

APPLICATION

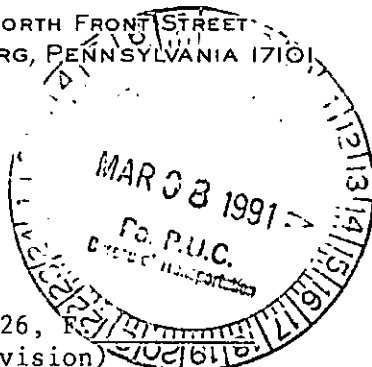
A-00109226F1 AMA

GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF
FREDERICK W. ANDREWS
DAVID H. RADCLIFF
GREGORY R. LYONS

OF COUNSEL
JOHN E. FULLERTON

TELEPHONE: A. C. 717-236-9318



March 8, 1991
File: 49.472

RE: GABLER TRUCKING, INC., A. 109226,
(Borden, Inc., Food Service Division)

RECEIVED

*A-109226
F. 1, Am-A*

MAR 8 1991

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pennsylvania 17120

SECRETARYS OFFICE
Public Utility Commission

Dear Mr. Rich:

On behalf of Gabler Trucking, Inc., we enclose herewith the following:

1. Copy of application for authority to serve Borden, Inc., Food Service Division.
2. Check in the amount of \$350 to cover the filing fee.
3. The original and 3 copies of an application for ETA, extension thereof and T/A.
4. Check in the amount of \$200 to cover the filing fee.

We are mailing copies of the applications to applicant; to a representative of Borden, Inc., Food Service Division; and to Barry Ernst and are retaining copies here.

Very truly yours,

Christian V. Graf

CVG:tc
Enclosures

cc: Harold C. Gabler, Jr., President
Gabler Trucking, Inc.
1580 Gabler Road
P.O. Box 1089
Chambersburg, PA 17201

Barry Ernst, Director
Bureau of Transportation, PA PUC
P.O. Box 3265
Harrisburg, PA 17120

David H. Radcliff, Esquire

Mr. Randy R. Moberg
Manager - Transportation
Foodservice and Industrial
Borden, Inc. Food Service Division
9140 Lurline Avenue
Chatsworth, CA 91311

*3/14 talked with atty Radcliffe
on labor union will get back
to me.*



BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

MAR 8

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

SECRETARY'S Office
Public Utility Commission

(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of GABLER TRUCKING, INC.

APPLICATION DOCKET

No. A.00109226

Folder No. 1, Am-A

for a certificate of public convenience or a permit
evidencing the Commission's approval of the right and
privilege of operating motor vehicles as a motor
carrier for the transportation of PROPERTY.

DOCKETED
APPLICATION DOCKET
MAR 19 1991
ENTRY No. MW

**DOCUMENT
FOLDER**

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION

- 1. GABLER TRUCKING, INC.
(Full and correct name of applicant)
- 2. Same
(Trade name, if any)

APPL. A-109226
active
COMPL.

The trade name need not be ~~been~~ registered with the Secretary of the CMVIC.
(has or has not)

CHECKED BY MW

Commonwealth of XX
(date) (attach copy of stamped registration form)

- 3. 1580 Gabler Road P.O. Box 1089
(Business Street Address) (P.O. Box, if any)
- Chambersburg Franklin PA 17201 A.C. 717. 264-4184
(City) (County) (State) (Zip) (Telephone)

- 4. Applicant's attorney (for this application) is: GRAF, ANDREWS & RADCLIFF, P.C.
Christian V. Graf, Esquire, 407 N. Front St., Harrisburg, PA 17101 A.C. 717. 236-9318
(Name) (Address) (Telephone)

- 5. Any notice, process or order of the PUC should be served upon:
Christian V. Graf, Esquire, 407 N. Front St., Harrisburg, PA 17101
(Name) (Address)

- 6. Applicant does hold Pa. PUC authority under Docket No. A.00109226
(does or does not)
- and operates as a common carrier.
(common or contract)

F.1 **AMENDMENT** A

7. Applicant does hold Interstate Commerce Commission authority
(does or does not)

at Docket No. MC-27817.

8. Applicant is (check one):

Individual.

Partnership. Attach copy of partnership agreement and list names and addresses of partners below (use additional sheet if necessary).

(Name)

(Address)

Corporation. Organized under the laws of the State of Delaware and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on March 26, 1990 (Attach copy of Certificate of Incorporation or Authority and statement of charter purpose). Include as an attachment a list of corporate officers and their titles and the names, addresses and number of shares held by each stockholder.

9. Attach the following, as appropriate (check those attached):

A Partnership Agreement.

B Trade Name registration certificate.

C Certificate of Incorporation or Authority. (See Attachment C).

D Statement of corporate charter purpose. (See Attachment D).

E List of corporate officers and stockholders. (See Attachment E).

10. That the nature and character of the service to be rendered by applicant is the transportation of property as a Common Contract carrier by means of motor vehicles as follows:

"To transport as a common carrier by motor vehicle property (except 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) from the facilities of Borden, Inc. Food Service Division in the borough of Chambersburg, Franklin County, to points in Pennsylvania and vice versa."

11. Applicant is not now engaged in any intrastate transportation of property for compensation in Pennsylvania (except as authorized by the certificates of public convenience or permits specified in Paragraph 6) and will not engage in the transportation for which approval is herein sought unless and until authorization for such transportation shall be received.

CORPORATE SEAL

GABLER TRUCKING, INC.
(Print Name of Corporation, Partnership, Trade-Name or Individual)*

By:



(Signature)

Harold C. Gabler, Jr., President

(Signature)

(Signature)

*If a partnership, each partner must sign; if a corporation, at least one officer must sign, and corporate seal affixed.

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
_____ County : ss:

_____, being duly sworn (affirmed) according to law, deposes and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____
day of _____ 19____
My Commission Expires _____

Signature of Official Administering Oath

AFFIDAVIT OF APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
FRANKLIN _____ County : ss:

Harold C. Gabler, Jr. _____, being duly sworn (affirmed) according to law, deposes and says that he is _____ President _____ of Gabler Trucking, Inc. _____
(Office of Affiant)

_____; that he is authorized to and does make this
(Name of Corporation)

affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said
Gabler Trucking, Inc. _____ to be able to prove the same
(Name of Corporation)

at the hearing hereof.

Signature of Affiant

Harold C. Gabler, Jr., President
Signature of Affiant

Sworn and subscribed before me this 4th
day of January, 1991
My Commission Expires 3/22/93.

(SEAL)

Notarial Seal
Ralph Fahrney Jr., Notary Public
Hamilton Township, Franklin County
My Commission Expires March 22, 1993

Signature of Official Administering Oath

007637

BK0974PG0514

State of Delaware

RECEIVED FOR RECORD

'90 JAN 31 P2:23

EVELYN T. ALEMAN
RECORDER

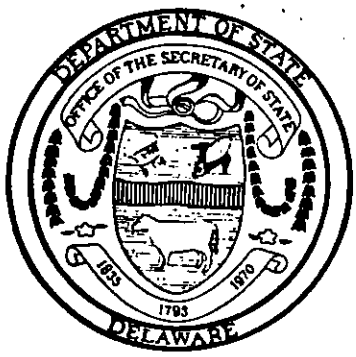


DOCUMENTARY
SURCHARGE
PAID 0.00

Office of Secretary of State

I, MICHAEL HARKINS, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF GABLER TRUCKING, INC. FILED IN THIS OFFICE ON THE SIXTEENTH DAY OF JANUARY, A.D. 1990, AT 9 O'CLOCK A.M.

|||||



710016017

Michael Harkins
Michael Harkins, Secretary of State

AUTHENTICATION: 12500623

DATE: 01/17/1990

STATEMENT OF CORPORATE CHARTER PURPOSE

The purpose or purposes of the Corporation shall be:

"To engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware."

LIST OF CORPORATE OFFICERS AND STOCKHOLDERS

President	-	Harold C. Gabler, Jr.
Vice-President	-	P. Thomas Gabler
Secretary-Treasurer	-	Harmon Piper
<hr/>		
Stockholder	-	H. C. Gabler, Inc.
<hr/>		
Directors:	-	Harold C. Gabler, Jr.
		Harold C. Gabler
		P. Thomas Gabler

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION

See Instructions before Completing Application

RECEIVED

MAR 8 1991

SECRETARYS OFFICE
Public Utility Commission

A-109226
F. I. Am-A

Application For:

- EMERGENCY TEMPORARY AUTHORITY
- TEMPORARY AUTHORITY
- EXTENSION OF EMERGENCY TEMPORARY AUTHORITY

1. GABLER TRUCKING, INC. Same
 (Name of applicant) (Trade name, if any)
1580 Gabler Road Chambersburg PA 17201
 (Street address) (City) (State & Zip Code)

2. Christian V. Graf, Esquire, 407 N. Front Street, Harrisburg, PA 17101 A.C. 717,236-9318
 (Name, Address & Telephone Number of Applicant's Attorney, if any)

3. Applicant is an individual partnership corporation.

4. Applicant requests authority to provide service as a common or contract carrier by motor vehicle, broker or freight forwarder in intrastate commerce; or is proposing to acquire authority by transfer. Give a description of type of service to be provided and area to be served:

"To transport as a common carrier by motor vehicle property (except 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) from the facilities of Borden, Inc. Food Service Division in the borough of Chambersburg, Franklin County, to points in Pennsylvania and vice versa."

5. Applicant does hold Pa. PUC authority under Docket No. A. 00109226 and (does or does not) operates as a common carrier. (common or contract)

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
MAR 19 1991
ENTRY No. mw

6. If this application is for temporary authority, applicant x **does** **does not** have pending an application for permanent authority to perform the same service as proposed herein. If it has, give docket number, filing date and status. If applicant does not have a pending permanent application currently on file, application for permanent authority must be enclosed.

(Being filed concurrently herewith)

7. If this application is for emergency temporary authority, and not accompanied by applications for corresponding temporary and permanent authority, state when the applications for temporary and permanent authority will be filed.

(Being filed concurrently herewith)

8. "Applicant's Statement" shall be prepared by the applicant or authorized representative of the applicant and shall contain the information as stated at Appendix A.

9. "Statements of Supporting Shippers or Witnesses" shall be prepared by the shipper or witness, or an authorized representative of the shipper or witness and shall contain the information as stated at Appendix B.

Applicant further declares that:

10. It is aware that a grant of the requested authority will create no presumption that corresponding permanent authority will be granted.
11. If the requested authority is granted, applicant will comply with the tariff and insurance requirements of the Public Utility Law before beginning operation.

GABLER TRUCKING, INC.



(Signature)

Harold C. Gabler, Jr., President

(Corporate Title)

(Date)

Jan 4, 1991

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
_____ County : ss:

_____, being duly sworn (affirmed) according to law, deposes and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____
day of _____ 19 _____
My Commission Expires _____

Signature of Official Administering Oath

AFFIDAVIT OF APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
FRANKLIN _____ County : ss:

Harold C. Gabler, Jr. _____, being duly sworn (affirmed) according to law, deposes and says that he is President _____ of Gabler Trucking, Inc. _____
(Office of Affiant)

_____ ; that he is authorized to and does make this
(Name of Corporation)

affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said Gabler Trucking, Inc. _____ to be able to prove the same
(Name of Corporation)

at the hearing hereof.

Signature of Affiant
Harold C. Gabler, Jr.

Sworn and subscribed before me this 4th
day of January 19 91
My Commission Expires 3/22/93.

(SEAL)

Notarial Seal
Ralph Fahrney Jr., Notary Public
Hamilton Township, Franklin County
My Commission Expires March 22, 1993

Signature of Official Administering Oath

APPENDIX A

Applicant's Statement must include:

- (A) **A description of the equipment which will be used to render service, including a statement of whether it is specialized equipment.**

(See Attachment A)

- (B) **A description of the applicant's terminal facilities and personnel.**

(See Attachment B)

- (C) **A statement of whether the filing of the application resulted from a warning, road check or investigation by the Commission.**

No.

- (D) **A telephone number at which the applicant or an authorized representative of the applicant may be contacted.**

Applicant: - Telephone A.C. 717, 264-4184

Applicant's attorney: Telephone A.C. 717, 236-9318

- (E) **A statement of the proposed rates, fares or charges, and schedule provisions.**

(See Attachment E)

- (F) **A statement of whether there are under suspension any rates, fares or charges published for its account or whether an application for special permission to file its rates, fares or charges on less than 30 days' notice in connection with another ETA, TA or permanent authority application covering the same territory has been granted or denied.**

No.

- (G) **Proof of ability to comply with the Commission's insurance requirements, or in the case of an authorized carrier, a statement indicating that it currently has evidence of insurance on file with the Commission.**

Insurance is currently on file with the Commission for both public liability and property damage coverage and cargo coverage.


- (H) **Names and addresses of labor unions which represent, or which within the past 12 months have represented, or which have filed a petition to represent the employees of the applicant with the National Labor Relations Board of the Pennsylvania Labor Relations Board. If the application seeks the temporary approval of a transfer of rights under a certificate of public convenience, this information shall be supplied for the transferor and the transferee.**

None.

- (I) **Signature of person who prepared statement.**

GABLER TRUCKING, INC.

By:


Harold C. Gabler, Jr., President

GABLER TRUCKING, INC.
P. O. BOX 1089
Chambersburg, Pennsylvania 17201
717-264-4184 or 717-261-1492

Appendix A

- Attachment A -

Gabler Trucking, Inc., Equipment List

Company owned Tractors	75
Leased Tractors with Drivers	115
Company owned Trailers	385
Company owned Refrigerated Trailers	42

Gabler Trucking, Inc.
P.O. Box 1089
Chambersburg, Pennsylvania 17201
717-264-4184 or 717-261-1492

Appendix A

- Attachment B -

Description of terminal facility and personnel available to service the shipping requirements of Borden, Inc., Foodservice Division, Chambersburg, PA.

Gabler Trucking, Inc., is located in facilities located at:

1580 Gabler Road, Chambersburg, PA 17201
Rt 34, P.O. Box 136, Aspers, PA 17304
26 E. Carlisle Pike, New Kingstown, PA 17072
2900 - 3000 Nieman Avenue, Baltimore, MD 21230
3290 Valley Avenue, Winchester, VA 22601
550 Gulf Drive, Charlotte, NC 28208
913 Highway 27 South, Avon Park, FL 33825

The Chambersburg terminal is located three miles from the new plant site of Borden, Inc., Foodservice. This facility also houses the companies corporate office and major repair facility. All equipment passes through this terminal. Employed at the Chambersburg terminal are 60 drivers, 3 loaders, 8 mechanics and an office staff, which includes our total system dispatch, of 25.

The terminals at Aspers, PA (near Gettysburg) is 30 miles east of Chambersburg, PA. The terminal at New Kingstown, PA (near Mechanicsburg) is 40 miles northeast of Chambersburg, PA. Both terminals have dock facilities for consolidation of LTL traffic, either of these locations will be used to perform this function in conjunction with the Borden, Inc., Foodservice plant.

GABLER TRUCKING, INC.

STATEMENT OF THE PROPOSED RATES, FARES OR CHARGES

The rates initially proposed to be filed are identical to those found at Item 1975 of our tariff, Freight Pa. P.U.C. No. 2. See copy of item attached.

PROVISIONS PUBLISHED HEREIN environment.

Freight PA-FUC 2

GABLER TRUCKING, INC.

Original Page 20

ITEM

SECTION 1
SPECIFIC COMMODITY RATES
In Cents Per 100 Pounds, except as noted
SCHEDULE OF RATES

1975

Rates apply on: (Note A)
1. APPLES, APPLE PRODUCTS AND PEACHES from authorized points in Adams and Franklin Counties as set forth in Scope of Operations
2. FOOD PRODUCTS; PACKING HOUSE MATERIALS, SUPPLIES AND EQUIPMENT; FARM PRODUCTS AND SUPPLIES; CLAY PRODUCTS; AND PAPER PRODUCTS; AND EMPTY CONTAINERS, between points in Adams Co and Hanover and points in Pennsylvania, as set forth in Scope of Operations

For scope of operations see Item 100.

NOTE A: When driver is requested to assist in loading or unloading an additional charge of 10 cents per 100 pounds will be assessed, with a minimum charge of \$20.00 per shipment. This charge will be in addition to all other applicable charges.

TO POINTS	TL RATE - MIN. WT.			TO POINTS	WL RATE - MIN. WT.		
	24M	36M	42M		24M	36M	42M
Allentown.....	105	85	82	Easton.....	112	102	100
Altoona.....	110	87	83	Ebensburg.....	120	106	101
Ambler.....	110	90	86	Elizabethtown..	84	76	74
Ardmore.....	110	90	86	Ellwood City...	175	150	145
Bedford.....	119	96	90	Emmaus.....	105	85	82
Bellafonte.....	122	111	106	Ephrata.....	84	76	74
Bensalem.....	106	87	83	Erie.....	180	151	147
Barwick.....	110	91	88	Everett.....	113	96	90
Bethlehem.....	110	90	86	Fleetwood.....	88	83	82
Bloomsburg.....	105	85	82	Forty-Fort.....	113	96	90
Bradford.....	171	149	142	Gouldsboro.....	151	125	121
Bristol.....	122	111	106	Greenville.....	175	151	147
Carbondale.....	146	121	118	Grove City.....	175	151	147
Carlisle.....	67	63	59	Hamburg.....	106	87	83
Chambersburg	112	90	86	Hanover.....	67	63	59
Chambersburg.....	59	54	51	Harrisburg.....	87	77	75
Chester.....	112	106	97	Hazleton.....	113	96	90
Clarion.....	151	125	121	Honesdale.....	145	121	118
Clearfield.....	143	115	112	Hummelstown.....	82	68	66
Coatesville.....	87	81	77	Huntingdon.....	113	96	90
Collageville.....	106	88	86	Indiana.....	143	111	108
Columbia.....	84	76	74	Irwin.....	146	116	113
Connellsville.....	171	143	138	Johnstown.....	120	106	101
Conshohocken.....	113	96	90	Kane.....	171	149	144
Coplay.....	112	91	87	Kennett Square..	117	96	90
Cornwell Heights.....	106	87	85	Kittanning.....	171	149	144
Corry.....	175	150	145	Kutztown.....	98	83	81
Darville.....	105	85	82	Lancaster.....	86	76	74
Davisville.....	116	107	102	Lansdale.....	113	96	90
Dickson City.....	118	108	104	Lebanon.....	84	76	74
Downingtown.....	87	81	77				
Doylstown.....	122	106	101				
DuBois.....	148	117	114				

(Concluded on next page)

For explanation of abbreviations and reference marks, see Item 5000.

ISSUED: AUGUST 6, 1990

EFFECTIVE: AUGUST 10, 1990

ISSUED BY:

HAROLD G. GABLER, III, Vice President - Administration
P. O. Box 220
Chambersburg, Pennsylvania 17201

Freight PA-FUC 2

GABLER TRUCKING, INC.

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ITEM

SECTION 1
 SPECIFIC COMMODITY RATES
 In Cents Per 100 Pounds, except as noted
 SCHEDULE OF RATES

1975
 Concluded

Rates apply on: (Note A)
 1. APPLES, APPLE PRODUCTS AND PEACHES from authorized points in Adams and Franklin Counties as set forth in Scope of Operations
 2. FOOD PRODUCTS; PACKING HOUSE MATERIALS, SUPPLIES AND EQUIPMENT; FARM PRODUCTS AND SUPPLIES; CLAY PRODUCTS; AND PAPER PRODUCTS; AND EMPTY CONTAINERS, between points in Adams Cy and Hanover and points in Pennsylvania, as set forth in Scope of Operations

For scope of operations see Item 100.
 NOTE A: When driver is requested to assist in loading or unloading an additional charge of 10 cents per 100 pounds will be assessed, with a minimum charge of \$20.00 per shipment. This charge will be in addition to all other applicable charges.

TO POINTS	TL RATE - MIN. WT.			TO POINTS	TL RATE - MIN. WT.		
	24M	36M	42M		24M	36M	42M
Lewistown.....	87	81	77	Ridgway.....	171	149	144
Lock Haven.....	118	108	104	Roaring Springs	110	88	84
Mahanoy City...	113	96	90	Robesonia.....	87	81	75
Manheim.....	86	77	75	Saint Marys....	171	149	144
Meadville.....	171	149	144	Sayre.....	171	149	144
Mechanicsburg..	67	63	59	Scranton.....	113	96	90
Media.....	120	110	105	Salinsgrove....	106	87	85
Mercer.....	171	149	144	Shamokin.....	113	96	90
Mercersburg....	67	64	60	Sharon.....	174	145	141
Milton.....	106	87	85	Shippensburg..	67	63	59
Mount Carmel...	113	96	90	Somerset.....	128	107	102
Mount Union....	106	87	85	Souderton.....	113	96	90
Muncy.....	113	97	91	Spring City....	106	87	85
Myerstown.....	87	82	76	State College..	113	96	90
Nazareth.....	117	96	90	Stewartstown..	86	77	75
New Castle.....	175	145	141	Stroudsburg....	132	112	108
New Holland....	86	77	75	Sunbury.....	106	87	85
North East.....	180	152	149	Swarthmore....	112	94	89
Northumberland.	106	87	85	Tamaqua.....	113	96	90
Oil City.....	171	149	144	Titusville.....	171	149	144
Palmyra.....	85	76	74	Towanda.....	171	149	144
Philadelphia....	106	87	85	Tyrone.....	113	96	90
Philipsburg....	122	111	106	Uniontown.....	170	143	138
Phoenixville...	106	87	85	Warren.....	170	115	112
Pittsburgh.....	175	115	111	Wayne.....	106	87	85
Pittston.....	113	96	90	Waynesboro....	67	64	60
Pottstown.....	105	86	83	Wellsboro.....	154	140	135
Pottsville.....	113	96	90	West Chester...	87	81	75
Punxsutawney...	143	115	112	Wilkes-Barre...	113	96	90
Quakertown....	110	87	85	Williamsport...	113	96	90
Quarryville....	117	97	91	York.....	84	74	72
Reading.....	87	81	75				

For explanation of abbreviations and reference marks, see Item 5000.

ISSUED: AUGUST 6, 1990 EFFECTIVE: AUGUST 10, 1990

ISSUED BY:

HAROLD C. GABLER, III, Vice President - Administration
 P. O. Box 220
 Chambersburg, Pennsylvania 17201

The legal name of the supporting corporation is Borden, Inc., Foodservice Division, 9140 Lurline Avenue, Chatsworth, CA 91311.

I am Randy Moberg, Transportation Manager for Borden, Inc., Foodservice Division. I am responsible for the transportation of finished products produced by and inbound products used by the Borden Foodservice hyper-plants located at Chatsworth, CA, Jackson, MS, Portland, OR and Chambersburg, PA.

The new 400,000 square foot hyper-plant located in Chambersburg, PA will produce and distribute individual serving packets of condiments, such as ketchup, jelly, salad dressings, syrups, creamers and seasonings, as well as bulk size products. These products are consumed mostly in restaurants, fast-food outlets, hospitals, schools and company cafeterias. This plant will consume a vast variety of ingredients and packaging materials.

The new Chambersburg plant will serve points in the northeastern United States bounded by the states of Indiana on the west, Kentucky and South Carolina to the south, including points within those states. Pennsylvania of course is in the center of the service area. Therefore, service between our plant and all points in Pennsylvania is required.

The new plant in Chambersburg is expected to be completed during the spring of 1991. The plant will replace the production of Serv-A-Portion, Doxsee Foods, RE-MI Foods and Gregg Foods located in various cities throughout the United States. These products have been moved to an outside storage facility located at 2294 Molly Pitcher Highway South, Chambersburg, PA 17201 for current distribution. Shipping has begun from this outside storage at the rate of 5 to 10 truckloads per day. These inventories will be consolidated into our new facility at 1501 Orchard Drive, Chambersburg, Pa upon its completion.

Service is being provided daily. In interstate commerce through the use of the applicant, Gabler Trucking, Inc., and other specialized foodstuffs carriers, a variety of general commodity regular route carriers are used to service the state of Pennsylvania. Gabler Trucking, Inc., has performed well as would be expected of a specialized grocery carrier handling interstate shipments.

Borden, Inc., Foodservice Division has customers at virtually all points in Pennsylvania. Representative points of such customers are at or near Allentown, Altoona, Bridgeville, Chambersburg, Dubois, Harrisburg, Lancaster, Oaks, Philadelphia and Mechanicsburg. Shipments to Pennsylvania have not moved in an acceptable fashion because the carriers offer fragmented service areas, and do not understand or supply the service required of our industry.

Borden, Inc., Foodservice Division plans a \$120 million dollar restructuring of its business by 1992. The plan includes retiring 7 older plants, and consolidating production into 4 hyper-plants such as Chambersburg. Therefore, these new permanent facilities will be valuable distribution centers for many decades. I plan to support Gabler Trucking, Inc., for permanent authority.

Borden, Inc., Foodservice Division has worked with Gabler Trucking, Inc., a specialized foodstuffs carrier from facilities at Mechanicsburg, PA and other locations outside of Pennsylvania. We require the service of a carrier that successfully serves the foodservice industry and offers services such as 7 day - 24 hour pick up and delivery truckload service with multiple stops, an adequate supply of refrigerated equipment, pallet exchange and proper state wide operating authority. Without these attributes in a carrier, Borden, Inc., Foodservice Division could not be competitive within the Pennsylvania market.

With daily truckload shipments from a Chambersburg warehouse, we have found that the Pennsylvania carriers that specialize in foodstuffs distribution do not hold appropriate authority to cover our broad product line. General commodity carriers do not understand our business or provide competitive truckload service, nor have broad irregular route state-wide authority enabling us to consolidate our daily shipping needs into stop off truckloads, thus requiring us to ship an abnormal amount of shipments at LTL rate levels. The general commodity carriers cannot provide refrigerated trailers, a requirement of 70% of our shipments.

We have sought a supply of state-wide carriers within Pennsylvania, who could meet our requirements and have been unable to do so. The decision to locate in Chambersburg was made in August of 1990, and my search began in September. With the strict regulation of Pennsylvania carriers, only the general commodity carriers have adequate authority coverage for our product line.

No foodservice carriers with proper authority description have been found unless there are carriers for specific named receivers. I cannot be bound to use those carriers with this limitation and be competitive in the market place.

I have not supported any other carriers before this commission for operating authority between the Chambersburg plant and points in Pennsylvania. I understand that one carrier, the Charles E. Brake Company, Inc., at Docket No. 96181 has applied to your commission for authority to serve us at Chambersburg. This carrier is a dump truck carrier, I have not supported this carrier, nor am I aware of any other support from within the Borden, Inc., Foodservice organization.

I am familiar with the applicant due to service which it renders to us in interstate commerce. I am very satisfied that it can be of substantial assistance in fulfilling Borden, Inc., Foodservice transportation requirements.

At this point, I want to note that Borden, Inc., Foodservice almost always pays the freight and selects the carrier. However, there are times when Borden, Inc., Foodservice traffic moves on a bill of lading other than its own. For example, there are times that Borden, Inc., Foodservice traffic moves from the facilities of a third party on a bill of lading. Although the bill of lading indicates that Borden, Inc., Foodservice will pay the freight, and even though Borden, Inc., Foodservice may select the carrier for this transportation, my experience in transportation is that moves under a third party bill of lading could be interpreted to be transportation for someone other than Borden, Inc., Foodservice. Consequently, it is important to Borden, Inc., Foodservice that the service not be restricted to that "for" Borden, Inc., Foodservice so as to avoid any problem in connection with the applicant's ability to perform a full service to and from the facilities of concern to Borden, Inc., Foodservice.

For all the reasons stated by me above, I respectfully request that the Pennsylvania Public Utility Commission grant the instant application in its entirety.

STATE OF CALIFORNIA)
 : SS:
COUNTY OF LOS ANGELES)

Personally appeared before me, a notary public in and for said State and County, RANDY MOBERG, who, being duly sworn according to law, deposes and says that he is Transportation Manager of Borden, Inc., Foodservice Division; is authorized to and does give this affidavit for and on its behalf; and that the facts set forth in the foregoing Verified Statement are true and correct; to the best of his knowledge, information and belief.

Borden, Inc., Foodservice Division


Randy Moberg

Sworn to and subscribed before me

this 6th day of MARCH, 1991


Notary Public

My Commission Expires: Aug. 4, 1992

(SEAL)



March 29, 1991

IN REPLY PLEASE
REFER TO OUR FILE

Christian V. Graf
Attorney at Law
407 North Front Street
Harrisburg, PA 17101

In re: A-00109226, F. 1, Am-A - Application of Gabler Trucking, Inc.

Dear Sir:

The application of Gabler Trucking, Inc. for permanent and temporary authority has been captioned as attached and will be submitted for review provided no protests are filed on or before April 22, 1991. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of March 30, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:11

cc: Applicant
1580 Gabler Road
P.O. Box 1089
Chambersburg, PA 17201

DOCUMENT
FOLDER

DOCKETED
APR 1 1991
ME

A-00109226, Folder 1, Am-A GABLER TRUCKING, INC. (1580 Gabler Road, P.O. Box 1089, Chambersburg, Franklin County, PA 17201), a corporation of the State of Delaware, inter alia - property for the Dial Corporation, between the facilities owned, leased or utilized by the Dial Corporation, and from said facilities to points in Pennsylvania, and vice versa; subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk: SO AS TO PERMIT the transportation of property (except 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) from the facilities of Borden, Inc., Food Service Division in the borough of Chambersburg, Franklin County, to points in Pennsylvania, and vice versa. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00109226, F. 1, Am-A SEEKING THE RIGHT CITED ABOVE. Attorney: Christian V. Graf, 407 North Front Street, Harrisburg, PA 17101.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

MAR 30 1991

BUREAU OF TRANSPORTATION
COMMON CARRIER
MARCH 1991

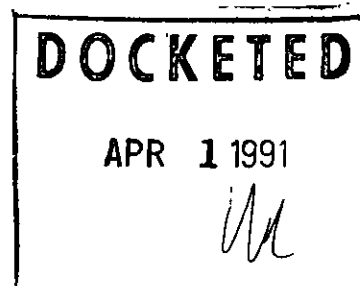
A-00109226
F. 1
Am-A

Application of Gabler Trucking, Inc., a corporation of the State of Delaware, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, property for Dial Corporation, between the facilities owned, leased or utilized by the Dial Corporation, and from said facilities to points in Pennsylvania, and vice versa; subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk: SO AS TO PERMIT the transportation of property (except 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) from the facilities of Borden, Inc., Food Service Division in the borough of Chambersburg, Franklin County, to points in Pennsylvania, and vice versa. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00109226, F. 1; Am-A SEEKING THE RIGHT CITED ABOVE.

MW:kmb
3/19/91

Application received: 3/8/91
Application docketed: 3/19/91
TA Application received: 3/8/91
TA Application docketed: 3/19/91

NH



APR 22 1991

TA

Protests due on No Hearings _____
Protests due on Hearings - (5 days prior to date of hearing)
Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF
FREDERICK W. ANDREWS
DAVID H. RADCLIFF
GREGORY R. LYONS

OF COUNSEL
JOHN E. FULLERTON
TELEPHONE: A. C. 717-236-9318

March 18, 1991
File: 49.472

RE: GABLER TRUCKING, INC., A. 109226, F. 1, Am-A
(Borden, Inc. Food Service Division)



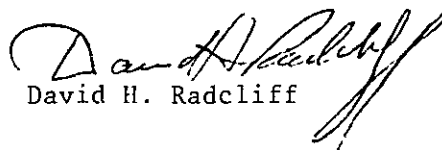
Marlene Wendt, Application Section
Bureau of Transportation
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Dear Ms. Wendt:

We have received the enclosed FAX from Mr. Randy Moberg of Borden, Inc. Food Service Division as a supplement to his statement in support of the ETA and T/A applications of Gabler Trucking, Inc. This is in response to your inquiry regarding the status of union representation at the Chambersburg facility.

Please add this to the application files in the above-captioned proceeding.

Very truly yours,


David H. Radcliff

DHR: tcr
Enclosure

cc: Harold C. Gabler, Jr., President
Gabler Trucking, Inc.
1580 Gabler Road
P.O. Box 1089
Chambersburg, PA 17201

Mr. Randy Moberg
Manager-Transportation
Foodservice and Industrial
Borden, Inc. Food Service Division
9140 Lurline Avenue
Chatsworth, CA 91311



03/15/91 09:07 818 407 2147

BORDEN

001

A-109226
F.I, Am-A



At the present time, the Borden Foodservice plant at Chambersburg, PA is under construction. There is no union representation of any Borden employees at our Chambersburg facility.

Borden, Inc., Foodservice Div.

Randy Moberg
Randy Moberg

Post-It® brand fax transmittal memo 7871 of pages

To: GABLER STR.	From:
On:	On:
Page #	Page #