

INSTRUCTIONS FOR CARRIER'S CHANGES IN NAME OR ENTITY

The regulations regarding the change in a carrier's name, entity, and/or fictitious name can be found at **52 Pa. Code §3.381**. These instructions have been prepared in order to summarize the requirements.

ADDITION OR CHANGE OF FICTITIOUS NAME

A fictitious name is an assumed or fictitious name, style or designation other than the proper name of the entity using the name. If a carrier desires to utilize a fictitious name or change the fictitious name recognized by the Commission, the requirements are as follows:

1. A letter notifying the Secretary of the Commission of the change or addition, identifying the name and docket number of the motor carrier.
2. The letter must be accompanied by a copy of the fictitious name registration form filed with the Department of State.
3. The letter must also be accompanied by a signed and dated Verified Statement which can be found at the end of the instructions.
4. The letter and accompanying documents should be sent to **SECRETARY, PA PUBLIC UTILITY COMMISSION, PO BOX 3265, HARRISBURG, PA 17105-3265**

Upon notification, the Commission will send a letter approving the change upon compliance with new insurance and tariff filings upon which the change of name has been effected. When the carrier has complied the Commission will issue a letter of approval which will advise the carrier that if a new Certificate of Public Convenience is desired, the old Certificate will have to be returned to the Secretary of the Commission once the change has become official.

CHANGE OF MOTOR CARRIER'S ENTITY

NOTE: A change in the entity of a motor carrier, which is accompanied by a change in the ownership or control of the business—for example, through a transfer, merger or addition/deletion of a partner—requires the filing of an application new authority. If the Commission approves the application, a new certificate or permit will be issued under a new docket number, upon receipt of insurance and tariff filings reflecting the change in the entity of the motor carrier.

A change in the entity of a motor carrier, ***which is not accompanied by a change in the ownership or control of the business***—for example, through incorporation or formation of a limited liability company of a sole proprietorship or partnership—requires the submission of a letter of notification to the Secretary containing the following information:

1. The docket number of the motor carrier and the name of the motor carrier as presently shown in Commission records.
2. A copy of the articles of incorporation or certificate of organization, if applicable.
3. The names of the owners of the stock (even if only one) and distribution of shares, if a corporation.
4. The names of the members (even if only one) for limited liability companies.
5. A statement that there has been no change in the ownership or control of the business.
6. The letter must also be accompanied by a signed and dated Verified Statement which can be found at the end of the instructions.
7. The letter and accompanying documents should be sent to **SECRETARY, PA PUBLIC UTILITY COMMISSION, PO BOX 3265, HARRISBURG, PA 17105-3265**

Upon notification, the Commission will send a letter approving the change upon compliance with new insurance and tariff filings upon which the change has been effected. When the carrier has complied the Commission will issue a letter of approval which will advise the carrier that if a new Certificate of Public Convenience is desired, the old Certificate will have to be returned to the Secretary of the Commission once the change has become official.

VERIFICATION

I, _____, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. §4904 (relating to unsworn falsification to authorities).

Signature

Date