

Gent, Daniels, Thompson and Gent

Attorneys at Law

314 West Park Street, Franklin, Pa. 16323

(814) 437-3754

JUN 27 8 38 AM '80

RECEIVED
SECRETARY'S OFFICE
PUBLIC UTILITY
COMMISSION

HARRY W. GENT, JR.
ROBERT Y. DANIELS
WILLIAM J. M. THOMPSON
HENRY W. GENT, III

June 11, 1980

GARY A. IORFIDO

A00102306

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

RECEIVED
(Resubmitted)
JUN 30 1980
Non-Rail Transportation
Public Utility Comm /

Attention: Pearl Sommers, Chief
Application Section

Re: Transfer Application
J. Bernard Klapac to Klapac
Trucking Company - A 82176

Gentlemen:

Enclosed herewith please find the Application regarding
the above captioned matter and our check in the amount of
\$10.00 for application fee.

Yours very truly,

Robert Y. Daniels
Robert Y. Daniels

DOCUMENT
FOLDER

RYD:mlc
Enclosures

7/17/80 Call to letty re complaints with AMJ - (Recommendation in 5/23/80)
not in until 7/23. Sec. will contact Klapac + advise.
Call from Sec. - Klapac is in
process of filing tariff
AM's L + M pending - AM L overruled AMJ
AM M - protests

SEE INSTRUCTIONS ON BACK
BEFORE PREPARING APPLICATION

RECEIVED

SEP 21 1979 17/1

DEPARTMENT OF TRANSPORTATION

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of Klapec Trucking Company
Transferee
for approval of the transfer and the beginning of the exercise of the
right as a common carrier, described at Docket No. 82176
Contract—Common
Folder No. 1 and issued to J. Bernard Klapec
Am. A-G, Am. H pending Transferor
for transportation of property
Persons—Property

RECEIVED
SECRETARY'S OFFICE
PUBLIC UTILITY
Application Docket
No. 400102306
~~82176~~

RECEIVED
SEP 21 1979

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

SECRETARY'S OFFICE
Public Utility Commission

The application of Klapec Trucking Company

RECEIVED
Resubmitted
JUN 30 1980

respectfully represents.

1. That the business address of applicant is:

673 North Seneca Street, R. D. #1

(Street and number)
Venango
(County)

Non-Rail Transportation
Public Utility
Oil City
(City)
Pennsylvania 16301
(State)

2. That the name of applicant's attorney is:

Robert Y. Daniels, Esq.

(Name)

314 West Park Street
Frankfort, PA 16323

3. That applicant is corporation

(Individual, partnership or corporation)

That applicant, if an individual or partnership, is doing business under the trade name of NA

That said trade name NA been registered with the Secretary of the Commonwealth on

(has or has not)

NA

(Month and day)

, 19....., and with the Prothonotary of

NA

(County)

County on NA

(Month and day)

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

That 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

APPLICATION DOCKET

City Address

NA

JUL 22 1980

NA

ENTRY No. BH

DOCUMENT
FOLDER

That 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. Applicant (if a foreign corporation) qualified to do business in Pennsylvania by registering in the office of the Secretary of the Commonwealth on

the 2nd day of July, 1979. SEE ATTACHED

4. That applicant designates J. Bernard Klapec, 673 North Seneca Street, R. D. 1,
(Name) (Address) Oil City, PA 16301

as the person upon whom service of any notice, process or order of the Public Utility Commission be made for him or it.

5. That applicant now holds the following certificates of public convenience or permits (include those issued by Interstate Commerce Commission) MC 135824 and Sub. No. 1

A82176, Folders 1 Am. A thru I (Am. J, K, L and M pending) =

6. That the applicant is 21 years of age or over yes

(Yes) (No)

7. That applicant desires to operate the following number of motor vehicles with a capacity of:

Passenger-carrying vehicles	No.	Type of Body	Seating Capacity
Trucks	<u>2 dump</u>	<u>2 flat</u>	<u>APPL</u>
Tractors	<u>12 (6 owned and 6 leased)</u>		<u>COMPL</u>
Semi-trailers	<u>20</u>		<u>MVIC</u>
Four-wheel trailers			<u>Checked by [Signature]</u>

F1 BEGINNING

8. That applicant is not now operating as a common or contract carrier, but is financially able to furnish adequate service to the public and submits the following statement of financial condition.

ASSETS AND LIABILITIES OF APPLICANT:

ASSETS

Value of Real Estate \$ None
Value of Personal Property \$435,082.00

(Class A.R. of Transferor)

435,082
178,631
256,451

LIABILITIES

Amount of Mortgages \$ None
Amount of Judgments \$101,019.00
Amount of Other Liabilities \$ 77,612.00

(Use 79 A.R. figures)

9. That applicant now operates as a NA carrier, and submits herewith as Exhibits A and B a Balance Sheet (Statement of Assets and Liabilities) as of NA, 196, and an Income Statement (Statement of Profit and Loss) for the twelve months ended 196 (See Instructions, Par. 3)

10. That neither applicant, its stockholders (if applicant is a corporation), nor its members (if applicant is a partnership) are in control of or affiliated with any other motor, rail, water, express or other carrier. (If applicant, its stockholders, or members are in control of or affiliated with any other carrier, explain fully below.)

11. That applicant proposes to render as a COMMON carrier by means of motor vehicles, the service authorized in the certificates or permits issued to J. Bernard Klapec as follows: (See instructions, Paragraph 4.) as follows: All services included in said Certificates See attached Rights.

12. That applicant proposes to begin furnishing service immediately upon receipt of the certificate of public convenience or permit evidencing the right to do so.

13. That there are attached hereto copies of bilateral contracts between applicant and shippers (if proposed service is that of a contract carrier).

14. That the total amount of consideration to be paid is \$ 267,900.00 That the consideration was determined as follows: by audit by C.P.A.

That the consideration will be paid as follows: 267.9 shares of the Common Capital Stock of Transferee will be registered in name of Transferor

15. That schedules A and B, hereof, are statements of the equipment and other property to be transferred.

16. That the following exhibits are attached hereto and made a part hereof: Exhibit C, being a copy of the sales agreement. Exhibit D, being an itemized statement of the unpaid business debts of transferor and how they will be satisfied. All business debts of the transferor will be assumed by the Transferee. Exhibit E, being a statement of the gross common carrier intra-state operating revenue of the transferor for each of the past three years.

17. That all General Assessments which have been made against J. Bernard Klapec as a common carrier, and Klapec Trucking Company as a common carrier pursuant to Section 1201 of the Public Utility Law, have been paid or remittance is made herewith to cover such General Assessments.

18. That Klapec Trucking Company hereby agrees to assume and pay any General Assessments that may be made, pursuant to Section 1201 of the Public Utility Law, against J. Bernard Klapec as a common carrier for any and all operating periods up to the actual date of the approval of transfer of the certificate.

SCHEDULE "A" NONE

DESCRIPTION OF EACH PASSENGER VEHICLE, TRUCK, TRACTOR, TRAILER, SEMI-TRAILER, TAXICAB OR OTHER MOTOR VEHICLE TO BE TRANSFERRED FROM CERTIFICATE OR PERMIT HOLDER TO APPLICANT

Name of Manufacturer (1)	Year of Manufacture (2)	Description					Date Purchased (8)	Condition When Purchased (New or Used) (9)	Original Cost (10)	Cost of Additions, Betterments, and Improvements (11)	Total Cost (12)	Depreciation (13)	Total Cost Less Depreciation (14)	Estimated Present Value (15)	Encumbrance (16)
		Type of Body (3)	Engine Number (4)	Capacity (5)	Manufacturer's Number (6)	Miles Operated (7)									
Total columns 10 to 16 Inclusive															

State who is to assume encumbrance and how it will be satisfied

SCHEDULE "B" NONE

DESCRIPTION OF EACH OTHER ITEM OF PROPERTY TO BE TRANSFERRED FROM CERTIFICATE OR PERMIT HOLDER TO APPLICANT

Description (A)	Date of Purchase, Installation or Construction (B)	Original Cost (C)	Depreciation (D)	Original Cost Less Depreciation (E)	Estimated Present Value (F)	Encumbrance (G)
Total columns C to G Inclusive						

State who is to assume encumbrance and how it will be satisfied

19. The transferor hereby agrees to continue to render the service as described in Paragraph 11 of this application until the application for transfer is approved, whereupon transferor will surrender said certificate or permit for cancellation.

WHEREFORE, Transferee and Transferor pray your Honorable Commission to issue a Certificate of Public Conven. (Certificate of public convenience or permit), under the provisions of the Pennsylvania Public Utility Law, evidencing its approval of

the right of the transferor to transfer and transferee to begin to exercise the right to operate motor vehicles for the transportation of persons or property as described in Paragraph 11 of this application.

Transferee sign here KLAPEC TRUCKING COMPANY
(If partnership, each partner must sign)

Signed and dated this 20th day of August 1979. By: J. Bernard Klapec
President

Transferor sign here J. Bernard Klapec
(If partnership, each partner must sign)

Signed and dated this 20th day of August 1979. J. Bernard Klapec

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF Venango } ss:

Personally appeared before me, a Notary Public in and for said County and Commonwealth Klapec Trucking Company by J. Bernard Klapec, President, who being duly sworn according to law doth depose and say that the facts contained in the foregoing application are true and correct to the best of transferee's knowledge and belief, and that transferee is not now engaged in any intrastate transportation of persons or 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 he shall have received authorization for such transportation.

Sworn to and subscribed before me this 20th day of August, 1979.
Notary Public, Franklin, Venango Co.
My Commission Expires July 24, 1981

Robert J. Danesh
(Signature of official authorized to administer oaths)

AFFIDAVIT OF TRANSFEROR

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF Venango } ss:

Personally appeared before me, a Notary Public in and for said County and Commonwealth J. Bernard Klapec (Name of transferor) who being duly sworn according to law doth depose and say that he is the holder of the

certificates of public convenience or permits proposed to be transferred to Klapec Trucking Company (Name of transferee), that

the facts as contained in the foregoing application are true and correct to the best of his knowledge and belief.

Sworn to and subscribed before me this 20th day of August, 1979.
Notary Public, Franklin, Venango Co.
My Commission Expires July 24, 1981

Robert J. Danesh
(Signature of official authorized to administer oaths)

INSTRUCTIONS TO BE FOLLOWED IN PREPARING APPLICATION
No Application Will Be Accepted From a Minor

1. A separate application must be filed for each type of service, such as common carrier of persons on schedule; contract carrier of persons; transportation of persons on call or demand; transportation of persons in group and party service; common carrier of property; contract carrier of property.
2. In Paragraph 5, state the number or numbers of any Public Service Commission, Pennsylvania Public Utility Commission, or Interstate Commerce Commission Certificate or Contract Carrier Permit now held by the applicant.
3. The balance sheet referred to in Paragraph 9 should be as of the latest date available and the Income Statement should be for the twelve months ending with the date of the balance sheet.
4. In Paragraph 11, describe service as authorized under the certificates or permits to be transferred, which the applicant proposes to render. If any part of the service is to be omitted, give reasons for such omission.
5. It is not required that applicant be represented by an attorney, unless applicant is a corporation.
6. The original application signed at the place designated, duly verified by affidavit and two copies of same must be filed at the office of the Pennsylvania Public Utility Commission at Harrisburg, Pennsylvania. A filing fee of Ten Dollars (\$10.00) is required.
7. If fee is paid by check or post office money order, make same payable to State Treasurer. Checks must be certified.
8. If space provided in form is not sufficient, prepare on separate sheet, attach it to application and give it the same number as question or statement to which it refers.
9. THIS APPLICATION FORM IS ONLY TO BE USED IN APPLYING FOR A TRANSFER OF RIGHTS UNDER EXISTING CERTIFICATES OR PERMITS. No application will be entertained for a transfer of rights which have been canceled or which for other reasons are obsolete.

DSCB-BCL-204 (Rev. 8-72)

79:35 1683

Commonwealth of Pennsylvania
Department of State

Filing Fee: \$75
AIB-7

689353

Articles of
Incorporation—
Domestic Business Corporation

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
CORPORATION BUREAU

Ethel S. Allen, D.O.
Secretary of the Commonwealth

jlw

In compliance with the requirements of section 294 of the Business Corporation Law, act of May 5, 1933 (P. L. 364) (15 P. S. §1204) the undersigned, desiring to be incorporated as a business corporation, hereby certifies (certify) that:

1. The name of the corporation is:

Klapec Trucking Company

2. The location and post office address of the initial registered office of the corporation in this Commonwealth is:

673 North Seneca Street, R. D. No. 1,

(NUMBER)

(STREET)

Oil City

(CITY)

Pennsylvania

16301

(ZIP CODE)

3. The corporation is incorporated under the Business Corporation Law of the Commonwealth of Pennsylvania for the following purpose or purposes:

to operate a business for the transportation of commodities and to have unlimited power to engage in and do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Business Corporation Law, approved the 5th day of May, 1933, P.L. 364, as amended.

4. The term for which the corporation is to exist is: perpetual

5. The aggregate number of shares which the corporation shall have authority to issue is:

5,000 shares of common stock, having a par value of \$100.00 per share

6. The name(s) and post office address(es) of each incorporator(s) and the number and class of shares subscribed by such incorporator(s) is (are):

NAME	ADDRESS (Including street and number, if any)	NUMBER AND CLASS OF SHARES
J. Bernard Klapac,	673 North Seneca St., R. D. No. 1, Oil City, PA 16301	100 shares-common

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

16th day of June, 19 79.

_____ (SEAL) J. Bernard Klapac _____ (SEAL)
 _____ (SEAL)

INSTRUCTIONS FOR COMPLETION OF FORM:

- A. For general instructions relating to the incorporation of business corporations see 19 Pa. Code Ch. 35 (relating to business corporations generally). These instructions relate to such matters as corporate name, stated purposes, term of existence, authorized share structure and related authority of the board of directors, inclusion of names of first directors in the Articles of Incorporation, optional provisions on cumulative voting for election of directors, etc.
- B. One or more corporations or natural persons of full age may incorporate a business corporation.
- C. Optional provisions required or authorized by law may be added as Paragraphs 7, 8, 9 . . . etc.
- D. The following shall accompany this form:
 - (1) Three copies of Form DSCB:BCL-206 (Registry Statement: Domestic or Foreign Business Corporation).
 - (2) Any necessary copies of Form DSCB:17.2 (Consent to Appropriation of Name) or Form DSCB:17.3 (Consent to Use of Similar Name).
 - (3) Any necessary governmental approvals.
- E. BCL §205 (15 Pa. S. §1205) requires that the incorporators shall advertise their intention to file or the corporation shall advertise the filing of articles of incorporation. Proofs of publication of such advertising should not be delivered to the Department, but should be filed with the minutes of the corporation.

Commonwealth of Pennsylvania

689353



Department of State

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

KLAPEC 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 2nd day of July in the year of our Lord one thousand nine hundred and seventy-nine and of the Commonwealth the two hundred and third.

Edward A. Alley, D.C.

Secretary of the Commonwealth

jlw

Filing Fee: None

Registry Statement—Domestic or Foreign Business Corporation (File in triplicate)

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF STATE CORPORATION BUREAU

In compliance with the requirements of section 206 of the Business Corporation Law, act of May 5, 1933 (P. L. 364) (15 P. S. §1206), the following information concerning the foreign business corporation or proposed domestic business corporation hereinafter named is hereby certified for registration:

1. The name of the corporation is:

Klapec Trucking Company

2. The post office address to which the corporation desires correspondence to be directed by the Department of Revenue and other Commonwealth agencies in connection with the affairs of the corporation is:

673 North Seneca Street, R. D. No. 1

(NUMBER)

(STREET)

Oil City,

(CITY)

PA

(STATE)

16301

(ZIP CODE)

*3. The date of its incorporation is:

4. The Act of Assembly or authority under which incorporated is:

Business Corporation Law approved 5th day of May, 1933, P.L. 364 as amended

(Give full citation of statute or statutes, including, in the case of a foreign business corporation, the state or jurisdiction of incorporation)

5. The kind or kinds of business in which it actually intends to engage in this Commonwealth within one year of the execution of this registry statement are:

the transportation of commodities by motor vehicle as a public carrier.

BUSINESS ACTIVITY CODE

6. The name and residence address of its Treasurer are: Cynthia Elaine Lander,

(NAME)

R. D. No. 1

(NUMBER)

(STREET)

Seneca,

(CITY)

PA

(STATE)

16346

(ZIP CODE)

*7. The text of its purposes as stated in its Articles of Incorporation, Certificate of Incorporation or equivalent charter document is (attach rider if required):

In compliance with the request of the Department of Revenue, the following additional information concerning the corporation above named is hereby voluntarily submitted:

8. The place of business of the corporation in Pennsylvania is:

673 North Seneca Street, R. D. No. 1

(NUMBER)

(STREET)

Oil City

(CITY)

Pennsylvania

(STATE)

16301

(ZIP CODE)

*9. The corporation has been doing business in Pennsylvania since:

*10. The location and post office address of its principal office is:

(NUMBER)

(STREET)

(CITY)

(STATE)

(ZIP CODE)

11. The fiscal year of the corporation begins (See Note E Below):

12. The amount of capital authorized is: \$500,000.00

13. The amount of capital paid in is: \$150,000.00

Date:

14. The names and addresses of its President and Secretary are:

J. Bernard Klapac

(NAME OF PRESIDENT)

673 North Seneca Street, R. D. No. 1

(NUMBER)

(STREET)

Oil City, PA

(CITY)

PA

(STATE)

16301

(ZIP CODE)

Cynthia Elaine Lander

(NAME OF SECRETARY)

R. D. No. 1

(NUMBER)

(STREET)

Seneca,

(CITY)

PA

(STATE)

16346

(ZIP CODE)

IN TESTIMONY WHEREOF, the undersigned has (have) signed (and sealed) this registry statement this 16th

day of June, 1979.


INCORPORATOR OF PROPOSED DOMESTIC
BUSINESS CORPORATION

*(NAME OF FOREIGN CORPORATION)

*Attest

*(SECRETARY, ASSISTANT SECRETARY, ETC.
OF FOREIGN CORPORATION)

By

*(PRESIDENT, VICE PRESIDENT, ETC.
OF FOREIGN CORPORATION)

(*FOREIGN)
(CORPORATE SEAL)

For Department use only: Certificate of Incorporation , Certificate of Domestication ,
Certificate of Authority issued by the Department of State on the _____ day of
_____, A.D. 19_____.

INSTRUCTIONS FOR COMPLETION OF FORM:

- A. Items marked by an asterisk (*) are for completion by foreign corporations only (See BCL section 1004 (15 P. S. §2004)).
- B. The business activity code should be inserted in Paragraph 5 if known. However, the furnishing of such number is not mandatory.
- C. In the case of a proposed domestic business corporation, the name and address of the intended officers should be inserted in paragraphs 6 and 14.
- D. Completion of Paragraphs 8 et seq. is optional. However, failure to supply such information will result in a subsequent request from the Department of Revenue for substantially the same information.
- E. All Pennsylvania corporate tax returns must be filed with the Commonwealth of Pennsylvania on the same basis as used by the corporation in filing income tax reports with the United States Government.
- F. In the case of a proposed business corporation, this registry statement shall be executed by an incorporator thereof, otherwise it shall be executed under the seal of the foreign business corporation by two duly authorized officers thereof. The registry statement shall be submitted in triplicate, except that only one statement need include a copy of the stated purposes of a foreign business corporation. Only one copy need be manually signed. The remaining copies may be either conformed or facsimile copies.

ITEMIZED STATEMENT OF DEBTS

Installment Loan, Northwest Pennsylvania Bank and Trust Company	\$ 8,209.00
Installment Loan, Northwest Pennsylvania Bank and Trust Company	54,010.00
Note, First National Bank of Pennsylvania	38,800.00
Accounts payable, accrued payroll taxes and fuel taxes, et cetera	<u>77,612.00</u>
	\$178,631.00

GROSS COMMON CARRIER INTRASTATE OPERATING REVENUE

1976	-	\$54,399.00
1977	-	\$57,257.00
1978	-	\$161,506.00
1979	-	\$531,515.00

OPERATING AUTHORITIES

J. BERNARD KLAPEC

Certificate A82176

Folder 1

To transport, as a Class D carrier, cinders, slag, lime-stone, stone, rock, soil, tile, amesite, concrete and cinder blocks, building materials, brick, coal, sand and gravel between points in the Counties of Venango and Clarion, excluding the right to transport brick, clay or clay products, including tile, from or to the New Bethlehem Tile Company plant located in Porter Township, Clarion County.

Folder 1 Am-A

To transport, as a Class D carrier, scrap iron, scrap steel, junk and other waste materials, in dump vehicles, for M. N. Adelson and Sons, Inc., from its junk yards in the City of Oil City, Venango County, and in the Borough of Kittanning, Armstrong County, to points in the City of Oil City, Venango County, and within one hundred (100) miles of the limits of said city, and vice versa.

Folder 1 Am-B

To transport, as a Class D carrier, coal, in dump vehicles, between points in the County of Clarion and from points in the said County to points in the Counties of Venango, Crawford, Erie, Warren and Forest.

To transport, as a Class D carrier, sand and gravel in dump vehicles, from points in the Borough of Tionesta, Forest County, and the City of Oil City, and the Township of Sugar Creek, Venango County, to points in the Counties of Venango, Crawford, Warren, Clarion, Forest, Jefferson, McKean and Elk.

To transport, as a Class D carrier, limestone in dump vehicles, between points in the County of Clarion and from points in the said county to points in the Counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk.

To transport, as a Class D carrier, blacktop or amesite, in dump vehicles, from points in the Township of Sugar Creek, Venango County, to points in the Counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk.

Folder 1 Am-C

To transport, as a Class D carrier, scrap tin, scrap iron, scrap steel, junk and other waste material, in dump vehicles and flat bottomed trailers, from the junk yards of the Continental Can Company at 15 Mineral Street in the City of Oil City, Venango County, to the yards of the Vulcan Materials Company, De-Tinning Division, in the Township of Neville, Allegheny County.

Operating Authorities
J. Bernard Klapek
Certificate A82176

Folder 1 Am-D

To transport, as a Class D carrier, steel ingots or billets for remelt purposes only, weighing in excess of 3,800 pounds each, in dump vehicles, for the Electralloy Corporation, from its plant in the City of Oil City, Venango County, to points within an air-line distance of one hundred fifty (150) statute miles of the limits of said city.

Folder 1 Am-E

To transport, as a Class D carrier, ingots and ingot molds weighing in excess of thirty-eight hundred (3,800) pounds each, in dump vehicles, for the Electralloy Corporation, from its plant in the City of Oil City, Venango County, to points in Pennsylvania, and vice versa.

Folder 1 Am-F

To transport, as a Class D carrier, steel ingots and pig, for Electralloy Corporation, from the facility of said shipper in the City of Oil City, Venango County, to points in Pennsylvania.

To transport, as a Class D carrier, steel castings for Venango Metallurgical Products, from the facility of said shipper in the City of Oil City, Venango County, to points in Pennsylvania.

To transport, as a Class D carrier, materials and supplies used in the production of steel ingots, pig and steel castings, for Electralloy Corporation and Venango Metallurgical Products, from points in Pennsylvania to the facilities of the Electralloy Corporation and Venango Metallurgical Products in the City of Oil City, Venango County.

SUBJECT TO THE FOLLOWING CONDITIONS:

No right, power or privilege is granted to transport commodities in bulk in tank or hopper-type vehicles.

No right, power or privilege is granted to transport refractory products for Pittsburgh Metals Purifying Division of Susquehanna Corporation.

No right, power or privilege is granted to transport refractory products from points in Armstrong County.

No right, power or privilege is granted to provide service from points in Beaver County.

No right, power or privilege is granted to transport limestone and limestone products from points in the County of Centre.

No right, power or privilege is granted to transport steel and steel products from points in the City of Williamsport, Lycoming County.

Operating Authorities
J. Bernard Klapac
Certificate A82176

Folder 1 Am-G

To transport, as a Class D carrier, property (excluding household goods and office furniture in use) between points in the City of Oil City, Venango County, and within twenty-five (25) miles, by the usually traveled highways of the limits of the said city.

To transport, as a Class C carrier, tanks, boilers, machinery, structural steel, accessories and equipment incidental to these commodities from points in the City of Oil City, Venango County, and within ten (10) miles by the usually traveled highways of the limits of said city to oil leases and coal mines within one hundred (100) miles by the usually travelled highways of the point of origin in the Counties of Clarion, Forest, Warren, McKean, Elk, Potter, Venango and Jefferson, provided such transportation shall be limited and restricted to not more than twenty (20) trips in each calendar year, and that such trips shall be reported to the Commission when made.

Folder 1 Am-H

To transport, as a Class D Common carrier, iron and steel articles from the facilities of Electrically Corporation at Oil City, Venango County, and Titusville Fabricators, Inc., at Titusville, Crawford County, to points in Pennsylvania;

To transport, as a Class D Common carrier, equipment, materials and supplies used in the manufacture of iron and steel articles, from points in Pennsylvania to the facilities of Electralloy Corporation at Oil City, Venango County.

To transport, as a Class D Common carrier, iron and steel articles from the facilities of Bethlehem Steel Corporation at Steelton, Dauphin County and Milton Steel Corporation at Milton, Northumberland County, to the facilities of Titusville Fabricators, Inc., at Titusville, Crawford County.

To transport, as a Class D Common carrier, scrap metals, in bulk, in dump vehicles, from points within an airline distance of twenty-five (25) statute miles of the limits of Oil City, Venango County, to the facilities of Pryomet Technology, Inc., in Mercer County, and vice versa.

To transport, as a Class D Common carrier, scrap steel, in bulk, in dump vehicles from the facilities of Universal Cyclops Corporation at Titusville, Crawford County, to Ellwood City and Bridgeville.

SUBJECT TO THE FOLLOWING CONDITION:

No right, power or privilege is granted to perform service in bulk, in tank vehicles.

Operating Authorities
J. Bernard Klapec
Certificate A82176

Folder 1 Am-I

To transport, as a Class D carrier, silica sand and chromite sand, in bulk, in pneumatic vehicles, from the plantsite of Ore Reclamation, Inc., in the Borough of Wheatland, Mercer County, to points in the Counties of Mercer, Allegheny, Beaver, Lawrence, Venango, Erie, Westmoreland, Washington, Crawford, Butler, Warren, Armstrong, and Indiana.

(SUPPLEMENTAL ORDER MODIFYING A CERTIFICATE OF PUBLIC CONVENIENCE WAS MADE April 23, 1980)

APPLICATIONS NOW PENDING:

Folder 1 Am-J

To transport, as a Class D carrier, plastic pipe, in straight lengths, fittings and accessories used in the installation thereof and materials and equipment used in the manufacture thereof, excluding commodities in bulk, from the plant site of Johns-Manville Corporation in the City of Franklin, Venango County, Pennsylvania, to points in Pennsylvania and vice versa.

Folder 1 Am-K

To transport, as a Class D carrier, untreated railroad ties from Oil City, Venango County, Pennsylvania, and points within twenty-five (25) air miles of said City to the plant site of Kerr-McGee Chemical Corporation, Forest Products Division, Avoca, Luzerne County, Pennsylvania.

Folder 1 Am-L

To transport iron and steel, iron and steel articles and supplies, materials and equipment used or useful in the manufacture and distribution of iron and steel and iron and steel articles between points in Pennsylvania confined to shipments for Electralloy Corporation only.

Folder 1 Am-M

To transport, as a Class D. Carrier, scrap steel, in bulk, in dump vehicles from the facilities of Universal-Cyclops Specialty Steel Division, Titusville, Crawford County, Pennsylvania, to Greenville, Mercer County, Pennsylvania, and vice versa.

SALES AGREEMENT

AGREEMENT is hereby entered into this 31st day of December, 1979, by and between:

J. BERNARD KLAPEC of 673 North Seneca Street, R. D. #1, Oil City, Venango County, Pennsylvania, hereinafter referred to as Transferor,

and

KLAPEC TRUCKING COMPANY, A Pennsylvania Corporation, incorporated on July 2, 1979, and having its principal place of business at 673 North Seneca Street, R. D. #1, Oil City, Venango County, Pennsylvania, hereinafter referred to as the Transferee or Corporation.

WITNESSETH:

WHEREAS, Transferor is the owner and operator of a common carrier trucking business certificated by the Pennsylvania P.U.C. at A 82176, Folder 1, Am-A through I (Am- J, K, L and M pending) and by the I.C.C. at MC 135824 and Sub. No. 1 and proposes to convert said business to corporate form; and

WHEREAS, Transferee is a corporate entity caused to be formed on July 2, 1979, by Transferor under the Law of May 5, 1933, P.L. 364, as amended, to serve as successor, owner and operator of the carrier business conducted by Transferor.

NOW, THEREFORE, the parties hereto, intending to be legally bound, mutually agree as follows:

1. That Transferor with net assets of \$267,900.00 at

Oil City, Pennsylvania, proposes to transfer said net assets together with the rights at A 00082176 and the I.C.C. rights at MC 135824, to the Transferee-corporation in exchange for 2,679 shares of common stock, par value \$100.00 per share.

2. The amounts herein being based on December 31, 1979, book balances of the Transferor, will be subject to adjustment for normal interim business transactions and accrued depreciation to the date the transfer of rights and conversion is consummated.

3. That the 2,679 shares of common stock to be transferred by the Transferee as the consideration due the Transferor shall be issued by the corporation following approval of the transfer and conversion herein proposed but prior to the corporation being certificated as a public utility so that issuance of said stock be exempt from the filing and registration of a securities certificate by the P.U.C. under Article VI of the Public Utility Law.

4. That the terms of this Agreement are contingent upon the Pennsylvania P.U.C. approving the transaction herein proposed and in the event the requisite approval of that agency is not obtained, this Agreement shall be null and void and without further force or effect.

5. This Agreement shall be binding upon the parties hereto,

their heirs, executors, administrators, successors and assigns.

KLAPEC TRUCKING COMPANY

By Bernard Klapek
President, Transferee

Attest:

Katherine A. Klapek
Secretary

Bernard Klapek
Transferor

October 2, 1979

Robert Y. Daniels
Attorney at Law
314 West Park Street
Franklin, PA. 16323

1-2-80

A00102306

Re: Transfer Application
Klapec Trucking Company - Transferee
J. Bernard Klapec - A. 82176 - Transferor

Dear Sir:

The above application, in triplicate, and check number 17370 for ten dollars, submitted as filing fee, are being returned herewith.

The following discrepancies require your attention:

1. At paragraph 3, an exhibit of the charter purpose of applicant corporation is required. Also, please provide more information regarding its corporate structure, such as the incorporators, officers, directors, the amount of authorized shares of stock, the par value of a share, the number of shares issued and to whom, etc.
2. At paragraph 8, please provide a pro forma balance sheet for applicant showing its financial position. A sample is attached.
3. Since the applicant/corporation does not presently hold authority with this Commission, the entry at paragraph 9 should be deleted.
4. At paragraph 11, a description of the rights being transferred is required. To assist you in this regard, we are attaching copies of the transferor's rights.

Robert Y. Daniels, Esq.

-2-

October 1, 1979

5. At paragraph 16, Exhibit C, the Sales Agreement will be required. This should be dated and signed by the transferor and transferee. A sample agreement for transactions of this kind is attached.

We hope we have been of assistance to you in the preparation of these documents.

Very truly yours,

BH:kp
Enc.

Pearl Sommers
Chief - Application Section
Bureau of Non-Rail Transportation

Gent, Daniels, Thompson, Riddle and Gent

Attorneys at Law

314 West Park Street, Franklin, Pa. 16323

(814) 437-3754

HARRY W. GENT, JR.
ROBERT Y. DANIELS
WILLIAM J. M. THOMPSON
FRANK R. RIDDLE
HENRY W. GENT, III

August 29, 1979

RECEIVED

RECEIVED

SEP 21 1979

DEPT. OF REVENUE

SECRETARY'S OFFICE

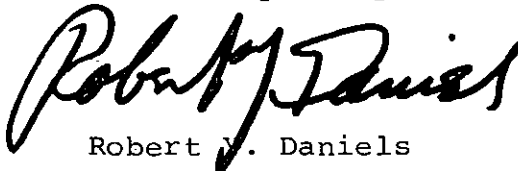
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, PA 17120

Gentlemen:

Enclosed herewith please find the original and two copies of the Application for transfer of rights from J. Bernard Klapec to Klapec Trucking Company.

I have also enclosed our check in the amount of \$10.00 to cover your filing fee for the same.

Yours very truly,


Robert Y. Daniels

RYD:mlc
Enclosures

PS: Please note that this is a transfer of the certificate of the applicant to a solely owned corporation of the applicant.



TO THE INSURANCE DIVISION

~~(Date of Issue) 7/7~~

~~J. J. [unclear] [unclear]~~
(Name of Applicant) (Secret No.)

~~R. R. [unclear] [unclear], Pa.~~
(Address)

has Filed an Application

~~(Date of Issue) 7/7~~

~~[unclear] [unclear]~~
(Name of Transferor)

~~March 17/6~~

BLP [unclear]

[unclear]

For Discontinuance of Service

PENNSYLVANIA PUBLIC UTILITY COMMISSION

REQUEST FOR ASSESSMENT STATUS OF APPLICANT FOR ADDITIONAL OR AMEND RIGHTS UNDER PRESENT CERTIFICATE OR PERMIT, OR OF APPLICANT FOR RE-INSTATEMENT OF RIGHTS PREVIOUSLY HELD OR THE CANCELLATION OF RIGHTS NOW HELD.

H. 80176
(Application and Folder No.)

9-21-79
(Date of Application)

J. Bernard Wagner
(Name of Applicant)

R.D. 1
(Street Address)

(Trade or Corporate Name) (City or Town)

Del. City, Pa.
(State)

(Previous Certificate Numbers or Folders)

9-21-55
(Dates of Previous Certificates or Folders)

1976-1978
(Common or Contract)

1976 -	241,865	187,261
1977 -	303,365	275,644
1978 -	364,354	526,417

STATUS OF ASSESSMENT

Years Assessed 1979-80 CR NO. 782680 Amount of Assessment \$ 1,970.87
 Date Billed 5-7-79 Date Paid 5-30-79 If unpaid, was objection filed L
 Late of Filing of Objection L Docket Number L Disposition of objection docket ✓

Request made by:

Information supplied by:

(Date) (Time) (Date) (Time)
 Annual Report filed for 1976-1977-1978

Requests for Assessment Status should be requested and answered promptly, in order that Bureaus handling applications may act promptly in their efforts toward the collection of assessments, before granting additional rights, reinstating rights previously held, or cancelling rights now held.

FORM CHECK
EXAMINED AND APPROVED

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 82176

Application of J. BERNARD KLAPEC

REPORT AND ORDER
APPROVING TRUCKING SERVICE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of J. BERNARD KLAPEC, dated August 29, 1955,

to operate motor vehicles as a common carrier, and upon protests, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and it appearing that the applicant amended the application whereby protests were withdrawn, the Commission finds and determines that approval of the application, limited to the following rights:

To transport, as a Class D carrier, cinders slag, limestone, stone, rock, soil, tile, amiesite, concrete and cinder blocks, building materials, brick, coal, sand and gravel between points in the Counties of Venango and Clarion, excluding the right to transport brick, clay or clay products, including tile, from or to the New Bethlehem Tile Company plant located in Porter Township, Clarion County.

PREPARED BY CLM
FIRST CHECK _____
SECOND CHECK _____
EXAMINED AND APPROVED _____

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 82176
Folder 1, Am-A

Application of J. BERNARD KLAPEC

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of J. BERNARD KLAPEC, dated April 24, 1961, for modification of report and order issued under date of December 19, 1955, and the certificate of public convenience issued thereunder, and upon protests, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE,

NOW, to wit, October 16, 1961, IT IS ORDERED: That the report and order issued under date of December 19, 1955, and the certificate of public convenience issued thereunder, be and is hereby modified and amended so as to include the following right:

To transport, as a Class D carrier, scrap iron, scrap steel, junk and other waste materials, in dump vehicles, for M.N. Adelson and Sons, Inc., from its junk yards in the City of Oil City, Venango County, and in the Borough of Kittanning, Armstrong County, to points in the City of Oil City, Venango County, and within one hundred (100) miles of the limits of said city, and vice versa.

IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law, relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That the application in all other respects, be and is hereby refused for lack of proof of necessity.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

William F. Roan

Secretary

J. R. Shuff
Chairman

RECD
OCT 17 1961

Application Docket No. 82176
Folder 1, Am-B

Application of J. BERNARD KLAPEC

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of J. BERNARD KLAPEC, dated November 2, 1964, for modification of report and order issued under date of December 19, 1955, and the certificate of public convenience issued thereunder, as modified and amended, and having been duly presented in accordance with the rules of the Commission and full investigation of the matters and things involved having been had, and it appearing that the rights granted herein are in effect a transfer of the rights which have been held by ANNABELLE SCRALL, under report and order issued at A. 91515, on October 13, 1964, and the certificate of public convenience issued thereunder, which certificate will be subsequently cancelled as of the date of this order upon compliance with the tariff requirements of the Commission by J. BERNARD KLAPEC, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE,

NOW, to wit, February 8, 1965, IT IS ORDERED: That the report and order issued under date of December 19, 1955, and the certificate of public convenience issued thereunder, as modified and amended, be and is hereby further modified and amended so as to include the following rights:

To transport, as a Class D carrier, coal, in dump vehicles, between points in the County of Clarion and from points in the said county to points in the Counties of Venango, Crawford, Erie, Warren and Forest.

To transport, as a Class D carrier, sand and gravel, in dump vehicles, from points in the Borough of Tionesta, Forest County, and the City of Oil City, and the Township of Sugar Creek, Venango County, to points in the Counties of Venango, Crawford, Warren, Clarion, Forest, Jefferson, McKean and Elk.

To transport, as a Class D carrier, limestone in dump vehicles, between points in the County of Clarion and from points in the said county to points in the Counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk.

To transport, as a Class D carrier, blacktop or amesite, in dump vehicles, from points in the Township of Sugar Creek, Venango county, to points in the Counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk;

FILED

FEB 15 1965

Application of J. BERNARD KLAPEC

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of J. BERNARD KLAPEC, dated January 22, 1968, for modification of the report and order issued under date of December 19, 1955 and the certificate of public convenience issued thereunder, as modified and amended, and upon protests, and having been duly heard and submitted by the parties and full investigation of the matters and things involved having been had, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE:

NOW, to wit, June 10, 1968, IT IS ORDERED: That the report and order issued under date of December 19, 1955 and the certificate of public convenience issued thereunder, as modified and amended, be and is hereby further modified and amended so as to include the following right:

To transport, as a Class D carrier, scrap tin, scrap iron, scrap steel, junk and other waste materials, in dump vehicles and flat bottomed trailers, from the junk yards of the Continental Can Company at 15 Mineral Street in the City of Oil City, Vanango County, to the yards of the Vulcan Materials Company, De-Tinning Division, in the township of Neville, Allegheny County.

IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law relative to the filing and acceptance of a tariff establishing just and reasonable rates.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

George Bloom

Chairman

DOCKETED

Application Docket No. 82176
Folder 1, Am-D

Application of J. BERNARD KLAPEC

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of J. BERNARD KLAPEC, dated February 11, 1970, for modification of report and order issued under date of December 19, 1955 and the certificate of public convenience issued thereunder, as modified and amended, and upon protests, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and it appearing that applicant amended his application whereby protests were withdrawn, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE:

NOW, to wit, June 1, 1970, IT IS ORDERED: That the report and order issued under date of December 19, 1955 and the certificate of public convenience issued thereunder, as modified and amended, be and is hereby further modified and amended so as to include the following right:

To transport, as a Class D carrier, steel ingots or billets for remelt purposes only, weighing in excess of 3,800 pounds each, in dump vehicles, for the Electroalloy Corporation, from its plant in the city of Oil City, Venango County, to points within an airline distance of one hundred fifty (150) statute miles of the limits of said city.

IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law, relative to the filing and acceptance of a tariff establishing just and reasonable rates.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:

George S. Blawie

Chairman

DOCKETED

Application of J. BERNARD KLAPEC

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of J. BERNARD KLAPEC, dated June 1, 1971, for modification of the report and order issued under date of December 19, 1955 and the certificate of public convenience issued thereunder, as modified and amended, and upon protests, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and it appearing that the applicant amended his application whereby protests were withdrawn, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE:

NOW, to wit, September 7, 1971, IT IS ORDERED: That the report and order issued under date of December 19, 1955 and the certificate of public convenience issued thereunder, as modified and amended, be and is hereby further modified and amended so as to include the following right:

To transport, as a Class D carrier, ingots and ingot molds weighing in excess of thirty-eight hundred (3,800) pounds each, in dump vehicles, for the Electralcy Corporation, from its plant in the city of Oil City, Venango County, to points in Pennsylvania, and vice versa.

IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law, relative to the filing and acceptance of a tariff establishing just and reasonable rates.

ATTEST:

Will Peter

Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

George L. Bloom

Chairman

DOCKETED
APPLICATION NUMBER
SEP 10 1971

W. Wilson Goode, Chairman
Louis J. Carter
Michael Johnson

Application of J. Bernard Klapac for approval of the transfer to him of part of the operating rights at A. 81373, F. 2, and all of the operating right at A. 81373, F. 3, held by D. & P. Transfer & Trucking Company.

A-00082176
F. 1
Am-G

O R D E R

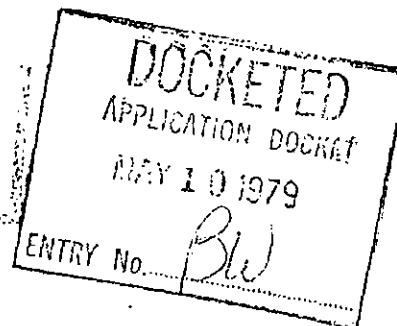
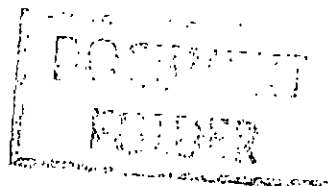
BY THE COMMISSION:

By application docketed January 30, 1979, J. Bernard Klapac seeks approval of the transfer to him of part of the rights at A. 81373, F. 2, and all of the operating right at A. 81373, F. 3, held by D. & P. Transfer & Trucking Company, a corporation of the Commonwealth of Pennsylvania.

We find the applicant to be fit to be granted the operating authority sought herein and that approval of the application is necessary and proper for the continuance of service to the public; THEREFORE,

IT IS ORDERED: That the application for the transfer of part of the rights at A. 81373, F. 2, and all of the right at A. 81373, F. 3, held by D. & P. Transfer & Trucking Company, a corporation of the Commonwealth of Pennsylvania, be approved and that the report and order of December 19, 1955 at A-00082176, F. 1 and the certificate issued pursuant thereto, as modified and amended, be further modified and amended to include the following right:

To transport, as a Class D carrier, property (excluding household goods and office furniture in use) between points in the city of Oil City, Venango County, and within twenty-five (25) miles, by the usually traveled highways of the limits of the said city.



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.

To transport, as a Class C carrier, tanks, boilers, machinery, structural steel, accessories and equipment incidental to these commodities from points in the city of Oil City, Venango County, and within ten (10) miles by the usually traveled highways of the limits of said city to oil leases and coal mines within one hundred (100) miles by the usually traveled highways of the point of origin in the counties of Clarion, Forest, Warren, McKean, Elk, Potter, Venango and Jefferson, provided such transportation shall be limited and restricted to not more than twenty (20) trips in each calendar year, and that such trips shall be reported to the Commission when made;

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 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 his 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 \$3,000 consideration paid by applicant for the rights and going concern value of the business be capitalized by applicant in Account 1550 - Other Intangible Property or in the alternative be charged off against applicant's ownership equity less any amount recorded under condition 2 above; provided the latter is sufficient in amount to absorb said charge off.
4. 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.

July 23, 1980

**DOCUMENT
FOLDER**

Robert U. Daniels
Attorney at Law
314 West Park Street
Franklin, PA. 16323

Re: Application for Transfer
Klapec Trucking Company, A-00102306 - Transferee
J. Bernard Klapec, A-00082176 - Transferor

Dear Sir:

Please be advised that the above application has been accepted for filing. There are presently two pending applications at A-00082176, Folder 1, Amendments L and M. The record will not be closed on the above transfer until these pending proceedings are disposed of by the Commission. If and when Amendments L and M are approved by the Commission, a recommendation will be made to include these rights into the corporate docket number.

Very truly yours,

Pearl Sommers
Chief - Application Section
Bureau of Non-Rail Transportation

BH:kp
CC: J. Bernard Klapec
673 N. Seneca Street, R. D. # 1
Oil City, PA. 16301

PENNSYLVANIA PUBLIC UTILITY COMMISSION



RECEIPT

The addressee named hereunder has paid Pennsylvania Public Utility Commission for the following bill, subject to final collection of check or money order tendered for such payment.

Robert U. Daniels
314 West Park St.
Franklin, PA 15323

Date July 23, 1980

CR 095457 A

DOCKETED
JUL 25 1980
m

For filing petition in re application of Klapec Trucking Company
A-00102306.....\$10.00

Revenue account 01610-17001-102 (ch)

ck 18542 Checks \$10.00 Currency _____

Utility account 50:26

C. Joseph Meisinger
For Department of Revenue

August 8, 1980

Robert Y. Daniels
Attorney at Law
314 West Park Street
Franklin, PA 16323

A-00102306 - Application of KLapec Trucking Company

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of KLapec Trucking Company for the rights of J. Bernard KLapec.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before September 2, 1980. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that J. Bernard KLapec will continue to render the service covered by his certificate and comply with all the rules of the Commission, including the carrying of continuous insurance, until final disposition is made of the application by the Commission. We wish to emphasize the above as failure to comply with these requirements, will result in the dismissal of the application.

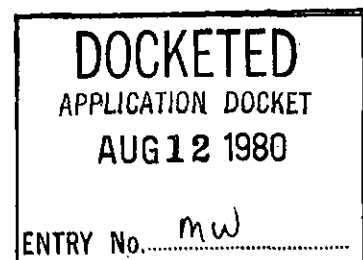
You are further advised that the above application will be published in the Pennsylvania Bulletin of August 9, 1980.

Very truly yours,

Pearl Sommers
Chief - Application Section
Bureau of Non-Rail Transportation

PS:mw:o

cc: Applicant
673 North Seneca Street
R. D. #1
Oil City, PA 16301



A-00102306 KLAPEC TRUCKING COMPANY (673 North Seneca Street, R. D. #1, Oil City, Venango County, Pennsylvania 16301), a corporation of the Commonwealth of Pennsylvania - (1) as a Class D carrier, cinders, slag, limestone, stone, rock, soil, tile, amesite, concrete and cinder blocks, building materials, brick, coal, sand and gravel between points in the counties of Venango and Clarion, excluding the right to transport brick, clay or clay products, including tile, from or to the New Bethlehem Tile Company plant located in Porter Township, Clarion County; (2) scrap iron, scrap steel, junk and other waste materials, in dump vehicles, for M. N. Adelson and Sons, Inc., from its junk yards in the city of Oil City, Venango County, and in the borough of Kittanning, Armstrong County, to points in the city of Oil City, Venango County, and within one hundred (100) miles of the limits of said city, and vice versa; (3) coal, in dump vehicles, between points in the county of Clarion and from points in the said county to points in the counties of Venango, Crawford, Erie, Warren and Forest; (4) sand and gravel, in dump vehicles, from points in the borough of Tionesta, Forest County, and the city of Oil City, and the township of Sugar Creek, Venango County, to points in the counties of Venango, Crawford, Warren, Clarion, Forest, Jefferson, McKean and Elk; (5) limestone in dump vehicles, between points in the county of Clarion and from points in the said county to points in the counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk; (6) blacktop or amesite, in dump vehicles, from points in the township of Sugar Creek, Venango County, to points in the counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk; (7) scrap tin, scrap iron, scrap steel, junk and other waste materials, in dump vehicles and flat bottomed trailers, from the junk yards of the Continental Can Company at 15 Mineral Street in the city of Oil City, Venango County, to the yards of Vulcan Materials Company, De-Tinning Division, in the township of Neville, Allegheny County; (8) steel ingots or billets for remelt purposes only, weighing in excess of 3,800 pounds each, in dump vehicles, for the Electralloy Corporation, from its plant in the city of Oil City, Venango County, to points within an airline distance of one hundred fifty (150) statute miles of the limits of said city; (9) ingots and ingot molds weighing in excess of thirty-eight hundred (3,800) pounds each, in dump vehicles, for the Electralloy Corporation, from its plant in the city of Oil City, Venango County, to points in Pennsylvania, and vice versa; (10) steel ingots and pig, for Electralloy Corporation, from the facility of said shipper in the city of Oil City, Venango County, to points in Pennsylvania; (11) steel castings for Venango Metallurgical Products, from the facility of said shipper in the city of Oil City, Venango County, to points in Pennsylvania; (12) materials and supplies used in the production of steel ingots, pig and steel castings, for Electralloy Corporation and Venango Metallurgical Products, from points in Pennsylvania to the facilities of the Electralloy Corporation and Venango Metallurgical Products in the city of Oil City, Venango County; right no. 12 above subject to the following conditions: No right, power or privilege is granted to transport commodities in bulk in tank or hopper-type vehicles; No right, power or privilege is granted to transport refractory products for Pittsburgh Metals Purifying Division of Susquehanna Corporation; No right, power or privilege is granted to transport refractory products from points in Armstrong County; No right, power or privilege is granted

to provide service from points in Beaver County; No right, power or privilege is granted to transport limestone and limestone products from points in the county of Centre; and No right, power or privilege is granted to transport steel and steel products from points in the city of Williamsport, Lycoming County; (13) property (excluding household goods and office furniture in use) between points in the city of Oil City, Venango County, and within twenty-five (25) miles, by the usually traveled highways of the limits of the said city; (14) as a Class C carrier, tanks, boilers, machinery, structural steel, accessories and equipment incidental to these commodities from points in the city of Oil City, Venango County, and within ten (10) miles by the usually traveled highways of the limits of said city to oil leases and coal mines within one hundred (100) miles by the usually traveled highways of the point of origin in the counties of Clarion, Forest, Warren, McKean, Elk, Potter, Venango and Jefferson, provided such transportation shall be limited and restricted to not more than twenty (20) trips in each calendar year, and that such trips shall be reported to the Commission when made; (15) as a Class D carrier, iron and steel articles, from the facilities of Electralloy Corporation at Oil City, Venango County, and Titusville Fabricators, Inc., at Titusville, Crawford County, to points in Pennsylvania; (16) equipment, materials and supplies used in the manufacture of iron and steel articles, from points in Pennsylvania to the facilities of Electralloy Corporation at Oil City, Venango County; (17) iron and steel articles, from the facilities of Bethlehem Steel Corporation at Steelton, Dauphin County, and Milton Steel Corporation at Milton, Northumberland County, to the facilities of Titusville Fabricators, Inc., at Titusville, Crawford County; (18) scrap metals, in bulk, in dump vehicles, from points within an airline distance of twenty-five (25) statute miles of the limits of Oil City, Venango County, to the facilities of Pyromet Technology, Inc., in Mercer County, and vice versa; (19) scrap steel, in bulk, in dump vehicles, from the facilities of Universal Cyclops Corporation at Titusville, Crawford County, to Ellwood City and Bridgeville; rights no. (15), (16), (17), (18) and (19) subject to the following condition: No right, power or privilege is granted to perform service in bulk, in tank vehicles; (20) silica sand and chromite sand, in bulk, in pneumatic vehicles, from the plant site of Ore Reclamation, Inc., in the borough of Wheatland, Mercer County, to points in the counties of Mercer, Allegheny, Beaver, Lawrence, Venango, Erie, Westmoreland, Washington, Crawford, Butler, Warren, Armstrong, and Indiana; (21) plastic pipe in straight lengths, fittings and accessories used in the installation thereof, and materials and supplies used in the manufacture thereof, (excluding commodities in bulk), from the plant site of Johns-Manville Corporation in the city of Franklin, Venango County, to points in Pennsylvania, and vice versa; (22) and untreated railroad ties, from the city of Oil City, Venango County, and points within an airline distance of twenty-five (25) statute miles of said city, to the plant site of Kerr-McGee Chemical Corporation, Forest Products Division, located in the borough of Avoco, Luzerne County; which is to be a transfer of the rights authorized under the certificate issued at A-00082176, to J. Bernard Klapac, subject to the same limitations and conditions. Attorney: Robert Y. Daniels, 314 West Park Street, Franklin, Pennsylvania 16323.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____ SERVICE _____ AUG 9 1980

BUREAU OF NON-RAIL TRANSPORTATION
COMMON CARRIER
JULY 1980

A-00102306

Application of Klapac Trucking Company, a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, by motor vehicle, (1) as a Class D carrier, cinders, slag, limestone, stone, rock, soil, tile, amesite, concrete and cinder blocks, building materials, brick, coal, sand and gravel between points in the counties of Venango and Clarion, excluding the right to transport brick, clay or clay products, including tile, from or to the New Bethlehem Tile Company plant located in Porter Township, Clarion County; (2) scrap iron, scrap steel, junk and other waste materials, in dump vehicles, for M. N. Adelson and Sons, Inc., from its junk yards in the city of Oil City, Venango County, and in the borough of Kittanning, Armstrong County, to points in the city of Oil City, Venango County, and within one hundred (100) miles of the limits of said city, and vice versa; (3) coal, in dump vehicles, between points in the county of Clarion and from points in the said county to points in the counties of Venango, Crawford, Erie, Warren and Forest; (4) sand and gravel, in dump vehicles, from points in the borough of Tionesta, Forest County, and the city of Oil City, and the township of Sugar Creek, Venango County, to points in the counties of Venango, Crawford, Warren, Clarion, Forest, Jefferson, McKean and Elk; (5) limestone in dump vehicles, between points in the county of Clarion and from points in the said county to points in the counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk; (6) blacktop or amesite, in dump vehicles, from points in the township of Sugar Creek, Venango County, to points in the counties of Venango, Crawford, Warren, Forest, Jefferson, McKean and Elk; (7) scrap tin, scrap iron, scrap steel, junk and other waste materials, in dump vehicles and flat bottomed trailers, from the junk yards of the Continental Can Company at 15 Mineral Street in the city of Oil City, Venango County, to the yards of Vulcan Materials Company, De-Tinning Division, in the township of Neville, Allegheny County; (8) steel ingots or billets for remelt purposes only, weighing in excess of 3,800 pounds each, in dump vehicles, for the Electralloy Corporation, from its plant in the city of Oil City, Venango County, to points within an airline distance of one hundred fifty (150) statute miles of the limits of said city; (9) ingots and ingot molds weighing in excess of thirty-eight hundred (3,800) pounds each, in dump vehicles, for the Electralloy Corporation, from its plant in the city of Oil City, Venango County, to points in Pennsylvania, and vice versa; (10) steel

Protests due on No Hearings

SEP 2 1980

Protests due on Hearings - (5 days prior to date of hearing)

Notice of the above application was mailed to all certificate holders and rail road companies in the service area as noted above.

DOCKETED
APPLICATION DOCKET
AUG 12 1980
ENTRY No. mw

**DOCUMENT
FOLDER**

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

- 2 -

ingots and pig, for Electralloy Corporation, from the facility of said shipper in the city of Oil City, Venango County, to points in Pennsylvania; (11) steel castings for Venango Metallurgical Products, from the facility of said shipper in the city of Oil City, Venango County, to points in Pennsylvania; (12) materials and supplies used in the production of steel ingots, pig and steel castings, for Electralloy Corporation and Venango Metallurgical Products, from points in Pennsylvania to the facilities of the Electralloy Corporation and Venango Metallurgical Products in the city of Oil City, Venango County; right no. 12 above subject to the following conditions: No right, power or privilege is granted to transport commodities in bulk in tank or hopper-type vehicles; No right, power or privilege is granted to transport refractory products for Pittsburgh Metals Purifying Division of Susquehanna Corporation; No right, power or privilege is granted to transport refractory products from points in Armstrong County; No right, power or privilege is granted to provide service from points in Beaver County; No right, power or privilege is granted to transport limestone and limestone products from points in the county of Centre; and No right, power or privilege is granted to transport steel and steel products from points in the city of Williamsport, Lycoming County; (13) property (excluding household goods and office furniture in use) between points in the city of Oil City, Venango County, and within twenty-five (25) miles, by the usually traveled highways of the limits of the said city; (14) as a Class C carrier, tanks, boilers, machinery, structural steel, accessories and equipment incidental to these commodities from points in the city of Oil City, Venango County, and within ten (10) miles by the usually traveled highways of the limits of said city to oil leases and coal mines within one hundred (100) miles by the usually traveled highways of the point of origin in the counties of Clarion, Forest, Warren, McKean, Elk, Potter, Venango and Jefferson, provided such transportation shall be limited and restricted to not more than twenty (20) trips in each calendar year, and that such trips shall be reported to the Commission when made; (15) as a Class D carrier, iron and steel articles, from the facilities of Electralloy Corporation at Oil City, Venango County, and Titusville Fabricators, Inc., at Titusville, Crawford County, to points in Pennsylvania; (16) equipment, materials and supplies used in the manufacture of iron and steel articles, from points in Pennsylvania to the facilities of Electralloy Corporation at Oil City, Venango County; (17) iron and steel articles, from the facilities of Bethlehem Steel Corporation at Steelton, Dauphin County, and Milton Steel Corporation at Milton, Northumberland County, to the facilities of Titusville Fabricators, Inc., at Titusville, Crawford

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.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

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County; (18) scrap metals, in bulk, in dump vehicles, from points within an airline distance of twenty-five (25) statute miles of the limits of Oil City, Venango County, to the facilities of Pyromet Technology, Inc., in Mercer County, and vice versa; (19) scrap steel, in bulk, in dump vehicles, from the facilities of Universal Cyclops Corporation at Titusville, Crawford County, to Ellwood City and Bridgeville; rights no. (15), (16), (17), (18) and (19) subject to the following condition: No right, power or privilege is granted to perform service in bulk, in tank vehicles; (20) silica sand and chromite sand, in bulk, in pneumatic vehicles, from the plant site of Ore Reclamation, Inc., in the borough of Wheatland, Mercer County, to points in the counties of Mercer, Allegheny, Beaver, Lawrence, Venango, Erie, Westmoreland, Washington, Crawford, Butler, Warren, Armstrong, and Indiana; (21) plastic pipe in straight lengths, fittings and accessories used in the installation thereof, and materials and supplies used in the manufacture thereof, (excluding commodities in bulk), from the plant site of Johns-Manville Corporation in the city of Franklin, Venango County, to points in Pennsylvania, and vice versa; (22) and untreated railroad ties, from the city of Oil City, Venango County, and points within an airline distance of twenty-five (25) statute miles of said city, to the plant site of Kerr-McGee Chemical Corporation, Forest Products Division, located in the borough of Avoco, Luzerne County; which is to be a transfer of the rights authorized under the certificate issued at A-00082176, to J. Bernard Klapac, subject to the same limitations and conditions.

BH:o
7/25/80

Application received: 6/30/80
Application docketed: 7/22/80
Monitor: Chairman Shanaman

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.