

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. REPORT DATE: October 4, 2006	2. BUREAU AGENDA NO. NOV-2006-TSM-0270*
3. BUREAU: Transportation and Safety	
4. SECTION(S): MCS&E	5. PUBLIC MEETING DATE: November 9, 2006
6. APPROVED BY: Director: Hoffman 3-3846 Mgr/Spvr: Minder 7-1168 Legal Review: F.K.S. <i>[Signature]</i>	DOCUMENT FOLDER
7. PERSONS IN CHARGE: Bingaman 3-5946 <i>[Signature]</i>	9. EFFECTIVE DATE OF FILING: N/A
8. DOCKET NO.: A-00094076, F. 1, Am-D <i>[Signature]</i>	DOCKETED DEC 18 2006

10. (a) CAPTION (abbreviate if more than 4 lines)
 (b) Short summary of history & facts, documents & briefs
 (c) Recommendation

(a) Application of Glose Moving & Storage, Inc., Allentown, Lehigh County, a corporation of the Commonwealth of Pennsylvania, for the amendment to its common carrier certificate, which grants the right, to transport, by motor vehicle, household goods in use: SO AS TO PERMIT the transportation of household goods in use, from points in the county of Chester, and within an airline distance of 50 statute miles of the limits thereof, to points in Pennsylvania; which is to be a transfer of all the rights authorized under the certificate issued at A-00116153, F. 1, Am-A to BDB & Sons Moving, Inc., t/a Crews 2 Use, subject to the same limitations and conditions.

(b) The application was filed July 12, 2006. Public notice of the application was given in the *Pennsylvania Bulletin* of August 12, 2006, with protests due by September 5, 2006. No protests were filed and no hearings were held. The unopposed application is certified to the Commission for its decision without oral hearing. A review of the record indicates that the applicant possesses the technical expertise, experience, equipment, facilities, sufficient capital and other resources necessary to provide the proposed service.

(c) The Bureau of Transportation and Safety recommends that the Commission adopt the proposed order approving the application and cancelling the certificate of the transferor at A-00116153, F. 1, Am-A by supplemental order. A certificate is to be issued to the applicant upon compliance with the requirements in the order.

Order Doc. No. 631094

Suppl. Order Doc. No. 631099

Cal. Sheet Doc. No. 631096

11. MOTION BY: Commissioner Chm. Holland

Commissioner Pizzigrilli - Yes
Commissioner Fitzpatrick - Yes
Commissioner

SECONDED: Commissioner Cawley

CONTENT OF MOTION: Staff recommendation adopted.

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held November 9, 2006

Commissioners Present:

**Wendell F. Holland, Chairman
James H. Cawley, Vice Chairman
Kim Pizzingrilli
Terrance J. Fitzpatrick**

Application of Glose Moving & Storage, Inc., a corporation of the Commonwealth of Pennsylvania, for the amendment to its common carrier certificate, which grants the right, to transport, by motor vehicle, household goods in use: SO AS TO PERMIT the transportation of household goods in use, from points in the county of Chester, and within an airline distance of 50 statute miles of the limits thereof, to points in Pennsylvania; which is to be a transfer of all the rights authorized under the certificate issued at A-00116153, F. 1, Am-A to BDB & Sons Moving, Inc., t/a Crews 2 Use, subject to the same limitations and conditions.

A-00094076
F. 1
Am-D

William H. R. Casey, Esq. for the applicant.

ORDER

BY THE COMMISSION:

This matter comes before the Commission on an application filed July 12, 2006. Public notice of the application was given in the *Pennsylvania Bulletin* of August 12, 2006, with protests due by September 5, 2006. No protests were filed and no hearings were held. The unopposed application is certified to the Commission for its decision without oral hearing.

DISCUSSION AND FINDINGS

Glose Moving & Storage, Inc. (applicant) is currently authorized to provide household goods in use transportation between various points in eastern Pennsylvania, subject to certain conditions, and seeks to expand its operating authority into Chester County. Applicant has been authorized to provide household goods in use transportation in Pennsylvania since December 27,

1967. Over the years, the applicant has been granted additional authority to expand its service territory. Applicant's past record with this Commission has not given cause to question its fitness.

Applicant's business office is located at 7566 Morris Court, Suite 350, Allentown, Lehigh County. In addition to warehouse and storage facilities, applicant possesses 11 vans, 12 straight trucks, 15 tractors, and 18 trailers for providing service.

The applicant submitted a report from its accountant dated February 23, 2006. The balance sheet included in this report states that the applicant has cash assets of \$298,165, total current assets of \$893,942, and total assets of \$1,470,230. Total liabilities are \$363,872 and consist of \$268,258 in current liabilities and \$95,614 in long term liabilities. The owner's equity is \$1,106,358.

Applicant currently has evidence of bodily injury and property damage liability insurance and cargo insurance on file with the Commission. Because the current cargo insurance covers additional rights, new evidence of cargo insurance will not be required. However, new evidence of bodily injury and property damage liability insurance will be required to cover *additional operations*.

The authority to be transferred has been operated by the transferor; therefore, it is presumed that there is a continuing need, which may be overcome only by evidence to the contrary. In re: Byerly, 270 A.2d 186 (Pa. 1970); Hostetter v. Pa. P.U.C., 49 A.2d 862 (Pa. Super 1947). Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

After complete review of the record, we find:

1. The applicant has the experience, equipment and financial fitness to provide the proposed service.
2. The applicant has a current Form H on file with the Commission.
3. Approval of the unopposed application is necessary for the continued accommodation and convenience of the public: **THEREFORE,**

IT IS ORDERED: That the unopposed application, be and is hereby approved so that the certificate issued December 27, 1967 shall be further amended to include the following right:

To transport, as a common carrier, household goods in use, from points in the county of Chester, and within an airline distance of 50 statute miles of the limits thereof, to points in Pennsylvania.

1. That the operating authority granted herein, or now held, or subsequently granted to the applicant to the extent that it is duplicative, shall not be construed as conferring more than one operating right.
2. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and/or rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefore, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
3. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any other entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(a)(3) of Title 66, PA C.S.A.

IT IS FURTHER ORDERED: That the applicant shall not provide any Service granted in this order until the following is submitted to the Commission:

1. Form E evidence of Bodily Injury and Property Damage Liability Insurance.
2. A tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That upon compliance with the requirements herein before set forth, a certificate shall issue evidencing the Commission's approval of the right to operate as above determined.

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

IT IS FURTHER ORDERED: That upon compliance with the requirements of this order, the rights authorized under the certificate issued at A-00116153, F. 1, Am-A to BDB & Sons Moving, Inc., t/a Crews 2 Use, shall be cancelled and the records be marked closed.


BY THE COMMISSION
James J. McNulty

James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: November 9, 2006

ORDER ENTERED:

2. Article Number	
	
7160 3901 9843 1289 8474	
3. Service Type CERTIFIED MAIL	
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
1. Article Addressed to:	
<i>William H R Casey Esq</i> <i>A-000940 TG Forol Am-D</i>	
COMPLETE THIS SECTION ON DELIVERY	
A. Received by (Please Print Clearly) <i>WATNER</i>	B. Date of Delivery <i>11-15-06</i>
C. Signature <i>M. Watner</i>	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
D. Is delivery address different from Item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input type="checkbox"/> No

PS Form 3811, March 2005

Domestic Return Receipt