

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. <u>REPORT DATE</u> : April 11, 2005	2. <u>BUREAU AGENDA NO.</u> MAY-2005-TSM-0123*
3. <u>BUREAU</u> : Transportation and Safety	
4. <u>SECTION(S)</u> : MCS&E	5. <u>PUBLIC MEETING DATE</u> :
6. <u>APPROVED BY</u> : Director: Hoffman 3-384 Mgr/Spvr: Minder 7-1168 Legal Review: RKS	May 5, 2005
7. <u>PERSONS IN CHARGE</u> : Travitz 7-5513	9. <u>EFFECTIVE DATE OF FILING</u> : N/A
8. <u>DOCKET NO.</u> : A-00121505	

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

(a) Application of Canterbury International Incorporated, Pittsburgh, Allegheny County, a corporation of the Commonwealth of Pennsylvania, for the approval of the transfer to applicant of all of the common carrier household goods, in use right held by John Finnegan, t/d/b/a A-1 Moving at A-00110323.

(b) Transferor proposes to transfer all of its common carrier household goods, in use right for a total consideration of \$28,700.

(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 canceled by supplemental order.

DOCKETED
MAY 20 2005

**DOCUMENT
FOLDER**

10. **MOTION BY:** Commissioner Chm. Holland

SECONDED: Commissioner Bloom

Commissioner Pizzigrilli - Yes
Commissioner
Commissioner

CONTENT OF MOTION: Staff recommendation adopted.

KJR



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

May 10, 2005

IN REPLY PLEASE
REFER TO OUR FILE

A-00121505

CANTERBURY INTERNATIONAL INCORPORATED
5415 CLAIRTON BOULEVARD
PITTSBURGH PA 15236

DOCKETED
AUG 0 8 2005

Application of Canterbury International Incorporated

**DOCUMENT
FOLDER**

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.

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:

RJP

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.

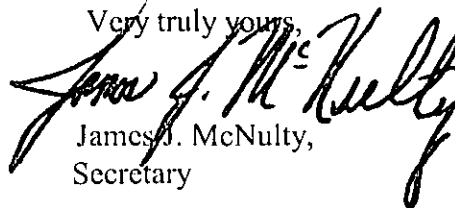
Commission regulations require compliance with all of the above requirements within sixty (60) days of the date of this letter. Failure to comply within the sixty (60) day period will cause the Commission to rescind the action of May 5, 2005 and dismiss the application without further proceedings.

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

Rpb
Encls.
Cert.Mail

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held May 5, 2005

Commissioners Present:

Wendell F. Holland, Chairman
Robert K. Bloom, Vice-Chairman
Kim Pizzingrilli

DOCKETED
AUG 03 2005

Application of Canterbury International, Incorporated, a corporation of the Commonwealth of Pennsylvania, for the transfer of all of the operating right of John Finnegan, t/d/b/a A-1 Moving, under the certificate issued at A-00110323, subject to the same limitations and conditions.

A-00121505

Canterbury International, Incorporated, applicant, pro se.

**DOCUMENT
FOLDER**

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed December 29, 2004. Public notice of the application was given in the *Pennsylvania Bulletin* of March 12, 2005 with protests due by April 4, 2005. The unopposed application is certified to the Commission for its decision without oral hearing.

DISCUSSION AND FINDINGS

Canterbury International, Incorporated (applicant or Canterbury) seeks to commence providing household goods in use service by acquiring through transfer the household goods in use right held by John Finnegan, t/d/b/a A-1 Moving. Operations will be conducted from facilities located at 5415 Clairton Boulevard, Pittsburgh, Allegheny County. Office and truck storage will be at this location. Communication will be by land phone and cellular phones. Applicant will initially lease two 27 foot straight trucks. The vehicles will be regularly

inspected, cleaned and maintained. Canterbury plans to hire four to six employees. Two of the employees will be drivers. Applicant will check the driving records and run a criminal record check on the drivers. Employees will be subject to random drug testing. A comprehensive maintenance and safety program will be implemented.

The balance sheet of the applicant dated December 15, 2004 shows total current assets of \$33,528.42, total assets of \$86,397.69, total liabilities of \$19,770 and an owner's equity of \$66,627.69. Raymond J. Coll, the sole shareholder of Canterbury, is prepared to contribute additional funds as maybe necessary for startup costs.

Raymond J. Coll, president and sole stockholder of applicant, has over 40 years of business management experience. He has held executive positions with several of Pittsburgh's largest construction companies. Coll has skills in negotiating, staff motivation, arbitrations, estimating, cost management, program development and labor relations.

Dorothy Coll will assist Raymond Coll in the day-to-day operations of applicant. Dorothy has experience in education and community business development that will be an asset to applicant.

The total consideration for the right \$28,700.

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, 270 A.2d 186 (Pa. 1970); Hostetter v. Pa. P.U.C., 49 A.2d 862 (Pa. Super 1947). Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

A review of the record before us indicates that the applicant possesses the requisite technical expertise, experience, facilities, sufficient capital and other resources necessary to provide the proposed service.

We find:

1. The applicant is fit, willing and able to provide the service proposed.
2. 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(s):

To transport, as a common carrier, by motor vehicle, household goods in use, between points in the county of Allegheny

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.
2. Form H, as evidence of Cargo Damage Liability Insurance.
3. A tariff establishing just and reasonable rates.

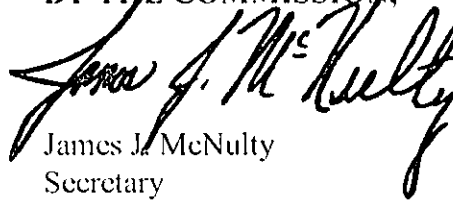
IT IS FURTHER ORDERED: That upon compliance with the requirements above set forth, a certificate issue evidencing the Commission's approval of the right to operate as above-determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of entry 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, John Finnegan, t/d/b/a A-1 Moving at A-00110323 be canceled and the record be marked closed.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: May 5, 2005

ORDER ENTERED: MAY 10 2005