## PENNSYLVANIA PUBLIC UTILITY MISSION Uniform Cover and Calendar Sheet

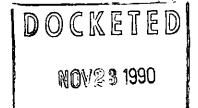
REPORT DATE: 2. BUREAU AGENDA NO. September 26, 1990 BUREAU: OCT-90-L-125\* Law 5. PUBLIC MEETING DATE: SECTION(S): Motor Carrier October 18, 1990 APPROVED BY: Director: Povilaitis House 14.1×4/3-3713 Supervisor: MONITOR: PERSON IN CHARGE: 3-3713 Rhonda L. Daviston: DOCKET NO: A-00109226

- 10. (a) CAPTION (abbreviate if more than 4 lines)
  - (b) Short summary of history & facts, documents & briefs
  - (c) Recommendation
- (a) Gabler Trucking, Inc., Delaware, Exceptions to Commission's Tentative Decision on Emergency Temporary Authority.
- (b) On March 8, 1990, Gabler Trucking, Inc. (Gabler) filed an application for emergency temporary authority (ETA), to operate the rights under the certificate issued to H.C. Gabler, Inc. (H.C. Gabler), at A-00083975. Gabler also filed corresponding applications for temporary authority and permanent authority. By a Tentative Decision adopted April 5, 1990, and entered April 11, 1990, we denied Gabler's application for ETA. From our decision, Gabler filed exceptions on April 20, 1990, which are the subject of this Order.
- (c) The Law Bureau recommends that the exceptions of Gabler Trucking, Inc., on April 20, 1990 at Docket No. A-00109226 be dismissed as moot.

11. MOTION BY: Commissioner Chm. Smith Commissioner Fischl - Yes Commissioner Rolka - Yes

SECONDED: Commissioner Rhodes Commissioner

CONTENT OF MOTION: Staff recommendation adopted.



A-00109226

David H. Radcliff, Esquire Christian V. Graf, Esquire Graf, Andrews & Radcliff 407 North Front Street Harrisburg, PA 17101



Application of Gabler Trucking, Inc.; a corporation of the State of Delaware; Exceptions to Commission's Tentative Decision on Emergency Temporary Authority.

To Whom It May Concern:

This is to advise you that an Order has been adopted by the Commission in public meeting held October 18, 1990.

A copy of Order has been enclosed for your records.

Very truly yours,

Jerry Rich, Secretary

fao Encls. Certified Mail

Similar letter to: Gabler Trucking, Inc. 1580 Gabler Road

Chambersburg, PA 17201

## PENNSYLVANIA PUBLIC UTILITY COMMISSION Harrisburg, PA 17120

Public Meeting held October 18, 1990

## Commissioners Present:

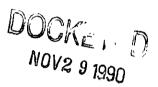
William H. Smith, Chairman Frank Fischl David W. Rolka Joseph Rhodes, Jr.

Application of Gabler Trucking, Inc.; a corporation of the State of Delaware; Exceptions to Commission's Tentative Decision on Emergency Temporary Authority.

David H. Radcliff, for the Applicant.



Docket No. A-00109226



ORDER

## BY THE COMMISSION:

On March 8, 1990, Gabler Trucking, Inc. (Gabler), filed an application for emergency temporary authority (ETA), to operate the rights under the certificate issued to H.C. Gabler, Inc. (H.C. Gabler), at A-00083975. Gabler also filed corresponding applications for temporary authority and permanent authority. See 52 Pa. Code §§ 3.383 - 3.385 (regulations for ETA and TA applications).

By a Tentative Decision adopted April 5, 1990, and entered April 11, 1990, we denied Gabler's application for ETA. From our decision, Gabler filed exceptions which are the subject of this Order. After Gabler's exceptions were filed, we approved Gabler's application for permanent authority in the nature of a transfer of all of the operating rights of H.C. Gabler, Inc.

Since Gabler's application for permanent authority has been granted, Gabler's application for ETA and the exceptions filed in regard thereto, have become moot. By way of closing Gabler's ETA application file at A-00109226, we take the following action. We hereby dismiss Gabler's exceptions to our Tentative Decision of April 11, 1990, because the underlying application for ETA has been rendered moot; THEREFORE,

IT IS ORDERED: That the exceptions of Gabler Trucking, Inc., to the Commission's Tentative Decision at Docket No. A-00109226, are hereby dismissed as moot.

BY THE COMMISSION,

Jerry Rich Secretary

(SEAL)

ORDER ADOPTED: October 18, 1990

ORDER ENTERED: OCT 2 3 1990