



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

July 28, 1993

IN REPLY PLEASE
REFER TO OUR FILE

A-00109220
Folder 1, Am-A

PETER J LOFTUS ESQUIRE
SUITE #24 BANK TOWERS
321 SPRUCE STREET PO BOX. 900
SCRANTON PA 18501

DOCUMENT
FOLDER

Application of BRADWAY TRUCKING, INC., a corporation of the State
of New Jersey

Dear Sir:

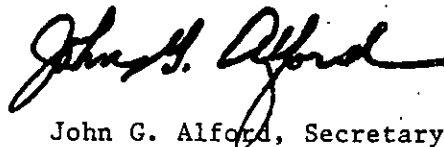
Enclosed is the compliance order issued by the Commission
in this proceeding.

The application will not be permitted to operate or engage
in any transportation granted by the enclosed order until a tariff
has been prepared and filed in accordance with the enclosed instructions.

Motor carriers operating without complying with the above
requirement will be subject to the penalty provisions of the
Public Utility Commission.

Commission regulations require compliance with the above requirements
within sixty (60) days of the date of this letter. Failure to comply
within the sixty (60) day period will cause the Commission to rescind
the action of July 22, 1993 and dismiss the application without
further proceeding.

Very truly yours,


John G. Alford, Secretary

DISKETTED
AUG 18 1993

smk
Encls.
Cert. Mail
Receipt Requested
Tariff Contact Person: Joseph Machulsky (717) 787-5521

cc: applicant
MORTON AVENUE PO BOX 385
ROSENHAYN NJ 08352

MODIFICATION

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held July 22, 1993

Commissioners Present:

David W. Rolka, Chairman
Joseph Rhodes, Jr., Vice-Chairman
John M. Quain
Lisa Crutchfield
John Hanger

DOCUMENT
FOLDER

Application of Bradway Trucking, Inc.,
a corporation of the State of New Jersey,
for amendment to its contract carrier permit,
for the right to transport, by motor vehicle,
food and related products, and equipment,
materials and supplies used in the production
and distribution thereof, for Delco Products
Corp., t/d/b/a Eagle Products, from its
facilities located in the township of Chester,
Delaware County, to points in Pennsylvania, and
vice versa.

A-00109220
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Am-A

DOCKETED
AUG 18 1993

James P. Sherry for the applicant.
Peter G. Loftus for the applicant, Seaboard Tank Lines, Inc.

O R D E R

BY THE COMMISSION:

This application was filed March 24, 1993, public notice of the application was given in the Pennsylvania Bulletin of April 24, 1993. There was one protest which was withdrawn upon restrictive amendment eliminating the transportation of petroleum, petroleum products and dry litharge. The record, which consists of a statement entered by the applicant and the shipper is now certified to the Commission for its decision without oral hearing.

The applicant, Bradway Trucking, Inc. (Bradway) is a New Jersey corporation domiciled at Morton Avenue, Rosenhayn, NJ. Melvin R. Bradway, president, submitted a statement supporting the application.

Bradway has two facilities in Rosenhayn, NJ. The primary facility is located on Morton Avenue and consists of a headquarters building, garage and maintenance shop, fuel pumps and an equipment yard. The other facility is a 14

acre trailer parking lot. At the headquarters location there are nine office employees including the president, 7 mechanics in the garage and 45 drivers. In addition to the New Jersey locations, Bradway has a three acre facility located in Parkesburg, PA used as a trailer yard. One employee is stationed at this location. The information support system is computerized and an incoming 800 line is available to the shipping public.

Applicant leases and operates fifty-seven (57) tractors and two hundred fifty-two (252) trailers. Applicant has an active preventive maintenance program. All equipment is inspected daily and defects are immediately repaired. Drivers are screened and receive constant safety training. Applicant includes by reference its most current annual report on file with this Commission as proof of financial ability.

A bilateral contract submitted with the application meets the criteria as found at 52 Pa. Code §31.45, and places specific obligations on the carrier and shipper. The contract also states a specific number of series of shipments during a specified period of time.

A review of the record before us leads to the determination that there is sufficient evidence to warrant the grant of temporary authority to operate as a contract carrier by motor vehicle.

We find:

1. That the applicant has the equipment and financial fitness necessary to provide the proposed service.
2. That the applicant is fit, ready and willing to provide the requested service.
3. That the approval of the application is consistent with the public interest and will not interfere with the safety and regulation of common carriers; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved and that the permit issued to the applicant on October 15, 1990, be amended to include the following right:

To transport, as a contract carrier by motor vehicle, food and related products, and equipment, materials and supplies used in the production and distribution thereof, for Delco Products Corp., t/d/b/a Eagle Products, from its facilities located in the township of Chester, Delaware County, to points in Pennsylvania, and vice versa.

subject to the following condition:

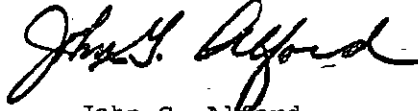
That no right, power or privilege is granted to transport petroleum and petroleum products in bulk or dry litharge in bulk.

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 of a schedule of minimum rates and charges in accordance with 66 Pa. C.S. §2502.

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,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: July 22, 1993

ORDER ENTERED: JUL 28 1993