

DECISIONS OF

Pennsylvania Public Utility Commission

VOLUME 40



HARRISBURG, PENNSYLVANIA

1963

TABLE OF CASES

Page

A

Albert H. Carr & Sons, Robert H. Carr, G. Robert Carr, J. Norris Carr and Raymond H. Carr, t/d/b/a, W. D. Rubright Company, Orlo L. Prior, Inc. <i>v.</i>	738
Allegheny, County of, City of Clairton and Borough of Jefferson, Application of	327
Allegheny County Sanitary Authority, Application of; South Pittsburgh Water Company <i>v.</i> Allegheny County Sanitary Authority	1
Allegheny County Sanitary Authority, South Pittsburgh Water Company <i>v.</i> Application of Allegheny County Sanitary Authority	1
Allegheny County Steam Heating Company, Pennsylvania Public Utility Commission, et al. <i>v.</i>	338
Aloff, Jack, Company <i>v.</i> Philadelphia Electric Company	284
Anderson, James L. and Camilla E., <i>v.</i> City of Franklin	641
A. Sanguigni Sons Co., C. F. Sanguigni, Trading as, <i>v.</i> Erskine & Sons, Inc.	667
Aspinwall, Borough of, <i>v.</i> Duquesne Light Company	337, 680
Avella Chamber of Commerce and Avella Volunteer Fire Company <i>v.</i> Avella Water Company, Paul Ciaffoni and Margaret Ciaffoni Soviero	663, 751
Avella Chamber of Commerce and Avella Volunteer Fire Department <i>v.</i> Avella Water Company	88, 305
Avella Volunteer Fire Company, Avella Chamber of Commerce and, <i>v.</i> Avella Water Company, Paul Ciaffoni and Margaret Ciaffoni Soviero	663, 751
Avella Volunteer Fire Department, Avella Chamber of Commerce and, <i>v.</i> Avella Water Company	88, 305
Avella Water Company, Avella Chamber of Commerce and Avella Volunteer Fire Department <i>v.</i>	88, 305
Avella Water Company, Paul Ciaffoni and Margaret Ciaffoni Soviero, Avella Chamber of Commerce and Avella Volunteer Fire Company <i>v.</i>	663, 751
Avella Water Company, Pennsylvania Public Utility Commission <i>v.</i>	792
Avella Water Company <i>v.</i> Benton H. Williams and Pittsburgh Terminal Corporation	528

B

Baltimore and Ohio Railroad Company, Applications of	61, 365
Banko, Joseph, and Raymond J. Fassman, Application of	725
Beech Creek, Borough of, Pennsylvania Public Utility Commission, Thompson Bechdel and Malcolm M. Myers <i>v.</i>	565
Bechdel, Thompson, Pennsylvania Public Utility Commission and Malcolm L. Myers <i>v.</i> Borough of Beech Creek	565
Bell, M. J. Co-Operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, R. F. Tuzynski, M. P. Horan and, <i>v.</i> Baltimore and Ohio Railroad Company	51
Bell Telephone Company of Pennsylvania, Application of	482
Ben's Creek Social & Citizens Club <i>v.</i> Ben's Creek Water Company	602
Ben's Creek Water Company, Ben's Creek Social & Citizens Club <i>v.</i>	602
Black Diamond Transport Company, et al., Application of	211

	<i>Page</i>
Blair Mills Water Works, Margaret L. Robertson, t/d/b/a, Chalmer Shearer, et al. v.	534
Blair, Rubin, Carmen Danella and Nicholas Danella, Copartners, t/d/b/a Danella Bros. et al. v.	735
Bremen's Express Company, et al., Bremen's Transfer Company and, v. Harchelroad Trucking Co.	348
Bremen's Transfer Company and Breman's Express Company, et al. v. Harchelroad Trucking Co.	348
Breman's Transfer Company, Pennsylvania Public Utility Commission v. ..	321

C

Carr, Robert H., G. Robert Carr, J. Norris Carr and Raymond H. Carr, t/d/b/a Albert H. Carr & Sons, W. D. Rubright Company, Orlo L. Prior, Inc. v.	738
Central Railroad Company of New Jersey, Application of	343
Cericola, Leo H., and Samuel A. Principato, copartners, t/a Delaware River Boat Lines, Application of	506
Ciaffoni, Paul, Avella Water Company and Margaret Ciaffoni Soverio, Avella Chamber of Commerce and Avella Volunteer Fire Company v.	663, 751
Citizens Water Company of Washington, Pa., Louis West, Jr., v.	502
Clairton, City of, County of Allegheny and Borough of Jefferson, Application of	327
Coatesville, City of, Application of	43
Conshohocken, Borough of, County of Montgomery and Borough of West Conshohocken, Application of	614
Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania and William P. Fullerton v. Pennsylvania Railroad Company	301
Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, H. S. Williams and C. B. Crumm v. Pennsylvania Railroad Company	377
Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, P. J. Wheatley and R. A. Schafer v. Pennsylvania Railroad Company, et al.	19, 425
Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, R. F. Tuzynski, M. P. Horan and M. J. Bell v. Baltimore and Ohio Railroad Company	51
Corbett, Leo A., Jr. and Robert C. Ziegler v. Trucksville Gardens Water Company	531
Crumm, C. B., Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, H. W. Williams and, v. Pennsylvania Railroad Company	377

D

Daily Express, Inc.; Daily Motor Express, Inc., Rules Issued Against	69
Daily Motor Express, Inc.; Daily Express, Inc., Rules Issued Against	69

TABLE OF CASES

vii

	<i>Page</i>
Danella Bros. et al., Carmen Danella and Nicholas Danella, Copartners, t/d/b/a, et al., <i>v.</i> Rubin Blair	735
Danella, Carmen, and Nicholas Danella, copartners, t/d/b/a Danella Bros. et al. <i>v.</i> Rubin Blair	735
Deitch Company and Essex Steel Corporation <i>v.</i> Pennsylvania Railroad Company	701
Delaware and Hudson Railroad Corporation, Application of	634
Delaware River Boat Lines, Leo H. Cericola and Samuel H. Principato, copartners, t/a, Application of	506
Duquesne Light Company and Pittsburgh Railways Company, Investigation of Lawfulness of Lease between	694
Duquesne Light Company, Borough of Aspinwall <i>v.</i>	337, 680
Duquesne Light Company, Joseph W. Fink <i>v.</i>	152

E

East Norriton Water Company, et al. Rules Issued Against; Applications of Inter-Township Water Company; East Norriton Water Company, et al. <i>v.</i> Inter-Township Water Company	516
East Norriton Water Company, et al. <i>v.</i> Inter-Township Water Company; Rules Issued Against East Norriton Water Company, et al.; Applications of Inter-Township Water Company	516
Equitable Gas Air-Conditioning Company; Equitable Gas Steam Heating Company; and Equitable Gas Company, Applications of	556
Equitable Gas Company; Equitable Gas Steam Heating Company; Equitable Gas Air-Conditioning Company and, Applications of	556
Equitable Gas Steam Heating Company; Equitable Gas Air-Conditioning Company; and Equitable Gas Company, Applications of	556
Erie-Lackawanna Railroad Company, Applications of	296, 340, 727
Erskine & Sons, Inc., C. F. Sanguigni, trading as Erskine & Sons, Inc. <i>v.</i> ..	667
Essex Steel Corporation, Deitch Company and, <i>v.</i> Pennsylvania Railroad Company	701

F

Fassman, Raymond J., Joseph Banko and, Application of	725
Fink, Joseph W., <i>v.</i> Duquesne Light Company	152
Fowler and Williams, Inc. and Michael J. Fowler, Application of	198
Fowler, Michael J., Fowler and Williams, Inc. and, Application of	198
Fox, S. M., et al. t/a Pen New Jersey Transportation Company, Rules Issued Against	731
Franklin, City of, James L. Anderson and Camilla E. Anderson <i>v.</i>	641
Franklin, City of, Robert G. Karns and Raymond P. Latchaw <i>v.</i>	647
Fullerton, William P., Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania and, <i>v.</i> Pennsylvania Railroad Company	301

G

Gray Line Motor Tour, Inc., Application of	753
Greensburg, City of, Pennsylvania Railroad Company, et al. <i>v.</i>	646

H

Harchelroad Trucking Co., Breman's Transfer Company and Breman's Express Company, et al. <i>v.</i>	348
Highway Express Lines, Inc., Pennsylvania Railroad Company and Pittsburgh & Lake Erie Railroad Company, et al., Pennsylvania Public Utility Commission <i>v.</i>	774
Highways, Department of, Commonwealth of Pennsylvania, Applications of37, 109, 135, 145, 183, 191, 312, 350, 357, 360, 563, 574, 581, 594,	651
Highways, Department of, Commonwealth of Pennsylvania, Pennsylvania Railroad Company <i>v.</i>	173
Highways, Department of, Pennsylvania Railroad Company and Juniata County, School District of Mifflin Borough, Borough of Mifflin and Township of Milford <i>v.</i>	717
Horan, M. P. Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, R. F. Tuzynski and M. J. Bell <i>v.</i> Baltimore and Ohio Railroad Company	51
Hungerford Packing Company, Inc. <i>v.</i> Hungerford Water Company, Inc. ..	585
Hungerford Water Company, Inc., Hungerford Packing Company, Inc. <i>v.</i> ..	585
Hunter & Radel Ferry Co., Robert E. Hunter, Florence I. Hunter and Lloyd L. Radel, copartners, t/a, Applications of	65
Hunter, Robert E., Florence I. Hunter and Lloyd L. Radel, copartners, t/a Hunter & Radel Ferry Co., Application of	65
H. W. Taynton Company, Inc. and Ithaca Transportation Service, Inc., Application of	14

I

Inter-Township Water Company, Applications of; Rules Issued Against East Norriton Water Company, et al.; East Norriton Water Company, et al. <i>v.</i> Inter-Township Water Company	516
Inter-Township Water Company, East Norriton Water Company, et al. <i>v.</i> ; Rules Issued Against East Norriton Water Company, et al.; Applications of Inter-Township Water Company	516
Ithaca Transportation Service, Inc., H. W. Taynton Company, Inc. and, Application of	14

J

Jack Aloff Company <i>v.</i> Philadelphia Electric Company	284
Jaspan, H. Jerome and Fleurette K., Pennsylvania Public Utility Commission; City of Philadelphia <i>v.</i> Philadelphia Transportation Company ...	638

TABLE OF CASES

ix

	<i>Page</i>
Jefferson, Borough of, County of Allegheny, City of Clairton and, Application of	327
Juniata Packing Company, Inc. <i>v.</i> Tyrone Borough Water Department ...	319

K

Karns, Robert G. and Raymond P. Latchaw <i>v.</i> City of Franklin	647
--	-----

L

Latchaw, Raymond P., Robert G. Karns and, <i>v.</i> City of Franklin	647
Lehigh Coal and Navigation Company, Nesquehoning Valley Railroad Corporation and Treskow Railroad Company, Application of	674
Lukens Trucking Corporation, Rule Issued Against	576

M

Maxwell, Quentin H., Eugene S. Maxwell and Vernon J. Maxwell, Application of	84
Metropolitan Edison Company, Application of	268
Mifflin Borough, School District of, Borough of Mifflin and Township of Milford <i>v.</i> Pennsylvania Railroad Company, Department of Highways and Juniata County	717
Miller, Mahlon M., <i>v.</i> Sinking Spring Water Company	45
Montgomery Borough <i>v.</i> Montgomery Water Company	323
Montgomery, County of, Borough of Conshohocken and Borough of West Conshohocken, Application of	614
Montgomery Water Company, Montgomery Borough <i>v.</i>	323
Mooney Bros. Trucking Co., Application of	711
Mushroom Transportation Company, Application of	553
Myers, Malcolm L., Pennsylvania Public Utility Commission, Thompson Bechdel and, <i>v.</i>	565

N

Nathan V. Salsbery Water Supply, Pennsylvania Public Utility Commission <i>v.</i>	748
Nesquehoning Valley Railroad Company, Lehigh Coal and Navigation Company and Treskow Railroad Company, Application of	674
New York Central Railroad Company, et al., Pennsylvania Public Utility Commission <i>v.</i>	275
North Wales, Borough of, et al. <i>v.</i> Reading Company	10

O

Orlandi, Gaetano, and Orlandi, James, Rules Issued Against	288
Orlo L. Prior, Inc., W. D. Rubright Company <i>v.</i> Robert H. Carr, G. Robert Carr, J. Norris Carr and Raymond H. Carr, t/d/b/a Albert H. Carr & Sons	738

P

Penn-New Jersey Transportation Company, S. M. Fox, et al. t/a, Rule Issued Against	731
Pennsylvania Public Utility Commission; City of Pittsburgh v. South Pittsburgh Water Company	277, 381
Pennsylvania Public Utility Commission, et al. v.	
Allegheny County Steam Heating Company	338
Avella Water Company	792
Borough of Beech Creek	565
Breman's Transfer Company	321
Delaware County, Department of Highways of the Commonwealth of Pennsylvania, Pennsylvania Railroad Company, Middletown Township and	200
Haddonfield Water Company, Harry W. Ruggles, Jr. t/d/b/a	698
Highways, Department of, Commonwealth of Pennsylvania, Pennsylvania Railroad Company, Middletown Township and Delaware County	200
Middletown Township, Department of Highways of the Commonwealth of Pennsylvania, Pennsylvania Railroad Company and Delaware County	200
New York Central Railroad Company, et al.	275
Pennsylvania Railroad Company, Department of Highways of the Commonwealth of Pennsylvania, Middletown Township and Delaware County	200
Pennsylvania Railroad Company, et al.	170, 271, 774
Peoples Natural Gas Company	431
Philadelphia Electric Company, Jack Aloff Company v.	284
Philadelphia Transportation Company	165, 638
Ruggles, Harry W., Jr. t/d/b/a Haddonfield Water Company	698
Salsbery Water Supply, Nathan B.	748
Sarbo, John C. and Josephine	645
South Pittsburgh Water Company	277, 381
Pennsylvania Railroad Company, Applications of	32, 95, 280, 495, 499, 526
Pennsylvania Railroad Company, Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania and William P. Fullerton v.	301
Pennsylvania Railroad Company, Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, H. S. Williams and C. B. Crumm v.	377
Pennsylvania Railroad Company, Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, P. J. Wheatley and R. A. Schafer v.	19, 425
Pennsylvania Railroad Company, Deitch Company and Essex Steel Corporation v.	701
Pennsylvania Railroad Company, Department of Highways and Juniata County, School District of Mifflin Borough, Borough of Mifflin and Township of Milford v.	717

TABLE OF CASES

xi

Page

Pennsylvania Railroad Company, et al., Pennsylvania Public Utility Commission *v.*170, 271

Pennsylvania Railroad Company, et al., *v.* City of Greensburg 646

Pennsylvania Railroad Company, Investigation into Causes of Wreck at Steelton on July 28, 1962185, 267, 542, 552

Pennsylvania Railroad Company *v.* Borough of Royalton, et al. 273

Pennsylvania Railroad Company *v.* Department of Highways of the Commonwealth of Pennsylvania 173

Peoples Natural Gas Company, Pennsylvania Public Utility Commission, et al. *v.* 431

Philadelphia, City of, and Philadelphia Transportation Company, Agreement Dated July 5, 1962 Between 124

Philadelphia, City of; Pennsylvania Public Utility Commission; H. Jerome and Fleurette K. Jaspán *v.* Philadelphia Transportation Company 638

Philadelphia Transportation Company, Agreement Dated July 5, 1962 Between the City of Philadelphia and 124

Philadelphia Transportation Company, Application of 73

Philadelphia Transportation Company, Pennsylvania Public Utility Commission; City of Philadelphia; H. Jerome and Fleurette K. Jaspán *v.* .. 638

Philadelphia Transportation Company, Pennsylvania Public Utility Commission *v.* 165

Philadelphia Transportation Company *v.* Romano Brothers and Upper Merion Contract Carriers 168

Pittsburgh & Lake Erie Railroad Company, Application of 367

Pittsburgh & Lake Erie Railroad Company, Highway Express Lines, Inc., Pennsylvania Railroad Company, et al. Pennsylvania Public Utility Commission *v.* 774

Pittsburgh Railways Company, Applications of186, 308, 345

Pittsburgh Railways Company; Borough of Trafford *v.* 158

Pittsburgh Railways Company, Duquesne Light Company and, Investigation of Lawfulness of Lease Between 694

Pittsburgh Terminal Corporation, Benton H. Williams and, *v.* Avella Water Company 528

Pittston, Redevelopment Authority of the City of, Application of 286

Posick, Elmer L., President, St. Thomas Water Co., Inc., and Margaret M. Posick, Secretary-Treasurer, Rule Issued Against 787

Principato, Samuel A., Leo H. Cericola and, copartners, t/a Delaware River Boat Lines, Application of 506

Prior, Orlo L., Inc., W. D. Rubright Company *v.* Robert H. Carr, G. Robert Carr, J. Norris Carr and Raymond H. Carr, t/d/b/a Albert H. Carr & Sons 738

Providence Water Supply Company, Applications of508, 659

R

Radel, Lloyd L., Robert E. Hunter, Florence I. Hunter and, copartners, t/a Hunter & Radel Ferry Co., Application of 65

	<i>Page</i>
Railroad Brotherhoods in the State of Pennsylvania, Co-operative Legislative Committee, and William P. Fullerton <i>v.</i> Pennsylvania Railroad Company	301
Railroad Brotherhoods in the State of Pennsylvania, Co-operative Legislative Committee, P. H. Wheatley and R. A. Schafer <i>v.</i> Pennsylvania Railroad Company, et al.	19, 425
Railroad Brotherhoods in the State of Pennsylvania, Co-operative Legislative Committee, R. F. Tuzynski, M. P. Horan and M. J. Bell <i>v.</i> Baltimore and Ohio Railroad Company	51
Railway Express Agency, Inc., Application of	785
Reading Company, Applications of	128, 512, 578, 708, 746
Reading Company, Borough of North Wales, et al. <i>v.</i>	10
Reading Company Commuter Trains, Investigation Into Cause of Collision with Jenkintown Shuttle Train	688
Redevelopment Authority of the City of Pittston, Application of	286
Robertson, Margaret L., t/d/b/a Blairs Mills Water Works, Chalmer Shearer, et al. <i>v.</i>	534
Roenigk, W. L., Application of	25
Romano Brothers and Upper Merion Contract Carriers, Philadelphia Transportation Company <i>v.</i>	168
Royalton, Borough of, et al., Pennsylvania Railroad Company <i>v.</i>	273
Rubright Company, W. D., Orlo L. Prior, Inc. <i>v.</i> Robert H. Carr, G. Robert Carr, J. Norris Carr and Raymond D. Carr, t/d/b/a Albert H. Carr & Sons	738

S

Salsbery Water Supply, Nathan B., Pennsylvania Public Utility Commission <i>v.</i>	748
Sanguigni, C. F., Trading as A. Sanguigni Sons Co. <i>v.</i> Erskine & Sons, Inc.	667
Schafer, R. A., Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, P. H. Wheatley and, <i>v.</i> Pennsylvania Railroad Company, et al.	19, 425
Seaboard Tank Lines, Inc., Application of	589
Sensenig, Oliver H., Rule Issued Against	537
Shearer, Chalmer, et al. <i>v.</i> Margaret L. Robertson, t/d/b/a Blairs Mills Water Works	534
Siddall, Robert W., and Suburban Building and Development Corp. <i>v.</i> Borough of West Chester	631
Sinking Spring, Borough of, Township of Spring, Borough of West Lawn and Borough of Wyomissing Hills <i>v.</i> Sinking Spring Water Company	621
Sinking Spring Water Company, Mahlon M. Miller <i>v.</i>	45
Sinking Spring Water Company, Township of Spring, Borough of Sinking Spring, Borough of West Lawn and Borough of Wyomissing Hills <i>v.</i> ...	621
Smith, James V., Application of	741
Sorbo, John C. and Josephine, Pennsylvania Public Utility Commission <i>v.</i> ..	645
South Pittsburgh Water Company, Pennsylvania Public Utility Commission; City of Pittsburgh	277, 381

TABLE OF CASES

xiii

	<i>Page</i>
South Pittsburgh Water Company <i>v.</i> Allegheny County Sanitary Authority; Application of Allegheny County Sanitary Authority	1
Soverio, Margaret Ciaffoni, Avella Water Company, Paul Ciaffoni and, Avella Chamber of Commerce and Avella Volunteer Fire Company <i>v.</i>	663, 751
Spring, Township of, Borough of Sinking Spring, Borough of West Lawn and Borough of Wyomissing Hills <i>v.</i> Sinking Spring Water Company ..	621
Stewartstown, Borough of, <i>v.</i> Stewartstown Water Company	22
Stewartstown Water Company, Borough of Stewartstown <i>v.</i>	22
St. Thomas Water Co., Inc., Donald B. Wright, et al. <i>v.</i>	378
St. Thomas Water Co., Inc., Elmer L. Posick, President, and Margaret M. Posick, Secretary-Treasurer, Rule Issued Against	787
Suburban Building and Development Corp., Robert W. Siddall and, <i>v.</i> Bor- ough of West Chester	631

T

Taynton Company, H. W., Inc. and Ithaca Transportation Service, Inc., Application of	14
Trafford, Borough of, <i>v.</i> Pittsburgh Railways Company	158
Treskow Railroad Company, Lehigh Coal and Navigation Company, Nesque- honing Valley Railroad Company, Application of	674
Trucksville Gardens Water Company, Leo A. Corbett, Jr. and Robert C. Ziegler <i>v.</i>	531
Tuzynski, R. F. Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, M. P. Horan and M. J. Bell <i>v.</i> Baltimore and Ohio Railroad Company	51
Tyrone Borough Water Company, Juniata Packing Company, Inc. <i>v.</i>	319

U

Upper Merion Contract Carriers, Romano Brothers and, <i>v.</i> Philadelphia Transportation Company	168
---	-----

W

W. D. Rubright Company, Orlo L. Prior, Inc. <i>v.</i> Robert H. Carr, G. Robert Carr, J. Norris Carr and Raymond H. Carr, t/d/b/a Albert H. Carr & Sons	738
West Chester, Borough of, Robert W. Siddall and Suburban Building and Development Corp. <i>v.</i>	631
West Conshohocken, Borough of, County of Montgomery, Borough of Conshohocken and, Application of	614
West Lawn, Borough of, Township of Spring, Borough of Sinking Spring and Borough of Wyomissing Hills <i>v.</i> Sinking Spring Water Company	621

	<i>Page</i>
West, Louis, Jr., <i>v.</i> Citizens Water Company of Washington, Pa.	502
West Penn Power Company, Application of	142
Wheatley, P. H., Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania and R. A. Schafer <i>v.</i> Pennsylvania Railroad Company; et al.	19, 425
Williams, Benton H., and Pittsburgh Terminal Corporation, Avella Water Company <i>v.</i>	528
Williams, H. S., Co-operative Legislative Committee, Railroad Brotherhoods in the State of Pennsylvania, and C. B. Crumm <i>v.</i> Pennsylvania Railroad Company	377
Wright, Donald B., et al. <i>v.</i> St. Thomas Water Co., Inc.	378
Wyomissing Hills, Borough of, Township of Spring, Borough of Sinking Spring, Borough of West Lawn and, <i>v.</i> Sinking Spring Water Company	621

Z

Ziegler, Robert C., Leo A. Corbett, Jr. and, <i>v.</i> Trucksville Gardens Water Company	531
Zoltak, Andrew, Rule Issued Against	35

W