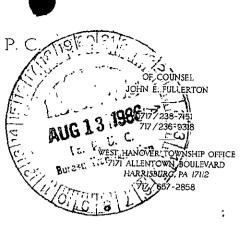
LAW OFFICES OF

ROBERT EWING KNUPP (1932-1976) CHRISTIAN V. GRAF ROBERT L. KNUPP FREDERICK W. ANDREWS ROBERT D. KODAK DAVID H. RADCLIFF WILLIAM J. FULTON KEVIN R. DERR

PaPUC

GRAF. KNUPP & ANDREWS, P. (cameron mansion 407 North front street p. o. box 11848 Harrisburg, pa 17108-1848

August 12, 1986



RECEIVED

AUG 1 8 1986

SECRETARY'S OFFICE Public Utility Commission

Dear Sir:

The Secretary

Harrisburg, PA 17120

RE: A. A-107087

INDEPENDENT FREIGHTWAY INC.

(Transfer part-Noerr Mtr Frt)

Filed herewith are the following applications (original and one copy) of Independent Freightway Inc.:

1. Permanent for approval of the transfer to it of all the Class D operating rights held by Noerr Motor Freight Inc. at A. 75088, including all folders, together with its check #62861 in amount of \$125 for filing fee.

2. ETA to operate said rights and check #62813 in amount of \$50 for filing fee.

3. TA to operate siad rights and check #62862 in amount of \$75 for filing fee.

The other copy of each application with attachments has been filed directly with the Bureau of Transportation.

Yours truly,

Julation JOHN FULLERION

F/r encls.

cc: Transferor - Noerr

Transferee - Independent Freightway



A-107087

		O <u>R</u>
· .		RECEIVED
• •	PUC-190 (Rev 11/85)	AUG1 3 1986
	APPLICATION FOR APPROVAL OF TRANSFER AND EXERCISE OF COMMON OR CONTRACT CARRIER RIC BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISS Application of Independent Freightway Inc.	3 1986 × EN
	(Applicant/Transferee)	Plic Vice Only
	for approval of the transfer and to exercise the right as a <u>common</u> carrier, described at Docket common-contract	<u>PUC Use Only</u> Docket No. <u>A-10708</u>
	No. A.75088 allFolderSNØX Class "Dissued to	Folder No. /
	Noerr Motor Freight Inc.	
	Transferor for transportation of <u>property</u> persons-property	DOCKETED APPLICATION DOCKET SEP 3 1986
	SEE INSTRUCTIONS BEFORE COMPLETING APPLICATIO	
	1. Independent Freightway Inc. (Full and correct name of applicant/transferee)	
	2. N/A (Trade name, if any)	
	The trade name $\frac{N/A}{(has or has not)}$ been registered with	h the Secretary of the
	Commonwealth on <u>N/A</u> (attach copy of (date)	f stamped registration form
	3. <u>3842 Pyramid Drive</u> (Business Street Address)	7013 (P.O. Box, if any)
	RockfordIL6112CityStateZip	(815)874-5812 Telephone
	4. Applicant's attorney (for this application) is:	
	John Fullerton 407 N.Front St Harrisburg, PA 1 (Name) (Address)	7101 (717)236-9318 (Telephone)
· .	5. Any notice, process or order of the PUC should be se	erved upc
	John Fullerton same as above (Name) (Address)	·····
	6. Applicant <u>does not</u> hold Pa. PUC authority (does or does not)	under Docket
	Number <u>N/A</u> and operates as a <u>N/</u> (common	A carrier. or contract)
	7. Applicant <u>does</u> hold Interstate Commerce	Commission authority
	CUMENTKET No. MC-161864	APPL
1		COMPL
	OLDER I I I I I I I I I I I I I I I I I I I	
And the firm	BEGINNING	MVIC.

A-107087

8. Applicant is (check one):

// Individual. N/A .

Partnership. Attach copy of partnership agreement and list names and addresses of partners below (use additional sheet if necessary). N/A

(Name)	(Address)	
		· ·

- A Corporation. Organized under the laws of the State of <u>Delaware</u> and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on <u>July 14 '86</u> (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. Attached
- 9. If applicant, its stockholders or partnership members are in control of or affiliated with any other carrier, state name of carrier(s), Docket Number(s) and nature of control or affiliation.

N/A

·	N/A			
		<u>.</u> .		
		·	· · ·	
	<u> </u>		····	~
	arr			

 Applicant proposes to acquire <u>part(Class D)</u> of the operating rights (all or part)

now held by transferor. Attach sheet describing rights to be transferred to applicant and rights to be retained by transferor, if any. If any rights are to be omitted, give reasons.*see below

11. The reason for the transfer is transferor's inability to operate profitably and resulting financial insolvency. It has filed its petition for relief under Chapter 11 of the US Bktcy Code with the US Bktcy Ct for the MD of PA at Case No. 1-86-00731. Transferor has filed a motion with the Court for approval of this sale. See attached notice of proposed sale.

12. The total amount of consideration to be paid is \$ <u>17,500</u> and was determined as follows: <u>arms length negotiation - see attached</u> Agreement of Sale.

and will be paid as follows: at consummation of transaction.

* Transferee cannot operate the Class "A" rights since it is not geared to handle 1tl shipments and break bulk.

- 13. Applicant is financially able to furnish adequate service to the public and submits Schedule "C" as a statement of financial condition. Attached
- 14. Attach the following, as appropriate (check those attached):
 - $/\overline{X}$ Sales Agreement. (Required)
 - // Partnership Agreement.N/A
 - <u>//</u> Trade Name registration certificate. N/A
 - /X Certificate of Incorporation or Authority.
 - \overline{X} Statement of corporate charter purpose.
 - $/\overline{X}$ List of corporate officers and stockholders.

see below *

- $\frac{1}{2}$ Operating authority to be transferred/retained.
- 🚀 Equipment and other property to be transferred. (Schedules "A" & "B")

 $\frac{1}{2}$ List of equipment to be used to render service. (summarize by type)

- X/ Statement of Financial Condition (Schedule "C")
- \overline{I} Bilateral contract(s), if transferring contract carrier rights. N/A
- <u>I</u> Statement of unpaid business debts of transferor and how they will be satisfied to be decided by Bankruptcy Court
- // Copy of short form certificate showing date of death of transferor and hame of executor/trix. N/A
- 15. Transferor attests that all general assessments and fines are paid, that no annual reports are due and agrees to continue to render the service which is to be transferred until this application is approved, whereupon transferor will surrender said certificate or permit for cancellation.
- 16. Transferee agrees to assume and pay any General Assessments that may be made against transferor as a common carrier for any and all operating periods up to the actual date of approval of the transfer.

WHEREFOR, Transferee and Transferor pray that the Commission grant the Transfer as herein requested.

	RY	Date Turse Vice President 7- 2-86
-		Brian C. Kinsey, VP
		NOERR MOTOR FREIGHT INC.
(Corporate	Seal)	$ \beta$ β β β
	BY	Elam Claindon Rusulit 7-15.86
		Richard C. Noerr Sr., Pres.
	(Corporate Transferor	Transferee sign here: (Corporate Seal) RYS Transferor sign here: (Corporate Seal) BY:

* Vehicle equipment to be used:

15 tractors; 25 semitrailers

	THIS MUST BE COMPLETED BY NOTARY PUBLIC
	AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)
CC	OMMONWEALTH OF PENNSYLVANIA :
	: ss:
	County :
•	, being duly sworn (affirmed) according
to	o law, deposes and says that the facts above set forth are true and
cc	orrect; or are true and correct to the best of his knowledge, information
ar	nd belief and he expects to be able to prove the same at the hearing hereof.
	· · ·
	Signature of Affiant
Sw	worn and subscribed before me this
da	ay of 19
	y Commission Expires
•••	
	Signature of Official Administering Oath
۰ <u>ـــ</u>	<u> </u>
	AFFIDAVIT OF TRANSFEROR/SELLER (Corporation)
CC	DMMONWEALTH OF PENNSYLVANIA : ss:
	Lauphin County :
	Richard C. Noerr, <u>Ar.</u> , being duly sworn (affirmed) according
to	o law, deposes and says that he is Prane Dont of Molth Motor.
N	Fright Anc, D. I. P; that he is authorized to and does make (Name of Corporation)
th	nis affidavit for it; and that the facts above set forth are true and correct;
or	r are true and correct to the best of his knowledge, information and belief
an	nd that he expects the said Molric Motor Freight Dac., D. I.P. (Name of Corporation)
to	be able to prove the same at the hearing hereof.
	Signature of Affiant
	i -i h
	worn and subscribed before me this 5^{4} , and 5^{4} , by of 3^{1} , 3^{2} , 3
My	Commission Expires
; -	SHANNON ROSE ROSCKOPF, NOTARY PUBLIC HARRISBURG, DAUPHIN COUNTY MY COMMISSION EXPIRES NOV. 21, 1988 Member, Pennsylvania Association of Notaries

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	THIS MUST BE COMPLETED BY NOTARY PUBLIC
	AFFIDAVIT OF TRANSFEREE/APPLICANT (Natural Person)
~	OMMONWEALTH OF PENNSYLVANIA :
G	: \$5:
	County :
	, being duly sworn (affirmed) according
t	o law, deposes and says that the facts above set forth are true and
¢¢	orrect; or are true and correct to the best of his knowledge, information
aı	nd belief and he expects to be able to prove the same at the hearing hereof.
	Signature of Affiant
S1	worn and subscribed before me this
da	ay of 19
м.	y Commission Expires
•	AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)
C	OMMONWEALTH OF PENNSYLVANIA :
	Dauphine County : ss:
E	BRIAN C. KINSEY, being duly sworn (affirmed) according
t	o law, deposes and says that he is <u>VP & Asst/Sec</u> .of <u>Independent</u> . (Office of Affiant)
	Freightway, Inc. ; that he is authorized to and does make (Name of Corporation)
tl	his affidavit for it; and that the facts above set forth are true and correc
01	r are true and correct to the best of his knowledge, information and belief
aı	nd that he expects the said <u>INDEPENDENT FREIGHTWAY, INC.</u> (Name of Corporation)
t	o be able to prove the same at the hearing hereof.
	Brian C. Kinsey
-	"In the
Sī	worn and subscribed before me this $\underline{/ \bigcirc }$
da	ay of July, 1986.

My Commission expires:

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Ala slopf Λ Ň l Notary Public .

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SHANNON ROSE ROSSKOPF, NOTARY PUBLIC HARRISBURG, DAUPHIN COUNTY MY COMMISSION EXPIRES NOV. 21, 1988 Member, Pennsylvania Association of Notaries

SCHEDULE "A"

DESCRIPTION OF EA	CH PASSENGER V	EHICLE,	TRUCK, TR.	ACTOR,	TRAILER, SEMI-T	RAILER, T	AXICAB OR	OTHER MOTOP		TO BE TRANSP	ERRED F	ROM CERTIFIC	ATE OR PERMIT	HOLDERT	O APPLICANT
				Descri	ption		Date	Condition		Cost of Additions			Total	Estimated	
Name of Manufacturer	Year of Manufacture	Type Of	Engine	Capa-	Manufacturer's	Miles	Purchased	When Purchased	Original Cost	Betterments, and	Total Cost	Depreciation	Cost Less Depreciation	Present . Value .	Encumbrance
(1)	(2)	Body (3)	Number (4)	city (5)	Number (6)	Operated (7)	(8)	(New or Used) (9)	(10)	Improvements (11)	(12)	(13)	(14)	(15)	(16)
					Total co	olumns 10 to	o 16 Inclusive	0	\mathcal{N}	Ē	-				
State who is to assume	ite who is to assume encumbrance and how it will be satisfied														

SCHEDULE "B"

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

Description	Date of Purchase, Installation or Construction	iy Original Cost	Depreciátion	Original Cost Less Depreciation	Estimated Present Value	Encumbrance
(A)	(B)	(C)	(D)	(E)	(F)	(G)
			0	\mathcal{N}	Ē	· · ·
	Total columns C to G Inclusive					<u>.</u>
tate who is to assume encumbrance and how it will be satisfied						

AGREEMENT

THIS AGREEMENT executed this 15^{th} day of July, 1986 and entered into as of the 10th day of June, 1986 by and between NOERR MOTOR FREIGHT, INC., a Pennsylvania corporation and Debtor-in-Possession under Chapter 11 of the Bankruptcy Code, which maintains its principal place of business at 205 Washington Avenue, Lewistown, Pennsylvania 17044 (hereinafter "Seller") and INDEPENDENT FREIGHTWAY, INC., a Delaware corporation maintaining its principal place of business at 3482 Pyramid Drive, Rockford, Illinois 61125-7013 (hereinafter "Buyer").

WHEREAS, Seller as part of its attempt to reorganize its operations seeks to sell its operating authority as certificated by the Pennsylvania Public Utility Commission and the Public Service Commission of Indiana as more particularly described on Exhibits "A" and "B", respectively, which are attached hereto and made a part hereof (hereinafter individually the "Pennsylvania operating authority" and the "Indiana operating authority" and collectively the "operating authority") and the goodwill related to its interstate common carrier operations (hereinafter the "goodwill");

EXHIBIT "A"

WHEREAS, Buyer desires to purchase the operating authority and the goodwill under and subject to the terms and conditions hereinafter contained.

:-

NOW, THEREFORE, WITNESSETH that, in consideration of the mutual covenants and agreements hereinafter contained and intending to be legally bound hereby, Seller and Buyer covenant and agree as follows:

1. At closing, Seller by bill of sale prepared by its attorneys agrees to release and to quitclaim the operating authority and the goodwill unto Buyer for a purchase price in the aggregate amount of SEVENTY THOUSAND DOLLARS (\$70,000.00). The purchase price shall be paid by Buyer to Seller in installments: FIFTY THOUSAND DOLLARS (\$50,000.00) on June 11. 1986, receipt of which Seller hereby acknowledges, and TWENTY THOUSAND DOLLARS (\$20,000.00) at closing by certified check payable to Seller or by wire transfer into an account designated by Seller. The purchase price is allocated SEVENTEEN THOUSAND FIVE HUNDRED DOLLARS (\$17,500.00) to the Pennsylvania operating authority, and TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00) to the Indiana operating authority and FIFTY THOUSAND DOLLARS (\$50,000.00) to the goodwill.

- 2 -

2. Closing shall occur at the offices of Seller's attorneys within fifteen (15) days after receipt of all final regulatory approval and the final approval of the United States Bankrtupcy Court for the Middle District of Pennsylvania (hereinafter the "Bankruptcy Court"). As used herein, the term "all final regulatory approval" means final approval by the Pennsylvania Public Utility Commission (PUC) and the Public Service Commission of Indiana (PSC) of the sale and purchase of the operating authority hereunder to the extent required by law. Simultaneously herewith or promptly hereafter, Buyer, at its expense, shall prepare, file and prosecute before the PUC and the PSC such applications as are necessary to attempt to secure all final regulatory approval. Seller, at Buyer's expense, shall execute such documents as may be necessary to attempt to secure all final regulatory approval. Buyer and its attorneys shall pursue such applications diligently and in good faith. Buyer shall pay all attorneys' fees, expenses and filing fees incurred in attempting to secure all final regulatory approval.

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3. Buyer acknowledges that Seller filed a Petition for Relief under Chapter 11 of the Bankruptcy Code on July 3, 1986 in the Bankruptcy Court; that relief was ordered; and that Seller for periods thereafter will operate its business

- 3 -

including its business under the operating authority as a Debtor-in-Possession in accordance with bankruptcy law under and subject to the jurisdiction of the Bankruptcy Court. Seller, at its expense, shall attempt to secure the Bankruptcy Court's final approval of the sale and purchase of the operating authority and the goodwill as herein described. Seller shall attempt to secure such final approval diligently and in good faith. Seller, at its expense, shall execute such documents and make such appearances before the Bankruptcy Court as may be necessary to attempt to secure its final approval of the sale and purchase of the operating authority and the goodwill as herein described.

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4. If permitted by the Bankruptcy Court before all final regulatory approval and the final approval of the Bankruptcy Court are secured, Buyer, at its expense, may prepare, file and prosecute applications with the PUC and the PSC seeking emergency temporary authority or temporary authority to provide common carrier service under the Pennsylvania operating authority or the Indiana operating authority. Seller, at Buyer's expense, shall execute such documents as may be necessary to prepare, file and prosecute such applications, if permitted by the Bankruptcy Court.

- 4 -

5. If all final regulatory approval and the final approval of the Bankruptcy Court are not secured by August 1, 1987, then, at Buyer's option, this Agreement shall terminate and in that event neither Buyer nor Seller shall have any duty, liability or obligation hereunder. Until closing or until otherwise ordered by the Bankruptcy Court or a regulatory agency with competent jurisdiction. Seller, at its expense, shall continue to conduct its business under the operating authority as Debtor-in-Possession in accordance with bankruptcy law under and subject to the jurisdiction of the Bankruptcy Court, the PUC and the PSC.

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6. Seller represents and warrants that Seller has obtained the agreement of its President, Richard C. Noerr, Sr., to execute a covenant not to compete substantially in form and in substance as attached hereto as Exhibit "C" and made a part hereof (hereinafter the "covenant"). Seller, at its expense, shall obtain and deliver to Buyer at closing the covenant executed by Richard C. Noerr, Sr.

7. If the sale and purchase of the operating authority and the goodwill as herein described are consummated, Buyer, subject to its right of reimbursement from Noerr, Inc. as hereinafter provided, covenants and agrees to fund any

- 5 -

refund, which is payable by reason of the escrow fund heretofore established by Seller, to any owner operator who paid an escrow deposit to Seller to secure his duties and obligations to Seller; provided, however, that Buyer's said refund obligation shall not exceed EIGHTY THOUSAND DOLLARS (\$80,000.00) and also that Buyer shall have the right to setoff against any such refund the amount of any claim which Seller may have against any such owner operator. This covenant and agreement shall survive closing. At closing by assignment prepared by Seller's attorney, Seller shall quitclaim unto Buyer Seller's claims against the owner operators which form a basis for such right to setoff. By its joinder attached hereto and made a part of this paragraph seven, Noerr, Inc. hereby agrees to reimburse Buyer for any escrow deposit refunded by Buyer to an owner operator at the rate of 1% of the commissions payable from time to time by Buyer to Noerr, Inc. under their Agency Agreement dated June 10, 1986.

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8. At or before closing, Buyer shall reimburse Seller not more than FIFTY THOUSAND DOLLARS (\$50,000.00) for license and registration fees paid by Seller to the Commonwealth of Virginia and the Commonwealth of Pennsylvania in 1986 for the registration of Seller's Virginia and Pennsylvania tractor fleet (leased or owned) during 1986.

- 6 -

Seller hereby acknowledges receipt of FORTY ONE THOUSAND DOLLARS (\$41,000.00) of such reimbursement on July 2, 1986. Such reimbursement shall be at the rate of ONE THOUSAND DOLLARS (\$1,000.00) per tractor leased by Seller to Buyer under Buyer's mileage pay hauling program.

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9. This Agreement shall be binding upon and inure to the benefit of the parties, their respective successors and assigns. Except to the extent governed or controlled by bankruptcy law or Indiana public utility law, this Agreement shall be interpreted, construed and governed by the laws of the ' Commonwealth of Pennsylvania.

10. This Agreement constitutes the entire agreement between Buyer and Seller and supersedes all prior agreements or understandings, whether oral or in writing, on the sale and purchase of the operating authority and the goodwill as herein described. This agreement or any term or provision hereof may be changed, waived, discharged or terminated only by an instrument in writing signed by the party against whom the enforcement of any such change, waiver, discharge or termination is sought. Neither this Agreement nor any term or provision hereof may be changed, waived, discharged or terminated orally.

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- 7 -

11. All notices, requests, demands and other communications hereunder shall be in writing, and shall be deemed to have been duly given if delivered or mailed by certified mail, postage prepaid, if to Buyer to John E. Fullerton, Esquire, P.O. Box 11848, Harrisburg, Pennsylvania 17108-1848 and if to Seller to Lloyd R. Persun, Esquire, P.O. Box 729, Harrisburg, Pennsylvania 17108-0729.

12. This Agreement is being executed simultaneously in one or more counterparts, each of which shall be deemed an original, but all of such together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed the day and year above first written.

SELLER:

NOERR MOTOR FREIGH

Presiden

[CORPORATE SEAL]

BUYER:

INDEPENDENT FREIGHTWAY, INC.

[CORPORATE SEAL]

GROUP Land Transportation

FULL CORPORATE NAME: INDEPENDENT FREIGHTWAY, INC.* Suite ABC - Pyramid Bldg., 3482 Pyramid Drive, Rockford, Ill 61109 PRINCIPAL OFFICE: DATE AND JURISDICTION OF INCORPORATION: July 13, 1981 -- Delaware OTHER JURISDICTIONS IN WHICH QUALIFIED: California - 4/10/84; Illinois - 2/3/83; Idaho -1/16/84; Wisconsin - 5/3/84 NAME AND ADDRESS OF STATUTORY AGENT: The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801 DATE OF ACQUISITION: N/A INMEDIATE PARENT: Transportation System, Inc. OWNERSHIP OF STOCK BY PARENT: 1007 STOCK STRUCTURE: Authorized: 20,000 shs. Outstanding: 10 shs. P.V. \$100.00 DATE OF ANNUAL MEETING: Second Monday in June BOARD OF DIRECTORS 3 - 7 Jeffrey C. Crowe No.: Katherine E. Knox Quorum: Majority Robert Wheaton OFFICERS President Jeffrey C. Crowe Vice President Brian Kinsey Katherine E. Knox Secretary Treasurer Robert E. Hoyt Assistant Secretaries: Roger Davey Brian Kinsey Dennis Owen *Incorporated as Nationwide Express System, Inc. Name changed April 21, 1982 to Nationwide Express Service, Inc. Changed on June 29, 1982 to Independent Freightway, Inc.

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1. **.** .

Commonmealth of Pennsylvania

86431343



CERTIFICATE OF AUTHORITY

To All to Whom These Presents Shall Come, Greeting:

Intereas, Under the provisions of the Corporation Law, a Foreign Corporation is required to obtain a "Certificate of Authority" before it may do business in the Commonwealth and

Mhereas,

INDEPENDENT FREIGHTWAY, INC.

has presented to the Department of State an Application for the same, and in accordance with the requirements of the law, has designated as its registered office in this Commonwealth

> C/O C T CORPORATION SYSTEM 123 SOUTH BROAD STREET PHILADELPHIA, PA 19109

These Presents, issue unto such Therefore, Know ye, I Øŋ 伯n corporation, this Certificate of Authority to transact in the Commonwealth of Pennsylvania the business of

TRANSPORTATION SERVICES



Given under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this day 14th of in the year of July our Lord one thousand nine hundred and eighty-six and of the Commonwealth the two hundred eleventh

0930460

CAPITOL PARALEGAL SERVICES ATTN: JAMIE OLITSKY 401 N 2ND ST



PAGE 1

86431344

Office of Secretary of State

I, MICHAEL HARKINS, SECRETARY OF STATE OF THE STATE OF DELANARE DO HEREBY CERTIFY INDEPENDENT FREIGHTWAY, INC. IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE DATE SHOWN BELOW.

* * * * * * * * * * * *



726191108

Michael Harkins, Secretary of State : 0880578

AUTHENTICATION: DATE:

07/10/1986

INDEPENDENT FREIGHTWAY, INC.

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BALANCE SHEET

MAY, 24, 1986 (Unaudited) (000)

ASSETS

Accounts Receivable (Net)	\$ -7,171
Deposits and Other Receivables	2,124
Prepaid Expenses and Other Current Assets Total Current Assets	<u>772</u> 10,067
Plant, Property and Equipment (Net)	3,313
Other Assets TOTAL ASSETS	<u>928</u> <u>\$ 14,308</u>

LIABILITIES AND STOCKHOLDER'S EQUITY

LIABILITIES

Bank Overdraft	\$ 1,126
Trade Payables and Other Current Liabilities	3,367
Other Liabilities Total Liabilities	<u> </u>
STOCKHOLDER'S BQUITY	
Common Stock	1
Paid In Capital	8,664
Retained Earnings Total Stockholder's Equity Total Liabilities and Stockholder's Equity	577 9,242 \$ 14,308

INDEPENDENT FREIGHTWAY, INC.

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INCOME STATEMENT

FIVE MONTHS ENDED MAY 24, 1986 (Unaudited) (000)

Transportation Revenues	\$ 4	10,272
Cost of Revenue Hauling Expenses Selling and Marketing Expenses		33,129 3,001
Bconomic Profit		4,142
General and Administrative Expenses		3,119
Other Expenses		124
Income Before Taxes		899
Income Taxes	<u>\$</u>	367
Net Income	<u>\$</u>	532

Box 786

Louiston, PA 17044

(717) 234-9643

PENN, FUBLIC UTILITY CONDISSION HARAISBURG, FE MAL.

OPERATING AUTHORITY OF

NCERA HOTOR TREASHT, INC. IZ ISTON, FEMAL

A-75088

FOLIER NO. 2

No. 1 To transport, as a flass D carrier, property between Great Atlantic and Pacific Tes Company from the Borough of Lewistown, Mifflin County, to its stores in the Counties of Mifflin, Juniata, and Perry;

No. 2 To transport, as a Class D corrier, property between Not cortain what points in the Borough of Lewistown, Lifflin County, and within ten (12) miles by the usually travelled highways of the limits of the said borough;

> No. 3 To transport, as a Class D carrier, household goods in use from points in the Borough of Lewistown, Mifflin County, and within ten (10) miles by the usually travelled highways of limits of the said borough to other points in Pennsylvania and vice versa;

No. 1 To transport, as a Class D carrier, rayon and rayon products from points in the Borough of Lowistown, Lifflin County, and within ten (10) miles by the usually travelled highways of the limits of the said borough, to points in Pennsylvania, east of a north and south line from the center of the City of Harrisburg, Dauphin County, and the return of accessories;

No. 5 To transport, as a Class D carrier, milk from points in the Borough of Lewistown, Milflin County, and within ten (10) miles by the usually travelled highways of the limits of the said borough, to the City of Lancaster, Lancaster County, and the City and County of Philadelphia;

No. 6 To transport, as a Class D carrier, groceries and return milk cans from the City and County of Philadelphia, to points in the Borough of Lewiston., Miflin County, and with-in ten (10) miles by the usually travelled highways of the limits of the said Borough;

No. 8 To transport, as a Class A carrier, property on a route beginning in the Borough of Lewistown, Mifflin County, and points within ten (10) miles by the usually travelled highways of the limits of the said borough vai U.S. Highways Route 22, including points within two (2) miles of the said highways, the City of Harrisburg, Dauphin County, Highway Route 230, the City of Lancaster, Lancaster County, and U.S. Highway Route 30 to the City and County of Philadelphia and points in Pennsylvania within an airline distance of thirty-five (35) miles of the city hall in said city;

> And that the rights in paragraph (8) above be subject to the following conditions:

(Δ) That no right, power or privilege is granted to render local service between Lewistown and Harrisburg and/or between Harrisburg and Fhiladelphia;

* Only class Dauthority to be transferred to Independent Freight way,

dispecsition of Cless A

at this time.

KUELEIT A-1

FOIDIA NO. 2 (Continued)

- (B) That no right, power or privilege is granted to pick up or deliver in the City of Harrisburg, or the City of Lancester or points on the highway between said cities;
- (C) That no right, power or privilege is granted to render competitive service between Lancaster and Lewistown, inclusive, and/or intermediate points served by notor Freight Express, provided, however, that the certificate holder may pick up between Lawistown, and points within ten (12)
 miles by the usually travelled highways of the limits of the said borough of Harrisburg, and deliver to any points on the route east of Lancaster, and in Philedelphia and within an airline distance of thirty-five (35) miles of the Fhiladelphia City Hall and vice versa;

No. 9 To transport, as a Class A carrier, property over the following extension of the above described Class a route between Lewistown and Philadelphia:

Beginning in the Borough of Hevistown, Hifflin County, thence via Highway Route 22 to the Borough of Muntingdon, Huntlingdon County, with the right to serve off-route points within two (2) miles of the Highway Route 22 between Lewistown and Muntingdon, led highways, of the Limits of the Borough of Lewistown, and points within five (5) miles by the usually travelled highways of the limits of the Borough of Huntingdon;

No. 10 To transport, as a Class A corrier, property over the following extension on the above-described Class 1 route between Lewistown and thiladelphia:

> Beginning is the Borough of Lewistown, hifflin County, thence via Hignway Route 322 to the Borough of State College, Centre County, with the right to serve off-route points within a distance of two (2) miles of Highway Route 322, between Lewistown and State College and points within ten (10) miles of The Borough of State College;

No. 11 To transport, as a Class D carrier, artificial silk and artificial silk products and accessories from the American Viscose Corporation, in the Borough of Marcus Hook, Delaware County, and from points in the Tourship of Granville, Mifflin County to points in Pennsylvania, east of the line running north and south through the Borough of Huntingdon, Huntingdon County, and vice versa, excluding transportation from the Borough of Marcus Hook, Delaware County, to the City of Lancaster, Lancaster County:

No. 12 To transport, as a Class D carrier, builders' equipment, steel, brick and lumber for F.D. Rhodes of Lewistown, Hifflin County, from points in the County of Affilin, to points in Pennsylvania and vice versa, provided such transportation shall either originate or terminate at points of construction;

No. 13 To transport, as a Class D carrier, rayon, rayon products, cotton and cotton products, wool or wool products or intermixtures of said materials for Cluett, Peabody and Company, Inc., from its plant in the Borough of Lewistonn, hifflin County, to points in the Borough of Shamokin, Northumberland County, and the return of damaged or refused werchandise;

FOLDER NO. 2 (Continued)

No. 14 To transport, as a Class D carrier, farm machinery, and parts thereof, for the Hertzler and Zook Company from its plant in the Village of Belleville, Mifflin County, to points in Pennsylvania;

No. 15 To transport, as a Class D carrier, supplies and materials fro the Herttler and Zoo: Company, from points in Pennsylvania to its plant in the Village on Belleville, hifflin County;

No. 16 To transport, as a Class D carrier, finished and unfinished products, materials and supplies, armaments and munitions from the Standard Steel Works Division of Baldwin Locomotive Works in the Borough of Burnham, Hifflin County, to points in Pennsylvania and vice versa;

No. 17 To transport, as a Class D carrier, oil, grease, and other petroleum product from points in the City of Philadelphia, and within thirty-five (35) miles of the Philadelphia City Hall to mines of Rochester and Pittsburgh Coal Company in the Villages of Dinest, McIntyre and Lucerne, Indiana County, Helvetia, Clearfield County, and Ystesboro, Armstrong County, and - the return of empty containers and accessories;

No. 15 To transport, as a Class D carrier, fibrous glass textiles, containers and accessories for the Owens-Corning Fiberglas Corporation from points in the Borough of Huntingdon, Huntingdon County, to points in the Cities of Allentown, Lehigh County, Easton, Northampton County, Hazelton and Wilkes-Barre, Luzerne County, and Sumbury, Northumberland County, and the Borough of Hingston, Luzerne County, and the return of shipping containers and accessories from said cities and boroughs to points in the Borough of Huntingdon;

No. 19 To transport, as a Class D carrier, doors and other products of Overnead Door Company and housern Doors, Inc. from The Borough of Lewistown, Hifflin County, to points in Pennsylvania and merchandise, material, hardware and supplies from points in Pennsylvania to Overhead Door Company and Hodern Doors, Inc. in the Borough of Lewistown;

FOLDER NO. 2 Am-L

To transport, as a Class D carrier, farm machinery and parts thereof for the Hertzler and Zook Company, the New Holland Machine Company and the New Holland Machine Division of the Sperry-Rand Corporation from their plant in the Village of Belleville, Lifflin County, to points in Pennsylvania.

To transport, as a Class D carrier, supplies and materials for the Kertzler and Zook Company, the New Holland Hachine Company and the New Holland Hachine Division of the Sperry-Hand Corporation from points in Pennsylvania to the plant of the said companies in the Village of Belleville, Mifflin County.

FOLDER, NO. 2 Am-B

To transport, as a Class & carrier, property over a connecting route beginning at the Village of Reedsville, Mifflin County, thence via Highway Route 76 to the Borough of Mill Creek, Huntingdon County.

FOLDER NO. 2 Am-D

To transport, as a Class A carrier, property, excluding household goods in use and commodities in bulk in tank vehicles over the following extension of the applicant's Class n routes as authorized at 1.75088. Folder 2:

POLDER NO. 2 Am-D (Continued)

Beginning in the Borough of State College, Centre County, thence via Highway Route 545 to Bellefonte, thence via Highway Route 53 to Milesburg, thence via Highway Route 220 to Wingule, thence via Highway Route 52 to its function with Highway Route 879, thence via Highway Route 879 to the Village of Karthaus, Clearfield County, with the right to serve points within two (2) miles of said highways and including the right to render service to and from the research site of the Curtiss-Wright Corporation known as Quebenna;

Subject to the following conditions:

That no right, power or privilege is granted to transport property between points certificated to Breman's Express Company as of October 18, 1954.

FOLDER NO. 2 Am-E

> Beginning in the Borough of Huntingdon, Huntingdon County, thence via Highway houte 22, to its junction with Highway Route 305, thence via Highway Route 305 to the Borough of Petersburg, Huntingdon County.

FOLDER NO. 2 Am-F

To transport, as a Class D carrier, ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman and Son, Inc., from points in the county of Mifflin to points in Pennsylvania.

POLDER NO. 2 Am -G

/

To transport, as a Class D carrier, ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman & Son, Inc., from points in Pennsylvania to points in the county of Mifflin.

and subject to the following conditions:

That no right, power or privilege is granted to transport scrap metal from points in the city of Williamsport, Lycoming County.

FOLDER NO. 2 Am-H

To transport, as a Class D carrier, property from the facilities of C. H. Masland and Sons in the borough of Carlisle, Cumberland County, to its facilities in the Township of Granville, Hifflin County, and vice Versa.

To transport, as a Class D carrier, property from the facilities of C. H. Masland and Sons in the borough of Carlisle, Comberland County, to the facilities of Volkswager Manufacturing Corp. of America in the Township of East Huntingdon, Westmoreland County, and vice versa.

/

To transport, as a Class B carrier, property from the facilities of C. H. Masland and Sons in the township of Granville, Mifflin County, to the facilities of Volksvagen Manufacturing Corp. of America in the Township of East Huntingdon, Westmoreland County, and vice varsa.

Subject to the following restriction: That no right, power, or privilege is granted to transport commodities in bulk.

FOLDER NO. 2 Am-I (New)

To transport, as a Class D carrier, property for Corning Glass Works, from its facilities located in the Township of College, Centre County, to the facilities of RCA, located in the borough of Dumbore, Lackawanna County, and vice versa.

POLDER NO. 3

To transport, as a Class D carrier, fire brick and other clay products from brick plants in the Boroughs of Mt. Union and Alexandria, Huntingdon County, the Villages of Claysburg and Sproul, Blair County, and the Village of Van Dyke, Juniata County, to the plant of the Bethlehem Steel Company in the City of Bethlehem, Lehigh and Northampton Counties and the return of empty shipping facilities;

FOLDER NO. 3 Am-A

To transport, as a Class D carrier, fire brick and other clay products on flat-bed trailers for Haws Refractories Company from its plant in the Village of Hawstone, Mifflin County, to points in Pennsylvania.

To transport, as a Class D carrier, empty shipping facilities, materials and supplies used or useful in the manufacture of fire brick and other clay products on flat trailers from points in Pennsylvania to the Haws Refractories Company plant in the Village of .Hawstone, Hifflin County.

FOLDER NO. 3 Am-B

To transport, as a Class D carrier, fire brick and clay brick on flat-bed trailers from the General Refractories Company plants in the Borcugh of Mt. Union, Huntingdon County and the Villages of Sproul and Claysburg, Greenfield Township, Blair County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments.

To transport, as a Class D carrier, fire brick and clay brick on flat-bed trailers from the Harbison-Walker Company plant in the Borough of Mt. Union, Huntingdon County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments.

FOLDER NO. 3 Am-D

To transport, as a Class D carrier, fire clay for the General Refractories Company from its plants located in the Villages of Sproul and Claysburg, Greenfield Township, Blair County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments.

FOLDER NU. 4

To transport, as a Class D carrier, fire brick and clay products for the United States Steel Company from the Villages of Sproul and Claysburg, Greenfield Township, Blair County, to its plant in the Township of Falls, Bucks County, and the return of ahipping facilities and damaged or refused shipments.

FOLDER NO. 6

To transport, as a Class D carrier, fibrous glass products and materials used in the manufacture, processing and shipment of such products and supplies for Owens-Corning Fiberglas Corporation from its plant located in the Borough of Huntingdon, Huntingdon County, and from its warehouse located within five (5) miles of the limits of said Borough to points in Pennsylvania and wice versa.

FOLDER NO. 6 Am-A

To transport, as a Class D carrier, Fiberglass reinforced plastic products and materials and supplies used in the manufacture, processing and shipment of said products from the facilities of Owens-Corning Fiberglas Corporation located in the township of Shirley, Huntingdon County, and within an airline distance of ten (10) statute miles of the limits thereof to points in Pennsylvania, and vice versa.

FOLDER NO. 7

To transport, as a Class D carrier, fire brick and other refractory articles on flat-bed trailers for E. J. Lavino & Company from its plant in the Township of Plymouth, Montgomery County, to the City of Harrisburg and the Borough of Steelton, Dauphin County, and the City of Johnstown, Cambria County and the return of empty shipping facilities and refused or rejected shipments.

FOLDER NO. 8

To transport, as a Class D carrier, fire brick and other silica and clay products on flat-bed trailers from the McFeely Brick Company Plant in the Borough of Port Matilda and Worth Township, Centre County, to the City of Harrisburg, Dauphin County, and the return of shipping facilities and damaged or refused shipments.

TOLDER NO. 8 Am-A

To transport, as a Class D carrier, fire brick and other silica and clay products, on flat-bed trailers, from the plants of General Refractories Company in Worth Township and the Borough of Port Matilda, Centre County, to points east of the eastern boundary of the Counties of McKean, Cameron, Clearfield, Cambria and Somerset, and the return of refused or rejected articles and shipping containers.

Folder 2 Am-J

<u>Class D</u>: property from the facilities of Cerro Metal Products located in the borough of Bellefonte and the township of Spring, Centre County, to points in Pennsylvania and vice versa.

Folder 6 Am-B

<u>Class D:</u> glass and glass products from the facilities of Chromalloy American Corporation located in the township of Granville, Mifflin County to points in Pennsylvania.

glass and property used in the manufacture, processing and production of glass and glass products from points in Pennsylvania to the facilities of Chromalloy American Corporation located in the township of Granville, Mlfflin County.

Folder 2 Am-K

<u>Class D</u>: carpet, carpeting and metal racks from the facilities of Magee Carpet Co. in the town of Bloomsburg, Columbia County to the facilities of Volkswagen fg Corp of America in the township of E. Huntingdon, Westmoreland County and vice versa with the right to use shipper trailers.

Folder 2 Am-L

<u>Class D</u> - property from the facilities of Carlisle Tire & Rubber Co. and Carlisle Syntec Systems in the county of Cumberland to points in PA and vice versa.

6.

Folder 2 Am-M

mx +

<u>Class D:</u> property from the facilities of C H Masland & Sons in the borough of Carlisle, Cumberland County and the township of Granville, Mifflin County to the facilities of Magee Carpet Co. in the town of Bloomsburg, Columbia County and vice versa.

Folder 6, Am-C

<u>Class D</u> property from the facilities of Owens Corning Fiberglas Corp. in the counties of Dauphin and Cumberland to points in PA and vice versa.

Folder 2, Am-N

<u>Class D</u> - scrap metal for Thalheimer Bros. Inc. from its facilities in the city and county of Philadelphia to points in the counties of Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Greene, Indiana, Lawrence, Mercer, Somerser, Venango, Washington and Westmoreland and vice versa.

Folder 6, Am-D

<u>Class D</u> - property for Georgia Pacific Corp. from its facilities in Richland Twp, Bucks County to points in PA/excluding property in bulk.

Folder 6, Am-E

<u>Class D</u> - property for Avrex Fibers Inc. from its-facilities in PA to points in PA and vice versa excluding bulk and property to or from the facilities of New Enterprise Stone & Lime, Narehood Limestone, Detwiler Industries, Martin Limestone, Anthracite Industries, National Gypsum, Asbury Graphite Mills, McKesson Chemical Co, Mid-State Chemicals and Lumax Industries.

Folder 2, Am-O (Pending & approved)

Class D - property for Jones & Hunt Inc. from its facilities in W. Brunswick Twp, Schuylkill County to points in PA and vice versa.

Folder 6, Am-F (Pending & unopposed)

Class D - property for Owens Corning Fiberglas Co. between points in PA excluding petroleum products in tank type vehicles.

PUC 1	182
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STAN AUG 1 8 1986

PENNSYLVANIA PUBLIC UTILITY COMMISSION BUREAU OF NON-RAIL TRANSPORTATION

SECRETARY'S OFFICE

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	INDEPENDENT FREIGHTWAY, INC.			N/A	<u></u>		
	(Name of applicant)		(T)	rado name, if a	ny) ^r e.	AUG 1	3 1983
	3482 Pyramid Drive Rockfo	rd, Illino	ois	61125	<u> </u>	1	<u>_ L. C.</u>
2.	Applicant is an individual partnership a trade name, applicant must submit evidence of com 28, 1917, as amended. Applicant corporations must foreign corporation must submit evidence that it is q with the Secretary of the Commonwealth.)	pliance with the submit articles	oration. (e provision of incor	ons of the F poration a	al or par icitious nd char	tnership Names A ter purp	ct of June
5.	Applicant requests authority for <u>indefi</u> days to provi motor vehicle, broker or freight forv (Give description of type of service and area to be serv Class D - see attached copy of	warder in intrast ′ed.)	tate com	merce.		contact	carrier by
:.	In support of this request, applicant states: It Chas Chas not heretofore held emergency temp				hority fo	or the se	rvice here
	proposed. If it has, specify docket number, total time a N/A		-		· ·		
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PUC 182

12.	It attaches a letter	r or letters of shipper support, Code § 3.382(c)(3) as follows:	each statement of suppo	ort will contain detaile	ed information as
	provided by 52 Pa.	Code § $3.382(c)(3)$ as follows:			

Description of the specific commodity or commodities to be transported, points or areas to, from or between which the transportation will be provided; volume of traffic involved, frequency of movement, and how transported; how soon the service must be provided; how long the need for service likely will continue, and whether the persons supporting the ETA or TA will support a permanent authority application; specific explanation of consequences if service is not made available; circumstances which created an immediate need for the requested service; whether existing carriers have been contacted, dates of contacts and result of efforts; names and addresses of existing carriers, a list of those who have failed or refused to provide service, and reasons given for any failure or refusal; and whether the person supporting the application has supported any recent application for permanent authority, TA or ETA covering all or any part of the desired service within

known, and state whether the application was granted or denied and the date of the action. See attached *

(Attach plain white sheet for description and/or statements)

Applicant further states that:

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- 13. It is aware that a grant of the authority here requested will create no presumption that corresponding permanent authority will hereafter be granted.
- 14. If the authority here requested is granted, applicant will comply with the tariff and insurance requirements of the Public Utility Law before beginning operation.
- 15. It I does I does not desire telephoned notice, collect, of the action taken on this application.

WHEREFORE, The Applicant herein prays that the Commission grant to Applicant Temporary Authority as herein requested. Dated this ______ day of ______, 19______ INDEPENDENT FREIGHTWAY INC.

Applicant sign here: SS: Brian C. Kinsey, VP COMMONWEALTH OF PENNSYLVANIA COUNTY OF NTA Personally appeared before me, a in and for said County and Commonwealth who being duly sworn according to law doth depose and say that the facts as contained in the foregoing application are true and correct to the best of applicant's knowledge and belief. Sworn and subscribed before me this 19<u>8</u>6. dav

(Signature of official authorized to administer oaths)

SHANNON ROSE ROSSKOPF, NOTARY PUBLIC HARRISBURG, DAUPHIN COUNTY MY COMMISSION EXPIRES NOV. 21, 1988 Member, Pennsylvania Association of Notaries

*Transferor, Noerr Motor Freight Inc, is no longer financially able to continue its operation and has filed a Chapter 11 bankruptcy petition. Transferee requests TA so service to the public can be continued without interruption.

86431343

Commonmealth of Pennsylvania

CERTIFICATE OF AUTHORITY

To All to Mhom These Presents Shall Come, Greeting:

Tertificate of Authority" before it may do business in the Commonwealth and

Whereas,

INDEPENDENT FREIGHTWAY, INC.

has presented to the Department of State an Application for the same, and in accordance with the requirements of the law, has designated as its registered office in this Commonwealth

C/O C T CORPORATION SYSTEM 123 SOUTH BROAD STREET

PHILADELPHIA, PA 19109

Therefore, Know ye, J Do By These Presents, issue unto such corporation, this Certificate of Authority to transact in the Commonwealth of Pennsylvania the business of



TRANSFORTATION SERVICES

Given under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 14th day of July in the year of our Lord one thousand nine hundred and eighty-six and of the Commonwealth the two hundred eleventh

Secretary of the Commonwealth

0930460

CAPITOL PARALEGAL SERVICES ATTN: JAMIE OLITSKY A01 N 2ND ST Box 786

the the second second

Lawiston, PA 17044

(717) 234-9643

FERNE, FUBLIC UTILITY CONVISSION BARELSBURG, FERNE,

OPERATING AUTHORITY OF

MERICHOTOR FREIGHT, INC. INCIDENTOR, FENNE.

<u>^-75085</u>

POLIER NO. 2

No. 1 To transport, as a glass D carrier, property between Coreat atlantic and Pacific Tes Company from the Borough of Lewistown, Mifflin County, to its stores in the Counties of Mifflin, Juniata, and Perry;

No. 2 To transport, as a Class D corrier, property between Not car four what points in the Borough of Lewistown, Lifflin County, and within ten (12) miles by the usually travelled highways of the limits of the said borough;

> No. 3 To transport, as a Class D carrier, household goods in use from points in the Borough of Lewistown, Mifflin County, and within ten (10) miles by the usually travelled highways of limits of the said borough to other points in Penneylvania and vice versa;

No. 1 To transport, as a Class D carrier, rayon and rayon products from points in the Borough of Lawistown, Lifflin County, and within ten (10) miles by the usually travelled highways of the limits of the said borough, to points in Pennsylvania, east of a north and south line from the center of the City of Harrisburg, Dauphin County, and the return of accessories;

No. 5 To transport, as a Class D carrier, milk from points in the Borough of Lewistown, Hifflin County, and within ten (10) miles by the usually travelled highways of the limits of the said borough, to the City of Lancaster, Lancaster County, and the City and County of Philadelphia;

No. 6 To transport, as a Class D carrier, groceries and return milk cans from the City and County of Philadelphis, to points in the Borough of Lewiston, Lifflin County, and within ter. (10) miles by the usually travelled highways of the limits of the said Borough;

No. 8 To transport, as a Class A carrier, property of a route beginning in the Borough of Lewistown, Mifflin County, and points within ten (10) miles by the usually travelled highways of the limits of the said borough val U.S. Highways Route 22, including points within two (2) miles of the said highways, the City of Harrisburg, Dauphin County, Highway Route 290, the City of Lancaster, Lancaster County, and U.S. Highway Route 30 to the City and County of Philadelphia and points in Pennsylvania within an airline distance of thirty-five (35) miles of the city hall in said city;

> And that the rights in paragraph (8) above be subject to the following conditions:

> > (A) That no right, power or privilege is granted to render local service between lewistown and Harrisburg and/or between Harrisburg aud Philadelphia;

> > > EXELBIT 4-1

FULLE

to be transferred to No. 1 To transport, as a Oreat atlentic and Pacific T Lewistown, Misslin County, t Independent Freightway, Misslin, Juniata, and Perry;

* Only class Dauthority

Not cortain what ispacition of Cless A FOLDER NO. 2 (Continued)

- (B) That no right, power or privilege is granted to pick up or deliver in the City of Harrisburg, or the City of Lancester or points on the highway between said cities;
- (C) That no right, power or privilege is granted to render competitive service between Lancaster and Lewistown, inclusive, and/or intermediate points served by hotor Freight Express, provided, however, that the certificate holder may pick up between Lewistown, and points within ten (12) miles by the usually travelled highways of the limits of the said bortugh of Harrisburg, and deliver to any points on the route east of Lancaster, and in Philadelphia and within an airline distance of thirty-five (35) miles of the Fhiladelphia City Hall and vice versa;

No. 9 To transport, as a Class A carrier, property over the following extension of the above described Class is route between Lewistown and Philadelphia:

Beginning in the Borough o. Lewistown, Hiffli. County, thence via Highway Route 22 to the Borough of Huntingdom, Huntingdom County, with the right to serve off-route points within two (2) miles of the Highway Route 22 between Lewistown and Huntingdom, led highways, of the limits of the Borough of Lewistown, and points within five (5) miles by the usually travelled highways of the limits of the Borough of Huntingdom;

No. 10 To transport, as a Class A carrier, property over the following extension of the above-described Class .. route between Lewistown and Ibiladelphia:

> Beginning is the Borough of Lewistown, Lifflin County, thence via Hignway Route 322 to the Borough of State College, Centre County, with the right to serve off-route points within a distance of two (2) miles of Highway Route 322, between Lewistown and State College and points within ten (10) miles of The Borough of State College;

No. 11 To transport, as a Class D parrier, artificial silk and artificial silk products and accessories from the imerican Viscose Corporation, in the Borough of Larcus Hook, Delaware County, and from points in the Township of Granville, Lifflin County to points in Pennsylvania, east of the line running north and south through the Borough of Hundingdon, Huntingdon County, and vice versa, excluding transportation from the Borough of Harcus Hook, Delaware County, to the City of Lancaster, Lancoster County:

No. 12 To transport, as a Class D carrier, builders' equipment, steel, brick and lumber for F.M. Rhodes of Lewistown, hifflin County, from points in the County of hifflin, to points in Pennsylvania and vice versa, provided such transportation shall either originate or terminate at points of construction;

No. 13 To transport, as a Class D carrier, rayon, rayon products, cotton and cotton products, wool or wool products or intermixtures of said materials for Cluett, Peabody and Company, Inc., from its plant in the Borough of Lewistonn, hifflin County, to points in the Borough of Shamoltin, Northumberland County, and the return of dumaged or refused werchandise;

FOLDER NO. 2 (Continued)

No. 14 To transport, as a Class D carrier, farm machinery, / and parts thereof, for the Hertzler and Zook Company from its plant in the Village of Belleville, <u>Hifflin</u> County, to points in Pennsylvania;

No. 15 To transport, as a Class D carrier, supplies and materials fro the Hertzler and Zoo: Company, from points in Pennsylvaniz to its plant in the Village of Belleville, Lifflin County;

No. 16 To transport, as a Class D carrier, finished and unfinished products, materials and supplies, armaments and munitions from the Standard Steel Morks Division of Baldwin Locometive Works in the Borough of Burnham, Hilfflim County, to points in Pennsylvania and vice verse;

No. 17 To transport, as a Class D carrier, oil, grease, and other petroleum product from points in the City of Philadelphia, and within thirty-five (35) miles of the Philadelphia City Hall to mines of Nochester and Pittsburgh Coal Company in the Villages of Linest, NoIntyre and Lucerne, Indiana County, Helvetiz, Clearfield County, and Yatesboro, Armstrong County, and the return of empty containers and accessories;

No. 15 To transport, as a Class D carrier, fibrous glass textiles, containers and accessories for the Owens-Corning Fiberglas Corporation from points in the Borough of Huntingdon, Huntingdon County, to points in the Cities of "llentown, Lehigh County, Easton, Northampton County, Hazelton and Wilkes-Barre, Lucerne County, and Sumbury, Horthumberland County, and the Borough of Hingston, Lucerne County, and the return of shipping containers and accessories from said cities and boroughs to points in the Borough of Huntingdon;

No. 19 To transport, as a Class D carrier, doors and other products of Overhead Door Company and housen Doors, Inc. from The Borough of Lewistowa, Hifflin County, to points in Pennsylvania and merchandise, material, hardware and supplies from points in Pennsylvania to Overhead Door Company and Hodern Doors, Inc. in the Borough of Lewistown;

FOLDER NO. 2 Am-4

To transport, as a Class D carrier, farm machinery and parts thereof for the Hertzler and Zook Company, the New Holland Nachine Company and the New Holland Machine Division of the Sperry-Raud Corporation from their plant in the Village of Belleville, Lifflin County, to points in Pennsylvania.

To transport, as a Class D carrier, supplies and materials for the Hertzler and Zook Company, the New Holland hachine Company and the New Holland hachine Division of the Sperry-Rand Corporation from points in Pennsylvania to the plant of the said companies in the Village of Belleville, Fifflin County.

FOLDER NO. 2 Am-B

To transport, as a Class & carrier, property over a connecting route beginning at the Village of Reedsville, hifflin County, thence via Highway Route 76 to the Borough of Hill Creek, Huntingdon County.

FOLDER NO. 2 AM-D

To transport, as a Class A carrier, property, excluding household goods in use and commodities in bulk in tank vehicles over the following extension of the applicant's Class A routes as authorized at 2.75088. Folder 2:

FOLDER NO. 2 Am-D (Continued)

Beginning in the Borough of State College, Centre County, thence vis Highway Route 545 to Bellefonte, thence via Highway Houte 53 to Milesburg, thence via Highway Route 220 to Wingole, thence via Highway Route 52 to its junction with Highway Houte 879, thence via Highway Route 879 to the Village of Karthaus, Clearfield County, with the right to Berve points within two (2) miles of said highways and including the right to render service to and from the research site of the Curtics-Wright Corporation known as Quehenna;

Subject to the following conditions:

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That no right, power or privilege is granted to transport property between points certificated to Breman's Express Company as of October 18, 1954.

POLDEE NO. 2 Am-E

To transport, as a Class A Carrier, property excluding household goods in use and commodities in bulk in tank vehicles or in hopper-type vehicles, over the following extension to applicant's Class A route authorized at A.75088, Folder 2:

> Beginning in the Borough of Buntingdon, Huntingdon County, thence via Highway houte 22, to its junction with Highway Route 305, thence via Highway Route 305 to the Borough of Petersburg, Huntingdon County.

FOLDER NO. 2 Am -F

To transport, as a Class D carrier, ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman and Son, Inc., from points in the county of Mifflin to points in Pennsylvania.

POLDER NO. 2 Am-G

To transport, as a Class D carrier, ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman & Son, Inc., from points in Pennsylvania to points in the county of Mifflin.

and subject to the following conditions:

That no right, power or privilege is granted to transport scrap metal from points in the city of Williamsport, Lycoming County.

FOLDER NO. 2 Am-H

To transport, as a Class D carrier, property from the facilities of C. H. Masland and Sons in the borough of Carlisle, Cumberland County, to its facilities in the Township of Granville, Mifflin County, and vice versa.

To transport, as a Class D carrier, property from the facilities of C. H. Masland and Sons in the borough of Carlisle, Comberland County, to the facilities of Volkswager Manufacturing Corp. of America in the Township of East Huntingdon, Westmoreland County, and vice versa.

To transport, as a Class D carrier, property from the facilities of C. H. Masland and Sons in the township of Granville, Mifflin County, to the facilities of Volkswagen Manufacturing Corp. of America in the Township of East Huntingdon, Westmoreland County, and vice varae.

Subject to the following restriction: That no right, power, or privilege is granted to transport commodities in bulk.

FOLDER NO. 2 Am-I (New)

To transport, as a Class D carrier, property for Corning Glass Works, from its facilities located in the Township of College, Captre County, to the facilities of RCA, located in the borough of Dummore, Lackawanna County, and vice versa.

POLDER NO. 3

To transport, as a Class D carrier, fire brick and other clay products from brick plants in the Boroughs of Mt. Union and Alexandria, Huntingdon County, the Villages of Claysburg and Sproul, Blair County, and the Village of Van Dyke, Juniatz County, to the plant of the Bethleher Steel Company in the City of Bethleher, Lehigh and Northspton Counties and the return of empty shipping facilities;

FOLDER NO. 3 Am-A

To transport, as a Class D carrier, fire brick and other clay products on flat-bed trailers for Haws Refractories Company from its plant in the Village of Hawstone, Mifflin County, to points in Pennsylvania.

To transport, as a Class D carrier, empty shipping facilities, materials and supplies used or useful in the manufacture of fire brick and other clay products on flat trailers from points in Pennsylvania to the Haws Refractories Company plant in the Village of Hawstone, Mifflin County.

FOLDER NO. 3 Am-B

To transport, as a Class D carrier, fire brick and clay brick on flat-bed trailers from the General Refractories Company plants in the Borough of Mt. Union, Huntingdon County and the Villages of Sproul and Claysburg, Greenfield Township, Blair County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments.

To transport, as a Class D carrier, fire brick and clay brick on flat-bed trailers from the Harbison-Walker Company plant in the Borough of Mt. Union, Huntingdon County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments.

FOLDER NO. 3 Am-D

To transport, as a Class D carrier, fire clay for the General Refractories Company from its plants located in the Villages of Sproul and Claysburg, Greenfield Township, Blair County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments.

FOLDER NO. L

To transport, as a Class D carrier, fire brick and clay products for the United States Steel Company from the Villages of Sproul and Claysburg, Greenfield Township, Blair County, to its plant in the Township of Falls, Bucks County, and the return of shipping facilities and damaged or refused shipments.

FOLDER NO. 6

To transport, as a Class D carrier, fibrous glass products and materials used in the manufacture, processing and shipment of such products and supplies for Owens-Corning Fiberglas Corporation from its plant located in the Borough of Huntingdon, Huntingdon County, and from its warehouse located yithin five (5) miles of the limits of said Borough to points in Pennsylvania and vice versa.

POLDER NO. 6 Am-A

To transport, as a Class D carrier, Fiberglass reinforced plastic products and materials and supplies used in the manufacture, processing and shipment of said products from the facilities of Owens-Corning Fiberglas Corporation located in the township of Shirley, Huntingdon County, and within an airline distance of ten (10) statute miles of the limits thereof to points in Pennsylvania, and vice versa.

FOLDER NO. 7

To transport, as a Class D carrier, fire brick and other refractory articles on flat-bed trailers for E. J. Lavino & Company from its plant in the Township of Plymouth, Montgomery County, to the City of Harrisburg and the Borough of Steelton, Dauphin County, and the City of Johnstown, Cambria County and the return of empty shipping facilities and refused or rejected shipments.

FOLDER NO. 8

To transport, as a Class D carrier, fire brick and other silica and clay products on flat-bed trailers from the McFeely Brick Company Flant in the Borough of Port Matilda and Worth Township, Centre County, to the City of Harrisburg, Dauphin County, and the return of shipping facilities and damaged or refused shipments.

FOLDER NO. 8 Am-A

To transport, as a Class D carrier, fire brick and other silica and clay products, on flat-bed trailers, from the plants of General Refractories Company in Worth Township and the Borough of Port Matilda, Centre County, to points east of the eastern boundary of the Counties of McKean, Cameron, Clearfield, Cambria and Somerset, and the return of refused or rejected articles and shipping containers.

Folder 2 Am-J

Class D: property from the facilities of Cerro Metal Products located in the borough of Bellefonte and the township of Spring, Centre County, to points in Pennsylvania and vice versa.

Folder 6 Am-B

<u>Class D:</u> glass and glass products from the facilities of Chromalloy American Corporation located in the township of Granville, Mifflin County to points in Pennsylvania.

glass and property used in the manufacture , processing and production of glass and glass products from points in Pennsylvania to the facilities of Chromalloy American Corporation located in the township of Granville, Mifflin County.

Folder 2 Am-K

<u>Class D</u>: carpet, carpeting and metal racks from the facilities of Magee Carpet Co. in the town of Bloomsburg, Columbia County to the facilities of Volkswagen fg Corp of America in the township of E. Huntingdon, Westmoreland County and vice versa with the right to use shipper trailers.

Folder 2 Am-L

Class D - property from the facilities of Carlisle Tire & Rubber Co. and Carlisle Syntec Systems in the county of Cumberland to points in PA and vice versa.

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Folder 2 Am-M

1. Sec. 1.

Class D: property from the facilities of C H Masland woons in the borough of Carlisle, Cumberland County and the township of Granville, Mifflin County to the facilities of Magee Carpet Co. in the town of Bloomsburg, Columbia County and vice versa.

Folder 6, Am-C

<u>Class D</u> property from the facilities of Owens Corning Fiberglas Corp. in the counties of Dauphin and Cumberland to points in PA and vice versa.

Folder 2, Am-N

<u>Class D</u> - scrap metal for Thalheimer Bros. Inc. from its facilities in the city and county of Philadelphia to points in the counties of Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Greene, Indiana, Lawrence, Mercer, Somerser, Venango, Washington and Westmoreland and vice versa.

Folder 6, Am-D

<u>Class D</u> - property for Georgia Pacific Corp. from its facilities in Richland Twp, Bucks County to points in PA/excluding property in bulk.

Folder 6, Am-E

<u>Class D</u> - property for Avtex Fibers Inc. from its facilities in PA to points in PA and vice versa excluding bulk and property to or from the facilities of New Enterprise Stone & Lime, Narehood Limestone, Detwiler Industries, Martin Limestone, Anthracite Industries, National Gypsum, Asbury Graphite Mills, McKesson Chemical Co, Mid-State Chemicals and Lumax Industries.

Folder 2, Am-O (Pending & approved)

<u>Class D</u> - property for Jones & Hunt Inc. from its facilities in W. Brunswick Twp, Schuylkill County to points in PA and vice versa.

Folder 6, Am-F (Pending & unopposed)

<u>Class D</u> - property for Owens Corning Fiberglas Co. between points in PA excluding petroleum products in tank type vehicles.

BEFORE THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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In Re: NOERR MOTOR FREIGHT, INC., S. L. WRIGHT, INC., CHAL, INC., METAL TRANSPORT, INC., Debtors

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Case No. 1-86-00731 Chapter 11

MOTION FOR APPROVAL OF THE SALE OF OPERATING AUTHORITY AND GOODWILL

AND NOW, this 23rd day of July, Debtor, by its attorneys, pursuant to Section 363(b) of the Bankruptcy Code and Rules 2002(c) and 6004 of the Bankruptcy Rules, files the following Motion for approval of the sale of operating authority and goodwill and in support thereof aver as follows:

The Debtor filed its Petition for Relief under 1. Chapter 11 of Title 11 of the United States Bankruptcy Code on July 3, 1986. Relief was ordered.

The Debtor is operating its business as Debtor-2. in-Possession. The Debtor is not a publicly held corporation, having just a single shareholder.

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3. Debtor is not able to conduct its motor carrier operations profitably. The Debtor incurred net operating losses in the amounts of (\$431,545) and (\$1,179,069) for the years ended December 31, 1984 and 1985 respectively. Its gross income from interstate and intrastate operations in 1984 was \$13,122,139 and in 1985 was \$10,069,347. Income continued to deteriorate during the six months ended June 30, 1986.

4. On July 15, 1986, the Debtor as seller executed an Agreement with Independent Freightway. Inc. (Inway) as buyer. A true and correct copy of the said Agreement is attached hereto as Exhibit "A" and made a part hereof (hereinafter the "Agreement").

5. Under the Agreement, the Debtor proposes to sell the Pennsylvania operating authority and the Indiana operating authority for its intrastate motor common carrier operations in those states (herein individually the "Pennsylvania operating authority" and the "Indiana operating authority" and collectively the "operating authority") and the goodwill related to its interstate motor common carrier operations (herein the "goodwill"). These assets are deteriorating in value because the Debtor is not able to conduct its motor common carrier operations profitably and also because of the continuing deregulation of the motor common carrier industry.

- 2 -

interstate and intrastate. These conditions are continuing. The prospects for the Debtor's reorganization are not good, especially in the increasingly deregulated trucking industry.

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6. The deregulation of the motor carrier industry also has reduced the market for and the marketability of motor carrier operating authority and any goodwill related thereto. Hence, purchasers like Inway which are willing to pay valuable consideration for such assets are not widespread. Inway's interest in purchasing the operating authority and the goodwill is a good business opportunity which is presently available.

7. The \$70,000.00 consideration which Inway has agreed to pay for the operating authority and the goodwill is not proportionately significant when compared to the assets of the debtor's estate as a whole (\$2,091,038.00 excluding receivables from affiliates). Compare Agreement ¶1 with the Debtor's Petition, Ex. "A".

8. As a matter of Indiana and Pennsylvania public utility law, the Debtor must continue to conduct its business under the operating authority until the proposed sale and purchase are closed, thereby sustaining additional losses which deteriorate the estate. Continuing such losses is not in the interests of the creditors or the Debtor.

- 3 -

9. The Indiana Public Service Commission is expected to approve the proposed sale of the Indiana operating authority at its session on July 23 or July 30, 1986, subject to your Honorable Court's jurisdiction and approval as required by law. The Pennsylvania Public Utility Commission is expected to approve the proposed sale and purchase of the Pennsylvania operating authority in the near future, subject to your Honorable Court's jurisdiction and approval as required by law. Approval from the Interstate Commerce Commission is not required.

10. To Debtor's knowledge, the only person purporting to claim a security interest, lien or encumbrance in the operating authority or the goodwill is The Russell National Bank, Lewistown, Pennsylvania.

WHEREFORE, the Debtor prays that your Honorable Court enter an Order, granting its Motion and approving the sale of operating authority and the goodwill free and clear of all liens, encumbrances and security interests.

Respectfully submitted,

Lloyd R. Persun, Esquire Shearer, Mette, Evans & Woodside 1801 North Front Street P.O. Box 729 Harrisburg, PA 17108-0729 BEFORE THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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In Re: NOERR MOTOR FREIGHT, INC., S. L. WRIGHT, INC., CHAL, INC., METAL TRANSPORT, INC., Debtors

Саве No. 1-86-00731 Chapter 11

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 having just a single shareholder.

FREE Hanistan, Pa. **3** - 1 - 1 - 1 - 1

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- 2 -

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- 3 -

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WHEREFORE, the Debtor prays that your Honorable Court enter an Order, granting its Motion and approving the sale of operating authority and the goodwill free and clear of all liens, encumbrances and security interests.

Respectfully submitted,

Lloyd R. Persun, Esquire Shearer, Mette, Evans & Woodside 1801 North Front Street P.O. Box 729 Harrisburg, PA 17108-0729

INDEPENDENT FREIGHTWAY, INC.

i.

BALANCE SHEET

MAY, 24, 1986 (Unaudited) (000)

ASSETS

Accounts Receivable (Net)	\$ -7,171
Deposits and Other Receivables	2,124
Prepaid Expenses and Other Current Assets Total Current Assets	<u> </u>
Plant, Property and Equipment (Net)	3,313
Other Assets TOTAL ASSETS	<u>928</u> \$ 14,308

LIABILITIES AND STOCKHOLDER'S EQUITY

LIABILITIES

Bank Overdraft	\$ 1,126
Trade Payables and Other Current Liabilities	3,367
Other Liabilities Total Liabilities	<u>573</u> 5,066
STOCKHOLDER'S BQUITY	
Common Stock	1
Paid In Capital	8,664
Retained Barnings Total Stockholder's Equity Total Liabilities and Stockholder's Equity	577 9,242 \$ 14,308

INDEPENDENT FREIGHTWAY, INC.

INCOME STATEMENT

FIVE MONTHS ENDED MAY 24, 1986 (Unaudited) (000)

I

Transportation Revenues	\$ 40,272
Cost of Revenue Hauling Expenses Selling and Marketing Expenses	33,129 \$
Economic Profit	4,142
General and Administrative Expenses	3,119
Other Expenses	124
Income Before Taxes	899
Income Taxes	<u>\$367</u>
Net Income	<u>\$ </u>

DOCKET NUMBER	NAME	DATE S FILED		
C-823349	IMPERIAL POINT WATER SERVICE COMPANY	11/19/6	A 29	00/00/00
R-80041175	IMPERIAL POINT WATER SERVICE COMPANY IMPERIAL POINT WATER SERVICE COMPANY IMPERIAL TRANSPORTATION INC. PA IMPLEMENTATION OF SECTION 1511 IMPLEMENTATN OF INCREMENTAL PRICING I. & M. TRANSPORTATION, INC. INDEPENDENCE CAB CO. INDEPENDENCE CAB, INC. INDEPENDENT FREIGHTWAY, INC. INDEPENDENT FREIGHTWAY, INC. INDEPENDENT STAR'S INTERNATIONAL TAXI INDEPENDENT TAXI INDEPENDENT TAXI	04/29/8	30 P	07/16/80
A-00105386	IMPERIAL TRANSPORTATION INC. PA	02/21/6	34 A	00/00/00
M-860043	IMPLEMENTATION OF SECTION 1511	02/13/6	6 A	00/00/00
L-78060024	IMPLEMENTATN OF INCREMENTAL PRICING	06/08/7	'8 P	01/21/80
A-00107050	1. & M. TRANSPORTATION, INC.	07/23/8	86 A	00/00/00
A-00104003	INDEPENDENCE CAE CO.	03/05/6	1 SI	12/06/84
A-00103424	INDEPENDENCE CAB, INC.	07/14/8)1 P	04/27/82
A-00107087	INDEPENDENT FREIGHTWAY, INC.	08/13/8	16 A	00/00/00
A-00107087F600	INDEPENDENT FREIGHTWAY, INC.	08/13/6	36 A	00/00/00
A-00103566	INDEPENDENT STAR'S INTERNATIONAL TAXI	08/14/6	31 A	00/00/00
C-00021408	INDEPENDENT TAXI INDEPENDENT TAXI COMPANY	11/20/7	'5 P	12/07/79
C-78060374 A-00103783				01/10/79
A-00103783	INDEPENDENT TAXI OF NAZARETH, INC.	10/06/8	31 I	12/12/85
A-00103783C851	INDEPENDENT TAXI OF NAZARETH	08/08/6	35 I	12/12/85
A-00009099F006AMB	INDEPENDENT TAXI SERVICE	04/14/8	31 P	07/13/81
A-00009099F008AMA	INDEPENDENT TAXI SERVICE	04/14/8	11 P	07/09/81
A-00105870	INDEPENDENT TAXI SERVICE, INC.	10/25/8	34 I	03/07/85
A-00105870F002	INDEPENDENT TAXI SERVICE, INC.	10/26/8	4 I	03/07/85
C-78040286	INDEPENDENT TAXI OF NAZARETH INDEPENDENT TAXI SERVICE INDEPENDENT TAXI SERVICE INDEPENDENT TAXI SERVICE, INC. INDEPENDENT TAXI SERVICE, INC. INDEPENDENT TAXI SERVICE	04/04/7	'8 P	08/24/78
CUAR IMPERIALL	ANDCORPORAT A-00102040			
INDEPENDENTTAXISE	RVI C-78110630 SCROLL UP	SCROLL D	OWN	Т

NOERR MOTOR FREIGHT, INC.

CASE NUMBER	COMPLAINANT	DATE FILED STATUS	BUR
A-00075088		02/11/86 I	SEC
A-00075088C000	PUC	01/07/83 P	SEC
A-00075088C801	PUC	08/21/80 P	SAC
A-00075088C802	PUC	11/26/80 P	SAC
A-00075088C811	PUC	02/20/81 P	SAC
A-00075088C851	PUC	08/08/85 I	TNR
A-00075088F002		03/12/86 I	SEC
A-00075088F002AM		07/16/80 P	SEC
A-00075088F002AMN		08/24/83 P	SEC
A-00075088F002AMC		01/09/86 I	SEC
A-00075088F003		03/12/86 I	SEC
A-00075088F004		03/12/86 I	SEC
A-00075088F006		03/12/86 I	SEC
A-00075088F006AME		05/19/80 P	SEC
A-00075088F006AMC		05/16/83 P	SEC
A-00075088F006AME		08/03/84 I	SEC
A-00075088F006AME		10/23/84 I	SEC
A-00075088F006AMF		04/04/86 A	TNR
A-00075088F007		03/12/86 I	SEC
A-00075088F008		03/12/86 I	SEC
CU27 814420	A-00075088F600 PRINT-		
	NOERR MOTOR FREIGHT, INC.		
CASE NUMBER			5 -1 1 P 3
	COMPLAINANT	DATE FILED STATUS	BUR
A-00075088F600	PUC	08/08/84 I	TNR
C-00022084	• = -	11/19/76 P	LAW
C-78090464	PUC	08/30/78 P	SAC
C-79010700	PUC	01/25/79 P	SAC
		·	

CHECKED 9-3-86 BY LM

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ROBERT EWING KNUPP (1932-1976) CHRISTIAN V. GRAF

CHRISTIAN V. CRAF ROBERT L. KNUFP FREDERICK W. ANDREWS ROBERT D. KODAK DAVID H. RADCLIFF WILLIAM J. FULTON KEVIN R. DERR GRAF, KNUPP & ANDREWS, P. C. cameron mansion 407 north front street p. O. Box 11848 harrisburg. Pa 17108 - 1848

LAW OFFICES OF

August 21, 1986

OF COUNSEL JOHN E. FULLERTON

> 717/238-7151 717/236-9318

WEST HANOVER TOWNSHIP OFFICE 7171 ALLENTOWN BOULEVARD HARRISBURC, PA 17112 717/657-2858

RECEIVED

- AUG 2 1986

SECRETARY'S OFFICE Public Utility Commission

The Secretary PaPUC Harrisburg, PA 17120

RE: A. 107087 E. INDEPENDENT FREIGHTWAY INC.

INDEPENDENT FREIGHTWAY INC. (Transfer part - Noerr Motor)

Dear Sir:

Enclosed herewith is a copy of the order of the US Bankruptcy Court for the MD of PA granting Noerr's motion to sell its PA intrastate operating rights to Independent Freightway Inc.

Please make this part of the pending application already on file including the ETA and TA.

Yours truly,

oky Dulleston

F/r encl.

cc: Independent Freightway





BEFORE THE UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In Re: NOERR MOTOR FREIGHT, INC., S. L. WRIGHT, INC., CHAL, INC., METAL TRANSPORT, INC., Debtors Case No. 1-86-067317155Urg, Pa. Chapter 11 AUG 20 1986

Clerk of time

Margaret A. Smith

Cours Clerk

enguptcy Court

<u>ORDER</u>

:

AND NOW, this $2e^{tk}$ day of August, 1986, upon consideration of the Debtor's Motion for approval of the sale of operating authority and goodwill and after notice and an opportunity to be heard, no timely objection having been filed, IT IS HEREBY ADJUDGED, ORDERED AND DECREED:

1. That the said Motion be and it is hereby granted;

2. That the Agreement executed July 15, 1986 and entered into as of the 10th day of June 1986 by and between Noerr Motor Freight, Inc., Debtor, as Seller, and Independent Freightway, Inc., as Buyer (hereinafter the "Agreement"), and the sale and purchase of the operating authority and goodwill as contemplated in the Agreement be and they are hereby approved;



APPLICATION DOCKET SEP 5 1986 ENTRY No.

3. That Noerr Motor Freight, Inc., Debtor, be and it is hereby authorized to sell, release and quitclaim the operating authority and the goodwill (as defined in the Agreement) unto Independent Freightway, Inc. free and clear of all liens, encumbrances and security interests, any such liens, encumbrances and security interests to attach to the TWENTY THOUSAND DOLLARS (\$20,000.00) remaining to be paid to Noerr Motor Freight, Inc., Debtor, by Independent Freightway, Inc. at closing as defined in the Agreement; and

4. That before closing Independent Freightway, Inc., at its expense, may prepare, file and prosecute applications with the Pennsylvania Public Utility Commission and the Indiana Public Service Commission seeking emergency temporary authority or temporary authority to provide common carrier service under the Pennsylvania operating authority or the Indiana operating authority as those terms are defined in the Agreement.

CERTIFIED FROM THE RECORD this 20th day of <u>AUGUST</u>, 19<u>%</u>. Margares A. Smith, Olerk, Bankruptcy Court Per <u>Lince</u> Holman Deputy Clerk

/s/ Robert J. Wasdille

Bankruptcy Judge

September 19, 1986

IN REPLY PLEASE REFER TO OUR FILE

John Fullerton Attorney at Law 407 North Front Street Harrisburg, PA[.] 17101

A-00107087 - Application of Independent Freightways, Inc.

Dear Sir:

Acknowledgement is made of an application filed by you for permanent and temporary authority on behalf of Independent Freightways, Inc. for the rights of Noerr Motor Freight, Inc.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before October 14, 1986. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that Noerr Motor Freight, Inc. will continue to render the service covered by its 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.

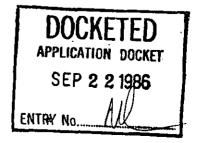
You are further advised that the above application will be published in the Pennsylvania Bulletin of September 20, 1986.

Very truly yours,

David Ehrhart Supervisor - Application Section Bureau of Transportation

DE:RP:rs cc: Applicant 3842 Pyramid Drive P.O. Box 7013 Rockford, IL 61125





A-00107087 INDEPENDENT FREIGHTWAYS, INC. (3842 Pyramid Drive, P.O. Box 7013, Rockford, IL 61125), a corporation of the State of Delaware -(1) property for the Great Atlantic and Pacific Tea Company from the borough of Lewistown, Mifflin County, to its stores in the counties of Mifflin, Juniata, and Perry; (2) property between points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough; (3) household goods in use from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of limits of the said borough to other points in Pennsylvania and vice versa; (4) rayon and rayon products from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to points in Pennsylvania, east of a north and south line from the center of the city of Harrisburg, Dauphin County, and the return of accessories; (5) milk from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to the city of Lancaster, Lancaster County, and the city and county of Philadelphia; (6) groceries and returned milk cans from the city and county of Philadelphia, to points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough; (7) castings and machinery parts from the Standard Steel Works Division of Baldwin Locomotive Works in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania in emergencies only, provided that emergency trips shall be reported to the Commission immediately after they are made; (8) artificial silk and artificial silk products and accessories from the American Viscose Corporation, in the borough of Marcus Hook, Delaware County, and from points in the township of Granville, Mifflin County to points in Pennsylvania, east of the line running north and south through the borough of Huntingdon, Huntingdon County, and vice versa, excluding transportation from the borough of Marcus Hook, Delaware County, to the city of Lancaster, Lancaster County; (9) builders' equipment, steel, brick and lumber for F.M. Rhodes of Lewistown, Mifflin County, from points in the county of Mifflin to points in Pennsylvania and vice versa, provided such transportation shall either originate or terminate at points of construction (10) rayon, rayon products, cotton and cotton products, wool or wool products or intermixtures of said materials for Cluett, Peabody and Company, Inc., from its plant in the borough of Lewistown, Mifflin County, to points in the borough of Shamokin. Northumberland County, and the return of damaged or refused merchandise; (11) finished and unfinished products, materials and supplies, armaments and munitions from the Standard Steel Works Division of Baldwin Locomotive Works in the borough of Burnham, Mifflin County, to points in Pennsylvania, and vice versa; (12) oil, grease, and other petroleum products from points in the city of Philadelphia, and within thirty-five (35) miles of the Philadelphia City Hall to mines of Rochester and Pittsburgh Coal Company in the villages of Ernest, McIntyre and Lucerne, Indiana County, Helvetia, Clearfield County, and Yatesboro, Armstrong County, and the return of empty containers and accessories; (13) fibrous glass textiles, containers and accessories for the Owens-Corning Fiberglass Corporation from points in the borough of

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Huntingdon, Huntingdon County, to points in the cities of Allentown, Lehigh County, Easton, Northampton County, Hazleton and Wilkes-Barre, Luzerne County, and Sunbury, Northumberland County, and the borough of Kingston, Luzerne County, and the return of shipping containers and accessories from said cities and boroughs to points in the borough of Huntingdon; (14) doors and other products of Overhead Door Company and Modern Doors Inc. from the borough of Lewistown, Mifflin County, to points in Pennsylvania and merchandise, material, hardware, and supplies from points in Pennsylvania to Overhead Door Company and Modern Doors Inc. in the borough of Lewistown; (15) farm machinery and parts thereof for the Hertzler and Zook Company, the New Holland Machine Company and the New Holland Machine Division of the Sperry-Rand Corporation from their plant in the village of Belleville, Mifflin County, to points in Pennsylvania; (16) supplies and materials for the Hertzler and Zook Company, the New Holland Machine Company and the New Holland Machine Division of the Sperry-Rand Corporation from points in Pennsylvania to the plant of the said companies in the village of Belleville, Mifflin County; (17) ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman & Son, Inc., from points in the county of Mifflin to points in Pennsylvania; (18) ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman & Son, Inc., from points in Pennsylvania to points in the county of Mifflin; with Right No. 18 subject to the following conditions: That no right, power or privilege is granted to transport scrap metal from points in the city of Williamsport, Lycoming County; (19) property, from the facilities of C.H. Masland & Sons in the borough of Carlisle, Cumberland County, to its facilities in the township of Granville, Mifflin County, and vice versa; (20) property, from the facilities of C.H. Masland & Sons in the borough of Carlisle, Cumberland County, to the facilities of Volkswagen Manufacturing Corp., of America in the township of East Huntingdon, Westmoreland County, and vice versa; (21) property, from the facilities of C.H. Masland & Sons in the township of Granville, Mifflin County, to the facilities of Volkswagen Manufacturing Corp., of America in the township of East Huntingdon, Westmoreland County, and vice versa; with rights No. 20 and 21 subject to the following restriction: That no right, power or privilege is granted to transport commodities in bulk; (22) property, for Corning Glass Works, from its facilities located in the township of College, Centre County, to the facilities of RCA, located in the borough of Dunmore, Lackawanna County, and vice versa; (23) property from the facilities of Cerro Metal Products located in the borough of Bellefonte and the township of Spring, Centre County, to points in Pennsylvania and vice versa; (24) carpet, carpeting and metal racks from the facilities of Magee Carpet Co. in the town of Bloomsburg, Columbia County to the facilities of Volkswagen fg Corp. of America in the township of East Huntingdon, Westmoreland County and vice versa with the right to use shipper trailers; (25) property from the facilities of Carlisle Tire & Rubber Co. and Carlisle Snytec Systems in the county of Cumberland to points in Pennsylvania and vice versa; (26) property from the facilities of C.H. Masland & Sons in the borough of Carlisle, Cumberland County and the township of Granville, Mifflin County to the

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facilities of Magee Carpet Co. in the town of Bloomsburg, Columbia County and vice versa; (27) scrap metal for Thalheimer Bros. Inc. from its facilities in the city and county of Philadelphia to points in the counties of Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Greene, Indiana, Lawrence, Mercer, Somerset, Venango, Washington and Westmoreland and vice versa; and (28) property, for Jones and Hunt, Inc., from its facilities located in the township of West Brunswick, Schuylkill County, to points in Pennsylvania, and vice versa; with right No. 28 subject to the following condition: That no right, power or privilege is granted to transport petroleum products in bulk, in tank vehicles; (Rights No. 1 thru 28 Part of Authority at Folder 2); (29) fire brick and other clay products from brick plants in the boroughs of Mount Union and Alexandria, Huntingdon County, the villages of Claysburg and Sproul, Blair County, and the village of Vandyke, Juniata County, to the plant of the Bethlehem Steel Company in the city of Bethlehem, Lehigh and Northampton Counties, and the return of empty shipping facilities; (30) fire brick and other clay products on flat-bed trailers for Haws Refractories Company from its plant in the village of Hawstone, Mifflin County, to points in Pennsylvania; (31) empty shipping facilities, materials and supplies used or useful in the manufacture of fire brick and other clay products on flat trailers from points in Pennsylvania to the Haws Refractories Company plant in the village of Hawstone, Mifflin County; (32) fire brick and clay brick on flat-bed trailers from the General Refractories Company plants in the borough of Mt. Union, Huntingdon County, and the villages of Sproul and Claysburg, Greenfield Township, Blair County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments; (33) fire brick and clay brick on flat-bed trailers from the Harbison-Walker Company plant in the borough of Mt. Union, Huntingdon County, to points in Pennsylvania; and the return of shipping facilities and damaged or refused shipments; and (34) fire clay for the General Refractories Company from its plants located in the villages of Sproul and Claysburg, Greenfield Township, Blair County, to points in Pennsylvania, and the return of shipping facilities and damaged or refused shipments; (Rights No. 29 thru 34 All of the Authority at Folder 3); (35) fire brick and clay products for the United States Steel Company from the villages of Sproul and Claysburg, Greenfield Township, Blair County, to its plant in the township of Falls, Bucks County, and the return of shipping facilities and damaged or refused shipments; (Right No. 35 All of the Authority at Folder 4); (36) fibrous glass products and materials used in the manufacture, processing and shipment of such products and supplies for Owens-Corning Fiberglas Corporation from its plant located in the borough of Huntingdon, Huntingdon County, and from its warehouse located within five (5) miles of the limits of said borough to points in Pennsylvania; and vice versa; (37) fiberglass reinforced plastic products and materials and supplies used in the manufacture, processing and shipment of said products from the facilities of Owens-Corning Fiberglas Corporation located in the township of Shirley, Huntingdon County, and within an airline distance of ten (10) statute miles of the limits thereof to points in Pennsylvania, and vice versa; (38) glass and glass products, from the facilities of

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Chromalloy American Corporation, located in the township of Granville, Mifflin County, to points in Pennsylvania; (39) glass and property used in the manufacture, processing and production of glass and glass products, from points in Pennsylvania, to the facilities of Chromalloy American Corporation, located in the township of Granville, Mifflin County; with right No. 38 and 39 subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk; (40) property, from the facilities of Owens-Corning Fiberglass Corporation, in the counties of Dauphin and Cumberland, to points in Pennsylvania, and vice versa; (41) property, for Georgia Pacific Corporation, from its facilities in Richland Township, Bucks County, to points in Pennsylvania, and vice versa; with right No. 41 subject to the following condition: That no right, power or privilege is granted to transport property in bulk; (42) property for Avtex Fibers, Inc., from its facilities located in Pennsylvania, to points in Pennsylvania, and vice versa; subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk; and That no right, power or privilege is granted to transport property, to or from the facilities of New Enterprise Stone & Lime Co., Narehood Limestone, Inc., Detwiler Industries, Inc., Martin Limestone, Inc., Anthracite Industries, Inc., National Gypsum Company, Asbury Graphite Mills, Inc., McKeeson Chemical Co, Mid-State Chemicals and Lumax Industries, Inc.; (43) property for Owens Corning Fiberglas Co. between points in Pennsylvania excluding petroleum products in tank type vehicles; Rights No. 36 thru 42 All of the Authority at Folder 6 including pending right No. 43; (44) fire brick and other refractory articles on flat-bed trailers for E.J. Lavino & Company from its plant in the township of Plymouth, Montgomery County, to the city of Harrisburg and the borough of Steelton, Dauphin County, and the city of Johnstown, Cambria County and the return of empty shipping facilities and refused or rejected shipments; (Right No. 44 all of the authority at Folder 7); (45) fire brick and other silica and clay products on flat-bed trailers from the McFeely Brick Company Plant in the borough of Port Matilda and Worth Township, Centre County, to the city of Harrisburg, Dauphin County, and the return of shipping facilities and damaged or refused shipments; and (46) fire brick and other silica and clay products, on flat-bed trailers, from the plants of General Refractories Company in Worth Township and the borough of Port Matilda, Centre County, to points east of the eastern boundary of the counties of McKean, Cameron, Clearfield, Cambria and Somerset, and the return of refused or rejected articles and shipping containers; (Rights 45 and 46 All of the Authority at Folder 8); which is to be a transfer of part of the rights at F. 2, and all of the rights at F. 3, 4, 6, 7 and 8, authorized under the certificate issued at A-00075088, Noerr Motor Freight Inc., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00107087 SEEKING THE RIGHTS CITED ABOVE. Attorney: John Fullerton, 407 North Front Street, Harrisburg, PA 17101.

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BUREAU OF TRANSPORTATION COMMON CARRIER <u>SPTTMEER</u> 1996 A-00107087 Application of Independent Freightways, Inc., a.corporation of the State, of Delaware, for the right to begin to transport, as, a.common.carrier by motor vehicle, (1) property, for the Great Atlantic and Pacific Tea Company from the borough of Lexisteron, Miffilin Councy, to the stores in the councies of Miffilin, Juniate, and Party;, (2) property between points in the borough of Lexisteron, Miffilin Councy, and vithin ten (10), miles by the usually traveled highways of, the limits of the said borough to Jewistoron, Miffin County, and within ten (10), miles by the usually traveled highways of limits of the said borough to other points in the borough of Lewistoron, Miffilin County, and within ten (10), miles by the usually traveled highways of the limits, of the said borough to counce in Penneylvanis, east of a north and south line from the center, of, the city of Harrisburg, Dawpin County, and within ten (10), miles by the usually traveled highways of the limits, of the said borough to points in Penneylvanis, east of a north and south line from the center, of, the city of Harrisburg, Dawpin County, and the return of accessories; (5), mills from points in the borough of Lewistown, Miffilin County, and within ten (10) miles by the usually traveled highways of, the limits of, the said borough, to the city of Lancaster, Lancaster County, and the city and county of Philadelphia, to, points, in the borough, of Lewistown, Miffilin County, and within ten, (10), miles by, the usually, traveled highways of the limits of the asid borough to failes of, the said borough of Lewistown, Miffilin County, and within, ten, (10), miles by the usually traveled highways of, the limits, of, failewin Loconotive, Works, in the borough of Lewistown, Miffilin County, and within ten. (10), miles by the usually traveled highways of, the limits, of, failewin Loconotive, Works, the aborough of Philadelphia, to, points, in the borough of, Marcus H		SERVICE	SEP 20 1986	
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A-00107087 Application of Independent Freightways, Inc., a corporation of the State of Delaware, for the right to begin to transport, as.a common carrier, by motor vehicle, (1) property, for the Great Atlantic and Pacific Tea company from the borough of Lewistown, Mifflin County, to ita stores in the counties of Mifflin, Juniars, and Parry;. (2) property Detween.points. in the borough of Lewistown, Mifflin County, and within.ten (10) miles. by the usually traveled highways, of the limits of the said borough; (3) household goods in use from points in the borough, traveled highways of limits of the said borough to other points. In the borough, of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to points in Pennsylvania, east of a north and acuth line from the center, of, the city of Herrisburg, Dauphin County, and the return of, accessories; (5), milk. from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the Limits of the said borough, to the city of Lancaster, Lancaster County, and the, city and county of Philadelphia, to points. in the borough, of Lewistown, Mifflin County, and vithin ten, (10) miles by the usually traveled highways of the limits of the said borough, co points in county of Philadelphia, to points. in the borough of, Lewistown, Mifflin County, and vithin ten, (10) miles by the usually traveled highways of the limits of the said borough, (2) castings and machinery, parts from the Standard Steel, Worke, Division of, Baldwin Locomotive Works, in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways. dt. he limits of, the acid. browshows of the limits of the commission immediately, after, they are made; (6) artificial silk and artificial silk, products and accessories from the American Viscose Corporation, in the borough of, Marcus Hook, Delaware. County to points in Pennsylvania, east o		COMMON CARRIER	ali ali ang tan ang tan ang tan tan tan ang tang t	
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the counties of Mifflin, Juniata, and Parry, (2) property between points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of, the limits of the said borough. (3) household goods in use from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of limits of the said borough to other points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to points in Pennsylvania, east of a north and aouth line from the center. of the city of Harrisburg, Dauphin County, and the return of accessories; (5) milk from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to the city of Lancaster, Lancaster County, and the city and county of Philadelphia; (6) groceries, and returned milk cans from the city and county of Philadelphia, to points, in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, (1) castings and machinery, parts from the Standard Steel Works Division of Baldwin Locometive Works, in the borough of Lewistown, Mifflin County, and within ten (10) miles. by the usually traveled highways of the limits of the said borough to other points in Pennsylvania, in the borough of Marcus Hook, Delaware County, and from points in the borough of Marcus Hook, Delaware County, and from points in the borough of Marcus Hook, Delaware County of Missi in Pennsylvania, act, firet, line running north and south through the borough of Huntingdon, Huntingdon County, and yice versa, scluding transportation from the borough of Marcus Hook, Delaware county of Mifflin County, From points in the county of Mifflin County, from points in the county of Mifflin ten of the rensylvania and yice wersa, provided such transportation shall hither originate or terminate at points of cons	by motor vehicle,	(1) property for the Great	Atlantic and Pacific Tea	ه الجوابة الاعراب
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(3) household goods in use from points in the borough of Leyistown, Mifflin County, and within ten (10) miles by the usually traveled highways of limits of the said borough to other points in Pennsylvania, and vice versa; (4) rayon and rayon products from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to points in Pennsylvania, east of a north and south line from the center of the city of Harrisburg, Dauphin County, and the return of accessories; (5) milk from points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, to the city of Lancaster, Lancaster County, and the city and county of Philadelphia; (6) groceries, and returned milk cans from the city and county of Philadelphia, to points in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough, (7) castings and machinery parts from the Standard Steel, Worka Division of Baldwin Loconotive Works in the borough of Lewistown, Mifflin County, and within ten (10) miles by the usually traveled highways of the limits of the said borough to other points in Pennsylvania in emergencies only, provided, that emergency. Trips shall be reported to the Commission immediately, after they are made; (8) artificial silk and artificial silk products and accessories from the American Viscose Corporation, in the borough of Marcus Hook, Delaware County, and from points in the torough of Marcus Hook, Delaware county to points in Pennsylvania, east of the limit find. County, and yice versa, scluding transportation shall either originate or terminate at points in the county of Mifflin to points in the morough of Marcus Hook, Delaware county, to the city of Lancaster, Lancaster, County; (9) builders! equipment, steel, brick and lumber for F.M. Rhodes of Lewistown, Mifflin County, from points in the county of Mifflin to po	in the borough of	Lewistown, Mifflin, County,	and within ten (10) miles	100-je va 1917-
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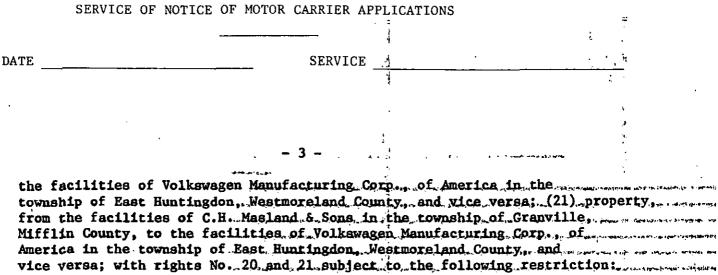
ENTRY No ...

DATE ______ SERVICE ______

products, wool or wool products or intermixtures of said materials for merican sector and sectors and Cluett, Peabody and Company, Inc., from its plant in the borough of any states of the second of the Lewistown, Mifflin County, to points in the borough of Shamokin, Northumberland County, and the return of damaged or refused merchandise; (11) finished a service result of the service result and unfinished products, materials, and supplies, armaments, and munitions, and munitions from the Standard Steel Works, Division of, Baldwin, Locomotive, Works, in the second second vice versa; (12) oil, grease, and other petroleum products from points and other petroleum products from points in the city of Philadelphia, and within thirty five (35), miles of the manual and within thirty five (35). Philadelphia City Hall to mines of Rochester and Pittsburgh Coal Company in the villages of Ernest, McIntyre and Lucerne, Indiana County, Helvetia, Clearfield County, and Yatesboro, Armstrong County, and the return of empty containers and accessories; (13), fibrous glass textiles, containers and accessories for the Owens-Corning Fiberglass Corporation from points in the borough of Huntingdon, Huntingdon. County not points, in the cities of Allentown, Lehigh County, Easton, Northampton County, Hazleton and a second a second secon Wilkes-Barre, Luzerne County, and Sunbury, Northumberland County, and Andrews Statistics the borough of Kingston, Luzerne County, and the return of shipping containers and accessories from, said cities and boroughs, to points in many second on the the borough of Huntingdon; (14), doors and other products. of Overhead Door Company and Modern Doors, Inc. from the borough of Lewistown, Mifflin County, to points in Pennsylvania and merchandise, material, hardware, and supplies from points in Pennsylvania to Overhead Door. Company and Modern Doors Inc. in the borough of Lewistown; (15), farm. machinery and parts thereof for the Hertzler, and Zook Company, the New Martin Street and Annual Stree Holland Machine Company and the New Holland Machine Division of the second states and th Sperry-Rand Corporation from their plant in the village of Belleville, and the second Mifflin County, to points in Pennsylvania; (16) supplies and materials. for the Hertzler and Zook Company, the New Holland Machine. Company and the New Holland Machine Division of the Sperry Rend Corporation from points in Pennsylvania to the plant of the said companies in the village of Belleville, Mifflin County; (17), ferrous scrap, non-ferrous scrap, s non-metallic scrap and salvage materials, for Joe Krentzman & Son, Inc. from points in the county of Mifflin to points in Pennsylvania; (18), ferrous scrap, non-ferrous scrap, non-metallic scrap and salvage materials for Joe Krentzman & Son, Inc., from points in Pennsylvania.to points in the county of Mifflin; with Right No. 18 subject to the following conditions: That no right, power or privilege is granted to transport scrap metal from points in the city of Williamsport, Lycoming County; (19), property, from the facilities of C.H. Masland & Sons in the borough of Carlisle, Cumberland County, to its facilities in the township of Granville, and the second states of t Mifflin County, and vice versa; (20), property, from the facilities, of many many second C.H. Masland & Sons in the borough of Carlisle, Cumberland County, to.

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.



That no right, power or privilege is granted to transport commodities in move and the second se bulk; (22) property, for Corning Glass Works, from its facilities located in the township of College, Centre County, to the facilities of RCA, many more contractions of the contract of the country of located in the borough of Dunmore, Lackawanna County, and vice versa; (23) property from the facilities of Cerro Metal, Products located in the borough of Bellefonte and the township, of Spring, Centre County, to be and the township of Spring, Centre County, points in Pennsylvania and vice versa; (24) carpet, carpeting and metal racks from the facilities of Magee Carpet, Co. in the town of Bloomsburg, and the second Columbia County to the facilities of Volkswagen fg. Corp. of America in many and the second the township of East Huntingdon, Westmoreland County and vice versa with the right to use shipper trailers; (25) property from the facilities of Carlisle Tire & Rubber Co. and Carlisle Snytec Systems in the county of merety and the Cumberland to points in Pennsylvania and vice versa; (26) property from the second sec the facilities of C.H. Masland & Sons in the borough of Carlisle, Cumberland County and the township of Granville, Mifflin County to the facilities and the second of Magee Carpet Co. in the town of Bloomsburg, Columbia County and vice, a second seco versa; (27) scrap metal for Thalheimer.Bros. Inc., from its facilities in a second state of the second sta the city and county of Philadelphia. to points in the counties of Allegheny, Armstrong, Beaver, Butler, Cambria, Clarion, Fayette, Greene, Indiana, Lawrence, Mercer, Somerset, ... Venango, ... Washington and Westmoreland and vice versa; and (28) property, for Jones and Hunt, Inc., from its facilities located in the township of West Brunswick, Schuylkill County, the following condition: That.no.right, power or privilege is granted. thru 28 Part of Authority at Folder 2); (29) fire brick and other clay ومحمد الانتهاب والمراجع والمراجع products from brick plants in the boroughs of Mount Union and Alexandria, Huntingdon County, the villages of Claysburg and Sproul, Blair, County, and the village of Vandyke, Juniata County, to the plant of the Bethlehem Steel Company in the city of Bethlehem, Lehigh, and Northampton Counties, and the return of empty shipping facilities; (30). fire brick, and other clay products on flat-bed trailers, for Haws Refractories, Company from its plant in the village of Hawstone, Mifflin County, to points in a start and the second sec Pennsylvania; (31) empty shipping facilities, materials and aupplies used or useful in the manufacture of fire brick and other clay products on flat trailers from points in Pennsylvania to the Haws, Refractories

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.

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS SERVICE

Company plant in the village of Havatone, Mifflin County; (32) fire brick and clay brick on flat-bed trailers from the General Refractories converses and the Company plants in the borough of Mt., Union, Huntingdon County, and the second second villages of Sproul and Clayaburg, Greenfield, Township, Blair, County, to was a second s points in Pennsylvania; and the return of shipping facilities and sector and the return of the sector of the secto damaged or refused shipments; (33) fire brick and clay brick on flat-bed trailers from the Harbison-Walker, Company, plant in the borough of Mt. Union, Huntingdon County, to points in Pennsylvania; and the return of a second s shipping facilities and damaged or refused shipments; and (34) fire clay for the General Refractories Company from its plants located in the supervision and a supervision of the sup villages of Sproul and Claysburg, Greenfield Township, Blair, County, to damaged or refused shipments; (Rights No., 29, thru 34 All of the Authority at Folder 3); (35) fire brick and clay, products for the United States Steel Company from the villages of Sproul, and Claysburg, Greenfield County, and the return of shipping facilities, and damaged or refused shipments; (Right No. 35 All of the Authority at Folder 4); (36), fibrous glass products and materials used in the manufacture, processing and a superior sector a shipment of such products and supplies for Owens-Corning Fiberglas Corporation from its plant located in the borough of Huntingdon, Huntingdon, was a second County, and from its warehouse located within five (5), miles of the limits of said borough to points in Pennsylvania; and wice, versa; (37), fiberglass reinforced plastic products and materials and supplies used in the second discovery and manufacture, processing and shipment of said products from the facilities. of Owens-Corning Fiberglas Corporation located in the township of Shirley, Huntingdon County, and within an airline distance of ten (10) statute (38) glass and glass products, from the facilities of Chromalloy American, and see Corporation, located in the township of Granville, Mifflin County, to which and the second points in Pennsylvania; (39) glass and property used in the manufacture, processing and production of glass and glass products, from points in products and products and production of glass and glass products and products Pennsylvania, to the facilities of Chromalloy American Corporation, located in the township of Granville, Mifflin County; with right No. 38 and 39 subject to the following condition: ... That no right, power or the following condition: privilege is granted to transport commodities in bulk; (40), property, from the facilities of Owens-Corning Fiberglass Corporation, in the counties of Dauphin and Cumberland, to points in Pennsylvania, and vice versa; (41) property, for Georgia Pacific Corporation, from its facilities in Richland Township, Bucks. County, to points in Pennsylvania, and vice versa; with right No. 41 subject to the following condition: That no. right, power or privilege is granted to transport property in bulk;

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.

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(42) property for Avtex Pennsylvania, to points following conditions: The transport commodities in granted to transport prop Stone & Lime Co., Narehow Martin Limestone, Inc., Company, Asbury Graphite Chemicals and Lumax Indus	in Pennsylvania, and hat no right, power, bulk; and That no i perty, to or from th od Limestone, Inc., Anthracite Industric Mills, Inc., McKees stries, Inc.; (43), 1	d.vice_verse; or privilege, right, power, o he facilities. Detwiler.Indu es, Inc., Nati son_Chemical C property.for.0	subject to the is granted to r privilege is of New Enterpris stries, Inc. onal Gypsum o, Mid-State wens Corning	чанат баруун арагыра тала ал түүлү айдага 2016 ж. Барактара тала тарат тала бара ал баракта түүнө кана тарат тара туу ар 1885 тара санатандарда и түүлүнү ар түүлү түүлүүнү ар арас жата бараттар түүлү түүлүүнү арагы арта бараттар 1996 түүнү алар ар
Fiberglas Co. between po in tank type vehicles; R Folder 6 including pendin refractory articles on f	ights.No36_thru_42 ng_right_No43;,,(44	2 All of the A 4) fire brick	and other	د میروند با با از بازمین میروند و میروند با با از بازمین میروند. از ایروند با و همانها در با با میروند از میروند از میروند از ایروند از میروند از ایروند از میروند از ایروند از میروند از
its plant in the township				

Matilda and Worth Township, Centre County, to the city of Harrisburg, and the second s Dauphin County, and the return of shipping facilities and damaged or any structure and damaged or refused shipments; and (46) fire brick and other silica and clay products, on flat-bed trailers, from the plants of General Refractories Company in Worth Township and the borough of Port Matilda, Centre County, to points, La Matilda Port east of the eastern boundary of the counties of McKean, Cameron, Clearfield, Cambria and Somerset, and the return of refused or rejected articles, and encourses when the return of refused or rejected articles, and encourses when the return of refused or rejected articles, and encourses are reserved and the return of refused or rejected articles, and encourses are reserved and the return of refused or rejected articles, and encourses are reserved articles. shipping containers; (Rights.45, and 46, All of the Authority at Folder, 8); which is to be a transfer of part of the rights at E. 2, and all of the methods and all of the rights at F. 3, 4, 6, 7 and 8, authorized under the certificate issued and and and a superior of the second s at A-00075088, Noerr Motor Freight Inc., a corporation of the Commonwealth and the second sec of Pennsylvania, subject to the same limitations and conditions. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00107087 SEEKING, THE RIGHTS CITED ABOVE.

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Protests due on No Hearings

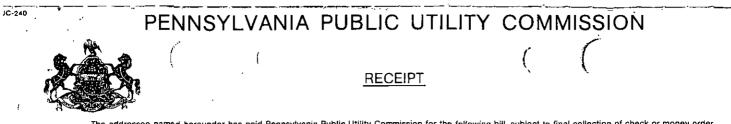
Protests due on Hearings - (5 days prior to date of hearing) Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

(th. -

UC-240 PENNSYLVANIA PUBLIC UTILITY COMMISSION ł 1 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. Independent Freightway, Inc. October 7, 1986 Date 3842 Pyramid Drive COCKETED P.O. Box 7013 Rockford, PA 61125 CR 119887 A OCT 0 9 1986

> In re application of Independent Freightway, Inc. A-00107087,.....\$125.00

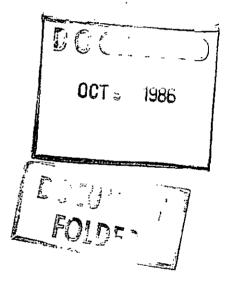
Revenue account 01780-17601-102 (ck)	
ck 062861\$125.00	C. Joseph Meisinger
Utility account 50:26	For Department of Revenue



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.

Independent Freightways, Inc. 3842 Pyramid Drive Box 7013 Rockford, IL 61125 Date October 8, 1986

CR 119938 A



In re application of Independent Freightways, Inc. A-00107087......\$75.00

C. Joseph Meisinger For Department of Revenue



7.6

November 22, 1986

DCCLITE DEC - 2 1986

Public Utilities Commission Bureau of Non-Rail Transportation P. O. Box 3265 Harrisburg, Pa. 17120

To whom this may concern:

Please be advised that our Corporate Office will be relocated to 2330 23rd Ave., Rockford, Il. 61108 as of December 1, 1986.

Very truly yours,

INDEPENDENT FREIGHTWAY, INC. A 107087 \forall 10

Daniel L. Smith Director of Safety

DLS/sls

