

RECEIVED
SECRETARY'S OFFICE
PUBLIC UTILITY COMM

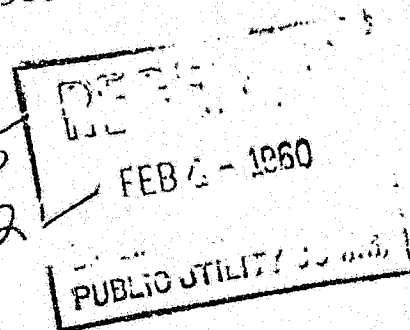
1539 Lakeside Drive
Dunedin, Florida

RECEIVED FEB 4 AM 10:21

February 2, 1960

Chairman, Pennsylvania
Public Utilities Commission
Capitol Building
Harrisburg, Pennsylvania

A-85095
F.2



Dear Sir:

On August 27, 1957 we put our household goods in storage in the warehouse of Hoy Transfer Company, Inc., Route 322, North, State College, Pennsylvania.

We asked that the goods be insured for \$6,500.00 and they gave us a form entitled Storage Advice of Insurance in Home Fire and Marine Insurance Co., of California, Eastern Department, 116 John Street, New York 38, New York. The form is numbered Open Policy No. - Advice No. SA 36532. For this insurance we paid a premium of \$8.06 per month.

The goods were removed from storage on March 6, 1958 and transported to Dunedin, Florida by North American Van Lines of which Hoy Transfer Co. is a part. We were again charged \$32.50 insurance premium for the goods while enroute to Florida. We were also charged a full month's storage and a full month's insurance even though the goods had been in storage only from February 27 to March 6 of the last month. In other words, we were charged storage and insurance for 2/3 of a month even though we had nothing stored or insured.

When our goods were unloaded in Florida there was considerable breakage and other damage. These were all itemized on the North American Co. inventory sheet. I also wrote to Hoy Transfer Co. and listed the damage. I have written to them a number of other times and I called at their office in June, 1958, August, 1958, November, 1958 and June, 1959 and complained because we had received no satisfaction from the insurance that we had purchased.

In June 1959, they made out a formal claim of damages which I signed and they informed me that it had been sent to the New York office. I have heard nothing from it even though I have written three times about it.

At first there seemed to be some confusion as to where the damage occurred, in storage, or in transportation. However, they got that straightened out, apparently, to their own satisfaction, and there is no reason why we should not have been paid for the damage.

Public Utilities Commission
February 2, 1960
Page 2.

All the damage was to antique furniture, some of it over two hundred years old. Both North American Van Lines and Hoy Transfer Co. have told me that they wanted to limit any liability to a simple cost of repair. That we do not think is fair. If you take a \$75.00 chair, break the back off it and then paste it together with glue, you still have a damaged chair and a good part of its value is gone.

I am writing to you to see if there is anything you can do to help us in this problem. Surely, not honoring contracts or insurance is enough reason to place their licenses in jeopardy.

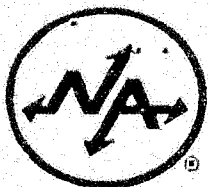
I am also sending this letter to the Pennsylvania Insurance Commissioner.

Very truly yours,



Earle L. Moffitt

ELM:llp



HOY TRANSFER, INC.

P O BOX 406 - PHONE 814-237-4978
ROUTE 322 NORTH - STATE COLLEGE, PA 16801

RECEIVED

MAY 31, 1967
JUN 1 7 45 AM '67
PUBLIC UTILITY COMMISSION

RECEIVED
JUN 1 - 1967
BUREAU OF TRANS
PUBLIC UTI

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Post Office Box 3265
HARRISBURG, PENNSYLVANIA 17120

ATTN: J. W. REINHARD

RE: A-85095
F-2

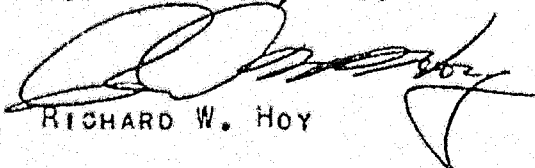
GENTLEMEN

WE HAVE BEEN ADVISED BY THE AETNA CASUALTY AND SURETY COMPANY THAT A CERTIFICATE OF BODILY INJURY AND PROPERTY DAMAGE INSURANCE WAS MAILED TO YOUR OFFICE DURING THE WEEK OF MAY 22, 1967. THIS CERTIFICATE WAS MAILED FROM THE PITTSBURGH, PA. OFFICE OF AETNA CASUALTY AND SURETY COMPANY.

WE TRUST THIS INFORMATION WILL SATISFY YOUR REQUIREMENTS.

VERY TRULY YOURS

HOY TRANSFER, INC.


RICHARD W. HOY

LJS

DOCUMENT
FOLDER



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

MCC

June 19, 1968 JUN 21 10 36 AM '68

SECRETARY'S OFFICE
 PUBLIC UTILITY
 COMMISSION

IN REPLY PLEASE
 REFER TO OUR FILE

A. 85095

F. 2

Aetna Casualty & Surety Company
 902 Chamber of Commerce Building
 Pittsburgh, Pennsylvania 15219

Application of Hoy Transfer, Inc. JUN 21 1968

Gentlemen:

It will be necessary for your company to submit cancelation notice form UCPC-33 issued to Hoy Transfer, Inc. representing policy number 03AL 111365 CC effective May 22, 1968 so that we will be in a position to accept your certificates of bodily injury and property damage insurance form UCPC-10 for filing for policy number 3AL 113495 CC effective from May 22, 1968 to May 22, 1969.

Kindly give this matter your immediate attention.

Very truly yours,

Merle A. Forst, Director

By: *James J. McCarthy*
 James J. McCarthy
 Chief of Insurance

JJM:kml

Please destroy PUC under Policy 3AL 113495 CC, effective 5-22-68. Because we located copy of PUC now on file.

*Pgh Branch - Aetna Casualty + Surety
 Honora M. McDonnell*

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting Held AUG 21 1986

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Pennsylvania Public Utility Commission

v.
Hoy Transfer, Inc.
P.O. Box 406
State College, PA 16801

A-00085095C861

F. 2

COMPLAINT UPON COMMISSION MOTION

BY THE COMMISSION:

This Commission, upon its own motion, as the duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate motor carriers within the Commonwealth institutes a complaint against Hoy Transfer, Inc., and represents as follows:

1. That Hoy Transfer, Inc., respondent, maintains a principal place of business at P.O. Box 406, State College, PA 16801.
2. That respondent holds a certificate of public convenience issued by this Commission at Application Docket No. A-00085095, F. 2.
3. Respondent is required by the Public Utility Code, 66 Pa. C.S. §504 or 2508, and by the rules and regulations of the Commission, 52 Pa. Code §29.42 or §31.9, to file an Annual Report with the Commission for each calendar year. The Annual Report must be filed with the Commission no later than March 31st of the succeeding calendar year unless extension of time for filing has been granted the individual carrier by the Commission.
4. As of the date of this complaint, respondent has not submitted its Annual Report for the year 1985 and has not paid the \$200.00 penalty as prescribed by 52 Pa. Code §29.42(d) or §31.9(f).
5. By failing to submit its Annual Report, and make payment of the fine, respondent is in violation of the Public Utility Code, 66 Pa. C.S. §504 and 2508 and 52 Pa. Code §29.42(d) or §31.9(f);
THEREFORE,

IT IS ORDERED:

1. That respondent has twenty (20) days from the date of which this order is served to file with the Secretary of the Pennsylvania Public Utility Commission at P.O. Box 3265, Harrisburg, PA 17120, an answer (original and two copies), in writing, under oath, which, as required by the General Rules of Administrative Practice and Procedure, 52 Pa. Code §5.61, either affirms or specifically denies the allegations in this complaint:

2. That if respondent fails to file an answer or other responsive pleading within twenty (20) days, respondent will be deemed to have admitted all the allegations in this complaint in accordance with the General Rules of Administrative Practice and Procedure, 52 Pa. Code §5.61. In that event, this Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by respondent, or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §§1101, et seq.

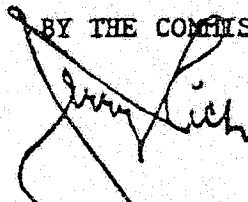
3. That respondent may elect not to contest this complaint without filing a formal answer by paying within twenty (20) days from the date on which this order is served the fine prescribed in paragraph 4 above by certified check or money order payable to the Pennsylvania Public Utility Commission at P.O. Box 3265, Harrisburg, PA 17120, as provided in the Public Utility Code, 66 Pa. C.S. §§3301 and 3315 and by filing the respondent's Annual Report for 1985 if that Report has not yet been filed. Payment by the respondent of this fine shall be deemed an admission by the respondent that the respondent committed the violation alleged in this complaint, as well as a waiver of any procedural rights to which the respondent may be entitled. By paying this fine, respondent also agrees to cease and desist from further violations of the Public Utility Code and the Commission's Regulations. Upon payment of this fine, and the submission of the respondent's 1985 Annual Report the record in this proceeding shall be closed.

4. That if respondent files an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, this Commission will, without hearing, enter an order which either revokes or suspends any certificate or permit held by respondent, or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §§1101, et seq.

5. That if the respondent files a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to an Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, the respondent is found to have committed any of the violations alleged in this complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by respondent, or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §§1101, et seq. In the imposition of a penalty after

hearing the Administrative Law Judge is not bound by the fine which the Commission would accept as complete satisfaction of this complaint in the event that respondent elects not to contest it; the penalty imposed by the Administrative Law Judge may be more or less stringent than that specified in this complaint.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich", written over a large, stylized flourish or scribble.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: August 21, 1986

ORDER ENTERED: October 21, 1986

MOSES A ROSENBERG
ARTHUR I BERGER
FRANCIS B HAAS, JR
G THOMAS MILLER
EDWARD H WAISEL
RICHARD R LEFEVER
J THOMAS MENAKER
CLYDE W MCINTYRE
S BIRNE SMITH
ROD J PEPA
EDWARD W ROTHMAN
ROBERT A MILLS
W JEFFRY JAMOUNEAU
HERBERT R NURICK
DAVID E LEHMAN
NORMAN J WHITE
F MURRAY BRYAN
RICHARD W STEVENSON
WILLIAM A CHESNUTT
HENRY R MACNICHOLAS
WILLIAM M YOUNG, JR
ROBERT M CHERRY
DAVID B DISNEY
H LEE HOUSSEL
MAURICE A PRATER
C GRANGER BOWMAN
JOHN S DYLER

DELANO M LANTZ
HARVEY FREDENBERG
JASON S SHAPIRO
ERIC L BROSSMAN
ROBERT D STETS
TERRY R BOSSERT
MARY JANE FORBES
JEFFREY B CLAY
DAVID M KLEPPINGER
NEAL S WEST
BRUCE A FELDMAN
FRANKLIN A MILES, JR
MICHAEL A DOLTIROW
BRUCE D BAGLEY
BARBARA S KAHOE
STEPHEN A MOORE
CARA S SCADUTO
ELIZABETH A DOUGHERTY
ALAN R BOYNTON, JR
GARY F YENKOWSKI
DIANE M TOKARSKI
JAMES J DODD O
ANNE K FIGREZA
JOHN M ABEL
RICHARD S KAHLBAUGH
KEVIN J FREDRICK
DAVID H WATTS, JR.

MCNEES, WALLACE & NURICK
ATTORNEYS AT LAW

100 PINE STREET
P O BOX 1166
HARRISBURG, PA 17108-1166
TELEPHONE (717) 232-8000
TELECOPIER (717) 236-2665

July 27, 1987

STERLING G MCNEES
1923-1959

DAVID M WALLACE
1942-1967

RETIRED PARTNERS

HARRY H. FRANK
JAMES H. BOOSER
JAMES W. HAGAR
JAMES H. KING

OF COUNSEL

GILBERT NURICK
EDWARD C. FIRST, JR
ROBERT H. GRISWOLD
JEFFERSON C. BARNHART
SAMUEL A. SCHRECKENGAUST, JR.

RECEIVED

JUL 27 1987

SECRETARYS OFFICE
Public Utility Commission

HAND DELIVERED

In re: Application of Hoy Transfer, Inc.
A-85095, F-2, Am. A

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

Dear Mr. Rich:

On behalf of Hoy Transfer, Inc., we enclose for filing the original and two copies of an application for motor carrier certificate. We have also enclosed our check in the amount of \$125.00 to cover the filing fee.

If anything further is required, please contact the undersigned.

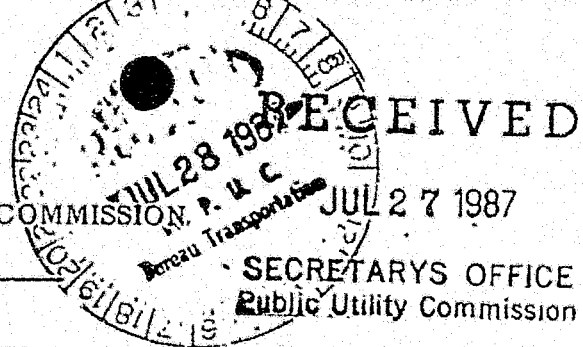
Very truly yours,

MCNEES, WALLACE & NURICK

By 
Herbert R. Nurick

HRN/lce
Enclosures
cc: Mr. Richard W. Hoy (w/encl.)

DOCUMENT
FOLDER



BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUL 27 1987

SECRETARYS OFFICE
Public Utility Commission

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of HOY TRANSFER, INC.

APPLICATION DOCKET

No. 85095

Folder No. 2, Am-A

for a certificate of public convenience or a permit evidencing the Commission's approval of the right and privilege of operating motor vehicles as a motor carrier for the transportation of **PROPERTY**.

**DOCUMENT
FOLDER**

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. Hoy Transfer, Inc.
(Full and correct name of applicant)

2. None
(Trade name, if any)

The trade name _____ been registered with the Secretary of the
(has or has not)

Commonwealth on _____ (attach copy of stamped registration form)
(date)

DOCKETED
APPLICATION DOCKET
AUG 12 1987
ENTRY No. mw

3. 1801 N. Atherton Street, State College, PA 16803 P. O. Box 406
(Business Street Address) (P.O. Box, if any)

State College Centre Pennsylvania 16804 814-237-4975
(City) (County) (State) (Zip) (Telephone)

4. Applicant's attorney (for this application) is:
McNees, Wallace & Nurick 100 Pine Street, P.O. Box 1166
by Herbert R. Nurick, Esq. Harrisburg, PA 17108-1166 717-232-8000
(Name) (Address) (Telephone)

5. Any notice, process or order of the PUC should be served upon:
Richard W. Hoy, President P. O. Box 406, State College, PA 16804
(Name) (Address)

6. Applicant does hold Pa. PUC authority under Docket No. A-85095, Folder 2
(does or does not) APPL. A-85095

and operates as a common carrier.
(common or contract)

COMPL FS. 1+2
MVIC ✓
CHECKED BY mw

F. I. AMENDMENT A

7. Applicant does not hold Interstate Commerce Commission authority
(does or does not)
at Docket No. _____

8. Applicant is (check one):

Individual.

Partnership. Attach copy of partnership agreement and list names and addresses of partners below (use additional sheet if necessary).

(Name)

(Address)

Corporation. Organized under the laws of the State of Pennsylvania and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on _____ (Attach copy of Certificate of Incorporation or Authority and statement of charter purpose). Include as an attachment a list of corporate officers and their titles and the names, addresses and number of shares held by each stockholder.

9. Attach the following, as appropriate (check those attached):

A Partnership Agreement.

B Trade Name registration certificate.

C Certificate of Incorporation or Authority.

D Statement of corporate charter purpose.

E List of corporate officers and stockholders.

10. That the nature and character of the service to be rendered by applicant is the transportation of property as a Common Contract carrier by means of motor vehicles as follows:

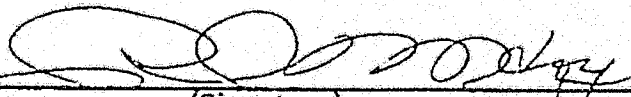
See statement attached.

11. Applicant is not now engaged in any intrastate transportation of property for compensation in Pennsylvania (except as authorized by the certificates of public convenience or permits specified in Paragraph 6) and will not engage in the transportation for which approval is herein sought unless and until authorization for such transportation shall be received.

CORPORATE SEAL

HOY TRANSFER, INC.
(Print Name of Corporation, Partnership, Trade-Name or Individual)*

By:



(Signature) RICHARD W. HOY

(Signature)

(Signature)

*If a partnership, each partner must sign; if a corporation, at least one officer must sign, and corporate seal affixed.

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
_____ County : ss:

_____, being duly sworn (affirmed) according to law, deposes and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____
day of _____ 19 _____
My Commission Expires _____

Signature of Official Administering Oath

AFFIDAVIT OF APPLICANT (Corporation)


COMMONWEALTH OF PENNSYLVANIA :
CENTRE _____ County : ss:

Richard W. Hoy _____, being duly sworn (affirmed) according to law, deposes and says that he is President of Hoy Transfer, Inc. (Office of Affiant)

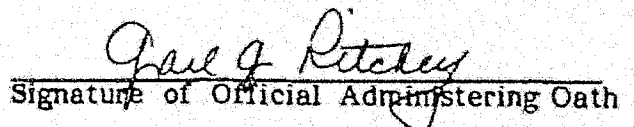
_____; that he is authorized to and does make this (Name of Corporation)

affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said Hoy Transfer, Inc. (Name of Corporation) to be able to prove the same

at the hearing hereof.


Richard W. Hoy
Signature of Affiant

Sworn and subscribed before me this 24th
day of July 19 87
My Commission Expires Feb. 4, 1991


Signature of Official Administering Oath

IN RE:
APPLICATION OF RICHARD W. HOY

List of Corporate Officers and Stockholders

Richard W. Hoy - president - sole stockholder - 4,000 shares
c/o Hoy Transfer, Inc.
P. O. Box 406
State College, PA 16804

Margaret Hoy - vice president and secretary/treasurer

IN RE:
APPLICATION OF HOY TRANSFER, INC.

Statement In Answer To Paragraph 10

The nature and character of the service to be rendered by applicant
are as follows:

To transport, as a common carrier, by motor vehicle, 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 a removal from one location to another; 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, copying machines, computers, and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin, and Union, and from points in said counties to points in Pennsylvania, and vice versa.

August 28, 1987

IN REPLY PLEASE
REFER TO OUR FILE

Herbert R. Nurick
Attorney at Law
100 Pine Street
Post Office Box 1166
Harrisburg, PA 17108-1166

In re: A-00085095, F. 2, Am-A - Application of Hoy Transfer, Inc.

Dear Sir:

The application of Hoy Transfer, Inc. has been captioned as attached and will be submitted for review provided no protests are filed on or before September 21, 1987. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of August 29, 1987.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:np

cc: Applicant
1801 Atherton Street
State College, PA 16803

**DOCUMENT
FOLDER**

DOCKETED
APP'G. '1 DOCKET
AUG 31 1987
ENTRY No. <i>[Signature]</i>

A-00085095, Folder 2, Am-A HOY TRANSFER, INC. (1801 Atherton Street, State Collage, Centre County, PA 16803), a corporation of the Commonwealth of Pennsylvania, inter alia - household goods and office furniture in use from points in the borough of State College, Centre County, and within an airline distance of twelve (12) miles of the limits of said borough to points in Pennsylvania, and vice versa: SO AS TO PERMIT the transportation of 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, when in connection with a removal from one location to another; 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, copying machines, computers, and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union, and from points in said counties to points in Pennsylvania, and vice versa. Attorney: Herbert R. Nurick, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

AUG 29 1987

BUREAU OF TRANSPORTATION
COMMON CARRIER
AUGUST 1987

A-00085095
F. 2
Am-A

Application of Hoy Transfer, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, household goods and office furniture in use from points in the borough of State College, Centre County, and within an airline distance of twelve (12) miles of the limits of said borough to points in Pennsylvania, and vice versa: SO AS TO PERMIT the transportation of 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, when in connection with a removal from one location to another; 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, copying machines, computers, and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union, and from points in said counties to points in Pennsylvania, and vice versa.

MW:np
8/13/87

NH

Application received: 7/27/87
Application docketed: 8/12/87

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
AUG 31 1987
ENTRY No. *[Signature]*

SEP 21 1987

Protests due on No Hearings
Protests due on Hearings - (5 days prior to date of hearing)
Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Bureau of Motor Transportation

August 31, 1987

A-00085095, Folder 2, Am-A

Application of Hoy Transfer, Inc.

Protest of
KENNEDY TRANSFER
Battle Hollow Road
Route 219 South
DuBois, Pa. 15801

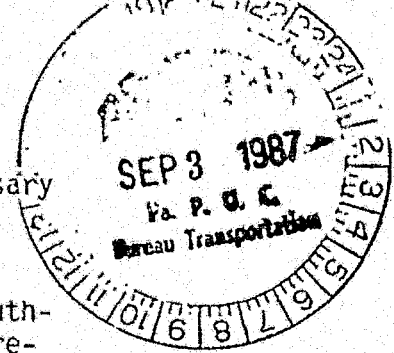
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SEP 3 1987

FILE SECRETARY'S OFFICE
Public Utility Commission

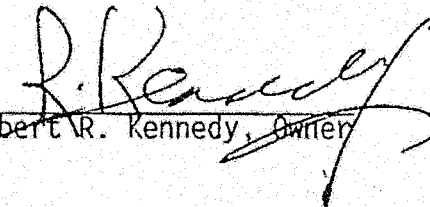
AND NOW COMES KENNEDY TRANSFER and protests the above application for the following reasons.

1. The approval of said application is not necessary or proper for the accommodation, convenience, service or safety of the public.
2. The facilities of this protestant and other authorized carriers are ample to meet all of the requirements of the shipping and receiving public in the territory involved in the above application.
3. The approval of this application will be prejudicial to your protestants since it will authorize additional competition with the potential resulting loss in revenue by the protestants and injury to the public.



WHEREAS we respectfully pray that the above application be dismissed.

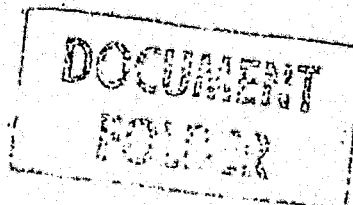
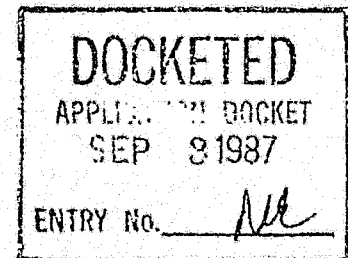
KENNEDY TRANSFER A. 89629

by 
Robert R. Kennedy, Owner

Copy of said protest mailed to:

Herbert R. Nurick
Attorney at Law
100 Pine Street
P.O. Box 1166
Harrisburg, Pa. 17108-1166

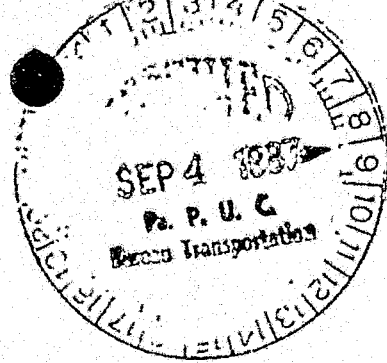
Hoy Transfer, Inc.
1801 Atherton Street
State College, Pa. 16803



KRINER, KOERBER AND KIRK
ATTORNEYS-AT-LAW
116 NORTH SECOND STREET
P. O. BOX 1320
CLEARFIELD, PENNSYLVANIA 16830

(814) 765-0611

September 2, 1987



WILLIAM C. KRINER
DWIGHT L. KOERBER, JR.
ALAN F. KIRK

COUNSEL TO THE FIRM
WILLIAM T. DAVIS

Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

RECEIVED

SEP 8 1987

RE: HOY TRANSFER, INC.
A-85095, F.2, Am-A

SECRETARYS OFFICE
Public Utility Commission

Dear Mr. Rich:

I am transmitting herewith the original and one copy of the Protest of Krebs Moving & Storage, Inc., in opposition to the above application. As shown, a copy has been served upon applicant's representative.

I am enclosing an additional copy of this letter of transmittal, and would ask that you affix onto this letter the date upon which the subject Protest is received, and then return the letter to me. A self-addressed, stamped envelope has been enclosed for that purpose.

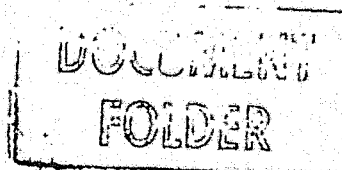
Very truly yours,

Dwight L. Koerber, Jr.
Dwight L. Koerber, Jr.

cc: Krebs Moving & Storage, Inc.
Herbert R. Nurick, Esquire

Enclosures: Protest
1 copy
Copy of letter
Envelope

DLK/jsr



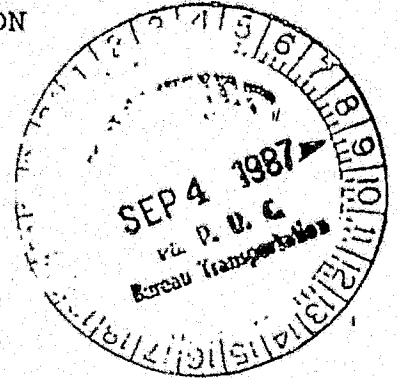
RECEIVED

SEP 3 1987

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARYS OFFICE
Public Utility Commission

HOY TRANSFER, INC.
A-85095, F.2, Am-A



PROTEST OF
KREBS MOVING & STORAGE, INC.

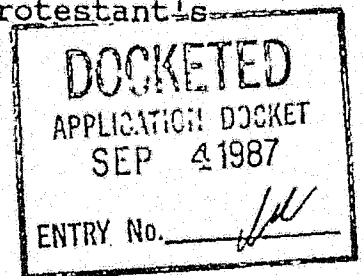
COMES NOW, KREBS MOVING & STORAGE, INC., a motor common carrier holding operating authority from the Pennsylvania Public Utility Commission, and files this, its Protest to the above application. A copy of the publication of that application is attached hereto as Appendix A.

1. The name and address of Protestant are as follows:

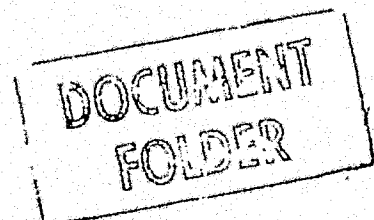
Krebs Moving & Storage, Inc.
111 Merrill Street
Clearfield, PA 16830

2. The name, address and telephone number of Protestant's attorney are as follows:

Dwight L. Koerber, Jr., Esquire
KRINER, KOERBER AND KIRK
110 North Second Street
P. O. Box 1320
Clearfield, PA 16830
(814) 765-9611



3. Protestant is ready, willing and able to provide all or part of the services proposed herein, consistent with its operating authority and equipment.



4. Protestant specializes in the transportation of household goods under the operating authority issued to it in Docket No. A-107380. Attached hereto as Appendix B is a copy of the said operating authority.

5. It is Protestant's position that granting this application would be contrary to the public interest, as it would have an adverse impact upon the operations of Protestant by depriving it of traffic necessary to Protestant's operations.

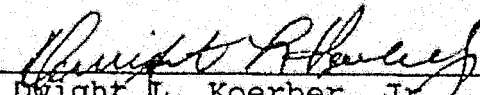
6. At this time, protestant's interest would be satisfied with a restrictive amendment that would delete from the application all authority conflicting with that currently held by protestant.

7. Protestant requests, pursuant to Section 333(c) of the Public Utility Code, that applicant furnish it with the names of supporting shippers and a summary of their testimony.

Respectfully submitted,

KRINER, KOERBER AND KIRK

By:

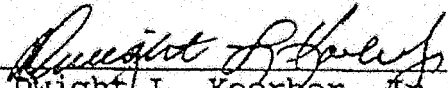

Dwight L. Koerber, Jr.
Attorney for Protestant
KREBS MOVING & STORAGE, INC.

DATE: September 2, 1987

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of September, 1987, I have served a copy of the foregoing Protest upon applicant's representative, by first class mail, at the following name and address:

Herbert R. Nurick, Esquire
100 Pine Street, P. O. Box 1166
Harrisburg, PA 17108-1166


Dwight L. Koerber, Jr.

APPENDIX A

Attached hereto is a copy of the publication of the application of Hoy Transfer, Inc., in A-85095, F.2, Am-A, as it appeared in the Pennsylvania Bulletin on August 29, 1987.

points in the counties of Bradford, Sullivan, Susquehanna, Tioga and Wyoming. Attorney: Herbert R. Nurick, 100 Pine Street, P. O. Box 1166, Harrisburg, Pa. 17108-1166.

Applications of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of *property* as described under each application.

A-00024369, Folder 10, Am-J. Friedman's Express, Inc. (Main Road, Dorrance, Luzerne County, Pa. 18707), a corporation of the State of Delaware, *inter alia*—property as dealt in by department stores, between points in the counties of Wayne, Lackawanna, Luzerne, Northumberland, Schuylkill, Carbon, Monroe, Northampton, Lehigh, Berks, Montgomery, Bucks, Columbia and Philadelphia; *so as to permit* the transportation of property between the Pennsylvania facilities of Boscov's Department Stores, Inc., and from said facilities, to points in Pennsylvania, and vice versa. Attorney: Maxwell A. Howell, 2554 Massachusetts Avenue, N.W., Washington, DC 20008.

A-00085095, Folder 2, Am-A. Hoy Transfer, Inc. (1801 Atherton Street, State College, Centre County, Pa. 16803), a corporation of the Commonwealth of Pennsylvania, *inter alia*—household goods and office furniture in use from points in the borough of State College, Centre County and within an airline distance of 12 miles of the limits of said borough to points in Pennsylvania, and vice versa: *so as to permit* the transportation of 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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union, and from points in said counties to points in Pennsylvania, and vice versa. Attorney: Herbert R. Nurick, 100 Pine Street, P. O. Box 1166, Harrisburg, Pa. 17108-1166.

A-00087857, Folder 2, Am-K. R. J. Glass, Inc. (P. O. Box 337, Newry, Blair County, Pa. 16665), a corporation of the State of Delaware, *inter alia*—sand, in bulk in truckloads, from the Pennsylvania Glass Sand Corporation in the boroughs of Mapleton, Huntingdon County and McVeytown, Mifflin County, to points in Pennsylvania; excluding transportation to points in the counties of Jefferson, Clarion, Forest, Cameron, Warren, McKean, Centre, Armstrong, Elk and Clearfield: *so as to permit in lieu thereof* the transportation of sand, in bulk in truckloads, from the facilities of U.S. Silica Co. located in the counties of Mifflin and Huntingdon, to points in Pennsylvania; excluding transportation to points in the counties of Jefferson, Clarion, Forest, Cameron, Warren, McKean, Centre, Armstrong, Elk and Clearfield. Attorney: John Fullerton, 407 North Front Street, Harrisburg, Pa. 17101.

A-00093415, Folder 1, Am-P. Wayne W. Sell Corporation (236 Winfield Road, Sarver, Butler County, Pa. 16055), a corporation of the Commonwealth of Pennsylvania, *inter alia*—property from the plant of Mitchell and Westerman Manufacturing Contractors in the township of Jefferson, Butler County, to points in Pennsylvania, and vice versa: *so as to permit* the transportation of (1) property, from the facilities of Pittsburgh Intermodal Terminals, Inc., located in the borough of Ambridge, Beaver County, to points in Pennsylvania, and vice versa; and (2) property, from the facilities of Freeport Terminals, Inc. located in the borough of Freeport, Armstrong County, to points in Pennsylvania, and vice versa. Attorney: John A. Pillar, 312 Boulevard of the Allies, Pittsburgh, Pa. 15222.

A-00099412, Folder 1, Am-B. Shaffer Trucking, Inc. (U. S. Route 11, P. O. Box 418, New Kingston, Cumberland County, Pa. 17072), a corporation of the Commonwealth of Pennsylvania, *inter alia*—property between points in the borough of Berrysburg, Dauphin County, and within 10 miles by the usually traveled highways of the limits of said borough: *so as to permit* the transportation of property, requiring temperature control in transit, in vehicles equipped with mechanical temperature control, between points in Pennsylvania. Attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101.

A-00099412, Folder 1, Am-C. Shaffer Trucking, Inc. (U. S. Route 11, P. O. Box 418, New Kingston, Cumberland County, Pa. 17072), a corporation of the Commonwealth of Pennsylvania, *inter alia*—foodstuffs in mechanically refrigerated equipment, for Hershey Foods Corporation, the Reese Division of Hershey Foods Corporation and Y&S Candies, Inc., subsidiary of Hershey Foods Corporation, from facilities owned, leased or used by the said companies in the counties of Cumberland, Dauphin and Lancaster, to the distribution facilities of Hershey Foods Corporation, in Silver Spring Township, Cumberland County, and vice versa: *so as to permit* the transportation of foodstuffs, in mechanically refrigerated equipment, for Hershey Foods Corporation, from facilities owned, leased or used by said company in the city of Reading, Berks County, to the county of Cumberland, and vice versa. Attorney: S. Berne Smith, 100 Pine Street, P. O. Box 1166, Harrisburg, Pa. 17108-1166.

A-00105766, F. 1, Am-C. Dunmore Company, Inc. (522 Penn Avenue, Scranton, Lackawanna County, Pa. 18503), a corporation of the Commonwealth of Pennsylvania, *inter alia*—crushed stone, crushed aggregate and bituminous concrete, between points in the city of Scranton, Lackawanna County, and points within an airline distance of 10 statute miles of the limits of said city, and from points in said area, to points located within an airline distance of 25 statute miles of the limits of the city of Scranton, Lackawanna County: *so as to permit* the transportation of road construction and road building machinery and equipment and parts thereof, between points in Pennsylvania. Attorney: Robert J. Borthwick, 121 South Main Street, Taylor, Pa. 18517.

Applications of the following for approval of the *beginning* of the exercise of the right and privilege of operating motor vehicles as common carriers for transportation of *property* by transfer of rights as described under each application.

A-00107684, Dennis W. Reefer t/d/b/a Dennis Reefer Trucking (Box 426, Rural Valley, Armstrong County, Pa. 16249)—coal between points in the counties of Arm-

APPENDIX B

Attached hereto is a copy of Protestant's operating authority in A-107380.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

A-85095
F.2

Public Meeting held August 20, 1987

Commissioners Present:

Bill Shane, Chairman
Linda C. Taliaferro
Frank Fischl
William H. Smith

Application of Krebs Moving & Storage, Inc., a corporation of the Commonwealth of Pennsylvania, for approval of the transfer to it of all of the rights authorized under the certificate issued at A-00103674 to Janet Krebs McCamley and Madeline T. Krebs, copartners, t/d/b/a Krebs Brothers Transfer Company, subject to the same limitations and conditions.

A-00107380

Kriner, Koerber and Kirk by Dwight L. Koerber, Jr. for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed March 17, 1987. Public notice of the application was given in the Pennsylvania Bulletin of April 4, 1987. No protests have been filed and the record is submitted to the Commission for its decision without an oral hearing.

Krebs Moving & Storage, Inc. (applicant), 111 Merrill Street, Clearfield, Clearfield County, was incorporated as a Pennsylvania corporation on March 4, 1987. Robert F. Greenland is president and sole stockholder of the applicant, with Tammy J. Greenland acting as secretary/treasurer.

Neither the applicant nor its officers are affiliated in any way with any corporation or person. The applicant currently holds no Pennsylvania or interstate authority.

The pro forma balance sheet of the applicant indicates that the applicant has total assets of \$50,000, consisting of motor vehicle equipment and cash. Its outstanding liabilities consist of notes

payable of \$45,000, with capital stock of \$1,000, for a net worth of \$4,000.

By agreement dated February 20, 1987, Madeline Krebs and Janet McCamley agreed to sell to Robert S. Greenland all of their Pennsylvania intrastate authority issued to them at A-00103674 for the sum of \$6,000. Robert F. Greenland is also acquiring real estate for \$50,000 (land - \$5,000 and buildings - \$45,000), machinery, equipment, furniture, and trade fixtures for \$35,000; inventory for \$4,000. The sales agreement also calls for Robert F. Greenland to acquire the interstate authority of Clearfield Moving and Storage, Inc. (MC-21567) whose stock is held by the transferors. The terms of payment set forth in the agreement called for Robert F. Greenland to pay to the transferor the sum of fifty thousand dollars (\$50,000) at the closing (February 26, 1987), with the balance of forty-five thousand dollars (\$45,000) to be paid over a ten (10) year period at ten (10) percent interest per annum, with the transferee to execute a promissory note.

On March 10, 1987, Robert F. Greenland assigned to the applicant "any rights and interests that he as an individual has in the February 20, 1987 contract entered into with Janet F. McCamley and Madeline T. Krebs including, but not limited to, the right to receive all operating authority issued by the Pennsylvania Public Utility Commission and the Interstate Commerce Commission to the said sellers...".

The annual reports of the transferor for 1986, 1985 and 1984, indicate that it had total revenue of \$75,889, \$74,890 and \$58,884, respectively. The transferor has filed all due reports and has insurance on file. Its assessments for the year 1987 are paid.

We find:

1. That the applicant is fit to hold a certificate of public convenience.
2. That there is a continuing need for the rights herein involved; THEREFORE,

IT IS ORDERED: That the application for transfer of all of the rights held by Janet Krebs McCamley and Madeline T. Krebs, copartners, t/d/b/a Krebs Brothers Transfer Company at A-00103674, be and is hereby approved, granting the following rights:

- (1) To transport, as a Class B carrier, property, between points in the borough of Clearfield, Clearfield County.
- (2) To transport, as a Class C carrier, property, from points in the borough of Clearfield and within five (5) miles by the usually traveled highways of Clearfield County Court House to points within

twenty-five (25) miles by the usually traveled highways of the said Court House.

- (3) To transport, as a Class B carrier, property, between points in the city of DuBois, Clearfield County.
- (4) To transport, as a Class C carrier, property, from points in the city of DuBois, Clearfield County, to points within twenty-five (25) miles by the usually traveled highways of the limits of said city.
- (5) To transport, as a Class D carrier, property of the Great Atlantic & Pacific Tea Company from railroad cars or sidings in the borough of Clearfield, Clearfield County, to Great Atlantic & Pacific Tea Company stores located within fifty (50) miles by the usually traveled highways of the limits of said borough.
- (6) To transport, as a Class D carrier, for Harbison-Walker Refractories Company between the plants of the said company located at Clearfield, Woodland, Wallaceton, Chester Hill and Barrett, Clearfield County, and Retort, Centre County.
- (7) To transport, as a Class D carrier, used machinery for repairs or replacement between Woodland, Wallaceton, Chester Hill and Barrett, Clearfield County, Retort, Centre County, and the Clearfield Machine Company located in the borough of Clearfield, Clearfield County.
- (8) To transport, as a Class D carrier, oil, grease and tires from the bulk plant of the Standard Oil Company of Pennsylvania located in the borough of Clearfield, Clearfield County, to the bulk plant of said company located at Vail, Blair County and return of empty containers.
- (9) To transport, as a Class D carrier, property for the Great Atlantic & Pacific Tea Company, from the borough of Clearfield, Clearfield County, to points in Curwensville, DuBois, Sykesville, Barnesboro, Hastings, Coalport, Houtzdale, Philipsburg, Snow Shoe, Reynoldsville, Glen Campbell, Spangler, Patton, Madera, Osceola Mills, Winburne and Clearfield.
- (10) To transport, as a Class D carrier, personal effects and property used or to be used in a

dwelling when a part of the equipment or supply of such dwelling, in connection with a removal by a householder from one house or dwelling 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 a removal from one location to another; and 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 the borough of Clearfield Clearfield County, and within an airline distance of fifteen (15) statute miles of the limits of the said borough and from points in the said borough and territory to points in Pennsylvania, and vice versa.

- (11) To transport, as a Class D carrier, personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling, in connection with a removal by a householder from one house or dwelling to another; furniture, fixtures, equipment and 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 a removal from one location to another, and 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, from points in the city of DuBois, Clearfield County, to points in Pennsylvania, and vice versa.
- (12) To transport, as a Class D carrier, personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling, in connection with a removal by a householder from one house or dwelling 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 a removal from one location to another; and 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 the township of Karthaus, Clearfield County, and within an airline distance of ten (10) statute miles of the limits of said township and from points in the said township and territory to points in Pennsylvania, and vice versa, excluding service to or from points in the county of Elk, except as hereinabove authorized.

with Rights No. 10, 11 and 12, subject to the following conditions:

That the service authorized is limited to commodities which, because of their unusual nature or value, require specialized handling and equipment usually employed in the moving of household goods..

That the service authorized is limited to deliveries to the home, establishment or place of business of the ultimate user thereof, where such property shall be uncrated and placed for use and not for purpose of resale.

- (13) To transport, as a Class D carrier, uncrated manufactured products, materials and equipment from the plant of Tafco, Inc., in the township of Lawrence, Clearfield County, to points in Pennsylvania, and the return of rejected and damaged products, materials and equipment.

subject to the following general conditions:

1. 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 rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.

3. That the applicant charge to Account 1550, Other Intangible Property, \$6,000, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above; and subject to further adjustment due to any normal interim transactions to the date of actual transfer.
4. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
5. That the certificate holder shall comply with all of the provisions of the Public Utility Code as now existing or as may hereafter be amended, and 52 Pa. Code §31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.
6. 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 entity, without the prior filing of an application and approval thereof by the Commission under 66 PA C.S.A. §1102(3).

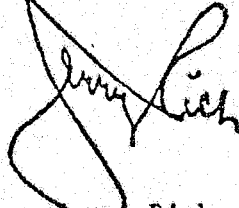
IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and a tariff establishing just and reasonable rates.

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.

IT IS FURTHER ORDERED: That upon compliance with this order, the rights granted the transferor, Janet Krebs McCamley and Madeline T. Krebs, copartners, t/d/b/a Krebs Brothers Transfer Company at A-00103674 be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized, looped scribble.

Jerry Rich
Secretary

(SEAL)

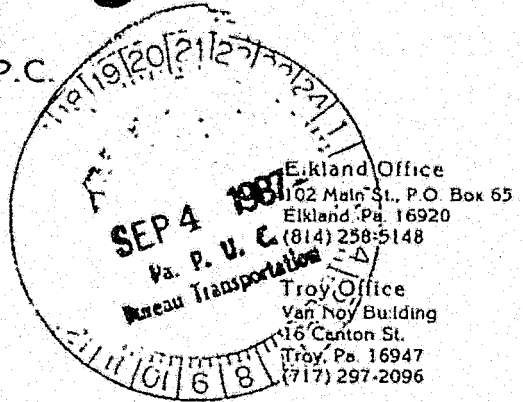
ORDER ADOPTED: August 20, 1987

ORDER ENTERED: AUG 28 1987

OWLETT & LEWIS, P.C.
ATTORNEYS AT LAW

Edwin A. Glover
Edward H. Owlett
John D. Lewis
Raymond E. Ginn, Jr.
Edward H. Owlett III
Thomas M. Owlett

One Charles Street
P.O. Box 878
Wellsboro, Pa. 16901
(717) 724-1000



Reply to: Wellsboro

September 3, 1987

RECEIVED

SEP 4 1987

The Honorable Jerry Rich, Secretary
Pennsylvania Public Utility Commission
North Office Bldg., P. O. Box 3265
Harrisburg, PA 17120

SECRETARYS OFFICE
Public Utility Commission

In Re: Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

Protest of Fiamingo Moving and Storage, Inc.
A-00104227

FILE

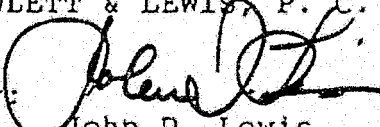
Dear Secretary Rich:

I have enclosed for filing the Protest of Fiamingo Moving and Storage, Inc. to the above-captioned application.

I have this day mailed a copy of the Protest to the applicant's attorney.

Very truly yours,

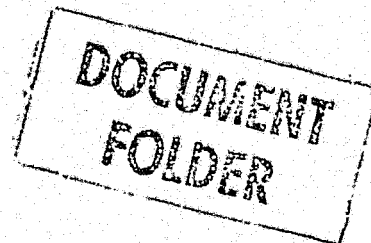
OWLETT & LEWIS, P. C.

By: 
John D. Lewis

JDL:mjw
File #

Encl.

cc Fiamingo Moving & Storage, Inc.
Herbert R. Nurick, Esq.



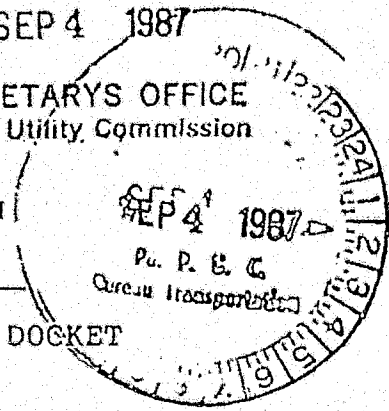
RECEIVED

SEP 4 1987

SECRETARYS OFFICE
Public Utility Commission

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION



IN RE: APPLICATION OF : APPLICATION DOCKET
Hoy Transfer, Inc. :
: A-00085095, Folder 2, Am-A

PROTEST

FILE

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The applicant's name and the docket number of the application are as above set forth.

2. The name, business address and telephone number of the protestant are as follows:

Fleming Moving and Storage, Inc.
P. O. Box 678, R.D.#3
Mansfield, PA 16933

Telephone: (717) 652-3171

3. The name, business address and telephone number of the protestant's attorney are as follows:

John D. Lewis, Esq.
OWLETT & LEWIS, P.C.
Attorneys at Law
One Charles Street
P. O. Box 878
Wellsboro, PA 16901

(717) 724-2900

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 8 1987
ENTRY No. *111*

4. Protestant is interested in the instant application because the grant of the additional authority requested would not serve a useful public purpose, responsive to a public demand or need, and would endanger or impair the operations of existing common carriers to such an extent that, on balance, the granting of said authority would be contrary to the public interest.

5. Protestant operates under Commission Docket Number A-00104227, being a transfer of all rights previously granted to Anthony D. Fiamingo, t/a Fiamingo Moving and Storage under the certificate issued at A-00098031. Copies of the portions of protestants' authority upon which its protest is predicated are attached to this protest.

6. The following restrictive amendment, if accepted by the Commission, would result in the withdrawal of this Protest:

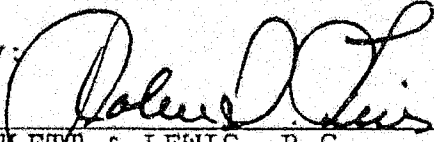
"PROVIDED that no right, power or privilege is granted to transport the above named commodities to, from or between points in the Counties of Clinton and Union."

7. This protest applies to the permanent authority application only.

WHEREFORE, Protestant respectfully prays that the above-captioned application be dismissed.

Protestant: Fiamingo Moving and Storage, Inc.
R.D.#3, Box 678
Mansfield, PA 16933
(717) 662-3171

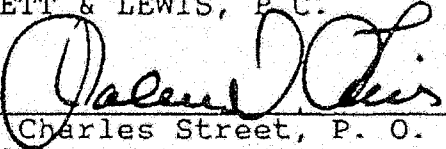
By:


OWLETT & LEWIS, P.C.
Attorneys for Protestant

I hereby certify that a copy of this Protest has this day been served by mailing a copy thereof to the Applicant or Applicant's attorney as shown by the Pennsylvania Bulletin, Vol. 17, No. 35 dated August 29, 1987 and as indicated below.

OWLETT & LEWIS, P.C.

By:


One Charles Street, P. O. Box 878
Wellsboro, PA 16901
(717) 724-2900

Date:

8/3/87

cc: Fiamingo Moving and Storage, Inc.
Herbert R. Nurick, Esq.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held November 19, 1982

Commissioners Present:

Susan M. Shanahan, Chairman
Michael Johnson
James E. Cowley
Linda C. Taliaferro
Clifford L. Jones

Application of Fleming Moving and Storage, Inc., for approval of the transfer to it of all of the operating rights held by Anthony D. Fleming, t/a Fleming Moving and Storage at A-00098031.

A-00104227

ORDER

BY THE COMMISSION:

By application docketed August 4, 1982, Fleming Moving and Storage, Inc., a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of all the rights granted to Anthony D. Fleming, t/a Fleming Moving and Storage under the certificate issued at A-00098031.

We find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by Anthony D. Fleming, t/a Fleming Moving and Storage at A-00098031 be approved and that a certificate be issued to the applicant granting the following rights:

23. 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 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, hospital or other establishments, in connection with the removal from one location to another; and 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 the counties of Potter, Clinton, Tioga and Union, and from said counties to points in Pennsylvania, and vice versa; and between points in the county of Sullivan, and from points in said county to points in Pennsylvania, and vice versa;

with right number 23 above subject to the following condition:

That no right, power or privilege is granted to provide service to or from points in the city of Lock Haven, Clinton County, and within 10 miles by the usually traveled highways of the limits of the said city.

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Herbert R. Nurick
100 Pine St.
P.O. Box 1166
Harrisburg, PA 17108

DOCKETED
SEP 09 1987

September 3, 1987

CR 125856 A

In re application of Hoy Transfer, Inc.
A-00085095, F.2, Am-A.....\$125.00

DOCKET
FOLDER

Revenue account 001780-017601-102 (ck)

ck 84225 Dollars \$125.00

Currency

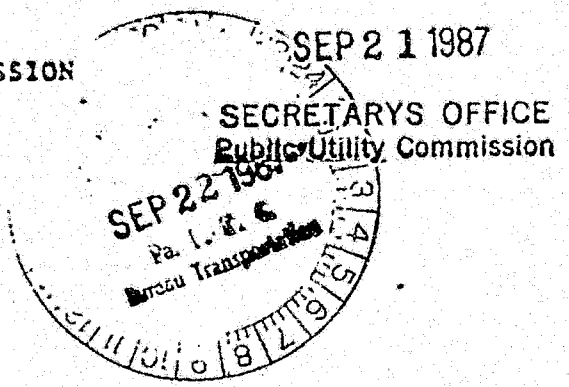
Utility account

50126

C. Joseph Malsinger
For Department of Revenue

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION



A. 85095 F2; Am-A
HOY TRANSFER, INC.

PROTEST

Authority sought: SO AS TO PERMIT household goods (broad form description), electronic equipment, etc between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union and from points in said counties to points in PA and vv.

1. Protestant(s) is (are) :

See attached

FILE

2. The name and address of protestant's attorney are:

John E. Fullerton
407 N. Front St.
Harrisburg, PA 17101

3. Protestant(s) hold operating rights which conflict with the instant application, copy attached. Copies of the Parks Group and Yeagle operating rights being mailed under separate cover.

4. Protestant(s) provide an adequate and satisfactory service within the scope thereof.

5. To the extent of the conflict, there is no need for the proposed service.

6. The only amendment which will satisfy protestant(s) is the exclusion of the conflicting authority from the instant application.

John E. Fullerton
JOHN E. FULLERTON
Attorney for Protestant(s)

Dated: September 21, 1987

CERTIFICATE OF SERVICE

I certify that a copy of this protest has been served upon applicant's attorney by first class US mail, postage prepaid.

cc: Herbert Nurick, Esq.
Box 1166
Harrisburg, PA 17108

John E. Fullerton
JOHN E. FULLERTON

As required by Section 333(c) of the Code, please furnish forthwith the identity of the shipper witnesses supporting this application and the subject matter of their expected testimony. Failure to do so will be the basis of a Motion to Dismiss.

DOCUMENT
FILED

DOCKETED
SEP 21 1987
ENTRY No. *10*

A. 85095 F2, Am-A
HOY TRANSFER, INC.

PROTESTANTS

Camp Curtin Transfer Inc.
Centre Carriers Corp.
Independent Freightway Inc.
J J Brandt Moving & Storage Co.
Lindeman Moving Co.
Movers World Inc.
Parks Moving & Storage Inc. A. 97208
B & B Systems Inc. A. 105085
Tosh Moving & Storage Inc. A. 98380
Parks Moving Systems Inc. A. 103329
A. Yeagle's Moving & Storage Corp. A. 97815

CAMP CURTIN TRANSFER INC
2440 Jefferson St.
Harrisburg, PA 17110
(717) 234-3145

PA INTRASTATE OPERATING RIGHTS

A. 87591

A-85095 F.2

- (1) To transport, as a Class D carrier, property, including household goods and office furnishings in use, commercial and industrial furniture and equipment in use, between points in the City of Harrisburg, Dauphin County, and within ten (10) miles, by the usually traveled highways, of the limits of said city.
- (2) To transport, as a Class D carrier, ice between points in the City of Harrisburg and within twenty-five (25) miles, by the usually traveled highways, of the limits of said city.
- (3) To transport, as a Class D carrier, household goods and office furnishings in use, commercial and industrial furniture and equipment in use, from points in the City of Harrisburg and within ten (10) miles, by the usually traveled highways, of the limits of said city to other points in Pennsylvania and vice versa.
- (4) To transport, as a Class D carrier, band instruments and accessories and equipment for musical organizations from the City of Harrisburg to points within seventy-five (75) miles, by the usually traveled highways, of the limits of said city and vice versa.
- (5) 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 equipment or supply of such dwelling, as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and 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 a removal from one location to another; and 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 the City of Harrisburg, Dauphin County, and within fifty (50) miles by the usually traveled highways of the limits of the said city, and from points in the said territory to other points in Pennsylvania, and vice versa;

CENTRE CARRIERS CORP.

A. 103539

2580 Clyde Ave.
State College, PA 16801
(814) 238-6751

To transport, as a Class D carrier, household goods in use from points in the borough of State College, Centre County, and within an airline distance of twenty (20) miles of said borough limits, excluding Philipsburg, Tyrone, Huntingdon and Lewistown, to other points in Pennsylvania, and vice versa.

To transport, as a Class D carrier, household goods and office furnishings, in use, from points in the borough of Lewistown, Mifflin County, and within an airline distance of three (3) statute miles of the limits of said borough, to other points in Pennsylvania within fifty (50) miles by the usually traveled highways of the points of origin, and vice versa.

To transport, as a Class D carrier, household goods in use, from points in the city of Lock Haven, Clinton County, and within ten (10) miles, by the usually traveled highways of the limits of said city, to other points in Pennsylvania, and vice versa;

To transport, as a Class D carrier, household goods in use, between points in the Borough of Alexandria, Huntingdon County, and within fifty (50) miles, by the usually traveled highways, of the limits of said borough.

Folder 1, Am-B : Class D -

household goods in use for Pennsylvania State University between points in PA excluding service to and from the city of DuBois, Clearfield County.

BOX 7013
ROCKFORD, IL 61125
(815) 395-1112

A. 107087 INDEPENDENT FREIGHTWAY INC.

2. To transport, as a Class D carrier, property between points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough;
3. To transport, as a Class D carrier, household goods in use from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania and vice versa;
4. To transport, as a Class D carrier, rayon and rayon products from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to points in Pennsylvania, east of a north and south line from the center of the City of Harrisburg, Dauphin County, and the return of accessories;
5. To transport, as a Class D carrier, milk from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to the city of Lancaster, Lancaster County, and the city and county of Philadelphia;
6. To transport, as a Class D carrier, groceries and returned milk cans from the city and county of Philadelphia, to points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough;
7. To transport, as a Class D carrier, castings and machinery parts from the Standard Steel Works Division of Baldwin Locomotive Works in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania in emergencies only, provided that emergency trips shall be reported to the Commission immediately after they are made;
8. To transport, as a Class D carrier, artificial silk and artificial silk products and accessories from the American Viscose Corporation, in the borough of Marcus Hook, Delaware County, and from points in the township

222 N. Ninth St.
Lebanon, PA 17042
(717) 272-0427

A.105019
J. J. BRANDT MOVING & STORAGE CO.

1. To transport, as a Class D carrier, concrete burial vaults and paint materials between points in the city of Lebanon, Lebanon County, and within three (3) miles of the limits of said city.
2. To transport, as a Class D carrier, concrete burial vaults and paint materials from points in the city of Lebanon, Lebanon County, and within three (3) miles of the limits of the said city to points within thirty (30) miles by the usually traveled highways of the limits of the said city, and vice versa.
3. To transport, as a Class D carrier, property between points in the city of Lebanon, Lebanon County, and within ten (10) miles by the usually traveled highways of the limits of said city.
4. To transport, as a Class D carrier, household goods in use between points in the county of Lebanon.
5. To transport, as a Class D carrier, household goods in use from points in the county of Lebanon to points in Pennsylvania, and vice versa;

2010 Greenwood St.
Harrisburg, PA 17104
(717)236-9044

A. 101662
LINDEMAN MOVING CO, INC.

A-85095
F-2

1. To transport, as a Class B carrier, property between points in the city of Harrisburg, Dauphin County.
 2. To transport, as a Class D carrier, property for United Gas Improvement Company, Harrisburg, Gas Division, and Loose-Wiles Biscuit Company, and household goods in use from points in the city of Harrisburg, Dauphin County, to other points in Pennsylvania, and vice versa.
 3. To transport, as a Class D carrier, products of the National Biscuit Company from its plant in the city of Harrisburg, Dauphin County, to points within thirty-five (35) miles by the usually traveled highways of the limits of said city and to the borough of Mifflintown, Juniata County, and the return of refused or damaged goods;
- with rights Nos. 1, 2 and 3 above subject to the following conditions:

That all transportation be limited to shipments where the goods of one consignor are on the truck at one time.

4. 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 equipment or supplies of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supplies of such stores, offices, museums, institutions, hospitals or other establishments; objects of art, furniture, displays, exhibits, musical instruments and any articles requiring specialized handling and equipment usually employed in moving household goods, in use, between points in the city of Harrisburg, Dauphin County, and within an airline distance of ten (10) statute miles of the limits of the said city and from said area to points in Pennsylvania, and vice versa.
5. To transport, as a Class D carrier, property for Western Electric Corporation and American Telephone and Telegraph Company between points in the city of Harrisburg, Dauphin County, and within an airline distance of five (5) statute miles of the limits of the said city;

Folder 1, AM-A

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 equipment or supplies of such dwelling, in connection with the removal by a householder from one house or dwelling to another; furniture, fixtures, equipment and said property of stores, offices, museums, institutions, and hospitals

or other establishments, when a part of the stock, equipment or supplies of said stores, offices, museums, institutions, hospitals, or other establishments, in connection with a removal from one location to another; and objects of art, furniture, displays, exhibits, musical instruments, and any articles, in use requiring specialized handling and equipment usually employed in moving household goods in use:

1. Between points in the borough of Huntingdon, Huntingdon County, and from points in said borough to other points in Pennsylvania, and vice versa.

2. From points in the borough of Huntingdon, Huntingdon County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough, to other points in Pennsylvania, and vice versa.

3. Between points in the village of Dalmatia, Northumberland County, the boroughs of Mifflinburg, Union County, Hartleton, Union County, Watsonstown, Northumberland County and Danville, Montour County, and the city of Shamokin, Northumberland County and intermediate points included in the territory bounded by these places; and from points in said territory to points in Pennsylvania, and vice versa.

4. Between points in the borough of Lewistown, Mifflin County, and within twenty-five (25) miles by the usually traveled highways of the limits of said borough; and from points in said territory to points in Pennsylvania, and vice versa.

5. Between points in the county of Juniata; and from points in said county to points in Pennsylvania, and vice versa.

6. Between points in the borough of Mt. Union, Huntingdon County, and within twenty (20) miles by the usually traveled highways of the limits thereof (except those points within twenty-five (25) miles by the usually traveled highways of the limits of the borough of Lewistown, Mifflin County); and from points in said territory to points in Pennsylvania, and vice versa.

A. 105520

MOVERS WORLD, INC.

5621 Allentown Blvd
Harrisburg, PA 17112
(717) 657-2010

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, between points in the City and County of Philadelphia and from points in said city to other points in Pennsylvania within an airline distance of fifty (50) miles of the Philadelphia City Hall, and vice versa.

To transport, as a Class D carrier, household goods, aircraft and other personal property, in use, including furniture, furnishings, stock and fixtures, equipment and works of art, between points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not including said places.

To transport, as a Class D carrier, household goods, aircraft and other personal property, in use, including furniture, furnishings, stock and fixtures, equipment and works of art, from points in the counties of Philadelphia, Delaware, Chester, Montgomery and Bucks, included within a line which connects the boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not including said places, to other points in Pennsylvania, and vice versa.

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 equipment of 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 a removal from one location to another; and 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 the city of Harrisburg, Dauphin County, and within ten (10) miles by the usually traveled highways of the limits of said city and from points in said city and said territory to points in Pennsylvania, and vice versa.

Folder 1, Am-B

Class D - household goods and office furniture in use between points in the city of Pittsburgh, Allegheny County and from points in said city to points in Allegheny County and vice versa.

A: 97815

A. YEAGLE'S MOVING & STORAGE CO.

20 N. Hampton St.
Lock Haven, PA 17745

PA OPERATING RIGHTS

Household goods in use:

1. between points in the city of Lock Haven, Clinton County and within 10 highway miles of the limits of said city and from points in said territory and the borough of Jersey Shore, Lycoming County to points in PA and vice versa excluding the city of Williamsport, Lycoming County AS A POINT OF ORIGIN.

2. between points in Karthaus Twp, Clearfield County and within 25 miles of the limits of said township and from points in said territory to other points in PA and vice versa excluding service to or from the borough of Clearfield, Clearfield County and within 15 miles of the limits of said borough except as presently authorized.

PA OPERATING RIGHTS

To transport, as a Class D carrier, household goods and office furniture, in use, between points in the borough of Freedom, Beaver County, and within forty (40) miles, by the usually traveled highways, of the limits of the said borough.

To transport, as a Class D carrier, household goods and office furnishings in use, from points in the county of Beaver, to other points in Pennsylvania, and vice versa.

To transport, as a Class D carrier, tabulating machines, calculating machines, computers, copying machines, electronic equipment and other business machines and equipment, which because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, and parts, materials and supplies used in connection therewith, (1) between points in the borough of Freedom, Beaver County, and within forty (40) miles by the usually traveled highways of the limits of said borough; and (2) from points in the county of Beaver, to points in Pennsylvania, and vice versa.

A. 104390
PARKS MOVING SYSTEMS, INC.

PA OPERATING RIGHTS

A-85095 F.2

1. To transport, as a Class D carrier, household goods and office furniture, store fixtures and commercial and industrial office furniture and equipment in use from points in the city of Harrisburg, Dauphin County, and within ten (10) miles by the usually traveled highways of the limits of said city, and from the borough of Duncannon, the village of Perdix, Perry County, the borough of Halifax and the villages of Speeceville and Matamoras, Dauphin County,

and within five (5) miles by the usually traveled highways of the limits of said boroughs and villages to points in Centre County, and vice versa.

2. 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 equipment or supplies of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supplies of such stores, offices, museums, institutions, hospitals or other establishments; objects of art, furniture, displays, exhibits, musical instruments and any articles requiring specialized handling and equipment usually employed in moving household goods in use from points in the City of Harrisburg, Dauphin County, and within fifty (50) miles by the usually traveled highways of the limits of said city to points in the County of Centre and vice versa;

with right no. 2 above subject to the following condition:

With respect to the last right, no right, power or privilege is granted to render any service between points within fifteen (15) miles of the borough of Carlisle, Cumberland County, and from points in said territory to other points in Pennsylvania and vice versa.

3. 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 equipment or supplies of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establish-

ments, when a part of the stock, equipment or supplies of such stores, offices, museums, institutions, hospitals or other establishments; objects of art, furniture, displays, exhibits, musical instruments and any articles requiring specialized handling and equipment usually employed in moving household goods in use between points in the County of Centre located within an airline distance of seventy-five (75) miles of the limits of the city of

Harrisburg, Dauphin County, and from points in said territory to other points in Pennsylvania and vice versa; and said commodities between points in Centre County outside said seventy-five (75) mile territory, provided no haul shall be less than forty (40) miles from point of origin to point of destination.

with right no. 3 above subject to the following conditions:

- (a) That no right, power or privilege is granted to render any service between points within fifteen (15) miles of the borough of Carlisle, Cumberland County, and from points in said territory to other points in Pennsylvania, and vice versa.
- (b) That no right, power or privilege is granted to render service to, from or between points in the counties of Franklin and Fulton.
- (c) That no right, power or privilege is granted to render service to, from or between points in the counties of Philadelphia, Delaware, Chester, Bucks and Montgomery, included within a line which connects the municipal boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not including said places.
- (d) That no right, power or privilege is granted to render service to, from or between points in the county of Allegheny.
- (e) That no right, power or privilege is granted to render service to, from or between points in the territory bounded by, but excluding, Ashley, Nanticoke, Shickshinny, Berwick, Mainville, Ringtown, Shenandoah, Mahanoy City, Tamaqua, Summit Hill, Mauch Chunk and Lehigh Tannery.
- (f) That no right, power or privilege is granted to render service to, from or between points in the county of Schuylkill and within twenty-five (25) miles by the usually traveled highways of the limits of the city of Pottsville.

4. To transport, as a Class D carrier, household goods in use between points in the borough of Newville, Cumberland County, and within eight (8) miles by the usually traveled highways of the limits of said borough and from points in said territory to points in Centre County, and vice versa.

5. To transport, as a Class D carrier, household goods in use from points in the borough of Carlisle, Cumberland County, and within five (5) miles by the usually traveled highways of the limits of the said borough to points in Centre County;

PA OPERATING RIGHTS

A. 97208

PARKS MOVING & STORAGE, INC.

A-85095

F.2

To transport, as a Class D carrier, personal effects and property used or to be used in a dwelling when a part of the equipment or supply of such dwelling, in connection with a removal by a householder from one house or dwelling to another; furniture, fixtures, equipment and the property of stores, offices, museums, laboratories, institutions, hospitals or other establishments, when a part of the stock, equipment, or supply of such stores, offices, museums, laboratories, institutions, hospitals or other establishments, in connection with a 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 as follows:

Between points in the county of Allegheny, and from points in said county to points in Pennsylvania, and vice versa;

Between points in the county of Greene, and from points in said county, to points in Pennsylvania, and vice versa; except that no right, power or privilege is granted to transport property which requires special handling or the use of special equipment such as winch trucks, or tractors, pole or extendible trailers, or carryalls which require a highway permit from the Department of Transportation of the Commonwealth of Pennsylvania;

Between points in the county of Fayette, and from points in said county to points in Pennsylvania, and vice versa; subject to the following condition:

That the authority granted is limited to deliveries to the home, establishments or places of business of the ultimate user thereof where such property, if crated, shall be uncrated and placed for exhibition or use and not for the purpose of resale; except the city of Uniontown, Fayette County, and within fifteen (15) miles by the usually traveled highways of the limits of said city;

Between points in the city of Latrobe and within twenty (20) miles by the usually travelled highways of the limits of said city, and from points in said area to points in Pennsylvania, and vice versa, except as follows: service between points in the city of Greensburg, and to or from the cities of Greensburg and Jeannette and the borough of Irwin, Westmoreland County and the borough of Blairsville, Indiana County is limited to service to or from points within the twenty (20) mile radius of Latrobe, except as authorized in other rights;

Between points in the city of Washington and within fifteen (15) miles by the usually traveled highways, of the limits of said city, and from said area to other points in Pennsylvania, and vice versa;

Between points in the city of Monessen, Westmoreland County and within fifteen (15) miles by the usually traveled highways of the limits of said city, and from said area to other points in Pennsylvania, and vice versa.

Between points in the boroughs of Aliquippa, Ambridge, South Heights, Shippingport, Georgetown and Hookstown and the townships of Hopewell, Center, Potter, Raccoon, Independence and Greene, Beaver County;

and from points in Beaver County, to points in Pennsylvania, and vice versa.

To transport as a Class D Carrier, household goods and office furnishings in use, between points in the County of Beaver, Pennsylvania.

To transport, as a Class D carrier, tabulating machines, calculating machines, computers, copying machines, electronic equipment and other business machines and equipment, which because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, and parts, materials and supplies used in connection therewith, (1) between points in the county of Allegheny, and from points in the said county to points in Pennsylvania, and vice versa; (2) between points in the county of Fayette, and from points in said county, to points

in Pennsylvania, and vice versa; (3) between points in the county of Greene, and from points in the said county to points in Pennsylvania, and vice versa; (4) from points in the county of Beaver to points in Pennsylvania, and vice versa; (5) from points in the county of Butler, to points in Pennsylvania, and vice versa; (6) between points in the city of Latrobe, and within twenty (20) miles by the usually traveled highways of the limits of said city, and from points in said area, to points in Pennsylvania, and vice versa, except as follows: service between points in the city of Greensburg, and to or from the cities of Greensburg and Jannette and the borough of Irwin, Westmoreland County, and the borough of Blairsville, Indiana County, is limited to service to or from points within the twenty (20) mile radius of Latrobe; (7) between points in the city of Washington and within fifteen (15) miles by the usually traveled highways of the limits of said city, and from points in the said area to points in Pennsylvania, and vice versa;

(8) between points in the city of Monessen, Westmoreland County and within fifteen (15) miles by the usually traveled highways of the limits of said city, and from points in the said area to points in Pennsylvania, and vice versa; (10) between points in the boroughs of Aliquippa, Ambridge, South Heights, Shippingport, Georgetown and Hookstown and the townships of Hopewell, Center, Potter, Raccoon, Independence and Greene, Beaver County; (11) between points in the county of Lawrence and from points in the said county, to points in Pennsylvania, and vice versa; and (12) from points in the borough of Grove City, Mercer County, and within fifteen (15) miles by the usually traveled highways of the limits of said borough, to points in Pennsylvania, and vice versa.

PA OPERATING RIGHTS
A. 98380
TOSH MOVING & STORAGE, INC.

A-85095 F.2

1. To transport, as a Class B carrier, property between points in the city of Harrisburg, Dauphin County, and within five (5) miles by the usually traveled highways of the limits of said city.
2. To transport, as a Class C carrier, property from points in the city of Harrisburg, Dauphin County, and within five (5) miles by the usually traveled highways of the limits of said city to points within ten (10) miles by the usually traveled highways of the limits of said city.
3. To transport, as a Class D carrier, furnaces, building supplies and household goods and office furniture, store fixtures and commercial and industrial office furniture and equipment in use between points in the city of Harrisburg, Dauphin County, and within ten (10) miles by the usually traveled highways of the limits of said city.
4. To transport, as a Class B carrier, household goods and office furniture, store fixtures and commercial and industrial office furniture and equipment in use between points in the borough of Duncannon, the village of Perdix, Perry County, the borough of Halifax and the villages of Speecheville and Matamoras, Dauphin County, and within five (5) miles by the usually traveled highways of the said boroughs and villages.
5. To transport, as a Class D carrier, household goods and office furniture, store fixtures and commercial and industrial office furniture and equipment in use from points in the city of Harrisburg, Dauphin County, and within ten (10) miles by the usually traveled highways of the limits of said city, and from the borough of Duncannon, the village of Perdix, Perry County, the borough of Halifax and the villages of Speecheville and Matamoras, Dauphin County, and within five (5) miles by the usually traveled highways of the limits of said boroughs and villages to other points in Pennsylvania and vice versa.
6. To transport, as a Class D carrier, furnaces and building supplies from points in the city of Harrisburg, Dauphin County, to points in the county of Dauphin.

7. To transport, as a Class D carrier, property for Schmidt Baking Company, and for telegraph and telephone companies and monuments from the city of Harrisburg, Dauphin County, to points within twenty-five (25) miles by the usually traveled highways of the limits of said city.

8. 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 equipment or supplies of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supplies of such stores, offices, museums, institutions, hospitals or other establishments; objects of art, furniture, displays, exhibits, musical instruments and any articles requiring specialized handling and equipment usually employed in moving household goods in use between points in the city of Harrisburg, Dauphin County, and within fifty (50) miles by the usually traveled highways of the limits of said city, and from points in this territory to other points in Pennsylvania and vice versa;

with right No. 8 above subject to the following condition:

That no right, power or privilege is granted to render any service between points within fifteen (15) miles of the borough of Carlisle, Cumberland County, and from points in said territory to other points in Pennsylvania and vice versa.

9. 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 equipment or supplies of such dwelling; furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supplies of such stores, offices, museums, institutions, hospitals or other establishments; objects of art, furniture, displays, exhibits, musical instruments and any articles requiring specialized handling and equipment usually employed in moving household goods in use between points in the city of Harrisburg, Dauphin County, and within an airline distance of seventy-five (75) miles of the limits of said city, and from points in said territory to other points in Pennsylvania and vice versa; and said commodities between points in Pennsylvania outside said seventy-five (75) mile territory, provided no haul shall be less than forty (40) miles from point of origin to point of destination;

with right No. 9 above subject to the following conditions:

That no right, power or privilege is granted to render any service between points within fifteen (15) miles of the borough of Carlisle, Cumberland County, and from points in said territory to other points in Pennsylvania, and vice versa.

That no right, power or privilege is granted to render service to, from or between points in the counties of Franklin and Fulton, except as authorized herein.

That no right, power or privilege is granted to render service to, from or between points in the counties of Philadelphia, Delaware, Chester, Bucks and Montgomery, included within a line which connects the municipal boundaries of Chester, West Chester, Paoli, Norristown, Doylestown and Morrisville, but not including said places, except as authorized herein.

That no right, power or privilege is granted to render service to, from or between points in the county of Allegheny, except as authorized herein.

That no right, power or privilege is granted to render service to, from or between points in the territory bounded by, but excluding, Ashley, Nanticoke, Shickshinny, Berwick, Mainville, Ringtown, Shenandoah, Mahanoy City, Tamaqua, Summit Hill, Mauch Chunk and Lehigh Tannery, except as authorized herein.

That no right, power or privilege is granted to render service to, from or between points in the county of Schuylkill and within twenty-five (25) miles by the usually traveled Highways of the limits of the city of Pottsville, except as authorized herein.

10. To transport, as a Class D carrier, household goods in use between points in the borough of Newville and the townships of West Pennsboro, Penn, Newton, Upper Mifflin, Lower Mifflin and Frankford, Cumberland County.
11. To transport, as a Class D carrier, household goods in use between points in the borough of Newville, Cumberland County, and within eight (8) miles by the usually traveled highways of the limits of said borough and from points in said territory to points in Pennsylvania, and vice versa.

12. To transport, as a Class D carrier, household goods in use between points in the borough of Carlisle, Cumberland County, and within eight (8) miles by the usually traveled highways of the limits of said borough.

13. To transport, as a Class D carrier, household goods in use from points in the borough of Carlisle, Cumberland County, and within five (5) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania.

14. To transport, as a Class D carrier, property between points on the following route:

Beginning at stations of Conrail (formerly The Pennsylvania Railroad and Reading Company), located outside of the borough of Muncy, Lycoming County, thence via Muncy and Highway Route 220 to Muncy Valley, thence via Highway Route 42 to Eagles Mere, Sullivan County;

and over the following alternate route or spur route:

Beginning at Muncy Valley, Sullivan County, thence via Highway Route 220 to Sonestown, thence via Highway Route 464 to Nordmont, thence via Highway Route 115 to its intersection with Highway Route 220, thence via Highway Route 220 to Laporte, thence via Highway Route 220 through Sonestown to Muncy Valley;

and over the following spur route:

Beginning at Hughesville, thence via Highway Route 642 through Pennsdale to Halls.

15. To transport, as a Class D carrier, household goods in use from points in the borough of Gettysburg, Adams County, and within three (3) miles of the limits of said borough to points in the borough of Carlisle, Cumberland County, and within fifteen (15) miles by the usually traveled highways of the limits of the borough of Carlisle, and vice versa.

16. To transport, as a Class D carrier, household goods in use from points in the borough of Hanover, York County and within three (3) miles of the limits of said borough to points in the borough of

Carlisle, Cumberland County, and within fifteen (15) miles by the usually traveled highways of the limits of the borough of Carlisle, and vice versa.

with rights Nos. 1 through 16 set forth above subject to the following condition:

That no right, power or privilege is granted to render service to, from or between points in Centre County.

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

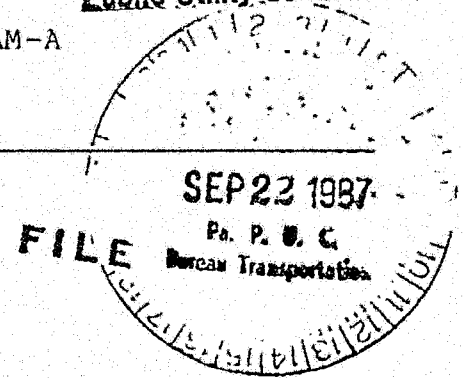
SEP 21 1987

HOY TRANSFER, INC.

SECRETARYS OFFICE
Public Utility Commission

DOCKET NO. A-00085095, F. 2, AM-A

PROTEST AND REQUEST
FOR ORAL HEARING



The motor carrier(s) shown on Appendix A hereof (herein called protestant(s)) protest the above application and request that the application be assigned for oral hearing and in support thereof respectfully represent as follows:

1. By this application, notice of which has been published in the Pennsylvania Bulletin, applicant seeks authority as set forth in Appendix A.

2. Protestant(s) hold authority from this Commission at the docket numbers shown in Appendix A and the relevant portions of the authority are attached to the protest. Unless otherwise indicated in Appendix A, protestant(s) will withdraw the protest only in the event an amendment is made which will totally eliminate the conflict between the authority sought by the application and the authority presently held by protestant(s).

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 23 1987
ENTRY No.

3. Approval of this application is neither necessary nor proper for the service, accommodation, safety or convenience of the public since (a) protestant(s) presently hold authority to provide service in the area affected by the application, (b) protestant(s) and other existing carriers are providing adequate service to the shipping public in the areas involved in the application, (c) there is no need for the service proposed by applicant and approval of the application will result in the diversion from existing carriers of tonnage and revenue necessary to sustain their existing operations, and (d) approval of the application will adversely affect protestant(s) and other existing carriers which have a substantial investment in facilities and equipment and are willing and able to provide service in the application area.

4. Protestant(s) request that the application be set for oral hearing and that applicant be required to prove by competent evidence the elements of proof required by statute. If an oral hearing is held, protestant(s) will appear and present evidence of protestant(s) own operations and particular interest(s) unless this application is amended so as to eliminate those interest(s) as set forth in this protest.

WHEREFORE, protestant(s) request that the granting of the application be withheld; the proceeding be assigned for oral hearing with leave to protestant(s) to participate fully therein; and applicant be required to make available at the

hearing competent witnesses for examination on all material and relevant facts bearing on the application.

Respectfully submitted,

LYTLE'S TRANSFER & STORAGE, INC.
GEARHARTS MOVING & STORAGE, INC.

By: William J. Lavelle
William J. Lavelle
Attorney for Protestants

VUONO, LAVELLE & GRAY
2310 Grant Building
Pittsburgh, PA 15219
(412) 471-1800
Of Counsel

Dated: September 18, 1987

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the above protest and request for oral hearing upon applicant or upon applicant's attorney or representative as shown in the Pennsylvania Bulletin notice.

Dated at Pittsburgh, Pa. this 18th day of September, 1986.

William J. Lavelle
William J. Lavelle

Re: Hoy Transfer, Inc.
Docket No. A-00085095, F. 2, Am-A

APPENDIX A

SCOPE OF AUTHORITY SOUGHT:

By application published in the Pennsylvania Bulletin on August 29, 1987, applicant seeks authority to operate as a common carrier, transporting:

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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union, and from points in said counties to points in Pennsylvania, and vice versa.

INTEREST OF PROTESTANTS:

1. Lytle's Transfer & Storage, Inc., 2309 Union Avenue, Altoona, PA 16602 (814-943-1139) holds authority at Docket No. A-00094302. It holds authority to transport the involved commodities between all points in Blair County and portions of

Centre, Clearfield and Huntingdon Counties, and from points in that territory (25 airline mile radius of the city limits of Altoona) to points in Pennsylvania, and vice versa. The authority is subject to certain limited restrictions.

2. Gearharts Moving & Storage, Inc., 812 - 7th Avenue, Juniata, Altoona, PA 16601 (814-944-5331) holds authority at Docket No. A-00094066. It is authorized under its authority at Folder 1, Am-A to transport the involved commodities between virtually all points in Blair County and portions of Clearfield and Huntingdon Counties, and from points in that territory (within 15 highway miles of the city limits of Altoona) to points in Pennsylvania, and vice versa. The second paragraph of Folder 1, Am-A also authorizes service within the application territory.

Copies of the operating authorities of the protestants are attached to the protest. They will withdraw their protests if the application is amended to exclude their interests.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 94302

Application of LYTLE'S TRANSFER & STORAGE, INC., a
corporation of the Commonwealth of Pennsylvania

REPORT AND ORDER
APPROVING TRUCKING SERVICE

A-85095 F.2

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of LYTLE'S TRANSFER & STORAGE, INC., a corporation of the Commonwealth of Pennsylvania, dated November 1, 1967, to operate motor vehicles as a common carrier, and having been duly presented in accordance with the rules of the Commission, and full investigation of the matters and things involved having been had, and it appearing that the rights granted herein are in effect a transfer of the rights which have been held by JAMES A. LYTLE (deceased), trading and doing business as LYTLE'S TRANSFER AND STORAGE, under report and order issued at A. 59734 on March 24, 1941, and the certificate of public convenience issued thereunder, as modified and amended, which certificate will be subsequently cancelled, as of the date of this order upon compliance with the tariff and insurance requirements of the Commission by LYTLE'S TRANSFER & STORAGE, INC., a corporation of the Commonwealth of Pennsylvania, the Commission finds and determines that approval of the application limited to the following rights:

To transport, as a Class D carrier, property usual to use in a household when a part of such household equipment or supply; furniture, fixtures, equipment and 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; works of art, displays, exhibits and articles requiring specialized handling and equipment usually employed in moving household goods, between points in the City of Altoona, Blair County, and within an airline distance of twenty-five (25) statute miles of the limits of said city; and from points in said territory to points in Pennsylvania, and vice versa.

subject to the following conditions:

That no right, power or privilege is granted to transport general commodities, except where the same is purely incidental to and a part of the moving or relocation of a household, store, office, museum, institution, hospital or other establishment.

OVERSIZED
DOCUMENT(S)

That no right, power or privilege is granted to render service from or to the Borough of Huntingdon, Huntingdon County, except on hauls of less than forty (40) miles from point of origin to point of destination.

That no right, power or privilege is granted to render service from or to the Borough of Philipsburg, Centre County, except on hauls of less than forty (40) miles from point of origin to point of destination, provided, however, that the certificate holder may render service from said Borough of Philipsburg to the City of Altoona and points within an airline distance of ten (10) statute miles of the limits of said city, and vice versa.

That no right, power or privilege is granted to render service from the Borough of State College, Centre County, and points within twelve (12) miles by the usually traveled highway of the limits of said borough, except to the City of Altoona, Blair County, and points within an airline distance of ten (10) statute miles of the limits of said city.

To transport, as a Class D carrier, new furniture from points in the City of Altoona, Blair County, to points in Pennsylvania, and vice versa.

and subject to the following conditions, is necessary or proper for the service, accommodation or convenience of the public:

FIRST: That the certificate holder is limited and restricted to the operation of the motor vehicles, motor and described in the equipment certificate, as so subsequently issued.

SECOND: That the approval hereby is not to be understood as constituting the Commission's approval of the operation of the motor vehicle, and that any operator of the motor vehicle shall be held responsible for the safe and proper operation of the motor vehicle, and that the certificate holder shall be held responsible for the safe and proper operation of the motor vehicle, and that the certificate holder shall be held responsible for the safe and proper operation of the motor vehicle.

THIRD: That the accounts of the transferee shall reflect the net book values as the records of the transferor at the effective date of the transfer, and, previously, the said application having been denied, the applicant shall not receive in its utility bill any amount representing the net book value of the property, the actual cost of the property, or the original value thereof.

OVERSIZE
DOCUMENT(S)

A. 94302

FOURTH: That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Revised General Order No. 29, effective July 1, 1939, or as may hereafter be revised, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

NOW, to wit, April 1, 1968, IT IS ORDERED: That upon compliance with the requirements of the Public Utility Law relating to insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate of public convenience issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty 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.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

George A. Bloom

Chairman

J. Williams
Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

A-85095F 2

Application Docket No. 94066

Application of GEARHARTS MOVING & STORAGE,
INC., a corporation of the Commonwealth of
Pennsylvania

REPORT AND ORDER
APPROVING TRUCKING SERVICE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of GEARHARTS MOVING & STORAGE, INC., a corporation of the Commonwealth of Pennsylvania, dated August 23, 1967, to operate motor vehicles as a common carrier, and having been duly presented in accordance with the rules of the Commission, and full investigation of the matters and things involved having been had, and it appearing that the rights granted herein are in effect a transfer of the rights which have been held by WILLIAM GEARHART AND PATRICIA LOUISE GEARHART, copartners, trading and doing business as DINGES TRANSFER, under report and order issued at A. 90079 on May 27, 1963, and the certificate of public convenience issued thereunder, which certificate will be subsequently cancelled, as of the date of this order upon compliance with the tariff and insurance requirements of the Commission by GEARHARTS MOVING & STORAGE, INC., a corporation of the Commonwealth of Pennsylvania, the Commission finds and determines that approval of the application limited to the following rights: -

To transport, as a Class B carrier, property between points in the City of Altoona, Blair County.

To transport, as a Class C carrier, property from points in the City of Altoona, Blair County, to other points within ten (10) miles by the usually traveled highways of the limits of said city, and vice versa;

OLD #12 To C

with the right immediately above to be subject to the following condition:

That no right, power or privilege is granted to transport property between points served by The Pennsylvania Railroad Company and/or Rural Motor Express (now Ward Trucking Corporation).

To transport, as a Class D carrier, household goods and office furniture, in use, from points in the City of Altoona and within fifteen (15) miles by the usually traveled highways of the limits of said city to other points in Pennsylvania and vice versa.

To transport, as a Class D carrier, new uncrated household furniture, office furniture and fixtures from points in the City of Altoona, Blair County, to points in Pennsylvania, and vice versa;

OLD 7

with the right immediately above to be subject to the following condition:

That no right, power or privilege is granted to transport electrical appliances from distributors to retailers between points served by Rural Motor Express (now Ward Trucking Corporation) and Elmer R. Snively (now Ward Trucking Corporation. //

and subject to the following conditions, is necessary or proper for the service, accommodation or convenience of the public:

FIRST: That the certificate holder is limited and restricted to the operation of the motor vehicles as named and described in the equipment certificate, to be subsequently issued.

SECOND: 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 rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.

THIRD: That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof;

FOURTH: That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Revised General Order No. 29, effective July 1, 1939, or as may hereafter be revised, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

NOW, to wit, November 13, 1967, IT IS ORDERED: That upon compliance with the requirements of the Public Utility Law relating to insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate of public convenience issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty 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.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

J. W. [Signature]
Secretary

George Bloom
Chairman

Application Docket No. 94066
Folder 1, Am-A

Application GEARHARTS MOVING & STORAGE, INC., a
corporation of the Commonwealth of Pennsylvania

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of GEARHARTS MOVING & STORAGE, INC., a corporation of the Commonwealth of Pennsylvania, dated March 20, 1969, for modification of the report and order issued under date of November 13, 1967 and the certificate of public convenience issued thereunder, as modified and amended, and upon protests, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and it appearing that applicant amended his application whereby some of the protests were withdrawn, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE,

NOW, to wit, September 29, 1969, IT IS ORDERED: That the third right contained in the report and order issued under date of November 13, 1967 and the certificate of public convenience issued thereunder, as modified and amended, be and is hereby further modified and amended so that the third right shall now read as follows:

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 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, displays, exhibits and articles requiring specialized handling and equipment usually employed in moving household goods, from points in the city of Altoona, Blair County, and within fifteen (15) miles by the usually traveled highways of the limits of said city to points in Pennsylvania, and vice versa;

subject to the following condition:

That the service herein authorized is limited to deliveries to the home, establishment or place of business of the consignor where such property shall be uncrated and placed for use or resale.

IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law, relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That the application in all other respects, be and is hereby refused for lack of proof of necessity.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

George L. Bloom

Chairman

J. W. Lueder

Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 94066
Folder 1, Am-B

Application of GEARHARTS MOVING & STORAGE, INC., a
corporation of the Commonwealth of Pennsylvania

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of GEARHARTS MOVING & STORAGE, INC., a corporation of the Commonwealth of Pennsylvania, dated October 19, 1971, for modification of report and order issued under date of November 13, 1967 and the certificate of public convenience issued thereunder, as modified and amended, and having been duly presented in accordance with the rules of the Commission, and full investigation of the matters and things involved having been had, and it appearing that the rights granted herein are in effect a transfer of the right which have been held by SAMUEL F. ALBARANO, under report and order issued at A. 85419 on June 30, 1958 and the certificate of public convenience issued thereunder, which certificate will be subsequently cancelled, as of the date of this order, upon compliance with the tariff requirements of the Commission by GEARHARTS MOVING & STORAGE, INC., a corporation of the Commonwealth of Pennsylvania, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE:

NOW, to wit, August 29, 1972, IT IS ORDERED: That the report and order issued under date of November 13, 1967 and the certificate of public convenience issued thereunder, as modified and amended, be and is hereby further modified and amended so as to include the following rights:

X To transport, as a Class D carrier, household goods, in use, and furniture and fixtures, in use, between points in the borough of Lilly, Cambria County, and within an airline distance of three (3) statute miles of the limits of the said borough.

To transport, as a Class D carrier, household goods, in use, and furniture and fixtures, in use, from points in the borough of Lilly, Cambria County, and within an airline distance of three (3) statute miles of the limits of the said borough to points within twenty-five (25) miles by the usually traveled highways of the limits of the said borough, and vice versa.

To transport, as a Class D carrier, building materials, in bulk in dump trucks, coal, coke and lime between points in the counties of Cambria and Blair, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination. X

subject to the following conditions:

FIRST: 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 rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.

SECOND: That applicant shall not record in its utility accounts any amount representing the rights herein granted, in excess of the actual cost of such rights to the original holder thereof.

THIRD: That the applicant charge to Account 1550, Other Intangible Property, \$175, being the amount of the consideration payable by it for the rights and going concern value attributable thereto, less any amount recorded under condition 2 above.

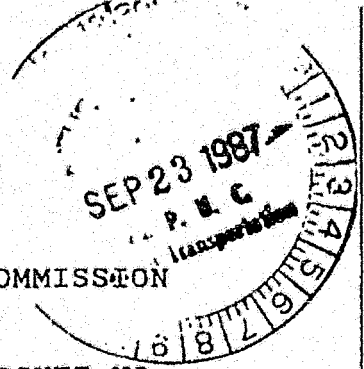
IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law, relative to the filing and acceptance of a tariff establishing just and reasonable rates.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

George I. Bloom
Chairman

Will Peter
Secretary



BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF
HOY TRANSFER, INC.

DOCKET NO.
A.00085095, F.2, Am-A

FILE

RECEIVED

Protest of: Industrial Transportation, Inc.

SEP 18 1987
SECRETARY'S OFFICE
Public Utility Commission

P R O T E S T

This is a Protest of the above-captioned application notice of which appeared in the Pennsylvania Bulletin on the date shown and as set forth in Attachment "A" hereto and further states the following:

1. The Protestant's name and address are:

Mr. Donald G. Blood
Industrial Transportation, Inc.
1817 Gallagher Road
Norristown, PA 19401

2. The name and address of Protestant's attorney is:

Louis J. Carter, Esq.
7300 City Line Avenue
Philadelphia, PA 19151-2291

3. The docket number(s) of the common carrier certificate(s) under which Protestant operates and its operating authority is set forth on Attachment "B".

4. Withdrawal of those parts of the application where the Protestant has authority rather than amendment, would result in the withdrawal of this Protest of the application as set forth in Attachment "B" to this Protest.

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 24 1987
ENTRY No. *[Signature]*

5. Protestant is willing and able to provide the service that meets the reasonable needs of the public involved in the areas in which it is certificated. Thus, approval of this application is not necessary or proper for the service, accommodation, convenience or safety of the public.

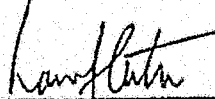
6. Protestant has not filed an application currently pending before the Commission and which is substantially for the same traffic since it has the necessary operating authority.

7. The grant of the application will have an adverse impact on the Protestant's business and its ability to serve the public by diversion of traffic and revenue which would impair or endanger Protestant's operation contrary to the public interest.

8. The fitness of the applicant is protested.

9. This Protest is to the application for Permanent as well as any application for Emergency Temporary or Temporary Authority.

WHEREFORE, Protestant, requests that this application be dismissed.



LOUIS J. CARTER
Attorney for Protestant

Dated: September 17, 1987

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in the Commonwealth of Pennsylvania have been filed with the Pennsylvania Public Utility Commission. Publication of this notice shall be considered as sufficient notice to all carriers holding authority from this Commission. Applications will be considered without a hearing in the absence of protests to the application. Protests to the applications published herein are due on or before September 21, 1987 and shall conform with the provisions for the content of protests as set forth at 52 Pa. Code § 3.381(c) (relating to applications for transportation of property and persons). The protest shall also indicate whether it applies to the temporary authority application or the permanent authority application or both.

Applications of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for the transportation of property as described under each application.

A-00085095, Folder 2, Am-A, Hoy Transfer, Inc. (1801 Atherton Street, State College, Centre County, Pa. 16803), a corporation of the Commonwealth of Pennsylvania, *inter alia*—household goods and office furniture in use from points in the borough of State College, Centre County and within an airline distance of 12 miles of the limits of said borough to points in Pennsylvania, and vice versa: so as to permit the transportation of 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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith: between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union, and from points in said counties to points in Pennsylvania, and vice versa.
Attorney: Herbert R. Nurick, 100 Pine Street, P. O. Box 1166, Harrisburg, Pa. 17108-1166.

ATTACHMENT "A"

A-20107196 INDUSTRIAL TRANSPORTATION, INC. (1917 Gallagher Road, Norristown, Montgomery County, Pennsylvania 19401), a corporation of the Commonwealth of Pennsylvania - (1) as a Class B carrier, property between points in the city and county of Philadelphia; (2) as a Class C carrier, automobiles, airplanes, life vans, machinery, boats and exhibits to and from convention halls in Philadelphia, scenery, trailers, acoustic boards and tanks from points in the city and county of Philadelphia to other points in Pennsylvania within an airline distance of one hundred twenty-five (125) miles of the Philadelphia City Hall and vice versa; (3) tanks of all kinds and descriptions, iron and steel products, machinery, patterns, objects or structures requiring rigging or special handling such as boats, airplanes, automobiles, motor and other vehicles, contractors' equipment and machinery, acoustic boards, scenery and materials for exhibit and show purposes, including all types of mill work and building materials, life vans or containers containing household goods, works of art and paintings in the manner of their original shipment, between points in the city and county of Philadelphia; (4) tanks of all kinds and descriptions, iron and steel products, machinery, patterns, objects or structures requiring rigging or special handling such as boats, airplanes, automobiles, motor and other vehicles, contractor's equipment and machinery, acoustic boards, scenery and materials for exhibit and show purposes, including all types of mill work and building materials, life vans or containers, containing household goods, works of art and paintings in the manner of their original shipment, from points in the city and county of Philadelphia to points within two hundred (200) miles, by the usually traveled highways, of the limits of said city, and vice versa; (5) as a Class B carrier, food and food products for Thomas C. Fluke Company and electrical equipment and appliances for Electric Heating and Equipment Company, between points in the city of Philadelphia; (6) food and food products for the Thomas C. Fluke Company and electrical equipment and appliances for Electric Heating and Equipment Company, from points in the city of Philadelphia to points within two hundred (200) miles by the usually traveled highways, of the limits thereof, and vice versa, excluding transportation to and from points on United State Highway Route No. 22, and within two (2) miles of the said highways between the cities of Harrisburg, Dauphin County, and Lewistown, Mifflin County, and within ten (10) miles, by the usually traveled highways, of the limits of the borough of Lewistown, Mifflin County; with Rights No. 1 through 6 subject to the following condition: That no right, power or privilege is granted to transport from retail stores to their customers; and (7) iron and steel, iron and steel articles and products and such materials and supplies and equipment used or useful in the production, assembly and distribution of iron and steel and iron and steel articles and products from the property of the United States Steel Company located in Falls Township, Bucks County, to points in Pennsylvania, and vice versa; with right No. 7 subject to the following condition: That no right, power or privilege is granted to transport liquids in bulk in tank vehicles.

#9

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: APPLICATION OF
HOY TRANSFER, INC.

APPLICATION DOCKET
NO. A.00085095, F.2, Am-A

Protest of: Industrial Transportation, Inc.

INTERROGATORIES PROPOUNDED BY PROTESTANT
UNDER 66 PA. C.S.A., SECTION 333

Protestant, through its attorney, Louis J. Carter, Esquire, does hereby propound the following Interrogatories upon the Applicant to be answered under oath within a reasonable time not to exceed thirty (30) days after the receipt hereof as required by said Act. As used in these Interrogatories, the term "Applicant" shall include, in addition to the named party, their attorneys, agents, servants, employees, representatives and others who are in possession of or who may have obtained information for or on behalf of the Applicant.

These Interrogatories shall be deemed to be continuing and any information secured subsequent to the filing of answers thereto which would have been includable in the answers had it been known or available shall be supplied by supplemental answers as soon as such information becomes known or available and in all events prior to the hearing of this matter pursuant to 66 Pa. C.S.A. Section 333.

1. Identify by name and address all proposed persons/shippers you plan to serve, if the captioned application is granted.

2. How are the persons/shippers you desire to serve presently meeting their transportation needs?

3. For each said shipper, identify the product or products you propose to haul.

DOCUMENT
FOLDER

DOCKETED APPLICATION DOCKET SEP 24 1987 ENTRY No. <i>[Signature]</i>
--

4. For each such product identify by name and address to whom said product is to be delivered and origins and destinations referred to in Interrogatory #1.

5. For each product identify the anticipated annual volume for the ten shippers who Applicant anticipates will have the largest volume of traffic.

6. Identify by name, address and telephone number each witness you propose to call at the hearing and the subject matter of their expected testimony.

7. Will you produce without the necessity of issuing a subpoena duces tecum all documents, photographs, maps, recordings or other material whatever which you plan to introduce at the hearing? If so, please attach copies of same to your answers.



LOUIS J. CARTER
Counsel for Protestant

Dated: September 17, 1987

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date indicated below, he served a copy of the foregoing document upon the following persons by First Class Priority Mail, United States Postal Service, Postage Prepaid:

Office of the Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Hoy Transfer, Inc.
1801 Atherton Street
State College, PA 16803
(Applicant)

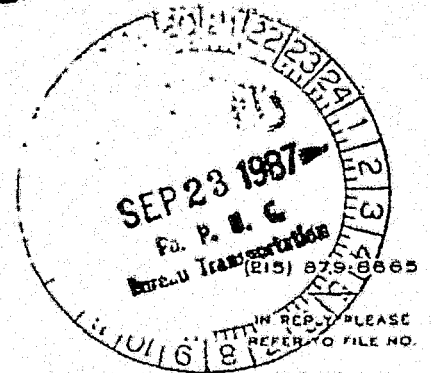
Herbert R. Nurick, Esq.
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
(Attorney for Applicant)



LOUIS J. CARTER
Attorney for Protestant
Industrial Transportation, Inc.

Dated: September 18, 1987

LAW OFFICES
LOUIS J. CARTER
7300 CITY LINE AVENUE
PHILADELPHIA, PA. 19151-2291



LOUIS J. CARTER*
JOEL E. MAZOR**
MARY ELLEN SCHWAB
JILL EISEMAN BRONSON***
DAVID J. HIRSCH****

September 17, 1987

70959

* PENNA & D.C. BAR
** PENNA & N.Y. BAR
*** NEW YORK BAR ONLY
**** PENNA & GEORGIA BAR

Office of the Secretary (Filing Unit)
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RECEIVED
SEP 18 1987
SECRETARY'S OFFICE
Public Utility Commission

Re: Application of Hoy Transfer, Inc.
Dkt. No. A.00085095, F.2, Am-A

Protest of: Industrial Transportation, Inc.

FILE

To the Secretary:

Enclosed for filing are the original and two copies each of a Protest and Interrogatories directed to the the above-captioned Applicant by Protestant. Copies have been mailed to the Applicant's counsel of record.

With regard to the above-captioned Application, we respectfully request that your office provide the undersigned with photocopies of:

- A. The original Application;
- B. Any Affidavits filed in support of said Application;
- C. Any Application for Emergency Temporary or Temporary authority filed and Affidavits in support of said application and copies of any authority granted by letter or order.
- D. Copies of any protests filed by other carriers besides Hoy Transfer, Inc.

**DOCUMENT
FOLDER**

Your prompt attention to this matter is appreciated.

Sincerely,



LOUIS J. CARTER
Attorney for Protestant

LJC/kmd

Enclosures: As above

cc: Lisa Higley, Secretary's Office
Hoy Transfer, Inc.

Herbert R. Nurick, Esq. (Applicant's Attorney)

CF#9 Industrial Transportation, Inc.

ORIGINAL

FRANCIS G. ALKAS, JR.
G. THOMAS MILLER
DONALD R. WASEL
RICHARD R. LEFEVER
J. THOMAS MENAKER
CLYDE W. MCINTYRE
S. BERNE SMITH
ROD J. PERA
EDWARD W. ROTHMAN
ROBERT A. HILLS
W. JEFFRY JAMGONEAU
HERBERT R. NURICK
DAVID E. LEHMAN
NORMAN I. WHITE
F. MURRAY BRYAN
RICHARD W. STEVENSON
WILLIAM A. CHESNUTT
HENRY R. MACNICHOLAS
WILLIAM M. YOUNG, JR.
ROBERT M. CHERRY
DAVID B. DISNEY
H. LEE ROUSSEL
MAURICE A. FRATER
C. GRAINGER BOWMAN
JOHN S. OYLER
CELAND M. LANTZ

MARVY FREDENB
LASON S. SHAPIRO
ERIC L. BROSSMAN
ROBERT D. STETS
TERRY R. BOSSEY
MARY JANE FORBES
JEFFREY B. CLAY
DAVID M. KLEPPINDER
NEAL S. WEST
FRANKLIN A. MILES, JR.
MICHAEL A. DOCTROW
STEPHEN A. MOORE
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ELIZABETH A. DOUGHERTY
ALAN R. BOYNTON, JR.
BRUCE D. BAGLEY
GARY F. YENKOWSKI
DIANE M. TOKARSKY
JAMES J. DODD-O
BERNARD A. LABUSKES, JR.
ANNE K. FIORENZA
JOHN M. ABEL
RICHARD B. KAHLBAUGH
KEVIN J. FREDERICK
DAVID M. WATTS
TRENT HARGROVE

MCNEES, WALLACE & NURICK
ATTORNEYS AT LAW

100 PINE STREET
P O BOX 1166
HARRISBURG, PA. 17108-1166
TELEPHONE (717) 232-8000
TELECOPIER (717) 236-2665

STERLING G. MCNEES
1923-1959

DAVID H. WALLACE
1942-1967

RETIRED PARTNERS

HARRY H. FRANK
JAMES H. BOOSER
JAMES W. HAGAR
JAMES H. KING
MOSES K. ROSENBERG

OF COUNSEL

GILBERT NURICK
EDWARD C. FIRST, JR.
ROBERT H. GRISWOLD
JEFFERSON C. BARNHART
SAMUEL A. SCHRECKENGAUST, JR.

December 1, 1987

In re: Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

RECORDED
DEC 1 1987

RECEIVED

DEC 3 1987

SECRETARYS OFFICE
Public Utility Commission

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

Dear Mr. Rich:

This confirms our telephone conversation with Bud Huntington of December 1, 1987, during which we informed Mr. Huntington that the applicant, in the above-captioned matter, waives the applicability of Act No. 294 as it relates to the requirement that hearings be commenced by the Administrative Law Judge within 90 days after the proceeding is initiated.

Very truly yours,

MCNEES, WALLACE & NURICK

By *Herbert R. Nurick*
Herbert R. Nurick

HRN/ec

cc: Mr. Bud Huntington
Mr. Robert R. Kennedy
Dwight L. Koerber, Jr., Esquire
John D. Lewis, Esquire
Louis J. Carter, Esquire
John Fullerton, Esquire
William J. Lavelle, Esquire
Mr. Richard W. Hoy

FILED

ORIGINAL

Kennedy Transfer

Moving & Storage Specialists
Rte. 219 South P. O. Box 704
DuBois, PA 15801
(814) 371-7430

UNITED
UNITED
UNITED
Van Lines

December 7, 1987

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, Pa. 17120

RECEIVED

DEC 9 1987

Re: Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

SECRETARY'S OFFICE
Public Utility Commission

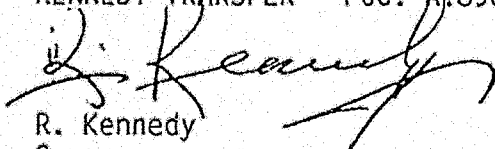
Dear Sir:

Enclosed is a copy of letter received concerning the above mentioned application.

Please advise the present status of same.

Sincerely yours,

KENNEDY TRANSFER PUC. A. 89629


R. Kennedy
Owner

DOCUMENT
FOLDER

DOCUMENT
DEC 11 1987

ARTHUR L. BERGER
FRANCIS B. HAAS, JR.
O. THOMAS MILLER
DONALD R. WASEL
RICHARD R. LEFEVER
J. THOMAS MENAKER
CLYDE W. MCINTYRE
S. BERNIE SMITH
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OF COUNSEL

GILBERT NURICK
EDWARD C. FIRST, JR.
ROBERT H. GRISWOLD
JEFFERSON C. BARNHART
SAMUEL A. SCHRECKENGAUST, JR.

December 1, 1987

In re: Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

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

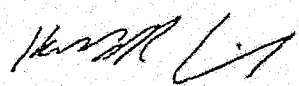
Dear Mr. Rich:

This confirms our telephone conversation with Bud Huntington of December 1, 1987, during which we informed Mr. Huntington that the applicant, in the above-captioned matter, waives the applicability of Act No. 294 as it relates to the requirement that hearings be commenced by the Administrative Law Judge within 90 days after the proceeding is initiated.

Very truly yours,

MCNEES, WALLACE & NURICK

By


Herbert R. Nurick

HRN/ec

cc: Mr. Bud Huntington
✓ Mr. Robert R. Kennedy
Dwight L. Koerber, Jr., Esquire
John D. Lewis, Esquire
Louis J. Carter, Esquire
John Fullerton, Esquire
William J. Lavelle, Esquire
Mr. Richard W. Hoy

ORIGINAL

Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

DOCKET NO. A-00085095, F. 2, AM-A
HOY TRANSFER, INC.

APR 6 1988

SECRETARYS OFFICE
Public Utility Commission

PETITION FOR LEAVE TO INTERVENE

A. Yeagle's Moving and Storage Corp. (Yeagle's or Petitioner), by its attorneys, Vuono, Lavelle & Gray, petitions the Commission for leave to intervene in the above proceeding and in support thereof, states as follows:

1. By this application, published in the Pennsylvania Bulletin on August 29, 1987, Hoy Transfer, Inc. (Hoy or Applicant) seeks common carrier authority as follows:

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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata,

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APR 5 1988

Mifflin and Union, and from points in said counties to pints in Pennsylvania, and vice versa.

2. Petitioner has its main office at 20 North Hampton Street, Lock Haven, PA 17745. Its telephone number is 717-748-7998. It holds authority from this Commission at Docket No. A-00097815, a summary of which is attached hereto as Appendix A.

3. The application seeks authority to transport all commodities embraced by the long form household goods description, as well as various types of business and electronic machines and equipment. Geographically, it is requesting the right to transport all of these commodities between points in eight central Pennsylvania counties, and from all points in those counties to points in Pennsylvania, and vice versa.

4. Petitioner holds several grants of authority which are duplicated by this authority. That authority is set forth on Appendix A in paragraphs 1, 2, 6, 8 and 9.

5. Since the authority sought by the applicant in this proceeding duplicates much of the authority held by Petitioner, a grant of the authority sought will have an adverse effect on Petitioner.

6. Petitioner denies that a grant of this application is either necessary or proper for the service, accommodation, convenience or safety of the public.

7. Petitioner is a small company with somewhat limited staff and resources. It does not subscribe to the Pennsylvania Bulletin, but must rely on other means to become acquainted with

applications which may impact on it. Petitioner became aware of the application of Hoy within the last five days and immediately contacted counsel to determine the extent of the application and the procedure for protecting its interests. Upon finding out the details of the application, Petitioner immediately instructed counsel to take whatever steps are necessary to become a party to the proceeding in order that Petitioner might adequately protect its interests.

8. Although the application was published in the Pennsylvania Bulletin on August 29, 1987, Applicant has taken no action to process the application since that time. On December 1, 1987, Applicant waived its right to a hearing to be commenced within 90 days after the proceeding was initiated. There has been no further action by the Applicant for four months.

9. The application is opposed by a number of motor carriers, including two represented by Petitioner's counsel. The December 1, 1987 letter referred to above from Applicant's representative to the Commission indicates that protests were filed by four other counsel and by one individual in his own right. Consequently, intervention by Petitioner will not unduly broaden the issues, add new counsel to the proceeding, or cause any delay in the hearing of this application. The Commission has not yet taken any formal action with respect to assigning the case for hearing or modified procedure, and therefore Applicant will not be prejudiced in any way by the intervention of Petitioner at this early stage of the proceeding.

10. In other cases where applications have already been opposed at the time of intervention, the Commission has permitted intervention when the Applicant will not be prejudiced. For example, in Application of Raymond M. Robbins and Larry Peacock, Co-Partners, t/d/b/a Robbins/Peacock Trucking Company, Docket No. A-00101107, F. 1, Am-A, the petition of C. L. Feather, Inc. to intervene was granted by the order of Administrative Law Judge Herbert S. Cohen dated September 25, 1980. In his Order, Judge Cohen held that since the initial hearing in connection with that application had not yet begun, the applicant would not be prejudiced by the intervention of Feather. Judge Cohen construed Section 3.381(d) of the Pennsylvania Code, 52 Pa. Code §3.381(d) as not automatically barring the Commission's consideration of late-filed protests. Judge Cohen held that this was particularly true when the case is already opposed by a timely protest, and the applicant will not be prejudiced by the appearance of the petitioner at the hearing.

Similarly, in Application of Lewis G. Rich and Patricia L. Rich, at Docket No. A-00099668, F. 1, Am-A, the Commission, in granting intervention, stated:

We have reviewed the pleadings in this proceeding and find that the petition should be granted. We traditionally have interpreted the time restrictions on filing protests in a liberal manner so that we might have a full and complete record upon which to base a decision. This policy is especially appropriate here, since no hearing has yet been held, the applicant will not incur any substantial prejudice or inconvenience by allowing Phillip Stinger, Inc. to intervene.

Inasmuch as intervention by Petitioner at this stage of the proceeding will not cause undue hardship to the Applicant, or in any way prejudice the Applicant's position, Petitioner respectfully requests that the Commission grant it leave to intervene in this proceeding and to participate fully as a protestant to the application unless its interests are removed prior to hearing by an appropriate amendment.

Respectfully submitted,

A. YEAGLE'S MOVING AND STORAGE CORP.

By: William J. Lavelle
William J. Lavelle, Esq.
Attorney for Petitioner

VUONO, LAVELLE & GRAY
2310 Grant Building
Pittsburgh, PA 15219
(412) 471-1800

Dated: March 30, 1988

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the above Petition for Leave to Intervene upon Applicant as shown in the Pennsylvania Bulletin notice.

Dated at Pittsburgh, PA this 30th day of March, 1988.

William J. Lavelle
William J. Lavelle

APPENDIX A

A. YEAGLE'S MOVING AND STORAGE CORP.

Docket No. A-00097815

ITEM 10 - SCOPE OF CARRIER'S OPERATING AUTHORITY

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

Certificate No. A-97815

1. To transport, as a Class B carrier, property between points in the city of Lock Haven, Clinton County.
2. To transport, as a Class D carrier, property from points in the city of Lock Haven, Clinton County, to points within ten (10) miles by the usually traveled highways of the limits of said city, and vice versa.
3. To transport, as a Class D carrier, farm products and supplies between points in the city of Lock Haven, Clinton County, and within fifteen (15) miles by the usually traveled highways of the limits of said city and from points in said territory to points within fifty (50) miles by the usually traveled highways of the limits of said city and vice versa; provided, that such transportation is limited and restricted to transportation which either originates or terminates at a farm.
4. To transport, as a Class D carrier, pulpwood from points within fifty (50) miles by the usually traveled highways of the limits of the city of Lock Haven, Clinton County, to paper mills in the said city, provided, that the point of origin is not served by any railroad on or before March 22, 1938.
5. To transport, as a Class D carrier, new and used furniture from the store of Bridge & Smith, now Smith Furniture Company, in the city of Lock Haven, Clinton County, to points within one hundred (100) miles by the usually traveled highways of the limits of said city, and vice versa.
6. To transport, as a Class D carrier, household goods in use between points in the city of Lock Haven, Clinton County, and within ten (10) miles by the usually traveled highways of the limits of said city.

with the above rights subject to the following condition:

That no right, power or privilege is granted to transport raw silk materials, and finished products of the silk (both artificial and natural) industry.

7. To transport, as a Class D carrier, unpadded or unboxed new furniture and new furniture parts from the plant or the factory of the R. K. Griffin Company in the city of Lock Haven, Clinton County, to points in Pennsylvania, and the return of damaged or refused items of furniture and furniture parts, unpadded or unboxed, from points in Pennsylvania to the plant or factory of the R. K. Griffin Company in the city of Lock Haven, Clinton County.

(Continued)

For explanation of Abbreviations and Reference Marks not explained on this page, see concluding page(s) of this tariff.

ITEM 10 - SCOPE OF CARRIER'S OPERATING AUTHORITY

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

Certificate No. A-97815

8. To transport, as a Class D carrier, household goods in use from points in the city of Lock Haven, Clinton County, and within ten (10) miles by the usually traveled highways of the limits of said city, and from the borough of Jersey Shore, Lycoming County, to points in Pennsylvania, and vice versa, excluding the city of Williamsport, Lycoming County, as a point of origin.

9. To transport, as a Class D carrier, household goods in use between points in the township of Karthaus, Clearfield County, and within twenty-five (25) miles of the limits of said township and from points in said territory to other points in Pennsylvania, and vice versa; excluding the right to transport household goods in use to or from the borough of Clearfield, Clearfield County, and within fifteen (15) miles of the limits of said borough, except as presently authorized.

(This space intentionally left blank)

For explanation of Abbreviations and Reference Marks not explained on this page, see concluding page(s) of this tariff.

LAW OFFICES

VUONO, LAVELLE & GRAY

2310 GRANT BUILDING
PITTSBURGH, PA. 15219

(412) 471-1600

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

April 8, 1988

Re: Application of Hoy Transfer, Inc.
Docket No. A-00085095, F.2, Am-A

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APR 11 1988

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
North Office Building
P.O. Box 3265
Harrisburg, PA 17120

SECRETARYS OFFICE
Public Utility Commission

Dear Mr. Rich:

On or about March 30, 1988, at the request of A. Yeagle's Moving and Storage Corp., we filed a Petition on its behalf for leave to intervene in the above proceeding. Subsequently, it was discovered that John A. Fullerton, Esq. had filed a timely protest to the application on behalf of Yeagle's. In view of that, we are hereby withdrawing the Petition For Leave to Intervene since Yeagle's is already a participant in the case.

A copy of this letter has been sent to Herbert R. Nurick, Esq., applicant's representative, and John A. Fullerton, Esq.

Sincerely yours,

VUONO, LAVELLE & GRAY

William J. Lavelle
William J. Lavelle

cc: Herbert R. Nurick, Esq.
John A. Fullerton, Esq.
A. Yeagle's Moving and Storage Corp.

DOCKETED
APR 13 1988

ARTHUR I. BERGER
FRANCIS B. HAAS, JR.
G. THOMAS MILLER
DONALD R. WAISEL
RICHARD R. LEFEVRE
J. THOMAS MENAKER
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DAVID M. WATTS, JR.
TRENT HARGROVE
LAWANA M. JOHNS
KATHLEEN E. BOYLE
CARMEN SANTA MARIA
JAY H. FEASLER
DONALD E. KALFMAN
JAMES L. FRITZ

MCNEES, WALLACE & NURICK
ATTORNEYS AT LAW

100 PINE STREET
P. O. BOX 1166

HARRISBURG, PA. 17108-1166

TELEPHONE (717) 232-8000

TELECOPIER (717) 236 2665

STERLING G. McNEES
1921-1959
DAVID M. WALLACE
1927-1967

RETIRED PARTNERS

HARRY H. FRANK
JAMES H. BOOSER
JAMES W. HAGAR
JAMES H. KING
MOSES K. ROSENBERG

OF COUNSEL

GILBERT NURICK
EDWARD C. FIRST, JR.
ROBERT H. GRISWOLD
JEFFERSON C. BARNHART
SAMUEL A. SCHRECKENGAUST, JR.

November 23, 1988

In re: Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

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

Dear Mr. Rich:

We have enclosed, for filing, the original and two copies of a restrictive amendment, dated November 23, 1988, in the above-captioned matter.

We understand that this amendment will eliminate the interest of various protestants. With a copy of this letter, we are requesting the representatives of those protestants whose interests are satisfied by this amendment to write to you indicating the withdrawal of the protests of their respective protestants. We also request those representatives to send us copies of their letters of withdrawal for our file.

Very truly yours,

MCNEES, WALLACE & NURICK

By

Herbert R. Nurick
Herbert R. Nurick

HRN/ec

Enclosures

cc: Dwight L. Koerber, Jr., Esq. (w/enc.)
John D. Lewis, Esq. (w/enc.)
Louis J. Carter, Esq. (w/enc.)
John E. Fullerton, Esq. (w/enc.)
William J. Lavelle, Esq. (w/enc.)
Mr. Robert R. Kennedy (w/enc.)
Mr. Richard W. Hoy (w/enc.)

RECEIVED

NOV 28 1988

SECRETARY'S OFFICE
Public Utility Commission

FILED

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

RECEIVED

NOV 28 1988

SECRETARY'S OFFICE
Public Utility Commission

RESTRICTIVE AMENDMENT

Applicant amends the above-captioned application so that the territorial description of authority which applicant seeks shall now read as follows:

Between points in the counties of Centre and Mifflin, and from points in said counties to points in Pennsylvania, and vice versa.

HOY TRANSFER, INC.

By

Herbert R. Nurick
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Applicant

Dated: November 23, 1988

UP
FOLDER

DOCKETED
NOV 29 1988

OWLETT & LEWIS, P.C.
ATTORNEYS AT LAW

ORIGINAL

Edwin A. Glover
Edward H. Owlett
John D. Lewis
Raymond E. Ginn, Jr.
Edward H. Owlett III
Thomas M. Owlett
Wm. Alan Shaw

One Charles Street
P.O. Box 87B
Wellsboro, Pa. 16901
(717) 724-1000

Eikland Office
102 Main St., P.O. Box 63
Eikland, Pa. 16920
(814) 258-5148

Troy Office
Van Noy Building
16 Canton St.
Troy, Pa. 16947
(717) 297-2096

Reply to: Wellsboro

November 28, 1988

RECEIVED

NOV 30 1988

The Honorable Jerry Rich, Secretary
Pennsylvania Public Utility Commission
North Office Bldg., P. O. Box 3265
Harrisburg, PA 17120

SECRETARY'S OFFICE
Public Utility Commission

In Re: Application of Hoy Transfer, Inc.
/ A-0085095, Folder 2, Am-A

Protest of Fiamingo Moving and Storage,
Inc. - A-00104227

Dear Secretary Rich:

Based upon the Restrictive Amendment dated November 23, 1988, the original and two copies of which were forwarded to you by Herbert Nurick, Esq. under cover of letter dated November 23, 1988 and conditioned upon its acceptance by the Commission, I am authorized to withdraw the protest which we filed in behalf of Fiamingo Moving & Storage, Inc. We do wish to remain a party of record for the purpose of receiving further orders of the Commission.

Very truly yours,

OWLETT & LEWIS, P.C.

By:


John D. Lewis

JDL:mjw

cc Herbert R. Nurick, Esq.
Fiamingo Moving & Storage, Inc.

DOCKETED

DEC 01 1988

FOI DE

ORIGINAL

Kennedy Transfer

Moving & Storage Specialists
Rte. 219 South P. O. Box 704
DuBois, PA 15801
(814) 371-7430



Van Lines

11/28/88

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17120

RECEIVED

NOV 30 1988

SECRETARY'S OFFICE
Public Utility Commission

Re: Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

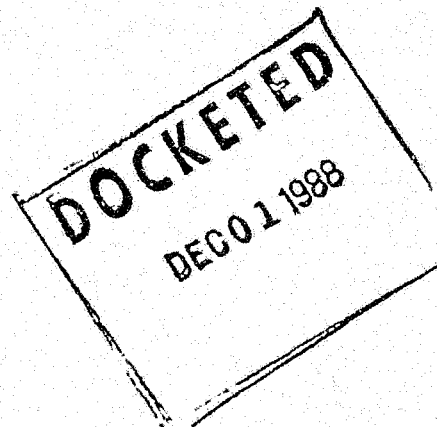
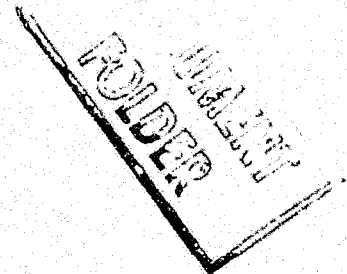
Dear Sir:

As per the restrictive amendment dated November 23, 1988, we hereby withdraw our protest to the above mentioned.

Sincerely yours,

KENNEDY TRANSFER PUC A.89629

R. Kennedy
Owner



LAW OFFICES

VUONO, LAVELLE & GRAY

2310 GRANT BUILDING

PITTSBURGH, PA. 15219

(412) 471-1800

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

December 1, 1988

Re: Hoy Transfer, Inc.
Docket No. A-00085095, F. 2, Am-A

RECEIVED

DEC 5 1988

SECRETARY'S OFFICE
Public Utility Commission

Mr. Jerry Rich, Secretary
Pennsylvania Public Utility Commission
North Office Building
P.O. Box 3265
Harrisburg, PA 17120

Dear Mr. Rich:

We have been authorized by Lytle's Transfer & Storage, Inc. and Gearhart's Moving & Storage, Inc. to advise the Commission that their protests to the above application are being withdrawn conditioned upon acceptance by the Commission of the Restrictive Amendment filed by Herbert R. Nurick, Esq. on November 23, 1988. The amendment limits the geographical scope of the application to the following:

Between points in the counties of Centre and Mifflin, and from points in said counties to points in Pennsylvania, and vice versa.

Sincerely yours,

VUONO, LAVELLE & GRAY

William J. Lavelle
William J. Lavelle

DEC 7 1988

pz
cc: Herbert R. Nurick, Esq.
Lytle's Transfer & Storage, Inc.
Gearhart's Moving & Storage, Inc.

RECORDED
DEC 6 1988

GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V GRAF
FREDERICK W ANDREWS
DAVID H RADCLIFF

January 4, 1989

OF COUNSEL
JOHN E. FULLERTON

TELEPHONE A C 717-236-9218

OR
DOCKET

The Secretary
PaPUC
Harrisburg, PA 17120

RE: A. 85095 F2, Am-A
HOY TRANSFER, INC.

Dear Sir:

The undersigned represents the following in protest of this application.
Camp Curtin Transfer Inc. Movers World Inc.
Independent Freightway Inc. Parks Moving & Storage Inc. (see more**
J J Brandt Moving & Storage Co. B & B Systems Inc. below)
Applicant has made an amendment, copy attached.

Conditioned upon its acceptance by the Commission and any grant being
consistent therewith,, I am authorized to withdraw the protest(s).

I desire to remain a party of record.

Yours truly,

John Fullerton
JOHN FULLERTON

F/r
attach.

cc: Herbert Nurick, Esq.
App Atty

Client(s)

** Tosh Moving & Storage Inc.
A. Yeagle's Moving & Storage
Corp.

NOTE: The protests of Centre Carriers Corp; Lindeman Moving Co.
and Parks Moving Systems Inc. remain.

DOCUMENT
FOLDER

DOCKETED
JAN 12 1988

RECEIVED

JAN 05 1989

Office of A. L. J.
Public Utility Commission

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

RESTRICTIVE AMENDMENT

Applicant amends the above-captioned application so that the territorial description of authority which applicant seeks shall now read as follows:

Between points in the counties of Centre and Mifflin, and from points in said counties to points in Pennsylvania, and vice versa.

HOY TRANSFER, INC.

By

Herbert R. Nurick
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Applicant

Dated: November 23, 1988

RECEIVED

JAN 05 1989

Office of A. L. J.
Public Utility Commission

ORIGINAL

KRINER, KOERBER AND KIRK
ATTORNEYS-AT-LAW
110 NORTH SECOND STREET
P. O. BOX 1320
CLEARFIELD, PENNSYLVANIA 16830

(814) 765-9611

January 31, 1989

WILLIAM C. KRINER
DWIGHT L. KOERBER, JR.
ALAN F. KIRK

COUNSEL TO THE FIRM
WILLIAM T. DAVIS

Jerry Rich, Secretary
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. Box 3265
Harrisburg, PA 17120

RECEIVED

FEB 1 1989

RE: HOY TRANSFER, INC.
A-85095, F.2, Am-A

SECRETARY'S OFFICE
Public Utility Commission

Dear Mr. Rich:

In view of the restrictive amendment entered by the applicant by letter dated November 23, 1988, the interests of Krebs Moving & Storage, Inc. have been satisfied. Accordingly, on behalf of my client, Krebs Moving & Storage, Inc., I hereby withdraw the protest that I had previously filed in this matter.

I do ask that I be listed as a party of record for the purpose of receiving any future orders that are entered in this case, but other than that, I will not be participating on this case.

Very truly yours,

Dwight L. Koerber, Jr.
Dwight L. Koerber, Jr.

DLK:kam

cc: Herbert R. Nurick, Esquire
Mr. Robert Greenland

DOCUMENT
FOLDER

DOCKETED
FEB 02 1989

ORIGINAL

Kennedy Transfer

Moving & Storage Specialists
Rte. 219 South P. O. Box 704
DuBois, PA 15801
(814) 371-7430



February 8, 1989

Mr. Jerry Rich, Secretary
Pa. Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17120

RECEIVED

FEB 10 1989

SECRETARYS OFFICE
Public Utility Commission

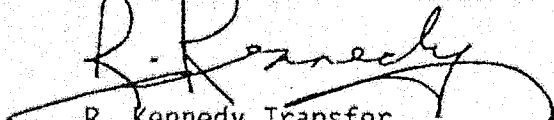
Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

Dear Sir:

As per the restrictive amendment dated 11/23/88, we hereby withdraw our protest to the above mentioned application.

Sincerely yours,

KENNEDY TRANSFER A.89629


R. Kennedy Transfer
Owner

**DOCUMENT
FOLDER**

DOCKETED
FEB 15 1989

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

RESTRICTIVE AMENDMENT

Applicant amends the above-captioned application so that the territorial description of authority which applicant seeks shall now read as follows:

Between points in the counties of Centre and Mifflin, and from points in said counties to points in Pennsylvania, and vice versa.

HOY TRANSFER, INC.

By

Herbert R. Nurick
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Applicant

Dated: November 23, 1988

ORIGINAL

LAW OFFICES

LOUIS J. CARTER

7300 CITY LINE AVENUE

PHILADELPHIA, PA. 19151-2291

(215) 879-8665

LOUIS J. CARTER*

JOEL E. MAZOR**

JILL EISEMAN BRONSON***

* PENNA. & D.C. BAR

** PENNA. & N.Y. BAR

***NEW YORK BAR ONLY

COUNSEL TO

SLAP. WILLIAMS & CUKER

TELECOPIER (215) 877-0955

IN REPLY PLEASE
REFER TO FILE NO.

February 9, 1988

Office of the Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RECEIVED

FEB 13 1988

SECRETARY'S OFFICE
Public Utility Commission

Re: Application of
Hoy Transfer, Inc.
Docket No. A-00085095, F.2, Am-A

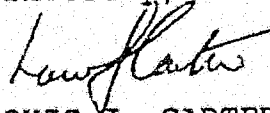
To the Secretary:

Enclosed for filing is an original and one copy of
Protestant's Withdrawal of Protest to the above-captioned
Applicant. Also enclosed is a copy of the Restrictive Amendment
of Hoy Transfer, Inc.

Kindly acknowledge receipt and advise if you require
anything further.

COUM IT
FOLDER

Sincerely,



LOUIS J. CARTER
Attorney for Protestant
Industrial Transportation, Inc.
t/d/b/a Accu-Tow

LJC/khp

Enclosure: Restrictive Amendment

cc: Herbert R. Nurick, Esquire

Industrial Transportation, Inc., Attn: Donald Blood

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of
HOY TRANSFER, INC.

SECURE IT
FOLDER

Docket No.
A-00085095,
F.2, Am-A

DOCKETED
FEB 15 1989

WITHDRAWAL OF PROTEST
OF
INDUSTRIAL TRANSPORTATION, INC.

RECEIVED

FEB 13 1989

SECRETARY'S OFFICE
Public Utility Commission

TO THE SECRETARY:

The undersigned Protestant, in the above-captioned matter, having been advised that Applicant has restrictively amended its application to conform to the Restrictive Amendment attached dated November 23, 1988 hereto/ withdraws its protest conditioned on the following:

1. That the Amendment hereto attached is adopted by the Commission in its final order; and
2. That Protestant remain a party to this record to receive copies of all notices and orders.

Louis J. Carter

LOUIS J. CARTER
Attorney for Protestant
Industrial Transportation, Inc.

Dated: February 8, 1989

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

RESTRICTIVE AMENDMENT

Applicant amends the above-captioned application so that the territorial description of authority which applicant seeks shall now read as follows:

Between points in the counties of Centre and Mifflin, and from points in said counties to points in Pennsylvania, and vice versa.

HOY TRANSFER, INC.

By Herbert R. Nurick
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Applicant

Dated: November 23, 1988

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17120
July 21, 1989

In Re: A-00085095, F002, Am-A

(See attached list)

Application of Hoy Transfer, Inc.

For amendment so as to permit the transportation of household goods *** computers, and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union, and from points in said counties to points in Pennsylvania, and vice versa.

NOTICE

This is to inform you that a prehearing conference only on the above captioned case will be held Thursday, August 17, 1989, at 10:00 a.m., in available hearing room, Ground Floor, North Office Building, North Street and Commonwealth Avenue, Harrisburg, Pennsylvania.

The presiding officer in this proceeding is Administrative Law Judge Herbert Cohen. Judge Cohen can be contacted at P.O. Box 3265, Harrisburg, Pennsylvania 17120; telephone (717) 783-5452.

If you intend to file exhibits, please be advised that two copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

cc: Judge Cohen
Mr. Bramson
Mrs. Pappas
Mrs. Howell
File Room

DOCUMENT
FOLDER

INDEXED
JUL 26 1989

APPEARANCE SHEET

ALJ HEARING REPORT

DOCKET NO. A-00085095, F002, Am-A
 CASE NAME Application of Hoy Transfer, Inc.
 HEARING LOCATION Harrisburg, Pa.
 HEARING DATE August 17, 1989
 ALJ Cohen

CHECK THOSE BLOCKS WHICH APPLY:

Hearing held YES NO
 Testimony taken YES NO
 Hearing concluded YES NO
 Further hearing needed YES NO
 Estimated add'l days _____
 RECORD CLOSED YES NO
 Briefs to be filed YES _____ NO _____
 BENCH DECISION YES _____ NO _____
 REMARKS: Next hearing set for Oct 25+26, in Lewisburg.

HE - HEARD CONF.
RECEIVED
 AUG 18 1989
 Office of A. L. J.
 Public Utility Commission

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD
 PLEASE PRINT CLEARLY
 INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

RECEIVED
 AUG 22 1989

NAME and TELEPHONE NUMBER	ADDRESS	APPEARING FOR
<i>Harriet R. Nuck</i> Telephone No. (717) 232-7000	100 PINE ST PO BOX 1166 City: <i>Harrisburg</i> State: <i>PA</i> Zip: <i>17108-1166</i>	<i>Hoy Transfer, Inc.</i>
<i>John Fullerton</i> Telephone No. (717) 236-9518	407 N. Front ST. City: <i>Hazleton</i> State: <i>PA</i> Zip: <i>17101</i>	<i>Centre Carriers Corp. Lindeman Moving Co. Parks Moving System Inc.</i>
Telephone No. ()	City State Zip	

CHECK THIS BOX IF ADDITIONAL PARTIES OR COUNSEL OF RECORD APPEAR ON BACK.

Jan H. Johnston
 Reporter

MICHAEL WALLACE & NURICK
ATTORNEYS AT LAW

100 PINE STREET
P. O. BOX 1166

HARRISBURG, PA. 17108-1166

TELEPHONE (717) 232-8000

FAX (717) 236-2665

STERLING G. McNEES
1923-1959

DAVID H. WALLACE
1942-1967

RETIRED PARTNERS

HARRY H. FRANK
JAMES H. BOOSER
JAMES W. HAGAR
ARTHUR L. BERGER
JAMES H. KING
MOSES K. ROSENBERG

OF COUNSEL

GILBERT NURICK
EDWARD C. FIRST, JR.
ROBERT H. GRISWOLD
JEFFERSON C. BARNHART
SAMUEL A. SCHRECKENGAUST, JR.

September 7, 1989

B. HAAS, JR.
MAS MILLER
ALD R. WAIGEL
CHARD R. LEFEVER
J. THOMAS MENAKER
CLYDE W. MCINTYRE
S. BERNE SMITH
ROD J. PERA
EDWARD W. ROTHMAN
ROBERT A. MILLS
W. JEFFRY JAMOUNEAU
HERBERT R. NURICK
DAVID E. LEHMAN
NORMAN I. WHITE
RICHARD W. STEVENSON
WILLIAM A. CHESNUTT
HENRY R. MAJNICHOLAS
WILLIAM M. YOUNG, JR.
ROBERT W. CHERRY
DAVID B. DISNEY
H. LEE ROUSSEL
MAURICE A. FRATER
C. GRAINGER BOWMAN
BURTON W. SNYDER
JOHN S. CYLER
DELANO M. LANTZ
HARVEY FREDENBERG
JASON S. SHAPIRO
ERIC L. BROSSMAN
ROBERT D. STETS
TERRY R. BOSSERT

MARY JANE FORBES
JEFFREY B. CLAY
DAVID M. KLEPPINGER
NEAL S. WEST
FRANKLIN A. MILLS, JR.
MICHAEL A. DOCTRROW
STEPHEN A. MOORE
DANA S. SCAUTO
ELIZABETH A. DOUGHERTY
ALAN R. BOINTON, JR.
BRUCE D. BAGLEY
MICHAEL G. JARMAN
GARY F. YENKOWSKI
DIANE M. TOKARSKY
BERNARD A. LADUSKES, JR.
ANNE K. FIORENZA
JOHN M. ABEL
RICHARD S. KAHLBAUGH
KEVIN J. FREDERICK
DAVID M. WATTS, JR.
TRENT MARGRUE
LAWANA M. JOHNS
WILLIAM G. PRIMS
JAY M. FEASTER
DONALD B. KAUFMAN
JAMES L. FRITZ
ABIGAIL A. TIERNEY
ROBERT B. ARMOUR
LONNA J. LONG
TIMOTHY L. CLANGES
R. NICHOLAS GUARNESCHELL

In re: Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

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

Dear Mr. Rich:

Enclosed, for filing in the above-captioned matter, are the original and two copies of a revised restrictive amendment, dated September 7, 1989. The substance of this amendment was read into the record at the pre-hearing conference on August 17, 1989. At that time, I indicated that upon my return from vacation I would ascertain the correct names of the supporting shippers for the Mifflin County portion of the amendment. The only change is that the name of Geisinger Medical Group-Lewistown, should be simply Geisinger Medical Group as noted on the enclosed amendment.

Prior to making this amendment on the record, there were three remaining protestants as follows: Centre Carriers Corp., Lindeman Moving Co., and Parks Moving Systems Inc. Conditioned upon acceptance of the amendment by the Commission, the protest of Centre Carriers Corp. was withdrawn.

We understand that a hearing in this case will be set with the location being Lewistown, Pennsylvania.

Very truly yours,

McNEES, WALLACE & NURICK

By

Herbert R. Nurick
Herbert R. Nurick

HRN/ec
Enclosures

cc: Honorable Herbert Cohen (w/enc.)
John E. Fullerton, Esquire (w/enc.)
Mr. Richard W. Hoy (w/enc.)

RECEIVED
SEP 7 1989
SECRETARYS OF
PUBLIC UTILITIES COMMISSION

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

RECEIVED

SEP 7 1989

SECRETARYS OFFICE
Public Utility Commission

REVISED RESTRICTIVE AMENDMENT

Applicant further amends the above-captioned application so that the description of authority which applicant seeks shall now read as follows:

To transport 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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, which because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, and parts, materials and supplies used in connection therewith:

(1) Between points in the county of Centre, and from points in said county to points in Pennsylvania, and vice versa; and

(2) For Avtex Fibers Lewistown Inc., Lewistown Hospital, Geisinger Medical Group, and the Central Pennsylvania Conference of the United

Methodist Church, between points in the county of Mifflin, and from points in said county to points in Pennsylvania, and vice versa.

HOY TRANSFER, INC.

By *Herbert R. Nurick*
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Fine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Applicant

Dated: September 7, 1989

012

GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V GRAF
FREDERICK W ANDREWS
DAVID H RADCLIFF

September 27, 1989

OF COUNSEL
JOHN E. FULLERTON
TELEPHONE A C 717 236-9318

DOCUMENT
FOLDER

The Secretary
PaPUC
Harrisburg, PA 17120

RE: A. 85095 F2, Am-A
HOY TRANSFER, INC.

Dear Sir:

The undersigned represents the following in protest of this application.

Centre Carriers Corp.

Applicant has made an amendment, copy attached.

Conditioned upon its acceptance by the Commission and any grant being consistent therewith,, I am authorized to withdraw the protest(s).

I desire to remain a party of record.

Yours truly,

John Fullerton
JOHN FULLERTON

F/x
attach.

cc: Herbert Nurick, Esq.
App Atty

Client(s)

DOCKETED
OCT. 18 1989

RECEIVED
OCT 06 1989
Office of A. L. J.
Public Utility Commission

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

REVISED RESTRICTIVE AMENDMENT

Applicant further amends the above-captioned application so that the description of authority which applicant seeks shall now read as follows:

To transport 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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, which because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, and parts, materials and supplies used in connection therewith:

(1) Between points in the county of Centre, and from points in said county to points in Pennsylvania, and vice versa; and

(2) For Avtex Fibers Lewistown Inc., Lewistown Hospital, Geisinger Medical Group, and the Central Pennsylvania Conference of the United

RECEIVED

OCT 06 1989

Office of A. L. J.
Public Utility Commission

Methodist Church, between points in the county of Mifflin, and from points in said county to points in Pennsylvania, and vice versa.

HOY TRANSFER, INC.

By *Herbert R. Nurick*
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Applicant

Dated: September 7, 1989

GRAF, ANDREWS & RADCLIFF, P. C.
ATTORNEYS AT LAW
407 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF
FREDERICK W. ANDREWS
DAVID H. RADCLIFF

October 5, 1989

OF COUNSEL
JOHN E. FULLERTON
TELEPHONE A C 717 236 9318

DOCKETED
OCT 18 1989

The Secretary
PaPUC
Harrisburg, PA 17120

RE: A. 85095 F2, Am-A
HOY TRANSFER INC.

Dear Sir:

The undersigned represents the following in protest of this application.

Lindeman Moving Co.

Parks Moving Systems, Inc.

Applicant has made an amendment, copy attached.

Conditioned upon its acceptance by the Commission and any grant being consistent therewith,, I am authorized to withdraw the protest(s).

I desire to remain a party of record.

Yours truly,

John Fullerton
JOHN FULLERTON

DOCUMENT
FOLDER

RECEIVED
OCT 06 1989
Office of A. L. J.
Public Utility Commission

f/r
attach.

cc: Herbert Nurick, Esq.
App Atty

Client(s)

012

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

REVISED RESTRICTIVE AMENDMENT

Applicant further amends the above-captioned application so that the description of authority which applicant seeks shall now read as follows:

To transport 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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, which because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, and parts, materials and supplies used in connection therewith:

(1) Between points in the county of Centre, and from points in said county to points in Pennsylvania, and vice versa; and

(2) For Avtex Fibers Lewistown Inc., Lewistown Hospital, Geisinger Medical Group, and the Central Pennsylvania Conference of the United

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OCT 6 1989
Office of A. L. J.
Public Utility Commission

Methodist Church, between points in the county of Mifflin, and from points in said county to points in Pennsylvania, and vice versa.

HOY TRANSFER, INC.

By *Herbert R. Nurick*
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Applicant

Dated: September 7, 1989



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

January 8, 1990

IN REPLY PLEASE
REFER TO OUR FILE

Herbert R. Nurick
Attorney at Law
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

In re: A-00085095, F. 2, Am-A - Application of Hoy Transfer, Inc.

Dear Mr. Nurick:

The above referenced application has been assigned for review without an oral hearing. In order to reach a determination on the application, you are being requested to file verified statements in accordance with 52 Pa. Code §3.381(e)(1). You will be required to file:

- A. VERIFIED STATEMENT OF APPLICATION.
- B. VERIFIED STATEMENTS IN SUPPORT OF APPLICATION.

The verified statements should be in paragraph form. Each heading contained in the attached minimum outline should be in a separate section or paragraph.

You are being granted an initial thirty (30) days to file verified statements. They will be due on or before February 5, 1990.

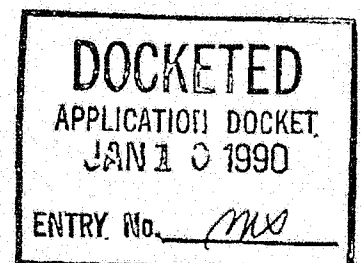
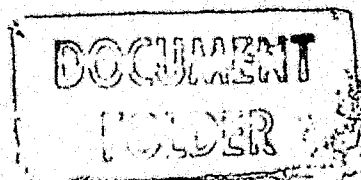
If additional time is required, it may be requested by telephone but should be followed in writing with the reasons for the extension stated.

Questions about your application should be directed to William P. Hoshour at 717-787-5513.

Very truly yours,

By William P. Hoshour
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation

WPH:kmb



FRANCIS B. MAAS, JR.
G. THOMAS MILLER
DONALD R. WASEL
RICHARD R. LEFEVER
J. THOMAS MENAKER
CYDOL W. MCINTYRE
S. BERNE SMITH
ROD J. PERA
EDWARD W. ROTHMAN
ROBERT A. M. LLS
W. JEFFRY JAMOJNEAU
HERBERT R. NURICK
DAVID E. LEHMAN
NORMAN J. WHITE
RICHARD W. STEVENSON
WILLIAM A. CHESNUT
HENRY R. MACHINOLAS
WILLIAM M. YOUNG, JR.
ROBERT M. CHERRY
DAVID B. DISNEY
M. LEE ROUSSEL
MAURICE A. FRATER
L. GRAINGER BOWMAN
BURTON H. SNYDER
JOHN S. OYLER
DELANO M. LANTZ
HARVEY FRIEDENBERG
JASON S. SHAPIRO
ERIC J. BROSSMAN
ROBERT D. STETS
TERRY R. BOSSERT

MARY JANE FORBES
JEFFREY B. CLAY
DAVID M. KLEPPINGER
NEAL S. WEST
FRANKLIN A. MILES, JR.
MICHAEL A. DOCTROW
STEPHEN A. MOORE
DANA S. SCADUTO
ELIZABETH A. DOUGHERTY
ALAN R. BOYNTON, JR.
BRUCE D. BAGLEY
MICHAEL G. JARMAN
GARY F. YENKOWSKI
DIANE M. TOKARSKY
BERNARD A. LABUSKES, JR.
ANNE K. FIORENZA
JOHN M. ABEL
RICHARD S. KAHLBAUGH
KEVIN J. FREDERICK
DAVID M. WATTS, JR.
TRENT HARGROVE
LAWANA M. JOHNS
WILLIAM G. PRIHS
JAY H. FEASTER
DONALD B. KAUFMAN
JAMES I. FRITZ
ABIGAIL A. TIERNEY
ROBERT B. ARMOUR
DONNA J. LONG
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TELEPHONE (717) 232-8000

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STERLING G. MCNEES
923-1959

DAVID H. WALLACE
1942-1967

RETIRED PARTNERS

HARRY H. FRANK
JAMES H. BOOSER
JAMES W. HAGAR
ARTHUR L. BERGER
JAMES H. KING
MOSES K. ROSENBERG

OF COUNSEL

GILBERT NURICK
EDWARD C. FIRS, JR.
ROBERT H. GRISWOLD
JEFFERSON C. BARNHART
SAMUEL A. SCHRECKENGAUST, JR.

January 24, 1990

In re: Application of Hoy Transfer, Inc.
A-00085095, Folder 2, Am-A

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

Dear Mr. Rich:

On behalf of the applicant in the above-captioned proceeding, we have enclosed, for filing, the original and two copies of the statement of case and verified statements of facts in support of the application.

If there are any questions concerning this matter, or if anything further is required, please contact the undersigned.

Very truly yours,

MCNEES, WALLACE & NURICK

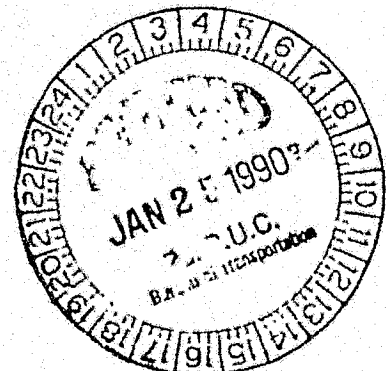
By

Herbert R. Nurick
Herbert R. Nurick

HRN/ec
Enclosures

cc: Mr. William P. Hoshour
Mr. Richard W. Hoy (w/enc.)

DOCUMENT
FOLDER

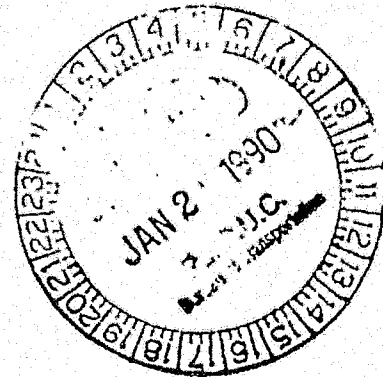


BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00C85095, Folder 2, Am-A



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JAN 24 1990

SECRETARYS OFFICE
Public Utility Commission

STATEMENT OF CASE AND VERIFIED
STATEMENTS OF FACTS SUBMITTED ON BEHALF
OF HOY TRANSFER, INC., APPLICANT

Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Attorneys for Applicant

Due: February 5, 1990

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JAN 25 1990
ENTRY No. 100

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

STATEMENT OF CASE

Hoy Transfer, Inc. ("applicant") filed an application with the Pennsylvania Public Utility Commission ("Commission") seeking authority, as a common carrier, to perform the following service:

To transport 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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union, and from points in said counties to points in Pennsylvania, and vice versa.

Notice of the application appeared in the Pennsylvania Bulletin of Saturday, August 29, 1987, at page 3580. Protests were filed on behalf of

the following carriers: Kennedy Transfer; Krebs Moving & Storage, Inc.; Flamingo Moving and Storage, Inc.; Industrial Transportation, Inc.; Camp Curtin Transfer, Inc.; Centre Carriers Corp.; Independent Freightway, Inc.; J. J. Brandt Moving & Storage Co.; Lindeman Moving Co.; Movers World Inc.; Parks Moving & Storage, Inc.; B & B Systems, Inc.; Tosh Moving & Storage, Inc.; Parks Moving Systems, Inc.; A. Yeagle's Moving & Storage Corp.; Lytle's Transfer & Storage, Inc.; and Gearharts Moving & Storage, Inc.

Applicant filed a restrictive amendment dated November 23, 1988, and a revised restrictive amendment, dated September 7, 1989. Some protests were withdrawn following the filing of the first amendment, and the rest of the protests were withdrawn following the filing of the second amendment. Therefore, this case is now unopposed.

The applicant now seeks the authority set forth in the revised restrictive amendment, dated September 7, 1989. A copy of that amendment is attached to the statement of Richard W. Hoy, president of the applicant, as Appendix "A."

The proceeding has been referred to the Bureau of Transportation for review and report to the Commission. Verified statements are due on or before February 5, 1990.

Attached hereto are the verified statements of the following persons:

1. Richard W. Hoy, president of applicant.
2. Kenneth McCulloch, manager of Industrial Relations of Avtex Fibers Lewistown, Inc.

3. Tedd Heckathorn, vice president materials management for Lewistown Hospital.

4. Brenda J. Moore, clinic operations manager for Geisinger Medical Group.

5. Reverend Karen W. Atanasoff, moving coordinator of the State College district of The United Methodist Church.

6. Fremont D. Winand, senior buyer for HRB Systems, Inc.

7. Barry K. Houtz, director of purchasing for Locus, Inc.

8. John H. Auman, manager of services for Chemcut Corporation

As set forth in the statement of Mr. Hoy, applicant already has authority to transport property (except commodities in bulk in tank vehicles) between points in the borough of State College, Centre County, and within 12 miles by the usually travelled highways of the limits of that borough. It also holds authority to transport household goods and office furniture in use from points in the borough of State College, Centre County, and within an airline distance of 12 miles of the limits of said borough, to points in Pennsylvania, and vice versa. Mr. Hoy's statement further points out that this authority is very limiting and that applicant has received requests to perform the service which it seeks. The primary purpose of this application is to fulfill those requests.

Additionally, Mr. Hoy testifies that applicant always felt that it has had authority to handle the first three categories of commodities in the

application under its general so-called "household goods" authority. However, if the categories are specifically "spelled out" (Hoy statement, p. 7) in its authority, the authority will be more clear and also conform to the current description of "household goods" carriers. The applicant also is under the belief that no authority is required from the Commission to perform service within the boundaries of private land owned by the shipper. While it has performed service on this basis, "[a]pproval of the application will eliminate any vestige of doubt which others might have about [applicant's] operating in this manner." (Hoy statement, p. 8).

Considering the fourth category in the commodity description (calculating machines, etc.) the applicant previously believed that these commodities fell within its authority. However, when applicant was advised that the Commission ruled that those commodities are not within the term of "household goods," it applied for authority to transport such items because such transportation flows from the ordinary work of a household goods carrier.

Concerning territory, we repeat that Mr. Hoy states that being limited to service within 12 miles of State College is not practical. The expansion which the applicant seeks is a natural one considering the territory which it is already authorized to serve. Elimination of the 12-mile restriction of State College, Centre County, will not only enable applicant to perform service for new customers, and expand its service for existing customers, but will also result in a more economical and efficient operation for the applicant itself.

We submit that the statements in this case demonstrate that there is a need for transportation of the commodities covered by the application for the named shippers relating to Mifflin County and for the general public relating to the Centre County portion of the application. It should be noted that the shippers named for Mifflin County also support the Centre County portion of the application. As set forth in the leading case of Zurcher v. Pennsylvania Public Utility Commission, 173 Pa. Super. Ct. 343, 349 (1953):

...Absolute necessity for the additional service is not a requisite, and it is not necessary that applicant establish a present demand for the service in every square mile of the territory certified; proof of necessity within the area is sufficient.

It is sufficient to show that a need exists in the general area to be served. Reeder v. Pennsylvania Public Utility Commission, 192 Pa. Super. Ct. 298 (1960); Morgan Drive Away, Inc. v. Pennsylvania Public Utility Commission, 99 Pa. Commonwealth Ct. 420 (1986).

We further respectfully submit that the evidence adduced by the witnesses in this proceeding demonstrates, in accordance with the cases cited above, that there is a need for applicant's services for all of the commodities involved throughout the general area in the application and

that, the application, as amended, should be approved in its entirety.
Consequently, we respectfully request the Commission to grant this
application, as amended, in full.

Respectfully submitted,

HOY TRANSFER, INC.

By Herbert R. Nurick
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick

Attorneys for Applicant

Dated: January 24, 1990

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

VERIFIED STATEMENT OF RICHARD W. HOY

I. LEGAL NAME AND DOMICILE OF APPLICANT.

The legal name of applicant is Hoy Transfer, Inc. ("applicant"). Applicant's address is 1801 North Atherton Street, State College, PA 16804. Applicant is domiciled in Patton Township, Centre County, Pennsylvania.

II. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR APPLICANT.

My name is Richard W. Hoy. Applicant received its certificate of public convenience from the Pennsylvania Public Utility Commission ("Commission"), at Docket No. A-85095, Folder 2, on May 13, 1958. I was president of applicant at that time and have been president ever since.

I am completely familiar with applicant's authority, operations, facilities, equipment and personnel. I am also thoroughly familiar with the present application and I am authorized by my corporation to submit this testimony in support of the application.

III. IS THE APPLICANT AFFILIATED WITH OTHER CARRIERS?

The only affiliation applicant has with other carriers is that it operates in interstate commerce under an agency agreement with North American Van Lines, Inc. ("North American").

IV. AUTHORITY SOUGHT.

As initially filed, applicant sought the following authority:

To transport 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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, and parts, materials and supplies when moving in connection therewith; between points in the counties of Blair, Centre, Clearfield, Clinton, Huntingdon, Juniata, Mifflin and Union, and from points in said counties to points in Pennsylvania, and vice versa.

As amended, applicant now seeks the authority set forth in the "Revised Restrictive Amendment," dated September 7, 1989, attached to this statement as Appendix "A."

V. GENERAL SCOPE OF CURRENTLY AUTHORIZED OPERATIONS.

A copy of applicant's authority held with the Commission is attached hereto as Appendix "B."

VI. DUPLICATING AUTHORITY WHICH WILL RESULT FROM GRANT OF AUTHORITY.

Appendix "B" will reveal that applicant holds authority to transport property (except commodities in bulk in tank vehicles) between points in the borough of State College, Centre County, and within 12 miles by the usually travelled highways of the limits of said borough. It also holds authority to transport household goods and office furniture in use from points in the borough of State College, Centre County, and within an airline distance of 12 miles of the limits of said borough to points in Pennsylvania, and vice versa.

Obviously, the commodities which the applicant seeks to transport in the instant proceeding are included within applicant's general property rights. Moreover, the Centre County portion of the household goods and office furniture in use authority which is presently held by the applicant is encompassed by the instant application.

The purpose of this application is to clarify and broaden applicant's rights so as to enable it to perform a full service, in the territory sought, for customers who desire applicant's transportation of commodities ordinarily requiring the specialized handling and equipment used by so-called household-goods carriers. Such service has been requested of applicant.

Whatever, applicant is not seeking duplicating rights in this case and will accept a restriction that the authority granted in this proceeding, to the extent that it duplicates authority now held by, or

subsequently granted to, the applicant, shall not be construed as conferring more than one operating right.

VII. DUAL OPERATIONS RESULTING FROM GRANT OF AUTHORITY.

Since applicant does not hold any contract carrier authority with the Commission, there will be no dual operations resulting from a grant of the authority which applicant now seeks.

VIII. PERTINENT TERMINAL FACILITIES AND COMMUNICATIONS NETWORK.

Applicant's facilities are located in Patton Township, Centre County, on approximately two acres of land. The physical building containing offices, drivers' room, and warehouse, encompasses approximately 15,000 square feet. All of applicant's equipment is parked at these facilities.

With regard to garage work, this is handled at the facilities of a qualified mechanic located just a few miles from applicant's property, in the borough of State College, Centre County. The applicant has utilized the services of this operation for about 20 years and this arrangement has worked out very well. This garage is capable of handling everything from inspections and minor repairs to major overhauls on the equipment operated by the applicant.

Concerning communications, applicant has several computers at its facilities as well as a WATS line allowing toll-free calls from and to all points in United States. There are also four regular phone lines at applicant's facilities and customers are permitted to call the applicant on a toll-free basis.

IX. PERTINENT EQUIPMENT.

Applicant owns 7 tractors, 13 trailers, 5 straight vans, and 1 parcel van. The trailers include drop-frame and flat-floor trailers and most of the trailers have air ride.

Applicant also has all the other equipment ordinarily used in the type of service in which applicant specializes. For example, applicant has block and tackle for hoisting and lowering heavy items; winches also used for heavy items; pads; dollies; burlaps; floor runners; various tools; etc.

Applicant has all the types of rolling and other equipment necessary to perform the service which it seeks in this case.

X. SAFETY PROGRAM.

Applicant carefully selects its drivers and thoroughly supervises and trains them with on the job training. Perhaps even more significant is the training program which is mandatory for agents of North American. All applicant's drivers must go to safety classes at North American's Fort Wayne, Indiana, facilities twice a year for a three to four day class on safety. Additionally, printed matter on safety is constantly distributed to the drivers.

Concerning the equipment, it is inspected before and after each trip. Beyond this, there is a routine inspection and maintenance program followed by applicant. This is handled by the garage referred to by me earlier in this statement. Applicant's equipment is always kept in top running order and condition.

XI. TYPE OF SERVICE CURRENTLY PROVIDED TO THE SUPPORTING WITNESSES.

Applicant presently serves supporting witnesses in intrastate Pennsylvania commerce within the scope of its limited authority. It also serves supporting shippers in interstate commerce as an agent of North American.

We provide these customers with scheduled pickups and deliveries, and the type of equipment which they request including air ride equipment when required. Applicant also provides as much equipment as is required and provides a concentrated service providing much equipment within a short period of time. Also, applicant attempts to give a very personalized service which it feels is extremely important to its customers.

XII. TYPE OF SERVICE TO BE OFFERED.

Applicant proposes to render the same type of service just specified pursuant to the authority which it now seeks. Of course, approval of this application will allow the applicant to expand its service both territorially and from the standpoint of commodities authorized.

XIII. FINANCIAL DATA.

The balance sheet of applicant as of December 31, 1988, and the income statement of applicant for the year ended December 31, 1988, are attached hereto as Appendix "C."

These statements show that while applicant had a carrier operating loss in 1988, it had an overall profit. I point out that the applicant has

been operating without interruption since it obtained its authority in 1958 and is meeting its expenses as they arise. Applicant also has retained earnings. Approval of this application will not only allow applicant to have more business, but will also enable applicant to operate more economically and efficiently. In turn, applicant's financial condition will improve as a result of approval of this application.

XIV. WHETHER SERVICE PROVIDED WILL CREATE EMPTY MILES OR BACKHAULS.

Approval of this application will assist applicant in obtaining backhauls and in keeping empty miles to a minimum. The applicant's operation pursuant to the authority which it now seeks will integrate quite well with its existing intrastate authority and interstate operations with North American.

If anything, approval of the application will reduce applicant's empty miles and will, I repeat, allow applicant to make the most productive use of its equipment and operate more efficiently and economically.

XV. ANY OTHER INFORMATION DEEMED PERTINENT.

There are several reasons for the filing of this application. First, and foremost, we have received numerous requests to perform the service which we seek. In addition to this, we have always been of the opinion that our authority allows us to handle the first three categories of commodities in the application by definition of our being a "household goods" carrier. By having the categories specifically spelled out in our

authority, our authority will be clearer and conform to the more recent description of "household goods" carriers. We have also believed that no authority was required from the Commission to perform service when the work is all within the confines of the land owned by the shipper. For example, we have performed service for Lewistown Hospital on this basis. Approval of the application will eliminate any vestige of doubt which others might have about our operating in this manner for Lewistown Hospital, for example.

With regard to the fourth category in the commodity description -- calculating machines, etc., transporting these commodities is a natural for a household goods carrier because such items require the type of service ordinarily provided by such a carrier. Approval will enable us to perform this service. Actually, until several years ago, we believed that these commodities fell within our authority, but we were advised that the Commission ruled that such commodities are not part of "household goods" rights.

Moreover, we are very limited territorially. The 12 mile of State College limitation simply is not practical. We receive numerous requests each year to handle traffic from and to points in Centre County beyond 12 miles of State College. Of course, we have been requested to perform service from the supporting organizations regarding Mifflin County beyond 12 miles of State College also. Approval will allow us to eliminate the 12 mile restriction in Centre County and to serve all of Centre County as well

as the organizations calling on us the most for intrastate service in Mifflin County.

Hence, approval of the application will enable us to expand our operations to meet the needs of the public and, at the same time, clarify our rights and have them conform, literally, to the current description for "household goods" movers. Furthermore, considering the "local" work which applicant can already perform, and the interstate service which it can render as an agent for North American, approval will permit applicant to provide a complete service for its customers in Centre County as well as for those shippers supporting the application for Mifflin County. Approval will also allow applicant to give these organizations more flexibility in order to meet their shipping requirements, and, at the same time, allow applicant to operate more economically and efficiently.

Applicant employs, on the average, 8 full-time drivers, 5 full-time office personnel, 1 part-time office person, 3 salesmen, 10 helpers and packagers, and a warehouse manager. Applicant has the kind of experienced and competent staff which will be able to provide the transportation service required.

Applicant has sufficient facilities, equipment of the proper kind, and personnel to handle the traffic which will be tendered to it under the authority being sought in this proceeding, and is ready, willing and able to perform the service requested. Applicant is also ready, willing and able to obtain additional equipment, facilities and personnel, if necessary.

Under all the circumstances set forth above, I respectfully request that the Commission approve the instant application, as amended, in full.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

REVISED RESTRICTIVE AMENDMENT

Applicant further amends the above-captioned application so that the description of authority which applicant seeks shall now read as follows:

To transport 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, when in connection with a removal from one location to another; 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, copying machines, computers and other electronic equipment and business machines, which because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, and parts, materials and supplies used in connection therewith:

(1) Between points in the county of Centre, and from points in said county to points in Pennsylvania, and vice versa; and

(2) For Avtex Fibers Lewistown Inc., Lewistown Hospital, Geisinger Medical Group, and the Central Pennsylvania Conference of the United

Methodist Church, between points in the county of
Mifflin, and from points in said county to points
in Pennsylvania, and vice versa.

HOY TRANSFER, INC.

By *Herbert R. Nurick*
Herbert R. Nurick, Esquire
McNees, Wallace & Nurick
P. O. Box 1166
100 Pine Street
Harrisburg, PA 17108-1166
(717) 232-8000

Counsel for Applicant

Dated: September 7, 1989

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 85095
Folder 2

Application of HOY TRANSFER, INC.

REPORT AND ORDER
APPROVING TRUCKING SERVICE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of HOY TRANSFER, INC., a proposed corporation of the Commonwealth of Pennsylvania, filed January 10, 1958, to operate motor vehicles as a common carrier, and upon protests, and having been duly presented in accordance with the rules of the Commission, and full investigation of the matters and things involved having been had, and it appearing that applicant amended the application whereby protests were withdrawn, and it further appearing that the rights granted herein are in effect a transfer of the rights which have been held by MARY KATHERYN HOY, trading and doing business as HOY TRANSFER COMPANY, under report and order issued at A. 70493 on October 20, 1947, and the certificate of public convenience issued thereunder, as modified and amended by supplemental report and order issued under date of September 24, 1951, which certificate will be subsequently cancelled, as of the date of this order, upon compliance with the insurance and tariff requirements of the Commission by HOY TRANSFER, INC.; the Commission finds and determines that approval of the application, limited to the following rights:

To transport, as a Class D carrier, property between points in the Borough of State College, Centre County, and within twelve (12) miles by the usually traveled highways of the limits of the said borough;

the aforesaid right subject to the following conditions:

That no right, power or privilege is granted to transport commodities in bulk in tank vehicles.

To transport, as a Class D carrier, household goods and office furniture in use from points in the Borough of State College, Centre County, and within an airline distance of twelve (12) miles of the limits of said borough to points in Pennsylvania, and vice versa;

and subject to the following conditions, is necessary or proper for the service, accommodation or convenience of the public:

FIRST: That the certificate holder is limited and restricted to the operation of the motor vehicles as named and described in the Equipment Certificate, to be subsequently issued.

SECOND: That the approval hereby given is not to be understood as committing the Commission, in any proceeding 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 therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.

THIRD: That the accounts of the transferee will reflect the same book value as the records of the transferor at the effective date of the transfer, with respect to the assets acquired and liabilities assumed, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amount representing the rights herein granted, in excess of the actual cost of such rights to the original holder thereof.

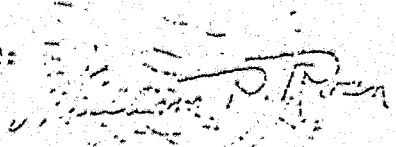
FOURTH: That the certificate holder shall comply with all the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Revised General Order No. 29, effective July 1, 1939, or as may hereafter be revised, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

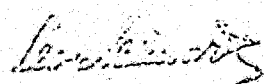
Now, to wit, March 31, 1958, IT IS ORDERED: That upon compliance with the requirements of the Public Utility Law relating to insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate of public convenience issue evidencing the Commission's approval of the right to operate, as above determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty 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.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:


Secretary


Chairman

APPLICATION OF HOY TRANSFER, INC.

Balance Sheet as of December 31, 1988

BALANCE SHEET STATEMENT (omit cents)

Line No.	ASSETS	Balance End of Yr.	Line No.	LIABILITIES AND EQUITY	Balance End of Yr.
	Current Asset			Current and Accrued Liabilities	
1	Cash and working funds	\$ 55,411	27	Notes payable within one year	\$ 157,332
2	Special deposits		28	a. Equipment Due	21,300
3	Notes receivable		29	b. Owners and officers	29,500
4	Accounts receivable from:		30	c. Affiliates	
5	a. Trade and interline	104,615		d. Others	
6	b. Owners and officers			Accounts payable to:	41,448
7	c. Affiliates		31	a. Trade and interline	
8	d. Others	9,545	32	b. Owners and officers	
9	Prepayments	6,563	33	c. Affiliates	
10	Materials and supplies		34	d. Others	19,284
11	Other current assets		35	Wages and salaries payable	
12	Total Current Assets	176,434	36	C O D's unremitted	3,840
	Property and Investments		37	Taxes payable	
	Tangible property		38	Other current & accrued liabilities	268,724
13	Total Carrier Property	537,311	39	Total Current & Accrued Liabilities	
14	Less: Accumulated Depreciation	440,858		Equipment and Other Long Term Obligations	
15	Net Carrier Property	96,453	40	Equipment Obligations	
16	Noncarrier property	33,845	41	Real Estate Obligations	
17	Less: Accumulated Depreciation	27,642	42	Owing to owners, officers & affiliates	
18	Net Non Carrier Property	5,703	43	Other long term obligations	
	Intangible Property		44	Total Equipment & Other Long Term Obligations	
19	a. Franchises and permits		45	Estimated liabilities (long term)	
20	b. Goodwill and other			Equity	
	Investments and Advances		46	Noncorporate capital	500
21	a. Affiliates		47	Capital stock	
22	b. Cash value life ins. policies		48	Capital surplus	9,866
23	c. Other		49	Retained earnings	9,866
24	Total Property and Investments		50	Total Equity	278,590
25	Deferred debits and other assets		51	TOTAL LIABILITIES AND EQUITY	
26	TOTAL ASSETS	278,590			

APPLICATION OF HOY TRANSFER, INC.

Income Statement for Year Ended December 31, 1988

COMPARATIVE INCOME STATEMENT (omit cents)

1. State the income of the carrier classified in accordance with the instructions prescribed in the Uniform System of Accounts.
2. Enter in Column (c) the income applicable to the year covered by this report; in Column (d) enter the income applicable to the preceding year and in Column (e) enter the difference between Columns (c) and (d). Current year excesses over previous year figures shall be shown in black and the decreases shown in red (or in black followed by appropriate symbol).
3. If the increases and decreases are in anywise inconsistent with previously reported figures, explain under Explanatory Remarks.

Description	Amounts Applicable To The Year Covered By This Report (c)			Comparison With Preceding Year			Difference Increase — Black Decrease — Red (e)		
	(b)			Amount (d)					
I. CARRIER OPERATING INCOME									
Revenues
Operating Revenues (A)		834	560	744	024		90	536	
Expenses									
* Operation and Maintenance Expenses (Total From Page 4)		802	752	733	476		69	276	
Depreciation Expense		62	952	70	906		(7)	954	
Amortization Chargeable to Operations									
Operating Taxes and Licenses		58	209	49	903		8	306	
Operating Rents		3	200	2	129		1	071	
(Gain) or Loss on Disposition of Operating Assets									
Total (B)		927	113	856	414		70	699	
Net Operating Revenue		(92)	553	(112)	390		19	837	
II. OTHER INCOME									
Net Income from Non-Carrier Operations		127	602	122	173		5	429	
Net Income from Non-Operating Property									
Interest Income									
Dividend Income									
Income from Sinking and Other Funds									
Other Non-Operating Income									
Total Other Income		127	602	122	173		5	429	
Gross Income		35	049	9	783				
III. INCOME DEDUCTIONS									
Interest on Long-Term Obligations		25	633	25	761		(128)		
Other Interest Deductions									
Taxes Assumed on Interest									
Amortization of Debt Discount and Expenses									
Amortization of Premium on Debt — Credit									
Other Deductions									
Total Income Deductions		25	633	25	761		(128)		
Net Income Before Income Taxes		9	416	(15)	978		25	394	
Provision for Income Taxes (C)		2	100				2	100	
Net Income (or Loss) Transferred to Earned Surplus		7	316	(15)	978		23	294	
Operating Ratio Before Income Taxes (B) + (A)		= 111 %							
Operating Ratio After Income Taxes (B) + (C) - (A)		= _____ %							

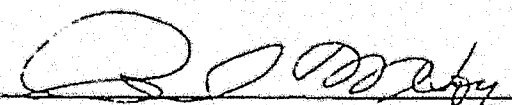
EXPLANATORY REMARKS — Comparative Income Statement

This space may be used by the carrier in furnishing additional data in support of any item appearing in the above Income Statement which by reason of its unusual character justifies an explanation.

A-F-F-I-D-A-V-I-T

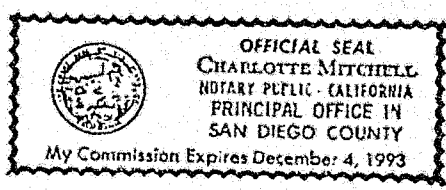
STATE OF CALIFORNIA (CW)
~~COMMONWEALTH OF PENNSYLVANIA~~ :
SAN DIEGO : SS:
COUNTY OF CENTRE :
(CW)

Richard W. Hoy, being duly sworn according to law, deposes and says that he has read the foregoing statement, knows the contents thereof, and that the same are true and correct as stated, to the best of his knowledge, information and belief.


Richard W. Hoy

Sworn to and subscribed
before me this 26TH day
of December, 1989.

Charlotte Mitchell
Notary Public



(SFAL)

My commission expires: 12/4/93

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

VERIFIED STATEMENT OF KENNETH McCULLOCH

I. LEGAL NAME AND DOMICILE OF SUPPORTING PARTY OR FIRM.

The legal name and address of the supporting party are Avtex Fibers Lewistown Inc. ("Avtex"), 1000 Elizabeth Street, Lewistown, PA. The facilities of Avtex are physically located in Granville Township, Mifflin County, Pennsylvania.

II. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR SUPPORTING PARTY OR FIRM.

My name and title are Kenneth McCulloch, manager of Industrial Relations. I came with Avtex in April of 1989, in my present capacity. My duties include handling the transportation for Avtex and therefore I am familiar with its transportation needs.

Avtex selects the carriers which perform transportation for it and also pays the freight charges of those carriers.

Avtex has authorized me to submit this statement in support of the instant application of Hoy Transfer, Inc. ("applicant").

III. GENERAL DESCRIPTION OF SUPPORTING PARTY, ORGANIZATION OR OPERATIONS.

Avtex is a manufacturer of polyester yarn. The items to be transported, as pertinent to this proceeding, are primarily household goods and related property as well as various kinds of equipment including related parts, etc. However, we support the plant and other articles-in-use aspects of this case so that such service will be available to us in the future.

IV. VOLUME AND FREQUENCY OF INTENDED USE.

We expect to utilize the household goods and effects service of applicant about two or three times per year. Regarding the equipment, and other items, these moves will be sporadic over the years.

V. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH.

We hire employees from all over. Considering myself alone, I came from Pittsburgh and since I have been with Avtex, we hired a plant engineer who came from Allentown. I emphasize that our personnel could come from all over the state as well as beyond, at any particular time. Therefore, we need to have a carrier which can transport their household goods from anywhere in Pennsylvania to, primarily, anyplace in Mifflin and Centre Counties.

Looking at the equipment and business machines phase of this application, there are times when we would purchase or sell, basically, used equipment. The purchase, again, could come from almost any point in

Pennsylvania and the same is true for the sale of our equipment; i.e., it could go to almost any point in Pennsylvania.

Because of the variety of outbound and inbound points involved, and the potential for the various kinds of moves which could be made for us, we support the application to and from all points in the state so that we will have the most flexible use of the applicant available to us.

VI. TYPE OF SERVICE REQUIRED. DESCRIBE.

The household goods of our employees move in truckload quantities. The machines do not, but require the type of equipment used by household-goods movers and the handling ordinarily performed by such movers.

VII. SIMILAR APPLICATIONS SUPPORTED.

We have not supported similar applications.

VIII. ANY OTHER INFORMATION DEEMED PERTINENT.

Avtex has utilized the services of the applicant as an agent for North American Van Lines, Inc. in interstate commerce. We have requested applicant to serve us also in intrastate commerce and support this application so that applicant can fulfill our requests.

A-F-F-I-D-A-V-I-T

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF MIFFLIN :

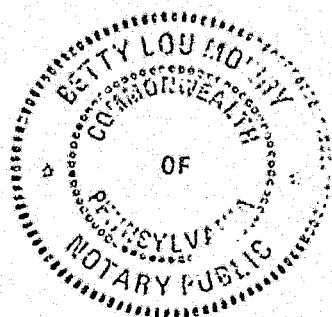
Kenneth McCulloch, being duly sworn according to law, deposes and says that he has read the foregoing statement, knows the contents thereof, and that the same are true and correct as stated, to the best of his knowledge, information and belief.

Kenneth McCulloch
Kenneth McCulloch

Sworn to and subscribed
before me this 7th day
of December, 1989.

Betty Lou Morley
Notary Public

(SEAL)



My commission expires:

BETTY LOU MORLEY, Notary Public
Mifflin County, PA
My Commission Expires July 14, 1990

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00C85095, Folder 2, Am-A

VERIFIED STATEMENT OF TEDD HECKATHORN

I. LEGAL NAME AND DOMICILE OF SUPPORTING PARTY OR FIRM.

Lewistown Hospital ("Hospital") is the legal name of the supporting party. The Hospital is in Derry Township, Mifflin County, Pennsylvania, although its Post Office address is Lewistown, Pennsylvania.

II. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR SUPPORTING PARTY OR FIRM.

Tedd Heckathorn is my name. I have been Vice President Materials Management for the Hospital for the past two years. It is my responsibility to make transportation arrangements for the Hospital. The Hospital pays the freight and selects the carriers which it utilizes.

I am well aware of the Hospital's transportation requirements and, as part of my responsibilities, I am authorized to support this application of Hoy Transfer, Inc. ("applicant").

III. GENERAL DESCRIPTION OF SUPPORTING PARTY, ORGANIZATION OR OPERATIONS.

Just as the name says, Lewistown Hospital is a hospital.

With regard to the types of transportation involved, we arrange for the transportation of commodities used in a household as well as for the transportation of furniture, etc., involved in moving one part of our Hospital from one location to another. There are also various types of equipment and accompanying parts, materials and supplies which require handling by a carrier such as applicant.

IV. VOLUME AND FREQUENCY OF INTENDED USE.

As pertinent to intrastate moves, there would be approximately one to three household moves a year. With regard to the moving of the furniture, etc., this seems to be taking place more frequently and it would appear that there would be from two to four such moves per year. Other items would move on a more irregular basis and could involve movements from or to our facilities to or from almost any point in the state.

V. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH.

We constantly recruit and hire physicians and members of our administrative staff. These persons come from throughout the country. They could come from anyplace in Pennsylvania. The two most recent persons came from Lancaster and Somerset, but I repeat that any point in Pennsylvania is a place where we may obtain a member of either our medical or administrative staff. Consequently, we need a carrier which can pick up household goods from any point in Pennsylvania and deliver them to actually any point in Mifflin and Centre Counties.

The Hospital complex consists of approximately six blocks of property in Derry Township. There are seven different buildings on our campus and departments move from building to building at various times. This requires transportation of furniture, fixtures, equipment, etc. utilized by the department from one building to another. We understand that applicant can already perform this service since it is on our private property. However, there are times when a clinic or counselling service of the Hospital at Derry Township moves to another point such as, for example, Mifflintown and Lewistown, which occurred recently. Such moves could be to other points in Pennsylvania also. We require the services of applicant for this type of move also.

VI. TYPE OF SERVICE REQUIRED. DESCRIBE.

The transportation relating to us is truckload traffic. We need a carrier that has trailers equipped to handle household goods, office furniture, and other commodities in the application. We also must have scheduled service.

VII. SIMILAR APPLICATIONS SUPPORTED.

Several years ago, we supported Centre Carriers Corp., but we still must have the services of the applicant available to fulfill our needs.

VIII. ANY OTHER INFORMATION DEEMED PERTINENT.

An additional moving service is needed in our area. The Hospital has experienced problems in obtaining qualified movers, where applicant does

not hold authority. When we utilize the services of the applicant for our on-property moves and as agent for North American Van Lines, Inc. for interstate moves, we receive excellent service. Applicant not only has competent personnel, but it is a staff that gives personalized service. We have had very good success with applicant and it receives high marks from us. In all, applicant has done a good job for us and we want to be able to use it in intrastate commerce on a broader and more flexible basis.

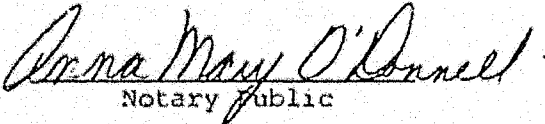
A-F-F-I-D-A-V-I-T

COMMONWEALTH OF PENNSYLVANIA :
 : SS:
COUNTY OF MIFFLIN :

Tedd Heckathorn, being duly sworn according to law, deposes and says that he has read the foregoing statement, knows the contents thereof, and that the same are true and correct as stated, to the best of his knowledge, information and belief.

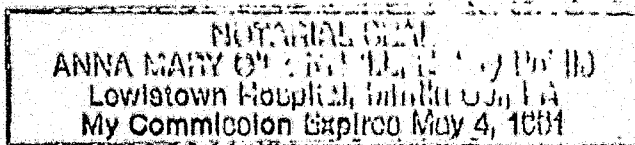

Tedd Heckathorn

Sworn to and subscribed
before me this *18th* day
of December, 1989.


Notary Public

(SEAL)

My commission expires:



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-C0085095, Folder 2, Am-A

VERIFIED STATEMENT OF BRENDA J. MOORE

I. LEGAL NAME AND DOMICILE OF SUPPORTING PARTY OR FIRM.

The legal name of the supporting party is Geisinger Medical Group ("Geisinger"). While Geisinger has a Lewistown address, it is actually located in Derry Township, Mifflin County, Pennsylvania.

II. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR SUPPORTING PARTY OR FIRM.

My name is Brenda J. Moore and I am clinic operations manager for Geisinger. I have been with Geisinger for five years and have held my present position for two years.

I am the person that is responsible for arranging the transportation involved in the application of Hoy Transfer, Inc. ("Hoy") now before the Pennsylvania Public Utility Commission. Hence, I know what our transportation needs are. Geisinger selects the carrier which performs this transportation and also pays the freight charges for the transportation.

I am authorized by Geisinger to submit this testimony in support of this application.

III. GENERAL DESCRIPTION OF SUPPORTING PARTY, ORGANIZATION OR OPERATIONS.

Geisinger is a multi-speciality outpatient medical group. There are an average of 15 full and part-time doctors who are part of the group and, of course, Geisinger employs a support staff, both medical and administrative, sufficient to provide a quality service for its patients.

With regard to the types of items that are involved in this application, Geisinger is concerned with the household goods and personal effects of its physicians and their families; furniture, equipment, etc. involved in its operation; and various kinds of electronic equipment and machines required in its operation.

IV. VOLUME AND FREQUENCY OF INTENDED USE.

If this application is granted, Geisinger would make use of Hoy's service on an average of two to five times per year.

V. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH.

Geisinger is constantly recruiting members of its staff. When Geisinger hires a doctor, for example, it pays the moving expenses of that doctor. The doctors could come from, as relevant, almost any point in Pennsylvania and could move to almost any point in Centre or Mifflin Counties. Additionally, Geisinger has certain articles which it puts into storage from time to time. While its two main storage points are

Lewistown, Mifflin County, and Mifflintown, Juniata County, it could store its articles at other places in those counties as well as in Centre County. Of course, those items must be returned to the facilities in Derry Township when needed. Additionally, Geisinger has movements of sub offices from time to time too. The various business machines, such as electronic equipment, for example, could come from any point in Pennsylvania to Geisinger's Derry Township facilities, and the reverse is also true. In fact, Geisinger paid to move a hearing booth from its facilities to a point near State College in the recent past.

In order for Geisinger to have complete flexibility, it supports the full commodity scope of this application as well as, territorially, the full service sought to be rendered for Geisinger.

VI. TYPE OF SERVICE REQUIRED. DESCRIBE.

Geisinger requires a carrier which can give it a personalized service. It needs a carrier that will provide the type of equipment used in moving household goods and it requires a carrier that will provide service on schedule both for pickup and delivery.

VII. SIMILAR APPLICATIONS SUPPORTED.

Geisinger has not supported any similar applications.

VIII. ANY OTHER INFORMATION DEEMED PERTINENT.

Geisinger has been looking for another household goods type carrier and has had discussions with Hoy in this regard. Based on these

discussions, I feel confident that Hoy would be able to give Geisinger the type of service which it needs.

A-F-F-I-D-A-V-I-T

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF MIFFLIN :

Brenda J. Moore, being duly sworn according to law, deposes and says that she has read the foregoing statement, knows the contents thereof, and that the same are true and correct as stated, to the best of her knowledge, information and belief.

Brenda J. Moore
Brenda J. Moore

Sworn to and subscribed
before me this 11th day
of December, 1989.

Margaret M. Force
Notary Public

(SEAL)

My commission expires:

NOTARY SEAL
MARGARET M. FORCE, NOTARY PUBLIC
BURNHAM BOROUGH, MIFFLIN COUNTY
MY COMMISSION EXPIRES AUG 30, 1990
Member, Pennsylvania Association of Notaries

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

VERIFIED STATEMENT OF REVEREND KAREN W. ATANASOFF

I. LEGAL NAME AND DOMICILE OF SUPPORTING PARTY OR FIRM.

The legal name of the supporting party is Central Pennsylvania Conference of The United Methodist Church ("UMC"). The home office of UMC is located at 900 Arlington Avenue, Harrisburg, PA 17109. I am located at my parish office in Stormstown, Centre County, Pennsylvania which bears a Post Office address of Port Matilda.

II. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR SUPPORTING PARTY OR FIRM.

I am Reverend Karen W. Atanasoff, moving co-ordinator of the State College District of UMC. As part of my duties, I arrange for the transportation of the household property and personal effects of ministers who receive appointments to go from my district, which includes Centre and Mifflin Counties, to another district. I select the carrier to be used on behalf of UMC and UMC pays the mover for the transportation.

I have been the moving co-ordinator for my district for three years and I am authorized to support this application of Hoy Transfer, Inc. ("applicant").

III. GENERAL DESCRIPTION OF SUPPORTING PARTY, ORGANIZATION OR OPERATIONS.

UMC is the coordinating body for the United Methodist Church in Central Pennsylvania. We are concerned with the movement of the household goods, personal effects, and other property relating to a move of our ministers from one location to another.

IV. VOLUME AND FREQUENCY OF INTENDED USE.

The number of moves per year varies greatly. While there are ordinarily 10 moves per year, there have been some years involving 40 moves. Regarding moves in intrastate Pennsylvania commerce, some of these moves take place within the authority already held by the applicant. Considering pertinent intrastate moves beyond that authority, we anticipate using the applicant's service, depending on the year, between 5 to 10 times per year.

V. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH.

The ministers serving our district could live at almost any point in Centre and Mifflin Counties. Therefore, we support the application for all points in those two counties as origins. While the vast majority of the moves will go to places in Central Pennsylvania, there are times that a minister will retire and move to a point other than Central Pennsylvania.

Consequently, we support the application to all points in Pennsylvania and these points could vary depending on the appointments by UMC or, in the case of retirement, the desire of the retiring ministers.

VI. TYPE OF SERVICE REQUIRED. DESCRIBE.

The type of service required is probably unique in our situation. Appointments for our ministers begin on the first of July. Therefore, the vast majority of the moves take place in the last two weeks of June. When I referred to 10 moves in some years and 40 moves in other years, almost all these moves took place within a two-week period. This is a critical period for us and, other than within the territory now authorized to the applicant, we have not been able to get all the trucks we need. We have found that the applicant has been available when other companies have not been available. Consequently, we support this application so that the services of applicant can be expanded to serve us.

VII. SIMILAR APPLICATIONS SUPPORTED.

We have not supported applications in the past.

VIII. ANY OTHER INFORMATION DEEMED PERTINENT.

As I indicated earlier, UMC utilizes the services of the applicant within its territory authorized by the Pennsylvania Public Utility Commission. We are very satisfied with that service. In fact, we have had good results in using the applicant.

I reiterate that we want to have the applicant's service available for us in Centre County beyond the applicant's 12 miles of State College limit as well as available from all points in Mifflin County to other points in Pennsylvania.

A-F-F-I-D-A-V-I-T

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CENTRE :

Reverend Karen W. Atanasoff, being duly sworn according to law,
deposes and says that she has read the foregoing statement, knows the
contents thereof, and that the same are true and correct as stated, to the
best of her knowledge, information and belief.

Karen W. Atanasoff
Reverend Karen W. Atanasoff

Sworn to and subscribed
before me this *19th* day
of January, 1990.

Bonnie Rogers Moerschbacher
Notary Public

(SEAL)

My commission expires:

NCTARIAL SEAL
BONNIE ROGERS MOERSCHBACHER, Notary Public
State College Boro, Centre County, Pa.
My Commission Expires October 14, 1991

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

VERIFIED STATEMENT OF FREMONT D. WINAND

I. LEGAL NAME AND DOMICILE OF SUPPORTING PARTY OR FIRM.

The legal name and address of the supporting party are HRB Systems, Inc., ("HRB"), P. C. Box 60, Science Park, State College, Pennsylvania 16804-0060. The facilities of HRB are located in Ferguson Township, Centre County, Pennsylvania.

II. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR SUPPORTING PARTY OR FIRM.

My name is Fremont D. Winand. I am senior buyer for HRB. Part of my duties is to arrange for transportation for HRB and I have held this responsibility for over 10 years. HRB selects the carrier and pays the carrier's transportation freight charges.

I have been authorized by HRB to support the instant application of Hoy Transfer, Inc. ("applicant").

III. GENERAL DESCRIPTION OF SUPPORTING PARTY, ORGANIZATION OR OPERATIONS.

HRB is a computer system house which processes computers and designs

software systems. Its computers, software, and parts, materials and supplies used in connection therewith, are shipped all over the world.

HRB is also concerned with the household goods, etc.; furniture, etc.; and other kinds of articles which are involved in this case. I shall deal with this later in this statement.

IV. VOLUME AND FREQUENCY OF INTENDED USE.

HRB anticipates utilizing the services of the applicant approximately twice a month beyond the service which it is already authorized to render to HRB.

V. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH.

I shall describe the origins and destinations as they relate to each type of service which we require.

Looking first at the household goods and personal effects, etc., we hire new personnel from time to time. We pay to have their household goods and personal effects moved from where they are located, at the time of hiring, to their new homes which are in Centre County. We also send our personnel attached to our Centre County facilities to other points in Pennsylvania. This occurs, primarily, when we send our staff to a point to serve as a support person for the equipment that is purchased from us. The person can go to that particular point for a year or two. Of course, following that period of time, the person moves back to a home in Centre County. These furniture and personal-effect moves could be, for all practical purposes, from any point in Pennsylvania to almost any point in

Centre County. The vice versa is also true. Consequently, to name specific points is meaningless because all points are relevant to this application.

With regard to the furniture and fixtures, to the extent that the move is to or from a place beyond the authority of the applicant in Centre County, we would like to have its services available.

We have various displays and exhibits which are transported from our facilities to various points in Pennsylvania which relate to the work of HRB. While we have equipment to move these, we would also like the applicant to be available for backup. Although we believe applicant holds this authority from and to our existing location, we want to be sure.

A major transportation requirement is the movement of computers and other electronic equipment. Of course, we need to move the parts, materials and supplies related to this equipment. We ship to any point where we can effect a contract. Naturally, our sales efforts are to obtain contracts throughout the state and any point in the state is a potential destination point for our computers and other equipment. Consequently, we require the services of applicant for this transportation to points throughout the state of Pennsylvania as well as from those points back to our facilities. Such moves are required for various reasons.

Because of the changing needs that we have, we must have the flexibility of using a carrier which holds authority for the commodities of concern in this application from all points in Centre County to all points in Pennsylvania, and vice versa.

VI. TYPE OF SERVICE REQUIRED. DESCRIBE.

All of the traffic relating to our requirements is truckload traffic. Furthermore, we require trailers with air ride.

VII. SIMILAR APPLICATIONS SUPPORTED.

We supported the application of Parks Moving Systems, Inc. which sought authority to transport computers, etc. It is very important to recognize, however, that we require the services of the applicant in addition to Parks.

VIII. ANY OTHER INFORMATION DEEMED PERTINENT.

We utilize the services of the applicant now both in its capacity as agent for North American Van Lines, Inc., for interstate commerce, and under its own authority which it now holds with the Pennsylvania Public Utility Commission. The applicant gives us very good service. Our demands vary from move to move and we also have very strict requirements regarding scheduled times of pickups and deliveries. The applicant has always been able to respond quickly to our requirements.

Our support of this application is to be able to use the applicant in an expanded way both for the commodity and territorial scope of its operations. Approval of this application will certainly be an accommodation and convenience to us. We require such service and we respectfully ask the Commission to approve this application so that this requirement will be fulfilled.

A-F-F-I-D-A-V-I-T

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CENTRE :

Fremont D. Winand, being duly sworn according to law, deposes and says that he has read the foregoing statement, knows the contents thereof, and that the same are true and correct as stated, to the best of his knowledge, information and belief.

Fremont D. Winand
Fremont D. Winand

Sworn to and subscribed
before me this 7 day
of December, 1989.

R. W. Atken
Notary Public

(SEAL)

My commission expires:

NOTARIAL SEAL
ROBERT W. ATKEN, NOTARY PUBLIC
FERGUSON TOWNSHIP, CENTRE COUNTY
MY COMMISSION EXPIRES FEB. 24, 1992
Member, Pennsylvania Association of Notaries

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

VERIFIED STATEMENT OF BARRY K. HOUTZ

I. LEGAL NAME AND DOMICILE OF SUPPORTING PARTY OR FIRM.

The legal name and domicile of the supporting party are Locus, Inc., village of Boalsburg, Harris Township, Centre County, Pennsylvania.

II. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR SUPPORTING PARTY OR FIRM.

My name is Barry K. Houtz. I am director of purchasing for Locus and I have held this position for 14 years. I am the person in our corporation who arranges the transportation required by us. We pay the freight charges and select the carrier for 99 percent of the moves involving our corporation.

Locus has authorized me to support this application of Hoy Transfer, Inc. ("Hoy").

III. GENERAL DESCRIPTION OF SUPPORTING PARTY, ORGANIZATION OR OPERATIONS.

Locus is a manufacturer of electronic equipment and simulation systems. We sell to various industries.

In connection with our business, we have the responsibility of moving new employees into our territory. This requires the concomitant movement of the employee's household goods and effects.

We also ship and receive various kinds of equipment and related materials, supplies, and parts which are covered by this application.

While we move displays, and the like, in a portable fashion now, we support the application for those items too because we could utilize Hoy for these moves in the future.

IV. VOLUME AND FREQUENCY OF INTENDED USE.

It is extremely difficult to predict our needs annually. What I can say, however, is that the service of Hoy will be used annually. My best estimate is that it will be used four times per year for the goods of personnel and about two or three times per year for the movement of the electronic equipment.

V. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH.

We bring employees to our facilities from all over. These employees live in Centre County and the choice of location is theirs. These people come from points in Pennsylvania and elsewhere. The most recent employee from Pennsylvania came from Lansdale approximately six months ago but I emphasize that, for all practical purposes, any point in Pennsylvania could be a pickup point for the household goods and any point in Centre County could be the destination point.

Turning to the electronic equipment, and the parts, materials and supplies used in connection with that equipment, we purchase such equipment from vendors located just about anywhere. We always are looking for new vendors and for those in Pennsylvania, we require the services of Hoy to bring the equipment to our facilities. Likewise, we ship to points in Pennsylvania, the nation, and outside the country. We have potential customers at all points in Pennsylvania and therefore the need for transportation of the electronic equipment, etc., is to, once again, all points in the state.

Interestingly, there are times when we would have to move an operation to another building either in Centre County or outside of the county. This would require transportation of certain furniture and equipment at our facilities to another facility. We support the application for these types of moves also. While we believe applicant can already perform this service for us, we note this factor in order to cover the full gamut of our needs.

VI. TYPE OF SERVICE REQUIRED. DESCRIBE.

We require, of course, the type of equipment used by household goods carriers for all our transportation. Air ride is especially important for our very delicate electronic equipment.

VII. SIMILAR APPLICATIONS SUPPORTED.

We have not supported any applications prior to this one.

VIII. ANY OTHER INFORMATION DEEMED PERTINENT.

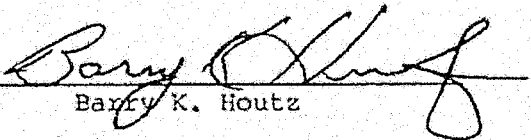
We utilize the services of Hoy within its existing authority for the household goods moves. We also use Hoy as an agent for North American Van Lines, Inc., for interstate transportation. The personnel at Hoy are solution people. By this I mean that you can give them the problem, and they will come up with the solution. Hoy gives excellent service. We support the instant application so that we will be able to use that same excellent service on an expanded basis both commodity-wise and territorially.

In all, we respectfully request the Commission to approve this application relating to Centre County, in its entirety.

A-F-F-I-D-A-V-I-T

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CENTRE :

Barry K. Houtz, being duly sworn according to law, deposes and says that he has read the foregoing statement, knows the contents thereof, and that the same are true and correct as stated, to the best of his knowledge, information and belief.


Barry K. Houtz

Sworn to and subscribed
before me this 7th day
of December, 1989.


Notary Public

(SEAL)

My commission expires:

Joseph F. Laska, Notary Public
Harris Township, Centre County
My Commission Expires Aug. 8, 1992

Secretary of the State, Department of State

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re:

APPLICATION OF

HOY TRANSFER, INC.
A-00085095, Folder 2, Am-A

VERIFIED STATEMENT OF JOHN H. AUMAN

I. LEGAL NAME AND DOMICILE OF SUPPORTING PARTY OR FIRM.

Chemcut Corporation ("Chemcut") is the legal name of the supporting party. While Chemcut's post office address is State College, its actual location is in Ferguson Township, Centre County, Pennsylvania.

II. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT FOR SUPPORTING PARTY OR FIRM.

My name is John H. Auman, C.P.P. and I am manager of services for Chemcut. I have held this position for 30 years. Part of my responsibilities is arranging for both the inbound and outbound transportation for my company. I add that Chemcut selects the carriers which it uses and also pays the freight charges of these carriers.

I have been authorized by Chemcut to support the above-captioned application of Hoy Transfer, Inc. ("Hoy").

III. GENERAL DESCRIPTION OF SUPPORTING PARTY, ORGANIZATION OR OPERATIONS.

Chemcut is the world's largest producer of chemical etching and

plating equipment. This equipment is specially built and designed to meet the needs of customers. As part of Chemcut's operations, various aspects of Hoy's services are required. When we hire personnel, we pay to move their household goods including their personal effects etc. Naturally we select the carrier for such moves. We also have displays and exhibits which require the specialized handling and equipment associated with a household goods mover. Additionally, we receive electronic equipment such as computer control electronic equipment which programs, operates, and corrects other equipment at our facilities. We also sell such equipment to our customers. I shall describe the movements involved with regard to all of these items in part V of this statement.

IV. VOLUME AND FREQUENCY OF INTENDED USE.

Based on our experience, the household goods moves in Pennsylvania would be from 3 to 8 times a year and the other transportation would occur from 3 to 5 times per year outbound and from 3 to 5 times per year inbound.

V. SPECIFIC OR REPRESENTATIVE ORIGINS AND DESTINATIONS, OR BOTH.

We obtain employees from all over the country including Pennsylvania. These persons could be located at any particular point in Pennsylvania at any point in time. Rather than name specific points, it is more meaningful to state that we require the service from all points in Pennsylvania to any point in Centre County because our employees are free to locate wherever they want to in the county.

There are trade shows throughout Pennsylvania and the displays and exhibits which we would ship, therefore, would go to virtually any point in the state. Of course, these commodities must be returned to our facilities following the trade show or other exhibit.

Our electronic equipment, once again, could come from any point in Pennsylvania. Most recently, it has come from King of Prussia, York, and Harrisburg. However, there are vendors throughout the state and we want to be able to purchase the equipment from any quality vendor, and be able to return it to the vendor for repairs when necessary. Consequently, we need to have a carrier authorized to pick up the equipment from any point in Pennsylvania and bring it to our facilities, and vice versa. Of course, parts, materials and supplies relating to this equipment is also involved.

Also, we have potential customers throughout the state of Pennsylvania. Although most recently we have shipped our machines, including related items, to Philadelphia, Harrisburg, and Lancaster, the shipments could be, really, to any point in Pennsylvania in the future. Again, we solicit business all over and whenever we obtain a customer, we want to be able to have Hoy available to perform the service to that point.

To summarize, our need for service is, when including the household goods aspect of our requirements, from all points in Pennsylvania to all points in Centre County and from our facilities to all points in Pennsylvania.

VI. TYPE OF SERVICE REQUIRED. DESCRIBE.

Chemcut requires exclusive use of a trailer as well as trailers that have air ride. Chemcut also requires scheduled moves.

VII. SIMILAR APPLICATIONS SUPPORTED.

Chemcut has never supported another application.

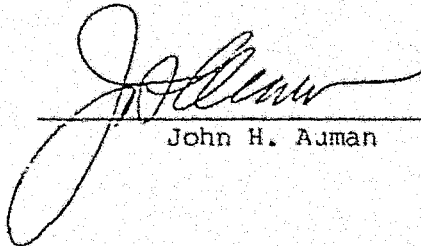
VIII. ANY OTHER INFORMATION DEEMED PERTINENT.

Chemcut utilizes the services of Hoy as agent for North American Van Lines, Inc. in interstate commerce as well as for moves intrastate within the scope of Hoy's authority. Hoy is very customer oriented and I emphasize that it renders a high quality service. Chemcut supports this application so that Hoy's authority will be clarified and expanded which will enable Hoy to give Chemcut the broad and flexible service it requires.

A-F-F-I-D-A-V-I-T

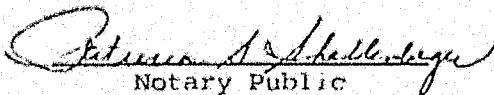
COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CENTRE :

John H. Auman, being duly sworn according to law, deposes and says that he has read the foregoing statement, knows the contents thereof, and that the same are true and correct as stated, to the best of his knowledge, information and belief.



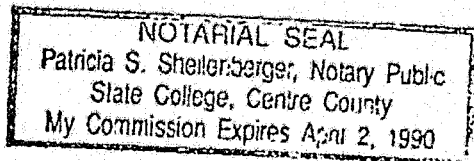
John H. Auman

Sworn to and subscribed
before me this 29th day
of December, 1989.


Notary Public

(SEAL)

My commission expires:





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

January 25, 1990

IN REPLY PLEASE
REFER TO OUR FILE

Herbert R. Nurick
Attorney at Law
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

In re: A-00085095, F. 2, Am-A - Application of Hoy Transfer, Inc.

Dear Mr. Nurick:

We have received the verified statements filed in the above referenced proceeding.

The record will be reviewed and will be put before the Commission for its decision. You will be notified of the Commission's action.

Very truly yours,

By William P. Hoshour
For Peter S. Marzolf, Supervisor
Technical Review Section
Bureau of Transportation

WH:rs

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
JAN 30 1990
ENTRY No. *ms*