



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

RJR

February 11, 1993

IN REPLY PLEASE
REFER TO OUR FILE

A-00109648
F.2, Am-A

WILLIAM J LAVELLE ESQUIRE
VUONO LAVELLE & GRAY
2310 GRANT BUILDING
PITTSBURGH PA 15219

Application of Marianne Industries, Inc.,
a corporation of the Commonwealth of Pennsylvania

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

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

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

Commission regulations require compliance with the above requirements
within sixty (60) days of the date of this letter. Failure to comply
within the sixty (60) day period will casue the Commission to rescind
the action of February 4, 1993 and dismiss the application without
futher proceeding.

Very truly yours,


John G. Alford, Secretary

DOCUMENT
FOLDER

smk
Encls.
Cert.Mail
Receipt Requested
Tariff Contact Person: Joseph Machulsky (717) 787-5521
MARIANNE INDUSTRIES INC
PO BOX 300
SHIPPENVILLE PA 16254

JOCKETED
MAR 18 1993

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held February 4, 1993

Commissioners Present:

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

Application of Marianne Industries, Inc.,
a corporation of the Commonwealth of
Pennsylvania, for amendment to its common
carrier certificate, which grants the right,
inter alia, to transport, by motor vehicle,
bottles, containers, caps, broken glass,
cullet, supplies and materials for the Owens-
Illinois Glass Company from its place of
business in the borough of Clarion, Clarion
County, to points in Pennsylvania, and vice
versa: SO AS TO PERMIT the transportation
of glass for recycling and cullet, in bulk,
in dump vehicles, between points in
Pennsylvania; subject to the following
condition: That no right, power or privilege
is granted to provide service from points in
the counties of Allegheny, Beaver, Butler,
Lawrence, Washington and Westmoreland.

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DOCKETED
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William J. Lavelle for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed August 11, 1992. Public notice of the application was given in the Pennsylvania Bulletin of September 5, 1992. The unopposed application is certified to the Commission for its decision without oral hearing. The record consist of verified statements entered by the applicant and three supporting shippers.

Rosie B. Amsler, president of Marianne Industries, Inc., set forth in her verified statement that the company's office is located in Shippenville, Clarion County. It operates from 8 a.m. to 5 p.m. five and a half days per week. The company owns one tractor and two trailers with the remainder of equipment under long term lease. All vehicles are equipped with tarpulins and all equipment is safety inspected and routinely maintained. The company's

drivers and other personnel are kept advised of all pertinent transportation regulations and the company strives to maintain a safe driving record.

The applicant now provides some interstate service to the shipper's supporting this application. Marianne Industries has transported cullet from points in Maryland to the Monack Glass Recycling Facility in Belle Vernon, Fayette County. It also has transported cullet for the Conti-Group from points in New York and New Jersey to Clarion, Pennsylvania and from Chester, Pennsylvania to Syracuse, New York. By virtue of this interstate transportation it has experience with these two shippers. The majority of the transportation the company renders consist of truckload shipments of bulk commodities from a single origin to one or more destinations. Equipment will be spotted for the shippers convenience whenever it is requested.

As evidence of its financial capacity to provide the additional service proposed the applicant entered a balance sheet and income statement dated December 31, 1991, reporting total assets of \$58,978 with total liabilities of \$39,573. Revenue of \$1,786,594 produced a net income of \$17,695 after expenses.

Lawrence H. Monack, owner of Monack Glass Recycling, set forth in his verified statement that the company is engaged in processing and recycling glass. It obtains scrap glass from recycling centers, processes the glass and ships it to various glass companies. The company's facility is located in Belle Vernon, Fayette County. Both inbound and outbound shipments move in truckload quantities. Outbound shipments originate at the Belle Vernon facility destined to a variety of glass companies located in Brockway, Jefferson County, Glenshaw, Allegheny County, Mountain Top, Luzerne County, Connellsville, Fayette County and Clarion, Clarion County. Inbound shipments to the company's Belle Vernon facility originate at recycling centers nearly statewide.

Due to an increasing volume of glass processed by the company and limited storage space at the company's facility, the company needs to have additional motor carrier equipment available to transport shipments on schedule. The company has utilized the applicant for interstate shipments and has found the service to be excellent. It is expected that as much as 45 to 50 percent of Pennsylvania intrastate shipments will be tendered to the applicant.

James R. Stephens, Jr., recycling manager for Recycling Works, Inc., set forth in his verified statement that the company operates a recycling process center. The company receives various recyclable materials at this center located in the city of Lebanon, Lebanon County. It ships the recycled materials including amber, green and flintglass cullet to a Jefferson County processing center. The applicant would be used to transport shipments from the Lebanon facility to the processing facility in Corsica, Jefferson County. In addition, the shipper is capable of shipping cullet directly to glass plants but currently this is not the procedure.

Lee Alter, owner of Conti-Group, set forth in his verified statement that Conti-Group's operations include collecting, processing and recycling glass. Conti-Group has eight facilities in Pennsylvania which consist of recycling centers and glass processing plants. The facilities are located at Chester, Delaware County, Northampton, Northampton County, Mt. Pleasant, Westmoreland County, Port Allegany, McKean County, Connellsville, Fayette County, Corsica, Clarion County, Clarion, Clarion County and Belle Vernon, Fayette County. Each facility ships and receives recyclable glass and glass cullet five days per week. All inbound and outbound shipments are truckload in size weighing approximately 47,000 pounds. Shipments inbound to the sites originate at collection sites, recycling centers and processing plants located at points throughout the state. Approximately two to three loads per week are shipped from the eight facilities.

Conti-Group has utilized the applicant's service for interstate shipment for approximately six months and the applicant is familiar with the company's facilities.

DISCUSSION AND FINDINGS

The applicant seeks to provide service between points in Pennsylvania with the exception of service from points in the counties of Allegheny, Beaver, Butler, Lawrence, Washington and Westmoreland, transporting glass which is for recycling and cullet. These materials will be shipped in bulk in dump vehicles. The glass for recycling and cullet which is broken or refuse glass, will be transported inbound to the facilities of the three shippers for processing and then outbound from the processing plants to various glass manufacturers. The applicant has a fleet of dump vehicles which are suitable for this transportation and by provision of interstate service and other intrastate service within the scope of its current authority has experience with the transportation of these types of commodities.

Three shippers support this application with a total of ten facilities scattered within Pennsylvania. Each of the three shippers indicate a desire to have the applicant's service available to aid them in meeting their requirements for both inbound and outbound transportation. Two of the shippers currently use the applicant on interstate shipments and are satisfied that the applicant has the ability to meet their needs.

This application is seeking authority to transport glass for recycling and cullet between points in Pennsylvania with the exception of six counties which are excluded as origins of service. It is our determination that the applicant has satisfactorily supported this application with the submission of the three shipper statements. Although this is a statewide service, the scope of the service is somewhat limited as the only commodities to be transported are glass for recycling and cullet. Although there are only three shippers the shippers have a total of ten processing facilities and glass moves

to numerous glass manufacturing plants as well as moving inbound from a multitude of glass collection sites. In the interest of promoting the recycling industry to which the Commonwealth has made a commitment, we find it in the public interest to grant the applicant authority to provide this service between points in Pennsylvania with the exception of the six counties as stipulated in the application.

We find:

1. The applicant has the equipment, experience and financial capacity to render the proposed service.
2. Approval of the unopposed application will aid the shippers in meeting their transportation requirements.
3. Approval of the unopposed application to permit the applicant to provide transportation of glass for recycling and cullet between points in Pennsylvania is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the unopposed application, be and is hereby approved and that the certificate issued November 26, 1991, be amended to include the following right:

To transport, as a Class D carrier, glass for recycling and cullet, in bulk, in dump vehicles, between points in Pennsylvania;

subject to the following condition:

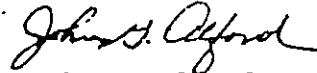
That no right, power or privilege is granted to provide service from points in the counties of Allegheny, Beaver, Butler, Lawrence, Washington and Westmoreland.

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

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

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

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: February 4, 1993

ORDER ENTERED: FEB 11 1993