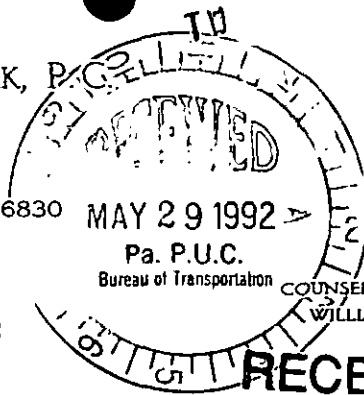


KRINER, KOERBER & KIRK, P.A.
ATTORNEYS-AT-LAW
110 NORTH SECOND STREET
P. O. BOX 1320
CLEARFIELD, PENNSYLVANIA 16830

TELEPHONE (814) 765-9611
FAX (814) 765-9503

May 27, 1992



WILLIAM C. KRINER
DWIGHT L. KOERBER, JR.
ALAN F. KIRK

John G. Alford, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

MAY 28 1992
SECRETARY'S OFFICE
Public Utility Commission

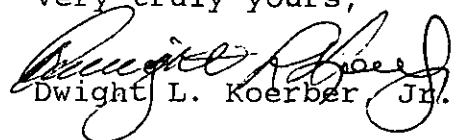
RE: GABLER TRUCKING, INC.
Docket No. A-109226, F.1, Am-D

Dear Mr. Alford:

I am transmitting herewith the original and one copy of the Protest of North & South Lines, Incorporated, in opposition to the above application. As shown, a copy has been served upon applicant's representative.

I am enclosing an additional copy of this letter of transmittal, and would ask that you affix onto this letter the date upon which the subject Protest is received, and then return the letter to me. A self-addressed, stamped envelope has been enclosed for that purpose.

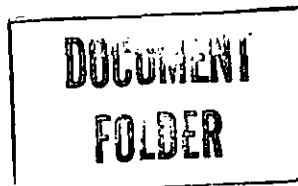
Very truly yours,


Dwight L. Koerber Jr.

cc: North & South Lines, Inc.
David H. Radcliff, Esquire

Enclosures: Protest
1 copy
Copy of letter
Envelope

DLK/kam



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

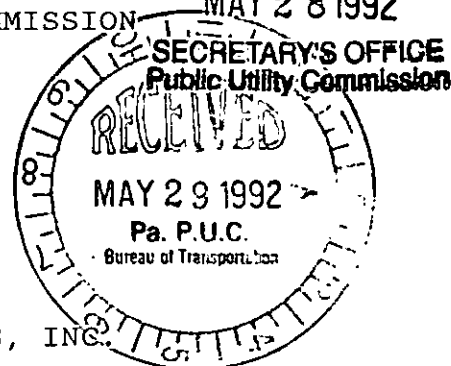
MAY 28 1992

SECRETARY'S OFFICE
Public Utility Commission

GABLER TRUCKING, INC.

A-109226, F.1, Am-D

PROTEST OF NORTH & SOUTH LINES, INC.



COMES NOW, North & South Lines, Inc., a motor common carrier holding operating authority from the Pennsylvania Public Utility Commission, and files this, its Protest to the above application. A copy of the publication of that application is attached hereto as Appendix A.

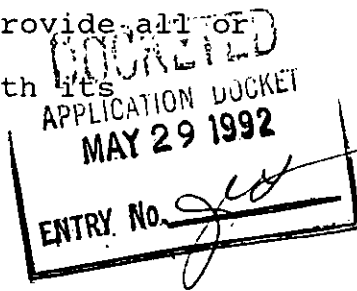
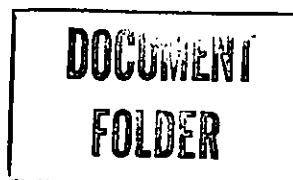
1. The name and address of Protestant are as follows:

North & South Lines, Inc.
P. O. Box 49
2710 South Main Street
Harrisonburg, VA 22801

2. The name, address and telephone number of Protestant's attorney are as follows:

Dwight L. Koerber, Jr., Esquire
KRINER, KOERBER AND KIRK
110 North Second Street
P. O. Box 1320
Clearfield, PA 16830
(814) 765-9611

3. Protestant is ready, willing and able to provide all or part of the services proposed herein, consistent with its operating authority and equipment.



4. Protestant holds direct authority to serve the shipper involved herein, Pet, Inc. Attached hereto as Appendix B is a copy of Protestant's pertinent authority, all of which is asserted.

5. It is Protestant's position that granting this application would be contrary to the public interest, as it would have an adverse impact upon the operations of Protestant by depriving it of traffic necessary to Protestant's operations.

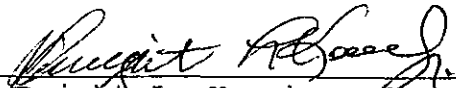
6. Protestant knows of no restrictive amendment at this time that would satisfy its interest.

7. Protestant requests, pursuant to Section 333(c) of the Public Utility Code, that applicant furnish it with the names of supporting shippers and a summary of their testimony.

WHEREFORE, Protestant prays that the present application be denied

Respectfully submitted,

KRINER, KOERBER AND KIRK


By: 
Dwight L. Koerber, Jr.
Attorney for Protestant
NORTH & SOUTH LINES, INC.

DATE: May 27, 1992

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of May, 1992, I have served a copy of the foregoing Protest upon applicant's representative, by U. S. First Class Mail, at the following name and address:

David H. Radcliff, Esquire
407 North Front Street
Harrisburg, PA 17101


Dwight L. Koerber, Jr.

APPENDIX A

Attached hereto is a copy of the publication of the application of Gabler Trucking, Inc., in Docket No. A-109226, F.1, Am-D, as it appeared in the Pennsylvania Bulletin on May 9, 1992.

tion of the Commonwealth of Pennsylvania, *inter alia*—scrap metal, in bulk in dump vehicles, for Azcon Scrap Corporation, from its facilities in the city of Sharon, Mercer County, to points in the counties of Allegheny, Beaver, Washington and Westmoreland; so as to permit the transportation of scrap metal, for David Joseph Company, between points in Erie County, and from points in said county, to points in Pennsylvania on and west of U. S. Route 219. *Attorney:* John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, Pa. 15222.

A-00108419, Folder 2, Am-B. Erie Transportation Services, Inc., t/d/b/a Erie Yellow Cab (1619 State Street, Erie, Erie County, Pa. 16501), a corporation of the Commonwealth of Pennsylvania—light parcels and baggage between points in the city of Erie, Erie County, and within 6 miles by the usually traveled highways of the limits of said city; so as to permit the transportation of light parcels and baggage between points in the county of Erie. *Attorney:* Kenneth Zielonis, 116 Pine Street, Suite 403, Harrisburg, Pa. 17101.

A-00109226, Folder 1, Am-D. Gabler Trucking, Inc. (1580 Gabler Road, Chambersburg, Franklin County, Pa. 17201), a corporation of the State of Delaware, *inter alia*—fresh fruit for the Knouse Corporation of the same nature and in the same manner as for Musselman Fruit Products Division of Pet, Inc. to its cannery at Peach Glen, Adams County; so as to permit frozen foodstuffs for Pet, Inc. in vehicles equipped with mechanical refrigeration, between points in Pennsylvania. *Attorney:* David H. Radcliff, 407 North Front Street, Harrisburg, Pa. 17101.

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 property by transfer of rights as described under each application.

A-00110180. Terry L. Park (Main Street, P. O. Box 13, Clarence, Centre County, Pa. 16829)—(1) coal, clay, fill, top soil, clay products, brick, wood, lime, stone and building materials, in bulk in dump trucks, between points in the counties of Centre and Clearfield, provided no haul shall exceed a distance of 25 miles from point of origin to point of destination; with right no. 1 subject to the following condition: that no right, power or privilege is granted to render any service to or from the General Refractories Company plant at Orviston, Centre County; (2) ammonium nitrate, from the Philipsburg facilities of Gulf Oil Company located in the township of Decatur, Clearfield County and the township of Rush, Centre County, to points in Pennsylvania; with right no. 2 subject to the following condition: that no right, power or privilege is granted to provide transportation to the city and county of Philadelphia; to transport liquid commodities in bulk in tank vehicles; or to transport ammonium nitrate in containers; and (3) bituminous coal from stripping operations and tipples of the Cherry Run Coal Mining Company in the townships of Snow Shoe and Burnside, Centre County, to the plant of the West Penn Power Company in the borough of Milesburg, Centre County; which is to be a transfer of the rights authorized under the certificate issued at A-00094350, Folders 1 and 2 to Don R. Johnson and William J. Morgan, copartners, t/d/b/a Johnson and Morgan, Contractors, subject to the same limitations and conditions. *Attorney:* Tracey G. Benson, 124 North Allegheny Street, Bellefonte, Pa. 16823.

A-00110182. Bribar, Inc. (Route 51, New Brighton, Beaver County, Pa. 15066), a corporation of the Commonwealth of Pennsylvania—building materials, excluding

new brick, in bulk in dump trucks, coal, coke, disco, other solid fuels, and fertilizer between points in the borough of Coraopolis, Allegheny County, and within 25 airline miles of the limits of said borough, provided no haul shall exceed a distance of 25 miles from point of origin to point of destination; which is to be a transfer of the right authorized under the certificate issued at A-00075376 to Anthony Billotti, subject to the same limitations and conditions. *Attorney:* John A. Pillar, Suite 700, 312 Boulevard of the Allies, Pittsburgh, Pa. 15222.

A-00110183. Pikes Creek Sand & Stone, Inc. (P. O. Box 330, Sweet Valley, Luzerne County, Pa. 18656-0330), a corporation of the Commonwealth of Pennsylvania—sand, gravel, stone and topsoil; in bulk, in dump trucks, between points in the counties of Pike, Wayne, Susquehanna, Wyoming, Lackawanna and Luzerne; which is to be a transfer of the rights authorized under the certificate issued at A-00096876 to Gerald Naugle, subject to the same limitations and conditions. *Attorney:* Jonathan A. Spohrer, United Penn Bank Building, Wilkes-Barre, Pa. 18701.

A-00110184. Deeter Farms Construction, Inc. (R. D. 1, Cooperstown, Venango County, Pa. 16317), a corporation of the Commonwealth of Pennsylvania—(1) limestone, asphalt, slag, sand and gravel, in bulk in dump trucks, between points in the counties of Clarion, Armstrong, Butler, Venango, Warren, Mercer, Crawford, Indiana, Forest and Elk, provided no haul shall exceed a distance of 25 miles from point of origin to point of destination; (2) coal from mines or stripping operations in the counties of Clarion, Armstrong, Butler, Venango, Warren, Mercer, Crawford, Indiana, Forest and Elk, to tipples, railroad sidings or consumers in the said counties, provided no haul shall exceed a distance of 25 miles from point of origin to point of destination; (3) coal in dump vehicles, between points in the county of Clarion and from points in the said county to points in the counties of Venango, Crawford, Erie, Warren and Forest; (4) sand and gravel, in dump vehicles, from points in the borough of Tionesta, Forest County, and the city of Oil City and the township of Sugar creek, Venango County, to points in the counties of Venango, Crawford, Warren, Clarion, Forest, Jefferson, McKean and Elk; (5) limestone, in dump vehicles, between points in the county of Clarion and from points in the said county to points in the counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk; (6) limestone, asphalt, slag, sand, gravel and amesite, in bulk in dump trucks, between points in the counties of Armstrong, Venango, Warren, Crawford, Indiana, Forest, Elk, Clarion, McKean, Erie and Jefferson, no haul to exceed a distance of 100 miles from point of origin to point of destination; (7) salt and calcium, having a prior movement by water, in bulk in dump trucks, between points in the counties of Erie, Crawford and Venango; (8) coal between points in the counties of Clarion and Venango, and from points in said counties to points in the counties of Butler, Crawford, Erie, Forest, Lawrence, Mercer and Warren and vice versa; (9) blacktop, amesite, winter mix and asphalt, in dump trucks, between points in the township of Sugar creek, Venango County, and from points in the said township to points within an airline distance of 75 statute miles of the limits thereof; (10) sand and gravel between points in the counties of Venango and Warren and from points in the said counties to points within an airline distance of 75 statute miles of the limits of the city of Oil City, Venango County; (11) scrap metal between points in the city of Titusville, Crawford County, and from points in the said city to points within

APPENDIX B

Attached hereto is a copy of Protestant's operating authority in A-100095.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE APPLICATION OF

NORTH and SOUTH LINES, INCORPORATED,
a corporation of the State of Virginia

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.

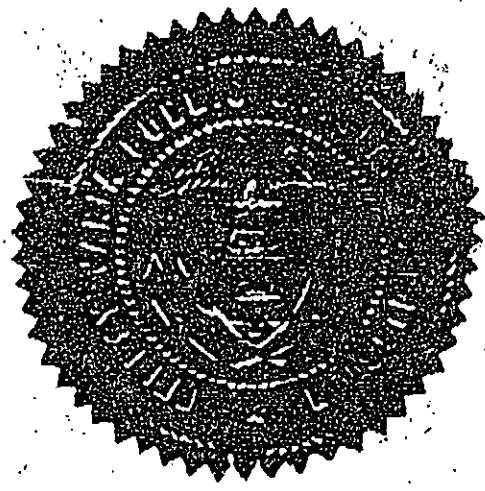
In Testimony Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 14th day of NOVEMBER 19 77

Attest:

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

C. J. McLaughlin

Secretary



PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Public Meeting held July 12, 1977
Harrisburg, PA 17120

Commissioners Present:

Louis J. Carter, Chairman
Robert K. Bloom
Helen B. O'Bannon
Michael Johnson

Application Docket Nos. 100095 and 76270, Fs. 2, 3, 5 and 6 - Application of North and South Lines, Incorporated, a corporation of the State of Virginia at A. 100095 to acquire by transfer all the rights held by T. M. Zimmerman Company at A. 76270, Fs. 2, 3, 5 and 6.

O R D E R

BY THE COMMISSION:

By application docketed December 7, 1976, North and South Lines, Incorporated, a corporation of the State of Virginia seeks to acquire by transfer all the rights granted to T. M. Zimmerman Company under the certificates issued at A. 76270, Fs. 2, 3, 5 and 6.

Having reviewed the proceedings involved herein, we find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary; THEREFORE,

IT IS ORDERED: That the application filed by North and South Lines, Incorporated, a corporation of the State of Virginia at A. 100095 be approved and that a certificate be issued to the applicant granting the following rights:

1. To transport, as a Class D carrier, property between points in the borough of Chambersburg, Franklin County, and within eight (8) miles by the usually traveled highways of the limits of the said borough, provided no right, power or privilege is granted to transport any property, from Chambersburg to Shippensburg, Chambersburg to Greencastle and intermediate points between Chambersburg and Shippensburg and Chambersburg and Greencastle located on the route of Horn's Motor Express, Inc., as certificated to Horn's Motor Express, Inc., on or before January 23, 1934. (Formerly A. 76270, Folder 2)
2. To transport, as a Class D carrier, condensed milk and perishable farm products, including fruit from points in the borough of Chambersburg, Franklin County, and within eight (8) miles by the usually traveled highways of the limits of the said borough, to other points in Pennsylvania, and vice versa. (Formerly A. 76270, Folder 2)

3. To transport, as a Class C carrier, emergency shipments of property from points in the borough of Chambersburg, Franklin County, and within eight (8) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania and vice versa, said emergency shipments to be limited to three per month and to be reported to the Commission at the end of each month and provided further, that no right, power or privilege is granted to transport such emergency shipments between points on the route of Horn's Motor Express, Inc., (Horn's) as certificated on Horn's on or before January 23, 1934; or on the route of Motor Freight Express under rights acquired from Alko Express Lines as certificated to Alko on or before January 23, 1934. (Formerly A. 76270, Folder 2)
4. To transport, as a Class D carrier, property for the Atlantic Refining Company excluding petroleum products in bulk between points in the borough of Chambersburg, Franklin County, and the city of Philadelphia, excluding intermediate points. (Formerly A. 76270, Folder 2)
5. To transport, as a Class D carrier, property for the Lake View Mills between the borough of Chambersburg, Franklin County, and the city of Philadelphia, excluding intermediate points. (Formerly A. 76270, Folder 2)
6. To transport, as a Class D carrier, property for the H. J. Heinz Company between points in the borough of Chambersburg, Franklin County, and the city of Pittsburgh, Allegheny County, excluding intermediate points. (Formerly A. 76270, Folder 2)
7. To transport, as a Class D carrier, property, excluding household goods in use, from points in the borough of Chambersburg, Franklin County, and within eight (8) miles by the usually traveled highways of the limits of the said borough, to points within twenty-five (25) miles by the usually traveled highways of the limits of the said borough, and vice versa. (Formerly A. 76270, Folder 2)
8. To transport, as a Class C carrier, property for the H. J. Heinz Company in the borough of Chambersburg, Franklin County, to points in Pennsylvania. (Formerly A. 76270, Folder 2)
9. To transport, as a Class D carrier, canned goods for Greencastle Packing Company from the borough of Greencastle, Franklin County, to other points in Pennsylvania. (Formerly A. 76270, Folder 2)

the foregoing rights to be subject to the following conditions:

- a. That no right, power or privilege is granted to transport any property except farm products and fruits between points on the line of Horn's Motor Express, Inc., as certificated to Horn's Motor Express, Inc., on or before January 23, 1934, provided that this condition shall apply only to the rights named in Paragraphs 2 and 3.
- b. That no right, power or privilege is granted to transport any property except farm products and fruits, perishable foodstuffs and milk products to points on the scheduled routes of Motor Freight Express under rights acquired from Alko Express Lines as certificated to Alko on or before January 23, 1934, provided that this condition shall apply only to the rights as named in Paragraphs 2 and 3.
- c. That no right, power or privilege is granted to transport dairy products for the Hershey Creamery Company in the borough of Chambersburg, Franklin County, and canned goods from the Knouse Corporation in Chambersburg, provided that this condition shall apply only to the rights in Paragraphs 4, 5, 6 and 7.
- d. That no right, power or privilege is granted to transport any property between points on the routes of Horn's Motor Express, Inc. as certificated to Horn's Motor Express, Inc., on or before March 19, 1940, provided that this condition shall apply only to the rights in Paragraphs 4, 5, 6 and 7.
- e. That no right, power or privilege is granted to transport property in less than truckload shipments except damaged or refused merchandise from points on the routes certificated on or before June 4, 1945 to Horn's Motor Express, Inc., or its connecting carriers to the plant of H. J. Heinz Company in the borough of Chambersburg, Franklin County, provided that this condition shall apply only to the right in Paragraph 8.
- f. That no right, power or privilege is granted to transport between points on the routes of Horn's Motor Express, Inc. as certificated to Horn's on or before January 1, 1939; or on the routes of Motor Freight Express under rights acquired from Alko Express Lines as certificated to Alko on or before January 1, 1939, provided that this condition shall apply only to the right at Paragraph 9.

10. To transport, as a Class D carrier, dressed poultry and eggs for Swift and Company from points in the borough of Chambersburg, Franklin County, and within sixteen (16) miles by the usually traveled highways of the limits of the said borough to points in Pennsylvania, and vice versa. (Formerly A. 76270, Folder 2)
11. To transport, as a Class D carrier, farm and orchard products and supplies between points in the county of Franklin. (Formerly A. 76270, Folder 2)
12. To transport, as a Class D carrier, fresh and canned fruits and vegetables from points in the county of Franklin to points in Pennsylvania. (Formerly A. 76270, Folder 2)
13. To transport, as a Class D carrier, bottled and kegged beer and ale from breweries located in the cities of Reading, Berks County, and Jeannette, Westmoreland County, and railroad terminals in the borough of Waynesboro, Franklin County, to points in said borough, and the return of empty containers. (Formerly A. 76270, Folder 2)
14. To transport, as a Class D carrier, lawfully mined and lawfully prepared anthracite coal from points in the city of Pottsville, Schuylkill County, and within ten (10) miles by the usually traveled highways of the limits of the said city and bituminous coal from points in the counties of Bedford, Huntingdon and Fulton within ten (10) miles by the usually traveled highways of the limits of the village of Robertsdale, Huntingdon County, to points in the borough of Waynesboro, Franklin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, excluding the borough of Greencastle and the villages of Marion and Mason-Dixon, Franklin County. (Formerly A. 76270, Folder 2)
15. To transport, as a Class D carrier, nursery stock from nurseries of the Commonwealth of Pennsylvania located in the townships of Guilford and Quincy, Franklin County, within an airline distance of eight (8) statute miles of the limits of the borough of Chambersburg, and from nurseries of the Commonwealth of Pennsylvania located in the township of Pine, Clearfield County, the township of Potter, Centre County, and the township of Jackson, Huntingdon County, to points in Pennsylvania; and the return of refused or damaged shipments. (Formerly A. 76270, Folder 2)

16. To transport, as a Class D carrier, nursery supplies from points in Pennsylvania to nurseries of the Commonwealth of Pennsylvania located in the townships of Guilford and Quincy, Franklin County, within an airline distance of eight (8) statute miles of the limits of the borough of Chambersburg, and to nurseries of the Commonwealth of Pennsylvania located in the township of Pine, Clearfield County, the township of Potter, Centre County and the township of Jackson, Huntingdon County; and the return of refused or damaged shipments. (Formerly A. 76270, Folder 2)
17. To transport, as a Class D carrier, new household goods, new furniture, new furnishings, new stock and fixtures, new office furniture and equipment and new works of art between points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not including said places. (Formerly A. 76270, Folder 2)
18. To transport, as a Class D carrier, new household goods, new furniture, new furnishings, new stock and fixtures, new works of art from points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not including said places, to other points in Pennsylvania, and vice versa. (Formerly A. 76270, Folder 2)
19. To transport, as a Class D carrier, missiles and missile components, missile materials, missile supplies and missile equipment which make missile systems from Letterkenny Ordnance Depot, Franklin County, to military installations located at other points in Pennsylvania, and vice versa. (Formerly A. 76270, Folder 2)
20. To transport, as a Class D carrier, property for Gaylord Container Corporation, Division of Crown-Zellerbach Corporation, or its customers from its warehouse located in the borough of Chambersburg, Franklin County, to points in Pennsylvania. (Formerly A. 76270, Folder 2)
- with rights number 19 and 20, above, subject to the following condition:
- That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hoppertype vehicles, nor to transport cement in bulk or in bags.
21. To transport, as a Class D carrier, glassware and shipping containers and caps, stoppers and lids for glassware from points in the borough of South Connellsville, Fayette County, to points in Pennsylvania east of Highway Route 219, with the right to transport damaged, refused or rejected shipments on return trips. (Formerly A. 76270, Folder 2)

with all of the above rights to be subject to the following condition:

That no right, power or privilege is granted to transport household goods and office furnishings in use, or household goods, personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals, or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments; and articles, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods.

22. To transport, as a Class D carrier, property sold at retail by Sears, Roebuck and Company, for said company, from the borough of Chambersburg, Franklin County, to customers of said company located within an airline distance of forty (40) statute miles of the limits of said borough, excluding the city of Harrisburg, Dauphin County, with the right to return refused or damaged shipments or merchandise traded in. (Formerly A. 76270, Folder 3)
23. To transport, as a Class D carrier, property in pickup and delivery service for The Consolidated Railroad Corporation between points in the borough of Waynesboro, Franklin County, and from points in the said borough to points within five (5) miles by the usually traveled highways of the limits thereof, and vice versa. (Formerly A. 76270, Folder 5)
24. To transport, as a Class D carrier, property, excluding household goods and office furniture in use, from points in the borough of Waynesboro, Franklin County, and within five (5) miles by the usually traveled highways of the limits of the said borough to points in Pennsylvania, and vice versa. (Formerly A. 76270, Folder 5)

with rights no. 23 and 24 subject to the following condition:

That no right, power or privilege is granted to transport household goods and office furnishings in use, or household goods, personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals, or other establishments; and articles, including objects of art, displays, and exhibits, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods.

25. To transport, as a Class D carrier, foods and foodstuffs requiring the use of controlled mechanically refrigerated equipment, from the borough of Chambersburg, Franklin County, and points within an airline distance of twenty-five (25) statute miles of the limits of said borough to points in Pennsylvania, and vice versa. (Formerly A. 76270, Folder 6)
26. To transport, as a Class D carrier, materials and supplies, used or useful in the manufacture and distribution of foods and foodstuffs, requiring the use of controlled mechanically refrigerated equipment, from points in Pennsylvania, to the borough of Chambersburg, Franklin County. (Formerly A. 76270, Folder 6)
27. To transport, as a Class D carrier, foods and foodstuffs which require refrigeration in transit, between points in the counties of Adams and Franklin and within an airline distance of five (5) statute miles of the limits of said counties, and from points in said territory to points in Pennsylvania, and vice versa. (Formerly A. 76270, Folder 6)
28. To transport, as a Class D carrier, frozen foods from the plant sites, warehouses or storage places of Mrs. Paul's Satchens, Division of E. J. McAlker & Co., Inc., in the city and county of Philadelphia and the borough of Doylestown, Berks County, to points in that part of Pennsylvania on and west of Highway Route 522 from the Pennsylvania-Maryland state line to the borough of Lewistown, Mifflin County; Highway Route 322 from the borough of Lewistown, Mifflin County, to the borough of Clearfield, Clearfield County; Highway Route 153 from the borough of Clearfield, Clearfield County to the village of Penfield, Clearfield County; Highway Route 255 from the village of Penfield, Clearfield County, to a point of Highway Route 219 near the borough of Hohenburg, Elk County; thence on Highway Route 219 from its junction with Highway Route 255 to the Pennsylvania-New York state line, and vice versa. (Formerly A. 76270, Folder 6)
29. To transport, as a Class D carrier, foods and foodstuffs, requiring the use of controlled refrigerated equipment, for the Pet Milk Company, from the plant and cold storage warehouses of the Pet Milk Company in the city of Allentown, Lehigh County, to points in Pennsylvania, and vice versa. (Formerly A. 76270, Folder 6)
30. To transport, as a Class D carrier, food and foodstuffs, requiring the use of controlled refrigerated equipment, and in the same vehicle with said foods and foodstuffs, salt and plastic soda which do not require the use of controlled refrigerated equipment, from points in the borough of West Reading, Berks County, to points in Pennsylvania, and the return of refused, damaged or returned shipments to the point of origin. (Formerly A. 76270, Folder 6)

11. To transport, as a Class D carrier, foods and foodstuffs, requiring the use of controlled refrigerated equipment, from points in the borough of Lake City, Erie County, to points in Pennsylvania, and the return of refused, damaged and returned shipments to the point of origin. (Formerly A. 76270, Folder 6)
12. To transport, as a Class D carrier, food, food preparations and foodstuffs, in vehicles equipped to protect such products from heat or cold, except in bulk in tank vehicles, between the plant site and warehouses of Kraftco Corporation in the township of Upper Macungie, Lehigh County, and the city of Allentown, Lehigh County, and from said territory to points in Pennsylvania, with the right to return refused or rejected shipments to the point of origin. (Formerly A. 76270, Folder 6)
11. To transport, as a Class D carrier, foods and foodstuffs requiring the use of controlled refrigerated equipment, from the plant sites and warehouse facilities of Stouffer Foods, division of Litton Industries, Inc., located in Upper Merion Township, Montgomery County, to points in Pennsylvania, and the return of pallets to the point of origin. (Formerly A. 76270, Folder 6)

with all the above rights 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 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 accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.

That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 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.

IT IS FURTHER ORDERED: That upon compliance with the requirements of the Public Utility Law relating to insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate of public convenience issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty 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 upon compliance with this order the orders granted the transferor T. M. Zimmerman Company at A. 76270, Es. 1, 3, 5 and 6 be canceled and the record be marked closed.

BY THE COMMISSION,

C. J. McElwee
C. J. McElwee
Secretary

(S.L.)

ORDER ADMITTED: July 12, 1977

ORDER ENTERED: JUL 18 1977

Public Meeting held July 12, 1977
Harrisburg, PA 17120

Application Docket No. 76270, Folder 2, - Application of T. M. ZIMMERMAN COMPANY, a corporation of the Commonwealth of Pennsylvania

SUPPLEMENTAL REPORT AND ORDER
CANCELLING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

It appearing that the rights granted to T. M. ZIMMERMAN COMPANY, a corporation of the Commonwealth of Pennsylvania, issued at A. 76270, Folder 2, on November 20, 1950 and the certificate of public convenience issued thereunder, as modified and amended, have been transferred to NORTH and SOUTH LINES, INCORPORATED, a corporation of the State of Virginia, at A. 100095 and are now contained in the certificate of public convenience issued to them, and the matters and things involved having been duly considered by the Commission; THEREFORE,

NOW, to wit, July 12, 1977, IT IS ORDERED: That the report and order issued at A. 76270, Folder 2, on November 20, 1950 and the certificate of public convenience issued thereunder, as modified and amended, be and are hereby cancelled, and all rights, powers and privileges granted thereby shall forthwith cease and terminate.

BY THE COMMISSION,

(SEAL)



C. J. McElwee
Secretary

Order Adopted: July 12, 1977
Order Entered: November 14, 1977

Public Meeting held July 12, 1977
Harrisburg, PA 17120

Application Docket No. 76270, Folder 2, - Application of T. M. ZIMMERMAN
COMPANY, a corporation of the Commonwealth of Pennsylvania

SUPPLEMENTAL REPORT AND ORDER
CANCELLING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

It appearing that the rights granted to T. M. ZIMMERMAN COMPANY, a corporation of the Commonwealth of Pennsylvania, issued at A. 76270, Folder 2, on November 20, 1950 and the certificate of public convenience issued thereunder, as modified and amended, have been transferred to NORTH and SOUTH LINES, INCORPORATED, a corporation of the State of Virginia, at A. 100095 and are now contained in the certificate of public convenience issued to them, and the matters and things involved having been duly considered by the Commission; THEREFORE,

NOW, to wit, July 12, 1977, IT IS ORDERED: That the report and order issued at A. 76270, Folder 2, on November 20, 1950 and the certificate of public convenience issued thereunder, as modified and amended, be and are hereby cancelled, and all rights, powers and privileges granted thereby shall forthwith cease and terminate.

BY THE COMMISSION,



C. J. McElwee
Secretary

(SEAL)

Order Adopted: July 12, 1977
Order Entered: November 14, 1977

W. H. JOHNS, INC. LPW

MOTOR FREIGHT TRANSPORTATION

P.O. Box 660, Mount Joy, PA 17552

717-653-8238

June 8, 1992

RECEIVED

JUN 9 1992

SECRETARYS OFFICE
Public Utility Commission

Penna Public Utility Comm
P. O. Box 3265
Harrisburg, PA 17120

Gentlemen:

RE: Gabler Trucking, Inc
A-00109226
Folder 1, Am-E
Protest W. H. Johns, Inc.

On behalf of W. H. Johns, Inc. I enclose for your consideration a copy of a protest to the above referenced application.

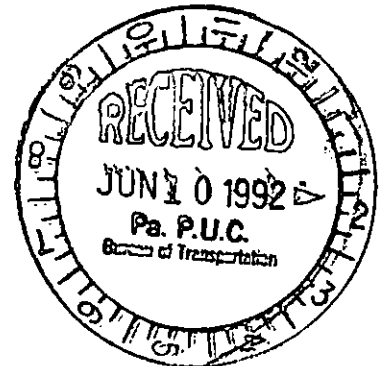
Copies have been mailed to the applicant and his attorney.

Yours truly,

Fred Stier
Fred Stier
Director of Traffic

cc: David H. Radcliff
407 N. Front St.
Harrisburg, PA 17101

cc: Gabler Trucking, Inc.
P. O. Box 1089
Chambersburg
Franklin Coutny, PA 17201



**DOCUMENT
FOLDER**

FILE

LPW

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In. Res: A-00109226, Folder 1,,Am-E Gabler Trucking, Inc.
P. O. Box 1089
Chambersburg,
Franklin County, PA 17201

Attorney: David H. Radcliff
407 North Front Street
Harrisburg, PA 17101

FILE

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

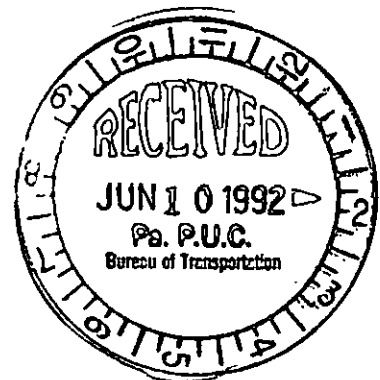
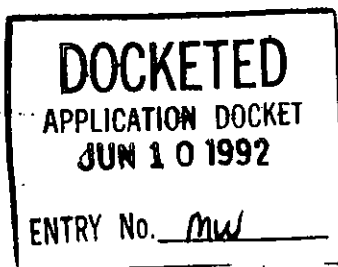
W. H. Johns, Inc.
R. D. # 2, Box 249
Rapho Industrial Park
Manheim, PA 17545
(717) 653-8238.

2. The Protestant possesses authority at A89082 a copy of which is attached as Exhibit A. In view of the broad scope of this application, all of the W. H. Johns, Inc Authority is adversely affected. Protestant performs an adequate and satisfactory service within the scope of its authority.
3. In the 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.

W. H. JOHNS, INC.

Fred Stier
Fred Stier RR
Director of Traffic



Freight Pa. P.U.C. No. 241

Original Page 6

W. H. JONES, INC.

ITEM 650 - OPERATING RIGHTS

The rates, rules and regulations in this tariff or in tariffs governing this tariff are applicable on Pennsylvania intrastate traffic only to the extent of the operating authority set forth below:

IN CERTIFICATE NO. A-00089032 Folder 3, Am-BY

1. To transport, as a Class D carrier, property (except commodities in bulk, household goods in use, commodities which because of size or weight require the use of special equipment and mobile homes) between points in Pennsylvania.

Subject to the following restrictions:

A. Provided that no right, power or privilege is granted to transport any shipment weighing less than ten thousand (10,000) pounds, except where the consignor pays for exclusive use of the vehicle. (SEE NOTE A)

B. Provided that no right, power or privilege is granted to perform transportation:

(1) For Brockway Glass Company, Inc. from points in the counties of Jefferson and Clearfield; for AMP, Inc., from points in the counties of Cumberland, Dauphin, Lancaster, Snyder, York and Perry; for General Electric Corp. from Mercer County to points west of U. S. 219 and for General Electric Corp. from Erie County;

(2) For Hershey Foods Corp. and its subsidiaries (except San Giorgio Macaroni, Inc.) from the township of Derry, Dauphin County, the city of Lebanon and the township of North Cornwall, Lebanon County, and the township of East Hempfield, Lancaster County; for Amax, Inc. from Washington, Allegheny and Lawrence Counties; and for Climax Molybdenum Corp. and Molycorp, Inc. from Washington County;

(3) Of tile, building brick, refractories and iron and steel articles on flatbed trailers.

(4) For Asbury Graphite Mills, Inc. from Bethlehem, Northampton County; for Anthracite Industries, Inc., from Sunbury, Northumberland County; for National Gypsum Co. from Maiden Creek Township, Berks County; for Lumax Industries, Inc. and for Midstate Chemicals from Altoona, Blair County; for New Enterprise Stone and Lime Company, Inc. and for McKesson Chemical Co.;

(5) From points in McKean County; for Owens-Illinois, Inc. from Clarion, Clarion County and Brookville, Jefferson County; for Metal Powders, Inc. from Ridgway, Elk County; for Clarion Warehousing, Inc. from Shippensburg, Clarion County and for Ball Corporation from Washington, Washington County.

NOTE A - Any shipment weighing less than 10,000 pounds moving under the operating authority shown herein must move under the provisions of Exclusive Use of Vehicle.

Abbreviations and reference marks are explained in Item 50,000 of this tariff.

ISSUED: June 28, 1985

EFFECTIVE: July 1, 1985

Issued on one days notice under authority of PA Code, Title 52, Section 23.42

ISSUED BY:

J. Wray Johns, President

35 Witmer Road

Lancaster PA 17602

HH (130)



CALDWELL & KEARNS
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

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

3631 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17110-1533

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

June 9, 1992

John G. Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17120

RECEIVED
JUN 09 1992

Re: Application of Gabler Trucking, Inc.
Docket No.: A-00109226, Folder 1, Am-E

STATE OF PENNSYLVANIA
Information Control Division

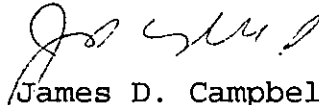
Dear Secretary Alford:

FILE

Please find enclosed herewith the original and two (2) copies of a Protest filed by New Penn Motor Express 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: Robert L. Wesley
David H. Radcliff, Esquire

RECEIVED
JUN 10 1992
Pa. P.U.C.
Council of Transportation

**DOCUMENT
FOLDER**

FAO

RECEIVED
JUN 09 1992

SECRETARY'S BUREAU
Information Control Division

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
JUN 10 1992
Pa. P.U.C.
F-1, Am-E

In Re: Application of : A-00109226,
Gabler Trucking, Inc. :

PROTEST

FILE

1. AND NOW, comes NEW PENN MOTOR EXPRESS, INC., Post Office Box 630, Lebanon, Pennsylvania 17042, (717) 274-2521, and protests the above Application for temporary 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 has authority docketed to A-84240, a copy of which is attached hereto as Exhibit A and made a part hereof.

DOCUMENT
FOLDER


DOCKETED
APPLICATION DOCKET
JUN 10 1992
ENTRY No. MW

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 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
(717) 232-7661

Dated: June 9, 1992

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. §332(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.

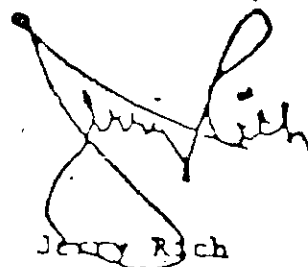
That no right, power or privilege is granted to transport truckload traffic on flatbed equipment which originate at facilities of The Celotex Corporation.

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, within 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-00084240, 7.7, 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 Hodas 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 Ferro Metal Products, located in the borough of Bellefonte and the township of Spring, Centre County.

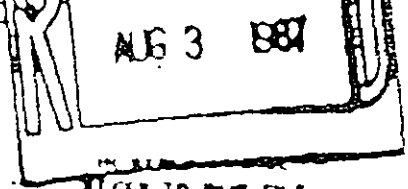
14. That no right, power or privilege is granted to transport, trackload traffic on flatbed equipment which originates at facilities of The Calotax Corporation.
15. That no right, power or privilege is granted to render transportation in dump vehicles.
16. That no right, power or privilege is granted 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 Pierce 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 New 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

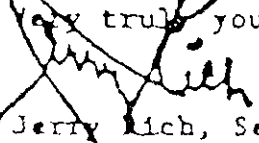
A. 00084242
7. 7, Am-3

All Parties

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

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

RE: APPLICATION OF
Gabler Trucking Inc.
Box 1089
Chambersburg, Pa 17201

APPLICATION DOCKET
A-00109226, Folder 1, Am-E

PROTEST



FILE

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

RECEIVED
JUN 10 1992

on the following grounds:

SECRETARY'S OFFICE
Public Utility Commission

(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 June 6, 1992

By Henry L. Wahls
Henry L. Wahls

CC: David H. Radcliff, Esquire
407 North Front Street
Harrisburg, Pa 17101

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

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUN 11 1992
ENTRY No. MW

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 \$ 300,000 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

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

All rates and charges not brought forward are cancelled

ISSUED: JUNE 18, 1987

EFFECTIVE: June 19, 1987

(Except as otherwise provided)

Effective Date: June 19, 1987

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

Issued by

PYLE CORPORATION, t/d/b/a

A. DUIE PYLE, INC.

200 Garfield Avenue

West Chester, Pennsylvania 19380

SUGGESTED RESTRICTIVE AMENDMENT

Limit scope of application to specific commodities or specific shippers/consignees.

or

Limit the scope of application by eliminating the following accounts Reynolds & Reynolds, Chambersburg, Pa., T B Woods Son Company, Chambersburg, Pa., Frick Company, Wanesboro, Pa., Jerry Conn Associates, Inc., Chambersburg, Pa., and Jerr Dan, Green Castle, Pa.

APPENDIX III

COURIER EXPRESS

RECEIVED
JUN 15 1992
PENNSYLVANIA PUBLIC UTILITY COMMISSION

June 11, 1992

John Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RE: Application of:
Gabler Trucking, Inc.
Docket No. A-00109226,
Folder 1, Am-E



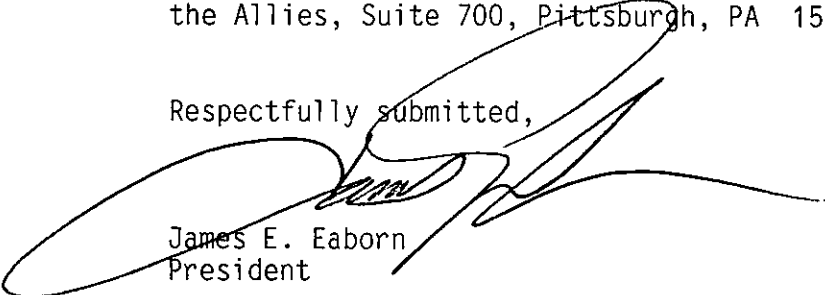
Dear Mr. Alford:

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: Gabler Trucking, Inc.
David H. Radcliff, Esquire



RUSH DELIVERY SPECIALISTS

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

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
JUN 15 1992
SECRETARY'S OFFICE
Public Utility Commission

In Re:

Gabler Trucking, Inc.
P.O. Box 1089
Chambersburg, PA 17201

Docket Number: A-00109226,
Folder 1, Am-E

Pennsylvania Bulletin reference: 6 / 11 / 92, Page: 2951 Vol. 22 No. 23

PROTEST OF

COURIER EXPRESS, INC.

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUN 16 1992
ENTRY No. *[Signature]*

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.

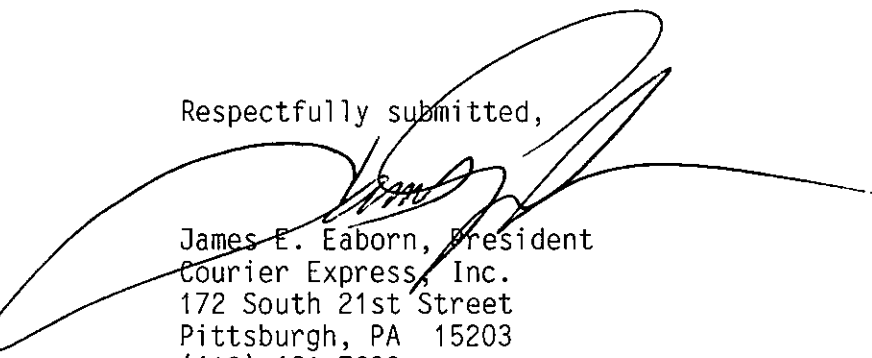
4. Pursuant to Section 333(c) of the Public Utility Code (66 Pa.C.S. 333[c]), we hereby request a list of the witnesses expected to testify in the above entitled proceeding, together with the subject matter of their anticipated testimony.

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:

Gabler Trucking, Inc.

Docket No. A-00109226,
Folder 1, Am-E

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

To transport, as a Class D carrier, property, between points in that portion of Pennsylvania east of the counties of McKean, Elk, Clearfield, Blair and Bedford, and from points in said territory to points in and west of the counties of McKean, Elk, Clearfield, Blair and Bedford, and vice versa;

subject to the following conditions:

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

APPENDIX A continued

- b. That no right, power or privilege is granted to transport any single shipment in excess of 2,000 pounds; all transportation authorized herein is restricted further as follows:
- (1) A shipment which weighs more than 500 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;
 - (2) A shipment weighing more than 125 pounds, but not more than 500 pounds, may not be transported in a vehicle which contains the freight of more than five consignors and may not move from more than five origins and may not move to more than five destinations;
 - (3) A shipment weighing 125 pounds or less may not be transported in a vehicle containing any shipment weighing more than 125 pounds;
- c. 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 of 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;
- d. 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;
- e. That no right, power or privilege is granted to provide transportation of bound and unbound printed paper and partially printed paper or printing orders, instructions and materials originating between points within an airline distance of 35 statute miles of the limits of the borough of Columbia, Lancaster County;
- f. That no right, power or privilege is granted to transport garments and wearing apparel on hangers and garments, wearing apparel and 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;

APPENDIX A continued

- g. That no right, power or privilege is granted to transport property for Union Camp Corporation; Victaulic Company of America, Inc.; Atlantic Track & Turnout Company; Atlantic States Cast Iron Pipe Company; Owens-Brockway Glass Container Division of Owens-Illinois, Inc.; R.R. Donnelley & Sons, Inc., and the Pennsylvania Lottery of the Commonwealth of Pennsylvania, Department of Revenue;
 - h. That no right, power or privilege is granted to provide services for IBM Corporation from its facilities in the townships of Hampden and Silver Springs, Cumberland County;
 - i. That no right, power or privilege is granted to transport 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, and the city of Allentown, Lehigh County, to points in the said counties and city, and vice versa, except for transportation between points in the city and county of Philadelphia.
 - j. That no right, power or privilege is granted to provide transportation from points in the counties of Crawford, Erie, Mercer and Venango to points in Pennsylvania, east of the counties of McKean, Elk, Clearfield, Blair and Bedford, and vice versa, except for shipments of the Department of Environmental Resources.
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:
Gabler Trucking, Inc.

Docket No. A-00109226,
Folder 1, Am-E

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.

the above right subject to the following conditions: that no right, power or privilege is granted to transport furnace slag and slag block between points in the county of Mercer and from points in the said county to points in the counties of Butler, Venango, Crawford, Armstrong, Clarion and Erie, except as presently authorized; that no right, power or privilege is granted to render any service to and from the plants of Freeport Brick Company, Kittanning Brick Company, Haws Refractories Company and Howe Sound Company; and that no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles; and to transport coal, between points in the counties of Armstrong, Butler, Clarion, Crawford, Erie, Lawrence, Mercer and Venango, provided no haul shall exceed a distance of 75 miles from point of origin to point of destination; with the above right subject to the following conditions: that no right, power or privilege is granted to render any service to and from the plants of Freeport Brick Company, Kittanning Brick Company, Haws Refractories Company and Howe Sound Company; that no right, power or privilege is granted to transport commodities, in bulk, in tank vehicles or in hopper-type vehicles; and that no right, power or privilege is granted to render any service from the mines, tipples or facilities of C&K Coal Company, or from the mines, tipples or facilities of W. P. Stahlman Coal Company, Zacherl Coal Company in Clarion County to points in Lawrence County: so as to permit the removal of the above italicized restrictions which read as follows: that no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles; and that no right, power or privilege is granted to transport commodities, in bulk, in tank vehicles or in hopper-type vehicles. Attorney: William A. Gray, 2310 Grant Building, Pittsburgh, Pa. 15219.

A-00109226, Folder 1, Am-E Gabler Trucking, Inc. (P. O. Box 1089, Chambersburg, Franklin County, Pa. 17201), a corporation of the State of Delaware, *inter alia*—property for Borden, Inc., Foodservice Division, from its facilities in the borough of Chambersburg, Franklin County, to points in Pennsylvania, and vice versa; subject to the following condition: that no right, power or privilege is granted to transport household goods in use, Classes A and B explosives, commodities in bulk, and commodities which, because of size or weight, require the use of special equipment, or special permits for their transportation: so as to permit the transportation of property (except property in bulk and household goods in use) between points in the county of Franklin and from points in said county to points in Pennsylvania and vice versa. Attorney: David H. Radcliff, 407 North Front Street, Harrisburg, Pa. 17101.

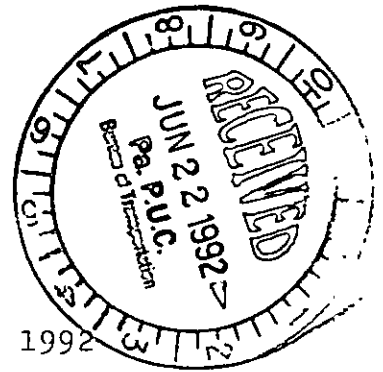
Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for transportation of property by transfer of rights as described under each application.

A-00107019, Folder 3, Gary W. Gray Trucking, Inc. (Route 46, P. O. Box 48, Delaware, NJ 07833), a corporation of the State of New Jersey—(1) dry cement, having a prior movement by rail or water or both, between points in Pennsylvania; with right no. 1 subject to the following conditions: that no right, power or privilege is granted to transport dry cement produced at or originating at the plants of Bessemer Cement Company Division, Diamond Alkali Company, at or near the borough of Bessemer, Lawrence County, and the plant of Medusa Portland Cement Company at or near the borough of Wampum, Lawrence County; that no right, power or

privilege is granted to transport dry cement between points in the territory comprising the city and county of Philadelphia and within 35 statute miles by the usually traveled highways of the limits thereof, except in bulk in tank vehicles or hopper-type vehicles; that no right, power or privilege is granted to transport dry cement in dump vehicles; and that no right, power or privilege is granted to transport dry cement having a prior movement by rail or water or both for Warner Company between points in the townships of Charlestown, East Whiteland and Tredyffrin, Chester County and from points in said townships to points in Pennsylvania; (2) cement in bags and cement in bulk in tank-type vehicles or hopper-type vehicles, from points in the counties of Berks, Lehigh, Northampton and York, to points in Pennsylvania; and the return of empty containers and refused or rejected shipments; (3) cement mill waste, stack dust and clinker; in bulk, between points in Pennsylvania; with right no. 3 subject to the following conditions: (a) that no right, power or privilege is granted to transport clinker for Allentown-Portland Cement Company; (b) that no right, power or privilege is granted to transport fly ash from the city of New Kensington, Westmoreland County and points within an airline radius of 35 statute miles of the limits of said city; the township of Goshen, Clearfield County; the township of Monongahela, Greene County; and points in the counties of Armstrong and Indiana; (c) that no right, power or privilege is granted to transport clinker, a limestone product, for the Warner Company, between points in the townships of Charlestown, East Whiteland and Tredyffrin, Chester County and said townships to points in Pennsylvania; (4) ground raw materials, in bulk, between cement mills in Lehigh and Northampton Counties; and (5) roofing and building materials, and materials, equipment and supplies used in or incidental to the manufacture, installation and distribution of roofing and building materials, from the facilities of Georgia-Pacific Corporation, located in the township of Richland, Bucks County, to points in Pennsylvania and vice versa; with right no. 5 subject to the following conditions: (a) that no right, power or privilege is granted to transport commodities in bulk in dump vehicles; (b) that no right, power or privilege is granted to transport limestone and limestone products from York County to the facilities of Georgia-Pacific Corporation in Richland Township, Bucks County; (c) that no right, power or privilege is granted to transport sand from the Pennsylvania Glass Corp. facilities in Mifflin and Huntingdon Counties to the facilities of Georgia-Pacific Corporation in Richland Township, Bucks County; and (d) that no right, power or privilege is granted to transport to and from Erie County from or to the facilities of Georgia-Pacific Corporation in Richland Township, Bucks County; (6) cement and related products, for Genstar Stone Products Co., between points in the counties of Berks, Lehigh and Northampton, and from points in said counties, to points in the township of Bristol, Bucks County, and vice versa; with right no. 6 subject to the following condition: that no right, power or privilege is granted to transport property, to or from the facilities of New Enterprise Stone & Lime Co.; Narehood Limestone, Inc.; Detwiler Industries, Inc.; Martin Limestone, Inc.; Anthracite Industries, Inc.; Asbury Graphite Mills, Inc.; McKesson Chemical Co.; Midstate Chemicals; and Lumax Industries, Inc.; which is to be a transfer of the rights authorized under the certificate issued at A-00109099, F. 4, to Baywood Express, Inc., a corporation of the State of California, subject to the same limitations and condi-



S.T.S. MOTOR FREIGHT INC.



June 18, 1992

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

Gentlemen:

RE: A-00109226 Folder 1, Am-E
Gabler Trucking Co
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.

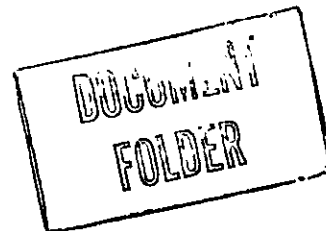
Yours truly,

Joseph J. Carroll
Joseph J. Carroll
Traffic Manager

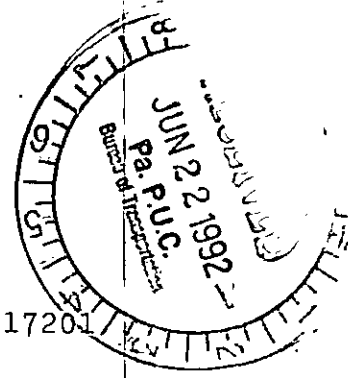
JJC:emc

CC: Gabler Trucking Co
PO Box 1089
Chambersburg, Pa. 17201

David H Radcliff, Esq.
407 North Front Street
Harrisburg, Pa. 17101



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION



In Re: A-00109226 Folder 1, Am-E Gabler Trucking Co
PO Box 1089
Chambersburg, Pa. 17201

Attorney: David H. Radcliff 407 N. Front St. Harrisburg, Pa.
17101

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 a copy of 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.

DOCKETED
APPLICATION DOCKETED
JUN 22 1992
ENTRY No.

STS Motor Freight, Inc.

Joseph J. Carroll
Joseph J. Carroll
Traffic Manager

DOCUMENT
FOLDER

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; Snap 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