Stanley D. Moore
A-00103200, F. 1, Am-A	DeWayne George
A-00109841	Gaylord L. Matthews, t/d/b/a
	Gaylord L. Matthews Trucking
A-00109798	Floyd C. Matthews, t/d/b/a
	F.C. Matthews Trucking
A-00089133, F. 1, Am-E	Ralph E. Williamson
A-00107864, F. 1, Am-A	Dennis W. Reefer, t/d/b/a
	Dennis W. Reefer Trucking
A-00100632, F. 1, Am-A	J. Wade Hinderliter
A-00106591, F. 1, Am-B	Richard D. Christie, t/d/b/a
	R.D. Christie Trucking
A-00082158, F. 1, Am-O	John H. Brown

Dear Mr. Gray:

The above referenced applications have been assigned for review without an oral hearing. In order to reach a determination on the applications, you are being required to file verified statements in accordance with 52. Pa. Code §3.381(e)(1). You will be required to file:

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

The verified statements should be in paragraph form. Each heading contained in the attached minimum outline should be a separate section or paragraph.

You should be aware of the fact that the verified statements will be reviewed based on the Commission's decision in the Application of Bluebird Coach Lines, Inc. A-00088807, F. 2, Am-K-, which indicates: (1) the supporting witnesses must give evidence which is probative and relevant to

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 APPLICATION DOCKET  
 SEP 27 1991  
 ENTRY No. *M*

the application proceeding; (2) the supporting witnesses must identify Pennsylvania origin and destination points between which they require transportation and those points must correspond with the scope of the operating territory specified in the application including requests for vice versa authority; and (3) the number of witnesses which will represent a cross section of the public on the issue of need will vary with the breadth of the intended territory and commodity description.

It will be necessary for each above-named applicant to submit verified statements and show need for the service proposed.

You are being granted an initial thirty (30) days to file verified statements. They will be due on or before October 26, 1991.

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

Should you have any questions about the above-referenced applications, please direct them to Tim Zeigler.

Yours truly,

Peter S. Marzolf, Supervisor  
Technical Review Section

PSM:kmb

cc: Document Folder

LAW OFFICES

**VUONO, LAVELLE & GRAY**

2310 GRANT BUILDING

PITTSBURGH, PA. 15219-2383

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

(412) 471-1800

TELECOPIER  
(412) 471-4477

October 11, 1991

\* ALSO MEMBER OF FLORIDA BAR

Re: Application of Floyd C. Matthews d/b/a  
F. C. Matthews Trucking  
Docket No. A-00109798  
Our File 3783-2

**RECEIVED**  
OCT 16 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

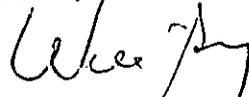
Dear Mr. Rich:

We enclose for filing with the Commission the signed original and two copies of Applicant's Verified Statements in the above captioned case.

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 stamped, self-addressed envelope provided for that purpose.

Very truly yours,

VUONO, LAVELLE & GRAY

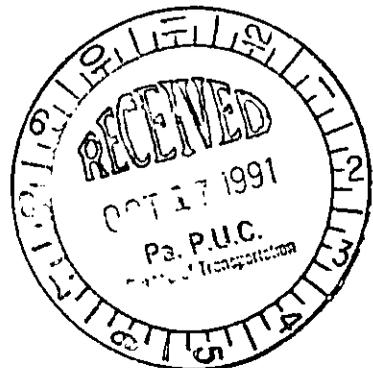


William A. Gray

jv

Enclosures

cc: Floyd C. Matthews



ORIGINAL

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DOCKET NO. A-00109798

FLOYD C. MATTHEWS, d/b/a  
F. C. MATTHEWS TRUCKING

RECEIVED  
OCT 16 1991

SECRETARY'S OFFICE  
Public Utility Commission



APPLICANT'S VERIFIED STATEMENTS

I. STATEMENT OF THE CASE

By application published in the Pennsylvania Bulletin dated June 15, 1991, as amended, Floyd C. Matthews, d/b/a F. C. Matthews Trucking ("F. C. Matthews" or "applicant") seeks authority to operate as a common carrier transporting:

Property, in bulk, in dump vehicles, for Adobe Mining Co.; Adobe Coal Co.; Coal Associates, Inc.; Darmac Coal, Inc.; Darmac Associates Corporation; and Kittanning Coal Company, Inc., between points in Pennsylvania.

Subject to the following condition:

That no right, power or privilege is granted to provide service to, from or between points in Somerset County.

A single protest was filed to this application by Bruce Trent Trucking, Inc., which has been withdrawn. The application has therefore been assigned to the Bureau of Transportation for handling under modified procedure.

Applicant now submits his verified statements in support of the application.

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APPLICATION DOCKET  
OCT 21 1991  
ENTRY No. \_\_\_\_\_

II. VERIFIED STATEMENT OF APPLICANT

1. Legal Name and Domicile of Applicant.

Applicant is Floyd C. Matthews, d/b/a F. C. Matthews Trucking ("F. C. Matthews"). F. C. Matthews is an individual whose business address is R.D. #2, Box 2171A, Stoneboro, PA 16153.

2. Identity and Qualifications of Testifying Witness.

My name is Floyd C. Matthews and I am a sole proprietor.

3. Affiliation With Other Carriers.

I am not affiliated with any other carriers licensed by this Commission.

4. Authority Sought.

The authority sought, as amended, is as follows:

Property, in bulk, in dump vehicles, for Adobe Mining Co.; Adobe Coal Co.; Coal Associates, Inc.; Darmac Coal, Inc.; Darmac Associates Corporation; and Kittanning Coal Company, Inc., between points in Pennsylvania.

Subject to the following condition:

That no right, power or privilege is granted to provide service to, from or between points in Somerset County.

5. General Description of Present Authorized Operations.

I do not presently have any authority from this Commission.

6. Duplicating Authority Resulting From Grant of Application.

There will not be any duplicating operations resulting from a grant of this application since I presently do not have any authority from this Commission.

7. Dual Operations Resulting From Grant of Authority.

There will not be any dual operations resulting from a grant of this application.

8. Pertinent Terminal Facilities and Communications Network.

My facilities are located at R.D. #2, Box 2171A, Stoneboro, PA 16153. I maintain my equipment at this facility. I will dispatch the equipment used to provide the service sought by this application from this facility.

9. Pertinent Equipment.

At the present time, I own and operate 5 triaxle dump trucks and 2 tractors and 2 dump trailers. This equipment is in good working order. This is the type of equipment required by the shippers in this proceeding.

10. Safety Program.

I will comply with all applicable safety regulations and will make sure that my equipment is operated in a safe manner. My safety program will include regular inspection and maintenance of my equipment to ensure safety of operations.

11. Type of Service To Be Offered.

I will provide whatever services are required by the shippers in this proceeding.

Scheduled pickup and delivery service, as well as expedited pickup and delivery service will be provided.

There are no service problems in connection with the proposed operation which I cannot meet.

12. Financial Data.

There is attached as Appendix 1 my latest available balance sheet. I am financially capable of providing the service sought by this application.

13. Feasibility of Operations and Environmental Impact.

I do not expect to have any substantial amount of deadhead miles since most of the involved shipments will be within western Pennsylvania. In any event, there will be no adverse impact on the quality of the human environment.

14. Additional Pertinent Information.

I am familiar with the transportation requirements of the shippers and will have no difficulty in providing the service required by the involved shippers.

I have in the past and am presently leasing equipment to a company affiliated with all of the shippers (Adobe International, Inc.) but that company has decided to get out of the trucking business, which is why I have filed this application.

APPENDIX 1

STATEMENT OF FINANCIAL CONDITION

ASSETS

Motor vehicle equipment	\$ 591,525
Buildings and structures	\$ 220,000
Other property	\$ _____
Cash	\$ 16,000
Accounts receivable	\$ 25,000
Notes receivable	\$ _____
Materials and supplies	\$ _____
Other assets (attach schedule) (furniture and fixtures)	\$ 25,000
<b>Total Assets</b>	<b>\$ 877,525</b>

LIABILITIES

Mortgages payable	\$ _____
Equipment obligations	\$ 221,937
Accounts payable	\$ 2,500
Notes payable	\$ 6,000
Other liabilities (attach schedule)	\$ _____
Net worth (individual or partnership)	\$ 647,088
<b>Total Liabilities and Net Worth</b>	<b>\$ 877,525</b>

VERIFICATION OF STATEMENT

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

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

Dated: Oct 4, 1991

Floyd C. Matthews  
(signature)

Floyd C. Matthews

VERIFIED STATEMENT OF GREGORY E. HINDLE

1. Legal Name and Domicile of Supporting Shippers.

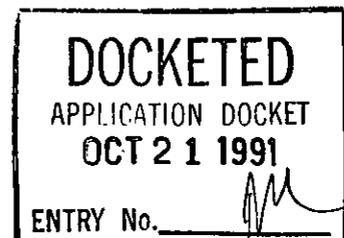
The supporting shippers are Adobe Mining Co.; Adobe Coal Co.; Coal Associates, Inc.; Darmac Coal, Inc.; Darmac Associates Corporation and Kittanning Coal Company, Inc. (hereinafter "the supporting shippers"), all of which have offices located at R. D. #3, Box 3629, Grove City, PA 16127. The supporting shippers are all subsidiaries of AOI Coal Company, which has its principal offices located at Suite 500, 300 West Texas Street, Midland, Texas 79701.

2. Identity and Qualifications of Testifying Witness.

My name is Gregory E. Hindle and I am Transportation Manager for each of the supporting shippers. I am familiar with the transportation needs of the supporting shippers and the problems involved in fulfilling those needs. I am involved in the handling of the transportation activities of the supporting shippers. I am authorized to execute this verified statement in support of the application of Floyd C. Matthews d/b/a F. C. Matthews Trucking ("the applicant").

3. General Description of Supporting Shipper.

The supporting shippers are involved in the mining and sale of coal. If this application is granted, the supporting shippers will require the applicant to transport coal, coal refuse, limestone, sand and gravel. The limestone, sand and gravel is used for road construction and road maintenance at mine sites.



#### 4. Volume and Frequency of Intended Use.

The supporting shippers will utilize the applicant to provide intrastate service to them. The applicant presently leases his equipment to Adobe International, Inc., which is also a subsidiary of AOI Coal Company, which has authority from the Commission at Docket No. A-00101049 to provide service to each of the supporting shippers between points in that part of Pennsylvania on and west of U.S. Highway Route 15. Each party leased to Adobe International presently transports an average of approximately 100 tons of coal per day per vehicle within Pennsylvania for the supporting shippers under its lease to Adobe International. The tonnage that is transported for each of the respective companies depends upon internal management decisions concerning which company will be the shipper for particular intrastate shipments. It is anticipated that the applicant will continue to transport approximately this same tonnage for the supporting shippers if this application is granted since the shippers intend to continue utilizing the applicant to the same extent as he is presently being utilized pursuant to the lease with Adobe International, Inc.

#### 5. Specific and/or Representative Origins and Destinations.

The supporting shippers ship from and to basically the same points. The following shippers have cleaning plants in Pennsylvania: Adobe Mining - Mercer County; Darmac Associates - Armstrong County; and Kittanning Coal - Armstrong County. In addition, the supporting shippers utilize two (2) portable

blending facilities of a related company, which are presently located in Lawrence County but which can and probably will be relocated to the other counties near the mining activities of the shippers. The supporting shippers have active mines presently located in the counties of Armstrong, Indiana, Venango, Butler and Lawrence. Shipments are made from these mines to the cleaning plants and the blending facilities and also from the mines directly to customers in Pennsylvania. In addition, shipments are made from the cleaning plants and blending facilities to customers in Pennsylvania. Furthermore, the supporting shippers purchase coal from other coal companies and ship that coal to customers in Pennsylvania. Some of the shippers from whom coal has recently been purchased include Altmire Coal in Armstrong County; D.W.L. Coal in Mercer and Butler Counties; T.D.K. Coal in Clarion County; and Reddinger Coal in Armstrong County. The supporting shippers expect to open new mines and purchase coal from other coal companies throughout western Pennsylvania in the future, which is why statewide authority has been requested. The supporting shippers have had shipments to such points in Pennsylvania as Pittsburgh, New Castle, Ford City, West Pittsburg (Lawrence County), Warren, Homer City, Shelocta, New Florence, Reesdale, Wampum, Shawville, Dilltown, Irvine, Mercer, Rouseville, Erie and Grove City. Basically, any state facility and/or power plant is a potential shipping point. The limestone, sand and gravel is used for building roads and road maintenance in the areas of the mines set forth above.

6. Type of Service Required.

The supporting shippers require scheduled pickup and delivery service and also expedited service on occasion. Service is required six (6) days per week (every day but Sunday). The supporting shippers require the services of a carrier that is dependable and they know can be relied upon. This is why the supporting shippers are supporting this application.

7. Similar Applications Supported.

Each of the supporting shippers previously supported an application of Adobe International, Inc. which, like the supporting shippers, is also a subsidiary of AOI Coal Company. Adobe International, Inc. has leased equipment from numerous individuals, including the applicant, to provide service pursuant to its PUC authority. Adobe International, Inc. has decided to cease its trucking operations and the supporting shippers, in order to maintain continuity of service, have agreed to support each of the parties presently leased to Adobe International, Inc. The parties, including the applicant, who have filed applications to serve the supporting shippers are set forth on Appendix 1 attached hereto.

8. Any Other Information Deemed Pertinent.

As indicated above, the supporting shippers utilize the services of all of the parties set forth on Appendix 1 attached hereto pursuant to leases between those parties and Adobe International, Inc. A business decision has been made by Adobe

International, Inc. to eliminate its trucking operations and it is therefore necessary for each of the parties set forth on Appendix 1 to secure his/her own operating authority from the PUC. The supporting shippers expect to continue utilizing each of the parties set forth on Appendix 1 to the same extent as they have been utilized pursuant to equipment leases with Adobe International, Inc. The only difference will be that these parties will be providing service under their own rights rather than under the rights of Adobe International, Inc.

APPENDIX 1

John H. McDowell  
Floyd C. Matthews  
Richard D. Christie  
John H. Brown  
W. E. Wike  
Clifford H. Kuhn  
Dewayne R. George  
Ralph E. Williamson  
Edward G. Dillick  
J. Wade Hinderliter  
Stanley D. Moore  
Dennis W. Reefer  
James T. Adams  
Loyal R. Weaver  
Marcella Miller  
R. Michael McIntyre  
David J. Kellogg  
Paul E. Pierce  
Raymond E. Pierce  
Gaylord L. Matthews  
McCleary Christie Trucking  
Clark Enterprises

VERIFICATION OF STATEMENT

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

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

Dated: October 2, 1991

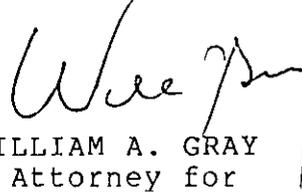
*Gregory E. Hindle*  
(signature)

Gregory E. Hindle  
(print name)

IV. CONCLUSION

For all of the reasons submitted in support of the application, Floyd C. Matthews d/b/a F. C. Matthews Trucking respectfully requests that the Commission grant the application in its entirety.

Respectfully submitted,



WILLIAM A. GRAY  
Attorney for  
FLOYD C. MATTHEWS d/b/a  
F. C. MATTHEWS TRUCKING  
Applicant

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



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

October 17, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

WILLIAM A GRAY  
ATTORNEY AT LAW  
2310 GRANT BUILDING  
PITTSBURGH PA 15219-2383

In re: ~~A-00109798, Floyd C. Matthews, t/d/b/a F.C. Matthews Trucking~~  
A-00080639, F. 1, Am-F, Raymond E. Pierce  
A-00082158, F. 1, Am-O, John H. Brown

Dear Mr. Gray:

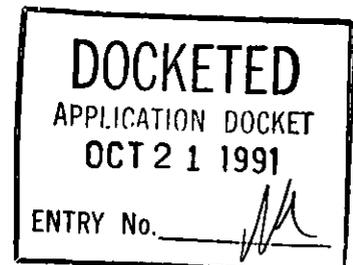
We have received the verified statements filed in the above referenced proceeding.

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

Very truly yours,

By Tim Zeigler  
For Peter S. Marzolf, Supervisor  
Technical Review Section  
Bureau of Transportation

TZ:kmb





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

December 5, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

WILLIAM A GRAY  
ATTORNEY AT LAW  
2310 GRANT BUILDING  
PITTSBURGH PA 15219

In re: Applications filed by carriers to provide service for Adobe Mining Co., Adobe Coal Co., Coal Associates, Inc., Darmac Coal, Inc., Darmac Associates Corporation, Kittanning Coal Company, Inc., and Atwell Coal Company between points in Pennsylvania.

Dear Mr. Gray:

I am reviewing the verified statements submitted by the applicants listed on the attachment to this letter; all of whom are requesting authority to provide service for six named coal companies between points in Pennsylvania. Mr. White of this office wrote to you November 22, 1991, indicating that his review of the verified statement in support of the application of Paul E. Pierce for the same right did not support a grant of authority between points in Pennsylvania, but rather leaned toward a duplication of the rights held by Adobe International, Inc., a carrier now providing service for the six coal shippers and the service to be substituted by the several carriers.

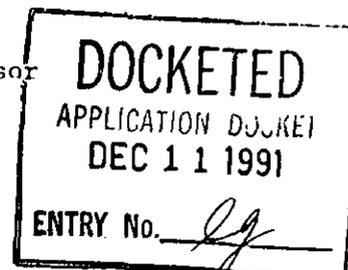
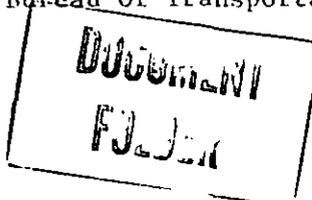
My review of the 16 verified statements submitted leads me to the same conclusion. As did Mr. White, I will extend additional time for the filing of additional support should the applicants desire to pursue the application for authority which would permit service between all points in Pennsylvania. In the alternative, you might wish to have the applications reviewed with the information now on hand which supports a grant of authority between points in Pennsylvania on and west of U.S. Highway Route 15. A grant of such authority would duplicate the authority held by Adobe International, Inc. and appears to meet the stated needs of the six companies. Please contact us in writing by December 19, 1991 providing either additional verified statements or instructions to proceed with our review.

If you have any questions concerning our requirements in this matter, I urge you to telephone me direct at (717) 783-5946.

Very truly yours,

For Tim Zeigler  
Peter S. Marzolf, Supervisor  
Technical Review Section  
Bureau of Transportation

TZ:rs



ATTACHMENT

Floyd C. Matthews	A-00109798
Richard D. Christie	A-00106591, F. 1, Am-B
John H. Brown	A-00082158, F. 1, Am-O
W. E. Wike	A-00100484, F. 1, Am-B
Clifford H. Kuhn	A-00109284, F. 1, Am-A
Dewayne R. George	A-00103200, F. 1, Am-A
Ralph E. Williamson	A-00089133, F. 1, Am-E
Edward G. Dilick	A-00109846
J. Wade Hinderliter	A-00100632, F. 1, Am-A
Stanley D. Moore	A-00100160, F. 1, Am-A
Dennis W. Reefer	A-00107684, F. 1, Am-A
James T. Adams	A-00100844, F. 1, Am-C
R. Michael McIntyre	A-00109857
David J. Kellogg	A-00098692, F. 1, Am-B
Raymond E. Pierce	A-00080639, F. 1, Am-F
Gaylord L. Matthews	A-00109841

LAW OFFICES

**VUONO, LAVELLE & GRAY**

2310 GRANT BUILDING

PITTSBURGH, PA. 15219-2383

(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

TELECOPIER  
(412) 471-4477

December 9, 1991

\* ALSO MEMBER OF FLORIDA BAR

Re: Applications filed by carriers to provide  
service for Adobe Mining Co., et al.

BY TELECOPIER  
# 717-787-5961  
HARD COPY TO FOLLOW

Mr. Tim Zeigler,  
Technical Review Section  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Dear Mr. Zeigler:

We hereby acknowledge receipt of your letter dated December 5, 1991 concerning the applications set forth on the attachment to this letter. We do not dispute the statements set forth in your letter and we would have no objection to the applications being limited to service for the six named shippers between points in Pennsylvania lying on and west of U. S. Highway Route 15.

We hereby advise you that we do not desire to submit any additional evidence in these proceedings. The shippers have indicated to me that they need to have the service of the applicants available, if at all possible, by January 1, 1992. Therefore, we request that you submit these applications to the Commission at the earliest opportunity.

Very truly yours,

VUONO, LAVELLE & GRAY

*William A. Gray*  
William A. Gray

iv DOCUMENT  
Enclosure  
FOLDER

DOCKETED  
APPLICATION DOCKET  
DEC 11 1991  
ENTRY No. *lg*

DEC 11 1991  
Pa. P.U.C.  
Bureau of Transportation

ATTACHMENT

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