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ATTORNEY AT LAW
99 EAST COURT STREET
DOYLESTOWN, PENNSYLVANIA 18901
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January 11, 2002

James J. McNulty, Secretary
Commonwealth of Pennsylvania
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

**RE: Application of Davcon Relocation Services
PUC Docket Number A-00117540**

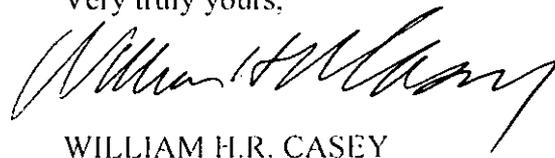
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2002 JAN 14 AM 9:52
PUC
SECRETARY'S BUREAU

Dear Secretary McNulty:

Enclosed please find an original and three (3) copies of a Protest pertaining to the above-captioned Application on behalf of my clients, as listed below:

Thank you for your cooperation in this matter.

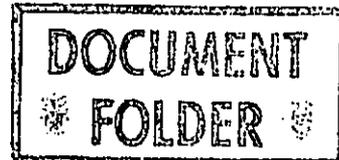
Very truly yours,


WILLIAM H. R. CASEY

WHRC/mw
Enclosures

cc: Fritz Moving Co., Inc.
Charles E. Groff & Sons, Inc.
Mertz Moving
Shelly Moving & Storage, Inc.
Jack Treier, Inc.
Davcon Relocation Services

2002 JAN 14 PM 2:27



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**BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

A-00117540, F.B. Davcon Packing Services, Inc., t/d/b/a Davcon Relocation Services (PO Box 838, Brownstown, Lancaster County, PA 17508-0988) a corporation of the Commonwealth of Pennsylvania—additional right—household goods in use, between points in the county of Lancaster, and from points in said county, to points in Pennsylvania and vice versa.

PROTEST OF:

**Fritz Moving Co., Inc.
720 Corporate Drive
Reading, PA 19605
610-916-9916**

**Charles E. Groff & Sons, Inc.
1284 Cloverlead Road
PO Box 84
Mount Joy, PA 17552**

**Mertz Moving
150 Sylvan Retreat Road
Columbia, PA 17152
717-392-7635**

**Shelly Moving & Storage, Inc.
Great Valley Corporate Center
380 Lapp Road
Malvern, PA 29355
610-695-9438**

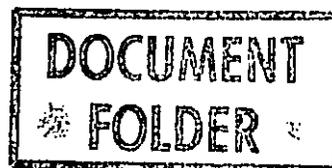
**Jack Treier, Inc.
1457 Manheim Pike
Lancaster, PA 17601
717-397-2808**

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TRANSPORTATION SAFETY
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The Protestants, above named, supplying household goods in use transportation services within the territory covered by the above-entitled Application, or a



portion thereof, by means of motor vehicles, as shown on attached rights, hereby protest approval of the Application above referred to, among others, for the following reasons:

1. The Application prayed for is not necessary or proper for the service, accommodation, convenience or safety of the public.
2. The Application prayed for, if granted would authorize a service which would be unnecessary and destructively competitive with rights, powers and privileges now being exercised by Protestants or which Protestants are authorized to exercise.

PROPOSED AMENDMENT

A RESTRICTION TO THE APPLICATION WOULD BE ACCEPTABLE IF TRANSPORTATION OF HOUSEHOLD GOODS IN USE AND RELATED RIGHTS OF PROTESTANTS WERE ELIMINATED.

WHEREFORE, the Protestants respectfully pray that the Application be dismissed.

Respectfully submitted,



WILLIAM H. R. CASEY, ESQUIRE

Attorney for Protestants
99 East Court Street
Doylestown, PA 18901
(215) 348-7300

4/11/02
Date

Attachment: Protestants' Authority

Certificate No. A-00066766
F. 2, Am-B

FREIGHT PA. P.U.C. NO. 4

FRITZ MOVING COMPANY, INC.

LOCAL MOTOR FREIGHT TARIFF
NAMING
RATES, RULES AND REGULATIONS
GOVERNING
THE RIGHT

1. To transport, as a Class D carrier, household goods in use, between points in the city of Lancaster, Lancaster County, and within eighteen (18) miles by the usually traveled highways of the limits of said city, and from points in said city and territory to other points in Pennsylvania, and vice versa;
2. To transport, as a common carrier, property, excluding household goods in use, between points in Pennsylvania.

For rates, rules, regulations and provisions applicable to the transportation of household goods in use, see Tariff Freight Pa. P.U.C. No. 53 (Carrier Directory), loose-leaf revisions thereto and successive issues thereof, issued by: Tristate Household Goods Tariff Conference, Inc., Agent.

ISSUED: FEBRUARY 4, 1997

EFFECTIVE: FEBRUARY 5, 1997

Issued on one (1) day's notice under authority of the Pa. Code, Title 52, Section 23.42.

Issued By:

Laura Matrisciano, President
710 Corporate Drive
Reading, PA 19605-1151

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

A. 66786
Folder 1

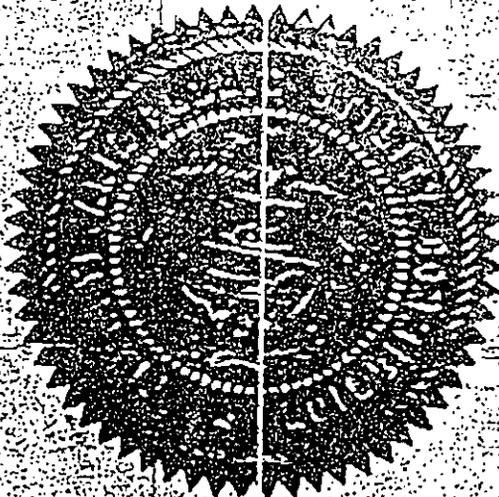
IN THE MATTER OF THE APPLICATION OF
the incorporators of
FRITZ MOVING COMPANY, INC., under Section
2012(a) Article II, of the Public Utility
Law, for approval of its incorporation,
organization and operation.

CERTIFICATE
OF
PUBLIC CONVENIENCE

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

In Testimony Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 9th day of December, 1948.

Attest:



PENNSYLVANIA
PUBLIC UTILITY COMMISSION

John Higgins Jr.

Chairman

Robert C. Cameron

Secretary

Fritz Moving Company, Inc.
620 N. Eighth Street
Reading, Pa.

A. 66766
Folder 2

To transport, as a Class B carrier, property between points in the City of Reading, Berks County;

To transport, as a Class C carrier, property from points in the City of Reading, Berks County, to points within ten (10) miles by the usually traveled highways of the limits of said city;

May 7, 1951, first and second rights amended to read as follows:
AM-A

To transport, as a Class D carrier, new or used household goods between points in the county of Berks and from points in said county to points in Pennsylvania, and vice versa, provided that no new household goods, other than new uncrated furniture shall be transported between points on the direct or combined routes of Karn's Transfer, Inc., and Reading Transportation Company, except as presently authorized.

To transport, as a Class D carrier, personal effects and property used on-to be used in a dwelling when a part of the equipment or supply of such dwelling between points in the county of Berks and from points in said county to points in Pennsylvania, and vice versa, provided that the transportation is at the request of the householder and as an incident of a move by the householder from one domicile to another;

To transport, as a Class D carrier, furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, between points in the county of Berks and from points in said county to points in Pennsylvania and vice versa when incident to a move from one location to another;

To transport, as a Class D carrier, articles including objects of art, displays and exhibits, which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods between points in said county to points in Pennsylvania, and vice versa;

Certificate issued January 21, 1947.

SECTION I
RULES AND REGULATIONS

ITEM 5 - SCOPE OF CARRIER'S OPERATING RIGHTS

Rates and provisions named in this tariff, or as amended, are limited in their application on Pennsylvania intrastate traffic to the extent of the operating rights set forth below.

Certificate No. A-00111137

1. To transport, as a Class D carrier, household goods in use from points in the borough of Elizabethtown, Lancaster County, to other points in Pennsylvania, and vice versa;

with Right No. 1 subject to the following condition:

That the rights, powers and privileges hereby granted pertaining to transportation destined to points in Pennsylvania excluding the county of Lancaster, shall be limited and restricted to transportation originating or terminating at a farm.

RULES AND REGULATIONS

2. To transport, as a Class D carrier, household goods in use, between points in the township of Upper Leacock, Lancaster County, and within fifteen (15) miles by the usually traveled highways of the limits of said township;
3. To transport, as a Class D carrier, household goods in use from points in the township of Upper Leacock, Lancaster County, and within seven and one-half (7 1/2) miles by the usually traveled highways of the limits of said township to points in the counties of Lancaster and Berks, and vice versa;
4. To transport, as a Class D carrier, household goods in use, from points within fifteen (15) miles by the usually traveled highways of the borough of Elizabethtown, Lancaster County, to points in Pennsylvania within ninety (90) miles by the usually traveled highways of the limits of said borough, and vice versa;
5. To transport, as a Class D carrier, household goods in use between points in the borough of Terre Hill, Lancaster County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough, terminating at a farm.
6. To transport, as a Class D carrier, household goods in use, from points in the borough of East Earl, Lancaster County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough, to points in Pennsylvania within fifty (50) miles by the usually traveled highways of the limits of said borough, and vice versa;
8. To transport, as a Class D carrier, milk from farms located in the townships of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield, and West Hempfield, Lancaster County, to Hershey, Dauphin County and to the city of Lancaster, Lancaster County;
9. To transport, as a Class D carrier, farm products and supplies from farms in the townships of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield and West Hempfield, Lancaster County, to points within an airline radius of ten (10) statute miles of the limits of said townships;
3. To transport, as a Class D carrier, household goods (Item 5) (continued on next page)

Abbreviations, reference marks and symbols are explained on last page of tariff.

6. To transport, as a Class D carrier, household goods in use from points in the borough of East Earl, Lancaster County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough, to points in Pennsylvania within fifty (50) miles by the usually traveled highways of the limits of said borough, and vice versa; PO Box 84
8. To transport, as a Class D carrier, milk from farms located in the townships of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield and West Hempfield, Lancaster County, to Hershey, Dauphin County and to the city of Lancaster, Lancaster County; Mount Joy, PA 17552

SECTION 1
RULES AND REGULATIONS

ITEM 5 - SCOPE OF CARRIER'S OPERATING RIGHTS (Cont'd)

with Rights Nos. 8 and 9 subject to the following condition:

That no right, power or privilege is granted to render service between Florin, Lancaster County, and Harrisburg, Dauphin County and intermediate points on the Lancaster-Harrisburg route of the Central Storage and Transfer Company.

- 10. To transport, as a Class D carrier, household goods in use from points in the townships of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield and West Hempfield, Lancaster County to points within forty (40) miles of the point of origin;
- 11. To transport, as a Class D carrier, kerosene stoves, from points in the borough of Morgantown, Berks County and within an airline distance of five (5) miles of the limits thereof to points in Pennsylvania;

RULES AND REGULATIONS

- 12. To transport, as a Class D carrier, property between points in the borough of Mount Joy, Lancaster County, and within five (5) miles by the usually traveled highways of the limits of said borough;

with Rights Nos. 8 and 9 subject to the following condition:

- 13. To transport, as a Class D carrier, crushed stone, tobacco and tombstones from points in the borough of Mount Joy, Lancaster County, and within five (5) miles of the usually traveled highways of the limits of said borough to other points in Pennsylvania, and vice versa;

with Rights Nos. 12 and 13 subject to the following condition:

- 14. To transport, as a Class D carrier, household goods in use from points in the townships of Florin, Lancaster County, and within forty (40) miles of the point of origin; That no right, power or privilege is granted to transport raw oils, materials or finished products of the silk industry;

ITEM 10 - GOVERNING PUBLICATIONS

- (a) For rates, rules, regulations and provisions applicable to the transportation of household goods and related articles in use, see Tariff Freight Pa., P.U.C. No. 53 (Carrier Directory), loose-leaf revisions thereto, and successive issues thereof, issued by Tristate Household Goods Tariff Conference, Inc., Agent.
- (b) Where rates are based on mileage, the distance shall be computed from Mileage Guide No. 40, P.A. P.U.C. No. 40, issued by Tristate Household Goods Tariff Conference, Inc., Agent.

ITEM 15 - DEFINITION OF A SHIPMENT

with Rights Nos. 12 and 13 subject to the following condition:
A shipment is a lot of freight tendered to the carrier by one consignor at one place at one time for delivery to one consignee at one destination on one bill of lading. That no right, power or privilege is granted to transport raw oils, materials or finished products of the silk industry.

Abbreviations, reference marks and symbols are explained on last page of tariff.

- (a) For rates, rules, regulations and provisions applicable to the transportation of household goods and related articles in use, see Tariff Freight, P.A. P.U.C. No. 53 (Carrier Directory), loose-leaf revisions thereto, and successive issues thereof, issued by Tristate Household Goods Tariff Conference, Inc., Agent.
 - (b) Where rates are based on mileage, the distance shall be computed from Mileage Guide No. 40, P.A. P.U.C. No. 40, issued by Tristate Household Goods Tariff Conference, Inc., Agent.
- Charles E. Groff & Sons, Inc.**
1284 Cloverleaf Road
PO Box 84
Mount Joy, PA 17552

ITEM 15 - DEFINITION OF A SHIPMENT

OPERATING AUTHORITY AS ISSUED BY THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN CERTIFICATE NO. A-00102480:

- (1) to transport, as a Class B carrier, property between points in the borough of Pottstown, Montgomery County.
- (2) To transport, as a Class D carrier, household goods in use from points in the borough of Pottstown, Montgomery County, to other points in Pennsylvania, and vice versa.
- (3). To transport, as a Class D carrier, household goods in use and furniture between points in the borough of Pottstown, Montgomery County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, and from points in the said area to points within seventy-five (75) miles by the usually traveled highways of the limits of the said borough.
- (4) To transport, as a Class D carrier, household goods in use and furniture from points not exceeding twenty-five (25) miles from the borough of Pottstown, Montgomery County, excluding Delaware County, to points in the borough of Pottstown, Montgomery County, to points in the borough of Pottstown, Montgomery County, and within ten (10) miles by the usually traveled highways of the limits of the said borough.

IN CERTIFICATE NO. A-00102480, Folder 1, Am-B:

- (1) To transport, as a Class B carrier, household goods in use and office furnishings in use between points in the city of Lancaster and the townships of Manheim, West Lampeter and Lancaster, Lancaster County.
- (2) To transport, as a Class C carrier, household goods in use and office furnishings in use from points in the city of Lancaster to other points in the county of Lancaster and vice versa.
- (3) To transport, as a Class D carrier, tobacco and household goods in use from points in the county of Lancaster to other points in Pennsylvania.

SUBJECT TO THE FOLLOWING CONDITION:

- (a) That all transportation except local hauling in the city of Lancaster, Lancaster County, shall be limited to shipments from one consignor or to one consignee.

To transport as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with the removal from one location to another; and articles in use, including objects of art, displays and exhibits which because of their unusual nature or value require specialized handling and equipment usually employed in moving household goods; and tabulating machines, calculating machines, digital computers, copying machines and other electronic equipment, which because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points within an airline distance of thirty (30) statute miles of the limits of the Borough of Pottstown, Montgomery County, and from points in said territory to points in Pennsylvania, and vice versa.

Jack Treier, Inc.
1457 Manheim Pike
Lancaster, PA 17601
717-397-2808

To transport, as a Class D carrier, property usual to use in a household when a part of such household equipment or supply in connection with a removal by a householder from one house or dwelling to another; furniture, fixtures, equipment and the property usual in a store, office, museum, institution, hospital or other establishment when a part of the stock, equipment or supply of such store, office, museum, institution, hospital or other establishment, in connection with a removal from one location to another; and works of art, furniture, musical instruments, displays, exhibits and articles requiring specialized handling and equipment usually employed in moving household goods, from points in Lancaster County to points in Pennsylvania, and vice versa.

I N T E R

O F F I C E

MEMO

February 8, 2002

Subject: Protested Motor Carrier Applications

To: Robert A. Christianson
Chief Administrative Law Judge

From: Tim Zeigler, Supervisor
Compliance Office - Technical Unit

DOCKETED

FEB 08 2002

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The following application(s) were advertised in the Pennsylvania Bulletin of 11/3/01 to be disposed of without hearing provided that no protests were filed on or before 11/26/01.

Since protests have been filed for approval of the application and the period of twenty-one (21) days for the filing of restrictive amendments has expired, it is necessary that the applications be set for hearing.

<u>Docket #</u>	<u>Carrier</u>
A-00117540	Davcon Packing Service, Ltd.
F. 2	t/d/b/a Davcon Relocation Services

cc: Document Folder
Bruce Bigelow

**DOCUMENT
FOLDER**