

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of Sidney)
Truck & Storage, Inc. and A.B.C. Motor) Case No. 94-2044-TR-AIC
Freight, Inc. to Establish Irregular Route)
Concurrence.)

In the Matter of the Application of Aberdeen)
Express, Inc. and Roseville Motor Express,) Case No. 95-5-TR-AIC
Inc. to Establish Irregular Route Concurrence.)

In the Matter of the Application of Aberdeen)
Express, Inc. and A.B.C. Motor Freight, Inc. to) Case No. 95-81-TR-AIC
Establish Irregular Route Concurrence.)

ENTRY

The Commission finds:

- (1) On December 30, 1994, in Case No. 94-2044-TR-AIC, January 5, 1995, in Case No. 95-5-TR-AIC, and on January 24, 1995, in Case No. 95-81-TR-AIC, Aberdeen Express, Inc. and Sydney Truck & Storage, Inc. filed applications to establish irregular route rate concurrence with other Commission regulated motor carriers. Historically, this type of application was filed by motor carriers to set rates for joint hauling operations. As part of this type of application and once approved by the Commission, each applicant was required to publish the approved concurrence with the Ohio Motor Freight Tariff Committee, Inc. (Tariff Committee).
- (2) On August 8, 1994, President Clinton signed into law the Federal Aviation Administration Authorization Act of 1994 (the 1994 Act), which preempted all states from regulating any price, route, or service with respect to the transportation of property in intrastate commerce. As a result of the 1994 Act, the above-captioned applications no longer need Commission approval nor does the Commission approved concurrence need to be filed with the Tariff Committee. Accordingly, these applications should be dismissed and these cases closed of record.

It is, therefore,

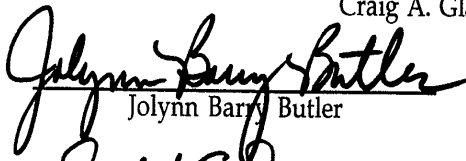
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ORDERED, That the Commission dismisses the applications in Case Nos. 94-2044-TR-AIC, 95-5-TR-AIC and 95-81-TR-AIC and closes these cases of record. It is, further,

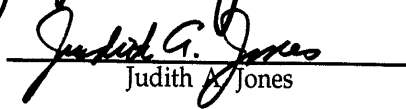
ORDERED, That the Commission serve a copy of this entry upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Craig A. Glazer, Chairman


Jolynn Barry Butler


Ronda Hartman Fergus


Judith A. Jones

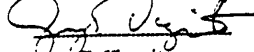
Donald L. Mason

SEF/pdc

Entered in the Journal

FEB 26 1998

A True Copy


Gary E. Vigorito
Secretary

SERVICE NOTICE

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CASE NUMBER	94-2044-TR-AIC
CASE DESCRIPTION	SIDNEY TRUCK & STOR/ABC MOTOR FREIG
DOCUMENT SIGNED ON	February 26, 1998
DATE OF SERVICE	<u>2-26-98</u>

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

APPLICANT

A.B.C. MOTOR FREIGHT, INC.
1151 EAST STREET
FAIRPORT HARBOR, OH 44077

NONE

APPLICANT

SIDNEY TRUCK & STORAGE, INC.
777 W. RUSSELL ROAD
P.O. BOX 748
SIDNEY, OH 45365

NONE