



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

May 28, 1998

IN REPLY PLEASE

A-00114277

F. 2

EDWARD L CIEMNIECKI ESQURIE
ONE LIBERTY PLACE
32ND FLOOR 1650 MARKET STREET
PHILADELPHIA PA 19103-7393

Application of BAYSHORE TRANSPORTATION SYSTEMS, INC.

Dear Sir:

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

DOCKETED

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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. 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 21, 1998 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,

James J. McNulty
Secretary

EMD
Enclosures
Certified Mail
Receipt Requested

BAYSHORE TRANSPORTATION SYSTEMS INC
901 DAWSON DRIVE
NEWARK DE 19713

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

Public Meeting held May 21, 1998

Commissioners Present:

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

Application of Bayshore Transportation,
Systems, Inc., a corporation of the State
of Delaware, for the right to begin to
transport, as a common carrier, household
goods in use, between points in the city
and county of Philadelphia and the counties
of Bucks, Chester, Delaware, and Montgomery,
and from points in the said city and counties
to points in Pennsylvania.

A-00114277, F0002

Edward L. Ciemniecki for the applicant.
William H. R. Casey for Clemmer Moving & Storage, Inc.,
Shelly Moving & Storage, Inc., and Morgan Moving &
Storage, Ltd.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission upon an application filed August 15, 1997. Public notice of the application was given in the Pennsylvania Bulletin of October 4, 1997. Protests were filed by Clemmer Moving & Storage, Inc., Shelly Moving & Storage, Inc., and Morgan Moving & Storage, Ltd.

The protests were withdrawn predicated upon our acceptance of a restrictive amendment which provided that the proposed service be limited to transportation between points in the counties of Chester and Delaware, and from points in the said counties, to points in Pennsylvania. The effect of the amendment is to exclude service in the city and county of Philadelphia and the counties of Bucks and Montgomery.

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FOLDER**

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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 eight supporting parties.

DISCUSSION AND FINDINGS:

Bayshore Transportation Systems, Inc., is a Delaware Corporation authorized to do business in Pennsylvania. It currently holds authority to transport property, with the exception of household goods in use, between points in Pennsylvania. Bayshore is domiciled at 901 Dawson Drive, Newark, Delaware. The applicant holds interstate authority to transport household goods in use and has provided a synopsis of a safety program now in effect. A large fleet of vehicles is available to provide service.

Financial data for calendar year 1996, has been provided and establishes the applicant's financial capacity to provide the amended service in Pennsylvania.

The supporting verified statements are representative of the amended application territory and establish a need for the proposed service.

After complete review of the record, We Find:

1. The applicant has the financial capacity and equipment to provide the proposed service.
2. Approval of the now unopposed application is necessary for the accommodation and convenience of the public; THEREFORE,

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

To transport, as a Class D carrier, household goods in use, between points in the counties of Chester and Delaware, and from points in said counties, to points in Pennsylvania.

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:

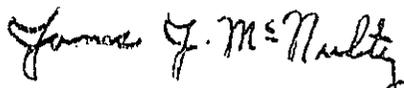
1. A tariff establishing just and reasonable rates.

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

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: May 21, 1998

ORDER ENTERED: **MAY 28 1998**