

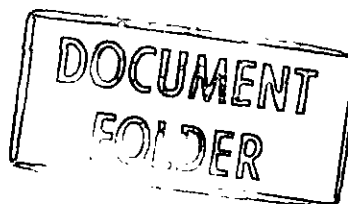
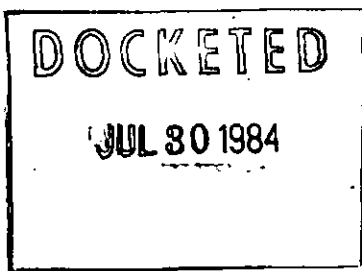
1. <u>REPORT DATE:</u> July 2, 1984	:	2. <u>BUREAU AGENDA NO.</u> JUL-84-TNR-963*
3. <u>BUREAU:</u> Non-Rail Transportation	:	
4. <u>SECTION(S):</u> Finance	:	5. <u>PUBLIC MEETING DATE:</u> July 20, 1984
6. <u>APPROVED BY:</u> Director: B. L. Ernst 7-2154 Supervisor: S. M. Butcher 7-6872	:	
7. <u>MONITOR:</u> Chairman Taliaferro	:	
8. <u>PERSON IN CHARGE:</u> J. C. Keiter 3-5948	:	
9. <u>DOCKET NO:</u> A-00105335	:	

10. (a) CAPTION (abbreviate if more than 4 lines)  
(b) Short summary of history & facts, documents & briefs  
(c) Recommendation

(a) Application of Jay Fulkroad & Sons, Inc., R.D. #2, McAlisterville, Juniata County, at A-00105335, for approval of the transfer to applicant all of the right held by Jay L. Fulkroad, James L. Fulkroad and Gerald E. Fulkroad, copartners, t/d/b/a Jay Fulkroad and Sons at A-00096648.

(b) Transferor proposes to transfer its common carrier trucking right to applicant for \$1. This is a conversion to corporate form. The vehicles, assets and liabilities of the transferor have been previously transferred to the applicant.

(c) The staff recommended that the transfer application at A-00105335 be approved and that a certificate be issued to the applicant and that the certificate issued to the transferor at A-00096648 be cancelled.



11. MOTION BY: Commissioner Chm. Taliaferro Commissioner Johnson - Yes  
Commissioner Cawley - Yes  
SECONDED: Commissioner Shane Commissioner Fischl - Yes

CONTENT OF MOTION: Staff recommendation adopted.



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120  
July 26, 1984

IN REPLY PLEASE  
REFER TO OUR FILE  
A-00105335

Christian V. Graf, Esquire  
407 N. Front Street  
Harrisburg, PA 17101

Application of Jay Fulkroad & Sons, Inc., a corporation of the  
Commonwealth of Pennsylvania

Dear Sir:

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

The 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 insurance agent to have  
this company file a certificate of public  
liability and property damage insurance.  
Insurance companies have these certificates.  
(Form E)
- II. Arrange through insurance agent to have his  
company file a cargo insurance certificate  
in the amount of \$2500 per vehicle.  
Insurance companies have these certificates.  
(Form UCPC-31). IF ANY SINGLE LOAD WHICH  
THE APPLICANT TRANSPORTS DOES NOT EXCEED  
\$100.00 IN VALUE, HE MAY SIGN, HAVE  
NOTARIZED AND RETURN THE ENCLOSED AFFIDA-  
VIT TO THIS OFFICE IN LIEU OF CARGO  
INSURANCE.
- III. Prepare and file a tariff, instructions for  
which are enclosed.

DOCKETED

JUL 27 1984

DOCUMENT  
FOLDER

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

-2-

A-00105335

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. Motor carriers 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 July 20, 1984 and dismiss the application without further proceedings.

If you foresee any problems in obtaining the necessary requirements within the sixty day period, please contact the Pennsylvania Public Utility Commission - Service Section.

Very truly yours,

fao  
Enclosures  
Certified Mail  
Receipt Requested

cc: Applicant  
R.D. 2  
McAllisterville, PA 17049

Jerry Rich, Secretary

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120

Public Meeting held July 20, 1984

Commissioners Present:

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

Application of Jay Fulkroad & Sons, Inc.,  
for approval of the transfer to it of  
all of the operating right held by Jay L.  
Fulkroad, James L. Fulkroad and Gerald E.  
Fulkroad, copartners, t/d/b/a Jay Fulkroad  
and Sons, at A-00096648.

A-00105335

O R D E R

BY THE COMMISSION:

By application docketed February 24, 1984, Jay Fulkroad & Sons, Inc., a corporation of the Commonwealth of Pennsylvania, seeks approval of the transfer to it of all the right granted to Jay L. Fulkroad, James L. Fulkroad and Gerald E. Fulkroad, copartners, t/d/b/a Jay Fulkroad and Sons, under the certificate issued at A-00096648.

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 right held by Jay L. Fulkroad, James L. Fulkroad and Gerald E. Fulkroad, copartners, t/d/b/a Jay Fulkroad and Sons, at A-00096648 be approved and that a certificate be issued to the applicant granting the following right:

To transport, as a Class D carrier, wooden pallets between points in the counties of Juniata and Mifflin and from points in the said counties to points in Pennsylvania, and vice versa;

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 right to be acquired by applicant from the

DOCKETED

JUL 27 1984

DOCUMENT  
FOLDER

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.

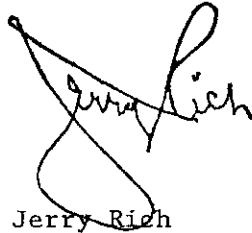
2. That applicant shall not record in its utility accounts any amount representing the right herein granted in excess of the actual cost of such right to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$1, being the amount of the consideration payable by it for the right and going concern value attributable thereto; less any amount recorded under condition 2 above.
4. That the operating authority granted herein, or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.
5. 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.
6. 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 right granted the transferor, Jay L. Fulkroad, James L. Fulkroad and Gerald E. Fulkroad, copartners, t/d/b/a Jay Fulkroad and Sons, at A-00096648 be cancelled and the record be marked closed.

BY THE COMMISSION,

A handwritten signature in cursive script, appearing to read "Jerry Rich". The signature is written in dark ink and is positioned above the typed name.

Jerry Rich  
Secretary.

(SEAL)

ORDER ADOPTED: July 20, 1984

ORDER ENTERED: JUL 26 1984

A. 103335 Compliance Order

PS Form 3811, July 1982

RETURN RECEIPT

● **SENDER:** Complete items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space on reverse.

**(CONSULT POSTMASTER FOR FEES)**

The following service is requested (check one).

Show to whom and date delivered ..... \$

Show to whom, date, and address of delivery .. \$

2.  **RESTRICTED DELIVERY** ..... \$  
(The restricted delivery fee is charged in addition to the return receipt fee.)

**TOTAL \$** \_\_\_\_\_

3. **ARTICLE ADDRESSED TO:**  
*Christian V. Prof. Esq*

4. **TYPE OF SERVICE:**  REGISTERED  INSURED  
 CERTIFIED  COD  
 EXPRESS MAIL

**ARTICLE NUMBER**  
**44929**

*(Always obtain signature of addressee or agent)*

I have received the article described above.

**SIGNATURE**  Addressee  Authorized agent  
*T. Reid*

5. **DATE OF DELIVERY**  
*7-27-84*

**POSTMARK**  
(may be on reverse side)

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**