

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL

\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(928-2001)

June 13, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Application of Glamour Moving Company, Inc.  
A-00112271, F.2**

RECEIVED  
BUREAU OF SAFETY  
TRANSPORTATION  
2006 JUN 15 PM 1:20

Dear Secretary McNulty:

Please find enclosed herewith the original and three (3) copies of a Protest filed by Gastley's Moving & Storage, Inc., to the above Application.

A copy of the Protest has been served upon Applicant as indicated below.

Sincerely,

James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure

cc: Glamour Moving Company, Inc.  
Gastley's Moving & Storage, Inc.

102929

**DOCKETED**  
JUN 15 2006

RECEIVED  
2006 JUN 14 AM 9:15  
P.A.P.U.C.  
SECRETARY'S BUREAU

30

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: :  
: :

RECEIVED  
2006 JUN 14 AM 9:15  
PA.P.U.C.  
SECRETARY'S BUREAU

**PROTEST**

AND NOW, comes Gastley's Moving & Storage, Inc., 65 Mauss Road, Biglerville, Pennsylvania, (717) 334-1579, and protests the above Application.

1. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the shipping public in the territory involved in this Application.

2. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service of the public.

3. Approval of the Application would be contrary to the public interest.

4. Your Protestant holds operating authority docketed to A-00107072. A copy of said authority is attached hereto as Exhibit "A" and made a part hereof.

5. Protestant is not aware of any amendment which would satisfy its interest, but is willing to discuss the same with Applicant or Applicant's counsel.

6. Pursuant to Section 333(c) of the Public Utility Law, Protestant requests Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the

RECEIVED  
BUREAU OF  
TRANSPORTATION & SAFETY  
2006 JUN 15 PM 1:20



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: :  
:

**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused a copy of the above-described Protest to be served to the following parties by the United States Postal Service, First Class Mail, postage prepaid addressed as follows:

Glamour Moving Company, Inc.  
1285 Landing Lane  
Westminister, MD 21157

DATED: 6/13/06

JDC  
JAMES D. CAMPBELL, JR., ESQUIRE  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110  
(717) 232-7661

GASTLEY'S MOVING & STORAGE, INC.

LOCAL MOTOR FREIGHT TARIFF

NAMING

RATES, RULES AND REGULATIONS

GOVERNING

THE RIGHT

- (1) To transport, as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments when a part of stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another; and articles, in use, including objects of art, displays and exhibits which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the borough of Gettysburg, Adams County, and within fifteen (15) miles of said borough, and from points in said territory, to points in Pennsylvania, and vice versa.
- (2) To transport, as a Class D carrier, tabulating machines, calculating machines, computers, copying machines, electronic equipment and other business machines and equipment which because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods; and part and materials and supplies used in connection therewith, between points in the borough of Gettysburg, Adams County, and within fifteen (15) miles of the limits of said borough, and from points in said territory to points in Pennsylvania, and vice versa.

For reference to Governing Publications, see Item 10 herein.

ISSUED: MAY 25, 1994

EFFECTIVE: MAY 26, 1994

Issued on 1 day's notice under authority of the PA. Code, Title 52, Section 23.42.

Issued By:  
Michael J. Gastley, President  
224 Table Rock Road  
Gettysburg, PA 17325

KS94-27

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS  
THOMAS D. CALDWELL, JR.  
(1928-2001)

June 13, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Application of Glamour Moving Company, Inc.  
A-00112271, F.2**

Dear Secretary McNulty:

Please find enclosed herewith the original and three (3) copies of a Protest filed by Jack Treier, Inc., to the above Application.

A copy of the Protest has been served upon Applicant as indicated below.

Sincerely,

*JDC*  
James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure  
cc: Glamour Moving Company, Inc.  
Mr. Steve Treier

102929

RECEIVED  
BUREAU OF SAFETY  
TRANSPORTATION &  
2006 JUN 15 PM 1:20

RECEIVED  
2006 JUN 14 AM 9:22  
PA.P.U.C.  
SECRETARY'S BUREAU

**DOCKETED**  
JUN 15 2006

5

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: :  
: :

RECEIVED  
2006 JUN 14 AM 9:22  
PA.P.U.C.  
SECRETARY'S BUREAU

PROTEST

AND NOW, comes Jack Treier, Inc., 1457 Manheim Pike, Lancaster, PA 17601, (717) 397-2808, and protests the above Application.

1. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the shipping public in the territory involved in this Application.

2. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service the public.

3. Approval of the Application would be contrary to the public interest.

4. Your Protestant holds operating authority docketed to A-00099283. A copy of said authority is attached hereto as Exhibit "A" and made a part hereof.

5. Protestant is not aware of any amendment which would satisfy its interest, but is willing to discuss the same with Applicant or Applicant's counsel.

6. Pursuant to Section 333(c) of the Public Utility Law, Protestant requests Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the

RECEIVED  
BUREAU OF SAFETY  
& TRANSPORTATION  
2006 JUN 15 PM 1:20





**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: :  
:

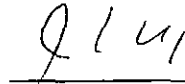
**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused a copy of the above-described Protest to be served to the following parties by the United States Postal Service, First Class Mail, postage prepaid addressed as follows:

Glamour Moving Company, Inc.  
1285 Landing Lane  
Westminister, MD 21157

DATED:

6/13/06



\_\_\_\_\_  
JAMES D. CAMPBELL, JR., ESQUIRE  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110  
(717) 232-7661

A-00099283

JACK TREIER, INC.

Household goods and office furniture in use from points in the County of Lancaster to points in Pennsylvania and vice versa.

RECEIVED  
2006 JUN 14 AM 9:22  
PA.P.U.C.  
SECRETARY'S BUREAU

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
11928-20011

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

June 13, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Application of Glamour Moving Company, Inc.  
A-00112271, F.2**

RECEIVED  
TRANSPORTATION & SAFETY  
BUREAU  
2006 JUN 15 PM 1:21

Dear Secretary McNulty:

Please find enclosed herewith the original and three (3) copies of a Protest filed by Shelly Moving & Storage, Inc., to the above Application.

A copy of the Protest has been served upon Applicant as indicated below.

Sincerely,

*J. D. Campbell, Jr.*  
James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure  
cc: Glamour Moving Company, Inc.  
Charles Morris, CMC  
102929

**DOCKETED**  
JUN 15 2006

RECEIVED  
2006 JUN 14 AM 9:12  
PA.P.U.C.  
SECRETARY'S BUREAU

33

RECEIVED  
2006 JUN 14 AM 9:12  
PA. P.U.C.  
SECRETARY'S BUREAU

**BEFORE THE**  
**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
:

**PROTEST**

AND NOW, comes Shelly Moving and Storage, Inc., Great Valley Corporate Center, 380 Lapp Road, Malvern, Pennsylvania, (610) 695-9438, and protests the above Application.

1. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the shipping public in the territory involved in this Application.

2. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service of the public.

3. Approval of the Application would be contrary to the public interest.

4. Your Protestant holds operating authority docketed to A-00102480. A copy of said authority is attached hereto as Exhibit "A" and made a part hereof.

5. Protestant is not aware of any amendment which would satisfy its interest, but is willing to discuss the same with Applicant or Applicant's counsel.

6. Pursuant to Section 333(c) of the Public Utility Law, Protestant requests Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the

RECEIVED  
BUREAU OF  
TRANSPORTATION & SAFETY  
2006 JUN 15 PM 1:21



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: :  
:

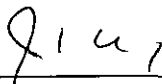
**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused a copy of the above-described Protest to be served to the following parties by the United States Postal Service, First Class Mail, postage prepaid addressed as follows:

Glamour Moving Company, Inc.  
1285 Landing Lane  
Westminister, MD 21157

DATED:

6/13/06

  
\_\_\_\_\_  
JAMES D. CAMPBELL, JR., ESQUIRE  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110  
(717) 232-7661

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held December 11, 1980

Commissioners Present:

Susan M. Shanahan, Chairman

James H. Cowley

Linda C. Taliaferro

Application of Shelly Moving & Storage,  
Inc., for approval of the transfer to  
it of all of the operating rights held  
by James N. Shelly at A-00081566,  
Fs. 2 & 3.

A-00102480

O R D E R

BY THE COMMISSION:

By application docketed October 3, 1980 Shelly Moving & Storage, Inc., a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of all the rights granted to James N. Shelly under the certificates issued at A-00081566, Fs. 2 & 3.

We find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by James N. Shelly at A-00081566; Fs. 2 & 3, be approved and that a certificate be issued to the applicant granting the following rights:

To transport, as a Class B carrier, property between points in the borough of Pottstown, Montgomery County.

To transport, as a Class D carrier, household goods in use from points in the borough of Pottstown, Montgomery County, to other points in Pennsylvania, and vice versa.

To transport, as a Class D carrier, household goods in use and furniture between points in the borough of Pottstown, Montgomery County, and within ten (10) miles by the usually traveled highways of the limits

EXHIBIT A

of the said borough, and from points in the same area to points within seventy-five (75) miles by the usually traveled highways of the limits of the said borough.

To transport, as a Class D carrier, household goods in use and furniture from points not exceeding twenty-five (25) miles from the borough of Pottstown, Montgomery County, excluding Delaware County, to points in the borough of Pottstown, Montgomery County, and within ten (10) miles by the usually traveled highways of the limits of the said borough;

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 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, \$1.00, 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.
4. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
5. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.



PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held July 25, 1985

Commissioners Present:

Linda C. Taliaferro, Chairman  
James H. Cawley  
Frank Fischl  
Bill Shane

Application of Shelly Moving & Storage,  
Inc. for approval of the transfer to  
it of all of the operating rights held  
by Jimmy Wilson, Jr., Inc. at A-00096913.

A-00102480, F. 1, An-A

O R D E R

BY THE COMMISSION:

By application docketed February 7, 1985, Shelly Moving & Storage, Inc. a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of all the rights granted to Jimmy Wilson, Jr., Inc. a corporation of the Commonwealth of Pennsylvania, under the certificate issued at A-00096913.

We find the applicant to be fit to be granted the operating authority sought herein and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by Jimmy Wilson, Jr., Inc. at A-00096913 be approved and that the report and order of December 11, 1980 at A-00102480 and the certificate issued pursuant thereto, be modified and amended to include the following rights:

1. To transport, as a Class B carrier, office equipment in use between points in the city of York, York County.
2. To transport, as a Class D carrier, household goods in use between points in the county of York.
3. To transport, as a Class D carrier, household goods in use from points in the county of York to points in Pennsylvania, and vice versa.
4. To transport, as a Class B carrier, property, excluding household goods in use, between points in the city of York, York County, and within an airline distance of three (3) statute miles of the limits of said city.

PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held July 25, 1985

Commissioners Present:

Linda C. Taliaferro, Chairman  
James H. Cawley  
Frank Fischl  
Bill Shane

Application of Shelly Moving & Storage,  
Inc. for approval of the transfer to  
it of part of the operating rights held  
by S. S. Bertz Co., Inc. at A-00105579.

A-00102480, F. 1, Am-B

O R D E R

BY THE COMMISSION:

By application docketed February 7, 1985, Shelly Moving & Storage, Inc., a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of part of the rights granted to S. S. Bertz Co., Inc., a corporation of the Commonwealth of Pennsylvania, under the certificate issued at A-00105579.

We find the applicant to be fit to be granted the operating authority sought herein and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of part of the rights held by S. S. Bertz Co., Inc. at A-00105579 be approved and that the report and order of December 11, 1980 at A-00102480, as modified and amended, be further modified and amended to include the following rights:

1. To transport, as a Class B carrier, household goods in use and office furnishings in use between points in the city of Lancaster and the townships of Manheim, West Lampeter and Lancaster, Lancaster County.
2. To transport, as a Class C carrier, household goods in use and office furnishings in use from points in the city of Lancaster to other points in the county of Lancaster and vice versa.
3. To transport, as a Class D carrier, tobacco and household goods in use from points in the county of Lancaster to other points in Pennsylvania.

with the above rights numbers 1, 2 and 3 above subject to the following condition:

That all transportation except local hauling in the city of Lancaster, Lancaster County, shall be limited to shipments from one consignor or to one consignee;

with all of the above rights further subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That applicant charge to Account 1550, Other Intangible Property, \$15,000, 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.
4. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
5. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

McKay, t/d/b/a Moving Services Unlimited. The rights to be transferred in each case are autonomous as the base territories are Harrisburg, Philadelphia and Pittsburgh. None of the rights require stipulations or conditions to eliminate duplications.

The transferor is selling a part of its rights to the applicant for the total consideration of \$10,000.00. No tangible assets are involved. One thousand five hundred dollars (\$1,500.00) has been paid with the balance to be paid within fifteen (15) days of approval of the transfer.

The transferor has filed its annual report for 1987. The insurance of the transferor was suspended effective April 1, 1988.

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. The applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.
2. There is a continuing need for the service involved herein.
3. Approval of the application is necessary for the continued accommodation and convenience of the public; **THEREFORE,**

IT IS ORDERED: That the application for transfer be and is hereby approved, and that the certificate issued February 3, 1981, as amended, be further amended to include the following right:

To transport, as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling when a part of the equipment or supplies of such dwelling, as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another; and articles including objects of art, displays and exhibits, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods, between points in the city of Harrisburg, Dauphin County, and within

ten (10) miles by the usually traveled highways of the limits of said city and from points in said city and said territory to points in Pennsylvania and vice versa;

the right above subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$10,000.00, 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.
4. 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 upon compliance with the requirements of the Public Utility Code and the rules and regulations of the Commission relative to the filing of evidence of insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate shall issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1988-1989 annual assessment of the transferor.

Case No. A-00102480 pursuant to the Order adopted on December 11, 1980, as amended, be further amended to include the following rights:

To transport, as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with the removal from one location to another; and articles in use, including objects of art, displays and exhibits which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods, between points within an airline distance of thirty (30) statute miles of the limits of the Borough of Pottstown, Montgomery County, and from points in said territory to points in Pennsylvania, and vice versa.

4. 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 or proof of insurance and the filing and acceptance of a tariff establishing just and reasonable rates.

5. That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted

To transport, as a class D carrier, household goods, personal effects and property used or to be used in a dwelling, when a part of the furnishings, equipment or supplies of such dwelling, as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals, or other establishments, when a part of the stock, equipment or supply of such stores, offices museums, institutions, hospitals or other establishments, in connection with a removal from one location to another; and articles, in use, including objects of art, displays and exhibits which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the Counties of Adams, Cumberland, Dauphin and Lebanon.

4. That the Shelly Moving & Storage, Inc., shall not engage in any transportation authorized 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 of insurance and the filing of a tariff establishing just and reasonable rates.

5. That the certificate holder shall comply with all of the provisions of the Public Utility Code now existing or as may be amended, and with all pertinent regulations of this Commission now in effect, or as may be prescribed by the Commission. Failure to comply will be sufficient cause to suspend, revoke, or rescind the rights and privileges which are conferred by this certificate.

6. That the authority granted herein, to the extent

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS  
THOMAS D. CALDWELL, JR.  
(1928-2001)

June 15, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Glamour Moving Company, Inc.  
A-00112271, F.2**

RECEIVED  
PENNSYLVANIA  
TRANSPORTATION & SAFETY  
2006 JUN 16 PM 1:49

Dear Secretary McNulty:

Please find enclosed herewith the original and three (3) copies of a Protest filed by Warners Moving & Storage, Inc. to the above.

A copy of the Protest has been served upon Applicant as indicated below.

Sincerely,

James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure

cc: Glamour Moving Company, Inc.  
Mr. Don Warner @ Warners Moving & Storage, Inc.

103065

**DOCKETED**  
JUN 19 2006

*Albin*  
**DOCUMENT  
FOLDER**

RECEIVED  
2006 JUN 16 AM 9:31  
PA.P.U.C.  
SECRETARY'S BUREAU

5



BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: :  
: :

RECEIVED  
2006 JUN 16 AM 9:31  
PA.P.U.C.  
SECRETARY'S BUREAU

RECEIVED  
OPERATIONS & SAFETY  
2006 JUN 16 PM 1:19  
TRAINING & SAFETY

PROTEST

AND NOW, comes Warners Moving & Storage, Inc., Country Club Road, P.O. Box 269, Red Lion, Pennsylvania, (717) 244-4537, and protests the above Application.

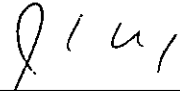
1. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the shipping public in the territory involved in this Application.
2. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service of the public.
3. Approval of the Application would be contrary to the public interest.
4. Your Protestant holds operating authority docketed to A-00070104. A copy of said authority is attached hereto as Exhibit "A" and made a part hereof.
5. Protestant is not aware of any amendment which would satisfy its interest, but is willing to discuss the same with Applicant or Applicant's counsel.
6. Pursuant to Section 333(c) of the Public Utility Law, Protestant requests Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the

supporting shippers they will represent, at least ten (10) days prior to the commencement of evidentiary hearings in this case.

WHEREFORE, Warners Moving & Storage, Inc., respectfully prays that the above Application be dismissed.

CALDWELL & KEARNS

By:



James D. Campbell, Jr., Esquire  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110  
(717) 232-7661

Dated:

6/15/06

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

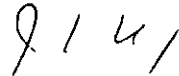
In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: :  
:

**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused a copy of the above-described Protest to be served to the following parties by the United States Postal Service, First Class Mail, postage prepaid addressed as follows:

Glamour Moving Company, Inc.  
1285 Landing Lane  
Westminister, MD 21157

DATED: 6/15/06

  
\_\_\_\_\_  
JAMES D. CAMPBELL, JR., ESQUIRE  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110  
(717) 232-7661

## **EXHIBIT A**

WARNERS MOVING AND STORAGE, INC.

A-00070104, F.2 Am-B

To transport, as a common carrier by motor vehicle, household goods and office furniture in use, between points in the County of York and from points in said County to other points in Pennsylvania and vice versa.

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS  
THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

June 22, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Application of Glamour Moving Company, Inc.  
A-00112271, F.2**

Dear Secretary McNulty:

Please find enclosed herewith the original and three (3) copies of a Protest filed by Zeigler's Storage & Transfer, Inc. to the above Application.

A copy of the Protest has been served upon Applicant as indicated below.

Sincerely,

*[Signature]*  
James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure  
cc: Glamour Moving Company, Inc.  
Zeigler's Storage & Transfer, Inc.

103290

RECEIVED  
PUBLIC UTILITIES COMMISSION  
HARRISBURG, PA  
JUN 29 10 39 AM '06

2006 JUN 26 7:10:55  
SECRETARY'S BUREAU

**DOCKETED**  
JUN 29 2006

*[Signature]*  
**DOCUMENT  
FOLDER**

57

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: .

SECRETARY'S OFFICE  
2006 JUN 26 AM 10:55

**PROTEST**

AND NOW, comes Zeigler's Storage & Transfer, Inc., 1235 Ritner Highway, P.O. Box 140, Carlisle, PA 17013-0140, and protests the above Application.

1. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the shipping public in the territory involved in this Application.

2. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service of the public.

3. Approval of the Application would be contrary to the public interest.

4. Your Protestant holds operating authority docketed to A-00096521. A copy of said authority is attached hereto as Exhibit "A" and made a part hereof.

5. Protestant is not aware of any amendment which would satisfy its interest, but is willing to discuss the same with Applicant or Applicant's counsel.

6. Pursuant to Section 333(c) of the Public Utility Law, Protestant requests Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the

RECEIVED  
TRAVEL SERVICE  
JUN 27 11:14 AM '06

**DOCKETED**  
JUN 29 2006

*A. Binzer*  
**DOCUMENT  
FOLDER**



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: :  
:

**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused a copy of the above-described Protest to be served to the following parties by the United States Postal Service, First Class Mail, postage prepaid addressed as follows:

Glamour Moving Company, Inc.  
1285 Landing Lane  
Westminister, MD 21157

DATED: 6/22/06

*JDC*  
\_\_\_\_\_  
JAMES D. CAMPBELL, JR., ESQUIRE  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110  
(717) 232-7661

103287

2006 JUN 26 4:10:55  
SECRETARY'S OFFICE



OPERATING AUTHORITY  
FOR ZEIGLER'S STORAGE & TRANSFER, INC  
1235 RITNER HIGHWAY  
CARLISLE, PA 17013

CERTIFICATE # A-00096521

SECRETARY'S BUREAU

2005 JUN 26 AM 10:55

SECRETARY'S BUREAU

OPERATING AUTHORITY

Folder 1

1. To transport, as a Class D carrier, property from freight stations in the borough of Carlisle, Cumberland County, to points in the said borough and to farms within ten (10) miles, by the usually traveled highways, of the limits of the said borough and vice versa;

With right number one to be subject to the following conditions:

That no right, power or privilege is granted to transport property between points served by Daily Express, Inc. (formerly Daily Motor Express Company).

2. To transport, as a Class D carrier, household goods in use from the borough of Carlisle, Cumberland County, and points within five (5) miles, by the usually traveled highways, of the limits of said borough, to other points in Pennsylvania, and vice versa.

3. To transport, as a Class D carrier, property between points in the borough of Carlisle, Cumberland County, and within an air line distance of ten (10) statute miles of said borough;

With the right above subject to the following condition:

That no right, power or privilege is granted to transport property from the borough of Carlisle to the boroughs of Mechanicsburg, Newville and Mount Holly Springs and the Mechanicsburg Supply Depot, and vice versa, provided, however, that the applicant is hereby authorized to transport property for Paul Wise, Carlisle, R. D., and Sears, Roebuck and Company from Carlisle to Mount Holly Springs.

4. To transport, as a Class D carrier, furniture, fixtures, equipment and property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments; and other articles including objects of art, displays and exhibits which, because of their unusual value or nature, require handling and equipment usually employed in moving household goods from the borough of Carlisle, Cumberland County, and within five (5) miles, by the usually traveled highways, of the limits of said borough to other points in Pennsylvania, and vice versa, excluding the right to render said service except when the transportation is incidental to the removal from one location to another of a household, store, office, museum, hospital or other establishment and also excluding the right to render said service to or from points in the boroughs of Gettysburg, Adams County, and Hanover, York County, and within three (3) miles by the usually traveled highways of the limits of said borough.

5. To transport, as a Class D carrier, uncrated new furniture, fixtures, equipment and office equipment, which are utilized in offices, institutions, hospitals, stores, museums or any other establishment from Federal Equipment Company in the borough of Carlisle, Cumberland County, to points in Pennsylvania, and the return of refused, damaged or rejected items;

With the right five above subject to the following conditions:

That no right, power or privilege is granted to render said service to or from the boroughs of Mechanicsburg, Newville and Mount Holly Springs and the Mechanicsburg Supply Depot, Cumberland County.

That no right, power or privilege is granted to render said service to or from the boroughs of Gettysburg, Adams County, and Hanover, York County, and points within three (3) miles by the usually traveled highways of the limits of said boroughs.

6. Cancelled. See Folder 1 Am-C.

7. To transport, as a Class B carrier, household goods in use, between points in the borough of Mechanicsburg, Cumberland County, and within five (5) miles by the usually traveled highways of the limits of said borough.

(Continued On Next Page)

For explanation of abbreviations and reference marks, see last page.

OPERATING AUTHORITY

Folder 1 (Concluded)

8. To transport, as a Class B carrier, household goods in use, between farms in the townships of Monroe, Middlesex, Silver Spring, Upper Allen, Lower Allen and Hampden, Cumberland County.

9. To transport, as a Class D carrier, property for Montgomery Ward and Company from its warehouse and store in the borough of Carlisle, Cumberland County, to its customers within an airline distance of twenty-five (25) statute miles of the limits of said borough, and the return of refused or damaged property to the point of origin.

10. To transport, as a Class B carrier, property between points in the borough of Carlisle, Cumberland County, and within an airline distance of three (3) statute miles of the limits of said borough.

11. Cancelled. See Folder 1 Am-C.

Folder 1 Am-B

Cancelled. See Folder 1 Am-C.

Folder 1 Am-C

To transport, as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another; and articles, in use, including objects of art, displays and exhibits which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods; and new and used business machines including computers and electronic equipment:

A. Between points in the borough of Carlisle, Cumberland County, and from points within fifteen miles by the usually traveled highways of the limits of said borough, and from points in said territory, to points in Pennsylvania, and vice versa;

B. From points in the borough of Mechanicsburg and the townships of Monroe, Middlesex, Silver Spring, Upper Allen, Lower Allen and Hampden, Cumberland County, to points in Pennsylvania and vice versa; and

C. Between points in the borough of Shippensburg, Cumberland County, and within fifteen miles by the usually traveled highways of the limits of said borough, and from points in said territory, to points in Pennsylvania and vice versa.

Folder 1 Am-D

1. To transport, as a Class B carrier, property between points in the borough of Middletown, Dauphin County, and within five (5) miles by the usually traveled highways of the limits thereof;

2. To transport, as a Class D carrier, property from points in the borough of Middletown and within five (5) miles by the usually traveled highways of the limits thereof to points within twenty (20) miles by the usually traveled highways of the limits of said borough, and vice versa;

With rights no. 1 and 2 subject to the following conditions:

a. That no right, power or privilege is granted to render any services to and from the Consolidated Rail Corporation station in Middletown for the transportation of incoming or outgoing freight moved by said railroad.

(Concluded On Next Page)

For explanation of abbreviations and reference marks, see last page.

OPERATING AUTHORITY

Folder 1 Am-D (Concluded)

With rights no. 1 and 2 subject to the following conditions: (Concluded)

b. That no right, power or privilege is granted to render any service between points on Highway Route 230 insofar as the above-described Class D right is concerned.

c. That no right, power or privilege is granted to render any service in the county of York.

3. To transport, as a Class B carrier, property between points in the borough of Middletown, Dauphin County, and within three (3) miles of the limits of said borough.

4. To transport, as a Class D carrier, household goods in use from points in the borough of Middletown, Dauphin County, and within three (3) miles of the limits of the said borough to points within forty (40) miles of the point of origin.

5. To transport, as a Class D carrier, feed from the city of Harrisburg and the borough of Middletown, arriving by rail in carload lots, to points within ten (10) miles by the usually traveled highways of the railroad car.

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS  
THOMAS D. CALDWELL, JR.  
(1928-2001)

June 26, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

RECEIVED  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
SECRETARY'S OFFICE  
JUN 27 11:50 AM '06

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: **Application of Application of Glamour Moving Company, Inc.  
A-00112271, F.2**

Dear Secretary McNulty:

Please find enclosed herewith the original and three (3) copies of a Protest filed by Charles E. Groff and Sons, Inc., to the above Application.

A copy of the Protest has been served upon Applicant as indicated below.

Sincerely,

*JDC*  
James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure  
cc: Glamour Moving Company, Inc.  
Mr. Will Groff

**DOCKETED**  
JUN 29 2006

*JDC*  
**DOCUMENT  
FOLDER**

RECEIVED  
2006 JUN 27 AM 9:04  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

3

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
:

RECEIVED  
2006 JUN 27 AM 9:04  
PENNSYLVANIA  
SECRETARY BUREAU

PROTEST

AND NOW, comes Charles E. Groff and Sons Inc., 1284 Cloverleaf Road, P. O. Box 84, Mount Joy, PA 17552, (717) 653-1357, and protests the above Application.

REGISTRATION & SAFETY  
BUREAU  
2006 JUN 27 PM 1:50

1. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the shipping public in the territory involved in this Application.

2. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service of the public.

3. Approval of the Application would be contrary to the public interest.

4. Your Protestant holds operating authority docketed to A-00111137. A copy of said authority is attached hereto as Exhibit "A" and made a part hereof.

5. Protestant is not aware of any amendment which would satisfy its interest, but is willing to discuss the same with Applicant or Applicant's counsel.

6. Pursuant to Section 333(c) of the Public Utility Law, Protestant requests Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the

**DOCKETED**  
JUN 29 2006

DOCUMENT  
FOLDER



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
:

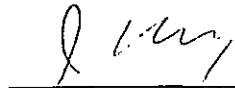
**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused a copy of the above-described Protest to be served to the following parties by the United States Postal Service, First Class Mail, postage prepaid addressed as follows:

Glamour Moving Company, Inc.  
1285 Landing Lane  
Westminister, MD 21157

DATED:

*6/26/06*



\_\_\_\_\_  
JAMES D. CAMPBELL, JR., ESQUIRE  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110  
(717) 232-7661

103446

**RECEIVED**  
2006 JUN 27 AM 9:04  
SECRETARY BUREAU



SECTION 1  
RULES AND REGULATIONS

ITEM 5 - SCOPE OF CARRIER'S OPERATING RIGHTS

Rates and provisions named in this tariff, or as amended, are limited in their application on Pennsylvania intrastate traffic to the extent of the operating rights set forth below.

Certificate No. A-00111137

1. To transport, as a Class D carrier, household goods in use from points in the borough of Elizabethtown, Lancaster County, to other points in Pennsylvania, and vice versa;

with Right No. 1 subject to the following condition:

That the rights, powers and privileges hereby granted pertaining to transportation destined to points in Pennsylvania excluding the county of Lancaster, shall be limited and restricted to transportation originating or terminating at a farm.

2. To transport, as a Class D carrier, household goods in use, between points in the township of Upper Leacock, Lancaster County, and within fifteen (15) miles by the usually traveled highways of the limits of said township;
3. To transport, as a Class D carrier, household goods in use from points in the township of Upper Leacock, Lancaster County, and within seven and one-half (7 1/2) miles by the usually traveled highways of the limits of said township to points in the counties of Lancaster and Berks, and vice versa;
4. To transport, as a Class D carrier, household goods, in use, from points within fifteen (15) miles by the usually traveled highways of the borough of Elizabethtown, Lancaster County, to points in Pennsylvania within ninety (90) miles by the usually traveled highways of the limits of said borough, and vice versa;
5. To transport, as a Class D carrier, household goods in use between points in the borough of Terre Hill, Lancaster County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough;
6. To transport, as a Class D carrier, household goods in use, from points in the borough of East Earl, Lancaster County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough, to points in Pennsylvania within fifty (50) miles by the usually traveled highways of the limits of said borough, and vice versa;
8. To transport, as a Class D carrier, milk from farms located in the township of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield, and West Hempfield, Lancaster County to Hershey, Dauphin County and to the city of Lancaster, Lancaster County;
9. To transport, as a Class D carrier, farm products and supplies from farms in the townships of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield and West Hempfield, Lancaster County, to points within an airline radius of ten (10) statute miles of the limits of said townships;

(Item 5 continued on next page)

Abbreviations, reference marks and symbols are explained on last page of tariff.

SECTION 1  
RULES AND REGULATIONS

ITEM 5 - SCOPE OF CARRIER'S OPERATING RIGHTS (Cont'd)

with Rights Nos. 8 and 9 subject to the following condition:

That no right, power or privilege is granted to render service between Florin, Lancaster County, and Harrisburg, Dauphin County and intermediate points on the Lancaster-Harrisburg route of the Central Storage and Transfer Company.

10. To transport, as a Class D carrier, household goods in use from points in the townships of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield and West Hempfield, Lancaster County to points within forty (40) miles of the point of origin;
11. To transport, as a Class D carrier, kerosene stoves, from points in the borough of Morgantown, Berks County and within an airline distance of five (5) miles of the limits thereof to points in Pennsylvania;
12. To transport, as a Class D carrier, property between points in the borough of Mount Joy, Lancaster County, and within five (5) miles by the usually traveled highways of the limits of said borough;
13. To transport, as a Class D carrier, crushed stone, tobacco and tombstones from points in the borough of Mount Joy, Lancaster County, and within five (5) miles of the usually traveled highways of the limits of said borough to other points in Pennsylvania, and vice versa;

with Rights Nos. 12 and 13 subject to the following condition:

That no right, power or privilege is granted to transport raw oils, materials or finished products of the silk industry.

ITEM 10 - GOVERNING PUBLICATIONS

- (a) For rates, rules, regulations and provisions applicable to the transportation of household goods and related articles, in use, see *Tariff Freight Pa. P.U.C. No. 53 (Carrier Directory)*, loose-leaf revisions thereto and successive issues thereof, issued by Tristate Household Goods Tariff Conference, Inc., Agent.
- (b) Where rates are based on mileage, the distance shall be computed from *Mileage Guide No. 40, PA. P.U.C. No. 40*, issued by Tristate Household Goods Tariff Conference, Inc., Agent.

ITEM 15 - DEFINITION OF A SHIPMENT

A shipment is a lot of freight tendered to the carrier by one consignor at one place at one time for delivery to one consignee at one destination on one bill of lading.

Abbreviations, reference marks and symbols are explained on last page of tariff.

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS  
THOMAS D. CALDWELL, JR.  
(1928 - 2001)

June 28, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Application of Glamour Moving Company, Inc.  
A-00112271, F.2**

Dear Secretary McNulty:

Please find enclosed herewith the original and three (3) copies of a Protest filed by M.F. Rockey Moving Company to the above Application.

A copy of the Protest has been served upon Applicant as indicated below.

Sincerely,

James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure  
cc: Glamour Moving Company, Inc.  
M. F. Rockey Moving Company

103543

RECEIVED  
GENERAL INVESTIGATIVE SAFETY  
2006 JUN 29 PM 12:18

RECEIVED  
2006 JUN 29 AM 9:08  
PAID BUREAU  
SECRETARY'S BUREAU

**DOCKETED**  
JUN 29 2006

*R. Benjamin*  
DOCUMENT  
FOLDER

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: . . .

RECEIVED  
2006 JUN 29 AM 9:08  
PENNSYLVANIA  
SECRETARY'S BUREAU

PROTEST

AND NOW, comes M. F. Rockey Moving Company, 160 Lamont Street, New Cumberland, Pennsylvania, 17070 (717) 770-0170, and protests the above Application.

1. The service and facilities of the Protestant and other authorized carriers are ample to meet all the requirements of the shipping public in the territory involved in this Application.

2. The approval of the Application would be prejudicial to your Protestant and other authorized carriers in this territory in that it will authorize additional competition with the potential resulting loss in revenue and less satisfactory service of the public.

3. Approval of the Application would be contrary to the public interest.

4. Your Protestant holds operating authority docketed to A-00087455. A copy of said authority is attached hereto as Exhibit "A" and made a part hereof.

5. Protestant is not aware of any amendment which would satisfy its interest, but is willing to discuss the same with Applicant or Applicant's counsel.

6. Pursuant to Section 333(c) of the Public Utility Law, Protestant requests Applicant or its attorney to furnish the undersigned with a list of the names and addresses of all witnesses whom it intends to call, and the names and addresses of the

RECEIVED  
TRANSPORTATION SAFETY  
2006 JUN 29 PM 12:18

**DOCKETED**  
JUN 29 2006

*A. Briza*  
DOCUMENT  
FOLDER



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

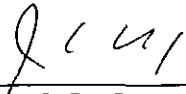
In Re: Application of Glamour : A-00112271, F.2  
Moving Company, Inc. :  
: .  
:

**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused a copy of the above-described Protest to be served to the following parties by the United States Postal Service, First Class Mail, postage prepaid addressed as follows:

Glamour Moving Company, Inc.  
1285 Landing Lane  
Westminister, MD 21157

DATED: 6/28/06

  
\_\_\_\_\_  
JAMES D. CAMPBELL, JR., ESQUIRE  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110  
(717) 232-7661

PUBLIC UTILITY COMMISSION

Application Docket No. 87455  
Folder 2, Am-C

Application of M.F. HOCKEY MOVING, CO.,  
corporation of the State of Delaware

SUPPLEMENTAL REPORT AND ORDER  
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of M.F. HOCKEY MOVING, CO., a corporation of the State of Delaware, dated June 25, 1973, for modification of report and order issued under date of April 24, 1961 and the certificate of public convenience issued thereunder, as modified and amended by various supplemental reports and orders, and upon protests, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public: THEREFORE,

NOW, to wit, March 3, 1975, IT IS ORDERED: That the report and order issued under date of April 24, 1961 and the certificate of public convenience issued thereunder as modified and amended by supplemental reports and orders issued under date of January 4, 1965 at Am-A and under date of November 15, 1965 at Am-B be and is hereby further modified and amended so that the rights contained in this supplemental report and order issued at A. 87455, Folder 2, Am-C, be issued in lieu thereof and shall read as follows:

To transport, as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling, when a part of the equipment or supplies of such dwelling, as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another; and articles, in use, including objects of art, displays and exhibits which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods, between points in the borough of New Cumberland, Cumberland County, and within fifty (50) miles by the usually travelled highways of the limits of said borough and from points in the said borough and territory to points in Pennsylvania, and vice versa.

the above right subject to the following conditions:

EXHIBIT "A"

DOCKETED

APPLICANT'S REPORT

MAR 7 - 1975

1. No right, power or privilege is granted to render service to, from or between points in the borough of Carlisle, Cumberland County, or within an airline distance of five (5) statute miles of the limits of said borough.
2. No right, power or privilege is granted to render service to, from or between points in the county of Lancaster.

To transport, as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling, when a part of the equipment or supplies of such dwelling, as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another; and articles, in use, including objects of art, displays and exhibits which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods, from points within ten (10) miles by the usually travelled highways of the limits of the borough of New Cumberland, Cumberland County, to points in the borough of Carlisle, Cumberland County, and within five (5) miles of the limits thereof and to points in the county of Lancaster, and vice versa.

IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law, relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That the application, in all other respects be refused for lack of proof of necessity.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

ATTEST:

*Will Peter*

*George A. Bloom*

Chairman

Secretary

Order adopted: March 3, 1975  
Order Entered: March 6, 1975



COMMONWEALTH OF PENNSYLVANIA

PUBLIC UTILITY COMMISSION

MEMO

Date: August 1, 2006

Subject: APPLICATION PROTEST  
To: Veronica A. Smith  
Chief Administrative Law Judge  
From: Wendy J. Keezel  
Chief of Motor Carrier Enforcement

DOCUMENT  
FOLDER

The following application was advertised in the *Pennsylvania Bulletin* of June 10, 2006 to be disposed of without hearing provided that no protests were filed on or before July 3, 2006.

Since protests have been filed for approval of the application and the period of 21 days for the filing of restrictive amendments has expired, it is necessary that the applications be set for hearing.

DOCKET NO.

A-00122753, F.2

A-00122822

A-00122821

A-00122816

A-00122786

A-00112271 F2

A-00122529

a-00122731

CARRIER

LEXINGTON MOVING AND STORAGE

ROGER L. MOST, SR. T/A MOUNTAIN MOVERS

DEBORAH A. HANEY T/A ANTHRACITE

PERSONAL CARE AGENCY

LOUIS BIANCO

JEROME MILLER

GLAMOUR MOVING COMPANY, INC.

FOUNDERS CROSSING, INC.

JUDY L. BOGAR

DOCKETED  
SEP 11 2006

pc: Document Folder  
Bruce Bigelow  
James Minder

August 3, 2006

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**ORIGINAL**

RECEIVED  
PENNSYLVANIA  
PUBLIC UTILITY  
COMMISSION  
OFFICE OF THE  
SECRETARY  
06 AUG -03 PM 1:44  
PA PUC

Re: In re: Application of Glamour Moving Company, Inc.;  
Docket No. **NOTICE OF APPEARANCE**

Dear Mr. McNulty:

A-00112271 F0002

Enclosed for filing please find the original and three (3) copies of the Notice of Appearance of the undersigned and Louise A. Knight, Saul Ewing LLP, on behalf of Glamour Moving Company, Inc. in the above-referenced matter.

Thank you for your attention to this matter. Please date-stamp the extra copy and return with our messenger service.

Sincerely,

  
David P. Zambito

Enclosure

c: As Per Certificate of Service

**DOCUMENT  
FOLDER**

RECEIVED  
2006 AUG -3 PM 4:16  
PA PUC  
SECRETARY'S BUREAU

2

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

**ORIGINAL RECEIVED**  
2006 AUG -3 PM 4:16  
PA PUC  
SECRETARY'S BUREAU

In re: Application of Glamour Moving  
Company, Inc.

Docket No. A-00122771, F-2

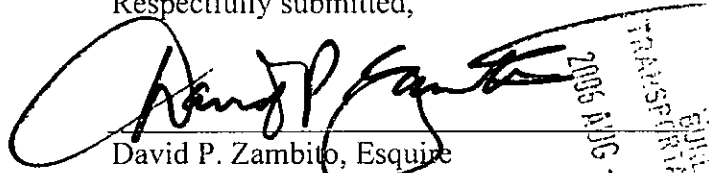
A-00112271 F0002

NOTICE OF APPEARANCE

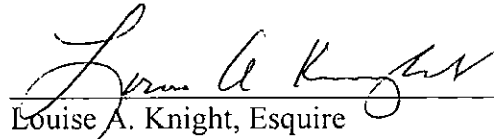
Please enter our appearance in the above-designated matter on behalf of Glamour Moving Company, Inc. We are authorized to accept service on behalf of Glamour in this matter.

On the basis of this notice, we request a copy of each document hereafter issued by the Commission in this matter.

Respectfully submitted,



David P. Zambito, Esquire  
Attorney ID No. 80017



Louise A. Knight, Esquire  
Attorney ID No. 26167

**DOCUMENT  
FOLDER**

**DOCKETED**  
SEP 18 2006

Saul Ewing LLP  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101  
Phone: (717) 257-7526  
Fax: (717) 257-7597  
Email: dzambito@saul.com

Counsel for  
Glamour Moving Company, Inc.

Dated: August 3, 2006

RECEIVED  
BUREAU OF  
REGULATION & SAFETY  
2006 AUG -4 PM 1:44  
PA PUC  
06 AUG -8 PM 3:33

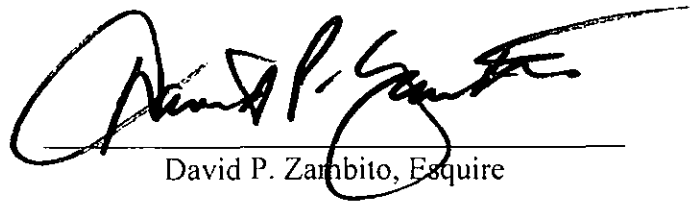
**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**VIA FIRST CLASS MAIL**

James D. Campbell, Jr., Esquire  
Caldwell & Kearns  
3631 North Front Street  
Harrisburg, PA 17110-1533  
*Counsel for Protestants*

Dated this 3rd day of August, 2006.



David P. Zambito, Esquire

RECEIVED  
TRANSPORTATION  
2006 AUG -4 PM 1:44

RECEIVED  
2006 AUG -3 PM 4:16  
PA PUC  
SECRETARY'S BUREAU

**SAUL  
EWING**  
Attorneys at Law  
A Delaware LLP

*Celebrating 85 years of service.*

David P. Zambito  
Phone: (717) 257-7526  
Fax: (717) 257-7597  
dzambito@saul.com  
www.saul.com

**ORIGINAL**

August 10, 2006

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**DOCUMENT  
FOLDER**

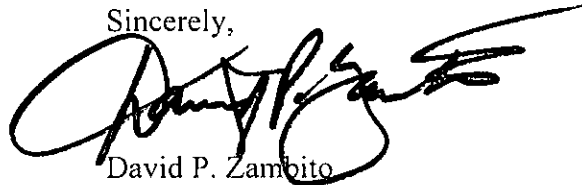
Re: In re: Application of Glamour Moving Company, Inc.;  
Docket No. A-~~00122771~~, F.2; **INTERROGATORIES AND DOCUMENT  
REQUESTS - SET I 112271F2**,

Dear Secretary McNulty:

Pursuant to 52 Pa. Code § 5.341(b), enclosed for filing please find an original and three (3) copies of the certificate of service indicating service of Glamour Moving Company, Inc.'s Interrogatories and Document Requests-Set I upon the Protestants in the above-captioned matter.

Please do not hesitate to contact me if you have any questions regarding this filing. Thank you for your attention to this matter.

Sincerely,



David P. Zambito

DPZ/tar

Enclosure

cc: Daina Dill, Glamour Moving  
James D. Campbell, Jr., Protestant's Counsel

**RECEIVED**  
2006 AUG 10 AM 3:33  
PA PUC  
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

**In re: Application of Glamour Moving  
Company, Inc.**

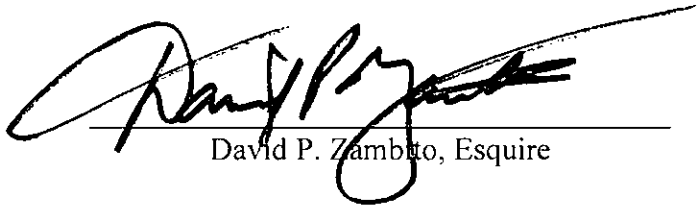
**Docket No. A-00122771, F.2**

I hereby certify that I have this day served a true copy of Applicant's Interrogatories and Document Requests-Set I upon the participants, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**VIA FIRST CLASS MAIL**

James D. Campbell, Jr., Esquire  
Caldwell & Kearns  
3631 North Front Street  
Harrisburg, PA 17110-1533  
*Counsel for Protestants*

Dated this 10th day of August, 2006.



David P. Zambito, Esquire

RECEIVED  
2006 AUG 10 AM 3:33  
PA PUC  
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
August 11, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: A-00112271F0002

(See Attached List)

Application of Glamour Moving Company, Inc.

For the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the Counties of Lancaster, Franklin, Adams and York, to points in Pennsylvania

HEARING NOTICE

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial Hearing  
Date: Thursday, September 21, 2006  
Time: 10:00 AM  
Location: Hearing Room 5  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
Presiding: Administrative Law Judge David A. Salapa  
PO Box 3265  
Harrisburg, PA 17105-3265  
Phone: (717) 783-5452  
Fax: (717) 787-0481

DOCUMENT  
FOLDER

DOCKETED  
SEP 21 2006

*Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.*

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: (717) 787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988

pc: Judge Salapa  
Elizabeth L. Plantz, Scheduling Officer  
T&S - Motor Carrier  
Consumer Advocate  
Beth Plantz  
Docket Section  
Calendar File



PLEASE D

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928-2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL

\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

August 16, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

Administrative Law Judge David Salapa  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Glamour Moving Company, Inc.  
No. A-00112271F0002**

RECEIVED  
2006 AUG 18 AM 8:58  
PA PUC  
SECRETARY'S BUREAU

Dear Judge Salapa:

I have received the hearing notice in the above matter scheduling September 21, 2006 for the initial hearing.

I am a hearing panel member for the Pennsylvania Supreme Court Disciplinary Board and I am scheduled for mandatory training all day on September 21.

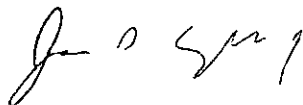
I have advised Mr. Zambito, Applicant's attorney of this conflict and he has authorized me to state that he has no objection to a brief continuance in this matter.

At present, I have no conflicts for any business day during the last week in September, and I would also be available any day during the first three weeks of October with the exception of October 4, October 9 and October 10.

Thank you for your consideration of this request.

**DOCUMENT  
FOLDER**

Sincerely,



James D. Campbell, Jr.  
CALDWELL & KEARNS

RJP  
PA PUC  
06 AUG 17 9:20

JDC:ml

Enclosure

cc: Scheduling Office, Office of Administrative Law Judge  
David P. Zambito, Esquire

**DOCKETED**  
JAN 08 2007

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL

\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

August 17, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**DOCUMENT  
FOLDER**

**Re: Application of Glamour Moving Company, Inc.  
No. A-00122771, P-2 112271 P-2  
Objections of Protestants to Interrogatories and Document Requests - Set 1**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.342(c), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestants' Objections to Interrogatories and Document Requests - Set 1 upon the Applicant in the above captioned matter.

Sincerely,

*JDC*  
James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure  
cc: David P. Zambito, Esquire  
Protestants

06457-001/105341

SECRETARY'S BUREAU  
2006 AUG 10 PM 9:47

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of Glamour : Docket No. A-00122771, F.2  
Moving Company, Inc. :

CERTIFICATE OF SERVICE

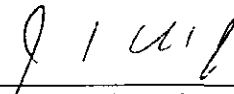
I hereby certify that I have this day served a true copy of Protestant's Objections to Interrogatories and Document Requests - Set 1 upon the participant, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

**VIA FIRST CLASS MAIL**

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619

Respectfully submitted,  
CALDWELL & KEARNS

By:

  
James D. Campbell, Jr., Esquire  
Sup. Ct. I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorney for Protestants

Date: August 17, 2006

2006 AUG 18 AM 9:57  
SECRETARY'S OFFICE

**SAUL  
EWING**  
Attorneys at Law  
A Delaware LLP

*Celebrating 85 years of service.*

ORIGINAL

David P. Zambito  
Phone: (717) 257-7526  
Fax: (717) 257-7597  
dzambito@saul.com  
www.saul.com

August 21, 2006

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

DOCUMENT  
FOLDER

Re: In re: Application of Glamour Moving Company, Inc.;  
Docket No. ~~A-00122771~~, F.2; **MOTION TO COMPEL DISCOVERY**

Dear Secretary McNulty: **A-00112271 F0002**

Enclosed for filing please find an original and three (3) copies of the Motion to Compel Discovery of Glamour Moving Company, Inc. in the above-captioned matter.

Please do not hesitate to contact me if you have any questions regarding this filing. Thank you for your attention to this matter.

Sincerely,

  
David P. Zambito

DPZ/tar  
Enclosure

SECRETARY'S BUREAU  
PA PUC

2006 AUG 21 PM 4:25

RECEIVED

74

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Administrative Law Judge David A. Salapa

DOCUMENT  
FOLDER  
ORIGINAL

Application of Glamour Moving Company, Inc.

Docket No. A-00112271, F.2

---

NOTICE TO PLEAD

---

TO: James D. Campbell, Jr.  
Caldwell & Kearns  
3631 North Front Street  
Harrisburg, PA 17110-1533

RECEIVED  
2006 AUG 21 PM 4:25  
PA PUC  
SECRETARY'S BUREAU

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.343(g)(1), YOUR CLIENTS MAY FILE AN ANSWER TO THE ENCLOSED "MOTION TO COMPEL DISCOVERY" WITHIN 5 DAYS OF SERVICE OF THE MOTION. THE ANSWER MUST BE FILED WITH THE SECRETARY OF THE COMMISSION AND COPIES MUST BE SERVED ON THE UNDERSIGNED COUNSEL AND THE PRESIDING ADMINISTRATIVE LAW JUDGE.



---

David P. Zambito, Esquire  
Louise A. Knight, Esquire  
Attorney ID Nos. 80017 & 26167  
SAUL EWING LLP  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101  
Phone: (717) 257-7526  
Fax: (717) 257-7597  
Email: dzambito@saul.com

Dated: August 21, 2006

Counsel for  
Glamour Moving Company, Inc.

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Administrative Law Judge David A. Salapa

DOCUMENT  
FOLDER

2006 AUG 21 PM 4:25  
PA. P.U.C. 2  
SECRETARY'S OFFICE

Application of Glamour Moving Company, Inc. |

Docket No. A-00112271-2

A-00112271 FOOD

---

**MOTION TO COMPEL DISCOVERY**

---

Glamour Moving Company, Inc. ("Glamour"), by and through its counsel, Saul Ewing LLP, and pursuant to 52 Pa. Code § 5.103 (relating to motions) and § 5.342 (relating to written interrogatories), moves to compel Gastley's Moving & Storage, Inc., Jack Treier, Inc., Shelly Moving & Storage, Inc., Warners Moving & Storage, Zeigler's Storage & Transfer, Inc., Charles E. Groff and Sons, Inc., and M.F. Rockey Moving Company (collectively "Protestants") to respond in a meaningful manner to Glamour's "Interrogatories and Document Requests – Set I," dated August 10, 2006. In support thereof, Glamour avers and argues as follows:

**2. For each of the Protestants, state the number of moves performed in the past five years that originated in the counties of Franklin, Adams, York and Lancaster and ended at points in Pennsylvania.**

RESPONSE TO OBJECTION: The Protestants claim, in a very general manner, that approval of Glamour's "Application would be prejudicial to . . . [the] Protestant and other authorized carriers in this territory . . . ." Protests, ¶ 2. In order for Glamour to ascertain how approval of its application would impact the Protestants, Glamour needs to know the level of the Protestants' activity in the applied-for territory. If the Protestants provide little or no actual service in the

applied-for territory, they cannot make a good faith claim that Glamour's entry into the market would adversely impact their operations. Conversely, if there is a historic trend of increasing moves, it could be evidence of an increasing need for service in the applied-for territory. The Protestants certainly maintain logs from which they can ascertain the requested information.

**6. For each of the Protestants, provide income/expense statements for each of the past five years.**

RESPONSE TO OBJECTION: The Protestants' financial statements for the past five years are necessary in order to show the historic financial trends of the Protestants. The Protestants have asserted that additional competition may result in loss of revenue for existing carriers. *See* Protests, ¶ 2. The Protestants' financial records are necessary in order to establish a baseline for determining whether approval of Glamour's application would create financial problems (not merely a loss of revenue) for the existing carriers. The financial fitness of competing carriers is relevant in determining whether a new entrant would promote the public interest. For example, if the existing carriers lack financial fitness, there may be a "need" for the new carrier. Conversely, if the existing carriers are making large profits, competition may benefit customers by lowering prices. Finally, while Glamour does have the burden of proof, discovery is intended to prepare the parties for all aspects of trial. *See* 52 Pa. Code § 5.321(f)(regarding purpose of discovery). The Applicant has the right to be prepared for, among other things, cross-examination of the Protestants' witnesses as the burden of persuasion shifts.

**7. For each of the Protestants, provide a copy of the Protestant's tariff setting forth rates and terms/conditions of service.**

RESPONSE TO OBJECTION: Glamour withdraws this request, but reserves the right to renew it if the current tariff is not available from the Commission.

**9. For each of the Protestants, state the average number of days that a customer in the counties of Franklin, Adams, York and Lancaster must wait for service.**

RESPONSE TO OBJECTION: Glamour withdraws this interrogatory, but reserves the right to ask it in a different manner.

**10. For each of the Protestants, identify any enforcement actions initiated by the Commission against the Protestant within the past five years and the outcome of the action.**

RESPONSE TO OBJECTION: The fitness of the Protestants is relevant to this proceeding. If existing carriers lack a propensity to operate legally, the public may be better served by Glamour. While some enforcement records are publicly available from the Commission, not all records are readily accessible. For example, one of the Protestants could be the subject of an on-going investigation. The Protestants allege, in a very general manner, that approval of Glamour's application may result in "less than satisfactory service to the public." See Protests, ¶ 2. Glamour has the right to know whether any of the Protestants are currently providing "less than satisfactory service to the public." If they are, there is a "need" for Glamour's service.

**11. For each of the Protestants, identify any customer complaints filed with the Commission against the Protestant within the past five years and the outcome of the complaint.**



RESPONSE TO OBJECTION: The Protestants should readily have records of any Commission proceedings involving them. They would have been served with copies of all complaints. Glamour has the right to explore whether the Protestants are providing less than satisfactory service to the public. Complainants are potential witnesses.

**12. For each of the Protestants, identify any other legal actions initiated against the Protestant within the past five years.**

RESPONSE TO OBJECTION: This request is not limited to Commission actions. It is a request for information regarding any other legal actions against the Protestant. This interrogatory goes to whether there is a public need for Glamour's service. Legal actions against the Protestant may be an indication of poor service to the public. Five years is a reasonable period of time, as it gives a truer picture of the frequency of legal actions.

**13. For each of the Protestants, identify all customer complaints registered directly with the Protestant within the past five years by customers in the counties of Franklin, Adams, York and Lancaster.**

RESPONSE TO OBJECTION: This interrogatory does not deal with formal enforcement actions, as the Protestants have suggested in their objection. It instead requests information regarding customer complaints made directly with the company (as opposed to being filed with the Commission). The level of complaints is relevant to the quality of service that the Protestants are providing to the public. The complaining customers are potential witnesses.

**15. Identify all applications for certificates of public convenience that have been protested by the Protestants within the past five years.**

RESPONSE TO OBJECTION: Glamour intends to use this information to impeach the credibility of the Protestants' witnesses. Glamour has reason to believe that the Protestants routinely file generic protests to applications in order to stifle competition and protect their own pecuniary interests. The Protestants and/or their counsel should have this information readily available. It would be extremely time-consuming and expensive for Glamour to search through Commission dockets for this information.

**22. For each of the Protestants, estimate (based on the comparative size of operations) the Protestant's market share in each of the following counties: Franklin, Adams, York and Lancaster.**

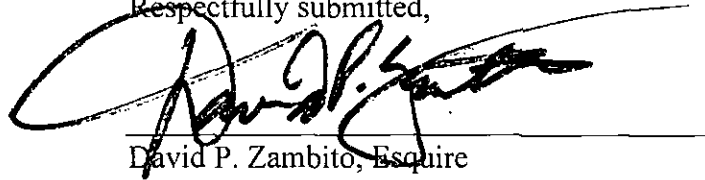
RESPONSE TO OBJECTION: The Protestants likely have a good idea of their competition in each of the listed counties. They should be capable of giving an educated estimate of their market share in each of the counties. Glamour intends to use the information to demonstrate that the Protestants are attempting to protect their own pecuniary interests as opposed to the public interest.

Reservation of Right to Seek Sanctions

Glamour reserves the right to seek sanctions against the Protestants pursuant to 52 Pa. Code §§ 5.371, 5.372, including dismissal of the protests, if they fail to provide meaningful discovery responses.

WHEREFORE, the Protestants should be compelled to provide meaningful responses to Glamour's aforementioned discovery requests by September 8, 2006. If they fail to do so, their Joint Protest should be dismissed with prejudice.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David P. Zambito", is written over a horizontal line.

David P. Zambito, Esquire  
Louise A. Knight, Esquire  
Attorney ID Nos. 80017 & 26167  
SAUL EWING LLP  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101  
Phone: (717) 257-7526  
Fax: (717) 257-7597  
Email: dzambito@saul.com

Dated: August 21, 2006

Counsel for  
Glamour Moving Company, Inc.

**CERTIFICATE OF SERVICE**

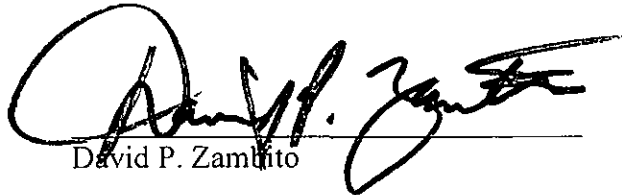
I hereby certify that I have this day served a true copy of the foregoing document upon the persons, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**HAND DELIVERY**

Administrative Law Judge David A. Salapa  
Office of Administrative Law Judge  
Commonwealth Keystone Building,  
2<sup>nd</sup> Floor  
Harrisburg, PA 17105-3265

**FIRST CLASS MAIL**

James D. Campbell, Jr., Esq.  
Caldwell & Kearns  
3631 North Front Street  
Harrisburg, PA 17110-1533



David P. Zambrato

Dated: August 21, 2006

RECEIVED  
2006 AUG 21 PM 4:25  
PA PUC  
SECRETARY'S BUREAU

PLEASE DOCKET

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

JAMES R. CLIPPINGER  
CHARLES J. DeHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS  
THOMAS D. CALDWELL, JR.  
(1928 - 2001)

August 28, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**ORIGINAL**

A. 0012271 ~~FOOOA~~  
FOOOA

Re: **Application of Glamour Moving Company, Inc.**  
**Docket No. A-00122771, F.2**  
**Answer to Motion to Compel Discovery**

RECEIVED  
BUREAU OF  
TRANSPORTATION & SAFETY  
2006 AUG 29 PM 2:14

Dear Secretary McNulty:

Please find enclosed an original and three copies of Protestants' Answer to Motion to Compel Discovery in the above captioned matter.

Sincerely,

*JDC*  
James D. Campbell, Jr.  
CALDWELL & KEARNS

**DOCUMENT  
FOLDER**

JDC:ml  
Enclosure

105674

**RECEIVED**

SEP - 6 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

RECEIVED  
KJR  
2006 AUG 29 AM 9:13  
SECRETARY'S BUREAU  
PA PUC

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Administrative Law Judge David A. Salapa

Application of Glamour Moving : Docket No. A-00112271, F.2  
Company, Inc. :

RECEIVED  
2006 AUG 29 AM 9:13  
SECRETARY'S BUREAU

ANSWER TO MOTION TO COMPEL DISCOVERY

Protestants Gastley's Moving & Storage, Inc., Jack Treier, Inc., Shelly Moving & Storage, Inc., Warners Moving & Storage, Zeigler's Storage & Transfer, Inc., Charles E. Groff and Sons, Inc., and M.F. Rockey Moving Company ("Protestants"), by and through their counsel, Caldwell & Kearns, and pursuant to 52 Pa. Code §5.343(g)(1), make answer to the Motion to Compel discovery to Glamour Moving Company, Inc., as follows:

2. For each of the Protestants, state the number of moves performed in the past five years that originated in the counties of Franklin, Adams, York and Lancaster and ended at points in Pennsylvania.

ANSWER TO RESPONSE TO OBJECTION: 52 Pa. Code §5.361 limits the scope of discovery prohibiting among other things, discovery which would cause an unreasonable burden, expense or investigation by a participant. The records sought by this interrogatory are not kept in the ordinary course of business by Protestants. Responding would require Protestants to go through every freight bill for a five (5) year period and segregate not only intrastate moves from interstate moves, but moves from individual counties. The operating authority of the Protestants is not uniform and some have authority to serve some of the counties enumerated but not others. The five (5) year period is unreasonable on its face.

RECEIVED  
BUREAU OF  
TRANSPORTATION & SAFETY  
2006 AUG 29 PM 2:14

DOCUMENT  
FOLDER

DOCKETED  
NOV 07 2006

KJR

6. For each of the Protestants, provide income/expense statements for each of the past five years.

ANSWER TO RESPONSE TO OBJECTION: The burden of proof in this proceeding is on the Applicant, not the Protestants. The fitness of Protestants is not an issue. Before the Protestants have any duty to go forward with evidence, it is incumbent upon Applicant to prove need for the proposed service and to prove that it possesses the technical and financial ability to provide the proposed service. Further, authority may be withheld if the record demonstrates that the Applicant lacks a propensity to operate safely and legally. 52 Pa. Code §41.14. Further, pursuant to 52 Pa. Code §41.14(c) the Protestants have no burden of going forward until the Applicant has demonstrated public need.

10. For each of the Protestants, identify any enforcement actions initiated by the Commission against the Protestant within the past five years and the outcome of the action.

ANSWER TO RESPONSE TO OBJECTION: The fitness of the Protestants is not relevant to this proceeding. Pursuant to 52 Pa. Code §41.14, as stated previously, an applicant seeking motor common carrier authority has the burden of proof. Further, an enforcement action *per se* is meaningless, in the case of a presently certificated carrier, unless it results in the imposition of a penalty. The Commission has provided a remedy for Applicant or for any other person who believes any carrier is operating unlawfully: a complaint may be filed with the Commission. Finally, the Commission has repeatedly held that an Applicant no longer has the burden of proving inadequacy of the existing service; it is sufficient to establish public need or demand.

11. For each of the Protestants, identify any customer complaints filed with the Commission against the Protestant within the past five years and the outcome of the complaint.

ANSWER TO RESPONSE TO OBJECTION: The answer to response to objection number 10 is incorporated herein by reference. The existence of a complaint, *per se*, is meaningless. Protestants have no burden of proving fitness, only the Applicant carries such burden.

12. For each of the Protestants, identify any other legal actions initiated against the Protestant within the past five years.

ANSWER TO RESPONSE TO OBJECTION: The answers to the preceding objections concerning interrogatories 11 and 12 are incorporated herein by reference and made a part hereof. The Judge and the Commission can take notice that, particularly in these litigious times, any person can bring a legal action against any other person and an existence of such an action, *per se*, is meaningless.

13. For each of the Protestants, identify all customer complaints registered directly with the Protestant within the past five years by customers in the counties of Franklin, Adams, York and Lancaster.

ANSWER TO RESPONSE TO OBJECTION: The answers to response to objection with respect to interrogatories 10 and 11 are incorporated herein by reference and made a part hereof.



15. Identify all applications for certificates of public convenience that have been protested by the Protestants within the past five years.

ANSWER TO RESPONSE TO OBJECTION: Each of the Protestants has standing pursuant to the Public Utility Code to protest any application which affects its interest. The motivation of any Protestant in filing any protest is irrelevant and this interrogatory is simply designed to divert attention from the duty of the Applicant to establish need before Protestants have any duty of proceeding at all. The Commission has repeatedly held that it is for the Commission, not the parties, to determine the appropriate level of competition within any particular territory within the Commonwealth.

22. For each of the Protestants, estimate (based on comparative size of operations) the Protestant's market share in each of the following counties: Franklin, Adams, York and Lancaster.

ANSWER TO RESPONSE TO OBJECTION: As stated in the answer to response to objection to interrogatory number 2, Protestants do not keep records broken down by Pennsylvania counties. Attempting to answer interrogatory number 22 would cause unreasonable burden or expense to Protestants and would further require the making of an unreasonable investigation by Protestants. Some Protestants have authority in some of the counties named, while others do not. Any answer provided would be sheer speculation and absolutely irrelevant to the Applicant's burden of proof in this proceeding.


## CONCLUSION

The relevant section of the Public Utility Code, 66 Pa. C.S. §333(d) provides that “[a]ny party to a proceeding may serve written interrogatories upon any other party **for purposes of discovering relevant, unprivileged information.**” (emphasis added) Protestants have only objected to those interrogatories which are plainly irrelevant and/or would require an unreasonable investigation on their face.

WHEREFORE, Applicant’s Motion to Compel should be denied in its entirety.

Respectfully submitted,  
CALDWELL & KEARNS

By:



---

James D. Campbell, Jr., Esquire  
Sup. Ct. I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorneys for Protestants

Date: August 28, 2006

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of Glamour : Docket No. A-00122771, F.2  
Moving Company, Inc. :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Protestants' Answer to Motion to Compel Discovery upon the participant, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

Administrative Law Judge David A. Salapa  
Office of the Administrative Law Judge  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
Harrisburg, PA 17105-3265

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619  
**VIA FIRST CLASS MAIL**

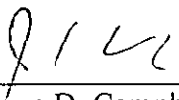
SECRETARY'S BUREAU

2006 AUG 29 AM 9:13

RECEIVED

Respectfully submitted,  
CALDWELL & KEARNS

By:

  
James D. Campbell, Jr., Esquire  
Sup. Ct. I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorney for Protestants

Date: August 28, 2006

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

August 28, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

**ORIGINAL**

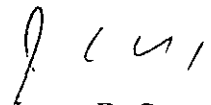
James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Glamour Moving Company, Inc.  
No. A-00122771, F:2 1/2271 F2 .  
Protestants' Interrogatories and Document Requests - Set 1**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.341(b), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestants' Interrogatories and Document Requests upon the Applicant in the above captioned matter.

Sincerely,

  
James D. Campbell, Jr.  
CALDWELL & KEARNS

**DOCUMENT  
FOLDER**

JDC:mi  
Enclosure  
cc: David P. Zambito, Esquire  
Protestants

06457-001/105692

RECEIVED  
2006 AUG 29 PM 9:10  
SECRETARY'S BUREAU



DOCUMENT  
FOLDER

**CALDWELL & KEARNS**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

August 30, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

ORIGINAL

SECRETARY'S BUREAU

2006 SEP 01 PM 9:11

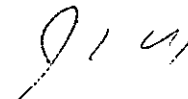
RECEIVED

**Re: Application of Glamour Moving Company, Inc.**  
**No. A-00122771, F-2**  
*112271F2*

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.341(b), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestants' Answers to Interrogatories and Document Requests in the above captioned matter.

Sincerely,



James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml

Enclosure

cc: David P. Zambito, Esquire  
Protestants

06457-001/105795

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

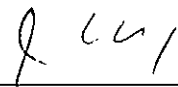
IN RE: Application of Glamour : Docket No. A-00122771, F.2  
Moving Company, Inc. :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Protestants Jack Treier, Inc., Shelly Moving & Storage, Inc., Charles E. Groff & Sons, Inc. and Gastley's Moving & Storage, Inc. Answers to Interrogatories and Document Requests upon the participant, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619  
**VIA FIRST CLASS MAIL**

Respectfully submitted,  
CALDWELL & KEARNS

By:   
James D. Campbell, Jr., Esquire  
Sup. Ct. I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorney for Protestants

Date: August 30, 2006

105797

RECEIVED  
2006 AUG 31 AM 9:11  
SECRETARY'S BUREAU

DOCUMENT  
FOLDER

CALDWELL & KEARNS

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

September 1, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

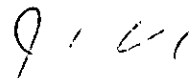
James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Re: **Application of Glamour Moving Company, Inc.**  
**No. A-00122771-F-2 A-00112271 F2**  
**Protestants' Interrogatories and Document Requests - Set 1**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.341(b), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestant's Answers to Interrogatories and Document Requests upon the Applicant in the above captioned matter.

Sincerely,

  
James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosure  
cc: David P. Zambito, Esquire  
Protestant

06457-001/105692

2006 SEP 5 11 09:10  
CALDWELL & KEARNS



COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of Glamour : Docket No. A-00122771, F.2  
Moving Company, Inc. :

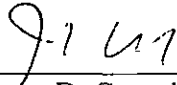
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Protestant Zeigler's Storage & Transfer, Inc. Answers to Interrogatories and Document Requests upon the participant, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619  
VIA FIRST CLASS MAIL

Respectfully submitted,  
CALDWELL & KEARNS

By:

  
James D. Campbell, Jr., Esquire  
Sup. Ct. I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorney for Protestants

Date: September 1, 2006

RECEIVED  
2005 SEP 05 PM 9:40



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
September 6, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: A-00112271F0002

(See letter dated 8/11/06)

**Application of Glamour Moving Company, Inc.**

For the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the Counties of Lancaster, Franklin, Adams and York, to points in Pennsylvania

**HEARING CANCELLATION/RESCHEDULE NOTICE**

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for Thursday, September 21, 2006, has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing  
Date: Tuesday, November 7, 2006  
Time: 10:00 AM  
Location: Hearing Room 5  
Plaza Level  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
Presiding: Administrative Law Judge David A. Salapa  
PO Box 3265  
Harrisburg, PA 17105-3265  
Telephone: (717) 783-5452  
Fax: (717) 787-0481

DOCUMENT  
FOLDER

DOCKETED  
OCT 4 2006

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: (717) 787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988

pc: Judge Salapa  
Elizabeth L. Plantz, Scheduling Officer  
T&S - Motor Carrier  
Consumer Advocate  
Beth Plantz  
Docket Section  
Calendar File

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

September 7, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

DOCUMENT  
FOLDER

ORIGINAL

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Glamour Moving Company, Inc.  
A-00112271, F.2**

Dear Secretary McNulty:

Please be advised that the Protest of M.F. Rockey Moving Company to the above Application is withdrawn based upon reconsideration.

A copy of this letter has been provided to Applicant's counsel as indicated below.

Sincerely,

James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC/ml

Enclosures

cc: M. F. Rockey Moving Company  
David P. Zambito, Esquire

06457-001/106000

RJP  
SECRETARY'S BUREAU  
2006 SEP 11 AM 9:13  
RECEIVED

2

**ORIGINAL**

September 18, 2006

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**DOCUMENT  
FOLDER**

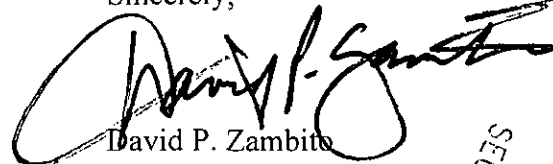
Re: Application of Glamour Moving Company, Inc.; Docket No. A-00112271, F0002;  
**APPLICANT'S ANSWERS TO INTERROGATORIES AND  
REQUEST FOR PRODUCTION OF DOCUMENTS OF PROTESTANTS**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code § 5.341(b), enclosed for filing please find an original and three (3) copies of the certificate of service indicating service of Glamour Moving Company, Inc.'s Answers to Interrogatories and Request for Production of Documents of the Protestants in the above-captioned matter.

Please do not hesitate to contact me if you have any questions regarding this filing.  
Thank you for your attention to this matter.

Sincerely,



David P. Zambito

DPZ/tar  
Enclosure

RECEIVED  
2006 SEP 18 PM 4:02  
SECRETARY'S BUREAU

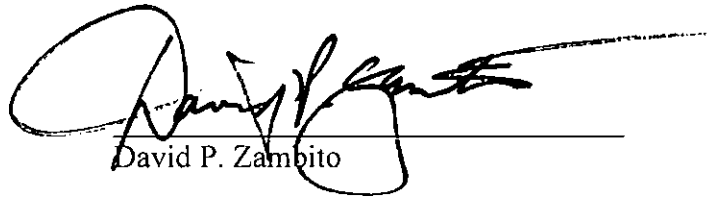
**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the Answers of Glamour Moving Company, Inc. to Protestants Interrogatories and Requests for Production of Documents, dated August 28, 2006, upon the persons, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**VIA FEDERAL EXPRESS**

James D. Campbell, Jr., Esq.  
Caldwell & Kearns  
3631 North Front Street  
Harrisburg, PA 17110-1533

RECEIVED  
2006 SEP 18 PM 4:02  
PA PUC  
SECRETARY'S BUREAU



David P. Zambito

Dated: September 18, 2006

**CALDWELL & KEARNS**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

**ORIGINAL**

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

717-232-7661

FAX: 717-232-2766

thefirm@caldwellkearns.com

October 5, 2006

James J. McNulty, Secretary  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. Box 3265  
Harrisburg, PA 17105-3265

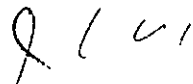
**DOCUMENT  
FOLDER**

**Re: Application of Glamour Moving Company, Inc.  
No. A-00122771, F.2  
Protestants' Answers to No. 6 Interrogatories and Document Requests**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.341(b), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestant, Charles E. Groff & Sons, Inc. Answers to No. 6, Interrogatories and Document Requests, upon the Applicant in the above captioned matter.

Sincerely,

  
James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:th

Enclosure

cc: David P. Zambito, Esquire  
Mr. Will Groff

**RJP**

06457-001/107508

RECEIVED  
2006 OCT -6 AM 9:28  
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA  
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of Glamour : Docket No. A-00122771, F.2  
Moving Company, Inc. :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Protestant Charles E. Groff & Sons Inc. Answers to No. 6, Interrogatories and Document Requests, upon the participant, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619  
**VIA FIRST CLASS MAIL**

Respectfully submitted,  
CALDWELL & KEARNS

By: 

James D. Campbell, Jr., Esquire  
Attorney I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorney for Protestants

Date: October 5, 2006

RECEIVED  
107509  
2006 OCT -6 AM 9:28  
SECRETARY'S BUREAU



CALDWELL & KEARNS

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
11928-20011

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ATLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL

\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

October 20, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

DOCUMENT  
FOLDER

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Application of Glamour Moving Company, Inc.  
No. A-00122771, F.2  
Protestant's Answers to Interrogatories and Document Requests**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.341(b), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestant Warners Moving & Storage's Answers to Interrogatories and Document Requests, upon the Applicant in the above captioned matter.

Sincerely,

James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml

Enclosure

cc: David P. Zambito, Esquire  
Mr. Donald Warner

06457-001/108199

RECEIVED  
2006 OCT 23 AM 9:20  
PA P.U.C.  
SECRETARY'S BUREAU

COMMONWEALTH OF PENNSYLVANIA

ORIGINAL

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of Glamour : Docket No. A-00122771, F.2  
Moving Company, Inc. :

DOCUMENT  
FOLDER

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Protestant Warners Moving & Storage, Inc. Answers to Interrogatories and Document Requests, upon the participant, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619  
**VIA FIRST CLASS MAIL**

Respectfully submitted,  
CALDWELL & KEARNS

By: JDC  
James D. Campbell, Jr., Esquire  
Attorney I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorney for Protestants

Date: October 20, 2006

RECEIVED  
2006 OCT 23 AM 9:20  
PA. P.U.C.  
SECRETARY'S BUREAU

# DOCUMENT FOLDER

**CALDWELL & KEARNS**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL

\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

September 22, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

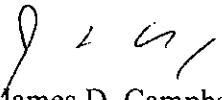
**ORIGINAL**

**Re: Application of Glamour Moving Company, Inc.  
No. A-00122771, F.2  
Protestants' Answers to No. 6 Interrogatories and Document Requests**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.341(b), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestant, Jack Treier, Inc. Answers to No. 6, Interrogatories and Document Requests, upon the Applicant in the above captioned matter.

Sincerely,

  
James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml

Enclosure

cc: David P. Zambito, Esquire  
Steve Treier, President

06457-001/106718

RECEIVED  
2006 SEP 25 AM 9:34  
P.U.C.  
SECRETARY'S BUREAU



DOCUMENT  
FOLDER

CALDWELL & KEARNS

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

September 22, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265


ORIGINAL

**Re: Application of Glamour Moving Company, Inc.  
No. A-00122771, F.2  
Protestants' Answers to No. 6 Interrogatories and Document Requests**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.341(b), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestants, Gastley's Moving & Storage, Inc. and Zeigler's Storage & Transfer, Inc.'s Answers to No. 6, Interrogatories and Document Requests, upon the Applicant in the above captioned matter.

Sincerely,



James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml

Enclosure

cc: David P. Zambito, Esquire  
Ms. Brenda Z. Davidson  
Mr. Michael Gastley

06457-001/106697

RECEIVED  
2006 SEP 25 AM 9:26  
PA PUBLIC  
UTILITY  
COMMISSION  
SECRETARY'S BUREAU



COMMONWEALTH OF PENNSYLVANIA

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of Glamour : Docket No. A-00122771, F.2  
Moving Company, Inc. :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Protestant Zeigler's Storage & Transfer, Inc. Answers to No. 6, Interrogatories and Document Requests, upon the participant, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619  
VIA FIRST CLASS MAIL

RECEIVED  
2006 SEP 25 AM 9:26  
PA P.U.C. BUREAU  
SECRETARY'S BUREAU

Respectfully submitted,  
CALDWELL & KEARNS

By:

James D. Campbell, Jr., Esquire  
Sup. Ct. I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorney for Protestants

Date: September 22, 2006

ORIGINAL

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928 - 2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

September 25, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

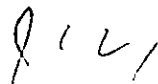
DOCUMENT  
FOLDER

**Re: Application of Glamour Moving Company, Inc.  
No. A-00122771, F.2  
Protestants' Answers to No. 6 Interrogatories and Document Requests**

Dear Secretary McNulty:

Pursuant to 52 Pa. Code §5.341(b), enclosed for filing please find an original and three (3) copies of the Certificate of Service indicating service of Protestant, Shelly Moving & Storage, Inc. Answers to No. 6, Interrogatories and Document Requests, upon the Applicant in the above captioned matter.

Sincerely,



James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml

Enclosure

cc: David P. Zambito, Esquire  
Charles E. Morris, CMC

06457-001/106738  
RECEIVED  
2006 SEP 26 AM 9:00  
PA. P.U. COM.  
SECRETARY'S BUREAU



ORIGINAL

COMMONWEALTH OF PENNSYLVANIA

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: Application of Glamour : Docket No. A-00122771, F.2  
Moving Company, Inc. :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of Protestant Shelly Moving & Storage, Inc. Answers to No. 6, Interrogatories and Document Requests, upon the participant, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a participant).

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619  
VIA FIRST CLASS MAIL

RECEIVED  
2006 SEP 26 AM 9:02  
P.A.U.C.  
SECRETARY'S BUREAU

Respectfully submitted,  
CALDWELL & KEARNS

By: JDC  
James D. Campbell, Jr., Esquire  
Sup. Ct. I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
Attorney for Protestants

Date: 9/25/06

RECEIVED

NOV 2 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

PLEASE DOCKET

David P. Zambito

Phone: (717) 257-7526

Fax: (717) 257-7597

dzambito@saul.com

www.saul.com

October 31, 2006

VIA FEDERAL EXPRESS OVERNIGHT DELIVERY

James D. Campbell, Jr., Esq.  
Caldwell & Kearns  
3631 North Front Street  
Harrisburg, PA 17110-1533

DOCUMENT  
FOLDER

OFFICE RECEIVED  
PA PUC  
06 NOV - 1 AM 9:19

Re: Application of Glamour Moving Company, Inc.; Docket No. A-00112271, F0002;  
**APPLICANT'S WITNESSES AND EXHIBITS**

Dear Mr. Campbell:

Please be advised that I intend to call the following witnesses at the hearing scheduled in the above-referenced matter for Tuesday, November 7, 2006, beginning at 10:00 am:

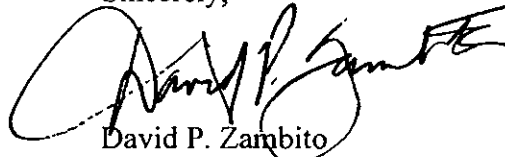
- Jack E. Dill, President of Glamour Moving Company, Inc. Mr. Dill will testify in person as to the legal, technical and financial fitness of the Applicant, as well as to the need for the Applicant's service.
- Daina L. Dill, Secretary/Treasurer of Glamour Moving Company, Inc. Mrs. Dill will testify in person as to the legal, technical and financial fitness of the Applicant, as well as to the need for the Applicant's service.
- Ron Marsh, Littlestown, PA, (717) 359-8300. Mr. Marsh will testify via telephone that he would use the Applicant's services if it were certificated in Pennsylvania.
- Lori Bangs, Littlestown, PA, (717) 359-8498. Ms. Bangs will testify via telephone that she would use the Applicant's services if it were certificated in Pennsylvania.
- Eddie Lookingbill, Littlestown, PA, (717) 476-4441. Mr. Lookingbill will testify via telephone that he would use the Applicant's services if it were certificated in Pennsylvania.
- James Starr, Hanover, PA, (410) 857-9208. Mr. Starr will testify via telephone that he would use the Applicant's services if it were certificated in Pennsylvania.

Please let me know immediately if you have an objection to telephonic testimony by Mr. Marsh, Ms. Bangs, Mr. Lookingbill, or Mr. Starr. At this time, I do not anticipate calling any representatives of the Protestants as witnesses.

Enclosed please find copies of the exhibits that I intend to introduce at the hearing. For purposes of identification, I have labeled them as Exhibits A-1 through A-28. Please note that I intend to request that Administrative Law Judge Salapa take official notice of Exhibit A-3 (FMCSA Motor Carrier Report on Glamour), Exhibit A-12 (Dun & Bradstreet Credit Report for Glamour), Exhibit A-27 (2000 & 2005 U.S. Census Bureau Reports for York, Lancaster, Adams & Franklin Counties), and Exhibit A-28 (Realtors Association of York and Adams Counties ("RAYAC") Home Sales Statistics). The authenticity of these documents can be verified by visiting the FMCSA website ([www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)), the Dun & Bradstreet website ([www.dnbi.com](http://www.dnbi.com)), U.S. Census Bureau website ([www.factfinder.census.gov](http://www.factfinder.census.gov)), and the RAYAC website ([www.rayac.com](http://www.rayac.com)).

Please let me know if you have any questions regarding this information or if you are willing to stipulate to the entry of any of the enclosed Exhibits in order to quicken the hearing. Thank you for your attention to these matters.

Sincerely,



David P. Zambito  
Counsel for  
Glamour Moving Company, Inc.

DPZ/tar  
Enclosures

cc: ALJ David A. Salapa (via Hand Delivery)(without enclosures)  
Daina L. Dill, Glamour Moving (via Federal Express)(with enclosures)

# OALJ Hearing Report

Please check Those Blocks Which Apply

Docket No.:	A-00112271F0002		YES	NO
		Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Case Name:	Application of Glamour Moving Company, Inc.	Hearing Held:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Testimony Taken:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Transcript Due: 11/28/2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Hearing Concluded:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Location:	HBG	Further Hearing Needed:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Estimated Add'l Days:	NONE	
Date:	November 7, 2006			
		RECORD CLOSED:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ALJ:	David Salapa	DATE:	1/5/2007	
		Briefs to be Filed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	DATE:	1-21-2007	
		Bench Decision:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		REMARKS:	Main Briefs 12/22/2006 Reply Briefs 1/5/2007 Record closed 1/5/2007	

NOV 21 2006  
COMMONWEALTH REPORTING

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
DAVID P. ZAMBITO	SAUL EWING LLP 2 NORTH SECOND ST. <small>City State Zip</small> HARRISBURG PA 17101	GLAMOUR MOVING COMPANY, INC.
Telephone: (717) 257-7526	E-mail Address: dzambito@saul.com	Fax Number: (717) 257-7597
CALDWELL & KEARNS By James D. Campbell Jr Douglas L. Cassel  717 232 7661	3631 N Front St <small>City State Zip</small> Harrisburg PA 17110	Protestants Castley's Moving & Storage Inc Charles E. Groat & Sons Inc Jack Treier, Inc Shelly Moving & Storage Inc Warners Moving & Storage Zeigler's Storage & Transfer Inc
Telephone:	E-mail Address: jcampbell@caldwellkearns.com	Fax Number: 717 232 2766
	<small>City State Zip</small>	DOCUMENT FOLDER, TP
Telephone:	E-mail Address:	Fax Number:

Check this box if additional parties or attendees appear on back of form.

*llp*

Judith E. Shuller  
Reporter's Signature

**Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.**

Name and Telephone Number	Address			Who are you representing?
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:

*Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.*

**CALDWELL & KEARNS**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

**ORIGINAL**

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

THOMAS D. CALDWELL, JR.  
(1928-2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

December 20, 2006

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

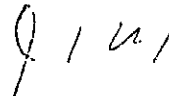
**Re: Application of Glamour Moving Company, Inc.  
Docket No. A-00112271F0002**

**DOCUMENT  
FOLDER**

Dear Secretary McNulty:

Please find enclosed herewith the original and nine copies of the Brief on behalf of Protestants Gastley's Moving & Storage, Inc., Charles E. Groff & Sons, Inc., Shelly Moving & Storage, Inc., Jack Treier, Inc., Warners Moving & Storage, Inc., and Zeigler's Storage & Transfer, Inc. in the above matter. In accordance with the Certificate of Service, copies have been served upon the Administrative Law Judge and the attorney for Applicant.

Sincerely,



James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml  
Enclosures

cc: Honorable David A. Salapa  
David P. Zambito, Esquire  
Protestants

110467

RECEIVED  
2006 DEC 20 AM 10:44  
PA PUC  
SECRETARY'S BUREAU

RP

33

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF GLAMOUR MOVING COMPANY, INC.

DOCKET NO. A-00112271F0002

BRIEF ON BEHALF OF PROTESTANTS GASTLEY'S MOVING & STORAGE, INC.,  
CHARLES E. GROFF & SONS, INC., SHELLY MOVING & STORAGE, INC., JACK  
TREIER, INC., WARNERS MOVING & STORAGE, INC., AND ZEIGLER'S STORAGE  
& TRANSFER, INC.

DOCUMENT  
FOLDER

**DOCKETED**  
DEC 22 2006

RECEIVED  
2006 DEC 20 AM 10:44  
PA PUC  
SECRETARY'S BUREAU

James D. Campbell, Jr., Esquire  
CALDWELL & KEARNS  
Attorney I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
(717) 232-2766 - Fax

ORIGINAL

## I. STATEMENT OF THE CASE

By the present Application Glamour Moving Company, Inc.(hereinafter "Glamour" or "Applicant"), seeks authority to begin to transport, as a common carrier, by motor vehicle, household goods in use, from points in the Counties of Franklin, Adams, York and Lancaster to points in Pennsylvania.

Protests having been filed, the case was assigned for hearing to Administrative Law Judge David A. Salapa, and a hearing was duly scheduled and held in Harrisburg, November 7, 2006. At the conclusion of the testimony, it was agreed that briefs would be filed.

## II. STATEMENT OF THE QUESTIONS INVOLVED

- A. HAS THE APPLICANT CARRIED ITS BURDEN OF DEMONSTRATING FITNESS?  
(Answered in the negative by the Protestants.)
  
- B. HAS THE APPLICANT CARRIED ITS BURDEN OF DEMONSTRATING THAT APPROVAL OF THE APPLICATION WILL SERVE A USEFUL PUBLIC PURPOSE, RESPONSIVE TO A PUBLIC DEMAND OR NEED? (Answered in the negative by Protestants.)
  
- C. DID THE BURDEN OF PROOF SHIFT TO PROTESTANTS TO ESTABLISH THAT THE GRANTING OF AUTHORITY WOULD BE CONTRARY TO THE PUBLIC INTEREST? (Answered in the negative by Protestants.)



### III. REVIEW OF TESTIMONY

#### A. APPLICANT'S OPERATING TESTIMONY

Jack Edward Dill, 1285 Landing Lane, Westminster, Maryland, testified that he is the President of Glamour. His role is "General Manager, Estimator, Mover". (R.7) He founded the company in 1989; prior to that he worked for North American Van Lines for 15 years, relocating customers in local and long distance moving. (R.7-8)

Glamour started out with 3-6 movers and now employs 16-20. (R.8) It has held interstate authority for 10-15 years. (R.8-9) Mr. Dill testified that the company's interstate authority had never been revoked. (R.9) Glamour also holds authority from the Maryland Public Service Commission which permits it to transport household goods within the state of Maryland. Its facilities in Westminster are close to the Pennsylvania border, "about 6 miles from Littlestown, PA." (R.9)

Glamour's revenues exceed its expenses. It is not involved in any other business besides moving. (R. 10)

Approximately 16 trailers, 5 tractors and 10 straight trucks are used in its operations. (R.11) A full time mechanic is employed for maintenance and preventative maintenance procedures. (R.11-12) Its drivers and movers receive a background check, a motor vehicle check and also a road and written test. There is also a random drug test program. (R.12-13)

Appropriate insurance is maintained and the company's credit is in good standing. (R.14) The Application was filed because "we aren't supposed to do PA to PA moves." (R.15)

Mr. Dill again repeated that the company's interstate authority had never been revoked. (R.16)

Mr. Dill felt that he had adequate equipment to serve the Pennsylvania counties applied for and, if demanded by the economics he would open a facility in Pennsylvania. (R.18) The witness felt that customers benefit from competition in the moving industry not just in price, but also in quality of workmanship. (R.19) Mr. Dill stated that June through September is the busy moving season, requiring some companies to delay moves during the summer. (R.20)

On cross-examination, Mr. Dill testified that his vehicle fleet averages about 20 years in age. (R.21) His company advertises in the yellow pages in York and Adams Counties. (R.22)

Daina Lynn Dill testified that she is Secretary of the company and also a 50 percent owner, with her husband. She handles the office work. (R.25) Mrs. Dill then presented a series of exhibits and discussed them, as follows. Applicant's Exhibit 1 is a series of pictures showing the company's facilities and equipment. (R.26-27) Applicant's Exhibit 2 was identified as Glamour's Interstate Commerce Certificate. Applicant's Exhibit 3 was a copy of Applicant's present authority from the Federal Motor Carrier Safety Administration. It indicated - contrary to Mr. Dill's testimony - that the authority had been revoked and then subsequently reinstated some months later. (R.31-32)

Exhibit A-4 shows that Applicant has a satisfactory safety rating from the Department of Transportation. Exhibit A-5 indicates that Applicant carries \$1 million of liability insurance and \$100,000 in cargo insurance. (R.35) Exhibit A-6 was a dishonesty bond. (R.37) Exhibit A-7 is a list of the company's drivers and movers. It includes Jack Dill as one of the drivers. (R.38-39) Exhibit A-8 was a summary of driving records from the Maryland Motor Vehicle Administration. (R.39-40) Exhibit A-9 was a list of the Applicant's motor vehicle equipment

and a copy of the company's federal income tax returns for 2005 and 2004. The company had total income of over \$1.5 million in 2005. (R.41-44) Applicant's Exhibit A-11 was a financial exhibit showing a balance sheet and income statement for the years 2005 and 2004 and Exhibit A-12 was the company's Dun and Bradstreet Report. (R.45-47) Exhibit A-13 was a copy of the Applicant's website, which Mrs. Dill indicated generates Pennsylvania inquiries. (R.48-49) Exhibit A-14 is a copy of the Applicant's Certificate of Membership in the American Moving and Storage Association, a trade association which provides Applicant's arbitration program and prepares its tariffs. (R.49) Exhibit A-15 is a certificate showing participation in the random drug testing program that Mr. Dill had referred to in his testimony. (R.50-51) Exhibit A-16 is a copy of Applicant's Membership in the Better Business Bureau of Maryland and A-17 shows Applicant's selection by the Carroll County Times as best moving company in the county this year. (R.52-54) Exhibit A-18 is a copy of Applicant's interstate tariff. The rate shown would be consistent with Applicant's Pennsylvania intrastate rates if authority would be granted by the PUC. (R.55-56) Exhibit A-19 is a booklet describing a moving customer's rights and responsibilities. (R.57-58) Exhibit A-20 is the Federal Motor Carrier Safety Administration Safety Regulations Pocketbook which includes the regulations that Applicant's employees are required to be familiar with. Exhibit A-21 is a preventative maintenance booklet also used by employees. (R.58-61) Exhibit A-22 is a booklet explaining to household goods customers how to plan a smooth move. It is given to customers when they book a move. Exhibit A-23 is a similar brochure directed to customers who are using the Applicant's service for commercial office moves. (R.61-65)

Exhibit A-24 is an explanation of arbitration procedures. (R.66-67) Mrs. Dill presented Exhibit A-25 as a list of calls received for Pennsylvania to Pennsylvania moves. (R.68) She

testified that she has relatives and friends who are moving to Pennsylvania and she was also aware of some prior Glamour customers who are moving to Pennsylvania. She believed that this was due in part to the fact that taxes and real estate prices are lower in Pennsylvania than in Maryland. (R.71-72) Exhibit A-24 was an email requesting a price for a move from Hanover to Spring Grove, both of which points are located in Pennsylvania. (R.73) It was representative of other inquiries received at the website. (R.73-74) Exhibit A-27 was introduced as a census exhibit indicating population growth between 2000 and 2005 in the various counties located in the Application territory. (R.75-77) Exhibit A-28 was introduced to show that home sales have increased in these counties between 1998 and 2005. (R.77-79) Exhibit A-29 was another census exhibit showing increased housing units for Pennsylvania counties between 2000 and 2005. (R.79-81)

Mrs. Dill stated that based upon the inquiries she had received from Pennsylvania residents she felt that there was a need for additional service in the application territory. (R.81)

On cross-examination it was established that Applicant's interstate authority had been revoked in 1994 and was not reinstated until July 1995, even though Mrs. Dill had testified that this was a failure to file evidence of insurance coverage that "we took care of right away." (R.82) Apparently, the company continued to operate during all of that seven month period without holding authority to do so. (R.83) Recently, the company had been fined \$3,300.00 by the Federal Motor Carrier Safety Administration for using a driver known to have tested positive for a controlled substance, and failing to weigh a shipment. (R.84)

Further, Applicant's Exhibit 8 discloses that Applicant's President, Mr. Dill, had four separate vehicle violations, three of them moving violations, during a two year period. (R.84-85)

Applicant's PUC records disclose unlawful moves between points in Pennsylvania resulting in fines during 1995, 1996 and 2002, as well as for advertising in the Hanover Phone Directory offering to provide service between points in Pennsylvania. The fines for the 1996 and 2002 violations totaled \$7,000.00. (R.86)

The Applicant's advertising documents, e.g. Applicant's Exhibit 22, and also its website show a phone number in area code 717, which is located in Pennsylvania. Calls to that number, however, go directly to the company's facilities in Maryland. (R.87-88)

Mrs. Dill conceded that the population in Carroll County Maryland is increasing, that there is new construction going on all the time in Carroll County and that people are moving from Pennsylvania into Maryland as well as the reverse; also, that the population and housing unit exhibits don't really give any indication of how many of those people actually used the services of moving companies. (R.89) In discussing a couple representative calls shown on Applicant's Exhibit 25, Mrs. Dill stated that the call noted for July 26, 2006 was not received personally by her and that she did not know who the caller was, but she said that it related to an intrastate Pennsylvania move. (R.90) The call from Anita Adams on August 5, 2006, she stated, was an inquiry as to rates. (R.91)

**B. SUPPORTING WITNESS TESTIMONY**

Applicant's supporting witnesses testified by telephone.

The first, Eddie Lookingbill, testified that he lives at 49 Rita Marie Avenue, Littlestown, Adams County. He is familiar with Applicant because his brother works there. (R.99) If he were looking for a moving company he would prefer Glamour. (R.100) He had resided at his present address for 9 years. When he moved there, from a previous residence in Littlestown, he

moved himself. He had never used Glamour's service in the past. (R.100-101) And he indicated no plans to move in the future.

Lorie Bangs, also of Littlestown testified that she is familiar with Glamour because her son works for them. If she had occasion to move from one point to another in Pennsylvania, she would use Glamour. (R.103) Ms. Bangs testified that her exact address was 49 Rita Marie Avenue, the same address given by Eddie Lookingbill, who is her son; but she said that he does not live there, he lives at some address on Bollinger Road in Littlestown, whose street number she did not know.

When she moved to her present address she did not use a moving company, and in fact she had never in the past used a certificated household goods mover. She previously had lived on Harney Road, but didn't remember the street number there. She indicated no present plans to move. (R.104-105)

Ronald Marsh, of 1245 Harney Road, Littlestown, testified that he knew the Dills personally and that Glamour had done an intrastate Maryland move for him about 8 years ago. (R.106-107) He was satisfied with their service. (R.108) When he moved to his present location from Maryland, he moved himself. He also had no present plans to move. (R.110-111)

The final supporting witness was Kim Burton, of 310 Lafayette Drive, Littlestown. She had moved there from Westminster, Maryland about 6 years ago. (R.113-114) She was very happy with the service had received from Glamour for an intrastate Maryland move in 2005. She stated that she has a contract on a house on Bollinger Road and as soon as her divorce is final she will be moving there. She would like to use Glamour based upon her previous

experience with them. (R.115) When she moved from Maryland to her present residence she did not use a moving company. (R.117)

### **C. PROTESTANTS' TESTIMONY**

*Of the six Protestants, three presented representative testimony on their behalf.*

Charles E. Morris testified that he is Director of Sales and Marketing for Shelly Moving and Storage, Inc., and has been with that company for 22 years. (R.120-121) He identified Shelly's operating authority as Protestants' Exhibit 1. Shelly can provide service between points in York County and from points in York County to other points in Pennsylvania pursuant to its authority at Folder 1, Amendment A. Folder 1, Amendment B provides authority to serve Lancaster County, and Folder 1, Amendment E grants authority in Adams County. (R.122) Shelly's three terminals are located in Malvern, York and Harrisburg. The company operates 21 straight trucks, 16 tractors, 39 trailers and 4 pack vans. It employs approximately 100 people. (R.123) Approximately 60 to 70 percent of its shipments are intrastate Pennsylvania. (R.124)

Mr. Morris indicated that there is presently substantial competition for the moving business within the Application territory. (R.124-125)

He also testified that about 50 percent of people that move do so on their own, without engaging a moving company. In view of the substantial number of presently licensed moving companies, there is only a finite amount of business to go around and taking away another piece of that business will only harm the financial health of the present moving companies, in turn adversely affecting the public because of the diminution of the ability to provide adequate service. (R.125)

Brenda Zeigler Davidson testified that she is the President and part owner of Zeigler's Storage and Transfer, Carlisle. She has been with the company for 25 years. (R.134) Protestants' Exhibit 2, Zeigler's Operating Authority, indicates that the company may service parts of Franklin, York and Adams County. (R.135) The operating equipment consists of 3 tractors, 6 trailers, and 5 straight trucks and approximately 15 full time employees work for Zeigler's. (R.136) In the past, her company has not had difficulty in meeting the needs of its customers. Ms. Davidson felt that the addition of another competing carrier could cause financial difficulties for her company. (R.137)

Jeremiah Ott, Vice President of Gastley's Moving and Storage, presented testimony on behalf of that carrier, which is located in Biglerville, Adams County. (R.145-146) Protestants' Exhibit 3 indicates that Gastley's can serve almost all of Adams County and a portion of York County as well. (R.147) It operates 3 straight trucks, 2 tractors, 5 trailers and 1 packing van, using 10 full time employees. (R.148) Approximately 42 percent of its business is intrastate (R.150), and Gastley's feels that it provides a solid service base for its clients in its operating territory. (R.149)

Following Mr. Ott's testimony, the operating authorities of Protestants Charles E. Groff and Sons, Inc., Jack Treier, Inc., and Warners Moving & Storage, were admitted into the record as Protestants' Exhibits 4, 5, and 6 respectively.



### III. PROPOSED FINDINGS OF FACT

1. Applicant is a corporation based in Westminster, Maryland, which is located approximately 6 miles from Littlestown, Pennsylvania, and holds intrastate Maryland Authority as well as interstate operating authority. (R.7-9)

2. Applicant has been fined by the Pennsylvania Public Utility Commission in the past, *inter alia*, for advertising the availability of local moving service in the Hanover, Pennsylvania phone directory. (R.85-86)

3. Applicant continues to advertise in Pennsylvania phone directories in York and Adams Counties; its other advertising materials list a phone number in area code 717 in Pennsylvania, as does its website. (R.87-88)

4. As a result of its advertising, Applicant receives inquiries from Pennsylvania residents. (R. 73-74)

5. Applicant's Federal Authority was revoked for a period of nearly eight months during 1994 and 1995. Applicant did not discontinue its interstate operations during that time. (R.82-83)

6. Applicant was fined by the Pennsylvania Public Utility Commission for unlawful intrastate operations in 1995, 1996 and 2002, with fines totaling more than \$8,700.00. (Pa. P.U.C. v. Glamour Moving Company, Inc.; A-00112271C9501; A-00112271C9601; A-00112271C02)

7. In 2005, Applicant had been fined, \$3,300.00 by the Federal Motor Carrier Safety Administration for using a driver known to have tested positive for a controlled substance, and failing to weigh a shipment. (R.84)

8. During the 19 month period from November 2003 to June 2005, Applicant's President, who also drives for the company, was convicted of four motor vehicle violations, three of which were moving violations. (Applicant's Exhibit 8)

9. All four of Applicant's supporting public witnesses resided in Littlestown, Adams County.

10. Witness Lookingbill testified that he resided at 49 Rita Marie Avenue, Littlestown. (R. 99)

11. Witness Bangs, mother of Witness Lookingbill, testified that she resides at 49 Rita Marie Avenue and that her son does not live there but resides at some location on Bollinger Road. She did not know the street number. (R. 102-103)

12. Witness Bangs had previously resided on Harney Road, Littlestown, but did not remember the street number.

13. Witness Marsh resides at 1245 Harney Road, Littlestown. (R.106)

14. Witness Burton is going to live on Bollinger Road as soon as her divorce is final. (R.115)

15. None of Applicant's supporting public witnesses had ever made an intrastate move in Pennsylvania using a certificated household goods carrier. (R.99-117)

16. Protestant Shelly Moving & Storage, Inc., represented by Witness Morris, holds authority to provide household goods moving service originating at points in York County, Lancaster County and Adams County. (R. 122, Protestants' Exhibit 1)

17. It operates terminals in York, Harrisburg and Malvern, and employs approximately 100 people. (R. 123)

18. There is presently substantial competition for the moving business within the Application territory. (R. 124-125)

19. About half of the people moving do so on their own, and do not use a certificated carrier. This leaves only a finite amount of business for the existing carriers and diluting that business further will diminish their financial health and in turn adversely affect service to the public.

20. Witness Davidson's company, Zeigler's Storage & Transfer, Inc., is authorized to provide service in parts of Franklin, York and Adams County. (R. 135, Protestants' Exhibit 2)

21. Zeigler's operates 3 tractors, 6 trailers, and 5 straight trucks and employs approximately 15 people. (R. 136)

22. Zeigler's has not had difficulty in meeting the needs of its customers and the introduction of another competing carrier could cause financial difficulties for Zeigler's. (R. 137)

23. Gastley's Moving & Storage, Inc. is authorized to provide service to nearly all of Adams Counties and a portion of York County as well. (R. 147) This Protestant operates 3 straight trucks, 2 tractors, 5 trailers and 1 packing van, using 10 full time employees, and provides a solid service base for its clients in its operating territory. (R. 148-149)

24. In addition to Shelly, Zeigler's and Gastley's, the other three Protestants all hold authority to provide household goods transportation services within the Application territory. (Protestant's Exhibits 4, 5, and 6)

#### IV. ARGUMENT

##### **A. APPLICANT HAS FAILED TO ESTABLISH ITS FITNESS TO RECEIVE OPERATING AUTHORITY FROM THIS COMMISSION.**

The Commission's Transportation Regulatory Policy requires that an applicant must establish technical and financial ability to provide the proposed service, and, in addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally. 52 Pa. Code §41.14(b)

The record in this proceeding abundantly demonstrates that this Applicant lacks a propensity to operate safely and legally. Since the mid-1990s Glamour has blatantly disregarded the Rules and Regulations which certificated carriers are expected to uphold. When its operating authority was revoked by the Federal Motor Carrier Safety Administration in November of 1994, it continued to operate without authority until the reinstatement occurred in July of 1995.

In 1995, 1996 and 2002, Applicant was fined by the Commission for operating within Pennsylvania without holding requisite authority from the Commission. In 1995 it was also ordered to cease and desist from advertising the availability of local service in Pennsylvania telephone directories. As of the present, it continues to advertise in Pennsylvania phone directories in York and Adams County and its other advertising materials and website solicit Pennsylvania business by providing a phone number with a 717 area code that receives calls in the company's office in Maryland.

From November 2003 to June 2005, Applicant's President was convicted of four motor vehicle violations, three of which were moving violations. Last year, the Federal Motor Carrier Safety Administration fined Glamour \$3,300.00 for using a driver known to have tested positive for a controlled substance, and failing to weigh a shipment.

This record does not show an isolated violation or an accidental misunderstanding. It reveals a deliberate, persistent disregard for the rules requiring safe and lawful operations. Such a record should not be rewarded by the grant of operating authority.

**B. APPLICANT HAS FAILED TO ESTABLISH A NEED FOR THE PROPOSED SERVICE.**

In construing Section 1103(a) of the Public Utility Code, 66 Pa. C.S. §1103(a) the Commission has adopted a transportation regulatory policy which provides, at 52 Pa. Code §41.14(a) that an Applicant seeking motor common carrier has the burden of demonstrating that approval of the Application will serve a useful public purpose, responsive to a public demand or need.

This Application territory includes four significant counties in south central Pennsylvania. During the presentation of its case, Applicant pointed out population statistics showing that the number of residents is increasing within the Application territory and in fact numbered more than 1,200,000 individuals in 2005.

From this vast territory, Applicant presented supporting public testimony from an odd little circle of four people drawn from the Harney Road, Rita Marie Avenue and Bollinger Road neighborhood of a small dot of a borough located in rural Adams County, some 6 miles away from Applicant's corporate headquarters in Maryland. The population of this borough in 2005 was 4,107, up from 3,947 in 2000, according to U.S. Census Bureau statistics.

None of these few witnesses had ever used a certificated moving company for intrastate transportation, and one was inaccurate in stating his residence address, at least according to his mother.

This evidence of public need clearly fails to meet the level or standard of evidence established in Blue Bird Coach Lines, Inc., 72 Pa. P.U.C. 262 (1990), the leading case interpreting the Commission's transportation regulatory policy. Blue Bird stands for the proposition that supporting witnesses must testify with respect to tangible, concrete transportation needs, between specific points of origin and destination, which points must be representative of the total territory involved in the application proceeding.

No witnesses appeared from Lancaster County. No witnesses appeared from York County. No witnesses appeared from Franklin County. And the few who appeared from Adams County could hardly be suggested as representing that entire county.

Nor will Applicant's Exhibit 25, an alleged list of phone calls, provide any basis for approval of this Application.

In the first instance, these calls do not even rise to the level of request testimony; Mrs. Dill herself characterized them as "inquiries". It is only logical that such inquiries would be received by Glamour since they advertise and promote their service through a website and advertising materials, including phone directories in Pennsylvania, which list an area code 717 phone number.

An inquiry is not a request for service. (Note that the email contact presented as Applicant's Exhibit 26 was clearly just asking for a price.)

The list of calls itself is entitled to no weight on the issue of need. As the Commission's evidentiary guidelines provide in 52 Pa. Code §3.382, the weight which will be attributed to "request" testimony will depend upon the extent to which the alleged requests are substantiated by evidence such as the following:

- (1) The date of each request.

(2) The name, address and phone number of the person or company requesting service.

(3) The nature of the service requested on each occasion, including the commodities or persons to be transported, and the origin and destination of the requested transportation.

(4) The disposition of the request, that is, whether the applicant provided the service or, if not, whether the requesting shipper was referred to another carrier and, if there was a referral, to which carrier was the shipper referred.

Exhibit A-25 does not rise to the level of request testimony, and admittedly the sponsoring witness, Mrs. Dill did not receive the calls personally. This evidence is entitled to no weight whatsoever.

In summary, it is apparent that the Applicant has utterly failed to present substantial evidence of need, as required under the law. In fact, the Applicant has presented absolutely no *tangible evidence having rational probative force that any need exists for the approval of this Application.*

### **C. PROTESTANTS' EVIDENCE**

Three representative protestants of the six protestants of record presented evidence concerning their authorities and operations as pertinent to this Application territory.

It is apparent from their testimony that the Application territory is abundantly served by existing certificated carriers who compete with one another for the available traffic. This traffic is diminishing as more and more people are moving themselves as witness Morris indicated.

Dilution of the available business will inevitably reduce the amount of available revenues to the existing carriers who already compete within this territory. In the absence of any proof of need for an additional service, there is no basis for approval of the Application.

It may be argued that Protestants have a very heavy burden of proof under the Commission's Transportation Regulatory Policy. (52 Pa. Code §41.14(c)). That is unquestionably true under the Commission's decided cases. However, the burden of proof does not arise or come into play until the Applicant has established fitness and need by substantial evidence having rational probative force. In this proceeding, no burden ever shifted to Protestants because the Applicant failed to establish either fitness or need for the proposed service.

#### V. PROPOSED CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter of this proceeding and over the parties thereto.
2. There are three broad issues attendant upon every motor vehicle application proceeding: (1) whether the applicant is fit; (2) whether there is a public need for the applicant's proposed service; and (3) whether the new competition with existing common carriers which would be created by the grant of the application would be injurious to the public.
3. Applicant in the present proceeding has failed to carry its burden of establishing its fitness to receive a certificate.
4. Applicant has failed to carry its burden of demonstrating that approval of the Application will serve a useful public purpose, responsive to a public demand or need.
5. The supporting witnesses who testified for the Applicant did not present substantial evidence having rational probative force of any need or demand for the service proposed by the Applicant.



6. In the absence of proof of need by the Applicant, the burden of proof does not shift to Protestants to establish that approval of the Application would endanger their operations to such an extent that, on balance, the granting of authority would be contrary to the public interest.

VI. PROPOSED ORDER

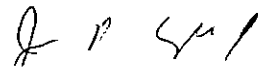
Upon consideration of the foregoing, we now issue this Order:

That the Application of Glamour Moving Company, Inc. is denied for lack of fitness and necessity.

VII. CONCLUSION

Applicant has failed to establish that it is a fit and proper person to receive authority from this Commission and has similarly failed to establish need for the proposed service as required under the Commission's Transportation Regulatory Policy, and the cases which have interpreted that policy, specifically Blue Bird. The Application, therefore, should be denied.

Respectfully submitted,

By: 

James D. Campbell, Jr., Esquire  
CALDWELL & KEARNS  
Attorney I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661  
Attorney for Gastley's Moving & Storage, Inc.,  
Charles E. Groff & Sons, Inc., Shelly Moving &  
Storage, Inc., Jack Treier, Inc., and Warners  
Moving & Storage, Inc.

Date: 12/20/06

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

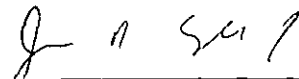
In Re: Application of Glamour Moving Company, Inc. : A-00112271F0002  
:

**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused two copies of the foregoing Brief to be served to the following parties by the United States Postal Service, First Class, Mail, postage prepaid addressed as follows:

Honorable Judge David A. Salapa  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619

  
\_\_\_\_\_  
James D. Campbell, Jr., Esquire  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661

Date: 12/20/06

ORIGINAL

**CALDWELL & KEARNS**

A PROFESSIONAL CORPORATION  
ATTORNEYS AT LAW

3631 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17110-1533

OF COUNSEL  
RICHARD L. KEARNS  
CARL G. WASS

THOMAS D. CALDWELL, JR.  
(1928-2001)

JAMES R. CLIPPINGER  
CHARLES J. DEHART, III  
JAMES D. CAMPBELL, JR.  
JAMES L. GOLDSMITH  
P. DANIEL ALTLAND  
JEFFREY T. MCGUIRE\*  
STANLEY J. A. LASKOWSKI  
DOUGLAS K. MARSICO  
BRETT M. WOODBURN  
RAY J. MICHALOWSKI  
DOUGLAS L. CASSEL  
\*BOARD CERTIFIED CIVIL TRIAL ADVOCATE

January 4, 2007

717-232-7661  
FAX: 717-232-2766  
thefirm@caldwellkearns.com

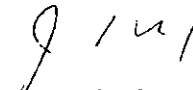
James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**In Re: Application of Glamour Moving Company, Inc.  
No. A-00112271F0002**

Dear Secretary McNulty:

Please find enclosed herewith the original and nine (9) copies of the Reply Brief on behalf of Protestants in the above matter. In accordance with the Certificate of Service, copies have been provided to the Administrative Law Judge and Counsel for Applicant.

Sincerely,



James D. Campbell, Jr.  
CALDWELL & KEARNS

JDC:ml

Enclosures

cc: Honorable Judge David A. Salapa  
David P. Zambito, Esquire  
Protestants

110839

**DOCUMENT  
FOLDER**

RJP

RECEIVED  
2007 JAN -4 PM 1:01  
PA PUC  
SECRETARY'S BUREAU

le

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF GLAMOUR MOVING COMPANY, INC.

DOCKET NO. A-00112271F0002

REPLY BRIEF ON BEHALF OF PROTESTANTS GASTLEY'S MOVING &  
STORAGE, INC., CHARLES E. GROFF & SONS, INC., SHELLY MOVING &  
STORAGE, INC., JACK TREIER, INC., WARNERS MOVING & STORAGE, INC.,  
AND ZEIGLER'S STORAGE & TRANSFER, INC.

DOCUMENT  
FOLDER

**DOCKETED**  
JAN 05 2007

James D. Campbell, Jr., Esquire  
CALDWELL & KEARNS  
Attorney I.D. No. 07051  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661 - Phone  
(717) 232-2766 - Fax

RECEIVED  
2007 JAN -4 PM 1:01  
PA PUC  
SECRETARY'S BUREAU

ORIGINAL

## I. INTRODUCTION

Most of the arguments advanced in Applicant's Main Brief have been addressed in the Main Brief of the Protestants. A few points, however, require response or amplification.

## II. ARGUMENT

### A. WHAT IS A PROPENSITY?

Applicant argues that its history of "isolated" PUC violations does not establish a propensity to operate unsafely or illegally.

This contention should be weighed against the evidence of record, which shows the following time line:

November 1994 - Applicant's interstate operating authority is revoked by the Federal Motor Carrier Safety Administration for failure to file evidence of insurance.

December 1994 - March 1995 - Applicant transports household goods illegally between points in Pennsylvania resulting in a fine at the proceeding docketed at A-00122271C9501.

July 1995 - Applicant's interstate authority is reinstated.  
(Applicant admits it did not cease interstate operations during the 7 months its authority was revoked.)

February 1996 - Applicant fined \$4,000.00 for additional unlawful intrastate Pennsylvania operations, C00122271C9601.

September 2001 - November 2001 - Three unlawful instances of intrastate transportation of household goods lead to a fine imposed pursuant to Complaint docketed to A-00122271C02, fine paid August 2002.

November 2003 - Applicant's President convicted of speeding.

September 2004 - Applicant's President convicted of negligent driving.

January 20, 2005 - Applicant's President convicted of speeding.

2005 - Applicant pays \$3,300.00 fine to Federal Motor Carrier Safety Administration for using a driver known to have tested positive for a controlled substance and failure to weigh a shipment.

Protestants submit that the foregoing history is not one which is typical of a law abiding certificated carrier that observes the rules and regulations of state and federal authorities.

Applicant's history of unlawful transportation between points in the Commonwealth of Pennsylvania, beginning at least as early as 1994 and extending at least into late 2001, suggests a blatant disregard for the Commission's regulatory authority. Payment of more than \$12,000.00 in fines to federal and state regulatory authorities, not even considering Applicant's President's personal convictions, over a period of less than 10 years, would seem to establish a pattern.

Protestants respectfully suggest that what we have here is a propensity.

#### B. WHAT DO THE NUMBERS SHOW?

Applicant argues that the evidence presented with respect to growing population in the Application territory will support a grant of authority. Assuming, *arguendo*, that census reports have some value as proof of need, that value could only be indirect, as a corroborative support for the testimony of actual public witnesses who need the proposed service. In the abstract, population statistics have no probative value on any issue other than whether a given population has increased or decreased. Statistics, by themselves, do not tell us whether the change resulted from births, deaths, or the shifting of numbers from one area to another. Nothing in population

statistics, taken alone, will tell us anything about whether or not new residents used a moving company in connection with a relocation from one place to another.

Looking at the public testimony adduced in this case, we have four residents of the Borough of Littlestown, population 4,107. (Four, that is if we attach credibility to the testimony of Eddie Lookingbill, who said that he lived at the address of his mother, who testified that he did not live there.)

Only one of these four Littlestown residents, Ms. Burton, had any intention of moving; and she intended to do so when her divorce became final during the current month of January, 2007. Clearly Applicant will not be able to lawfully provide moving service to this witness while its Application is pending.

This limited, unrepresentative evidence in no way supports a grant of the broad authority sought by Applicant, to serve four major counties of South Central Pennsylvania having an aggregate population of more than 1,200,000.

The leading case of Re: Blue Bird Coach Lines, Inc., 72 Pa. PUC 262 (1990) instructs us that need for a proposed service must be established by the testimony of witnesses who have an actual, tangible need for service between points of origin and destination located within the Application territory. Although Applicant contends that its evidence is sufficient to warrant a grant of authority throughout this large Application territory, the record does not support such a claim.

No witness was presented from York County.

No witness was presented from Lancaster County.

No witness was presented from Franklin County.

All of the Applicant's witnesses were drawn from Littlestown, Adams County.

In Blue Bird the Commission found that no authority would be granted to serve a county (Forest County) from which no witness appeared. 72 Pa. PUC 276.

Further, with respect to a county (Lawrence County) where two of the three supporting witnesses had no real need, the Commission rejected their testimony and found that authority would be limited to service only from that Borough as to which actual need was shown through the testimony of the remaining witness, stating:

[W]e cannot conclude that the single witness. . . constitutes a cross section of the Lawrence County public on the issue of the public demand/need for Blue Bird's proposed transportation service throughout Lawrence County. . . . Accordingly, we shall grant Blue Bird operating authority from New Castle, Lawrence County to points in Pennsylvania outside Lawrence County.

In the present proceeding, only one of the four witnesses from Littlestown expressed any intention to move in the future, and this witness's need will presumably be met by some company other than Applicant since Glamour will have no PUC authority at the time she desires to move.

We are left with no tangible proof of any need for the proposed service which meets the Blue Bird standard.

C. WHAT ABOUT THE "REQUEST" TESTIMONY?

Applicant seeks to argue that the so called requests for service it has received will make up for the lack of supporting witnesses. This argument simply will not wash. The Commission has established a clear evidentiary guideline explaining the weight to be attached to "request" testimony. 52 Pa. Code §3.382. Mere inquiries, or requests for a price, do not rise to the level of



a request for service. Assuming that actual request testimony is presented, the weight to be accorded to it is measured by the extent to which the following facts are presented:

- (1) The date of each request.
- (2) The name, address and phone number of the person or company requesting service.
- (3) The nature of the service requested on each occasion, including the commodities. . . to be transported, and the origin and destination of the requested transportation.
- (4) The disposition of the request, that is, whether the Applicant provided the service, or, if not, whether the requesting shipper was referred to another carrier and, if there was a referral, to which carrier was the shipper referred.

Applicant's operating witness conceded that she had not herself received the various calls enumerated on Applicant's Exhibit 25 which allegedly related to Pennsylvania moves. The summary she sponsored does not rise to the level of a request exhibit. Applicant's witness herself characterized the entries as "inquiries"; and that such "inquiries" should be received is only natural since Applicant advertises and promotes its service through a website, advertising materials, and phone directories in Pennsylvania, all of which list an area code 717 phone number.

### III. CONCLUSION

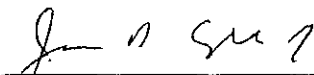
Applicant's fitness is open to grave doubt.

Applicant's public witnesses were not representative of the Application territory and their testimony lacked rational probative force on the issue of need. Applicant's "request" testimony is entitled to no weight.

No burden of proof ever shifted to Protestants, and the Application should be denied.

If, in spite of the foregoing discussion, the Judge determines that some grant of authority is justified, the most charitable review of the evidence presented in this proceeding would warrant a grant of authority no greater than to transport household goods in use from the Borough of Littlestown, Adams County, to points in Pennsylvania.

Respectfully submitted,

By: 

James D. Campbell, Jr., Esquire

CALDWELL & KEARNS

Attorney I.D. No. 07051

3631 North Front Street

Harrisburg, PA 17110-1533

(717) 232-7661

Attorney for Gastley's Moving & Storage, Inc.,  
Charles E. Groff & Sons, Inc., Shelly Moving &  
Storage, Inc., Jack Treier, Inc., and Warners  
Moving & Storage, Inc.

Date: January 4, 2007

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

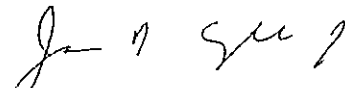
In Re: Application of Glamour Moving Company, Inc. : A-00112271F0002  
:

**CERTIFICATE OF SERVICE**

James D. Campbell, Jr. hereby certified that he caused two copies of the foregoing Reply Brief to be served to the following parties by the United States Postal Service, First Class, Mail, postage prepaid addressed as follows:

Honorable Judge David A. Salapa  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

David P. Zambito, Esquire  
Saul Ewing  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101-1619



---

James D. Campbell, Jr., Esquire  
CALDWELL & KEARNS  
3631 North Front Street  
Harrisburg, PA 17110-1533  
(717) 232-7661

Date: January 4, 2007

110813

RECEIVED  
2007 JAN -4 PM 1:01  
PA PUC  
SECRETARY'S BUREAU

ORIGINAL

January 5, 2007

**VIA HAND DELIVERY**

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

RECEIVED

JAN - 5 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Re: Application of Glamour Moving Company, Inc. for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use from points in the Counties of Franklin, Adams, York and Lancaster to points in Pennsylvania; Docket No: A-00112271F0002; **REPLY BRIEF OF THE APPLICANT, GLAMOUR MOVING COMPANY, INC.**

Dear Mr. McNulty:

Enclosed please find an original and nine (9) copies of the Reply Brief of the Applicant, Glamour Moving Company, Inc., in the above-captioned matter.

Please date stamp the extra copy and return with our messenger service.

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

Sincerely,



David P. Zambito

DOCUMENT  
FOLDER

DPZ/tar  
Enclosure  
cc: As Per Certificate of Service

66

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Glamour Moving Company, :  
Inc. for the right to begin to transport, as a :  
common carrier, by motor vehicle, :  
household goods in use from points in the :  
Counties of Franklin, Adams, York and :  
Lancaster to points in Pennsylvania :

Docket No. A-00112271F0002

---

**REPLY BRIEF OF THE APPLICANT,  
GLAMOUR MOVING COMPANY, INC.**

---

**ORIGINAL**

**RECEIVED**

JAN - 5 2007

PA PUBLIC UTILITY COMMISSION  
1000 MARKET STREET, PHILADELPHIA, PA 19102

**DOCUMENT  
FOLDER**

**DOCKETED**  
JAN 08 2007

TABLE OF CONTENTS

**I. SUMMARY OF REPLY ..... 1**

**II. ARGUMENT ..... 2**

**A. The record does not demonstrate that Glamour lacks a propensity to operate safely and legally ..... 2**

**B. The Protestants failed to demonstrate that Glamour would endanger or impair their operations to the detriment of the public interest. .... 5**

**C. Glamour would serve a useful public purpose, responsive to a public demand or need. .... 6**

**III. CONCLUSION AND REQUESTED RELIEF ..... 7**

**TABLE OF AUTHORITIES**

**STATE CASES**

Morgan Drive Away, Inc. v. Pa. Pub. Util. Comm'n, 512 A.2d 1359 (Pa. Cmwlth. 1986)..... 5, 6

Purolator Courier Corp. v. Pa. Pub. Util. Comm'n, 414 A.2d 450 (Pa. Cmwlth. 1980)..... 6

Seaboard Tank Lines, Inc. v. Pa. Pub. Util. Comm'n, 502 A.2d 762 (Pa. Cmwlth. 1985)..... 5

**STATE STATUTES**

52 Pa. Code § 41.14(c) ..... 5

**PUC CASES**

*Blue Bird Coach Lines, Inc.*, 71 Pa. PUC 262 (1990)..... 5, 6

## I. SUMMARY OF REPLY

Applicant, Glamour Moving Company, Inc. ("Glamour"), filed its Main Brief on December 22, 2006, arguing that its Application should be granted in its entirety based on the record evidence. Gastley's Moving & Storage, Inc. ("Gastley's"), Charles E. Groff and Sons, Inc. ("Groff"), Shelly Moving & Storage, Inc. ("Shelly"), Jack Treier, Inc. ("Treier"), Warners Moving & Storage, Inc. ("Warners"), and Zeigler's Storage and Transfer, Inc. ("Zeigler's")(collectively "Protestants") filed their Main Brief on December 20, 2006. The Protestants make three arguments in support of their contention that Glamour's Application should be denied: (1) Glamour lacks a propensity to operate legally; (2) Glamour failed to establish a need for the proposed service; and, (3) Glamour's entry into the market would adversely affect the Protestants' operations. All three arguments are not supported by the record evidence when viewed as a whole and should therefore be rejected.

With limited exceptions, Glamour has operated in compliance with the law throughout its 17-year history. It maintains active Maryland intrastate and federal interstate authority. Glamour openly admitted through its witnesses that its compliance history has not been perfect. Nevertheless, its violations have been remote, isolated, or otherwise immaterial to this proceeding. Allegations that Glamour continues to provide Pennsylvania intrastate service are based on nothing more than insinuation and are simply not supported by the record evidence. Glamour's violation history does not amount to a "propensity" to operate unsafely or illegally.

The record evidence, when viewed as a whole, demonstrates a clear need for Glamour's services in Franklin, Adams, York and Lancaster Counties. Populations and home sales have dramatically increased in these counties because of the migration of Marylanders to Pennsylvania. Glamour routinely receives service requests from persons seeking Pennsylvania



intrastate moves. Because Glamour currently can operate in Pennsylvania only pursuant to its interstate authority, it must decline the intrastate requests. While Glamour's four "need" witnesses were all from Adams County, there is no requirement that Glamour present "need" witnesses from every corner of its proposed territory. When viewed as a whole, the record evidence demonstrates that similar need exists throughout the proposed territory.

Glamour's entry into Franklin, Adams, York and Lancaster Counties would have a minimal impact on existing carriers. The Protestants, who bore the burden of proof on this issue, made nothing more than general assertions regarding the impact on their operations. Their testimony in fact suggests that Glamour's entry into the market would have a *de minimus* impact on their existing operations. There was no credible evidence that the public interest would be adversely impacted by competition from Glamour. Accordingly, Glamour's application should be granted in its entirety.

## II. ARGUMENT

### A. The record does not demonstrate that Glamour lacks a propensity to operate safely and legally.

An applicant does not have an affirmative duty to prove that it will operate safely and legally. *Application of Harrisburg Taxicab & Baggage Co. t/a Yellow Cab Co.*, Docket No. A-00079143F0008 Am E (Order entered June 13, 1997)(Slip Op. at 11). The record taken as a whole in this case demonstrates that Glamour does not have a propensity to operate unsafely or illegally, and none of Glamour's employees have been convicted of a felony or crime of moral turpitude. (N.T. 12:18-21)

The Protestants' Main Brief highlights a small number of violations occurring throughout Glamour's 17-year history; however, these violations certainly do not rise to a *propensity* to

operate unsafely or illegally. If Glamour had a propensity to operate illegally, it certainly would not have been able to maintain both its Maryland and federal operating authorities for such a long period of time.

The 1994 revocation of Glamour's interstate authority was due to a failure by Glamour's insurance carrier to file proof of insurance with the Interstate Commerce Commission. While it was admittedly Glamour's responsibility to ensure that proof of insurance was on file, Glamour took action to correct the problem as soon as it was discovered. It also put measures in place to ensure that the problem would not occur again. In the 12 years since, there have been no further incidences of failure to file proof of insurance. (N.T. 31:18-33:1, 92:12-93:2; Exh. A-3)

Likewise, Glamour's three Commission violations in 1995, 1996, and 2002 do not indicate a propensity. Two of them occurred over a decade ago and the most recent occurred four years ago. (N.T. 85:14-87:12) Mrs. Dill testified that Glamour learned its lesson and has refrained from similar conduct. (N.T. 95:7-12) Glamour has also retained local Pennsylvania counsel to help it with Commission matters. (N.T. 95:21-96:4)

Protestants argue that Glamour continues to advertise in Pennsylvania yellow pages and has a phone number with a 717 area code. (Protestants' M.B. at 13) Protestants nonetheless failed to present copies of the advertisements or establish that the advertisements were for Pennsylvania intrastate moves. There is nothing illegal about Glamour's conduct. It has valid interstate authority and is therefore authorized to provide interstate service in Pennsylvania. The only relevant record evidence in this proceeding is the testimony of Mrs. Dill in which she explained that the advertisement in the yellow pages is in fact for interstate moves. Any Pennsylvania intrastate requests are declined. (N.T. 96:5-23) Accordingly, the Protestants'

argument amounts to little more than insinuation – which cannot be used in a legal proceeding to prove a propensity.

The Protestants' also argue that Mr. Dill's four minor vehicle violations, committed on *personal time, should be used as a basis to deny Glamour's application.* (Protestants' M.B. at 13) These violations were not felonies or crimes of moral turpitude. Moreover, the "points" generated by the violations were not significant enough to suspend or revoke his license. Accordingly, these violations should be afforded little to no evidentiary weight. It should be noted that Glamour's other drivers have near perfect driving records. (Exh. A-8)

In 2005, Glamour was cited for two violations by the FMCSA: failing to weigh a shipment; and, a driver who tested positive for a controlled substance. (N.T. 84:2-18) While these violations should not be trivialized, they should be put in perspective. Of the hundreds of moves performed by Glamour, it was cited for one violation of failing to weigh a shipment.

As for the driver who tested positive for a controlled substance, he was detected because of Glamour's participation in a random drug testing program. Rather than throw the driver out on the street, Glamour has worked to rehabilitate him because he has been a good employee. He immediately enrolled in a treatment program, is closely supervised, is tested on a regular basis, and has tested clean since the initial positive test. (N.T. 93:12-94:9) Glamour should not be penalized for having a program that detects drug problems and for trying to help a loyal, long-time employee.

While Glamour's violation history is admittedly not perfect, it certainly does not rise to the level of a propensity to operate unsafely or illegally. The Protestants have highlighted remote and isolated negative events in Glamour's 17-year history. These events should not

overshadow an overall good record of compliance. Like Maryland and the FMCSA, the Commission should recognize Glamour as a company that provides service in the public interest.

**B. The Protestants failed to demonstrate that Glamour would endanger or impair their operations to the detriment of the public interest.**

The Protestants had the burden of proving that Glamour's entry into the field would endanger or impair the operations of existing common carriers to an extent that, on balance, the granting of authority would be contrary to the public interest. 52 Pa. Code § 41.14(c). The burden of proof concerning endangerment or impairment, which is placed upon the Protestants, is quite heavy. *Morgan Drive Away, Inc. v. Pa. Pub. Util. Comm'n*, 512 A.2d 1359 (Pa. Cmwlth. 1986); *Seaboard Tank Lines, Inc. v. Pa. Pub. Util. Comm'n*, 502 A.2d 762 (Pa. Cmwlth. 1985). It is not satisfied by showing mere diversion of traffic volume. *Blue Bird Coach Lines, Inc.*, 71 Pa. PUC 262 (1990). Under these stringent standards, the Protestants clearly failed to meet their burden.

The Protestants' three witnesses merely expressed concern that Glamour's entry in the market may impair their companies' operations. (N.T. 125:10-25, 137:9-14, 149:3-11) They presented no empirical evidence to support their conclusory remarks.

The Protestants' testimony in fact indicated that Glamour's entry into the market would *have a minimal impact on their existing operations. All three testifying Protestants have diversified their operations to include interstate and intrastate operations.* (N.T. 130:12-18, 136:19-22, 150:5-24) Their service territories cover only portions of Glamour's proposed territory (N.T. 122:7-24, 126:25-127:2, 135:13-23, 147:11-22) and they have operated at a profit over the past several years. (N.T. 130:3-11, 144:19-145:2, 153:20-25) One of the Protestants'

witnesses also acknowledged that there has been housing growth in the service territory. (N.T. 154:4-9)

The Protestants have presented no credible evidence that Glamour's entry into the markets of Franklin, Adams, York and Lancaster Counties would adversely impact the public interest. Their true motive is instead to insulate themselves from competition – even though the competition would benefit customers.

C. **Glamour would serve a useful public purpose, responsive to a public demand or need.**

Glamour is not required to establish a public demand or need for the proposed transportation in each and every point within the proposed service area, but it is sufficient to show a representative demand generally throughout the area. *Morgan Drive Away, Inc. v. Pa. Pub. Util. Comm'n*, 512 A.2d 1359 (Pa. Cmwlth. 1986); *Purolator Courier Corp. v. Pa. Pub. Util. Comm'n*, 414 A.2d 450 (Pa. Cmwlth. 1980); *Blue Bird Coach Lines, Inc.*, 71 Pa. PUC 262 (1990). Glamour has met this burden through the combination of population statistics, service inquiries, and the testimony of its need witnesses. Glamour's evidence should be viewed in light of the needs of south-central Pennsylvania and should not be viewed in a rote or formulaic manner. *See Application of Williamsport Moving Co., Inc. t/d/b/a Keystone Relocation*, Docket No. A-00089650F0002AmE (Order entered July 27, 2004); *see also Application of Raymond J. Coll*, Docket No. A-00119828 (Order entered Nov. 22, 2004).

The totality of evidence presented at hearing demonstrates that there is a public demand and need for additional moving services in Franklin, Adams, York and Lancaster Counties. With increasing populations and homes sales in these counties, it is reasonable to conclude that there is

a greater need for moving services. As an established mover located within six miles of the Pennsylvania border, Glamour is an ideal candidate to step in and meet the need.

In conjunction with population and housing statistics, Glamour presented evidence that prior customers who moved to Pennsylvania have asked Glamour to provide Pennsylvania intrastate moves. (N.T. 15:21-16:2, 71:23-72:2) In addition, Glamour receives numerous calls and emails requesting Pennsylvania service. (N.T. 15:16-20; Exhs. A-25, A-26)

At the hearing, Glamour presented four need witnesses from Pennsylvania. All four testified that they would use Glamour's services if it were certificated in Pennsylvania. (N.T. 100:1-6, 103:1-12, 108:14-21) While the Protestants have attempted to diminish the weight of this testimony, the population and housing statistics presented by Glamour indicate that Adams County is representative of the type of growth that is also occurring in Franklin, York and Lancaster Counties.

Glamour is not required to present "need" witnesses from every corner of its proposed territory. When viewed as a whole, Glamour's evidence of public need clearly indicates that Glamour would provide a beneficial service to south-central Pennsylvania and, accordingly, its application should be granted.

### **III. CONCLUSION AND REQUESTED RELIEF**

Glamour Moving Company, Inc. has satisfied its burden of proving that: (a) the grant of its application would serve a useful public purpose, responsive to a public demand or need; and, (b) it possesses the technical and financial ability to provide the proposed service. The record evidence in this case does not demonstrate that Glamour lacks a propensity to operate safely and legally. To the contrary, the record demonstrates that Glamour will comply with the Public

Utility Code and the Commission's regulations and orders. Finally, the Protestants have failed to demonstrate that Glamour's entry into the market would endanger or impair their operations to such an extent that the granting of authority to Glamour would impair the public interest.

Wherefore, Glamour's application should be granted in its entirety.

Respectfully submitted,



David P. Zambito, Esquire  
PA Attorney ID # 80017

Saul Ewing LLP  
2 North Second Street, 7<sup>th</sup> Floor  
Harrisburg, PA 17101  
Phone: (717) 257-7526  
Fax: (717) 257-7597  
Email: dzambito@saul.com

Dated: January 5, 2007

Counsel for Glamour Moving Company, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing document upon the persons, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

**ELECTRONIC AND HAND DELIVERY**

Administrative Law Judge David A. Salapa  
Office of Administrative Law Judge  
Commonwealth Keystone Building,  
2<sup>nd</sup> Floor  
Harrisburg, PA 17105-3265

James D. Campbell, Jr., Esq.  
Caldwell & Kearns  
3631 North Front Street  
Harrisburg, PA 17110-1533

RECEIVED

JAN - 5 2007

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



David P. Zambito

Dated: January 5, 2007



ORIGINAL

January 19, 2007

**VIA HAND DELIVERY**

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

**DOCUMENT  
FOLDER**

Re: Application of Glamour Moving Company, Inc. for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use from points in the Counties of Franklin, Adams, York and Lancaster to points in Pennsylvania; Docket No. A-00112271F0002; **LETTER REGARDING FILING OF EXCEPTIONS**

Dear Mr. McNulty:

Please be advised that the Applicant, Glamour Moving Company, Inc., will not be filing exceptions to Administrative Law Judge David A. Salapa's January 9, 2007 Initial Decision in the above-referenced matter.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions regarding this letter.

Sincerely,



David P. Zambito

**DOCKETED**  
JAN 29 2007

DPZ/tar  
Enclosure

cc: Administrative Law Judge David A. Salapa (via hand delivery)  
James D. Campbell, Jr., Esq.  
Daina Dill

RECEIVED  
2007 JAN 19 PM 4: 15  
PA PUC  
SECRETARY'S BUREAU

28