

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RJP

Application of Davcon Packing Services, Ltd., :
t/d/b/a Davcon Relocation Services, a Corporation : A-00117540F0003
of the Commonwealth of Pennsylvania :

ORDER ADMITTING EXHIBITS AND
ESTABLISHING A BRIEFING SCHEDULE

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FOLDER

At the conclusion of the hearing in this matter, on March 28, 2006, I indicated that I would be issuing a Briefing Order after receipt of the transcript, which would provide fourteen (14) days for Main Briefs and ten (10) days for Reply Briefs. Tr. 91.

The transcript of the March 28, 2006, hearing was received by the Office of Administrative Law Judge today, April 21, 2006. Therefore, Main Briefs will be due, in hand, on May 5, 2006, and Reply Briefs will be due, in hand to the presiding officer, by May 15, 2006.

Also, upon reviewing the transcript (Tr. 76), I noted that the Applicant appeared to have requested the admission of a late-filed exhibit (Applicant Exhibit 3) with respect to the annual report of Worldwide Trans Experts (A-00066766). However, when the late-filed exhibit was received, it included the assessment reports for Worldwide Trans Experts and four additional carriers (Charles E. Groff & Sons, Inc.; Jack Trier, Inc.; Phillip J. and John M. Mertz; and Shelby Moving and Storage, Inc.); all of which are parties (Protestants) herein. Counsel for these four carriers has not objected to the admission of the expanded exhibit, which consists of documents on file with the Commission, and I therefore will allow it. I note that Protestants have submitted a late-filed exhibit (P-5) which is admitted.

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THEREFORE,

IT IS ORDERED:

1. That Applicant's Exhibit 3 (assessment reports for five carriers) and Protestants' Exhibit 5 (P-5), as received by the presiding officer on April 10, 2006, and March 31, 2006, respectively, are admitted into the record.
2. That Main Briefs must be received by me and all parties ("in hand" service) and deemed to be filed with the Commission, no later than Friday, May 5, 2006. Reply Briefs, if any, must be received by me, deemed to be filed with the Commission, and served upon other parties no later than Monday, May 15, 2006. Briefs can be e-mailed to me to comply with the in-hand directive, if followed by a hard copy addressed and sent to me by first class or express mail. All parties are to provide an electronic version of their Main and Reply Briefs to me in Word 2003, if possible.
3. That briefs are to comply with 52 Pa. Code §§5.501 and 5.502, including the requirement that briefs provide transcript page and exhibit references to show where the evidence appears in the record. Proposed findings of fact, conclusions of law, and ordering paragraphs are optional.
4. That if a brief contains a citation to an unreported decision, which is not available on LEXIS or the Commission's website, a copy of that unreported decision must be appended to the brief.
5. That any request for a change in the briefing deadlines must be submitted to me in writing no later than five (5) days prior to the deadline. 52 Pa. Code §1.15(b). Requests for changes must state the agreement or opposition of other parties, and must be sent to me and all

parties of record. My mailing address is: Administrative Law Judge Kandace F. Melillo, P.O. Box 3265, Harrisburg, PA, 17105-3265; my e-mail address is kmelillo@state.pa.us.

6. That when filing exceptions and reply exceptions, the parties shall serve a copy on the Commission's Office of Special Assistants.

Date: April 21, 2006

Kandace F. Melillo
Kandace F. Melillo
Administrative Law Judge