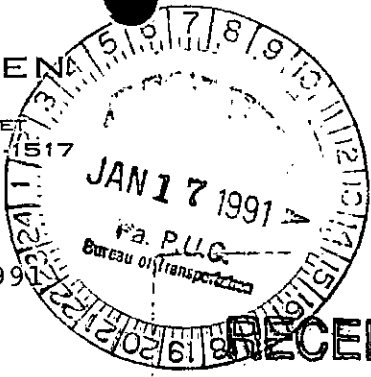


BLAIR F. GREEN  
ATTORNEY AT LAW  
125 NORTH MCKEAN STREET  
KITTANNING, PA. 16201-1517  
TEL (412) 543-2219



January 15, 1991

**RECEIVED**  
JAN 17 1991  
SECRETARY'S OFFICE  
Public Utility Commission

Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg PA 17120

*A. 99448  
F.I. AM-D*

Re: Application of Toy Trucking Company

Gentlemen:

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

If anything further is desired, please advise.

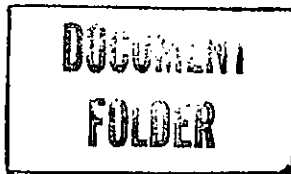
Very truly yours,

*Blair F. Green*  
Blair F. Green

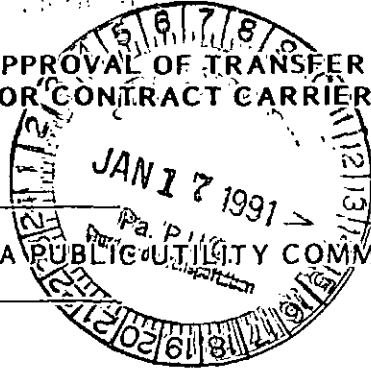
BFG/sb

Enclosures

*2/6 called aty Green  
duplication of rights  
transferee would need  
to the restriction  
per*



APPLICATION FOR APPROVAL OF TRANSFER  
AND EXERCISE OF COMMON OR CONTRACT CARRIER RIGHTS



RECEIVED

JAN 17 1991

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION SECRETARY'S OFFICE  
Public Utility Commission

Application of TOY TRUCKING COMPANY  
(Applicant/Transferee-Buyer)

for approval of the transfer and to exercise the right

as a common carrier, described at Docket  
(common-contract)

No. A-00105001, Folder No. \_\_\_\_\_, issued to

Daniel R. Thomson and William Thomson  
(Transferor-Seller)

for transportation of property  
(persons-property)

<b>PUC USE ONLY</b>	
Docket No.	<u>99448</u>
Folder No.	<u>1, AM-D</u>

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

1. Toy Trucking Company  
(Full and correct name of applicant/transferee)

2. \_\_\_\_\_  
(Trade name, if any)

The trade name \_\_\_\_\_ been registered with the Secretary of the  
(has or has not)

Commonwealth on \_\_\_\_\_ (attach copy of stamped registration form.)  
(date)

3. R D #1 \_\_\_\_\_ Box 103  
(Business Street Address) (P.O. Box, if any)

Worthington Armstrong PA 16262 (412) 297-3275  
(City) (County) (State) (Zip) (Telephone)

DOCUMENT  
FOLDER

AMENDMENT

DOCKETED  
APPLICATION DOCKET  
FEB 04 91  
ENTRY No. Jan

4. Applicant's attorney (for this application) is:

Blair F. Green, 125 N. McKean St., Kittanning, PA 16201 (412) 543-2219  
(Name) (Address) (Telephone)

5. Any documents should be mailed to:

Transferee: Toy Trucking Company, R D #1, Box 103, Worthington PA 16262  
(Name) (Address)

Transferor: Daniel R & William Thomson, R D #1, Box 385, Tarentum PA 15084  
(Name) (Address)

6. Applicant does hold Pa. PUC authority under Docket Number  
(does or does not)

A- 99448 and operates as a common carrier.  
(common or contract)

7. Applicant does not hold Interstate Commerce Commission authority  
(does or does not)

at Docket No. \_\_\_\_\_.

8. Applicant is (check one):

Individual.

Partnership. Must attach a copy of the partnership agreement (unless a copy is presently on file with PUC), and list names and addresses of partners below (use additional sheet if necessary).

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

Corporation. Organized under the laws of the State of Pennsylvania  
and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on Feb. 21, 1975 (Attach copy of Certificate of Incorporation or Authority and statement of charter purpose). Include as an attachment a list of corporate officers and their titles and the names, addresses and number of shares held by each stockholder.

9. If applicant, its stockholders or partnership members are in control of or affiliated with any other carrier, state name of carrier(s), Docket Number(s) and nature of control or affiliation.

N/A

10. Applicant proposes to acquire part of the operating rights now held  
(all or part)  
by transferor. Attach sheet describing rights to be transferred to applicant and rights to be retained by transferor, if any. If any rights are to be omitted, give reasons.

11. The reason for the transfer is \_\_\_\_\_

12a. The following must be attached:

- Sales Agreement.
- List of equipment to be used to render service. (summarize by type)
- Operating authority to be transferred/retained.
- Statement of Financial Condition.
- Statement of unpaid business debts of transferor and how they will be satisfied.
- Statement of safety program.
- Statement of transferee's experience.

b. Attach the following, as appropriate (check those attached):

- Partnership Agreement.
- Trade Name registration certificate.
- Certificate of Incorporation. (Pa. Corporation only)
- Certificate of Authority. (Foreign ((out-of-state)) Corporation only)
- Statement of corporate charter purpose. (corporations only)
- List of corporate officers and stockholders. (corporations only)
- Copy of short form certificate showing date of death of transferor and name of executor or administrator/administratrix.



THIS MUST BE COMPLETED BY NOTARY PUBLIC  
AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :

: ss:

Armstrong County :

Daniel R. Thomson & William Thomson, being duly sworn (affirmed) 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.

Daniel R. Thomson

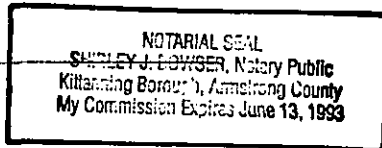
Signature of Affiant

William Thomson

Signature of Affiant

Sworn and subscribed before me this 9th  
day of Jan. 19 91

My Commission Expires \_\_\_\_\_



Shirley J. Bowser

Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEROR/SELLER (Corporation)

COMMONWEALTH OF PENNSYLVANIA :

: ss:

\_\_\_\_\_ County :

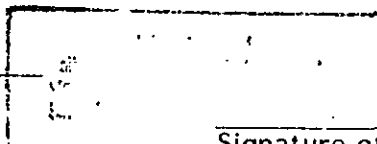
\_\_\_\_\_, being duly sworn (affirmed) according to law,  
deposes and says that he is \_\_\_\_\_ of \_\_\_\_\_;  
(Office of Affiant) (Name of Corporation)

that he is authorized to and does make this affidavit for it; and 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 that he expects the said \_\_\_\_\_ to be able to prove the  
(Name of Corporation)  
same at the hearing hereof.

\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this \_\_\_\_\_  
day of \_\_\_\_\_ 19 \_\_\_\_\_

My Commission expires \_\_\_\_\_



\_\_\_\_\_  
Signature of Official Administering Oath

THIS MUST BE COMPLETED BY NOTARY PUBLIC  
AFFIDAVIT OF TRANSFEREE/APPLICANT (Natural Person)

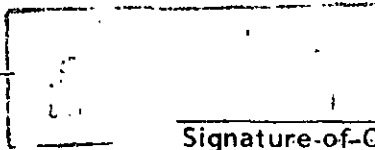
COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
\_\_\_\_\_ County :

\_\_\_\_\_, being duly sworn (affirmed) 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.

\_\_\_\_\_  
Signature of Affiant

Sworn and subscribed before me this \_\_\_\_\_  
day of \_\_\_\_\_ 19 \_\_\_\_\_

My Commission Expires \_\_\_\_\_



\_\_\_\_\_  
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :  
: SS:  
Armstrong County :

Theresa A. Toy, being duly sworn (affirmed) according to law, deposes and says that he is President of Toy Trucking Company,  
(Office of Affiant) (Name of Corporation)

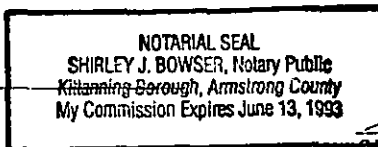
that he is authorized to and does make this affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said Toy Trucking Company to be able to prove the same  
(Name of Corporation)

the same at the hearing hereof.

Theresa A. Toy  
Signature of Affiant

Sworn and subscribed before me this 9th  
day of Jan. 19 91

My Commission Expires \_\_\_\_\_



Shirley J. Bowser  
Signature of Official Administering Oath

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

\$308,163

LIABILITIES

CURRENT LIABILITIES:

Accounts payable	\$ 27,955
Notes payable - Shareholder (Note 3)	\$ 50,000

STOCKHOLDERS EQUITY:

Capital stock issued	\$ 20,000
Retained earnings	210,208
	<u>\$230,208</u>

TOTAL LIABILITIES

\$308,163

---

AGREEMENT OF SALE

KNOW ALL MEN BY THESE PRESENTS, that, DANIEL R. THOMSON and WILLIAM THOMSON, of R D #2, Box 385, Tarentum, PA 15084, hereinafter called "First Parties",

A  
N  
D

TOY TRUCKING COMPANY, of R D #1, Box 103, Worthington, PA 16262, hereinafter called "Second Party";

WHEREAS, First Parties are the owner of certain P.U.C. rights as hereinafter set forth, the Certificate of Public Convenience being A-00105001, and

WHEREAS, Second Party is desirous of purchasing the same;

NOW, THEREFORE, the parties hereto hereby agree as follows:

1. First Parties agree to sell and Second Party agrees to purchase the said P.U.C. rights for the sum of Sixteen Thousand (\$16,000.00) Dollars. This sum will be paid by Second Party to First Parties upon approval of the transfer by the Pennsylvania Public Utility Commission.

2. First Parties hereby warrant that there is no assessments or unpaid charges against the said Certificate and, if there are, the same will

*DT*  
*2/1*  
*Amical*  
*W*

be taken care of at closing or remedied by First Parties prior to closing.

3. The rights involved at A-00105001 are as follows:

To transport, as a Class D carrier, coal, coke, boney and other building materials in bulk (excluding brick) in dump trucks from points in the borough of Springdale, Allegheny County, to points in the counties of Allegheny, Butler, Westmoreland and Armstrong, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

To transport, as a Class D carrier, coal, coke, boney, slag and building materials, in bulk, (excluding brick) in dump vehicles, and which are unloaded by dumping, between points in the counties of Butler, Westmoreland, Indiana and Armstrong, provided no haul shall exceed a distance of thirty-five (35) miles from point of origin to point of destination, excluding the transportation of coal and coke to or from points in Butler County, except as presently authorized.

To transport, as a Class D carrier, concrete blocks, haydite blocks and cinder blocks between points in the county of Allegheny.

To transport, as a Class D carrier, sand and gravel, in dump vehicles and which are unloaded by dumping, from the facilities of Davison Sand and Gravel Company in the counties of Allegheny, Armstrong and Westmoreland to points in Pennsylvania, and vice versa.

To transport, as a Class D carrier, coal for domestic consumption and to railroad cars between points in the city of New Kensington, Westmoreland County, and within fifteen (15) miles by the usually traveled highways of the limits of the said city, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination.

Handwritten initials and a checkmark in the bottom right corner.

To transport, as a class D carrier, gravel, sand, soil, slag, cinders and building blocks between point in the city of New Kensington, Westmoreland County, and within twenty-five (25) miles by the usually traveled highways of the limits of the said city, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 9th day of January, 1991.

Witness:

Shirley J. Bowser

Shirley J. Bowser

Daniel R. Thomson (SEAL)  
Daniel R. Thomson

William Thomson (SEAL)  
William Thomson

ATTEST:

David C. Toy  
Secretary

TOY TRUCKING COMPANY

Gerena A. Toy  
President

(SEAL)

*DT DT*  
*2-1*  
*ve*

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

Dated: January 9, 1991

**RIGHTS TO BE TRANSFERRED**

To transport, as a Class D carrier, coal, coke, boney and other building materials in bulk (excluding brick) in dump trucks from points in the borough of Springdale, Allegheny County, to points in the counties of Allegheny, Butler, Westmoreland and Armstrong, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

To transport, as a Class D carrier, coal, coke, boney, slag and building materials, in bulk, (excluding brick) in dump vehicles, and which are unloaded by dumping, between points in the counties of Butler, Westmoreland, Indiana and Armstrong, provided no haul shall exceed a distance of thirty-five (35) miles from point of origin to point of destination, excluding the transportation of coal and coke to or from points in Butler County, except as presently authorized.

To transport, as a Class D carrier, concrete blocks, haydite blocks and cinder blocks between points in the county of Allegheny.

To transport, as a Class D carrier, sand and gravel, in dump vehicles and which are unloaded by dumping, from the facilities of Davison Sand and Gravel Company in the counties of Allegheny, Armstrong and Westmoreland to points in Pennsylvania, and vice versa.

To transport, as a Class D carrier, coal for domestic consumption and to railroad cars between points in the city of New Kensington, Westmoreland County, and within fifteen (15) miles by the usually traveled highways of the limits of the said city, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination.

To transport, as a class D carrier, gravel, sand, soil, slag, cinders and building blocks between point in the city of New Kensington, Westmoreland County, and within twenty-five (25) miles by the usually traveled highways of the limits of the said city, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

Shirley J. Bowser  
Shirley J. Bowser  
Shirley J. Bowser

Daniel R. Thomson  
Daniel R. Thomson  
William Thomson  
William Thomson  
Theresa A. Toy  
TOY TRUCKING COMPANY

✓

**RIGHTS TO BE RETAINED**

To transport, as a Class D carrier, construction and building sand and gravel, in dump vehicles, for the Davison Sand and Gravel Company, from its plant site in the city of New Kensington, Westmoreland County to points in the counties of Allegheny, Butler, Westmoreland, Beaver, Lawrence, Indiana and Armstrong, provided no haul shall exceed a distance of thirty-five (35) miles from point of origin to point of destination.

IN WITNESS WHEREOF, the parties have hereunt set their hands and seals this 9th day of January, 1991.

Witness:

Shirley J. Bowser  
Shirley J. Bowser

Daniel R. Thomson (SEAL)  
Daniel R. Thomson  
William Thomson (SEAL)  
William Thomson

Attest:

David C. By  
Secretary  
(SEAL)

TOY TRUCKING COMPANY

Theresa A. By  
President

✓

**STATEMENT OF UNPAID BUSINESS DEBTS**

There are no business debts now in existence of Daniel R. Thomson and William Thomson, owner and operator of Pennsylvania Public Utility Commission Certificate No. A-00105001.



---

Daniel R. Thomson



---

William Thomson

Dated: Jan. 9, 1991

**STATEMENT OF SAFETY PROGRAM**

Applicant has a mechanic or mechanics on duty daily and on call checking the conditions of the vehicles on a rotating basis, performing routine maintenance and major repairs, as required, to inspection standards and all standards required by the Laws of Pennsylvania.

**STATEMENT OF TRANSFEREE'S EXPERIENCE**

Transferee has been operating trucks since 1975 and leasing them to other certificated holders.

# Commonwealth of Pennsylvania



Department of State

Office

Secretary of the Commonwealth

To all to whom these Presents shall come, Greeting:

WHEREAS, Under the provisions of the Business Corporation Law, approved the 5th day of May, Anno Domini one thousand nine hundred and thirty-three, P. L. 364, as amended, the Department of State is authorized and required to issue a

CERTIFICATE OF INCORPORATION

evidencing the incorporation of a business corporation organized under the terms of that law.

AND WHEREAS, The stipulations and conditions of that law have been fully complied with by the persons desiring to incorporate as

TOY TRUCKING COMPANY

THEREFORE, KNOW YE, That subject to the Constitution of this Commonwealth and under the authority of the Business Corporation Law, I do by these presents, which I have caused to be sealed with the Great Seal of the Commonwealth, create, erect, and incorporate the incorporators of and the subscribers to the shares of the proposed corporation named above, their associates and successors, and also those who may thereafter become subscribers or holders of the shares of such corporation, into a body politic and corporate in deed and in law by the name chosen hereinbefore specified, which shall exist perpetually and shall be invested with and have and enjoy all the powers, privileges, and franchises incident to a business corporation and be subject to all the duties, requirements, and restrictions specified and enjoined in and by the Business Corporation Law and all other applicable laws of this Commonwealth.

GIVEN under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 21st day of February in the year of our Lord one thousand nine hundred and seventy-five and of the Commonwealth the one hundred and ninety-ninth

*C. McLaughlin Tucker*

Secretary of the Commonwealth

ec

**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