



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

FILE

IN REPLY PLEASE
REFER TO OUR FILE
A-00113003

MAY 28, 1997

ANDREW K LIGHT ESQUIRE
1777 MARKET TOWER
10 WEST MARKET STREET
INDIANAPOLIS IN 46204-2971

DOCKETED
MAY 28 1997

APPLICATION of PROFESSIONAL TRANSPORTATION, INC.,
t/d/b/a PROFESSIONAL CARRIERS,
a CORPORATION of the STATE of INDIANA

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

The Certificate of Public Convenience evidencing the
Commission's approval of the right to operate will not be issued
until the applicant has complied with the following insurance and
tariff requirements:

- I. Arrange through an insurance agent to have an
insurance company file with the Commission a
FORM E as evidence of minimum public
liability and property damage insurance
coverage as shown on the back of this sheet.
- II. Prepare and file a tariff according to the
enclosed instructions except applicants for
transfer of authority must file a tariff
adoption supplement which will be forwarded
by separate cover at a later date.

PERSONS

DOCUMENT
FOLDER

PASSENGER CARRIERS:

- 15 passengers or less: \$35,000 to cover liability for bodily injury, death or property damage incurred in an accident.
- \$25,000 first party medical benefits, \$10,000 first party wage loss benefits and shall conform to 75 Pa. C.S. §§1701-1798 (relating to Motor Vehicle Financial Responsibility Law).
- First party coverage of the driver of certificated vehicles shall meet the requirements of 75 Pa. C.S. §1711 (relating to required benefits).
- 16 to 28 passengers: \$1,000,000 to cover liability for injury, death or property damage incurred in an accident.
- 29 passengers or more: \$5,000,000 to cover liability for bodily injury, death or property damage incurred in an accident.

PROPERTY CARRIERS:

- Bodily Injury: \$300,000 per accident per vehicle to cover liability for bodily injury, death or property damage incurred in an accident.
- Insurance coverage of motor carriers of property shall meet the requirements of 75 Pa. C.S. §1701-1798 (relating to Motor Vehicle Financial Responsibility Law).
- Cargo: \$5,000 for loss or damage to cargo carried on a motor vehicle.

No motor carrier shall operate or engage in any transportation until compliance with all of the above requirements and a certificate of public convenience has been issued authorizing actual operations. You are advised that any equipment to be used in rendering the service authorized under the certificate must be registered with the Bureau of Motor Vehicles, Department of Transportation, as a bus or taxi. Motor carriers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Code.

Commission regulations require compliance with all of the requirements within sixty (60) days of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of May 22, 1997, and dismiss the application without further proceedings.

If you foresee problems in meeting these requirements, please direct your questions to the following contact persons:

INSURANCE FILINGS: Insurance Section
(717) 783-5933

TARIFF FILINGS: Tariff Section
(717) 787-5945

Very truly yours,

John G. Alford
Secretary

smk
Enclosures
Certified Mail
Receipt Requested
PROFESSIONAL TRANSPORTATION INC
T/A PROFESSIONAL CARRIERS
PO BOX 5205
EVANSVILLE IN 47715

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

Public Meeting held May 22, 1997

Commissioners Present:

John M. Quain, Chairman
Robert K. Bloom, Vice Chairman
John Hanger
David W. Rolka
Nora Mead Brownell

Application of Professional Transportation, Inc., t/d/b/a Professional Carriers, a corporation of the State of Indiana, for the right to begin to transport, as a common carrier, by motor vehicle, railroad crews, in paratransit service, between points in Pennsylvania.

A-00113003

**DOCKETED
MAY 28 1997**

Scopelitis, Garvin, Light & Hanson by Andrew K. Light for the applicant.
Wick, Streiff, Meyer, Metz & O'Boyle, P.C. by David M. O'Boyle, Co-Counsel for the applicant
Schubert, Bellwoar, Mallon & Walheim by Richard T. Mulcahey, Jr. for protestant, LoMa, Inc., t/d/b/a A.B.E. Limo & Bus Service, t/d/b/a AERO Chauffeured Limo & Mini Bus Scv.
Pillar, Mulroy & Ferber by John A. Pillar for protestant, D & T Limousine Service, Inc.
Buchanan Ingersoll by Patrick L. Abramowich for protestant, The Yellow Cab Company of Pittsburgh.
John J. Gallagher, P.C. for protestant, Metro Care, Inc.
Vuono & Gray by William A. Gray for protestant, Milepost Inns, Inc., t/d/b/a Milepost Industries.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed April 4, 1996. Public notice of the application was given in the Pennsylvania Bulletin of May 18, 1996. Five (5) protests were filed by the above-mentioned carriers. All protests were withdrawn upon restrictive amendment limiting the service for CSX Transportation, Inc.

**DOCUMENT
FOLDER**

The now unopposed application is certified to the Commission for its decision without oral hearing. The unopposed application is supported by the applicant and the sole shipper, CSX Transportation, Inc.

Robert S. Tevault, vice-president of Professional Transportation, Inc., t/d/b/a Professional Carriers (applicant or PTI) is in charge of supervising applicant's operations in transporting train crews for its railroad customers and is well acquainted with PTI's existing operations. Applicant does not currently hold any authority from the Pennsylvania Public Utility Commission; however, it holds interstate operating authority to transport persons between points in the United States. Pursuant to the I.C.C. grant of authority, applicant has provided and does provide paratransit service for the supporting shipper in transporting its railroad crews from points in the State of Maryland to points in Pennsylvania. Additionally, PTI conducts the same type of train crew service as involved in this application in or through 15 other states.

Applicant has vehicles stationed at over 40 locations in 15 states where it provides service for the supporting party. At the present time, PTI does not have any terminal facilities located in Pennsylvania; however, upon approval, it intends to open facilities at New Castle, Aliquippa, Pittsburgh, Connellsville, Philadelphia and possibly other locations based on business requirements. Communications will be maintained by a central dispatch operation located at company headquarters in Evansville, Indiana. A considerable amount of money has been invested by PTI in computers and electronic equipment in order to tie into supporting party's electronic data transfer system for both dispatch of vehicles and for billing purposes. PTI will communicate with its drivers through two-way radios with railroad channels. This enables drivers to communicate directly with the supporting party's dispatcher or with a train crew waiting to be picked up in order to facilitate locating the crew or receiving further instructions.

Applicant has a fleet of approximately 248 seven-passenger, plus driver extended vans. These vans are all late models and are in good to excellent condition. A comprehensive safety and maintenance program is in effect. PTI expects to purchase an additional 15 to 20 vans with seven-passenger seating capacity for its use in serving the supporting party in Pennsylvania.

Applicant has been providing service for supporting party for over 12 years transporting engine and train crews in 15 out of 20 states that the supporting party operates in and through. Applicant provides over-the-road service in picking up and delivering crews and dedicating yard van service in transporting crews within a rail yard. Applicant is the

supporting shipper's primary railroad customer and handles approximately 13,000 to 15,000 crew trips each month for the supporting shipper. Applicant will provide service 24 hours per day, seven days per week, including holidays. Services will be rendered on an advance registration basis, but there are times when the supporting party requests that equipment arrive within 30 minutes and, in some cases, as soon as possible.

It is anticipated that an additional 40 to 50 employees will be hired to conduct the proposed operations in Pennsylvania. It is further anticipated that all these employees will be residents of Pennsylvania.

Applicant presently has pending a P.U.C. application for common carrier property authority at A-00113003, F. 2. Applicant has requested this common carrier authority property application so there will be no problem with it holding any dual operating authority.

The unaudited balance sheet of the applicant as of December 31, 1996 shows total current assets of \$1,958,339, total assets of \$1,990,392, total liabilities of \$1,635,935 and total equity of \$354,457. The income statement shows sales of \$12,345,674, less operating expenses of \$11,556,319 and administrative expenses of \$464,375, resulting in a net profit of \$324,980.

Terri Howard, Manager of Productivity Analysis since January, 1996 and having been employed by CSX Transportation, Inc. (supporting party or CSX) since 1992, states that in his present position, he is responsible for securing transportation services for train and engine employees of CSX and supports the applicant for this type of transportation in Pennsylvania. CSX is a Class 1 railroad which conducts operations in and through 20 states. It conducts operations as far west as Chicago, Memphis, East St. Louis and New Orleans and operations extend all the way to the East Coast. PTI is one of CSX's primary providers of transportation service for its train and engine employees, which consist of approximately 20,000 workers systemwide. CSX has 11 divisions or service lanes and PTI conducts operations in 10 of these divisions.

Communications will be maintained with the applicant via an electronic system for transmitting dispatch requests for equipment of service providers to pick up train and engine crews. The electronic system is also used for processing the invoices of service providers. PTI does not have any interstate authority in Pennsylvania and CSX has been forced to utilize the service of five transportation providers. This system has been extremely

inefficient and time consuming and has created delays in providing transportation for its crews. Since PTI uses the electronic system rather than the manual system as other providers do, this will increase the efficiency of CSX's operations.

The supporting party has submitted a statement as Exhibit A which is a print-out of all Pennsylvania origins and destinations of train and engine crew trips during the period of October 1 through December 31, 1996. This document indicates that CSX has had over 1,500 trips between points in Pennsylvania during the last three months of 1996. There is a need for service on a daily basis and as the need arises. Based on an annual basis, there would be over 6,000 trips to and from points in Pennsylvania each year.

PTI has been CSX's primary transportation provider in Pennsylvania and upon approval of this application, CSX will tender PTI 100% of its engine and train crew trips within Pennsylvania. CSX needs transportation service available to pick up and deliver train and engine crews at literally any point on its railroad lines in Pennsylvania. Transportation service is required 24 hours a day, seven days per week. The requirements for vehicles are utilizing vans with seating capacity of at least seven passengers in order to transport three, four and six-man crews. Advance notice is always provided to service providers and the amount of notice varies depending upon the circumstances of each trip. It is the goal of the supporting party to provide two-hour advance notice for all trips.

DISCUSSION AND FINDINGS

Professional Transportation, Inc., t/d/b/a Professional Carriers, seeks to initiate transportation to operate as a common carrier by motor vehicle, to transport railroad crews, in paratransit service, between points in Pennsylvania. The application was opposed by five carriers that withdrew upon restrictive amendment limiting the service "for CSX Transportation, Inc."

The parties involved have been working together for many years with the applicant providing service in 15 states for the supporting party. The supporting party is well pleased with applicant's past service and initiated the instant application to render service between points in Pennsylvania. Applicant has the fitness, facilities, ability and communications network to render the service as amended.

We find:

1. Applicant seeks to initiate paratransit service and the application was protested by five (5) carriers.
2. The protests were withdrawn upon restrictive amendment limiting service for CSX Transportation, Inc.
3. The supporting party has demonstrated a need for service between points in Pennsylvania.
4. Applicant has the fitness, equipment, communications network and ability to render the service, as amended.
5. Approval of the application, as amended, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved granting the following right:

To transport, as a common carrier, railroad crews, in paratransit service, for CSX Transportation, Inc., between points in Pennsylvania.

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

1. Form E evidence of Bodily Injury and Property Damage Liability Insurance.
2. A tariff establishing just and reasonable rates.

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

IT IS FURTHER ORDERED: That upon compliance with the requirements hereinbefore set forth, a certificate shall issue evidencing the Commission's approval of the right to operate as above-determined.

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: May 22, 1997

ORDER ENTERED: **MAY 28 1997**