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| 1. <u>REPORT DATE:</u> | : | 2. <u>BUREAU AGENDA NO.</u> |
| August 22, 1983 | : | SEP-83-TNR-836* |
| 3. <u>BUREAU:</u> | : | |
| Non-Rail Transportation | : | |
| 4. <u>SECTION(S):</u> | : | 5. <u>PUBLIC MEETING DATE:</u> |
| Technical Review | : | September 16, 1983 |
| 6. <u>APPROVED BY:</u> | : | |
| Director: Alford 3-5331 | : | |
| Supervisor: Ernst/Marzolf 3-5945 | : | |
| 7. <u>MONITOR:</u> | : | |
| Chairman Taliaferro | : | |
| 8. <u>PERSON IN CHARGE:</u> | : | |
| Hoshour 7-5513 | : | |
| 9. <u>DOCKET NO:</u> | : | |
| A-00104550 | : | |
10. (a) CAPTION (abbreviate if more than 4 lines)
(b) Short summary of history & facts, documents & briefs
(c) Recommendation

(a) Application of Josephine Avvisato, t/d/b/a Jo Jo's Travelers, Old Forge, Lackawanna County, for a brokerage license evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, for the transportation of persons, between points in the counties of Susquehanna, Wayne, Lackawanna, Wyoming, Luzerne, Pike, Monroe, Carbon, Northampton and Lehigh, and from points in said area, to points in Pennsylvania.

(b) The application was unopposed and statements in support of the application were entered by the applicant and three supporting parties. The applicant has voluntarily amended the application eliminating service in and from the counties of Wyoming, Pike, Monroe, Carbon, Northampton and Lehigh. The record indicates that the applicant is "fit, willing and able" to provide the proposed service. Before instituting service, the applicant will be required to comply with Title 52, Pa. Code §39.15, which requires the applicant to file with this Commission a bond or other security in the amount of not less than \$10,000.

(c) The Bureau of Non-Rail Transportation recommends that the Commission adopt the proposed order approving the application, as amended.

11. MOTION BY: CommissionerChm. Taliaferro Commissioner Cawley - Yes
Commissioner
SECONDED: CommissionerJohnson Commissioner

CONTENT OF MOTION: Staff recommendation adopted.



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

record

September 27, 1983

IN REPLY PLEASE
REFER TO OUR FILE

A-00104550

John E. Fullerton, Esquire
407 North Front Street
Harrisburg, PA 17101

Application of Josephine Avvisato, t/d/b/a
Jo Jo's Travelers

Dear Sir:

Enclosed is the compliance order issued by the Commission in the above entitled proceeding.

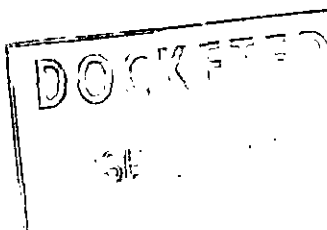
The brokerage license evidencing the Commission's approval of the right to operate will not be issued unless and until such broker shall have furnished a bond or other security approved by the Commission in an amount of not less than \$10,000 and in such form as will insure the financial responsibility of such broker and the supplying of such financial responsibility of such authorized transportation in accordance with the contract agreement or arrangement therefor.

No broker shall operate or engage in any transportation until all of the above requirements have been complied with and a brokerage license issued authorizing actual operations. Brokers operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Law.

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

cc: Applicant
1146 Bennett Street
Old Forge, PA 18518

Encls.
Cert. Mail
Receipt Requested



Very truly yours,

DOCUMENT
FOLDER

Jerry Rich, Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held September 16, 1983

Commissioners Present:

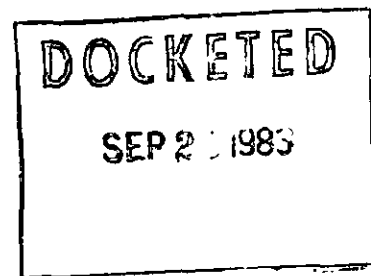
Linda C. Taliaferro, Chairman
Michael Johnson
James H. Cawley

Application of Josephine Avvisato, t/d/b/a
Jo Jo's Travelers, for a brokerage license
evidencing the Commission's approval of the
beginning of the right and privilege to
operate as a broker, for the transportation
of persons, between points in the counties
of Susquehanna, Wayne, Lackawanna, Wyoming,
Luzerne, Pike, Monroe, Carbon, Northampton
and Lehigh, and from points in said area,
to points in Pennsylvania.

A-00104550

John E. Fullerton for the applicant.

O R D E R



BY THE COMMISSION:

This matter comes before the Commission on an application filed February 3, 1983. Public notice of the application was given in the Pennsylvania Bulletin of February 26, 1983. Additional public notice was given in six newspapers of general circulation within the area of application. No protests to the application have been filed.

The application is unprotested and the record is certified to the Commission for its decision without an oral hearing. The record consists of verified statements submitted by the applicant and three supporting parties.

Josephine Avvisato, trading as Jo Jo's Travelers (applicant) current operates an interstate brokerage for passengers traveling by motor vehicle from points in Pennsylvania to points throughout the United States. Service is provided from office facilities located at 1146 Bennett Street, Old Forge, Lackawanna County, and consists of the arranging, designing and marketing of tours for a variety of organizations. These

tours include trips to recreational areas, athletic events, cultural affairs, theater productions and religious ceremonies.

Upon granting of the appropriate authority, the applicant will arrange similar tours to points in Pennsylvania, including the Poconos, large metropolitan cities, institutions of learning and the State Capitol. Included in the tour package when appropriate will be the arranging of lodging, meals and admission fees. Transportation will only be sought from those carriers which possess the appropriate authority.

An unaudited balance sheet submitted by the applicant indicates that she has current assets of \$46,000, total assets of \$144,000, current liabilities of \$900, total liabilities of \$7,863 for a net worth of \$136,137. Also provided by the applicant was a copy of her current bond on file with the Interstate Commerce Commission in the amount of \$5,000.

Robert Dodge, on behalf of the Veterans of Foreign Wars, Wayne County, states that the applicant would be relied upon to arrange monthly transportation from such points in Wayne County as Hawley, Honesdale, Waymart, Orson and Sterling to destinations throughout the Commonwealth. These trips will include conventions, sporting events, shows and sight-seeing tours. The applicant is currently arranging interstate transportation and has provided excellent services.

T. Mancuso, secretary-treasurer of Sugarmans Travel, Eynon, Lackawanna County, sets forth in support of the pending application that the applicant is currently engaged in organizing transportation for interstate trips. It will utilize the applicant to arrange transportation from a variety of points in Lackawanna and Luzerne Counties. Sugarmans Travel is seeking an experienced broker who is knowledgeable and responsible. The applicant has been found to possess these qualifications.

Dorothy Piorkowski, president of Forest City Travel Club, Forest City, Susquehanna County, states that the travel club arranges eight to 10 tours per month which originate in Susquehanna County. It has relied upon the applicant for service for those tours that are interstate in nature. She has found the applicant to have the experience and dependability needed to also arrange the intrastate transportation.

DISCUSSION AND FINDINGS

By the instant application, Josephine Avvisato has sought the issuance of a broker's license under the trade name of Jo Jo's Travelers. As initially proposed, she sought authority to broker the transportation of persons, between points in the counties of Susquehanna, Wayne, Lackawanna, Wyoming, Luzerne, Pike, Monroe, Carbon, Northampton and Lehigh, and from points in said area, to points in Pennsylvania. The applicant has stated that she now seeks to have the proposed area of operation amended, so that she will provide service between points in the counties of Lackawanna, Luzerne, Susquehanna, and Wayne, and from points in said area, to points in Pennsylvania.

A review of the record indicates that the applicant is "fit, willing and able" to properly provide the services proposed by the instant application, as further amended by the applicant. The applicant will be required before instituting service to file a surety bond as set forth in Title 52, Pa. Code §39.15. Upon receipt and acceptance of the surety bond, a broker's license will be issued the applicant.

We find:

1. That the granting of the following right is consistent with the public interest and the policy declared in the Public Utility Code, 66 Pa. C.S. §2501; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved, and that a brokerage license be issued to the applicant, evidencing the Commission's approval of the right and privilege to operate as follows:

To operate as a broker, for the transportation of persons and their baggage, by motor vehicle, between points in the counties of Susquehanna, Wayne, Lackawanna and Luzerne, and from points in said counties, to points in Pennsylvania, and return.

IT IS FURTHER ORDERED: That the applicant shall not engage in any service granted herein until she shall have complied with the requirements of Title 52, Pa. Code §39.15, which requires the applicant to file with this Commission a bond or other security approved by this Commission in the amount of not less than \$10,000.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

BY THE COMMISSION,


Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: September 16, 1983

ORDER ENTERED: SEP 27 1983