

BLAIR F. GREEN
ATTORNEY AT LAW
125 NORTH MCKEAN STREET
KITTANNING, PA. 16201-1517
TEL. (412) 543-2219

September 12, 1990

RECEIVED

SEP 14 1990

SECRETARY'S OFFICE
Public Utility Commission

Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg PA 17120

Re: Application of Toy Trucking Company

A-99448
F. 1, Am-C

Gentlemen:

Enclosed find original and two copies of the Application of Toy Trucking Company, together with check in the amount of \$350.00.

If anything further is desired, please advise.

Very truly yours,

Blair F. Green
Blair F. Green

BFG/sb

Enclosures



DOCUMENT
FOLDER

RECEIVED

SEP 14 1990

SECRETARY'S OFFICE
Public Utility Commission

BEFORE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

(see instructions before preparing application)

In re: Application of
TOY TRUCKING COMPANY

APPLICATION DOCKET

No. *A-99448*

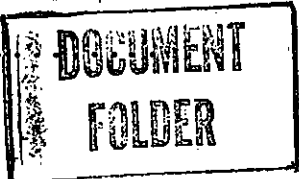
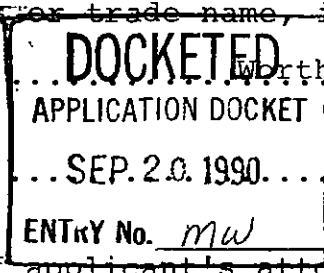
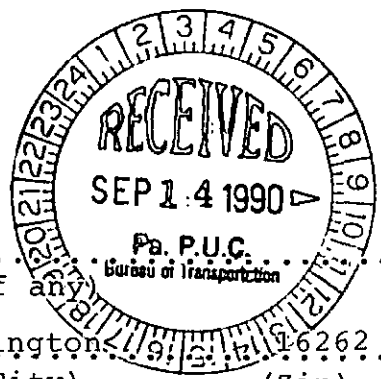
Folder No. *1, Am-C*

for a certificate of public convenience or a permit evidencing the Commission's approval of the right and privilege of operating motor vehicles as a motor carrier for the transportation of property.

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The name and address of applicant are:

..Toy Trucking Company.....
(Applicant's or trade name, if any)
..R. D. #1, Box 103.....
(Street and number) ..Worthington, PA 16262.....
..Armstrong.....
(County) ..SEP. 20. 1990..... PA.....
(State)



2. The name and address of applicant's attorney are:

..Blair F. Green, 125 N. McKean St., Kittanning, PA 16201.....
(Name) (Address) (Zip)

3. Applicant designates ..Blair F. Green.....
(Name)

125 N. McKean St., Kittanning, PA 16201, as the person upon whom
(Address) (Zip)

APPL: *A-99448*
COMPL: *active*
MVIC: *✓*
CHECKED BY *mw*

service of any notice, process or order of the Public Utility Commission may be made for him or it.

F.1 **AMENDMENT** *C*

4. Applicant is .a corporation.....
(Individual, partnership or corporation - if an individual, must be 18 years of age or over)

Applicant, if an individual or partnership, is doing business under the trade name of

The said trade name been registered with the Secretary of the Commonwealth on 19, and with the Prothonotary of (County)

County on 19, in accordance with the provisions of the Fictitious Name Act of June 28, 1917, as amended.

Applicant, if a partnership, attaches hereto, as an exhibit, a copy of the partnership agreement and asserts that the names and addresses of the partners are as follows:

Name	Post Office Address	County
.....	..... (Zip)	.....
.....	..... (Zip)	.....
.....	..... (Zip)	.....

Applicant, if a corporation, was organized under the laws of the State of .Pennsylvania..., and attaches hereto as an exhibit a statement of its charter purpose(s). Applicant (if a foreign corporation) qualified to do business in Pennsylvania by registering in the office of the Secretary of the Commonwealth on the ...21st. day of ..February..... 1975.....

5. Applicant now holds the following certificates of public convenience or permits (include those issued by Interstate

Commerce Commission and any other states): .A..99448.....

6. Applicant desires to operate motor vehicles as follows: (state type, size and quantity) ..See Exhibit "B" hereto attached....

Number of vehicles now owned or to be purchased by applicant
owns nine (9).....

Number of leased vehicles operated or to be operated by
applicant eleven (11).....

7. Applicant is financially able to furnish adequate service to the public and submits the following statement of financial condition: See Exhibit "C" hereto attached

ASSETS

Motor vehicle equipment	\$
Land, buildings and structures	\$
Other property	\$
Cash	\$
Notes and accounts receivable	\$
Materials and supplies	\$
Other assets (attach schedule)	\$
Total Assets	\$

LIABILITIES

Mortgages payable	\$
Equipment obligations	\$
Notes and accounts payable	\$
Other liabilities (attach schedule	\$

Other liabilities (attach schedule)	\$	.....
Reserve for depreciation - motor vehicles	\$	.....
Reserve for depreciation - other	\$	.....
Capital stock (corporations only)	\$	.....
Surplus (corporations only)	\$	.....

Total Liabilities.....\$.....

NET WORTH

For corporations	\$	.....
Capital stock	\$	.....
Surplus	\$	.....
For individuals or partnerships	\$	.....

8. The nature and character of the service to be rendered by

applicant as a common carrier or as a contract carrier under the terms of the attached contract or agreement, are as follows: (See instructions)

9. (a) If applicant seeks authority as a common carrier, state information why the proposed service is necessary or proper for the service, accommodation and convenience of the public.

(b) If applicant seeks authority as a contract carrier, applicant certifies that he is fit, willing and able properly to perform the service of a contract carrier by motor vehicle and to conform to the lawful orders and regulations of this Commission, and that the proposed service will be consistent with the public interest and will not interfere with the service and regulations of common carriers by motor vehicles and the policy declared in Section 801 of the Public Utility Law.

10. Applicant is not now engaged in any intrastate transportation of property for compensation in Pennsylvania (except as authorized by the certificates of public convenience or permits specified in Paragraph 5) and will not engage in the transportation for which approval is herein sought unless and until authorization for such transportation shall be received.

11. If the evidence presented in support of this application shows that applicant, although applying for a certificate of public convenience as a common carrier, would be entitled to

a permit as a contact carrier, or if applying for a permit, would be entitled to a certificate, as aforesaid, applicant agrees that the application may be considered by the Commission to be for the appropriate form of authority.

Wherefore, applicant prays your Honorable Commission to issue a certificate of public convenience; a permit; under the provisions of the Pennsylvania Public Utility Law, evidencing its approval of the right to operate motor vehicles for the transportation of property as described in Paragraph 8 of this application.

CORPORATE SEAL

TOY TRUCKING COMPANY
(print name of corporation, partnership, trade-name or individual)*

By: *Theresa A. Toy*
.....
(Signature)

.....
(Signature)

.....
(Signature)

*If a partnership, each partner must sign; if a corporation, at least one officer must sign, and corporate seal affixed.

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF ARMSTRONG

SS

... THERESA A. TOY, President of Toy Trucking Company,
... being duly sworn (affirmed)
(Affiant)

according to law, deposes and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

Theresa A. Toy
.....
(Signature of Affiant)

Sworn and subscribed before me this ..13th...day of *Sept*...1990.....

Shirley J. Bowser
.....
(Signature of official
administering oath)

My Commission expires

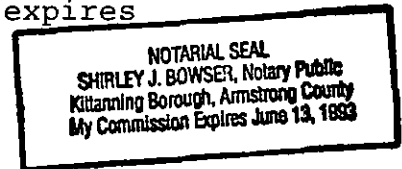


EXHIBIT "A"

STATEMENT OF CHARTER PURPOSES

The corporate purposes of Toy Trucking Company, as filed with the Corporation Bureau of the Commonwealth of Pennsylvania are as follows:

To have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Business Corporation Law of the Commonwealth of Pennsylvania.

Name of Incorporator: Theresa A. Toy

Names and titles of Officers: Theresa A. Toy, President
Dannie Dean Toy, Vice President
David C. Toy, Secretary-Treasurer

Authorized Shares and Amount: 1000 shares, \$100.00 par value

Shareholder and shares issued: Theresa A. Toy, 3 shares

EXHIBIT "B"

LIST OF TRUCKS OWNED BY TOY TRUCKING COMPANY

<u>YEAR</u>	<u>MAKE</u>	<u>SERIAL NO.</u>	<u>LICENSE NO.</u>
1975	Ford Tri-axle	U90KVV90753	47185 CJ
1975	Autocar Tri-axle	YO17RH1076433	YK-38144
1976	Autocar Tri-axle	QO1FTGH078078	YK-38145
1978	Autocar Tri-axle	PSIFRHH-086948	YM-45539
1978	Autocar Tri-axle	PSIFRHI-085301	YD-07894
1980	Ford Tri-axle	U90WVGG8574	YM-45540
1980	Ford Tri-axle	U90XVGJ6052	YH-85555
1987	White Tri-axle	1WXBCCCHOHN121933	YA-60093
1990	White Tri-axle	4V2BCBCG9LN634738	YK-38141

EXHIBIT "C"

TOY TRUCKING CO.

STATEMENT OF ASSETS AND LIABILITIES - ESTIMATED CURRENT VALUES

DECEMBER 31, 1989

ASSETS

CURRENT ASSETS:	
Cash in bank	\$ 7,741
Accounts receivable	60,417
Inventory - Parts and tires (Note 1)	19,420
	<u>\$ 87,578</u>
FIXED ASSETS: (Note 2)	
Trucks	\$196,000
Tools	16,510
Building equipment	4,900
Office equipment	3,175
	<u>\$220,585</u>
TOTAL ASSETS	<u>\$308,163</u>

LIABILITIES

CURRENT LIABILITIES:	
Accounts payable	<u>\$ 27,955</u>
Notes payable - Shareholder (Note 3)	<u>\$ 50,000</u>
STOCKHOLDERS EQUITY:	
Capital stock issued	\$ 20,000
Retained earnings	210,208
	<u>\$230,208</u>
TOTAL LIABILITIES	<u>\$308,163</u>

SCHEDULE "D"

Applicant, Toy Trucking Company, seeks to amend the following rights presently held:

To transport, as a Class D carrier, coal, lumber, lime, gravel and sand between points in the counties of Clarion, Armstrong, Butler, Venango, Allegheny and Crawford, no haul to exceed a distance of twenty-five (25) miles from point of origin to point of destination; excluding the right to transport lumber from points within an airline distance of forty (40) statute miles of the limits of the borough of Brookville, Jefferson County.

To transport, as a Class D carrier, coal, for Amerikohl, Inc., from its facilities located in the township of Fairview, Butler County, to points in the county of Lawrence; and to transport coal for Amerikohl, Inc., from the facilities of: Bracken Construction Company located in Concord Township, Butler County; Sunbeam Coal Company located in Marion Township, Butler County; and West Freedom Mining Corporation located in Clearfield Township, Butler County and West Franklin Township, Armstrong County, to points in the county of Lawrence.

To transport, as a Class D carrier, coal, for Pittsburg and Shawmut Coal Company, from its facilities located in the township of East Franklin, Armstrong County, to the Pennsylvania Power Company in the city of New Castle, Lawrence County; and to transport coal for Pittsburg and Shawmut Coal Company from the facilities of: Glacial Sand & Gravel Company located in East Franklin Township, Armstrong County; West Freedom Mining Corporation located in the township of Clearfield, Butler County and the township of West Franklin, Armstrong County; and the Roswell Coal Company located in the township of Fairview, Butler County; to the Pennsylvania Power Company in the city of New Castle, Lawrence County.

To transport, as a Class D carrier, coal, for Roswell Coal Co., Inc., from its facilities located in the township of Fairview, Butler County, to points in the county of Lawrence;

Schedule "D" continued

the above three rights being subject to the following conditions:

1. That no right, power or privilege is granted to transport coal except in bulk in dump vehicles;
2. That no haul is to exceed an airline distance of seventy-five (75) statute miles from the point of origin to point of destination.

To transport, as a Class D carrier, coal, for Amerikohl, Inc. and Amerikohl Mining, Inc., from their facilities in the counties of Butler, Lawrence and Armstrong, to the Bruce Mansfield Station of Ohio Edison Power located in the borough of Shippingport, Beaver County.

SO AS TO PERMIT the transportation as a Class D carrier, coal, from points within one hundred twenty-five (125) statute miles from the borough of Worthington, Armstrong County, Pennsylvania, to points in Pennsylvania, providing no haul shall exceed one hundred twenty-five (125) statute miles from point of origin to point of destination.

SCHEDULE "E"

Applicant has been requested by B & B Coal Associates to secure said rights because of Applicant's previous good service to said supporting shipper and the fact that they can easily and effectively utilize their services in the area of greater authority sought by Applicant.

October 5, 1990

IN REPLY PLEASE
REFER TO OUR FILE

Blair F. Green
Attorney at Law
125 North McKean Street
Kittanning, PA 16201-1517

In re: A-00099448, F. 1, Am-C - Application of Toy Trucking Company

Dear Sir:

The application of Toy Trucking Company has been captioned as attached and will be submitted for review provided no protests are filed on or before October 29, 1990. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of October 6, 1990.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:kmb

cc: Applicant
R.D. #1, Box 103
Worthington, PA 16262

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
OCT 05 1990
ENTRY No. <u> </u> <i>AR</i>

A-00099448, Folder 1, Am-C TOY TRUCKING COMPANY (R.D. 1, Box 103, Worthington, Armstrong County, PA 16262), a corporation of the Commonwealth of Pennsylvania, inter alia - coal, for Amerikohl Mining, Inc., from their facilities in the counties of Butler, Lawrence and Armstrong, to the Bruce Mansfield Station of Ohio Edison Power located in the borough of Shippingport, Beaver County: SO AS TO PERMIT the transportation of coal, from points within one hundred twenty-five (125) statute miles from the borough of Worthington, Armstrong County, to points in Pennsylvania, provided no haul shall exceed one hundred twenty-five (125) statute miles from point of origin to point of destination. Attorney: Blair F. Green, 125 North McKean Street, Kittanning, PA 16201-1517.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE OCT -6 1990

BUREAU OF TRANSPORTATION
COMMON CARRIER
SEPTEMBER 1990

A-00099448
F. 1
Am-C

Application of Toy Trucking Company, a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, coal, for Amerikohl, Inc. and Amerikohl Mining, Inc., from their facilities in the counties of Butler, Lawrence and Armstrong, to the Bruce Mansfield Station of Ohio Edison Power located in the borough of Shippingport, Beaver County: SO AS TO PERMIT the transportation of coal, from points within one hundred twenty-five (125) statute miles from the borough of Worthington, Armstrong County, to points in Pennsylvania, provided no haul shall exceed one hundred twenty-five (125) statute miles from point of origin to point of destination.

MW:rs
9/24/90

Application received: 9/14/90
Application docketed: 9/20/90

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
OCT 05 1990
ENTRY No.

OCT 29 1990

Protests due on No Hearings _____
Protests due on Hearings - (5 days prior to date of hearing)
Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.