

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Uniform Cover and Calendar Sheet

10

1. REPORT DATE: January 7, 1999	2. BUREAU AGENDA NO.: JAN-1999-TS-MC-16*
3. BUREAU: Transportation and Safety	
4. SECTION(S): MCS&E	5. PUBLIC MEETING DATE: January 28, 1999
6. APPROVED BY:  Director: Mahan <i>(Signature)</i> 7-2496 Supervisor: Zeigler 3-5946	<b>DOCKETED</b> FEB 04 1999  <b>DOCUMENT FOLDER</b>
7. PERSONS IN CHARGE: Zeigler 3-5946	
8. DOCKET NO.: A-00109373, F. 1, Am-A	

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

(a) Application of Roan's Transfer & Storage, Inc., a Pennsylvania Corporation, Williamsport, Lycoming County, for the transfer of part of the operating authority of Trenco, Inc., under the certificate issued at A-00095344, subject to the same limitations and conditions. **EEF**

(b) The application is unopposed. The transferee seeks to acquire the household goods in use authority of the transferor. The applicant has the fitness necessary to render the proposed service. Approval of the application is necessary for the continued accommodation and convenience of the public.

(c) The Bureau of Transportation and Safety recommends the Commission adopt the proposed order approving the application; and modifying the certificate of the transferor by supplemental order.

10. MOTION BY: Commissioner V. Chm. Bloom Commissioner Wilson - Yes  
Commissioner  
SECONDED: Commissioner Brownell Commissioner

CONTENT OF MOTION: Staff recommendation adopted.



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
FEBRUARY 1, 1999

IN REPLY PLEASE  
REFER TO OUR FILE  
A-00109373  
F.1, Am-A

DOCUMENT  
FOLDER

JOHN A PILLAR ESQUIRE  
PILLAR MULROY & FERBER  
1106 FRICK BUILDING  
PITTSBURGH PA 15219

APPLICATION of ROAN'S TRANSFER and STORAGE, INC.  
a CORPORATION of the COMMONWEALTH of PENNSYLVANIA

TO WHOM IT MAY CONCERN:

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

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

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

Commission regulations require compliance with the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of January 28, 1999, and dismiss the application without further proceedings.

**DOCKETED**  
FEB 03 1999

Very truly yours,

James J. McNulty,  
Secretary

smk  
Enclosures  
Certified Mail  
Tariff Section: (717) 787-5945  
ROAN'S TRANSFER & STORAGE INC  
2100 WHITNEY ROAD  
WILLIAMSPORT PA 17701

SRP

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

Public Meeting held January 28, 1999

Commissioners Present:

Robert K. Bloom, Vice Chairman  
Nora Mead Brownell  
Aaron Wilson, Jr.

Application of Roan's Transfer and Storage, Inc., a corporation of the Commonwealth of Pennsylvania, for the transfer of part of the operating rights of Trenco, Inc., authorized under the certificate issued at A-00095344, subject to the same limitations and conditions.

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John A. Pillar for the applicant.

DOCUMENT  
FOLDER

O R D E R

BY THE COMMISSION:

**DOCKETED**  
FEB 03 1999

This matter comes before the Commission on an application filed November 9, 1998. Public notice of the application was given in the Pennsylvania Bulletin of November 28, 1998. The unopposed application is certified to the Commission for its decision without oral hearing.

DISCUSSION AND FINDINGS

Roan's Transfer & Storage, Inc., is a currently certificated carrier of household goods in use domiciled in Williamsport, Lycoming County. It holds two grants of authority permitting, inter alia, the transportation of household goods in use in the city of Williamsport, Lycoming County, and within five (5) miles by the usually traveled highways of the limits of said city, and from points in the city of Williamsport, to points in Pennsylvania, and vice versa. The transferor, Trenco, Inc., is transferring only its household goods in use authority and will retain its other authority to transport property between points in Pennsylvania, with the exception of household goods in use.

The household goods authority is being transferred for the total consideration of \$5,000.00. The applicant has provided a recent balance sheet and income statement

establishing its financial capacity to provide expanded service. As a currently certificated carrier there is a presumption of fitness.

The authority to transfer consists of six rights permitting the transportation of household goods in use. Since Trenco, Inc., is retaining authority to transport property, except household goods in use, between points in Pennsylvania, no duplication of authority will result between the authority to transfer and the authority to be retained.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing need, which may be overcome only by evidence to the contrary. In re: Byerly, 440Pa. 521 (1970); Hostetter v. Pa. P.U.C., 160 Super. Ct. 94 (1947) Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

After complete review of the record, We Find:

1. The applicant is fit, willing and able to provide the service proposed.
2. Transfer of the authority is in the public interest and is necessary for the continued accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the transfer application be and is hereby approved and that the certificate issued February 27, 1991, be amended to include the following rights:

To transport, as a common carrier, by motor vehicle, household goods in use:

1. from points in the city of Williamsport, Lycoming County, and within five (5) miles by the usually traveled highways of the limits of said city to other points in Pennsylvania, and vice versa, provided that no right power or privilege is granted to transport household goods in use from the borough of Montoursville, Lycoming county;
2. between points in a territory bounded by and including Williamsport, Montoursville, Picture Rocks, Hughesville, Muncy and Montgomery, Lycoming County;
3. from points in a territory bounded by and including Williamsport, Montoursville, Picture Rocks, Hughesville, Muncy and Montgomery, Lycoming County, to other points in Pennsylvania, and vice versa;

4. between points on the route of Halls Station and Muncy, Lycoming County, and Towanda, Bradford County, and intermediate points via Highway Route 642, Hughesville Highway Route 220, Eagles Mere, and within three (3) miles thereof, and from points in the said territory to points in Pennsylvania, and vice versa;
5. from points in the city of Lock Haven, Clinton County, to other points in Pennsylvania, and vice versa;
6. from points in the borough of Jersey Shore, Lycoming County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough, to other points in Pennsylvania, and vice versa, excluding transportation between points in the city of Williamsport, Lycoming County and the city of Lock Haven, Clinton County.

subject to the following general conditions:

1. That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the applicant shall not be construed as conferring more than one operating right.
2. That the approval hereby given is not to be understood as committing the Commission, in any proceeding that may be brought before it for any purpose, to fix a valuation on the property and/or 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 the applicant, or to approve or prescribe rates sufficient to yield a return thereon.
3. That the applicant record in its Utility Account 1321 - Franchises, the actual cost of such rights recorded by the original holder thereof.
4. That the utility accounts of the transferee shall reflect the same book values for all utility property acquired as shown in the records of the transferor at the effective date of the transfer, and previously recorded depreciation having been deleted therefrom.
5. That the applicant charge to Account 1341 - Other Intangible Property, any amount of the

consideration paid for the rights and going concern value attributable thereto in excess of the amounts recorded under condition no. 2 and 3 above.

6. That the certificate holder shall not transfer, sell or in anyway convey any of its outstanding capital stock to any individual, partnership, corporation or any other entity, without the prior filing of an application and approval thereof by the Commission under Section (a)(3) of Title 66 PA C.S.

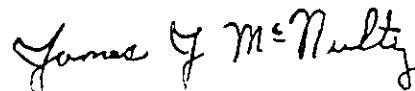
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted in this application until the following is submitted to the Commission:

1. A tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That upon compliance with this order, rights 8, 11, 12, 14, 18 and 19, granted the transferor, Trengo, Inc., as contained in our order adopted October 16, 1986, entered October 23, 1986, at A-00095344, F. 1, Am-E, be and are hereby canceled.

BY THE COMMISSION



James J. McNulty  
Secretary

(SEAL)

ORDER ADOPTED: January 28, 1999

ORDER ENTERED: FEB -1 1999

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

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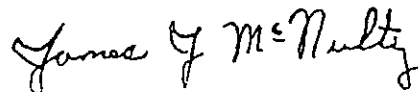
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