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JAN 6 1988

SECRETARYS OFFICE,
Public Utility Commission

PETER G. LOFTUS

LAW OFFICES
PETER G. LOFTUS, P.C.
240 PENN AVENUE-SUITE 300
SCRANTON, PENNSYLVANIA 18503

AREA CODE 717
347-1453

January 4, 1988

DOCKETED

JAN 07 1988

The Honorable Jerry Rich, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17120

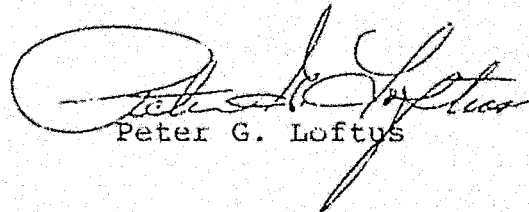
Re: Hammel's Express, Inc.
Application No. 00088995, F.4, Am-B

Dear Secretary Rich:

After a review of the application, Seaboard Tank Lines, Inc., has decided to withdraw its protest in the above-captioned action.

Please continue to carry us on the mailing list for all future notices, orders, opinions, etc.

Very truly yours,


Peter G. Loftus

PGL/dmg

cc: Walter P. Orzolek, Manager
Seaboard Tank Lines, Inc.

DOCUMENT
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COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA PUBLIC UTILITY COMMISSION
 P. O. BOX 3265, HARRISBURG, Pa. 17120

OR

87/11/5

IN REPLY PLEASE
 REFER TO OUR FILE

A. 00088995
 Ps. 2 & 4

DEC 27 1987

FEB 26 1988

annulling Certificate
 at public meeting.

was approved previously
 or rights. Your case is

Sincerely yours,

[Handwritten Signature]

Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held November 5, 1987

Application Docket No. A-00088995, F. 2 and F. 4, Hammel's Express, Inc.

SUPPLEMENTAL ORDER MODIFYING
CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

It appearing that part of the rights granted to Hammel's Express, Inc. under the certificate of public convenience issued at A-00088995, F. 2, Am-F and F. 4, right number 8, have been transferred to Pitt-Ohio Express, Inc., at A-00102471, F. 1, Am-J, and are now contained under the certificate of public convenience issue to it; and that the transferor is retaining certain operating authority; and the matters and things involved having been duly considered by the Commission; THEREFORE,

IT IS ORDERED: That upon compliance with the conditions and requirements as set forth in the order at A-00102471, F. 1, Am-J, the operating rights and the certificate of public convenience at A-00088995, F. 2, Am-F, be and are hereby modified so as to read as follows:

To transport, as a Class D carrier, property from points in Allegheny County to points in that part of Pennsylvania on and east of U.S. Highway Route 15 (except points in the counties of Lebanon, Berks and Lancaster), and vice versa;

subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport household goods and office furniture in use, property in bulk, property which because of size or weight requires the use of special equipment, or commodities in vehicles equipped with mechanical refrigeration.

SECOND: That no right, power or privilege is granted to transport (a) property to or from points in the boroughs of Exeter and West Pittston and the city of Wilkes-Barre, Luzerne County, (b) property to or from the facilities of American Home Foods Division of American Home

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FEB 26 1988

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Products Corporation located in the township of Turbot and the borough of Milton, Northumberland County, (c) such merchandise, as is dealt in by wholesale, retail and chain grocery and food business houses to or from points in York County, and (d) limestone, limestone products or fertilizer from points in York County.

IT IS FURTHER ORDERED: That upon compliance with the conditions and requirements as set forth in the order at A-00102471, F. 1, Am-J, the operating rights and the certificate of public convenience at A-00088995, F. 4, right number 8, be and are hereby modified so as to eliminate the following right:

To transport, as a Class D carrier, glassware, from the borough of South Connellsville, Fayette County, to points within one hundred fifty (150) miles of the limits of the said borough, with the right to return damaged, refused or rejected merchandise;

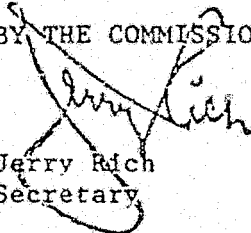
subject to the following conditions:

That no right, power or privilege is granted to transport glassware from the borough of South Connellsville, Fayette County, to the borough of Latrobe, Westmoreland County, or to the villages of Schenley and Aladdin, Armstrong County.

That no right, power or privilege is granted to transport glassware from the borough of South Connellsville, Fayette County, to points in Pennsylvania east of U.S. Highway Route 219, except to the city of Altoona, Blair County.

IT IS FURTHER ORDERED: That the transferor shall amend its tariff to comply with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relating to the filing and acceptance of a tariff.

BY THE COMMISSION,


Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: November 5, 1987

ORDER ENTERED: February 19, 1988

LAW OFFICES

VUONO, LAVELLE & GRAY

2310 GRANT BUILDING
PITTSBURGH, PA. 15219

JOHN A. VUONO
WILLIAM J. LAVELLE
WILLIAM A. GRAY
MARK T. VUONO
RICHARD R. WILSON
DENNIS J. KUSTURISS

file

(412) 471-1800

March 10, 1988

Re: Hammel's Express, Inc.
Docket No. A-00088995, F. 4, Am-B
Our File 2710-15

DOCKETED

MAR 16 1988

Mr. Bud Huntington
Office of Administrative Law Judges
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

Dear Mr. Huntington:

We represent Hammel's Express, Inc., the applicant in the above proceeding.

This letter is to advise that the applicant voluntarily waives its rights pursuant to 66 Pa. C.S.A. §332(g) to have the hearings commenced within ninety (90) days after the proceeding is initiated.

Sincerely yours,

VUONO, LAVELLE & GRAY

William J. Lavelle

William J. Lavelle

pz

cc: Hammel's Express, Inc.

**DOCUMENT
FOLDER**



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa 17120

June 6, 1988

IN REPLY PLEASE
REFER TO OUR FILE

A-88995F4

Hammel's Express, Inc.
c/o Frank Geyer
26th & Railroad Streets
Pittsburgh, PA 15222

Dear Sir:

This letter is being sent per our telephone conversation last week.

Item 450D in Supplement 18 to Freight - PA PUC No. 7 must be corrected to show it applies on paper products rather than a shipper, as the item now implies. Also Item 695C lists E. I. DuPont Company as a shipper, however, it appears Hammels does not have specific authority for said shipper, therefore, the item must be removed.

In Supplement No. 17 to Freight - PA PUC No. 9, there are two items where you list shippers but apparently do not have specific authority to do so. The items are 202A (Alcoa Center) and 400 (St. Joe Zinc Co.)

These items listed above will have to be removed from the named tariffs as soon as possible to bring the tariff into compliance.

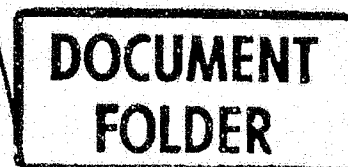
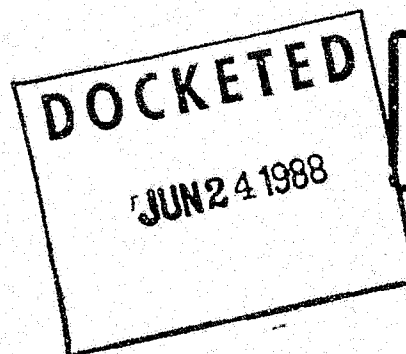
Sincerely,

Monroe H. Dove
Financial Document Section
Finance Division
Bureau of Transportation

MHD:lpw

Enclosure

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





COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P O BOX 3265, HARRISBURG, Pa. 17120

June 8, 1988

IN REPLY PLEASE
REFER TO OUR FILE

A-88995 F4 ←

Hammel's Express, Inc.
c/o Frank Geyer
26th & Railroad Streets
Pittsburgh, PA 15222

**DOCUMENT
FOLDER**

Dear Sir:

An audit of our tariff files has identified a number of common carriers with various unacceptable discount provisions contained in tariffs currently on file with this Commission.

While the rates contained in tariffs may be legally collected, it does not follow that such discriminatory rate provisions are lawful.

The basic jurisdiction over motor carrier rates of this Commission is found in Title 66 of the Pennsylvania Consolidated Statutes §1301. This states in part . . .

"Every rate made, demanded, or received by any public utility, or by any two or more public utilities jointly, shall be just and reasonable," . . .

Equally as important in the area of rate regulations is the provision at 66 PA Consolidated Statutes §1304 which deals with the area of discrimination in rates. This subsection states in part . . .

"No public utility shall, as to rates, make or grant any unreasonable preference or advantage to any person, corporation, or municipal corporation, or subject any person, corporation, or municipal corporation to any unreasonable prejudice or disadvantage. No public utility shall establish or maintain any unreasonable difference as to rates, either as between localities or as between classes of service." . . .

The unacceptable discount provisions are contained in Hammel's Express, Inc. Tariff Freight - PA PUC No. 7; specifically, Item 5 found on Page 12.

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It is the opinion of the Bureau of Transportation, that the above cited items contain discounting provisions which do not conform with the intent of the previously cited regulations.

An opportunity is being afforded you to voluntarily remove the discriminatory provisions from the aforementioned tariffs within 30 days of the date of this letter. If you fail to comply, the Commission will issue a Rule to Show Cause Order as to why the discriminatory provisions should not be removed.

If you have any questions or need any clarification as to the status of tariffs on file, please notify me at (717) 787-5521.

Sincerely,

Joseph M. Machulsky, Chief
Financial Document Section
Bureau of Transportation

MHD:lpw



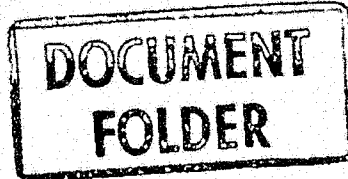
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

July 27, 1988

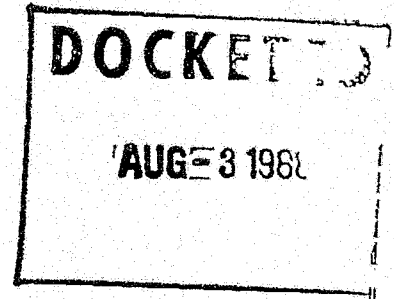
IN REPLY PLEASE
REFER TO OUR FILE

A. 00088995
P. 2 & 4

Hammel's Express, Inc.
26th & Railroad Streets
Pittsburgh, PA 15222



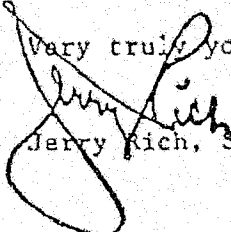
Applications of HAMMEL'S EXPRESS, INC.



To Whom It May Concern:

Please be advised that the tariff requirement has been satisfied in the above entitled proceeding and you may now utilize those rights.

Very truly yours,


Jerry Rich, Secretary

EMD