



JAMES T. O'HARA, INC.

EXCAVATION / CONSTRUCTION COMPANY
205 Old School House Road
Covington Township, PA 18444
Phone (570) 842-2140
Fax (570) 842-8205
jtoexc@gmail.com

RECEIVED

SEP 4 2012

September 4, 2012

VIA FACSIMILE: (717) 787-3114
Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, Pennsylvania 17105-3265

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTN: Wendy

RE: James T. O'Hara, Inc.
PUC No. A-8914575
Docket A-2012-2300196

Dear Ms. Chiavetta,

Pursuant to my telephone conversation with Wendy at the Commission on Friday August 31, 2012, the following is to serve as the formal petition to have the dismissal of application rescinded on behalf of James T. O'Hara, Inc.

This company is in full compliance with the requirements of the Pennsylvania Public Utility Commission as evidenced by the Commission's June 6, 2012 letter enclosed for your convenience.

Upon receipt of this June 6, 2012 letter, James T. O'Hara, Inc., forwarded same to its insurance carrier's agent, Mark Young, requesting the appropriate insurance forms be provided to the Commission. A copy of said request is attached for your convenience.

Additionally, on Friday August 31, 2012, Wendy confirmed that Form E is in the Commission's file for James T. O'Hara, Inc., thereby removing one of the causes for the dismissal.

Therefore, James T. O'Hara, Inc., respectfully requests the Commission to rescind its dismissal of its application and issue the appropriate certificate.

Respectfully,


Lori A. Bolick, Esquire

*** TX REPORT ***

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EXCAVATION / CONSTRUCTION COMPANY

205 Old Schoolhouse Road
Covington Township, PA 18444
phone: (570) 842-2140
fax: (570) 842-8205
e-mail: jamestohara@aol.com

FAX COVER SHEET

SEND TO: CC Young Insurance Co. FAX : 570-342-8487	FROM: Lori
ATTN: Mark Young	DATE : 6-11-12
RE:PUC Insurance Requirements	OFFICE LOCATION: Covington Township

- FOR YOUR INFORMATION REPLY ASAP PLEASE COMMENT
- URGENT HARD COPY WILL FOLLOW

TOTAL PAGES INCLUDING COVER:

Mark,

Please review the attached letter from the PA PUC regarding our insurance obligations. Let me know if you need any further info. Thank you.



JAMES T. O'HARA, INC.

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

June 6, 2012

A-8914575
A-2012-2300196

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JAMES T O'HARA INC
205 OLD SCHOOL HOUSE ROAD
COVINGTON TOWNSHIP PA 18444

Re: Application of James T. O'Hara, Inc., 205 Old School House Road, Covington Township, Lackawanna County, PA 18444 (570) 842-2140.

To Whom It May Concern:

Your application has been reviewed and it has been determined that a certificate of public convenience with PUC No. A-8914575 shall issue only upon compliance; Therefore,

YOU ARE ADVISED to contact your insurance agent/broker so that the required evidence of permanent insurance will be filed with this Commission.

A certificate of public convenience will be issued UPON THE FILING OF PERMANENT PROOF OF INSURANCE and compliance with any other provision of this letter:

- a. An acceptable Form E, as evidence of bodily injury and property damage liability insurance, and
- b. An acceptable Form H, as evidence of cargo liability insurance; or an acceptable cargo waiver.

FAILURE TO FILE THE ABOVE REQUIRED EVIDENCE OF INSURANCE AND/OR COMPLY WITH ANY OTHER PROVISION OF THIS LETTER WITHIN SIXTY (60) DAYS OF THE DATE OF THIS LETTER CAN RESULT IN THE DISMISSAL OF THE APPLICATION AND REQUIRE THE FILING OF A NEW APPLICATION AND FILING FEE.

You may want to operate prior to filing permanent proof of insurance. (Temporary proof of insurance is only good for 60 days from the date of this letter). You need to file:

For bodily injury and property damage (BIPD) only (submit one)

- a. *A copy of the insurance identification card for vehicles registered in Pennsylvania; or*
- b. *A copy of the declaration page of the insurance policy; or*
- c. *A copy of a valid binder of insurance; or*
- d. *A copy of a valid application for insurance to the Pennsylvania Automobile Insurance Plan, and*

For cargo insurance (submit one)

- a. *A copy of the declaration page of the insurance policy; or*
- b. *A copy of a valid binder of insurance; or*
- c. *A copy of a cargo waiver (The cargo waiver form can be found on the PUC's Website: <http://www.puc.state.pa.us/general/onlineforms.aspx> then select: Transportation & Safety - Motor Carrier Forms, Exemption from PUC Cargo Insurance Regulations.)*

Upon the filing of acceptable temporary proof of insurance, you will be granted the right to operate as follows:

To transport, as a motor common carrier, property, excluding household goods in use, between points in Pennsylvania.

Upon the filing of temporary and permanent proof of insurance, **(in the exact name of the applicant as it appears on this letter – James T. O'Hara, Inc.; also advise your insurance carrier to place the following numbers at the top of your insurance form: A-8914575 and A-2012-2300196)**, and upon compliance with any other provision of this letter, a certificate of public convenience will be issued authorizing the service cited above.

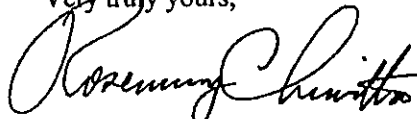
If you have not previously submitted a copy of a current satisfactory safety rating from the U.S. Department of Transportation or another state with safety regulations comparable to Pennsylvania, you must demonstrate safety fitness by completing a Safety Fitness Review which will be scheduled by a PUC enforcement officer within 180 days of the date your certificate of public convenience is issued/entered. Failure to submit to the Safety Fitness Review will result in the cancellation of your certificate. An overview of the safety regulations for carriers of people, property, and household goods between points in Pennsylvania can be found on the PUC's Website: <http://www.puc.state.pa.us/general/onlineforms.aspx>, then select: Transportation & Safety - Motor Carrier Forms, Safety Fitness Compliance.

The applicant is hereby advised of its obligation to familiarize itself with the requirements of 52 Pa. Code as applicable to the operation of a common carrier as authorized by this Secretarial Letter. Applicant is further advised that failure to comply with all applicable requirements may subject the carrier to penalties, including fines, suspension of operating rights or cancellation of its authority. Title 52 of the Pennsylvania Code is available online at www.pacode.com.

Any PUC motor carrier who needs to submit a change of address to the Public Utility Commission, can obtain the Change of Address form from the PUC Website:

<http://www.puc.state.pa.us/general/onlineforms.aspx>, then select: Transportation & Safety - Motor Carrier Forms.

Very truly yours,



Rosemary Chiavetta
Secretary

Contact: Insurance (717-787-1227)
Safety (717-772-2254)

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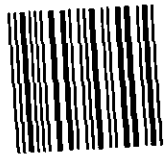
James T. O'Hara, Inc
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Covington Twp., PA 18444



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**RETURN RECEIPT
REQUESTED**

Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

1712030079 0000

