

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application)
of Sewell Motor Express, Inc. and) Case No. 94-334-TR-AIC
Overnite Transportation Company)
for Irregular Route Concurrences.)

ENTRY

The Commission finds:

- 1) Sewell Motor Express, Inc. (Sewell) and Overnite Transportation Company (Overnite) hold various irregular route certificate authorities from this Commission. On February 17, 1994, Sewell and Overnite filed a request to establish irregular route concurrences pursuant to Section 4921.27, Revised Code and Rule 4901-5-19, Ohio Administrative Code (O.A.C.). The carriers seek authorization to interline shipments under their respective irregular route certificates using the interchange points of Cincinnati, Columbus, and Dayton, Ohio.
- 2) Section 4921.27, Revised Code provides that motor transportation companies operating under irregular route certificate authorities must obtain Commission approval for the interlining of shipments between their authorized service territories. The statute also provides that the Commission will approve such applications except when approval would be contrary to the public interest. Rule 4901-5-19, O.A.C., provides that freight transported under an irregular route certificate may be interlined only if the participating carriers have published concurrences which have been approved by the Commission pursuant to Section 4921.27, Revised Code.
- 3) The requested concurrences appear to provide operational conveniences for these carriers, and to promote economic and efficient service consistent with Ohio's transportation policy set forth in Section 4921.03, Revised Code. As there is no evidence that approval of the requested concurrences are contrary to the public interest, this application will be granted. However, our decision herein does

not approve any tariff rate, rule, or regulation published by these carriers; nor does it authorize departure from any statutory or Commission regulation. Furthermore, all tariff rates, rules, and regulations published by the applicants shall remain subject to Commission complaint and investigation proceedings, and may be modified if found to be in violation of any regulation or order. All tariffs published pursuant to this entry shall contain the following notice:

Issued pursuant to the order of the Public Utilities Commission of Ohio in Case No. 94-334-TR-AIC, authorizing irregular route concurrences in accordance with Rule 4901-5-19, Ohio Administrative Code.

It is, therefore,

ORDERED, That upon Commission receipt and approval of such concurrences, Sewell Motor Express, Inc. and Overnite Transportation Company are granted authority to interline shipments under their respective irregular route certificates at the interchange points of Cincinnati, Columbus, and Dayton, Ohio. It is, further,

ORDERED, That such interline operations be conducted in strict compliance with the provisions of Rule 4901-5-19, O.A.C. It is, further,

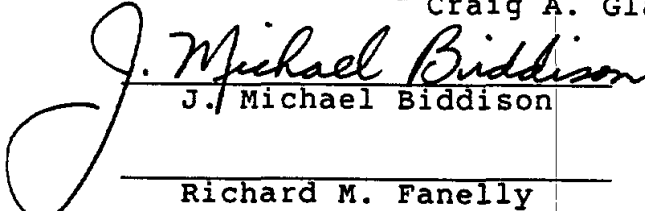
ORDERED, That these carriers file tariffs reflecting such concurrences in accordance with Finding 3 and Rule 4901:2-9-17, O.A.C., with such tariffs to become effective upon 30 days statutory notice. It is, further,

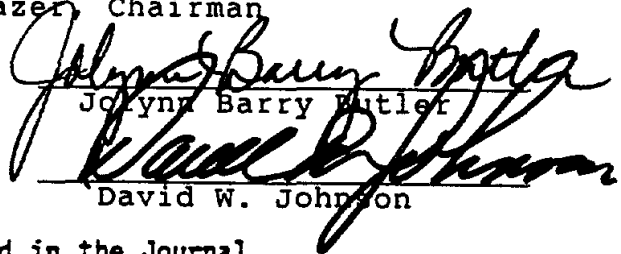
ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



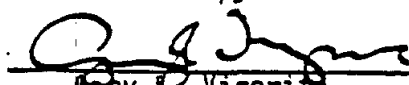
Craig A. Glazer, Chairman


J. Michael Biddison
Richard M. Fanelly


Jo Lynn Barry Butler
David W. Johnson

RMB;geb

Entered in the Journal

MAR 10 1994
A True Copy

Gary L. Vigorito
Secretary

SERVICE NOTICE

PAGE 1

Seaward
759-R

CASE NUMBER 94-334-TR-AIC
CASE DESCRIPTION SEWELL MOTOR EX/OVERNITE TRANS
DOCUMENT SIGNED ON March 10, 1994
DATE OF SERVICE 3-10-94

PERSONS SERVED

PARTIES OF RECORD

ATTORNEYS

APPLICANT

OVERNITE TRANSPORTATION COMPANY
1000 SEMMES AVENUE
RICHMOND, VA 23224

EDWIN L. BRAMER
OHIO MOTOR FREIGHT TARIFF COMM
3341 WEST BROAD STREET
COLUMBUS, OH 43204-0048

APPLICANT

SEWELL MOTOR EXPRESS, INC.
114 NEWHAM STREET
WILMINGTON, OH 45177

EDWIN L. BRAMER
OHIO MOTOR FREIGHT TARIFF COMM
3341 WEST BROAD STREET
COLUMBUS, OH 43204-0048

FILE OHIO MOTOR FREIGHT TARIFF COMMITTEE, INC.

3341 West Broad Street

P. O. Box 44048
Telephone: (614) 279-8659

Columbus, OH 43204-0048
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Edwin L. Bramer
Chief of Tariff Bureau and Secretary

94-334-TR-AIC

February 15, 1994

The Public Utilities Commission of Ohio
Tariff Section - 10th Floor
180 East Broad Street
Columbus, OH 43266-0573

RECEIVED
FEB 17 1994
DOCKETING DIVISION
PUBLIC UTILITIES COMMISSION OF OHIO

IRREGULAR ROUTE CONCURRENCE

Please find attached request for establishing Irregular Route Concurrence via Sewell Motor Express, Inc., and Overnite Transportation Company via the interchange points of Cincinnati, Columbus and Dayton, Ohio.

Upon your approval, this concurrence would be published in Section 5 of Ohio Motor Freight Tariff Committee, Inc., PUCO OTC Tariff 501-L.

Edwin L. Bramer
EDWIN L. BRAMER

Atts.

cc: Mr. Howard Sewell, President
Sewell Motor Express, Inc.
P. O. Box 806
Wilmington, OH 45177

cc: Mr. Thomas M. Beck, Manager
Tariff and Contract Services
Overnite Transportation Company
P. O. Box 1216
Richmond, VA 23209-1216

RECEIVED
FEB 15 1994
TARIFF DIVISION
PUBLIC UTILITIES COMMISSION OF OHIO