

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

14

<p>1. REPORT DATE: November 8, 2000</p>	<p>2. BUREAU AGENDA NO.: NOV-2000-TSM-0226*</p>
<p>3. BUREAU: Transportation and Safety</p>	<p>5. PUBLIC MEETING DATE: November 29, 2000</p>
<p>4. SECTION(S): MCS&E</p>	<p>6. APPROVED BY: Director: <i>BM</i> Mahan 7-2496 Supervisor: <i>JZ</i> Zeigler 3-5946</p> <p>7. PERSONS IN CHARGE: <i>JZ</i> Zeigler 3-5946</p> <p>8. DOCKET NO.: A-00113409, F. 1, Am-A</p>

DOCKETED
DEC 11 2000

19. (a) CAPTION (abbreviate if more than 4 lines)

- (b) Short summary of history & facts, documents & briefs
(c) Recommendation

(a) Application of Eric F. Wright Enterprises, Inc., t/d/b/a Eric's Moving, a corporation of the Commonwealth of Pennsylvania, Royersford, Montgomery County, for amendment to its common carrier certificate: SO AS TO PERMIT the transportation of household goods in use between points in the city and county of Philadelphia, and the counties of Berks, Bucks, Delaware, Chester and Montgomery, and from points in said city and counties, to points in Pennsylvania, and vice versa.

(b) The application was opposed by 11 carriers that withdrew upon a restrictive amendment limiting new service to Pottstown and within 10 miles and Phoenixville and within 1 mile and providing the vice versa provision to the new territory as well as the territory now held by the carrier. The applicant has the experience, equipment and fitness to provide the proposed service, as amended. Fourteen supporting parties have entered verified statements speaking to the need for the proposed service. Approval of the amended application is necessary for the accommodation and convenience of the public.

(c) The Bureau of Transportation and Safety recommends the Commission adopt the proposed order approving the application, as amended.

10. MOTION BY: Commissioner V.C. Bloom Commissioner Wilson - Yes
 Commissioner Fitzpatrick - Yes
 Commissioner
 Commissioner Brownell

CONTENT OF MOTION: Staff recommendation adopted.

**DOCUMENT
FOLDER**

RHO



COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA PUBLIC UTILITY COMMISSION
 P.O. BOX 3265, HARRISBURG, PA 17105-3265
 November 30, 2000

IN REPLY PLEASE
 REFER TO OUR FILE

A-00113409
 F.1 Am-A

RICHARD T MULCAHEY JR ESQUIRE
 TWO PENN CENTER SUITE 1400
 1500 JOHN F KENNEDY BOULEVARD
 PHILADELPHIA PA 19102-1890

Application of Eric F. Wright Enterprises, Inc.,
 t/d/b/a Eric's Moving,
 a corporation of the Commonwealth of Pennsylvania. . .

**DOCUMENT
 FOLDER**

DOCKETED
 DEC 05 2000

To Whom It May Concern:

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

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

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

Commission regulations require compliance with all of the above requirement within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of November 29, 2000 and dismiss the application without further proceedings.

Very truly yours,

ERIC F WRIGHT ENTERPRISES INC
 T/A ERIC'S MOVING
 524 WASHINGTON STREET
 BOYERSFORD PA 19468

James J. McNulty

James J. McNulty
 Secretary

law
 Enclosure
 Certified Mail
Tariff Contact Person: Tariff Unit (717) 787-5945
 Modification

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held November 29, 2000

Commissioners Present:

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

Application of Eric F. Wright Enterprises, Inc., t/d/b/a Eric's Moving, a corporation of the Commonwealth Of Pennsylvania, for amendment to its common carrier certificate, which grants the right, to transport, by motor vehicle, household goods in use, between points in the city and county of Philadelphia, the county of Delaware and that part of Montgomery County, west of Interstate Highway Route 76 to its intersection With Interstate Highway Route 476, thence northeasterly along said route (including former Pennsylvania Traffic Route 9, commonly known as the Northeast Extension), to its intersection with Pennsylvania Traffic Route 73, thence along said route to the Montgomery/Berks County border, and from points in said territory, to points in Pennsylvania: SO AS TO PERMIT the transportation of household goods in use between points in the city and county of Philadelphia and the counties of Berks, Bucks, Delaware, Chester and Montgomery, and from points in the said city and counties, to points in Pennsylvania, and vice versa.

A-00113409
F. 1
Am-A

DOCKETED
DEC 05 2000

**DOCUMENT
FOLDER**

Richard T. Mulcahey, Jr. for the applicant.
William H. R. Casey for Clemmer Moving & Storage, Inc., Fritz Moving Co., Inc., O'Brien's Moving & Storage, Inc., Read's Van Service, Inc., Frick Transfer, Inc., Shelly Moving & Storage, Inc., Ace Moving & Storage Corp., Keller Moving & Storage, Inc., Shively's Moving & Storage, Inc., Adam Meyer, Inc., and Fisher-Hughes of Allentown, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission upon an application filed March 29, 1999. Public notice of the application was given in the Pennsylvania Bulletin of April 17, 1999. Protests were filed by Clemmer Moving & Storage, Inc., Fritz Moving Co., Inc., O'Brien's Moving & Storage, Inc., Read's Van Service, Inc., Frick Transfer, Inc., Shelly Moving & Storage, Inc., Ace Moving & Storage Corp., Keller Moving & Storage, Inc., Shively's Moving & Storage, Inc., Adam Meyer, Inc., and Fisher-Hughes of Allentown, Inc.

The protests were withdrawn predicated upon our acceptance of a restrictive amendment that amends the application to read as follows:

To transport, household goods in use, between points in the city and county of Philadelphia and the county of Delaware, and that part of Montgomery County that is west of Interstate 76 to its intersection with Interstate Highway Route 476, thence northeasterly along said route (including former Pennsylvania Traffic Route 9, commonly known as the Northeast Extension), to its intersection with Pennsylvania Traffic Route 73, thence along said route to the Montgomery-Berks County Border and the city of Pottstown, Montgomery County, and ten statute miles from the limits of said city, and the city of Phoenixville, Chester County and one statute miles from the limits of said city, and from points in said territory, to points in Pennsylvania, and vice versa.

The now unopposed application, as amended, is certified to the Commission for its decision without oral hearing. The record consists of verified statements entered by the applicant and fourteen parties in support

DISCUSSION AND FINDINGS:

Eric F. Wright Enterprises, Inc., operates from an office and storage facility at 251 Bechtel Road, Collegeville, Montgomery County. The applicant is actively engaged in transporting household goods in use in the city and county of Philadelphia, the county of Delaware and parts of Montgomery County. Service is provided using a fleet of vehicles comprised of 4 trucks. The applicant has a comprehensive safety program applicable to equipment and drivers. Eric F. Wright Enterprises, Inc., was certificated in March of 1998. As a currently certificated carrier there is a presumption of fitness.

The application is supported through the submission of fourteen verified statements. The statements may be characterized as expressing a desire to have additional service available when the movement of household goods in use is needed in the subject territory. The availability of

additional service will provide options to the public when this type of service is required. Considering the now unopposed status of the application, it is our opinion that a grant of the application will benefit the public.

Turning our attention to the restrictive amendment we note that the only additional territory to be granted the applicant is service between points in Pottstown, Montgomery County, and within ten statute miles of the limits thereof, and between points in Phoenixville, Chester County, and within one statute mile of the limits thereof, to points in Pennsylvania. The vice versa provision has been applied to this new territory as well as all of the carrier's existing authority. The territory contained in the restrictive amendment totally encompasses the authority now held by the carrier. For the sake of clarity, the authority to issue in this proceeding will be in lieu of the authority now held.

After complete review of the record;

We Find:

1. The applicant has the equipment, experience and fitness to provide the proposed amended service.
2. Approval of the unopposed application, as amended, is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved so that the certificate issued March 10, 1998, shall be amended, and that the right contained in the order at A-00113409, adopted January 15, 1998, entered January 20, 1998, shall now read as follows:

To transport, as a common carrier, household goods in use, between points in the city and county of Philadelphia and the county of Delaware, and that part of Montgomery County that is west of Interstate 76 to its intersection with Interstate Highway Route 476, thence northeasterly along said route (including former Pennsylvania Traffic Route 9, commonly known as the Northeast Extension), to its intersection with Pennsylvania Traffic Route 73, thence along said route to the Montgomery-Berks County Border, and the borough of Pottstown, Montgomery County, and within ten (10) statute miles from the limits of said borough, and the borough of Phoenixville, Chester County and within one (1) statute mile from the limits of said city, and from points in said territory, to points in Pennsylvania, and vice versa.

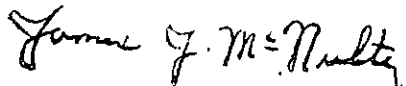
IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted in this order until the following is submitted to the Commission:

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 carrier, shall not be construed as conferring more than one operating right.

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

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: November 29, 2000

ORDER ENTERED: **NOV 30 2000**