



TWO PENN CENTER - SUITE 1400
1500 JOHN F KENNEDY BOULEVARD
PHILADELPHIA, PA 19102-1890
215.569.3535 • (FAX) 215.557.7426
WWW.SGTMLAW.COM

Richard T. Mulcahey, Jr.
Direct Dial No.: (215) 587-0107
e-mail: rmulcahey@sgtmlaw.com

December 4, 2012

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2012 DEC 13 AM 10:49
PA, P.U.C.
SECRETARY'S BUREAU

Re: Application of Charles E. Groff & Sons, Inc.

Dear Ms. Chiavetta:

Please be advised that this office represents the above captioned common carrier. Accordingly, I enclose herewith an Application for Motor Common Carrier of Property together with our check in the amount of \$100.00 covering the filing fee.

Kindly acknowledge receipt of the enclosure by time-stamping the enclosed copy of this letter and returning to me in the self-addressed, stamped envelope provided.

Respectfully submitted,

Richard T. Mulcahey, Jr.

RTMJR/mac
Enclosure

cc: Charles E. Groff & Sons, Inc.

RECEIVED

2012 DEC 13 AM 10: 50

Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265
(717) 787-1227

PA.P.U.C.
SECRETARY'S BUREAU

Application for Motor Common Carrier of Property

Please complete all parts of the following application. For questions, please call the Commission at (717) 787-3834.

1. **Legal Name of Applicant** (Individual, Partnership, LP, LLP, Corporation, or LLC)

Charles E. Groff & Son's, Inc.

2. **Trade Name** (if using a fictitious trade name, it must be registered with the Dept. of State)

N/A

Fictitious name and Registration number (if applicable)

N/A

3. **Physical Address** (do not use PO Box)

1284 Cloverleaf Road

Street Address

Mount Joy, PA 17552

City, State and Zip Code

(717) 606-6254

Lancaster

Telephone Number

County

4. **Mailing Address** (if different from Physical Address)

P. O. Box 84

Street Address

Mount Joy, PA 17552

City, State and Zip Code

5. **Attorney** (if applicable)

Richard T. Mulcahey, Jr.

(215) 587-0107

Attorney's Name & Telephone Number for this Filing

1599 John F. Kennedy Blvd., Suite 1400, Philadelphia, PA 19102

Attorney's Address

6. **Does applicant currently hold or has ever held PA PUC authority?**

Yes ~~NO~~ (circle one)

If yes, **PUC NO. A-** 00111137

7. **What type of commodity do you intend to transport?**

SEE ATTACHED

8. **Are you one of the following? If yes, check below.**

Individual

Partnership

9. **Are you a business entity registered with the PA Department of State?**

If **YES**, please check below the type of business that applies to this Application and provide the Entity ID Number given to you by the PA Department of State:

Limited Partnership

Corporation Bureau Entity ID Number

Limited Liability Partnership

Corporation Bureau Entity ID Number

Limited Liability Company

Corporation Bureau Entity ID Number

Corporation – For Profit

2549925

Corporation Bureau Entity ID Number

Corporation – Nonprofit

Corporation Bureau Entity ID Number

Fictitious Name (if applicable)

Corporation Bureau Entity ID Number

If **NO**, contact the PA Department of State and apply according to how you will do business in PA:

PA Corporations (Profit or Non-Profit)

- File for Articles of Incorporation

Foreign Corporations

- File for a Certificate of Authority

- PA Limited Partnerships, Limited Liability Partnerships, Limited Liability Companies - File for an Application of Registration
- Fictitious Name Registration - File **only** if Trade Name will be different than the business name you register with the Department of State

10. Attachment Checklist

- Individual: Certified Check, money order, or check from attorney
 Copy of Current Safety Rating (if available)
- Partnership: Certified Check, money order, or check from attorney
 List of names and addresses of ALL Partners
 Copy of Current Safety Rating (if available)
- Limited Partnership: Corporation Bureau Entity Number as entered above in #9
 Certified Check, money order, or check from attorney
 List of names and addresses of ALL Partners
 Copy of Current Safety Rating (if available)
- Limited Liability Partnership: Corporation Bureau Entity Number as entered above in #9
 Certified Check, money order, or check from attorney
 List of names and addresses of ALL Partners
 Copy of Current Safety Rating (if available)
- Limited Liability Company: Corporation Bureau Entity Number as entered above in #9
 Certified Check, money order, or check from attorney
 List of names and addresses of ALL Members and Title of each Member (even if only one member)
 Copy of Current Safety Rating (if available)
- Corporation – For Profit: Corporation Bureau Entity Number as entered above in #9
 Certified Check, money order, or check from attorney
 List of ALL Corporate Officers and Titles, name of each Shareholder and distribution of shares
 Copy of Current Safety Rating (if available)
- Corporation – Non-Profit: Corporation Bureau Entity Number as entered above in #9
 Certified Check, money order, or check from attorney
 List of ALL Corporate Officers and Titles and those serving on Board of Directors
 Copy of Current Safety Rating (if available)

11. Certification

Applicant certifies that it is not now engaged in intrastate transportation of property for compensation between points in Pennsylvania without Pennsylvania Public Utility Commission authorization and will not engage in any transportation not previously authorized by the Pennsylvania Public Utility Commission unless and until such authorization is obtained.

Applicant further certifies that it understands the requirements of the Pennsylvania Public Utility Commission, especially as they relate to safety and insurance and that it may be subject to civil penalties, suspension or cancellation of the Certificate for failure to comply with Commission requirements.

Applicant further certifies that it understands that it is subject to an annual assessment based upon its reported gross Pennsylvania intrastate revenues; said assessment to help defray expenses incurred in regulating Motor Common Carriers of Property; and acknowledges that failure to report revenue and pay its annual assessment may result in civil penalties, suspension or cancellation of the Certificate.

You must sign the following Verification of Application.

Verification of Application

The verification of the application must be completed by the applicant appearing on Line 1 of the application by the named individual, all partners (if a partnership, LP, or LLP), a member (if LLC), or by any officer (if a corporation).

I/we hereby state that the statements made in this application are true and correct to the best of my/our knowledge and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 Relating to Unsworn Falsification to Authorities.

Leslie E. Brosius, Jr., President

(Print Name)

(Signature)

Leslie E. Brosius, Jr.

11/14/12

(Date)

RECEIVED

2012 DEC 13 AM 10:50

PA.P.U.C.
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR MOTOR COMMON CARRIER OF PROPERTY

PA.P.U.C.
SECRETARY'S BUREAU

2012 DEC 13 AM 10:50

RECEIVED

IN RE: APPLICATION OF : PUC DOCKET NO.
CHARLES E. GROFF & SONS, INC. : A-00111137

7. What type of Commodity do you intend to transport?

This is an Application for Confirmation of the Applicant's authority to transport *general commodities between points in the Commonwealth of Pennsylvania* and a request that the Commission adjust its records accordingly, replacing the Applicant's existing authority that reads:

To transport, as a Class D carrier, milk from farms located in the township of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield, and West Hempfield, Lancaster County to Hershey, Dauphin County and to the city of Lancaster, Lancaster County;

To transport, as a Class D carrier, farm products and supplies from farms in the townships of Mount Joy, East Donegal, West Donegal, Rapho, East Hempfield and West Hempfield, Lancaster County, to points within an airline radius of ten(10) statute miles of the limits of said townships with Rights Nos. 8 and 9 subject to the following condition

That no right, power or privilege is granted to render service between Florin, Lancaster County, and Harrisburg, Dauphin County and intermediate points on the Lancaster-Harrisburg route of the Central Storage and Transfer Company.

To transport, as a Class D carrier, kerosene stoves, form points in the borough of Morgantown, Berks County and within an airline distance of five (5) miles of the limits thereof to points in Pennsylvania;

To transport, as a Class D carrier, property between points in the borough of Mount Joy, Lancaster County, and within five (5) miles by the usually traveled highways of the limits of said borough;

To transport, as Class D carrier, crushed stone, tobacco and tombstones from points in the borough of Mount Joy, Lancaster County, and within five (5)

miles of the usually traveled highways of the limits of said borough to other points in Pennsylvania and vice versa.

PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU
ROOM 308 NORTH OFFICE BUILDING
P.O. BOX 8722
HARRISBURG, PA 17105-8722

21

GROFF, CHARLES E. & SONS, INC.

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT. PLEASE NOTE THE FILE DATE AND SIGNATURE OF THE SECRETARY OF THE COMMONWEALTH. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA. IF YOU HAVE ANY QUESTIONS PERTAINING TO THE **CORPORATION BUREAU** CALL 717-787-1057.

ENTITIES ACTING AS PROFESSIONAL FUNDRAISING CONSULTANTS OR PROFESSIONAL SOLICITORS ON BEHALF OF CHARITIES SOLICITING CONTRIBUTIONS WITHIN THE COMMONWEALTH OF PENNSYLVANIA MUST REGISTER WITH THE DEPARTMENT OF STATE, **BUREAU OF CHARITABLE ORGANIZATIONS**, ROOM 308, NORTH OFFICE BUILDING, HARRISBURG, PENNSYLVANIA 17120-0029 (717)/783-1720).

ENTITY NUMBER: 2549925

MICROFILM NUMBER: 09367

1309-1310

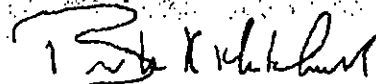
JEFFREY J REICH ESQ
111 N LIME ST
LANCASTER, PA 17602


OCT 13 1993

Microfilm Number _____

Filed with the Department of State on _____

Entity Number 2549925



Secretary of the Commonwealth 

ARTICLES OF INCORPORATION

DSCB:15-1306/2102/2304/2701/2903/7701 (Rev 89)

Indicate type of domestic corporation (check one):

- Business-stock (15 Pa.C.S. § 1306)
- ____ Management (15 Pa.C.S. § 2701)
- ____ Business-nonstock (15 Pa.C.S. § 2102)
- ____ Professional (15 Pa.C.S. § 2903)
- ____ Business-statutory close (15 Pa.C.S. § 2304)
- ____ Cooperative (15 Pa.C.S. § 7701)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) the undersigned, desiring to incorporate a for-profit corporation hereby state that:

1. The name of the corporation is: Charles E. Groff & Sons, Inc.

2. The (a) address of this corporation's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) <u>1806 Harrisburg Avenue, PO Box 84, Mount Joy, PA 17552</u>	<u>Lancaster</u>
Number and Street	City
	State
	Zip
	County

(b)c/o: _____	_____
Name of Commercial Registered Office Provider	County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The corporation is incorporated under the provisions of the Business Corporation Law of 1988.

4. The aggregate number of shares authorized is: 10,000 (other provisions, if any, attach 8 1/2 x 11 sheet)

5. The name and address, including street and number, if any, of each incorporator is:

Name	Address
<u>Wilbur J. Groff</u>	<u>203 Midland Circle, Mount Joy, PA 17552</u>
<u>Kevin E. Groff</u>	<u>1220 Schwanger Road, Mount Joy, PA 17552</u>

6. The specified effective date, if any, is: _____
month day year hour, if any

7. Any additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet.

8. Statutory close corporation only: Neither the corporation nor any shareholder shall make an offering of any of its shares that would constitute a "Public Offering" within the meaning of the Securities Act of 1933 (15U.S.C. § 77A et seq.).

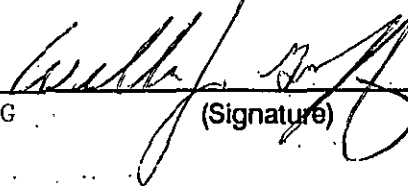
9367-1310

DSCB:15-1306/2102/2304/2701/2903/7701 (Rev 89)-2

9. ~~Cooperative corporations only:~~ (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: _____

IN TESTIMONY WHEREOF, the incorporator(s) has (have) signed these Articles of Incorporation this _____ day of

9-10 19 93.


WJG (Signature)


KEG (Signature)



Charles E. Groff and Sons Inc.
1284 Cloverleaf Rd. ♦ P.O. Box 84 ♦ Mount Joy PA 17552
Phone 717-653-1357 ♦ Fax 717-653-6361 ♦ Email ceg1284@comcast.net

24 October 2012

Richard T. Mulcahey Jr
Schubert, Gallagher, Tyler, Mulcahey
Two Penn Center, Suite 1400
1500 John F. Kennedy Boulevard
Philadelphia PA 19102-1890

RE: Corporate Officers & Shareholders of Charles E. Groff & Sons Inc.

Dear Mr. Mulcahey,

Below is the list of Corporate Officers and Shareholders for Charles E. Groff & sons Inc:

Leslie E. Brosius – President
Joan L. Brosius – Secretary/Treasurer

Leslie E. Brosius – 100% Shareholder

If you have any other questions or need any other information please feel free to contact us at 717-653-1357.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie E. Brosius". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Leslie E. Brosius
President
Charles E. Groff & Sons Inc.



U.S. Department of Transportation
Federal Motor Carrier Safety Administration
A&I Online: Safety Measurement System

[A&I LOGIN](#) | [CONTACTS](#) | [FEEDBACK](#) | [FMCSA.GOV](#) | [FMCSA PORTAL](#) | [DOT.GOV](#)

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SMS Home > Carrier Overview

CHARLES E GROFF & SONS INC

DOT#:396907



Welcome to the Motor Carrier Safety Measurement System

The SMS provides an assessment of a motor carrier's on-road performance and investigation results within the Behavior Analysis and Safety Improvement Categories (BASICS). Assessments cover 24 months of activity and results are updated monthly. For current Motor Carrier Safety Ratings visit [SAFER](#) and for current operating authority and insurance information visit [Licensing and Insurance](#) (L&I) system.

Attention Motor Carriers

- View your SMS Preview results now
- What is this?

Visit the New SMS Preview



Select a BASIC below to view details

BASICS Overview
 (Based on a 24-month record ending October 26, 2012)

- Unsafe Driving
- Fatigued Driving (Hours-of-Service)
- Driver Fitness
- Controlled Substances and Alcohol
- Vehicle Maintenance
- Cargo-Related
- Crash Indicator

PERFORMANCE		BASICS Status
On-Road	Investigation	
No Violations		
No Violations		
Inconclusive		
No Violations		
Insufficient Data		
Not Public	Not Public	Not Public
Not Public	Not Applicable	Not Public

USE OF SMS DATA/INFORMATION

[History](#)
 For more information on the BASICS Overview please visit our [Information Center](#)

ICON LEGEND

- Serious violation cited within last 12 months from an investigation.
- Denotes this carrier exceeds the FMCSA intervention threshold relative to its safety event grouping based upon roadside data and/or has been cited with one or more serious violations within the past 12 months during an investigation. Therefore, this carrier may be prioritized for an intervention action and roadside inspection.

Print-Ready Measurement Profile

SUMMARY OF ACTIVITIES

	Number	QOS Rate
Total Inspections:	4	
Vehicle Inspections:	3	0 %
Driver Inspections:	4	0 %
Hazardous Materials Inspections:	0	0 %
HM Placard Inspections:	0	0 %
Total Crashes*:	0	
Tow-aways:	0	
Injuries/Fatalities:	0	

*Crashes listed represent a motor carrier's involvement in reportable crashes, without any determination as to responsibility. Continue for details.

RECENT INVESTIGATIONS

There are no recent investigations.

DATA CENTER

Scope:

File Type:

Carrier Registration Information as of October 26, 2012

USDOT#	396907	Power Units:	18	Carrier Registration	
DBA		Vehicle Miles Traveled:	300,000	Information Outdated	
Name:		VMT Year:	2009	Registration Updated:	10/11/2010
Address:	1284 Clover Leaf Rd Mount Joy, PA 17852-9573	Drivers:	10	Carrier VMT Outdated	
Telephone:	(717) 853-1357	Carrier Operation:	Intrastate Non-Hazmat		
Fax:	(717) 853-8381	Passenger:	No		
		Subject to Placardable HM Threshold:	No		
Email:	ceg1284@comcast.net	Household Goods:	Yes	<input type="button" value="Update Registration Information"/>	
		New Entrant:	No		

Need more information about what SMS is or how to improve safety in a BASIC?

[Learn more](#)

[View Carrier Registration Details](#)

USE OF SMS DATA/INFORMATION

The data in the Safety Measurement System (SMS) is performance data used by the Agency and Enforcement Community. A symbol, based on that data, indicates that FMCSA may prioritize a motor carrier for further monitoring.

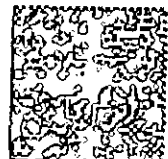
The symbol is not intended to imply any federal safety rating of the carrier pursuant to 49 USC 31144. Readers should not draw conclusions about a carrier's overall safety condition simply based on the data displayed in this system. Unless a motor carrier in the SMS has received an UNSATISFACTORY safety rating pursuant to 49 CFR Part 385, or has otherwise been ordered to discontinue operations by the FMCSA, it is authorized to operate on the nation's roadways.

Motor carrier safety ratings are available at <http://safer.fmcsa.dot.gov> and motor carrier licensing and insurance status are available at <http://li-public.fmcsa.dot.gov/>.



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Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE, Washington, DC 20590 • 1-800-832-5660 • TTY: 1-800-877-8339 • [Field Office Contacts](#)



02 1P \$ 001.30⁰⁰
 0003196945 DEC 11 2012
 MAILED FROM ZIP CODE 18102

LAW OFFICES

SCHUBERT • GALLAGHER

TWO PENNS CLERK - SUITE 1400
 1500 JOHN F. KENNEDY BOULEVARD
 PHILADELPHIA, PA 19102-1890



TYLER • MULCAHEY

SCHUBERT, GALLAGHER,
 TYLER & MULCAHEY
 A PROFESSIONAL CORPORATION

TO:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P.O. Box 3265
 Harrisburg, PA 17105-3265