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September 7, 1993

VIA HAND DELIVERY

Richard H. White  
Technical Review Section  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

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

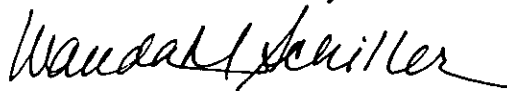
Dear Mr. White:

Pursuant to your letter dated August 5, 1993, enclosed for your review please find the Verified Statement of Applicant, Gabler Trucking, Inc., and the Verified Statement in Support of Application by Cumberland Distribution Services Company.

Please contact the undersigned at (717) 238-2900 if you should have any questions or require further information.

Very truly yours,

TUCKER ARENSBERG, P.C.

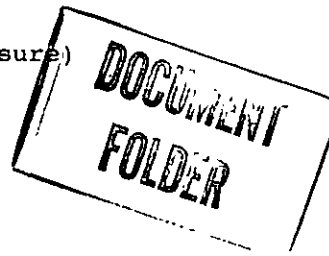


WANDA M. SCHILLER

WMS/dmb  
wms/16.ltr

Enclosure

cc: Secretary John G. Alford  
Harold C. Gabler, Jr. (w/o enclosure)



VERIFIED STATEMENT OF  
JAMES K. ADAMS, II  
FOR  
CUMBERLAND DISTRIBUTION SERVICES COMPANY

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1. LEGAL NAME AND DOMICILE OF APPLICANT

James K. Adams, II  
Cumberland Distribution Services Company  
5021 Trindle Road  
Mechanicsburg, PA 17055

Telephone: (717) 697-6703

2. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR APPLICANT

My name is James K. Adams, II, I am President of Cumberland Distribution Services Company. I am familiar with our service requirements to support our operations.

3. GENERAL DESCRIPTION OF SUPPORTING PARTY

Cumberland Distribution is a contract and public warehouse operator who specializes in handling food, grocery, health and beauty aid and other retail products sold primarily in grocery stores, warehouse club stores, restaurants and institutions for manufacturers who outsource their distribution.

4. VOLUME AND FREQUENCY OF INTENDED USE

Daily use of Gabler's services. Volume is dependent on growth of business. Presently an average of 70 loads per day are handled at our facilities.

5. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH

Origins: Middletown, PA; Hanover, PA; Harrisburg, PA;  
New Oxford, PA; Mechanicsburg, PA.

Destinations: Harrisburg, PA; Shiremanstown, PA; Mechanicsburg, PA; Philadelphia, PA; Reading, PA; Temple, PA; Robesonia, PA; York, PA; King of Prussia, PA; Norristown, PA; Scranton, PA; Wilkes Barre, PA; Morrisville, PA; Bristol, PA; Ben Salem, PA; Erie, PA; Pittsburgh, PA; Altoona, PA; Johnstown, PA; E. Stroudsburg, PA; Washington, PA.

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
SEP 9 1993  
ENTRY No. *[Signature]*

6. TYPE OF SERVICE REQUIRED

We require protection from freezing, overnight delivery, on-site loader pallet exchange, off-hour pickup and delivery, weekend pickup and delivery, delivery appointments and electronic access to delivery data.

7. SIMILAR APPLICATIONS SUPPORTED

None.

8. ANY OTHER INFORMATION DEEMED APPROPRIATE

Cumberland Distribution is a new company who needs a very close working relationship and a broad range of specialized services from its carrier. Familiarity with Gabler's operations and specialization make us certain that they are one of very few carriers who can meet our needs. Presently all transportation is secured and managed by our customers due to our lack of carriers who can provide the above services. Granting this application will allow us to offer additional capabilities to our customers and increase our growth opportunities.

Signed: James K Adams *JK*

COMMONWEALTH OF PENNSYLVANIA )

COUNTY OF Dauphin )

SS:

On this, the 7<sup>th</sup> day of September, 1993, before me, the undersigned officer, personally appeared JAMES K. ADAMS, III known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Naina J. Sanghvi  
NOTARY PUBLIC  
(SEAL)

My Commission Expires: \_\_\_\_\_

NOTARIAL SEAL  
NAINA J. SANGHVI, Notary Public  
City of Harrisburg, Dauphin County  
My Commission Expires April 11, 1994

VERIFIED STATEMENT OF  
HAROLD C. GABLER, JR.  
FOR  
GABLER TRUCKING, INC.

RECEIVED  
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PA PUC  
BUREAU OF  
TRANSPORTATION

1. LEGAL NAME AND DOMICILE OF APPLICANT

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

Telephone: (717) 264-4184

2. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR APPLICANT

My name is Harold C. Gabler, Jr. I am a stockholder, director and the President of Gabler Trucking, Inc. In those capacities, I am in charge of the entire operation, and I am familiar with the authorities, facilities and operations of the company.

3. IS THE APPLICANT AFFILIATED WITH OTHER CARRIERS?

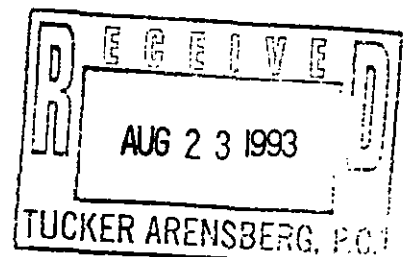
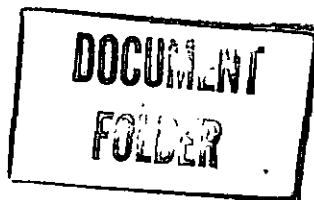
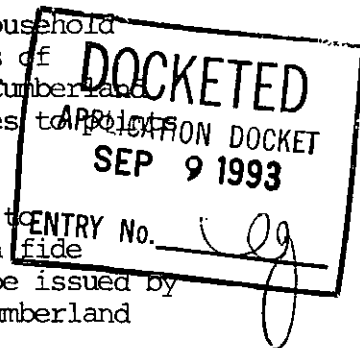
The applicant is not affiliated with any other carriers. However a sister company, H. C. Gabler, Inc., presently has a property broker's license at Docket No. A. 83975.F.8.

4. AUTHORITY SOUGHT

By this application Gabler Trucking, Inc., seeks an amendment to its authority to authorize the following additional right:

To transport, as a Class D carrier, property (except household goods in use and commodities in bulk) between the facilities of Cumberland Valley Distribution Services Company, Inc., and Cumberland Distribution Services Company, Inc., and from said facilities to points in Pennsylvania, and vice-versa.

Provided that all such transportation shall be limited to commodities unloaded or reloaded at such facilities for bona fide storage and for which a warehouse receipt has been or will be issued by Cumberland Valley Distribution Services Company, Inc., or Cumberland Distribution Services Company, Inc.



5. GENERAL SCOPE OF CURRENTLY AUTHORIZED OPERATIONS

Our company possesses authority from this Commission at A.109226. A complete copy thereof is attached as Exhibit 1, we also possess authority from the Interstate Commerce Commission at Docket No. MC-27817. Copies of the broadest portions of that authority as set forth at Sub 184 and Sub 183 paragraph 152 are attached as Exhibit 2.

6. DUPLICATING AUTHORITY WHICH WILL RESULT FROM GRANT OF AUTHORITY

No duplication will result from a grant of authority in this proceeding.

7. DUAL OPERATIONS RE RESULTING FROM GRANT OF AUTHORITY

None.

8. PERTINENT TERMINAL FACILITIES AND COMMUNICATIONS NETWORK

Our principal terminal and general office of the corporation is located at Chambersburg, PA. This is a full terminal located just north of Chambersburg on a 6-acre tract. At this location, we have our general offices, a complete garage for major and minor repairs and our storage facilities. The Chambersburg terminal is open 24 hours per day, 7 days per week and, by virtue of the general office being at that terminal coordinates all of the activities of the other terminals.

We also maintain a terminal at Aspers, located just north of the town of Aspers. This terminal is on a 4-acre tract containing office facilities, a full shop for major and minor repairs and our own tire recapping plant. In addition, we have 12 adjoining acres of land, 6 of which have been converted to parking facilities for our equipment.

We operate a garage and equipment pool in Silver Spring Township, Cumberland County, at which location we have an office, a shop capable of major and minor repairs and parking for our units. Across the road and also in Silver Spring Township, we have a small warehouse for storage of customers' products and the availability of additional trailer parking. A third facility in Silver Spring Township is our three acre trailer staging area. This is a lighted and secured area with a security office which is manned on nights and weekends. At this location, we drop loaded trailers either prior to delivery or immediately after loading. This permits more efficient use of our equipment.

The terminals have telephone facilities and the major terminals have gas, oil grease and washing facilities.

We would require no additional terminals to provide the proposed service.

In this instance, the Chambersburg terminal would direct the operation and determine the point from which equipment would be dispatched.

9. PERTINENT EQUIPMENT

I have attached as Exhibit 3, a summary of our equipment from which you will note that our power units consist of 75 company owned road tractors and 45 leased tractors for a total of 120 with an additional 20 company tractors used for loading purposes. Currently, we have 1 straight truck under lease and 15 company owned service vehicles.

Our trailers numbering 340 consist of 300 insulated vans and 40 refrigerated vans.

We will require no additional equipment to enable us to provide the proposed service.

10. SAFETY PROGRAM

We maintain insurance in excess of the Commission's requirements.

As of our drivers, whether of company or leased equipment, go through a screening test and a driver test, and have their safety records checked. They are familiar with DOT safety regulations and our company rules.

All equipment is state inspected as required; is subject to all required preventive maintenance; and all defects noted on the logs are corrected before the unit is used again.

We are not under safety investigation or suspension.

11. TYPE OF SERVICE TO BE OFFERED

Upon approval, we will provide the following service:

1. We will handle truckload and less than truckload traffic.
2. We will handle multiple pickup or multiple delivery traffic or both in combination.
3. We will handle customer deliveries.
4. We will provide COD and order notify service.
5. On truckload traffic our normal service is overnight. On multiple delivery traffic it depends upon hours of loading and number of stops. It is generally next day and at worst second day.
6. Where volume warrants, we will spot equipment for the shipper to facilitate loading, 24 hours a day, 7 days a week.
7. We will handle a full commodity mix.
8. Where pallets are involved, we will arrange a pallet exchange program if required.
9. In emergency situations, we can provide for weekend deliveries.
10. We protect the customers product from freezing.

12. FINANCIAL DATA

I have attached our balance sheet of June 30, 1993, as Exhibit 4. Gabler Trucking, Inc., has sufficient resources in vehicle equipment and computer and communications equipment to provide an excellent service.

I have attached as Exhibit 5, our income statement for the month of June, and the year to date. Facility consolidation and additional operating revenues to be generated by the proposed new service will assist in eliminating our operating deficit.

We are financially sound.

13. WHETHER SERVICE PROVIDED WILL CREATE EMPTY MILES OR BACKHAULS

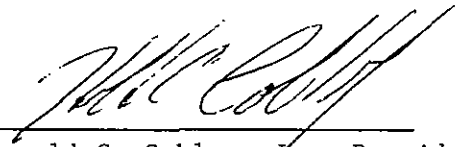
It is difficult to predict the extent to which there may be empty miles, but wherever possible we utilize our existing Pennsylvania and interstate authorities to minimize empty miles. Inbound traffic also may be of assistance. Even where empty miles do exist, we are now operating at a profit, and see no reason why this should not continue.

14. DESCRIBE SHIPPER (MANUFACTURER, DISTRIBUTOR, ETC.) AND STATE THE TYPES OF COMMODITIES TO BE TRANSPORTED.

The shipper is an operation of Public and Contract warehousing, specializing in food and grocery products. The shipper provides distribution service between all points in Pennsylvania as well as other points within the United States.

15. OTHER PERTINENT INFORMATION

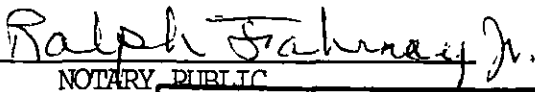
None.

Signed:   
Harold C. Gabler, Jr., President

COMMONWEALTH OF PENNSYLVANIA )  
 ) SS:  
COUNTY OF Franklin )

On this, the 20th day of August, 1993, before me, the undersigned officer, personally appeared Harold C. Gabler, Jr., known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

  
NOTARY PUBLIC  
(SEAL) Notarial Seal  
Ralph Fahmy, Jr., Notary Public  
Hamilton Twp., Franklin County  
My Commission Expires March 22, 1997  
Member, Pennsylvania Association of Notaries

My Commission Expires: \_\_\_\_\_

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held November 21, 1990

Commissioners Present:

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

Application of Gabler Trucking, Inc., a corporation of the State of Delaware, for the transfer of all of the operating rights of H. C. Gabler, Inc. under the certificates issued at A-00083975, Fs. 3, 4, 5 and 6; subject to the same limitations and conditions.

A-00109226

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Graf, Andrews & Radcliff, P.C. by David H. Radcliff for the applicant.

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CORRECTED ORDER

BY THE COMMISSION:

This matter comes before the Commission on an application filed March 8, 1990. An application for temporary authority was also filed. Public notice of the applications was given in the Pennsylvania Bulletin of April 14, 1990. No protests were filed and the unopposed application is certified to the Commission for its decision without an oral hearing.

Gabler Trucking, Inc. (applicant), a corporation of the State of Delaware, is domiciled at 1580 Gabler Road, Chambersburg, Franklin County. The applicant was incorporated on January 17, 1990 and registered with the Commonwealth of Pennsylvania as a foreign corporation, on March 26, 1990. Officers and directors of the applicant are Harold C. Gabler, Jr., president/director; P. Thomas Gabler, vice president/director; Harmon C. Piper, secretary-treasurer; and Ernest P. Weimer, director.

Ernest P. Weimer will initially hold the stock of the applicant as nominee for ENW-IV Holdings, Inc. (ENW-IV). After payment of the consideration for the rights and other assets of H. C. Gabler, Inc. (transferor), Mr. Weimer's stock will be turned over to ENW-IV or its nominee. In the event payment of



the consideration is not made, the stock of the applicant will be held by Harold C. Gabler, Harold C. Gabler, Jr., Eleanor Gabler and P. Thomas Gabler.

The applicant is seeking to acquire by transfer, the forty-nine (49) common carrier rights held by the transferor at A-00083975, Folders 3, 4, 5 and 6. In addition to the common carrier rights of the transferor, the applicant is also acquiring the following assets and liabilities, as of December 31, 1989:

Total Current Assets	-	\$1,855,250.71
Total Tangible Property	-	\$2,096,914.97
Other Property	-	\$ 20,154.46
Total Assets	-	<u>\$3,972,320.14</u>
Total Current Liabilities	-	\$2,013,463.59
Total Long-Term Debt	-	\$1,288,207.68
Total Deferred Credits	-	\$ 88,657.54
Total Liabilities/ Stockholders' Equity	-	<u>\$3,390,328.81</u>
Net Worth	-	\$ 581,991.33

The Transfer Agreement, dated November 1, 1989, between ENW-IV and the transferor, sets forth that ENW-IV will acquire the authority issued by the Interstate Commerce Commission, the Pennsylvania Public Utility Commission and the State Commissions of Maryland and North Carolina and the hereinbefore described assets and liabilities for the total consideration of \$750,000. The total consideration to be paid in cash at settlement. Upon approval of the transfer application, the transferor will retain no motor carrier operating authority.

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing public need, which may be overcome only by evidence to the contrary. In re: Byerly, 440 Pa. 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.

We find:

1. That the applicant is fit, willing and able to provide the service proposed.

2. That 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 a certificate be issued granting the applicant the following rights:

- (1) To transport, as a Class D carrier, milk from points in the townships of Saint Thomas and Hamilton to the boroughs of Chambersburg, Mercersburg and Greencastle, Franklin County, and the borough of Shippensburg, Cumberland County;
- (2) To transport, as a Class D carrier, fruit and vegetables from farms and orchards to canneries and packing, storage and freight houses between points in the counties of Franklin and Adams;
- (3) To transport, as a Class D carrier, farm products, farm machinery and supplies from points in the townships of Hamilton and Saint Thomas to the borough of Chambersburg, Franklin County, and vice versa; provided such transportation shall either originate or terminate at a farm;
- (4) To transport, as a Class D carrier, heavy or bulky machinery for the Chambersburg Implement Company from the city of Harrisburg, Dauphin County to points within fifteen (15) miles by the usually traveled highways of the limits of the borough of Chambersburg, Franklin County, excluding the said borough;
- (5) To transport, as a Class D carrier, apples and apple products from the plant of the Knouse Corporation in the borough of Chambersburg, Franklin County, to the village of Peach Glen, Adams County, and vice versa;
- (6) To transport, as a Class D carrier, powdered milk from the plant of the Hershey Creamery Company in the borough of Chambersburg, Franklin County, to points within one hundred fifty (150) miles by the usually traveled highways of the limits thereof, excluding transportation from the Hershey Creamery Company's plant in the borough of Chambersburg, Franklin County, to points on the route of Horn's Motor Express and the routes of its connecting carriers, namely, Motor Freight Express, from the city of Harrisburg, Dauphin County, to the cities of Lancaster and Philadelphia, and Hall's Motor Transit Company, from the city of Harrisburg, Dauphin County, to the cities of Sunbury, Williamsport, Wilkes-Barre and Scranton;

- (7) To transport, as a Class D carrier, cream from the borough of Chambersburg, Franklin County, to the city of Harrisburg, Dauphin County;
- (8) To transport, as a Class D carrier, apples and peaches from points in the counties of Franklin and Adams to points within two hundred (200) miles by the usually traveled highways of the limits thereof;
- (9) To transport, as a Class C carrier, apples and apple products for the Knouse Corporation located in the borough of Chambersburg, Franklin County, and the village of Peach Glen, Adams County, to points within two hundred (200) miles by the usually traveled highways of the limits thereof;
- (10) To transport, as a Class D carrier, packing house supplies, cannery supplies, farm supplies and food products in containers between canneries, packing houses, storage houses and freight houses in the counties of Franklin and Adams, and from said places to farms in the said counties, and vice versa;
- (11) To transport, as a Class D carrier, frozen foods from the plants of Knouse Foods, Inc., and Knouse Foods Cooperative, Inc. in the villages of Peach Glen and Orrtanna, Adams County, to points in Pennsylvania, and vice versa;
- (12) To transport, as a Class D carrier, empty containers and materials and supplies used in the production of food products from points in Pennsylvania west of U.S. Highway Route 15 to the plants of Knouse Foods, Inc., and Knouse Foods Cooperative, Inc., in the village of Orrtanna, Adams County;
- (13) To transport, as a Class D carrier, dry sugar in bulk from points in Pennsylvania to the plants of Knouse Foods, Inc., and Knouse Foods Cooperative, Inc., in the borough of Chambersburg, Franklin County;

with Right Nos. 12 and 13 subject to the following conditions:

That no right, power or privilege is granted to transport any property from the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) miles of the limits of said borough;

That no right, power or privilege is granted to transport glass containers from the borough of South Connellsville, Fayette County;

That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles, except dry sugar in bulk;

- (14) To transport, as a Class D carrier, fruits, fresh and canned, farm products and supplies, from points in the county of Adams to points in Pennsylvania, and vice versa;
- (15) To transport, as a Class D carrier, fruits from storage houses in the county of Adams to other points in Pennsylvania;
- (16) To transport, as a Class D carrier, fresh fruit from orchards and packing houses in the counties of Adams, Franklin, Cumberland and York for Musselman Fruit Products Division of Pet, Inc. to its canneries at Gardners and Biglerville, Adams County.
- (17) To transport, as a Class D carrier, canned products from such canneries to other points in Pennsylvania, and empty containers, supplies and returned goods from other points in Pennsylvania to the canneries;
- (18) To transport, as a Class D carrier, 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.
- (19) To transport, as a Class D carrier, feed, constituent parts of feed, and fertilizer for L.A. Gulden from Philadelphia, to applicant's warehouse at Biglerville, Adams County, and to farmers and dealers in the counties of York, Adams, Franklin, Fulton, Perry, Cumberland and Dauphin either directly from Philadelphia or from the applicant's warehouse;
- (20) To transport, as a Class D carrier, foodstuffs from canneries, packing houses and storage places operated in connection therewith in Adams County, and materials and supplies used in said canneries and packing houses to points in Pennsylvania, and vice versa;

with Right No. 20 subject to the following condition:

That no right, power or privilege is granted to transport frozen or other commodities requiring refrigeration trucks from points in the city of Harrisburg, Dauphin County,

and points within an airline distance of ten  
(10) miles of the limits of said city;

- (21) To transport, as a Class D carrier, packing house supplies and equipment and clay products between points in the county of Adams.
- (22) To transport, as a Class D carrier, packing house supplies and equipment and clay products, from points in the county of Adams to other points in Pennsylvania, and vice versa;
- (23) To transport, as a Class D carrier, building materials between points in the counties of Adams, Cumberland, York, Franklin, Perry, Lancaster and Dauphin, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of disposal, and excluding the transportation of brick or by-products of brick from the city of Harrisburg, Dauphin County, as a point of origin;
- (24) To transport, as a Class B carrier, property between points in the borough of Biglerville, Adams County;
- (25) To transport, as a Class D carrier, sugar in bags from points in the city and county of Philadelphia to points in the county of Franklin;
- (26) To transport, as a Class D carrier, grass stop, in rolls, metal stove shovels, metal roofing and siding and fabricated metal building products, from the plant site of Penn Supply and Metal Corporation in the city and county of Philadelphia to points in Pennsylvania, with the right to return materials and supplies used in the manufacture of said commodities;

with Right No. 26 subject to the following conditions:

That no right, power or privilege is granted to provide service to or from points in the city and county of Philadelphia and points within an airline distance of thirty-five (35) statute miles of the Philadelphia City Hall;

That no right, power or privilege is granted to provide service from the plants of the Bethlehem Steel Corporation in Cambria County;

- (27) To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain grocery food business houses (except commodities in bulk),

between points in the borough of Hanover and the township of Penn, York County, and from points in said borough and township to points in that part of Pennsylvania west of U.S. Highway Route 219, and vice versa;

- (28) To transport, as a Class D carrier, property from the plant site of PPG Industries, Inc., in the township of South Middleton, Cumberland County, to points in Pennsylvania, and vice versa;

with Right No. 28 subject to the following conditions:

That no right, power or privilege is granted to transport commodities in bulk in dump vehicles or tank vehicles;

That no right, power or privilege is granted to transport property which, because of size or weight, requires special handling or the use of special equipment such as winch trucks or tractors, pole trailers, extendible trailers or carryalls;

That no right, power or privilege is granted to transport household goods in use;

That no right, power or privilege is granted to transport junk, scrap iron, metal borings and metal turnings for Maryland Metals, Inc. to points in the borough of Lewistown, Mifflin County, and to that part of Pennsylvania bounded on the east by U.S. Highway Route 219 and on the north by U.S. Highway Routes 322 and 62, including points on said routes, and to plants of the Bethlehem Steel Company in the county of Cambria;

- (29) To transport, as a Class D carrier, foodstuffs, pet foods, drugs, waxes and polishes, and paper and wrapping items (excluding commodities in bulk), from the warehouse of D. Westervelt, Inc., in the borough of Hanover, York County, to points in that part of Pennsylvania on and east of U.S. Highway Route 219 and vice versa;

with Right No. 29 subject to the following condition:

That no right, power or privilege is granted to transport any single shipment weighing less than 10,000 pounds;

- (30) To transport, as a Class D carrier, foodstuffs (except in bulk) in vehicles equipped to protect

from heat or cold, from the facilities of Hershey Foods Corporation in the township of Derry, Dauphin County, to points in Pennsylvania; and the return of materials and supplies (except in bulk) used in the production of foodstuffs, in vehicles equipped to protect from heat or cold;

- (31) To transport, as a Class D carrier, foodstuffs (except in bulk) from the facilities of San Giorgio Macaroni, Inc., in the city of Lebanon, Lebanon County, to points in Pennsylvania; and the return of materials and supplies (except in bulk) used in the production of foodstuffs;

with Right No. 31 subject to the following conditions:

That no right, power or privilege is granted to render service to or from points in the counties of Berks, Blair, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Delaware, Huntingdon, Juniata, Lackawanna, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Schuylkill, Snyder, Union and Wyoming.

That no right, power or privilege is granted to transport containers, closures, cartons or boxes from Brockway Glass Company, Inc., in the city of Washington, Washington County.

- (32) To transport, as a Class D carrier, property from the facilities of Calgon Consumer Products Company, Inc., subsidiary of Merck & Co., Inc., in Falls Township, Bucks County, to points in Pennsylvania (excluding points in the counties of Philadelphia, Chester, Delaware, Bucks, Montgomery, Franklin, Perry, Adams, Dauphin, York, Lancaster and Lebanon);

with Right No. 32 subject to the following conditions:

Provided that transportation to points in the county of Cumberland shall be limited to the facilities of Dauphin Distribution Services Co.

Provided that no right, power or privilege is granted to perform transportation to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the limits of said city; points in the borough of Lewistown, Mifflin County, and points

within an airline distance of ten (10) statute miles of the limits thereof; points in the borough of State College, Centre County, and points within an airline distance of ten (10) statute miles of the limits thereof; and points in the borough of Huntingdon, Huntingdon County, and points within an airline distance of five (5) statute miles of the limits thereof;

- (33) To transport, as a Class D carrier, soap, soap products and cleaning compounds marketed by Armour-Dial, Inc., from the plant site of Purex Corp., in the borough of Bristol, Bucks County, to points in Pennsylvania (excluding points in the counties of Philadelphia, Chester, Delaware, Bucks, Montgomery, Franklin, Perry, Adams, Dauphin, York, Lancaster and Lebanon);

with Right No. 33 subject to the following conditions:

Provided that deliveries to points in Cumberland County shall be limited to the facilities of Dauphin Distribution Services Co.;

Provided that no right, power or privilege is granted to perform transportation to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the limits of said city; points in the borough of Lewistown, Mifflin County, and points within an airline distance of ten (10) statute miles of the limits thereof; points in the borough of State College, Centre County, and points within an airline distance of ten (10) statute miles of the limits thereof; and points in the borough of Huntingdon, Huntingdon County, and points within an airline distance of five (5) statute miles of the limits thereof;

Provided that no right, power or privilege is granted to perform transportation to points in the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) statute miles of the limits of said borough, plus the city of Johnstown, Cambria County, and the boroughs and townships contiguous thereto;

- (34) To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail, and chain grocery food houses (except commodities in bulk), from the plant sites, warehouses and distribution centers of:



1. Hanover Terminals, Inc. and Hanover Brands, Inc. in the borough of Hanover and the township of Penn, York County;
2. D. Westervelt, Inc., in the boroughs of Hanover, New Freedom, and Shrewsbury and the township of Penn, York County;
3. California Cannery and Growers in the township of Conewago, Adams County;

with Right No. 34 subject to the following conditions:

Provided that no right, power or privilege is granted:

To perform transportation of containers from the city of Clarion and the township of Paint, Clarion County;

To transport any single shipment weighing less than 10,000 pounds from points in the borough of Hanover and the township of Penn, York County, to points on the east of U.S. Highway 219, and vice versa; and

To transport any single shipment weighing less than 10,000 pounds from the boroughs of New Freedom and Shrewsbury, York County, and the township of Conewago, Adams County, to points in Pennsylvania, and vice versa, except to and from points on and west of U.S. Highway 220 and points on and south of U.S. Highway 22;

- (35) To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain grocery food business houses (except commodities in bulk) from the plant sites and warehouses of Dauphin Distribution Services Co., in the borough of Camp Hill and the township of Hampden, Cumberland County, to points in Pennsylvania;

with Right No. 35 subject to the following condition:

That no right, power or privilege is granted to render service to the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) statute miles of the limits of said borough, except on multiple delivery shipments involving destinations both within and beyond said territory on the same truckload;

- (36) To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain food grocery business houses, except commodities in bulk, from points in that part of Pennsylvania on and west of U.S. Highway Route 219, and from the shipping facilities of the Durkee Foods Division of SCM Corporation in the city of Bethlehem, Lehigh and Northampton Counties, the borough of Pen Argyl, and the township of Plainfield, Northampton County, to the facilities of Dauphin Distribution Services Co., in the borough of Camp Hill and the township of Hampden, Cumberland County;

with Right No. 36 subject to the following condition:

That transportation from the shipping facilities of the Durkee Foods Division of SCM Corporation shall be limited to shipments of thirty thousand (30,000) pounds or more;

- (37) To transport, as a Class D carrier, animal feed, from the facilities of Perk Foods Company, Division of C.H.B. Foods, Inc., located in the township of Lower Allen, Cumberland County, to points in Pennsylvania;
- (38) To transport, as a Class D carrier, such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from points in the county of Cumberland, to points in Pennsylvania, and vice versa;
- (39) To transport, as a Class D carrier, such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from the facilities of H.J. Heinz Company, located in the county of Allegheny, to points in Pennsylvania, and vice versa;

with Right Nos. 38 and 39 subject to the following condition:

That no right, power or privilege is granted to provide service from the facilities of Ralston Purina Company;

- (40) To transport, as a Class D carrier, commodities as are dealt in by wholesale, retail and chain grocery and food business houses, for the Pillsbury Company, from the plantsite of said company, located in the township of West Sadsbury, Chester County, to points in Pennsylvania, and vice versa.
- (41) To transport, as a Class D carrier, 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.

- (42) To transport, as a Class D carrier, milk and farm products, fruit and vegetables from points in the townships of Greene, Guilford and Southampton, Franklin County, and within three (3) miles of the limits of said townships to other points in Pennsylvania within fifty (50) miles by the usually traveled highways of the limits of said townships, and vice versa;
- (43) To transport, as a Class D carrier, household goods, in use, from points in the borough of Chambersburg, Franklin County, and within three (3) miles of the limits of said borough to other points in Pennsylvania, and vice versa, provided that such transportation shall originate or terminate at a farm or a rural dwelling;
- (44) To transport, as a Class D carrier, fruit from orchards and packers in the county of Franklin to other points in Pennsylvania;
- (45) To transport, as a Class D carrier, fruit juices from the village of Scotland, Greene Township, Franklin County, to points in Pennsylvania, and the return of empty containers to points in the said village, provided that no fruit juices shall be transported to points on the direct lines of Horn's Motor Express, nor shall any empty containers be transported from or to points on the direct lines of Horn's Motor Express;
- (46) To transport, as a Class D carrier, containers and container parts, from the plant site of Continental Can Company in the city of Lancaster, Lancaster County and its warehouses in the county of Lancaster, to points in Pennsylvania (except points in the county of Adams);

with Right No. 46 subject to the following condition:

That the service herein authorized shall be limited to transportation in high-cube and extra high-cube van trailers having a rear door opening of one hundred (100) inches or more;

- (47) To transport, as a Class D carrier, dry pyrophyllite, in flatbed vehicles, dump vehicles and pneumatic tank vehicles, from points in the townships of South Middleton and Dickinson, Cumberland County, to points in Pennsylvania; provided that transportation to points within thirty (30) miles of the limits of the borough of Martinsville, Blair County, shall be confined to transportation in dump vehicles and pneumatic tank vehicles;
- (48) To transport, as a Class D carrier, slate dust, in bulk, and ground, crushed and pulverized slate, in bulk, from the plant of Roofing Granule Division of the Ruberoid Company in the township of Peach Bottom, York County, to points in Pennsylvania;
- (49) To transport, as a Class D carrier, raw milk, in bulk in tank trucks, for Cherry Lane Dairy, Shively's Dairy and Chambersburg Dairy Products, all located in the borough of Chambersburg, Arthur's Dairy located in the borough of Waynesboro and Miller and Read's Dairy located in the borough of Shippensburg, between points in the borough of Chambersburg, Franklin County, and within sixty (60) miles of the limits of the borough of Chambersburg and from points in the said territory to points within two hundred fifty (250) miles of the limits of the said borough of Chambersburg;

with Right No. 49 subject to the following conditions:

FIRST: That no right, power or privilege is granted to perform transportation for:

- (1) Abbott's Dairies, Inc.;
- (2) Sealtest Supplee Division of National Dairy Products;
- (3) Harbison's;
- (4) Foremost Dairies;
- (5) Breyer's Ice Cream Co. Division of National Dairy Products;
- (6) Lancaster Milk Co.;
- (7) Penn-Dairies, Inc.;
- (8) Hershey Creamery, Inc.;
- (9) Hershey Chocolate Company;
- (10) Rakestraw's Dairy Products;
- (11) Harrington Dairies, Inc.;

their present or future subsidiaries, affiliates, successors or assigns;

SECOND: That no right, power or privilege is granted to perform transportation to points in the cities

of Harrisburg, York and Philadelphia and points  
in the counties of Northumberland, Union, Snyder,  
Centre and Clinton.

subject to the following 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 property and 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 applicant charge to Account 1550, Other Intangible Property, \$750,000, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above; and subject to further adjustment due to any normal interim transactions to the date of actual transfer.
4. 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.
5. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. Section 1102(a)(3).

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 applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and 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, the rights granted the transferor, H. C. Gabler, Inc., at A-00083975, Fs. 3, 4, 5 and 6 be cancelled and the record be marked closed.

IT IS FURTHER ORDERED: That the application for temporary authority filed at A-00109226 be and is hereby dismissed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized flourish or scribble.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: November 21, 1990

ORDER ENTERED: NOV 28 1990

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

Public Meeting held June 27, 1991

Commissioners Present:

William H. Smith, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
Wendell F. Holland, Commissioner  
David W. Rolka, Commissioner

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.

A-00109226  
F. 1  
Am-A

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Christian V. Graf for the applicant.

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O R D E R

BY THE COMMISSION:

This application, filed March 8, 1991, is before the Commission for its decision without oral hearing. Public notice of the application was given in the Pennsylvania Bulletin of March 30, 1991. The record, which consists of statements entered by the applicant and the supporting shipper is now certified to the Commission for its decision. Emergency temporary authority was granted by order adopted March 22, 1991 and entered March 25, 1991. Application for temporary authority is herewith dismissed.

The applicant, Gabler Trucking, Inc., (Gabler or applicant) is a corporation of the State of Delaware, domiciled at 1580 Gabler Road, Chambersburg, Franklin County. Harold C. Gabler, Jr. is president, P. Thomas Gabler is vice-president and Harmon Pipe is secretary-treasurer. Gabler owns and operates seventy-five tractors, three hundred eighty five trailers and forty-two refrigerated trailers. Applicant also leases one hundred fifteen tractors and drivers. Applicant's Chambersburg terminal is three miles from the supporting shipper's facilities.

This facility also contains a major repair garage and corporate offices. Two other terminals will be used to service the requirements of the shipper, Borden, Inc., Food Service Division. One is at Aspers, Adams County, thirty miles east of Chambersburg. The other is located at New Kingstown, Cumberland County about forty miles from Chambersburg. All facilities have docks for consolidation of LTL traffic, any location will be used for service to Borden.

Borden, Inc., Foodservice Division's new plant at Chambersburg is due to be completed in early 1991. The 400,000 square foot "hyper-plant" will produce and distribute individual serving packets of condiments, jellies, creamers and seasonings according to a verified statement entered by Randy Moberg, transportation manager. A broad spectrum of ingredients and packaging materials will be received at the new plant.

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 is in the center of the service area. Therefore, service between this plant and all points in Pennsylvania is required. Borden, Inc., Food Service Division has customers at virtually all points in Pennsylvania. Representative destinations for such customers are; Allentown, Altoona, Bridgeville, Chambersburg, DuBois, Harrisburg, Lancaster, Oaks, Philadelphia and Mechanicsburg. Shipments to Pennsylvania are not moved in an acceptable fashion since the carriers offer fragmented service areas, and do not understand or supply the service required of the shipper.

Mr. Moberg states that, beginning in October 1990, he has sought carriers with state-wide authority and specialized equipment (refrigerated units) who could handle Borden's need. Only general commodity carriers have been located, none with adequate authority or refrigerated equipment.

#### DISCUSSION AND FINDINGS

The facility to be served is a new facility from which general commodity carriers currently hold authority. However, the shipper has found no certificated carrier who can supply the specialized equipment required, and is able to serve its statewide needs. A review of the record before us shows that the product to be transported requires specialized equipment and that the applicant is prepared to provide that equipment.



It has been the policy of this Commission to grant authority "from the facilities" of a shipper only when sufficient support was received from several different shippers. No such support is present in the instant application. The attorney of record agrees that the authority granted be modified to read for the supporting shipper, Borden, Inc., Foodservice Division.

There is sufficient evidence to warrant the grant of authority;  
THEREFORE,

IT IS ORDERED: That the application, as modified, be and is hereby approved and that the certificate issued to the applicant on October 26, 1990, be further amended to include the following right:

To transport as a Class D carrier property for Borden, Inc., Foodservice Division, from its facility 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 be 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.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of 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 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 application for temporary authority be herewith dismissed.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich". The signature is written in dark ink and is positioned above the printed name.

Jerry Rich  
Secretary

(SEAL)

ORDER ADOPTED: June 27, 1991

ORDER ENTERED: JUL 3 1991

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

Public Meeting held February 27, 1992

Commissioners Present:

David W. Rolka, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
Wendell F. Holland, Commissioner

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, animal feed, from the facilities of Perk Foods Company, Division of C.H.B. Foods, Inc., located in the township of Lower Allen, Cumberland County, to points in Pennsylvania: SO AS TO PERMIT the transportation of property, for Food Lion, from its facilities located in the township of Antrim, Franklin County, to points in Pennsylvania, and vice versa.

A-00109226  
F. 1  
Am-B

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David H. Radcliff for the applicant.  
Peter G. Loftus for the protestant, Seaboard Tank Lines, Inc.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed October 15, 1991. Public notice of the application was given in the Pennsylvania Bulletin of November 23, 1991. One protest was filed to the application but was withdrawn contingent upon the Commission's acceptance of a restrictive amendment prohibiting the transportation of petroleum, petroleum products and dry litharge, in bulk. The now unopposed application is certified to the Commission for its decision without oral hearing. The record consists of verified statements submitted by the applicant and the supporting shipper.

Gabler Trucking, Inc. (Gabler or applicant), is a Delaware corporation with its principal place of business in Chambersburg, Franklin County. It is the successor of H. C. Gabler, Inc., and presently operates under fifty

paragraphs of rights. The applicant operates terminals in Chambersburg, Aspers, Adams County, and Silver Springs, Cumberland County. A fleet of 140 tractors and 400 trailers is available to perform the proposed service. As a currently certificated carrier, the applicant has a comprehensive safety program for drivers and vehicles in place. As evidence of its financial capacity to perform the additional service, Gabler reports assets of \$4,090,069, with liabilities of \$3,855,757, leaving a shareholders' equity of \$234,312.

By this application, Gabler seeks the additional right to transport property (except petroleum, petroleum products and dry litharge, in bulk) for Food Lion, from its facilities in Antrim Township, Franklin County, to points in Pennsylvania, and vice versa.

Gary Hart, transportation procurement specialist for Food Lion, submitted a verified statement in support of the amended application. Food Lion is a supermarket chain with three stores in Pennsylvania and more planned for the future. It operates a warehouse facility in Antrim Township, Franklin County, which receives inbound shipments from suppliers and ships outbound shipments to its retail stores. Approximately one hundred truckloads per year are expected to be handled by the facility. Suppliers are located throughout the state, including such points as Allentown, Bristol, Chester, Erie, Hanover, Lancaster, New Castle, Pittsburgh, Reading and Shiremanstown. The applicant presently serves the shipper in interstate commerce and Food Lion is satisfied with the quality of its service.

After a complete review of the record before us, we find:

1. That the applicant has shown that there is a public need for the proposed service, as amended.
2. That the applicant possesses the necessary equipment, experience, and financial capacity to perform the proposed service, as amended.
3. That approval of the application, as amended, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved and that the certificate issued to the applicant on October 6, 1990, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property,  
for Food Lion, from its facilities in Antrim  
Township, Franklin County, to points in Pennsyl-  
vania, and vice versa;

subject to the following condition:

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

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the applicant, shall not be construed as conferring more than one operating right.

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

BY THE COMMISSION,



John G. Alford  
Secretary

(SEAL)

ORDER ADOPTED: February 27, 1992

ORDER ENTERED: March 10, 1992

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

Public Meeting held June 19, 1992

Commissioners Present:

David W. Rolka, Chairman  
Joseph Rhodes, Jr., Vice-Chairman  
Wendell F. Holland, Commissioner

Application of Gabler Trucking, Inc.,  
a corporation of the Commonwealth of  
Pennsylvania, for amendment to its common  
carrier certificate, which grants the  
right, inter alia, to transport, by motor  
vehicle, fruit from orchards and packers  
in the county of Franklin to other points  
in Pennsylvania: SO AS TO PERMIT the  
transportation of property, for Nursery  
Supplies, Inc., between its facilities in  
the counties of Bucks and Franklin, and  
from said facilities, to points in Penn-  
sylvania, and vice versa.

A-00109226  
F. 1  
Am-C

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David H. Radcliff for the applicant.  
Peter G. Loftus for the protestant, Seaboard Tank Lines, Inc.

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O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed October 21, 1991. Public notice of the application was given in the Pennsylvania Bulletin of December 7, 1991. One protest was filed to the application but was withdrawn contingent upon the Commission's acceptance of a restrictive amendment prohibiting the transportation of petroleum, petroleum products and dry litharge, in bulk. The now unopposed application is certified to the Commission for its decision without oral hearing. The record consists of verified statements submitted by the applicant and the supporting shipper.

Gabler Trucking, Inc. (Gabler or applicant), is a Delaware corporation with its principal place of business in Chambersburg, Franklin County. It is the successor of H. C. Gabler, Inc., and presently operates under fifty paragraphs of rights. The applicant operates terminals in Chambersburg,

Aspers, Adams County, and Silver Springs, Cumberland County. A fleet of 140 tractors and 400 trailers is available to perform the proposed service. As a currently certificated carrier, the applicant has a comprehensive safety program for drivers and vehicles in place. As evidence of its financial capacity to perform the additional service, Gabler reports assets of \$4,090,069, with liabilities of \$3,855,757, leaving stockholders' equity of \$234,312.

Francis R. Quinn, traffic and shipping manager for Nursery Supplies, Inc. submitted a verified statement in support of the application. Nursery Supplies manufactures plastic flower pots. Nursery Supplies has two facilities, its principal headquarters and a manufacturing plant in Fairless Hills, Bucks County and a manufacturing and storage facility being constructed at Chambersburg, Franklin County. Shipments are received at both locations from points throughout the state. Shipments will be made from both facilities to points throughout Pennsylvania. Truckload service is required with multiple pickups and deliveries in dry van trailers. Gabler presently serves the shipper in interstate commerce and satisfies its requirements.

After a complete review of the record before us, we find:

1. That the applicant has shown that there is a public need for the proposed service, as amended.
2. That the applicant possesses the necessary equipment, experience, and financial capacity to perform the proposed service, as amended.
3. That approval of the application, as amended, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved and that the certificate issued to the applicant on October 6, 1990, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property, for Nursery Supplies, Inc., between its facilities in Bucks and Franklin Counties 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 petroleum and petroleum products, in bulk, and dry litharge, in bulk.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the applicant, shall not be construed as conferring more than one operating right.

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

BY THE COMMISSION,



John G. Alford  
Secretary

(SEAL)

ORDER ADOPTED: June 19, 1992

ORDER ENTERED: JUL 1 1992



ITEM	RULES AND OTHER GOVERNING PROVISIONS
<p>50                      Concluded</p>	<p style="text-align: center;"><b>SCOPE OF OPERATIONS</b></p> <p>CERTIFICATE NO. A-00109226 Folder 1, Am-B to transport, as a Class D carrier, property, for Food Lion, from its facilities in Antrim Township, Franklin County, to points in Pennsylvania, and vice versa; subject to the following condition:                      That no right, power or privilege is granted to transport petroleum and petroleum products, in bulk, and dry litharge, in bulk.</p> <p>CERTIFICATE NO. A-00109226 Folder 1, Am-C to transport, as a Class D carrier, property, for Nursery Supplies, Inc., between its facilities in Bucks and Franklin Counties 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 petroleum and petroleum products, in bulk, and dry litharge, in bulk.</p> <p>§@CERTIFICATE NO. A-00109226 Folder 1, Am-E to transport, as a Class D carrier, property, between points in the county of Franklin and from points in said county, to points in Pennsylvania, and vice versa; subject to the following conditions:</p> <ol style="list-style-type: none"> <li>(1) That no right, power or privilege is granted to transport property in bulk.</li> <li>(2) That no right, power or privilege is granted to transport household goods in use.</li> <li>(3) That no right, power or privilege is granted to provide transportation to or from hospitals.</li> <li>(4) That no right, power or privilege is granted to provide service for Owens-Brockway Class Container Division or to or from the facilities of that company located in the borough of Brockway, Jefferson County, the townships of Snyder, Warsaw, Washington and Polk, Jefferson County, or in the county of Clearfield.</li> <li>(5) That no right, power or privilege is granted to transport shipments which weigh less than 200 pounds, a shipment being defined as a lot of parcels and packages moving from one consignor to one consignee on one day on one bill of lading.</li> <li>(6) That no right, power or privilege is granted to provide service for the Commonwealth of Pennsylvania and its agencies.</li> <li>(7) That no right, power or privilege is granted to transport checks, deposit tickets, notes, money orders, drafts, traveler's checks, commercial papers, documents, written instruments, office supplies, cash, letters, evidence of indebtedness and securities, either for, to or from banks and banking institutions.</li> <li>(8) That no right, power or privilege is granted to transport property for Reynolds and Reynolds of Chambersburg; T. B. Woods and Son Company of Chambersburg; Frick Company of Waynesboro; Jerry Conn Associates, Inc., of Chambersburg; and Jerr Dan of Greencastle.</li> <li>(9) That no right, power or privilege is granted to transport non-refrigerated shipments which weigh less than 1,000 pounds, a shipment being defined as a lot of freight moving from one consignor to one consignee on one day on one bill of lading.</li> <li>(10) That no right, power or privilege is granted to provide service to or from the facilities of James River Corporation in the borough of Chambersburg, Franklin County.</li> </ol> <p>CERTIFICATE NO. A-00109226 Folder 6001 (ETA) to transport, as a Class D carrier, property for Reckitt &amp; Colman, Inc., from the facilities owned, leased or utilized by Reckitt &amp; Colman, Inc., 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 or household goods in use.</p>

§ - Effective August 10, 1993, issued on one day's notice under authority of Pa. Code, Title 52, Section 23.42.  
 For explanation of abbreviations and reference marks, see Item 1000.

ISSUED: AUGUST 5, 1993 EFFECTIVE: SEPTEMBER 13, 1993

ISSUED BY:  
 HAROLD C. GABLER, III, Vice President-Administration  
 P. O. Box 1089  
 Chambersburg, Pennsylvania 17201

GABLER TRUCKING, INC.  
(SUMMARY ICC CERTIFICATE)  
MC-27817, Sub 183

Paragraph 152

(152) general commodities (except classes A and B explosives; Poison A; liquefied compressed gas or compressed gas; highway route controlled quantity radioactive materials as defined §173.403; or hazardous substances transported in cargo tanks, portable tanks or hopper type vehicles with capacities in excess of 3,500 water gallons; household goods, and commodities in bulk), between those points in the United States in and east of MN, IA, MO, AR, and LA.

INTERSTATE COMMERCE COMMISSION

PERMIT

SERVICE DATE

MC-27817 Sub 184\*

NOV 2 1990

GABLER TRUCKING, INC.  
Chambersburg, PA

This Permit is evidence of the carrier's authority to engage in transportation as a contract carrier by motor vehicle.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043); the designation of agents upon whom process may be served (49 CFR 1044); the execution of contracts (49 CFR 1053)\*; and for passenger carriers, tariffs or schedules (49 CFR 1312).

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

The transportation service to be performed is described on the reverse side of this document.

By the Commission.

SIDNEY L. STRICKLAND, JR.  
Secretary.

(SEAL)

\*While the execution of contracts must be accomplished, it is unnecessary to file them with the Commission.

NOTE: If there are discrepancies regarding this Permit, please notify the Commission within 30 days.

To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting general commodities (except classes A and B explosives, household goods, and commodities in bulk), between points in the United States, under continuing contract(s) with commercial shippers or receivers of such commodities.

\*This permit cancels Permit MC-27817 Sub 181, issued April 28, 1987, acquired pursuant to MC-FC-84510.

WITNESS: GABLER

EXHIBIT 3

GABLER TRUCKING, INC.

EQUIPMENT LIST

<u>TYPE</u>	<u>COMPANY OWNED</u>	<u>Leased</u>
Road Tractors	55	45
Loading Tractors	20	
Insulated Vans	300	
Refrigerated Vans	40	
Straight Trucks		1
Service Vehicles	15	

Consolidated  
Table:  
Balance Sheet  
As of 6-30-72

## ASSETS

	Gabler Trucking	H. C. Gabler, Inc.	Consolidated:
<b>Current Assets</b>			
Cash F and M Trust Co.	(314,304.70)	415,193.75	(199,111.95)
Valley Bank Brokerage Account	0.00	(31,345.13)	(31,345.13)
F & M Trust Co. Money Fund	0.00	75,733.30	75,733.30
Cash Southern Nat'l Bank of NC	0.00	2,348.54	2,348.54
Working Funds	1,557.50	700.00	1,557.50
Notes Receivable	0.00	454,744.04	454,744.04
Misc. Special Deposits	150,574.25	34,731.30	185,305.55
Accts Rec Rent Ma & Structural	0.00	35,573.39	35,573.39
Accts Rec Brokerage	0.00	159,370.45	159,370.45
Accts Rec Customer-Revenue	1,089,577.31	0.00	1,089,577.31
Accounts Receivable Tires	2,155.17	39,037.15	41,192.32
Accounts Receivable Others	15,400.94	0.00	15,400.94
Allowance for Uncollect Accts	0.00	0.00	0.00
Prepaid Taxes & Licenses	93,559.73	1,375.00	94,934.73
Prepaid State Income Tax	12,109.12	(22,767.00)	(10,657.88)
Prepaid Federal Income Tax	0.00	15,743.45	15,743.45
Prepaid Fed Highway Use Tax	0.00	0.00	0.00
Prepaid Real & Property Taxes	722.52	4,438.11	5,160.63
Prepayments Miscellaneous	0.00	0.00	0.00
Prepaid Insurance-Liability	52,531.33	7,402.62	60,933.95
Prepaid Life Ins on Officers	0.00	15,550.20	15,550.20
Prepaid Interest	0.00	0.00	0.00
Prepaid Tires and Tubes	120,215.39	0.00	120,215.39
Inventory New Tires	0.00	304,377.65	304,377.65
Inventory Recapping Material	0.00	14,503.72	14,503.72
Inventory Fallots	0.00	0.00	0.00
Inventory Diesel Fuel & Gas	11,575.53	0.00	11,575.53
Inventory Svcs-Parts oil etc	0.00	43,767.54	43,767.54
Other Materials & Supplies	92,933.14	12,054.22	104,987.36
<b>Total Current Assets</b>	<b>954,593.70</b>	<b>1,567,024.50</b>	<b>2,521,618.20</b>
<b>Tangible Property</b>			
<b>Land</b>			
Land Chambersburg Pa	0.00	45,610.50	45,610.50
Land Winchester Virginia	0.00	151,155.50	151,155.50
Land Aspers, Penna.	0.00	22,909.50	22,909.50
Land New Kingstown, Pa.	0.00	59,849.90	59,849.90
Land Mechanicsburg, Pa.	0.00	22,592.09	22,592.09
Land Charlotte, N. Car.	0.00	62,343.50	62,343.50
Land New Kingstown, Pa. #2	0.00	25,500.00	25,500.00
<b>Total Land</b>	<b>0.00</b>	<b>479,972.09</b>	<b>479,972.09</b>
<b>Structures</b>			
Structures Winchester Terminal	0.00	103,220.56	103,220.56
Structures Aspers Terminal	0.00	110,234.14	110,234.14
Structures New Kingstown Term	0.00	122,556.37	122,556.37

Structures Mechanicsburg	0.00	24,323.00	24,323.00
Structures Charlotte Term	0.00	74,917.71	74,917.71
Structures New Kingstown W/H	0.00	244,151.82	244,151.82
Leasehold Improvement Property	2,512.00	134,002.01	136,514.01
Structures Aspers Warehouse	0.00	2,042,245.27	2,042,245.27
Construction in Progress Aspers	0.00	22,041.54	22,041.54
Structures Charlotte Warehouse	0.00	227,905.20	227,905.20
Structures Tire Office & Shop Ch	0.00	132,572.41	132,572.41
Structures Tire Office & Shop As	0.00	100,233.22	100,233.22
<b>Total Structures</b>	<b>2,512.00</b>	<b>2,526,529.42</b>	<b>2,526,165.42</b>

<b>Accumulated Depreciation</b>			
Accu Depr Structures N/K Term	0.00	(22,461.50)	(22,461.50)
Accu Depr Structures Asp Term	0.00	(102,520.14)	(102,520.14)
Accu Depr Structures N K Term	0.00	(70,190.74)	(70,190.74)
Accu Depr Structures Mech	0.00	(24,323.00)	(24,323.00)
Accu Depr Structures Char	0.00	(21,229.22)	(21,229.22)
Accu Depr Structures N K W/H	0.00	(47,023.22)	(47,023.22)
Accu Depr Leasehold Imp	(461.12)	(127,222.77)	(127,683.89)
Accu Depr Structures Aspers W/H	0.00	(922,724.22)	(922,724.22)
Accu Depr Structures Char W/H	0.00	(162,179.22)	(162,179.22)
Accu Depr Structures Tires Chbg	0.00	(22,200.20)	(22,200.20)
Accu Depr Structures Tires Asper	0.00	(17,271.24)	(17,271.24)
<b>Total Accu Depr Structures</b>	<b>(461.12)</b>	<b>(1,624,179.17)</b>	<b>(1,624,640.29)</b>

<b>Equipment</b>			
Service Cars & Equipment	102,418.52	20,267.72	122,686.24
Tractors	1,725,214.73	0.00	1,725,214.73
Van Trailers	3,422,279.13	0.00	3,422,279.13
Flat Trailers	0.00	47,100.00	47,100.00
Shop & Garage Equipment	19,422.32	27,761.57	47,183.89
Furniture & Office Equipment	52,274.42	22,277.42	74,551.84
Miscellaneous Equipment	96,122.25	0.00	96,122.25
Computer Equipment	22,924.20	0.00	22,924.20
Telephone Equipment	22,030.22	0.00	22,030.22
Computer Software	92,772.22	0.00	92,772.22
Rent-Me Trailers	0.00	1,242,239.27	1,242,239.27
Rental Storage Units	0.00	2,200.00	2,200.00
Rent-Me Structures	0.00	22,737.20	22,737.20
Tire Equip/Storage Trailers	0.00	171,761.22	171,761.22
<b>Total Equipment</b>	<b>5,272,924.57</b>	<b>1,622,965.72</b>	<b>6,895,890.29</b>

<b>Accumulated Depreciation</b>			
Accu Depr Service Equip	(22,491.42)	(14,954.50)	(37,445.92)
Accu Depr Rev Eq Tractors	(927,201.42)	0.00	(927,201.42)
Accu Depr Rev Eq Trailers	(2,502,427.00)	0.00	(2,502,427.00)
Accu Depr Flat Trailers	0.00	(19,062.20)	(19,062.20)
Accu Depr Shop & Garage Eq	(17,122.40)	(20,051.77)	(37,174.17)
Accu Depr Furniture & Office E	(50,222.22)	(12,242.72)	(62,464.94)
Accu Depr Misc Equip	(22,222.22)	0.00	(22,222.22)
Accu Depr Computer Equip	(22,024.22)	0.00	(22,024.22)
Accu Depr Telephone Equip	(22,024.22)	0.00	(22,024.22)
Accu Depr Computer Software	(22,222.22)	0.00	(22,222.22)

Accu Depr Rent-Ho Trailers	0.00	(1,055,500.33)	(1,055,500.33)
Accu Depr Rental Storage Units	0.00	(2,444.00)	(2,444.00)
Accu Depr Rent-Ho Structures	0.00	(1,247.05)	(1,247.05)
Accu Depr Tire Equip	0.00	(137,357.55)	(137,357.55)
<b>Total Accu Depr Equip</b>	<b>(3,369,278.93)</b>	<b>(1,335,201.14)</b>	<b>(5,243,577.13)</b>
<b>Total Tangible Property</b>	<b>1,311,713.42</b>	<b>2,396,075.93</b>	<b>4,507,750.34</b>
<b>Intangible Property</b>			
Organization Costs	3,431.73	0.00	3,431.73
Accu Amort Organization Costs	(4,875.34)	0.00	(4,875.34)
Start Up Costs	2,245.55	0.00	2,245.55
Accu Amort Start Up Costs	(1,631.40)	0.00	(1,631.40)
W Earl Pitner Rights	3,100.00	0.00	3,100.00
Accu Amortization Pitner Rights	(4,100.00)	0.00	(4,100.00)
W R Fields Rights	200.00	0.00	200.00
Accu Amort W R Fields	(200.00)	0.00	(200.00)
Soren & Zimmerman Rights	1,000.00	0.00	1,000.00
Accu Amort Soren & Zima Rights	(1,000.00)	0.00	(1,000.00)
<b>Total Intangible Property</b>	<b>4,773.79</b>	<b>0.00</b>	<b>4,773.79</b>
Investment in Subsidiaries	0.00	512,235.34	512,235.34
Investments Life Insurance	0.00	211,529.15	211,529.15
Working Advances Employees	3,548.50	0.00	3,548.50
Down Payment on Assets	0.00	0.00	0.00
Misc Special Deposits	300.00	0.00	300.00
<b>Total Deferred Items</b>	<b>3,848.50</b>	<b>823,775.39</b>	<b>827,624.15</b>
<b>TOTAL ASSETS</b>	<b>2,784,919.42</b>	<b>5,185,227.12</b>	<b>7,351,551.54</b>

#### LIABILITIES

<b>Current Liabilities</b>			
Social Security Taxes Payable	27,718.08	0.00	27,718.08
Federal Withholding Taxes Pay	7,027.70	0.00	7,027.70
Virginia W/H Taxes Payable	537.85	0.00	537.85
Penna. W/H Taxes Payable	3,477.86	0.00	3,477.86
Employee Deductions Payable	316.50	24.67	341.17
Md. W/H Taxes Payable	1,452.11	0.00	1,452.11
Chambersburg Wage Taxes Pay	4,554.56	1,053.74	5,611.30
Empe Occupation Priv Taxes Pay	250.00	20.00	270.00
W Va W/H Taxes Payable	(6.82)	0.00	(6.82)
Christaas Club Fund Payable	400.00	0.00	400.00
Aspers Wage Taxes Payable	283.06	14.42	297.48
N. Car. W/H Taxes Payable	118.52	0.00	118.52
Empe Savings Valley Bank	905.00	0.00	905.00
N York W/H Taxes Payable	0.00	0.00	0.00
Empe Vol Retirement Fund Pay	125.30	40.00	165.30
Empe Savings Gettysburg Bank	(160.00)	0.00	(160.00)
WV Unemployment Comp Withheld	0.00	0.00	0.00
Pa. Unemployment Comp Withheld	443.50	19.77	463.27
<b>Total Employee Taxes &amp; Ded</b>	<b>47,422.21</b>	<b>1,175.60</b>	<b>48,597.81</b>



Accounts Payable	667,189.41	207,964.79	477,074.16
Accounts Payable Brokerage	0.00	42,403.95	42,403.95
Pallets Payable	27,261.36	0.00	27,261.36
Leased Payroll Payable	41,142.02	0.00	41,142.02
Accounts Payable Tires	0.00	0.00	0.00
Salaries & Wages Payable	22,553.54	5,373.22	43,934.22
C. O. D.'s Unremitted	0.00	0.00	0.00
Fuel Taxes Payable	0.00	0.00	0.00
Real Estate & Property Tax Pay.	0.00	0.00	0.00
Va Sales Taxes Payable	473.04	1257.20	213.54
Pa Sales Taxes Payable	112.74	4,360.00	4,774.54
Federal Highway Use Tax Pay	0.00	0.00	0.00
Gross Receipts Tax Payable	7,364.00	0.00	7,364.00
Accrued Pa. New Tire Tax	0.00	2,071.77	2,071.77
Federal Income Taxes Payable	0.00	0.00	0.00
State Income Taxes Payable	0.00	0.00	0.00
Interest Expense Payable	5,979.70	6,259.59	12,239.29
Cargo Claims Payable	30,122.20	952.45	20,374.15
Employee Profit Sharing Pay	3,220.00	1,170.00	10,000.00
Estimated Ins. Premiums Pay	112,936.50	97,000.00	207,936.50
Vacation Wages Payable	23,252.75	5,403.05	44,222.11
Bonuses Payable	0.00	0.00	0.00
Accrued Rental Income	0.00	41,071.41	41,071.41
Open Accounts not settled	0.00	2,704.70	2,704.70
Total Accts Pay & Taxes	581,871.22	417,122.20	998,399.52
F & M Bank Within 1 Year	550,500.00	0.00	550,500.00
Valley Bank Within 1 Year	250,928.74	0.00	250,928.74
H. C. Gabler, Inc. Within 1 Yr	222,349.53	0.00	222,349.53
Whirlpool Financial Within 1 Yr	114,440.00	0.00	114,440.00
Amplicon Financial Within 1 Yr	22,712.00	0.00	22,712.00
Associates Commercial Within 1 Y	136,532.74	0.00	136,532.74
F & M Bank Letter of Credit	55,564.50	0.00	55,564.50
H. C. Gabler, Sr. Within 1 Yr	26,320.36	0.00	26,320.36
Aspers Warehouse Within 1 Yr	0.00	122,502.00	122,502.00
V.B N Kingstown Within 1 Yr	0.00	12,451.00	12,451.00
Charlotte Warehouse MG Within 1	0.00	14,732.24	14,732.24
Total Debt Within 1 Year	1,406,015.29	155,678.24	1,581,703.12
Total Current Liabilities	2,024,719.22	573,991.64	2,500,711.46
Long Term Debt Due After 1 Year			
Valley Bank Long Term	149,973.69	0.00	149,973.69
H. C. Gabler, Inc. Long Term	241,894.49	0.00	241,894.49
Whirlpool Financial Long Term	25,229.65	0.00	25,229.65
Amplicon Financial Long Term	12,957.24	0.00	12,957.24
F & M Bank Equip Long Term	0.00	0.00	0.00
H. C. Gabler, Sr. Long Term	13,601.30	0.00	13,601.30
V.B N Kingstown MB Long Term	0.00	217,366.63	217,366.63
Associates Commercial Long Term	212,854.22	0.00	212,854.22
Aspers Warehouse MG Long Term	0.00	724,322.10	724,322.10
Charlotte Warehouse MG Long Term	0.00	161,225.25	161,225.25
Loan from Insurance Company	0.00	101,015.09	101,015.09
Total Long Term Debt	723,121.19	1,205,935.11	1,329,056.30

Deferred Credits			
Leased Operators Reserve	33,902.15	0.00	33,902.15
Security Deposits	0.00	475.00	475.00
Revenue Duplicate Payments Pay	7,107.31	0.00	7,107.31
Accru Deferred Income Tax Cr	0.00	220,036.63	220,036.63
Total Deferred Credits	71,009.46	220,511.63	291,521.09
Total Liabilities	2,222,350.22	2,660,422.22	4,882,772.44
Capital Stock			
Additional in Capital	512,235.54	0.00	512,235.54
Class A Preferred Stock	0.00	21,020.00	21,020.00
Class B Preferred Stock	0.00	1,711,200.00	1,711,200.00
Capital Stock Common Voting	0.00	17,100.00	17,100.00
Capital Stock Common Nonvoting	0.00	222,135.00	222,135.00
Total Capital Stock	512,235.54	2,032,245.00	2,544,480.54
Capital Surplus			
Retained Earnings Prior Years	(564,774.71)	1,146,077.73	581,303.02
Treasury Stock Common Voting	0.00	(3,573.74)	(3,573.74)
Treasury Stock Common Nonvoting	0.00	(27,259.79)	(27,259.79)
Retained Earnings Yr to Date	(31,359.24)	25,941.54	(5,417.70)
Total Retained Earnings and C.	(656,133.95)	1,154,200.74	498,066.79
Net Worth	(42,897.41)	3,186,446.74	3,143,549.33
Total Liabilities & Net Worth	2,224,919.45	2,186,927.12	4,411,846.57

H. G. Babler, Inc. and Babler Trucking, Inc.  
Consolidated Financials for 1995  
June

Income	Aspers W/H	Charlotte W/H	N.W. W/H	Chgo Term	Winn Term	Aspers Term	N.W. Term	Total B.E.	Rent-We	Brokerage	Three-Five	H. G. Babler	Total B/E	Grand Totals
9111-21 Finance Charges	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
9999-78 Miscellaneous Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2217010 Interest Income B/E	0.00	0.00	0.00	2,277.02	0.00	0.00	0.00	2,277.02	0.00	0.00	0.00	0.00	2,277.02	2,277.02
3111-21 Rental Income Skidsteers	25,226.41	4,000.00	300.00	0.00	300.00	1,260.00	0.00	-1,226.41	0.00	0.00	0.00	-1,226.41	0.00	41,226.41
3111-23 Rental Income Tractor Pkg	0.00	200.00	0.00	0.00	222.00	122.00	0.00	222.00	0.00	0.00	0.00	222.00	0.00	222.00
3459-00 Interest Income Tires	0.00	0.00	0.00	546.07	0.00	0.00	0.00	546.07	0.00	0.00	0.00	546.07	0.00	546.07
3519-00 Interest Income Drivers	0.00	0.00	0.00	140.85	0.00	0.00	0.00	140.85	0.00	0.00	0.00	140.85	0.00	140.85
Total Brokerage Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	106,722.17	0.00	106,722.17	0.00	106,722.17
Total Rent-We Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	17,724.12	0.00	0.00	17,724.12	0.00	17,724.12
Total Tire Sales	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	164,251.42	0.00	164,251.42
Total Trucking Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	356,412.46	356,412.46
Total Income	25,226.41	4,200.00	300.00	2,422.04	522.00	1,382.00	0.00	15,271.42	17,724.12	106,722.17	164,251.42	164,251.42	356,412.46	1,221,021.72
<b>Expenses</b>														
4391-00 Terminal Expenses	0.00	0.00	0.00	0.00	0.00	227.67	0.00	227.67	0.00	0.00	0.00	227.67	0.00	227.67
4392-01 Repairs to Terminals	0.00	0.00	0.00	44.24	0.00	0.00	0.00	44.24	0.00	0.00	0.00	44.24	0.00	44.24
4419-30 Office Supplies & Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
479900 Misc. Other Taxes	0.00	0.00	0.00	5,171.77	0.00	0.00	0.00	5,171.77	0.00	0.00	0.00	5,171.77	0.00	5,171.77
5271-00 Depreciation Expense	2,104.50	1,740.12	709.22	0.00	122.22	222.22	1,222.22	12,274.22	0.00	0.00	0.00	12,274.22	0.00	12,274.22
5121-22 Interest Expense	4,420.22	1,222.22	1,222.22	0.00	0.00	0.00	0.00	6,864.44	0.00	122.22	0.00	7,208.66	0.00	7,208.66
5121-23 Insurance	214.22	214.22	0.00	0.00	0.00	0.00	0.00	428.44	0.00	0.00	0.00	428.44	0.00	428.44
5121-24 Real Estate Tax	2,121.22	222.22	0.00	0.00	0.00	0.00	0.00	2,343.44	0.00	0.00	0.00	2,343.44	0.00	2,343.44
512424 Corporate and franchise Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5121-27 Other Maintenance Expense	212.22	222.22	0.00	0.00	0.00	0.00	0.00	434.44	0.00	0.00	0.00	434.44	0.00	434.44
5121-28 Utilities	0.00	140.22	0.00	0.00	0.00	0.00	0.00	140.22	0.00	0.00	0.00	140.22	0.00	140.22
5121-41 Miscellaneous Expenses	0.00	222.22	0.00	0.00	0.00	0.00	0.00	222.22	0.00	0.00	0.00	222.22	0.00	222.22
5211-00 Administrative Exp. B/E	2,120.22	222.22	0.00	4,220.22	0.00	0.00	0.00	16,562.66	2,220.22	200.00	1,220.22	18,223.10	0.00	18,223.10
5929-00 Professional Services	400.00	100.00	0.00	1,210.00	0.00	0.00	0.00	1,710.00	0.00	0.00	0.00	1,710.00	0.00	1,710.00
2422-00 Life Insurance Premiums	2,224.22	0.00	0.00	0.00	0.00	(22.22)	0.00	2,222.00	0.00	0.00	0.00	2,222.00	0.00	2,222.00
Total Brokerage Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100,224.42	0.00	100,224.42	0.00	100,224.42
Total Rent-We Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11,272.22	0.00	0.00	11,272.22	0.00	11,272.22
Total Tire Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	164,251.42	0.00	164,251.42
Total Trucking Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	356,412.46	356,412.46
Total Expenses	27,926.22	4,222.22	2,222.22	11,222.22	122.22	222.22	1,222.22	47,222.22	17,272.22	101,222.22	164,251.42	164,251.42	356,412.46	1,215,722.22
Income or Loss Before Taxes	3,905.75	(22.22)	(2,222.22)	(2,222.22)	400.00	222.22	(1,222.22)	(2,421.22)	160.22	5,242.22	(1,400.44)	1,222.22	2,222.22	4,022.11
Taxes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Profit or Loss After Taxes	3,905.75	(22.22)	(2,222.22)	(2,222.22)	400.00	222.22	(1,222.22)	(2,421.22)	160.22	5,242.22	(1,400.44)	1,222.22	2,222.22	4,022.11

H. C. Gabler Inc. and Gabler Trucking, Inc.  
 Consolidated Financials for 1993  
 Year To Date

Income	Aspers W/H	Charlotte W/H	N.K. W/H	Chbg Term	dirr Term	Aspers Term	N.K. Term	Total A.E.	Rent-Me	Brokerage	Tires Plus	Total	Total GTI	Grand Totals	
												H. C. Gabler	Trucking	Year To Date	
8111-21 Finance Charges	0.00	14.75	23.01	0.00	129.271	0.00	0.00	7.67	0.00	0.00	0.00	7.67	0.00	7.67	
3906-78 Miscellaneous Income	0.00	0.00	0.00	89.50	0.00	0.00	0.00	89.50	0.00	0.00	0.00	89.50	0.00	89.50	
8219010 Interest Income GTI	0.00	0.00	0.00	12,304.27	0.00	0.00	0.00	12,304.27	0.00	0.00	0.00	12,304.27	0.00	12,304.27	
8111-21 Rental Income Buildings	215,529.46	12,215.25	1,200.00	0.00	1,800.00	1,200.00	0.00	232,971.34	0.00	0.00	0.00	232,971.34	0.00	232,971.34	
8111-23 Rental Income Trailer Pkg	0.00	269.00	1550.001	0.00	1,275.00	1,225.00	0.00	3,250.00	0.00	0.00	0.00	3,250.00	0.00	3,250.00	
8657-00 Interest Income Tires	0.00	0.00	0.00	4,715.41	0.00	0.00	0.00	4,715.41	0.00	0.00	0.00	4,715.41	0.00	4,715.41	
8219-00 Interest Income Others	0.00	0.00	0.00	1,249.23	0.00	0.00	0.00	1,249.23	0.00	0.00	0.00	1,249.23	0.00	1,249.23	
Total Brokerage Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	582,227.21	0.00	582,227.21	0.00	582,227.21	
Total Rent-Me Income	0.00	0.00	0.00	0.00	1.00	0.00	0.00	0.00	119,930.21	0.00	0.00	119,930.21	0.00	119,930.21	
Total Tire Sales	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	877,582.95	877,582.95	0.00	877,582.95	
Total Trucking Income	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,311,440.22	5,311,440.22	
Total Income	215,529.46	13,427.82	373.01	12,346.27	3,347.73	2,425.00	0.00	254,589.90	119,930.20	582,227.22	877,582.95	1,640,941.07	5,311,440.22	7,152,321.25	
<b>Expenses</b>															
4561-00 Terminal Expenses	0.00	0.00	0.00	24.71	0.00	2,207.95	0.00	2,232.67	0.00	0.00	0.00	2,232.67	0.00	2,232.67	
4565-01 Repairs to Terminals	0.00	0.00	0.00	2,726.92	0.00	2,556.25	427.24	5,710.42	0.00	0.00	0.00	5,710.42	0.00	5,710.42	
4619-00 Office Supplies & Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
4799000 Misc. Direct Taxes	0.00	0.00	0.00	5,271.77	0.00	0.00	0.00	5,271.77	0.00	0.00	0.00	5,271.77	0.00	5,271.77	
5271-00 Depreciation Expense	53,722.95	10,446.70	4,227.42	0.00	546.25	2,022.40	7,227.21	78,747.27	0.00	0.00	0.00	78,747.27	0.00	78,747.27	
9121-22 Interest Expense	51,191.22	1,222.22	1,200.22	0.00	0.00	0.00	0.00	54,613.66	0.00	2,400.84	0.00	57,014.50	0.00	57,014.50	
9121-23 Insurance	1,222.22	1,222.22	0.00	0.00	0.00	0.00	0.00	2,444.44	0.00	0.00	0.00	2,444.44	0.00	2,444.44	
9121-24 Real Estate Tax	12,422.10	2,100.00	0.00	2,176.22	0.00	0.00	0.00	17,700.32	0.00	0.00	0.00	17,700.32	0.00	17,700.32	
9121241 Corporate and Franchise Tax	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
9121-27 Other Maintenance Expense	3,571.11	2,222.22	72.22	0.00	0.00	0.00	0.00	6,865.55	0.00	0.00	0.00	6,865.55	0.00	6,865.55	
9121-28 Utilities	52.72	1,712.00	0.00	0.00	0.00	0.00	0.00	1,764.72	0.00	0.00	0.00	1,764.72	0.00	1,764.72	
9121-41 Miscellaneous Expenses	27.22	1,222.22	0.00	121.22	0.00	0.00	0.00	1,470.44	0.00	0.00	0.00	1,470.44	0.00	1,470.44	
9519-00 Administrative Exp GTI	15,200.00	711.22	0.00	22,400.00	0.00	0.00	0.00	38,311.22	22,400.00	1,120.00	11,400.00	52,231.22	0.00	52,231.22	
9939-00 Professional Services	1,200.00	900.00	0.00	2,450.00	0.00	0.00	0.00	4,550.00	0.00	0.00	0.00	4,550.00	0.00	4,550.00	
9423-00 Life Insurance Premiums	12,222.00	0.00	0.00	0.00	0.00	1,222.22	0.00	13,444.22	0.00	0.00	0.00	13,444.22	0.00	13,444.22	
Total Brokerage Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	554,445.27	0.00	554,445.27	0.00	554,445.27	
Total Rent-Me Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	57,271.21	0.00	0.00	57,271.21	0.00	57,271.21	
Total Tire Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	877,582.95	877,582.95	0.00	877,582.95	
Total Trucking Expenses	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,402,552.22	5,402,552.22	
Total Expenses	146,322.22	27,522.74	12,222.22	47,222.22	546.25	13,444.22	7,227.21	254,122.22	57,271.21	554,445.27	877,582.95	1,771,552.22	5,402,552.22	7,174,222.22	
Income or Loss Before Taxes	69,207.24	11,100.51	12,222.22	12,346.27	2,801.48	1,180.78	0.00	11,467.68	62,659.00	27,711.71	1,234.14	89,641.53	12,122.22	102,451.70	
Taxes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	
Profit or Loss After Taxes	69,207.24	11,100.51	12,222.22	12,346.27	2,801.48	1,180.78	0.00	11,467.68	62,659.00	27,711.71	1,234.14	89,641.53	12,122.22	102,451.70	



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

September 9, 1993

IN REPLY PLEASE  
REFER TO OUR FILE

KENNETH ZIELONIS ESQUIRE  
116 PINE STREET  
HARRISBURG PA 17101

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

Dear Mr. Zeilonis:

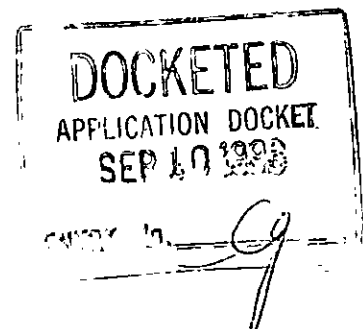
We have received the verified statements filed in the above  
referenced proceeding.

The record will be reviewed and will be put before the Commission  
for its decision. You will be notified of the Commission's action.

Very truly yours,

By R. H. White  
For Peter S. Marzolf, Supervisor  
Technical Review Section  
Bureau of Transportation

RHW:lg





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

October 23, 1993

IN REPLY PLEASE  
 REFER TO OUR FILE

KENNETH ZIELONIS  
 ATTORNEY AT LAW  
 116 PINE STREET  
 HARRISBURG PA 17101

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

Dear Mr. Zielonis:

By the above-referenced application, Gabler Trucking seeks authority to transport property between the facilities of Cumberland Valley Distribution Service Company, Inc. and Cumberland Distribution Services Company, Inc., and from said facilities to points in Pennsylvania, and vice versa.

We have encountered problems after reviewing the verified statement of the shipper submitted in support of the proposed service. Our first question is, what is the difference between Cumberland Valley Distribution Services Company and Cumberland Distribution Services Company? Where is each entity located?

In any event, Cumberland Distribution is a public warehouse operator. As such, the type of service proposed by Gabler should be supported by verified statements from the warehouse customers and not from the warehouse itself. It is the warehouse customer who is the shipper and who should attest to the desire to use the applicant's services.

Before we can process the application to conclusion, we ask that you respond to our questions and submit supporting verified statements from several of the warehouse customers.

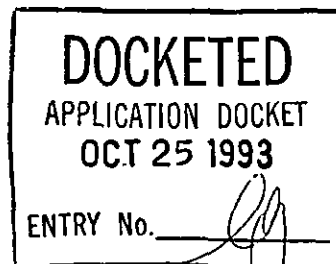
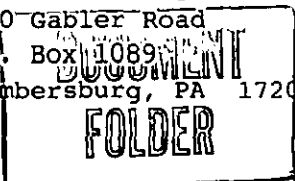
We will allow a period of 30 days for your response. The information will be due in our office by November 22, 1993. Should you have any questions, please do not hesitate to contact the undersigned at 717-787-4387.

Very truly yours,

Richard H. White  
 Technical Review Section  
 Bureau of Transportation

RW:rs/em

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



RECEIVED

93 NOV 22 PM 1:41

PA PUC  
BUREAU OF  
TRANSPORTATION

November 19, 1993

Mr. Richard H. White  
Technical Review Section  
Bureau of Transportation  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**RE: APPLICATION OF GABLER TRUCKING, INC. -  
DOCKET NO. A-00109226, F.1, Am-F**

Dear Mr. White:

Pursuant to our conversation of today, this will confirm your granting of an additional 30 days, or until approximately December 22, 1993 to supply the additional Shipper Support Statements.

Your consideration of this request is greatly appreciated.

Very truly yours,

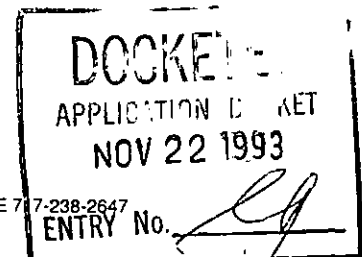
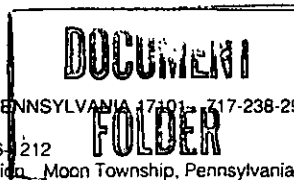
**TUCKER ARENSBERG, P.C.**

*James P. Melia*  
JAMES P. MELIA

JPM:tlh

gabler/white.ltr

cc: Harold Gabler, President, Gabler Trucking, Inc.  
James Adams, Cumberland Valley Distribution Services, Inc.  
John G. Alford, Secretary, PUC



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November 23: 4593  
94 FEB - 3 AM

PA. P. U. C.  
INFO. CONTROL DIV.

JAMES MELIA ESQUIRE  
116 PINE STREET  
HARRISBURG PA 17101

DOCKETED  
FEB 17 1994

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

Dear Mr. Melia:

In accordance with your request of November 19, 1993 for an extension of time to file verified statements, we are granting an additional thirty (30) days for filing of statements.

Please be advised that verified statements are now due on December 22, 1993. If said statements are not filed with this office by that date we shall assume that you do not desire to pursue this matter and shall recommend to the Commission that the application be dismissed for lack of prosecution.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

By Richard H. White  
For Peter S. Marzolf, Supervisor  
Technical Review Section  
Bureau of Transportation

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RHW:lg

DOCUMENT  
FOLDER



James P. Melia (717) 238-2900  
RECEIVED

93 DEC 17 AM 9:37

PA PUC  
BUREAU OF  
TRANSPORTATION

December 16, 1993

Mr. Richard H. White  
Technical Review Section  
Bureau of Transportation  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**RE: APPLICATION OF GABLER TRUCKING, INC. -  
DOCKET NO. A-00109226, F.1, Am-F**

Dear Mr. White:

This will confirm your agreement to allow an additional 30 day extension for submission of Verified Statements in this matter. The deadline for submission would now be January 21, 1994.

Your consideration of this request is greatly appreciated.

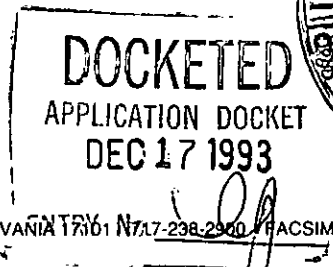
Very truly yours,

**TUCKER ARENSBERG, P.C.**

*James P. Melia*  
JAMES P. MELIA

JPM:th  
gabler/white3.ltr

cc: James Adams, Cumberland Valley Distribution Services, Inc.  
John G. Alford, Secretary, PUC





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

RECEIVED  
December 17, 1993

IN REPLY PLEASE  
REFER TO OUR FILE

94 FEB -3 AM 7:45

PA. P. U. C.  
INFO. CONTROL DIV.

JAMES P MELIA ESQUIRE  
1116 PINE STREET  
HARRISBURG PA 17101

DOCKETED

FEB 17 1994

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

Dear Mr. Melia:

In accordance with your request of December 16, 1993 for an extension of time to file verified statements, we are granting an additional thirty (30) days for filing of statements.

Please be advised that verified statements are now due January 21, 1994. If said statements are not filed with this office by that date we shall assume that you do not desire to pursue this matter and shall recommend to the Commission that the application be dismissed for lack of prosecution.

If you have any questions, please do not hesitate to contact us.

Very truly yours,

By R. H. White  
For Peter S. Marzolf, Supervisor  
Technical Review Section  
Bureau of Transportation

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RHW:lg

DOCUMENT  
FOLDER

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94 FEB -3 AM 7:45

PA. P. U. C.  
INFO. CONTROL DIV.

January 24, 1994

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94 JAN 24 AM 11:10  
PA. P. U. C.  
INFO. CONTROL DIV.

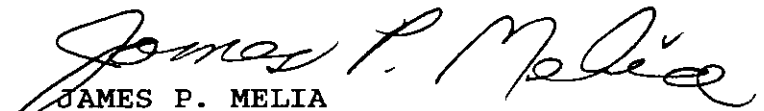
John G. Alford, Secretary  
PA PUBLIC UTILITY COMMISSION  
P.O. Box 3265  
Harrisburg, PA. 17120

RE: Application of Gabler Trucking, Docket No. A-00109226  
F.1, Am-F

Dear Secretary Alford,

The Applicant, Gabler Trucking, Inc., hereby requests withdrawal of its Application at this time for the reason that adequate shipper support could not be obtained. If you have any questions regarding same, please contact me.

Sincerely,

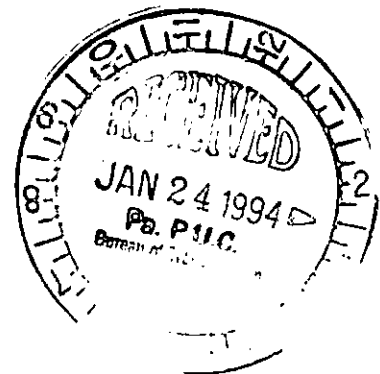
  
JAMES P. MELIA

JPM/lmk

cc: Tim Ziegler, PUC

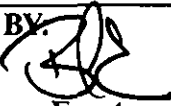
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FEB 04 1994



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FOLDER

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**Uniform Cover and Calendar Sheet**

1. <b>REPORT DATE:</b> June 2, 1994	2. <b>BUREAU AGENDA NO.</b> JUN-94-T-579
3. <b>BUREAU:</b> Transportation	
4. <b>SECTION(S):</b> Financial Review	5. <b>PUBLIC MEETING DATE:</b> JUNE 23, 1994
6. <b>APPROVED BY:</b>  Director: Ernst: 7-2154 Supervisor: Keiter: 7-6872	
7. <b>PERSON IN CHARGE:</b> L.J. Minardo: 7-3965	
8. <b>DOCKET NO.:</b>	

**DOCUMENT  
FOLDER**

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

- (a) Motor Carrier rate increase of more than 1% for carriers with gross annual intrastate revenues of \$500,000 or more.

**GABLER TRUCKING, INC.** **A-00109226**  
Chambersburg, Franklin County

- (b) Proposed rate increases are to offset increases in motor carrier's general operating expenses.
- (c) The staff recommends that the Commission approve the acceptance of the tariff under the prescribed rules.

10. <b>MOTION BY:</b>	Commissioner Chm. Rolka	Commissioner Quain - Yes
		Commissioner Crutchfield - Yes
<b>SECONDED:</b>	Commissioner Rhodes	Commissioner Hanger - Yes

**CONTENT OF MOTION:** Staff recommendation adopted.



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

December 12, 1995

IN REPLY PLEASE  
REFER TO OUR FILE

A-00109226

GABLER TRUCKING INC  
1580 GABLER ROAD  
CHAMBERSBURG PA 17201

RECEIVED  
DEC 13 1995

SECRETARY'S OFFICE  
Public Utility Commission

To Whom It May Concern:

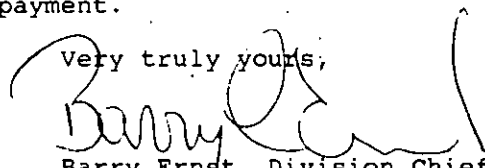
On May 30 and August 31, 1995, the Commission sent billings to your company for your assessment for our 1995-96 fiscal year. You have made no payment on the total assessment of \$9,983.00.

You are directed to pay the outstanding amount of your assessment by January 5, 1996. Your check or money order, payable to the Commonwealth of Pennsylvania, should be forwarded to Carmon Bass, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Failure to make timely payment will result in the institution of an action to cancel your certificate of public convenience.

In the event that your certificate is cancelled, additional action will follow. Pursuant to 66 Pa. C.S.A. §510(c), we may request the Pennsylvania Department of Transportation to revoke the vehicle registrations of all your motor vehicles licensed in Pennsylvania. Also, we will notify the Pennsylvania Department of Revenue that you are no longer eligible for sales and use tax exemption as a common carrier under our jurisdiction. Finally, we will notify your insurance carrier that your company cannot lawfully provide service within this Commonwealth.

Thank you for your prompt payment.

Very truly yours,

  
Barry Ernst, Division Chief  
Motor Carrier Services  
Bureau of Transportation and Safety

BE:rs

cc: Kenneth Nicely  
Carmon Bass

BTL

DOCKETED  
DEC 13 1995

DOCUMENT  
FOLDER