

May 23, 2005

**NOTICE OF OPPORTUNITY TO RESPOND TO MOTION
OR TO WITHDRAW APPLICATION
(By Tuesday, May 31, 2005)**

Re: In re Application of Pennco Transportation, Inc.
Docket No. TC-041340
In re Application of Heckman Motors
Docket No. TC-041593

TO ALL PARTIES:

On Tuesday, May 17, 2005, Commission Staff filed a Motion to Reopen the Record. The basis for Staff's motion is Staff's allegation that recently, Pennco's owner Mr. Kevin Harris, stated that Pennco would cease providing transportation service. Staff seeks to provide evidence of Mr. Harris's statements so that the Commission can determine whether Pennco would be able to provide service as proposed in this docket.

NOTICE IS GIVEN That the parties may respond on or before Tuesday, May 31, 2005 whether they object to reopening the record in this proceeding. Alternatively, on or before Tuesday, May 31, 2005, Pennco may provide a letter advising the Commission whether the company withdraws its application for authority in this case.

Sincerely,

THEODORA M. MACE
Administrative Law Judge