

LAW OFFICES
DE LONG, DRY, CIANCI & BELTZNER

JOHN W. DRY
PETER F. CIANCI
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519 WALNUT STREET
P.O. BOX 8551
READING, PA 19603
(215) 376-8721
FAX (215) 376-2370

WILLIAM M. DELONG (1989)

COUNTY OFFICES:
EXETER
4014 CIRCLE AVE.
FLEETWOOD
36 W. MAIN ST.
KUTZTOWN
334 W. MAIN ST.
TOPTON

~~XXXXXXXXXXXX~~
MATTHEW G. STAPLETON

May 15, 1991

RECEIVED

MAY 17 1991

SECRETARY'S OFFICE
Public Utility Commission

The Honorable Jerry Rich
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

A-105185
F. 2

Re: Application of McHale's Delivery Service, Inc.

Dear Secretary Rich:

Enclosed please find the above application in triplicate in the above matter, together with a check in the amount of \$350.00 for the filing fee. In the event you believe that any changes should be made to the language in Paragraph 10, please do not change it without first contacting me. Thank you.

Very truly yours,

William F. Roberts

WILLIAM F. ROBERTS

WFR:jas
Enclosures
cc: McHale's Delivery Service, Inc.

5/21/91
talked with atty Roberts
told him the only route
we could go would be a
conversion. Is going to
talk to Dave.

6/18/91
called atty Roberts not in office
left name + phone no.
6/24/91
Dave talked with atty Roberts
will send in description.

DOCUMENT
FOLDER

LAW OFFICES

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WILLIAM M. DELONG (1989)

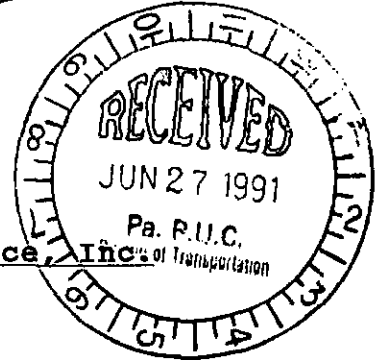
COUNTY OFFICES:
EXETER
4014 CIRCLE AVE.
FLEETWOOD
36 W. MAIN ST.
KUTZTOWN
334 W. MAIN ST.
TOPTON
16 MAIN ST.

~~XXXXXXXXXXXX~~
MATTHEW G. STAPLETON

June 26, 1991

Pennsylvania Public Utility Comm.
Attn: Marlene Wendt
Application Sec. Bureau of Trans.
P.O. Box 3265
Harrisburg, PA 17105-3265

A-105185
E. 2



Re: Application of McHale's Delivery Service, Inc.

Dear Marlene:

This is a follow-up to our recent phone conversations on the above application. Please change paragraph 10 of our application to read as follows: Office products, office equipment, printing equipment, clothing, non-bulk chemicals, and paper and printed items, between points in that part of Pennsylvania lying on and east of U.S. Traffic Route 220 from the Maryland State line to the New York State line.

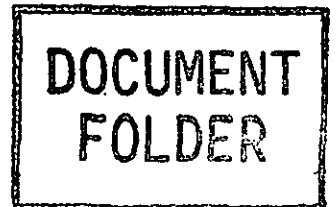
Our client has existing contract carrier rights. In accordance with our discussion, we realize that this application will be treated as a conversion. In other words, if and when our client receives common carrier rights, his contract carrier rights will be terminated.

Thank you for your cooperation in this matter and please call me if you should have any questions.

Very truly yours,

WILLIAM F. ROBERTS

WFR:mld
cc: McHale's Delivery Service, Inc.



BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

MAY 17 1991

SECRETARY'S OFFICE
Public Utility Commissioner

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of McHale's Delivery Service, Inc.

APPLICATION DOCKET

No. A-105185

Folder No. 2

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

DOCKETED
APPLICATION DOCKET
JUN 28 1991
ENTRY No. mw

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. McHale's Delivery Service, Inc.
(Full and correct name of applicant)

2. Not Applicable
(Trade name, if any)

The trade name Not Applicable has or has not been registered with the Secretary of the Commonwealth on Not Applicable (date)

DOCUMENT
FOLDER

APPL: A-105185
active cont. car.
COMPL: _____
MVIC: _____

Commonwealth on Not Applicable (date) (attach copy of stamped registration form).

3. 1500 North Ninth Street (Rear)
(Business Street Address)

4072 CHECKED BY mw
(P.O. Box, if any)

Reading Berks PA 19606 (215) 373-2220
(City) (County) (State) (Zip) (Telephone)

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

William F. Roberts, Esq. P.O. Box 8551, Reading, PA 19603 (215) 376-6721
(Name) (Address) (Telephone)

5. Any notice, process or order of the PUC should be served upon:

William F. Roberts, Esq., P.O. Box 8551, Reading, PA 19603 (215) 376-6721
(Name) (Address)

6. Applicant does hold Pa. PUC authority under Docket No. A-00105185
(does or does not)

and operates as a contract carrier.
(common or contract)

F. 2 BEGINNING

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

at Docket No. MC228137

8. Applicant is (check one):

Individual.

Partnership. Attach copy of partnership agreement 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 January 22, 1986 (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. Attach the following, as appropriate (check those attached):

A Partnership Agreement.

B Trade Name registration certificate.

C Certificate of Incorporation or Authority.

D Statement of corporate charter purpose.

E List of corporate officers and stockholders.

10. That the nature and character of the service to be rendered by applicant is the transportation of property as a Common Contract carrier by means of motor vehicles as follows:

Office!
Office products, equipment, clothing, non-bulk chemicals, and paper and printed items, between points in that part of Pennsylvania lying on and east of U.S. Traffic Route 220 from the Maryland state line to the New York state line.

11. Applicant is not now engaged in any intrastate transportation of property for compensation in Pennsylvania (except as authorized by the certificates of public convenience or permits specified in Paragraph 6) and will not engage in the transportation for which approval is herein sought unless and until authorization for such transportation shall be received.

CORPORATE SEAL

McHale's Delivery Service, Inc.

(Print Name of Corporation, Partnership, Trade-Name or Individual)*

By:

Kevin R. McHale - President

(Signature)

(Signature)

(Signature)

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

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :

_____ County : ss:

_____, 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 APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :

BERKS _____ County : ss:

Kevin R. McHale _____, being duly sworn (affirmed) according to law, deposes and says that he is President of McHale's Delivery Service, Inc. _____
(Office of Affiant)

_____ ; that he is authorized to and does make this
(Name of Corporation)

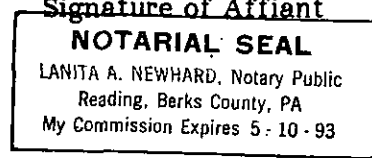
affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said McHale's Delivery Service, Inc. _____ to be able to prove the same
(Name of Corporation)

at the hearing hereof.

Kevin R McHale - President

Signature of Affiant

Sworn and subscribed before me this 26th
day of April 19 91
My Commission Expires 5-10-93



Lanita A. Newhard

Signature of Official Administering Oath



Commonwealth of Pennsylvania
Department of State

8608 62



CERTIFICATE OF INCORPORATION

Office of the Secretary of the Commonwealth

To All to Whom These Presents Shall Come, Greeting:

Whereas, Under the provisions of the Laws of the Commonwealth, the Secretary of the Commonwealth is authorized and required to issue a "Certificate of Incorporation" evidencing the incorporation of an entity.

Whereas, The stipulations and conditions of the Law have been fully complied with by

MCHALE'S DELIVERY SERVICE, INC.

Therefore, Know Ye, That subject to the Constitution of this Commonwealth, and under the authority of the Laws thereof, I do by these presents, which I have caused to be sealed with the Great Seal of the Commonwealth, declare and certify the creation, erection and incorporation of the above in deed and in law by the name chosen hereinbefore specified.

Such corporation shall have and enjoy and shall be subject to all the powers, duties, requirements, and restrictions, specified and enjoined in and by the applicable laws of this Commonwealth.



Given under my Hand and the Great Seal of the Commonwealth,
at the City of Harrisburg, this 22nd day
of January in the year of our
Lord one thousand nine hundred and eighty-six
and of the Commonwealth the two hundred tenth

Robert M. ...

Secretary of the Commonwealth

0903154

Exhibit D

STATEMENT OF CHARTER PURPOSE

Delivery of furniture, furnishings and other items and related activities and the Corporation shall have unlimited power to engage in and do any lawful act concerning any and all lawful business for which a corporation may be incorporated under the Act of May 5, 193, P.L. 364, as amended, known as the Pa. Business Corporation Law, this corporation being incorporated under the provisions of the aforesaid Pa. Business Corporation Law.

MCHALE'S DELIVERY SERVICE, INC.

CORPORATE OFFICERS

PRESIDENT: Kevin R. McHale
7428 Hillock Lane
Reading, PA 19606

VICE PRESIDENT: None

SECRETARY/TREASURER: Loreen A. McHale
7428 Hillock Lane
Reading, PA 19606

SHAREHOLDERS

Kevin R. McHale 600 Shares Common
7428 Hillock Lane
Reading, PA 19606

Loreen McHale 400 Shares Common
7428 Hillock Lane
Reading, PA 19606

July 12, 1991

IN REPLY PLEASE
REFER TO OUR FILE

WILLIAM F ROBERTS
ATTORNEY AT LAW
519 WALNUT STREET
PO BOX 8551
READING PA 19603

In re: A-00105185, F. 2 - Application of McHale's Delivery Service, Inc.

Dear Sir:

The application of McHale's Delivery Service, Inc. has been captioned as attached and will be submitted for review provided no protests are filed on or before August 5, 1991. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of July 13, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:rs

cc: Applicant
P.O. Box 4072
1500 North Second Street
Reading, PA 19606

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUL 15 1991
ENTRY No. *[Signature]*

A-00105185, Folder 2 MCHALE'S DELIVERY SERVICE, INC. (P.O. Box 4072, 1500 North Second Street, Reading, Berks County, PA 19606), a corporation of the Commonwealth of Pennsylvania - office products, office equipment, printing equipment, clothing, non-bulk chemicals, and paper and printed items, between points in that part of Pennsylvania lying on and east of U.S. Traffic Route 220 from the Maryland State Line to the New York State Line: WHICH IS TO BE IN LIEU OF its contract carrier permit at A-00105185 to McHale's Delivery Service, Inc., which reads as follows: (1) duplicating machines and other machines used in the printing industry, for AM International, Inc., from points in the borough of West Reading, Berks County, to points in Pennsylvania, and vice versa; and (2) copies, postage machines, postal scales, and other office products, for Pitney Bowes, Inc., from its facilities located in the city of Reading, Berks County, and the city of Harrisburg, Dauphin County, to points in Pennsylvania. Attorney: William F. Roberts, 519 Walnut Street, P.O. Box 8551, Reading, PA 19603.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin JUL 13 1991

BUREAU OF TRANSPORTATION
COMMON CARRIER
JULY 1991

A-00105185
F. 2

Application of McHale's Delivery Service, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, office products, office equipment, printing equipment, clothing, non-bulk chemicals, and paper and printed items, between points in that part of Pennsylvania lying on and east of U.S. Traffic Route 220 from the Maryland State Line to the New York State Line: WHICH IS TO BE IN LIEU OF its contract carrier permit at A-00105185 to McHale's Delivery Service, Inc., which reads as follows: (1) duplicating machines and other machines used in the printing industry, for AM International, Inc., from points in the borough of West Reading, Berks County, to points in Pennsylvania, and vice versa; and (2) copies, postage machines, postal scales, and other office products, for Pitney Bowes, Inc., from its facilities located in the city of Reading, Berks County, and the city of Harrisburg, Dauphin County, to points in Pennsylvania.

MW:rs
7/1/91

Application received: 5/17/91
Application docketed: 6/28/91

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUL 15 1991
ENTRY No. *[Signature]*

AUG - 5 1991

Protests due _____