

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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

DOCUMENT
FOLDER

PREHEARING ORDER

DOCKETED
FEB 24 2006

The above captioned matter is scheduled for an Initial Hearing on Tuesday, March 28, 2006, at 10:00 a.m., in Hearing Room #3, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. The parties hereby are directed to comply with the following:

1. Pursuant to 52 Pa.Code §§1.21 & 1.22, you may represent yourself, if you are an individual, or you may have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you. However, if you are a partnership, corporation, trust, association, or governmental agency or subdivision, you must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice*, represent you in this proceeding. Unless you are an attorney, you may not represent someone else. Attorneys shall insure that their appearance is entered in accordance with the provisions of 52 Pa.Code §1.24(b).

2. If you wish to offer into evidence at the hearing material in the form of documents, you should bring with you the required number of copies (two copies for the Court Reporter, one copy each for the presiding officer and every other party in the case, and a copy for yourself). 52 Pa.Code §5.409. Documents should be properly pre-marked for identification.

3. In order to facilitate the conduct of the hearing, on or before Tuesday, March 21, 2006, the parties and/or their counsel are directed to confer and to exchange in writing the names and testimony subject matter of all witnesses they intend to have testify. In the course

of conferring, the parties shall informally exchange copies of proposed hearing exhibits so that any such documents may be reviewed prior to, rather than during, the hearing.

4. You must serve me directly with a copy of any document that you file in this proceeding. If you send me any correspondence or document, you must send a copy to all other parties. For your convenience, a copy of the Commission's current service list of the parties to this proceeding is attached to this Order. My address is as follows: Administrative Law Judge Kandace F. Melillo, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

5. If you need to subpoena witnesses for the hearing, you should review 52 Pa.Code §5.421. You should submit your written application for subpoenas sufficiently in advance of the hearing so that the other parties will have the requisite ten days' notice to answer or object to your application, and so that you will have enough time to receive the subpoena(s) and make service.

6. Protestant(s) should be prepared to begin presentation of its (their) direct case immediately upon the conclusion of the presentation of the applicant's direct case. Applicant has the burden of proof with respect to need for the service and technical and financial fitness. Protestants have the burden of proof with respect to assertions that entry of a new carrier endangers or impairs the existing carrier's operation, thus rendering the grant of the application contrary to the public interest.

7. A request for a change of the scheduled hearing date must state the agreement or opposition of the other parties, and must be submitted to me in writing no later than five (5) days prior to the hearing. 52 Pa.Code §1.15(b). Such changes are granted only where good cause exists.

8. It is the Commission's policy to encourage settlement. 52 Pa.Code §5.231(a). You are urged to discuss among yourselves the possible settlement of this case at

least one week before the Initial Hearing. If you are unable to settle this case, you should still resolve as many questions or issues as possible during your informal discussion.

Dated: February 15, 2006

Kandace F. Melillo

Kandace F. Melillo
Administrative Law Judge