

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

19

1. REPORT DATE: August 13, 1996	2. BUREAU AGENDA NO.: SEP-96-TS-MC-254*
3. BUREAU: Transportation and Safety	JAF
4. SECTION(S): Application Review	5. PUBLIC MEETING DATE: September 5, 1996
6. APPROVED BY: Director: Nicely 3-3846 <i>W</i> Supervisor: Marzolf 3-5945	DOCKETED SEP 12 1996
7. PERSONS IN CHARGE: Zeigler 3-5946	
8. DOCKET NO.: A-00112055, F. 2	

9. (a) CAPTION (abbreviate if more than 4 lines)
(b) Short summary of history & facts, documents & briefs
(c) Recommendation

(a) Application of David M. Krmpotich, Inc., a Pennsylvania Corporation, Philadelphia, for the additional right to transport, as a common carrier, household goods in use, between points in the counties of Bucks, Chester, Delaware, Montgomery and the city and county of Philadelphia, and from points in the said counties and city, to points in Pennsylvania, and vice versa.

(b) The application was opposed by one carrier which latter withdrew upon the applicant's restrictive amendment which eliminated service to or from Centre County and within 12 miles of State College; and prohibited service for specific shippers in Mifflin County. The applicant has the equipment, experience and fitness to provide the additional service. Approval of the now unopposed application, as amended, is an accommodation and convenience to the public.

(c) The Bureau of Transportation and Safety recommends the Commission adopt the proposed order approving the application, as amended.

10. MOTION BY:	Commissioner Chm. Quain	Commissioner Hanger - Yes
		Commissioner Rolka - Yes
SECONDED:	Commissioner Crutchfield	Commissioner Bloom - Yes

CONTENT OF MOTION: Staff recommendation adopted.



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

SEPTEMBER 10, 1996

IN REPLY PLEASE
REFER TO OUR FILE

A-00112055, F.2

ADRIAN R KING JR
1800 J F K BOULEVARD
PHILADELPHIA PA 19103-7480

JAF

APPLICATION of DAVID M. KRMPOTICH, INC.,
a CORPORATION of the COMMONWEALTH of PENNSYLVANIA

Enclosed is the compliance order issued by the Commission in this proceeding.

The Certificate of Public Convenience evidencing the Commission's approval of the right to operate will not be issued until the applicant has prepared and filed a tariff, instructions for which are enclosed.

No motor carrier shall operate or engage in any transportation until compliance with the above requirement and a certificate of public convenience has been issued authorizing actual operations. Motor carriers operating without complying with the above requirement will be subject to the penalty provisions of the Public Utility Code.

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within sixty (60) day period will cause the Commission to rescind the action of September 5, 1996, and dismiss the application without further proceeding.

Very truly yours,

John G. Alford, Secretary

DOCKETED
SEP 11 1996

smk
encls.
cert.mail
receipt requested:
Tariff Contact: (717) 787-5945
DAVID M KRMPOTICH INC
3352 WIEHLE STREET
PHILADELPHIA PA 19129

**DOCUMENT
FOLDER**

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held September 5, 1996

Commissioners Present:

John M. Quain, Chairman
Lisa Crutchfield, Vice Chairman
John Hanger
David W. Rolka
Robert K. Bloom

Application of David M. Krmpotich, Inc.,
a Pennsylvania Corporation, for the
additional right to transport, as a
common carrier, by motor vehicle, house-
hold goods in use, between points in the
counties of Philadelphia, Bucks, Delaware,
Montgomery and Chester, and from points in
said counties, to points in Pennsylvania,
and vice versa.

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F. 2

Adrian R. King, Jr., for the applicant.
David M. Kleppinger for Hoy Transfer, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission upon an application filed June 29, 1995. Public notice of the application was given in the Pennsylvania Bulletin of August 26, 1995. A protest filed by Hoy Transfer, Inc., was later withdrawn predicated upon our acceptance of a restrictive amendment which excludes service (1) from or to points in the county of Centre and those points in other counties lying within an airline distance of twelve (12) statute miles of the limits of the borough of State College, Centre County; and (2) service for Avtex Fibers Lewistown, Inc., Lewistown Hospital, Geisinger Medical Group, and the Central Pennsylvania Conference of the United Methodist Church, from or to points in the county of Mifflin.

The now unopposed application, as amended, is certified to the Commission for its decision without oral hearing. The record consists of a verified statement entered by David M. Krmpotich,

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president of the applicant, and verified statements from 115 supporting parties.

DISCUSSION AND FINDINGS:

David M. Krmpotich, Inc., is currently certificated as a common carrier to transport property, with the exception of household goods in use, between points in Pennsylvania. The applicant operates from facilities at 3352 Wiehle Street, in the city and county of Philadelphia. One sixteen foot straight truck will be used to provide service. The truck will be maintained by an outside garage under contract. The vehicle is routinely safety inspected and maintained. In the course of providing property transportation, the applicant has maintained a high standard, operating a safe and violation free service.

As evidence of its financial capacity to provide the additional service, David M. Krmpotich, Inc., entered a balance sheet and income statement dated December 31, 1995, reporting total assets of \$30,197.00 with total liabilities of \$17,074.00. The applicant reports gross revenue of \$41,845.00 for calendar year 1995. As a currently certificated carrier, there is a presumption of fitness.

The supporting statements entered are representative of the five counties requested by the applicant. Thirteen statements were submitted by residents of Bucks County, 20 from Chester County, 25 from Delaware County, 24 from Montgomery County and 33 from the city and county of Philadelphia. Each of the statements contain points of origin and destination for the movement of household goods in use within the application territory, as amended.

We Find:

1. The applicant has the experience, equipment and financial capacity to provide the proposed service, as amended.

2. The applicant has provided statements of support for the amended service which are representative of the five counties to be served.

3. Approval of the unopposed 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 granting the following right:

To transport, as a Class D. carrier, household goods in use, between points in the counties of Bucks, Delaware, Chester and Montgomery and the city and

county of Philadelphia, and from points in the said counties and city to points in Pennsylvania, and vice versa;

subject to the following conditions:

That no right, power or privilege is granted to perform service from or to points in the county of Centre and those points in other counties lying within twelve (12) miles of the limits of the borough of State College, Centre County.

That no right, power or privilege is granted to perform service for Avtex Fibers Lewistown, Inc., Lewistown Hospital, Geisinger Medical Group, and the Central Pennsylvania Conference of the United Methodist Church, to or from points in the county of Mifflin.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted in this order until the following is submitted to the Commission:

1. A tariff establishing just and reasonable rates.

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

IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held or subsequently granted to the carrier shall be construed as 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 entry of the order, complied with the requirements herein before set forth, the application shall be dismissed without further proceeding.

BY THE COMMISSION,



John G. Alford
Secretary

ORDER ADOPTED: September 5, 1996

ORDER ENTERED: SEP 10 1996

EXTENSION OF TIME FOR COMPLIANCE ORDERS

ADRIAN R KING JR
1800 J F K BOULEVARD
PHILADELPHIA PA 19103-7480

JAF
DOCKET NUMBER-
A-00112055, F. 2

Caption DAVID M KRMPOTICH, INC

Commission Order Adopted: September 5, 1996
Extension of time until: December 15, 1996
Reason for Extension: Needs more time
Outstanding Requirements: Tariff
Requested By: Ken Sattaloff

DAVID M KRMPOTICH INC
3352 WIEHLE STREET
PHILADELPHIA PA 19129

Approval given by:

DOCKETED
NOV 16 1996

**DOCUMENT
FOLDER**

Elzalena M. Ditzler

Elzalena M. Ditzler
PUC- Service Section
(717) 787-3366