



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

IN REPLY PLEASE
REFER TO OUR FILE

April 10, 1998

A=001-13673

JOSEPH N NOTARIANNI JR ESQUIRE
MYERS BRIER & KELLP LLP
108 NORTH WASHINGTON AVENUE
SUITE 700
SCRANTON PA 18503

Application of Butchco, Inc. . .

In accordance with the provisions of Act 294 of 1978 (66 Pa. C.S. §332(h)), the decision of the Administrative Law Judge in this proceeding has become final without further Commission action and the compliance order is enclosed.

A 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 the following forms with the Commission.
 - a. A Form E as evidence of minimum public liability and property damage insurance coverage as shown on the back of this sheet.
 - b. A Form H or Form UCPU-31 as evidence of cargo insurance coverage in an amount not less than \$5,000 per vehicle. Under certain circumstances, exemption from the cargo insurance requirement may be secured by filing the enclosed Form PUC-288.
- II. Prepare and file a tariff according to the enclosed instructions except applications for transfer of authority must file a tariff adoption supplement which will be forwarded by separate cover at a later date.

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FOLDER MAY 08 1998

PROPERTY (ACT 294)

Minimum Limits for PA Public Utility Commission Authorized Service

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. §1171 (relating to Motor Vehicle Financial Responsibility Law).

16 to 28 passengers: \$1,000,000 to cover liability for bodily 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. 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 above requirements within sixty days of the date of this letter. Failure to comply within the sixty day period will cause the Commission to rescind this action of April 10, 1998 and dismiss the application without further proceedings.

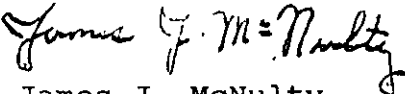
If you foresee any problems in meeting these requirements, please direct you questions to the following contact persons:

Insurance Filings: Insurance Unit (717) 783-5933

Tariff Filings: Tariff Unit (717) 787-5945

Very truly yours,

BUTCHCO INC
T/A THOMAS GERRITY MOVING & STORAGE
1252 PHILO STREET
SCRANTON PA 18508


James J. McNulty
Secretary

Enclosures
CERTIFIED MAIL
RECEIPT REQUESTED
law

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Application of Butchco, Inc.
for approval of the transfer
and to exercise the right as a
common carrier, described at
Docket No.A-00109996 issued to
Fratco, Inc. for the transportation
of property

~~A-00113673~~

F I N A L O R D E R

In accordance with the provisions of Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), the decision of Administrative Law Judge Richard M. Lovenwirth dated February 3, 1998, has become final without further Commission action; THEREFORE,

IT IS ORDERED:

1. That the Application of Butchco, Inc., t/d/b/a Thomas Gerrity Moving & Storage, a corporation of the Commonwealth of Pennsylvania, filed on January 17, 1996 and assigned docket number A-00113673, for the transfer of all of the rights issued to Fratco, Inc., t/d/b/a Thomas Gerrity Moving & Storage, under certificate issued at A-00109996, be and is hereby approved and that a certificate be issued to Applicant granting the following rights:

To transport, as a Class D carrier, by motor vehicle, household goods in use, from points in the City of Scranton, Lackawanna County, and points within three (3) miles of the limits of said City to other points in Pennsylvania, and vice versa.

Subject to the following general conditions:

A. That the approval hereby given is not to be understood as committing this Commission, in any proceedings that may be brought before it for any purpose, to fix an evaluation on the rights to be acquired by Applicant from the present certificate holder equal to the consideration to be paid therefore, or equal to any value that may be placed thereon by Applicant, or to approve or prescribe rates sufficient to yield a return thereon.

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FOLDER

DOCKETED

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B. 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.

C. That the Applicant charge to Account 1550, "Other Intangible Property", five hundred dollars, being the amount of the consideration paid or payable by it for the rights and going concern value attributable thereto; thus, any amount recorded under condition B above.

2. 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 of proof of insurance and acceptance of a tariff establishing just and reasonable rates.

3. 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.

4. That the Applicant 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 this Commission under section 1102 (3) of the Public Utility Code, 66 Pa. C.S.A. section 1102(3).

5. That in the event said Applicant has not, on or before sixty (60) days from the date of service of this order, complied with the requirements set forth above, the application shall be dismissed without further proceedings.

6. That upon compliance with this Order the rights granted to the transferor, Fratco, Inc., t/d/b/a Thomas Gerrity Moving & Storage, under certificate issued at A-00109996, be cancelled and the record be marked closed.

7. That the applicant shall not engage in any transportation granted herein until it and/or the Transferor shall have paid all outstanding Public Utility Commission assessments and/or fines due by either of them.

BY THE COMMISSION,

James J. McNulty

James J. McNulty
Secretary

(SEAL)

ORDER ENTERED: APR 10 1998