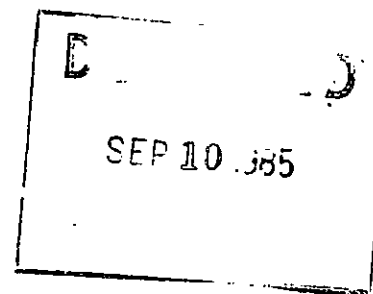
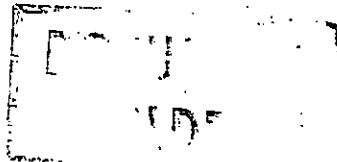


1. <u>REPORT DATE:</u>	:	2. <u>BUREAU AGENDA NO.</u>
August 5, 1985	:	
3. <u>BUREAU:</u>	:	AUG-85-T-886*
Transportation	:	
4. <u>SECTION(S):</u>	:	5. <u>PUBLIC MEETING DATE:</u>
Financial Review	:	
6. <u>APPROVED BY:</u>	:	August 28, 1985
Director: B. L. Ernst 7-2154	:	
Supervisor: S. M. Butcher 7-6872	:	
7. <u>MONITOR:</u>	:	
	:	
8. <u>PERSON IN CHARGE:</u>	:	
L. J. Minardo 3-5948	:	
9. <u>DOCKET NO:</u>	:	
A-00106171	:	
10. (a) <u>CAPTION</u> (abbreviate if more than 4 lines)	:	
(b) Short summary of history & facts, documents & briefs.	:	
(c) Recommendation	:	

(a) Application of T. C. Transport, Inc., Bellefonte, Centre County, at A-00106171 for approval of the transfer to applicant of all of the rights held by Thomas C. Capparelle at A-00100453.

(b) Transferor proposes to transfer his common carrier trucking rights to applicant for a nominal consideration of \$1. This is a conversion from sole proprietorship to corporate form.

(c) The Bureau recommended that the transfer application at A-00106171 be approved and that a certificate be issued to the applicant and that the certificate issued to the transferor at A-00100453 be cancelled.



11. MOTION BY: CommissionerChm. Taliaferro Commissioner Cawley - Yes
Commissioner Fischl - Yes
SECONDED: CommissionerShane Commissioner

CONTENT OF MOTION: Staff recommendation adopted.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, Pa. 17120

September 5, 1985

IN REPLY PLEASE
REFER TO OUR FILE

A-00106171

Dwight L. Koerber, Jr., Esquire
110 North Second Street
Clearfield, PA 16830

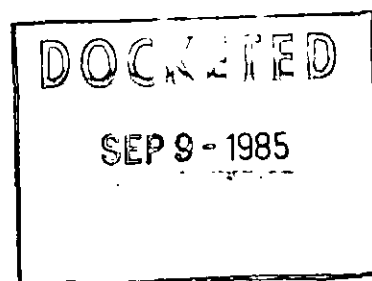
Application of T. C. Transport, Inc.

Dear Sir:

Enclosed is the compliance order issued by the Commission in this proceeding.

A certificate of public convenience evidencing the Commission's approval of the right to operate will not be issued until the applicant has complied with the following insurance and tariff requirements.

- I. Arrange through an insurance agent to have an insurance company file the following forms with the Commission.
 - a. A Form E as evidence of minimum public liability and property damage insurance coverage as shown on the enclosed sheet.
 - b. A Form UCPC-31 as evidence of cargo insurance coverage in an amount not less than \$2,500 per vehicle. Under certain circumstances, exemption from the cargo insurance requirements may be secured by filing the enclosed Form PUC-288.
- II. Prepare and file a tariff according to the enclosed instructions.



Public Liability and Property Damage Insurance
Minimum Limits for Pa. Public Utility Commission Authority

Common Carriers and Contract Carriers

		Limit for Bodily Injuries to or Death Of One Person	Limit for Bodily Injuries to or Death of All Persons in Any One Accident	Limit for Loss or Damage in Any One Accident to Property of Others, Excluding Cargo
Passenger Carriers (seating capacity)	7 or less	\$25,000	\$100,000	\$10,000
	8 to 12	25,000	150,000	10,000
	13 to 20	25,000	200,000	10,000
	21 to 30	25,000	250,000	10,000
	31 or more	25,000	300,000	10,000
Property Carrier		25,000	100,000	10,000

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

No Motor carrier shall operate or engage in any transportation until all of the above requirements have been complied with and a certificate issued authorizing actual operations. No motor carrier operating without complying with the above requirements will be subject to the penalty provisions of the Public Utility Law.

Commission regulations require compliance with all of the above requirements within sixty days of the date of this letter. Failure to comply within the sixty day period will cause the Commission to rescind the action of August 28, 1985 and dismiss the application without further proceedings.

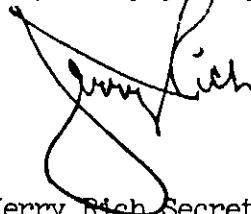
If you foresee any problems with any of the requirements please direct your questions to the following contact persons:

Insurance Filings: Mr. James McCarthy-Insurance Section (717)787-1227

Tariff Filings:

-Tariff Section (717)787-5521

Very truly yours,



Jerry Rich, Secretary

lg
Enclosures
Certified Mail
Receipt Requested
cc:applicant
216 West Beaver Avenue
Bellefonte, PA 16823

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held August 28, 1985

Commissioners Present:

Linda C. Taliaferro, Chairman
James H. Cawley
Frank Fischl
Bill Shane

Application of T. C. Transport, Inc., A-00106171
for approval of the transfer to it
of all of the operating rights held
by Thomas C. Capparelle at A-00100453.

O R D E R

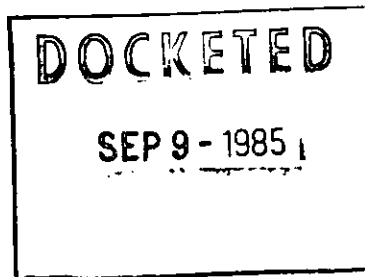
BY THE COMMISSION:

By application docketed April 10, 1985, T. C. Transport, Inc., a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of all the rights granted to Thomas C. Capparelle, under the certificate issued at A-00100453.

We find the applicant to be fit to hold a certificate of public convenience and that approval of the application is necessary and proper for the continuation of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of rights held by Thomas C. Capparelle at A-00100453 be approved and that a certificate be issued to the applicant granting the following rights:

1. To transport, as a Class D carrier, coal from stripping operations and deep mines in the townships of Snow Shoe, Burnside, Curtin and Rush, Centre County, and the townships of Karthaus, Covington and Girard, Clearfield County, to ramps, tipples, railroad sidings and coal preparation plants in the said townships.
2. To transport, as a Class D carrier, coal from stripping operations, deep mines, preparation plants, ramps and tipples in the townships of Snow Shoe, Burnside, Curtin and Rush, Centre County, and the townships of Karthaus, Covington and Girard, Clearfield County, to consumers in the county of Centre, provided no haul shall exceed a distance of fifty (50) miles from point of origin to point of destination;



subject to the following conditions:

1. That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$1, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above.
4. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer, any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
5. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
6. That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Pa. Code Title 52, Chapter 31, as now existing or as may hereafter be amended, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

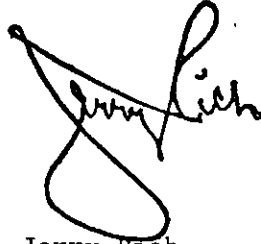
7. That the certificate holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under Section 1102(3) of Title 66, PA C.S.A.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it has complied with the requirements of the Pennsylvania Public Utility Law and the rules and regulations of this Commission relative to the filing and acceptance of evidence of insurance and a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That upon compliance with this order the rights granted the transferor Thomas C. Capparelle at A-00100453 be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in black ink, appearing to read "Jerry Rich", written over a large, stylized, looped flourish.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: August 28, 1985

ORDER ENTERED: SEP 05 1985

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) service(s) requested. *A-106171*

- 1. Show to whom, date and address of delivery.
- 2. Restricted Delivery. *order*

3. Article Addressed to:
Dwight L. Hoerber, Jr.,
Esq.

4. Type of Service:	Article Number
<input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail	<i>44247</i>

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
X

6. Signature - Agent
X *Tommy Barrett*

7. Date of Delivery

8. Addressee's Address (*ONLY if requested and fee paid*)

SEP 6 1985

DOMESTIC RETURN RECEIPT