

CNAUGHTON BROS., INC.
"The Moving & Warehousing Name"

File
A-82096 F.1

P.O. Box 57
1590 Route 119 South
Indiana, PA 15701
(412) 463-3571

R. D. McNaughton, President

RECEIVED

August 30, 1985

SEP 3 1985
BUREAU OF NON. RAIL
TRANSPORTATION
PUBLIC UTILITY COMM.

Mr. Paul Kenney
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Dear Sir:

It is respectfully requested that you forward to me a copy of Management Directive 625.3 and all amendments thereto.

This Directive relates to firm price agreements for the moving of household goods with the Commonwealth of Pennsylvania.

As a mover, I wish to be appraised of the policy of the Commonwealth in awarding this traffic, as I may be interested in quoting on such jobs within my certificated area.

If, by chance, this request falls beyond your office, it is respectfully requested that you contact the proper persons who can forward this Directive to me.

Very truly yours,

R. D. McNaughton
R.D. McNaughton

RDM/mm

**DOCUMENT
FOLDER**

*Called Bud Sue McNaughton
Re: Management Directive
625.3 amended.
Advised that revision is
being made
9/15/85
BTK*



McNAUGHTON BROS., INC.

"The Moving & Warehousing Name"
Home Office: INDIANA, PA 15701
1590 OLD ROUTE 119 SOUTH, P. O. BOX 57
PHONE: (412) 463-3571

RECEIVED
PENNA. PUBLIC UTIL. COM. FEB 6 1989
Enlight & Control
Regulatory Div.



February 3, 1989

AGENT / ALLIED VAN LINES

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Attn: Mr. Joseph E. Lauver
P.O. Box 3265
Harrisburg, PA 17120

RE: A.82096
R.C. 38351
I.C. 88-302

DOCUMENT FOLDER

Handwritten notes: "T" and "EL" circled with arrows pointing to the RE: field.

Dear Mr. Lauver:

I am in receipt of your letter dated January 27, 1989, concerning a lease arrangement between Apollo Moving & Storage and McNaughton Bros., Inc. Due to the fact that we could not provide service on or about July 1, 1988, Apollo Moving & Storage requested permission to use a McNaughton Bros., Inc. Bill of Lading to perform a move for Diane Sawicki from Slippery Rock, PA to Indiana, PA. Apollo Moving & Storage have advised that when your enforcement officer Cynthia Hawthorne approached Mark Vaneman, driver of Apollo Moving & Storage, he did have in his possession a copy of a McNaughton Bros Bill of Lading which was in triplicate.

McNaughton Bros was not leasing equipment under PA Code 31.32, instead we were permitting Apollo Moving & Storage to use our Operating Authority (A-82096) to move a customer from Butler County to Indiana County, as they do not have Operating Authority in either county. If we McNaughton Bros authorize another mover to use our Operating Authority when we can't provide a shiper service, must we provide an equipment lease under PA Code 31.32 even though equipment is not being leased?

I also have a question concerning PA Code 31.33 and that is if we permit another mover to use our authority or Bill of Lading is Code 31.33 saying that our PA PUC Operating Authority number must be displayed on each side of their vehicle (in this case Apollo's truck should have displayed McNaughton Bros. PUC number)?

I can assure you that McNaughton Bros., Inc does want to comply with the regulations of the commission. Since I have been in an ownership role for only a three year period, I and my partners certainly want to understand and comply with the regulations of the commission. We certainly will comply in the future, however, I would appreciate if you could recommend someone I can talk to concerning questions or concerns that I have.

Very truly yours,

McNAUGHTON BROS., INC.

Handwritten signature of Ray Zelensk

R.L. Zelensk

Handwritten notes: "2-15-89", "Mr. Zelensk called. Explained need for license. He understands"

Handwritten initials "X"

RLZ/mm



Branch Offices:

JOHNSTOWN, PA 15907 — P. O. BOX 22, CRAMER PIKE - PHONE 814-535-6714 / BLAIRSVILLE, PA 15717 — P. O. BOX 217 - PHONE 412-463-3574



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

January 27, 1989

IN REPLY PLEASE
 REFER TO OUR FILE
 A. 82096
 R.C. 38351
 I.C. 88-302

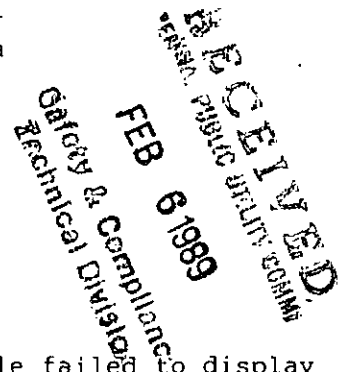
McNaughton Brothers, Inc.
 1590 Route 119S
 P.O. Box 57
 Indiana, PA 15701



Gentlemen:

This is to advise you that on or about July 1, 1988, a certain motor vehicle, herein identified as a Mercedes Benz truck, bearing Pennsylvania License No. 24336CE, Manufacturer's No. 37604412473489, and allegedly operating under a lease arrangement between Apollo Moving & Storage Co., Inc. and McNaughton Brothers, Inc., was checked by Cynthia Hawthorne, a duly authorized enforcement officer of this Commission, at Center Street, Slippery Rock, Butler County, Pennsylvania, and it was found that the driver, a Mark Vaneman, could not produce a copy of a lease agreement as required by 52 Pa. Code §31.32(c)(2)(vii), which provides:

"Lease shall be executed in triplicate. The original shall be retained by the motor carrier in whose service the equipment is to be operated, one copy shall be retained by the owner of the equipment and one copy shall be carried on the equipment specified therein during the entire period of the contract, lease, or other arrangement, unless a certificate is carried on the equipment in lieu thereof, certifying that the equipment is being operated by it, the name of the owner, the date of the lease, contract, or other arrangement, the period thereof, and the location where the original of the lease, contract, or other arrangement is retained by the motor carrier."



Also, it was found that the said motor vehicle failed to display markings as required by 52 Pa. Code §31.33(b), which provides:

"Each motor carrier shall cause to be painted on each side of every motor vehicle operated by him, in letters not less than two inches in height, and not less than 1/2 inch in width, the name and address of such motor carrier and the number of the certificate of public convenience or permit as follows: 'PA P.U.C. NO. A. _____'. If the vehicle is owned by someone other than the motor carrier operating it, there shall be shown on each side of the vehicle, in letters not less than two inches in height and not

less than 1/2 inch in width, the wording: 'OPERATED BY (name and address of authorized motor carrier), PA P.U.C. NO. A. _____'. If a removable device is used to identify the operating carrier as lessee, such device shall be of durable material and securely affixed, to the vehicle operated, throughout the duration of the lease."

- a. Incorrect company name displayed.
- b. Incorrect P.U.C. A# displayed.

In light of the above, you are hereby directed to comply with the aforesaid regulation forthwith and within fifteen (15) days of receipt of this letter, you are to inform this office if you intend to comply in the future. Failure to respond may subject you to penalties as may be imposed by this Commission.

Very truly yours,



Joseph E. Lauver
Administrative Supervisor
Bureau of Safety and Compliance
(717) 783-1948

DB:sf

cc: Pittsburgh District Office/Hawthorne

RECEIVED
PENNA. PUBLIC UTIL. COMM.
FEB 6 1989
Safety & Compliance
Technical Division



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

February 23, 1990

FILE
1-23-90

IN REPLY, PLEASE
REFER TO OUR FILE
A. 82096
IC-89-295

McNaughton Bros., Inc.
1590 Route 119 South
P.O. Box 57
Indiana, PA 15701

FILE
1-23-90

Gentlemen:

This is in response to your letter of December 8, 1989, in which you requested a statement from us as to "whether or not a carrier can negotiate a charge and offer a binding estimate or price."

It is our opinion, though not necessarily that of the Commission, that "Binding estimates are not currently permitted for intrastate Pennsylvania movements and that the only applicable rate is that contained in your tariff on file with the Commission."

If you need further information concerning the updating or the modifying of your Tariff, please contact Mr. Gary Baker, Financial Document Section, Bureau of Transportation, at the above-listed address or contact him at telephone number (717) 783-5936.

Very truly yours,

Joseph E. Lauver
Administrative Supervisor
Bureau of Safety & Compliance
(717) 783-1948

DB:mac

cc: Pittsburgh District Office/Hawthorne

DOCUMENT
FOLDER

MCNAUGHTON BROS. INC.

"The Moving & Warehousing Name"

HOME OFFICE: INDIANA, PA 15701

1590 OLD ROUTE 119 SOUTH, P.O. BOX 57

Fax (412) 463-0187 (412) 463-3571 Toll Free (800) 826-7378

ALLIED

Agent for Allied Van Lines

December 8, 1989

*To: DB 12-11-89 put
LTR, telling
must charge
FY received w/
DEC 11 1989
tariff*

Mr. Joseph E. Lauver
Administrative Supervisor
Bureau of Safety & Compliance
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RE: Your File A. ~~82092~~ 82096
I.C. 89-295

Dear Mr. Lauver:

In a letter from you dated September 15, 1989, you informed me that I had failed to supply the Reverend Harold Greenway whom our company moved from 1916 Brenlin Street, Johnstown, Cambria County, PA to 235 W. Pine Street, Grove City, Mercer County, PA, with a statement entitled "Information for Shippers in Accordance with 52 PA Code 31.121.

I was instructed by you at this time to comply with the aforesaid regulation which I did and sent you a copy of my letter of Reverend Harold Greenway dated October 6, 1989.

It is not my belief that compliance with the above order would in any way affect the total charges due for the moving service that our company provided for Reverend Greenway. The committee from the Grace United Methodist Church, Broad & Pine Street, Grove City, PA chaired by Mr. Jeffrey Lumley has contacted an Attorney, M.L. McBride, 211 South Center Street, Grove City, PA and directed him to negotiate a compromise with our company regarding the total balance due. I have advised Attorney McBride and the committee on several occasions that we are required to collect charges in accordance with our lawfully published tariffs with the Pennsylvania Public Utility Commission. A very clear statement on the face of the estimate states under the caption IMPORTANT NOTICE: "This estimate covers only the articles and services listed. It is not a guarantee that the actual charges will not exceed the amount of the estimate. Common carriers are required by law to collect transportation charges and other incidental charges computed on the basis of rates shown in their lawfully published tariffs, regardless of prior rate quotations or estimates made by the carrier. Charges for additional services will be added to the transportation charges.

I have also forwarded them a copy of the letter which our company received from Mr. Barry Ernst, Director of the Bureau of Transportation from the Pennsylvania Public Utility Commission (and I am forwarding you a copy of this letter also), advising that binding estimates or guaranteed prices are absolutely forbidden on a move taking place under the jurisdiction of the Pennsylvania Public Utility Commission.

Branch Offices:

JOHNSTOWN, PA 15907 P.O. BOX 22, CRAMER PIKE PHONE 814-535-6714 BLAIRSVILLE, PA 15717 P.O. BOX 217 PHONE 412-463-3574

Mr. Joseph E. Lauver
Page Two
December 8, 1989

I did, however, advise Attorney McBride that I would contact your office to obtain a statement from you as to whether or not a carrier can negotiate a charge and offer a binding estimate or price. Your response to this request will be greatly appreciated. I would also like to ask that you copy in Attorney McBride and the church committee.

I wish to thank you kindly for your response to this request. Should you have any questions concerning the matter in any respect, please feel free to call me using our toll free 800-826-7378 number.

Very truly yours,

McNAUGHTON BROS., INC.

Robert G. Williams

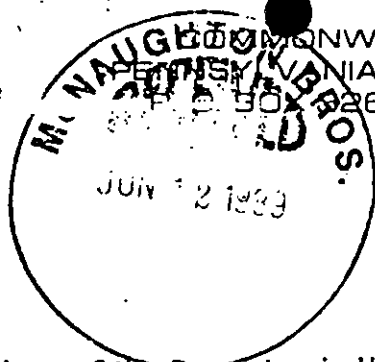
Robert G. Williams

RGW/mm

enclosure

cc: Attorney M.L. McBride
Church Committee, Grace United Methodist Church

DEC 11 1989
Office of the Secretary
of the Board of Christian
Education



COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA PUBLIC UTILITY COMMISSION
 P.O. BOX 2265, HARRISBURG, Pa. 17120

June 8, 1989

Members of the Pennsylvania Household
 Goods Motor Carrier Industry

IN REPLY PLEASE
 REFER TO OUR FILE.

B.L. 6-13
 Mr. G. M.
 6-13-89

DEC 11 1989
 Dispatched
 Registered Plant No.

Subject: Binding Estimates

Dear Household Goods Carrier:

The regulated intrastate household goods motor carrier industry of Pennsylvania can be proud of its years of quality service to the citizens of Pennsylvania. We, at the Public Utility Commission, like to believe that over 75 years of fair, even-handed regulation has played a significant part in the development of your industry.

Through entry control, competition has been balanced to ensure the availability of quality moving services to all areas of Pennsylvania. Through the regulation of rates, revenues have been maintained at a level which ensure the prudent, well-managed carrier a reasonable return on its investment. Both the consuming public and the industry are the beneficiaries of this system of regulation. Consumers enjoy the highest possible level of quality service and private capital continues to be attracted to the industry.

Under the existing system of regulation, each of you face competition. No one carrier enjoys monopolistic power within its service area. As a result, the potential for excessive pricing is tempered by competition and, in effect, is not existent. At the other end of the spectrum, however, is predatory pricing. The quality of service which the consumers of Pennsylvania currently enjoy cannot be maintained if rates are driven to or below variable costs. For this reason, the rates you charge are subject to regulation.

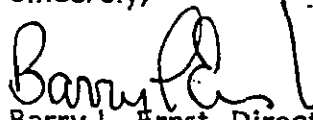
While the past decade has seen significant changes in traditional rate and tariff regulation at the interstate level, Pennsylvania's intrastate rate and tariff regulation have not been changed to permit such practices as binding estimates and non-cost justified discounts. BINDING ESTIMATES ARE NOT CURRENTLY PERMITTED FOR INTRASTATE PENNSYLVANIA MOVEMENTS. THE ONLY APPLICABLE RATE IS THAT CONTAINED IN YOUR TARIFF ON FILE WITH THE COMMISSION.

June 8, 1989

The Bureau of Transportation has been asked by the PUC's Motor Carrier Advisory Council to advise you that these practices are not presently permitted in Pennsylvania. We have also been asked to ensure that the Commission's tariff regulations are enforced. As a result, the Bureau of Transportation is instituting a policy of random audits of HHG freight bills to ensure that published rates are being charged. We know that we can expect your full cooperation with our auditors when they visit your offices.

Thank you very much for your anticipated cooperation. As always, the doors of our offices are open to you at any time. We stand ready to provide any assistance you may require to ensure the health and stability of the Pennsylvania household goods motor carrier industry.

Sincerely,



Barry L. Ernst, Director
Bureau of Transportation

DEC 11 1989

Form-UCMT-21

A Corporation of Penna.

434-7206

Filed April 11, 1955 Folder No. 2

A.D. 82096

McNaughton Bros., Inc.

APPLICANT

~~723 Church St., 626 S. 13th St.,~~ 1590 Route 119 S.
Indiana, Pa. 15701 P.O. Box 57
Indiana County

412-463-3571

TERRITORY

To transport, as a Class D carrier, household goods and office furnishings in use between points in the County of Indiana;

KIND OF SERVICE

~~To transport, as a Class D carrier, household goods and~~
Camera- Indiana, Westmoreland, Arms (OVER)
Property Blair- trong, Allegheny, Clearfield, Jeffer
Somerset,

ACTION

Approved May 31, 1955 Cameron, son
Certificate issued August 3, 1955

EXPIRES

Indeterminate

FILE

MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS
REPORT OF UNDERESTIMATES

PUC DOCKET NUMBER
A-82096, Folder 2 JAN 15 1991

TO: Pa. Public Utility Commission
Bureau of I.S.&E.

DOCUMENT
FOLDER

McNaughton Bros., Inc.
625 MARKET STREET P.O. BOX 57
Indiana, Pa. 15701

INSTRUCTIONS: A quarterly report of underestimates is required to be filed with the Pa. P.U.C. pursuant to Rule 703, General Order No. 29. Submit only the original copy of this report, no later than the end of the month following the quarter reported on. When no reportable underestimates occur, a report is not required. Retain one copy of the report and each estimate for three years. Specimen copies of this form will be supplied upon request without charge. Additional copies may be reproduced using the same format and size. Failure to submit this report is subject to the penalties provided under Article XIII of the Public Utility Law.

TOTAL NUMBER OF SHIPMENTS MOVED THIS QUARTER	107
TOTAL NUMBER OF SHIPMENTS FOR WHICH ESTIMATES WERE GIVEN All estimates of approximations of charges must be in writing	50-Estimates 57-Waivers
TOTAL NUMBER OF SHIPMENTS IN WHICH ACTUAL CHARGES EXCEED ESTIMATE CHARGES BY 10% OR MORE	8

REASON(S) FOR UNDERESTIMATES REPORTED ABOVE
Include: Bill of lading number, date of shipment, shippers estimated and actual charges

NUMBER OF UNDERESTIMATES

B/L No.	Date	Shipper	Estimate	Actual	10% & (Difference)
K-6011	10/15/90	J.T. Cuthbertson	\$2079.00	\$2608.07	\$2286.90 (\$321.17)
12 Extra carries were required to accomplish delivery - 667 feet from van to apartment.					
Y-6042	10/23/90	Erma Kinney	\$121.50	\$224.92	\$133.65 (\$91.27)
Items that shipper originally intended going direct to New Jersey were included on this Bill of Lading and brought to the warehouse instead.					
A-6032	10/25/90	Jean Sliko	\$194.40	\$228.70	\$213.84 (\$14.86)
Customer added valuation that was not originally estimated					
A-6024	11/2/90	Atty Robert Marcus	\$1351.00	\$2048.81	\$1486.10 (\$562.71)
Customer was not ready to move on moving day. Packing was not done and items were not discarded as planned.					
A-6091	11/7/90	Dave Fullerton	\$80.34	\$107.51	\$88.37 (\$19.14)
Customer shipped more than estimated.					
K-6099	11/15/90	Farley Wood	\$3436.76	\$3835.36	\$3780.44 (\$54.92)
Shipper requested we move items not originally estimated.					
K-6119	11/19/90	Rev Larry Hellein	\$2450.03	\$3134.01	\$2695.03 (\$438.98)
At time of estimate shipper did not have a delivery address, therefore, a shuttle at destination was needed that had not been included in original estimate.					
K-6141	11/30/90	M/M Neil McKinney	\$1647.55	\$1825.50	\$1812.31 (\$13.19)
Fuel Surcharge added after estimate. More weight (420 lbs) shipped than estimated.					

SIGNATURE AND TITLE OF RESPONSIBLE EMPLOYEE

R.L. Zelenak
R.L. Zelenak, President

Quarterly, period, ending
3-31-197__ 9-30-197__
6-30-197__ 12-31-1990
Please circle period