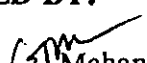
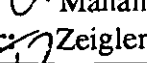



PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. REPORT DATE: January 31, 2001	2. <u>BUREAU AGENDA NO.</u> FEB-2001-TSM-0034*
3. BUREAU: Transportation and Safety	5. <u>PUBLIC MEETING DATE:</u> February 21, 2001 DOCKETED MAR 06 2001
4. SECTION(S): MCS&E	
6. APPROVED BY: Director:  Mahan 7-2496 Supervisor:  Zeigler 3-5946	
7. PERSONS IN CHARGE:  Travitz 7-5513	
8. DOCKET NO.: A-00115371, F. 2	

9. (a) **CAPTION** (abbreviate if more than 4 lines)
 (b) **Short summary of history & facts, documents & briefs**
 (c) **Recommendation**

(a) Application of Mambo Movers, Inc., a corporation of the Commonwealth of Pennsylvania, Philadelphia, Philadelphia County, for the approval of the transfer to applicant of all of the right held by James Stewart at A-00076042, F. 2.

(b) Transferor proposes to transfer all of its P.U.C. common carrier household goods in use right for a total consideration of \$3,500. No tangible assets are involved.

(c) The Bureau of Transportation and Safety recommends that the Commission adopt the proposed order approving the transfer application and that a certificate be issued to the applicant. The certificate issued to the transferor to be cancelled by Supplemental Order.

10. **MOTION BY:** Commissioner Chm. Quain Commissioner Brownell - Yes
 Commissioner Wilson - Yes
SECONDED: Commissioner Bloom Commissioner Fitzpatrick - Yes

CONTENT OF MOTION: Staff recommendation adopted.

DOCUMENT
FOLDER



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

FEBRUARY 23, 2001

IN REPLY PLEASE
REFER TO OUR FILE

A-00115371 F.2

MAMBO INC
PO BOX 43737
PHILADELPHIA PA 19106

DOCUMENT
FOLDER

Application of Mambo Movers, Inc...

DOCKETED
FEB 26 2001

TO WHOM IT MAY CONCERN:

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

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 UCPC-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 applicants for transfer of authority must file a tariff adoption supplement which will be forward by separate cover at a later date.

PROPERTY:

Minimum Limits for Pa. Public Utility Commission Authorizing 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 vehicle shall meet the requirements of 75 Pa. C.S. §1171 (relating to required benefits).

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 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 has been issued authorizing actual operations. A motor carrier operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Code.

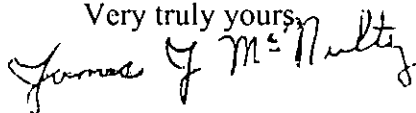
Commission regulations require compliance with all of the above requirements within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of February 21, 2001 and dismiss the application without further proceedings.

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

Insurance Filings: Insurance Unit
(717) 783-5933

Tariff Filings: Tariff Unit
(717) 787-5945

Very truly yours,



James J. McNulty,
Secretary

fg
encls.
Cert.Mail

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

Public Meeting held February 21, 2001

Commissioners Present:

**John M. Quain, Chairman
Robert K. Bloom, Vice-Chairman
Nora Mead Brownell
Aaron Wilson, Jr.
Terrance J. Fitzpatrick**

Application of Mambo Movers, Inc., for the transfer of all of the operating right(s) of James Stewart, under the certificate issued at A-00076042, F. 2, subject to the same limitations and conditions.

A-00115371
F. 2

ORDER

DOCKETED
FEB 26 2001

BY THE COMMISSION:

This matter comes before the Commission on an application filed November 21, 2000. Public notice of the application was given in the Pennsylvania Bulletin of December 23, 2000. The unopposed application is certified to the Commission for its decision without oral hearing.

DISCUSSION AND FINDINGS

Mambo Movers, Inc., a corporation of the Commonwealth of Pennsylvania, seeks the additional right to transport household goods in use. Applicant currently holds the right to transport property, excluding household goods in use, between points in Pennsylvania.

The labor force employed by the applicant herein will be trained in the handling of furniture and the proper technique in lifting and carrying equipment and furniture. All drivers will be screened prior to employment for safe driving records and good past work references. Daily driver checks will be performed and a regular preventative maintenance program will be implemented.

Applicant will commence operations utilizing one (1) straight truck and anticipates adding another straight truck in the future. All equipment will be inspected in accordance with U.S. D.O.T. requirements.

**DOCUMENT
FOLDER**

Mambo's management has over five (5) years' experience in the moving business working in management as well as labor. Applicant is familiar with all phases of the moving business.

The balance sheet of the applicant as of September 30, 2000, shows total current assets of \$15,043, total assets of \$26,243, total current liabilities of \$6,939 and total long-term liabilities of \$11,619 and total owner's equity of \$14,624. The income statement shows total revenue and gains of \$162,098, total operating expense and losses of \$148,022 and a net income of \$12,251.

The name of the applicant as presented in the instant application shows Mambo Movers, Inc. Applicant holds authority at F. 1 in the name of Mambo, Inc. Applicant requested that its name be changed to stand in the name of Mambo Movers, Inc. which was approved by Secretarial Letter dated December 13, 2000, upon compliance. To date, applicant has failed to comply with the required insurance filing of Forms E & H showing the new name. We are issuing the authority herein under the name of Mambo Movers, Inc. with the requirement that the insurance (Forms E & H) and tariff be submitted in the name of Mambo Movers, Inc.

The total consideration for the right(s) is \$3,500. No tangible assets are involved.

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

The authority to be transferred has been operated by the transferor, therefore, it is presumed that there is a continuing need, which may be overcome only by evidence to the contrary. In re: Byerly, 440 Pa. 521 (1970); Hostetter v. Pa. P.U.C., 160 Super. Ct. 94 (1947). Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

We find:

1. Applicant must present insurance and tariff for household goods in use in the name of Mambo Movers, Inc.
2. The applicant is fit, willing and able to provide the service proposed.
3. Transfer of the authority is in the public interest and is necessary for the continued accommodation and convenience of the public; **THEREFORE,**

IT IS ORDERED: That the transfer application be and is hereby approved and that a certificate be issued granting the following right:

To transport, as a common carrier, household goods in use, between points in the city and county of Philadelphia.

subject to the following general conditions:

1. That the operating authority granted herein, or now held, or subsequently granted to the applicant to the extent that it is duplicative, shall not be construed as conferring more than one operating right.
2. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and/or right(s) to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
3. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any other entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(a)(3) of Title 66, PA C.S.A.

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

1. Form E, as evidence of Bodily Injury and Property Damage Liability Insurance, in the name of Mambo Movers, Inc.
2. Form H as a evidence of cargo liability insurance, in the name of Mambo Movers, Inc.
3. A tariff establishing just and reasonable rates, in the name of Mambo Movers, Inc.

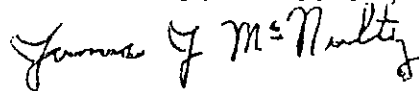
IT IS FURTHER ORDERED: That upon compliance with the requirements above set forth, a certificate issue evidencing the Commission's approval of the right to operate as above-determined and the name of the carrier will be changed in the Commission's records to stand in the name of Mambo Movers, Inc., if not already corrected.

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.

IT IS FURTHER ORDERED: That you must demonstrate safety fitness by completing a Safety Fitness Review. You will be contacted by the Commission's Bureau of Transportation and Safety, which will schedule a review to be completed within 180 days of the date your certificate is issued. Failure to submit to a Safety Fitness Review or to attain a satisfactory evaluation will result in cancellation of the certificate.

IT IS FURTHER ORDERED: That upon compliance with this order, the right(s) granted the transferor, James Stewart at A-00076042, F. 2 be cancelled and the record be marked "CLOSED".

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: February 21, 2001

ORDER ENTERED: FEB 23 2001



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

DOCUMENT
FOLDER

March 7, 2001

R-16

MAMBO INC
PO BOX 43737
PHILADELPHIA PA 19106

DOCKETED
MAR 09 2001

Re: A-00115371, F.2 - Mambo Movers, Inc.

Dear Sirs:

Under date of February 23, 2001, the Secretary's office transmitted to you the Commission's compliance order adopted February 21, 2001, evidencing approval of the above application which is in effect a transfer of the rights formerly held by James Stewart at A-00076042, F.2. The letter transmitting the order directs attention to the requirement for the filing of a tariff.

In this instance it is not possible to meet the tariff requirements by the adoption of the former tariff for the reason that the present tariff's description of operating authority does not conform with the approval of this application.

It will be necessary, therefore, to file a new tariff which should be designated Freight Pa. P.U.C. No. 1. The tariff should name the same rates, rules and regulations as were filed by the former operator and may be issued to become effective on one day's notice under authority of Pa. Code, Title 52, Section 23.42.

Very truly yours,

Monroe Dove, Tariff Examiner
William Hoshour, Supervisor
Insurance/Filing Unit

For

cc: Document Folder A-00115371, F.2

Contact Person: M. Dove (717) 787-5945