

EPSTEIN, UTAN, WILSON & MARSILI
ATTORNEYS AT LAW

SUITE 800 PENN SECURITY BANK BUILDING
142 N. WASHINGTON AVENUE

SCRANTON, PENNSYLVANIA 18503-2211

(717) 346-3881

FAX (717) 346-1425

EDWIN UTAN
CHARLES F. WILSON
MARIA MARSILI*
DAVID J. RATCHFORD
DAVID M. EPSTEIN



*ALSO NJ BAR

June 23, 1995

Office of the Pennsylvania Public Utility Commission
P.O. Box 3265
North Office Building
Harrisburg, PA 17120

Enclosed please find original and two (2) copies of Application for Approval of Transfer and Exercise of Common or Contract Carrier Rights and certified check # 5549 in the amount of \$350.00 for the filing fee.

Very truly yours,

Edwin Utan

Edwin Utan, Esq.

EU/mak
Enc.

RECEIVED
95 JUN 26 AM 10:35
PA. P. U. C.
INFO. CONTROL DIV.

DOCUMENT
FOLDER

APPLICATION FOR APPROVAL OF TRANSFER
AND EXERCISE OF COMMON OR CONTRACT CARRIER RIGHTS

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Joseph Sparacino Movers, Inc.
(Applicant/Transferee-Buyer)

for approval of the transfer and to exercise the right

as a common carrier, described at Docket
(common-contract)

No. 102924, Folder No. _____, issued to

Eugene Lavelle dba Lavelle's Express
(Transferor-Seller)

for transportation of property
(persons-property)

PUC USE ONLY 848562
Docket No. A-00108084, F2
Folder No. _____

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

1. Joseph Sparacino Movers, Inc.
(Full and correct name of applicant/transferee)

2. _____
(Trade name, if any)

The trade name _____ has _____ been registered with the Secretary of the
(has or has not)

Commonwealth on January 13, 1986 (attach copy of stamped registration form.)
(date)

3. #6 South Keyser Avenue _____
(Business Street Address) (P.O. Box, if any)

Taylor Lackawanna PA 18517 717-344-7055
(City) (County) (State) (Zip) (Telephone)

RECEIVED
95 JUN 26 AM 10:00
PA. P. U. C.
INFO. CONTROL
Bureau of Transportation

**DOCUMENT
FOLDER**

**DOCKETED
APPLICATION DOCKET**
JUN 12 1995
ENTRY No. [Signature]

24

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

142 N. Washington Avenue
Edwin Utan, Esq. 800 Penn Security Bank Building, Scranton, PA 717-346-3881
(Name) (Address) (Telephone)

5. Any documents should be mailed to:

Transferee: Joseph Sparacino Movers, Inc., #6 South Keyser Avenue, Taylor, PA 18517
(Name) (Address)

Transferor: Eugene Lavelle, 270 N. Sherman Street, Wilkes-Barre, PA 17102
(Name) (Address)

6. Applicant does hold Pa. PUC authority under Docket Number
(does or does not)

A- 108084 and operates as a common carrier.
(common or contract)

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

at Docket No. 96266.

8. Applicant is (check one):

Individual.

Partnership. Must attach a copy of the partnership agreement (unless a copy is presently on file with PUC), and list names and addresses of partners below (use additional sheet if necessary).

(Name) (Address)

Corporation. Organized under the laws of the State of Pennsylvania

and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on January 13, 1986 (Attach copy of Certificate of Incorporation or Authority and statement of charter purpose). Include as an attachment a list of corporate officers and their titles and the names, addresses and number of shares held by each stockholder.

9. 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

10. Applicant proposes to acquire all of the operating rights now held
(all or part)
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.

11. The reason for the transfer is the proposed retirement of Lavelle's Express
and the opportunity to enhance our present operations in the household
goods moving industry.

12a. The following must be attached:

- Sales Agreement.
- List of equipment to be used to render service. (summarize by type)
- Operating authority to be transferred/retained.
- Statement of Financial Condition.
- Statement of unpaid business debts of transferor and how they will be satisfied. Seller has no unpaid business debts.
- Statement of safety program.
- Statement of transferee's experience.

b. Attach the following, as appropriate (check those attached): N/A - corporation has been
in existence since March 1, 1984.

- Partnership Agreement.
- Trade Name registration certificate.
- Certificate of Incorporation. (Pa. Corporation only)
- Certificate of Authority. (Foreign ((out-of-state)) Corporation only)
- Statement of corporate charter purpose. (corporations only)
- List of corporate officers and stockholders. (corporations only)
- Copy of short form certificate showing date of death of transferor and name of executor or administrator/administratrix.

THIS MUST BE COMPLETED BY NOTARY PUBLIC
AFFIDAVIT OF TRANSFEREE/APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
_____ County :

_____, being duly sworn (affirmed) according to law, deposes and says that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____
day of _____ 19 _____
My Commission Expires _____

Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
Lackawanna _____ County :

Joseph Sparacino, being duly sworn (affirmed) according to law, deposes and says that he is President of Joseph Sparacino Movers, Inc.,
(Office of Affiant) (Name of Corporation)

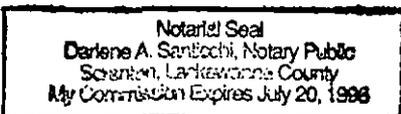
that he is authorized to and does make this affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said Joseph Sparacino Movers, Inc. to be able to prove the same
(Name of Corporation)

the same at the hearing hereof.


Signature of Affiant

Sworn and subscribed before me this 23rd
day of June 19 95
My Commission Expires _____


Signature of Official Administering Oath



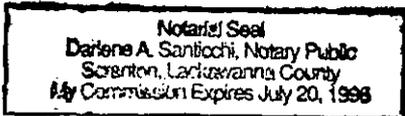
THIS MUST BE COMPLETED BY NOTARY PUBLIC
AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
Luzerne County :

Eugene Lavelle, being duly sworn (affirmed) according to law,
deposes and says that the facts above set forth are true and correct; or are true and correct
to the best of his knowledge, information and belief and he expects to be able to prove the same
at the hearing hereof.

Eugene Lavelle
Signature of Affiant

Sworn and subscribed before me this 23rd
day of June 19 95
My Commission Expires _____



Darlene A. Santicchi Valenza
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEROR/SELLER (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
_____ County :

_____, being duly sworn (affirmed) according to law,
deposes and says that he is _____ of _____;
(Office of Affiant) (Name of Corporation)

that he is authorized to and does make this affidavit for it; and that the facts above set forth
are true and correct; or are true and correct to the best of his knowledge, information and belief
and that he expects the said _____ to be able to prove the
(Name of Corporation)
same at the hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____
day of _____ 19 _____
My Commission expires _____

Signature of Official Administering Oath

LICENSE AGREEMENT

THIS AGREEMENT, made this 8th day of JUNE, 1995, by and between Eugene Lavelle, dba Lavelle's Express, hereinafter referred to as "Seller",

- A N D -

Joseph Sparacino Movers, Inc., hereinafter referred to as "Buyer".

W I T N E S S E T H:

WHEREAS, Seller is the owner of P.U.C. Certificated Number 102#924 issued by the Pennsylvania Utility Commission (P.U.C.); and

WHEREAS, it is the desire of Seller to transfer said Certificate to Buyer under the terms and conditions as hereinafter set forth;

NOW, THEREFORE, in exchange for their mutual promises and in exchange for other good and valuable consideration, the receipt whereof is hereby acknowledged, the parties hereto do hereby agree as follows:

1. For and in consideration of the sum of One Thousand Nine Hundred Dollars (\$1,900.00), Seller agrees to sell and Buyer agrees to buy said Certificate No. 102#924 issued to Seller by the P.U.C set forth in Exhibit "A".

2. The purchase price of the Certificate shall be payable as follows:

(a) One Hundred Dollars (\$100.00) in hand at the signing of this agreement.

(b) The balance of One Thousand Eight Hundred Dollars (\$1,800.00) to be paid to Seller within five (5) days after approval by the P.U.C. of the transfer of Certificate No. 1028924 from Seller to Buyer.

4. In the event that the P.U.C. does not approve the transfer of said Certificate No. 1028924, all obligations between Seller and Buyer shall terminate and the deposit refunded to Buyer.

5. It is expressly understood by the parties hereto that their whole Agreement is embodied in this Agreement and that no part or item is omitted.

6. This agreement shall be binding upon and shall inure to the benefit of the parties hereto, their heirs, successors, administrators and assigns.

IN WITNESS WHEREOF, the parties hereto intending to be legally bound thereby, have hereunto set their hands and seals the day and year first above written.

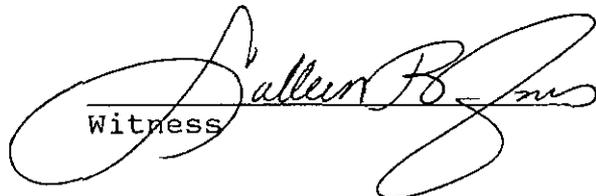
ATTEST:

Eugene Lavelle, dba
Lavelle's Express

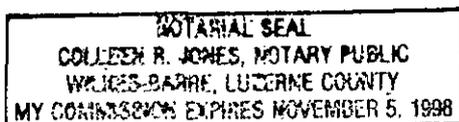

Witness

 (SEAL)

Joseph Sparcino Movers, Inc.


Witness

 (SEAL)



Joseph Sparacino Movers Inc.



-- Distinctive Services --

#6 SOUTH KEYSER AVE. TAYLOR, PENNA 18517
Taylor, (717) 344-7055 Wilkes-Barre (717) 822-5859

CORPORATE EQUIPMENT LIST & CURRENT VALUES

12/31/94

1- MACK TRACTOR	54,250.00
2-TRANSCRAFT TRAILER	18,500.00
3-G.M.C. VAN TRUCK	10,500.00
4-G.M.C. VAN TRUCK	33,000.00
5-FORD VAN TRUCK	25,500.00
6-FORD PICK-UP TRUCK	9,250.00

Rates and provisions named in this tariff, or as amended, are limited in their application on Pennsylvania intrastate commerce to the extent of the operating rights set forth below. Unless specifically provided, the provisions are to be interpreted in the same manner as the Pennsylvania Public Utility Commission interprets the Certificate from which the following is quoted.

Certificate No. A-00102924

To transport, as a Class D carrier, electric motors from the Diamond Electric Company, refrigerators and fixtures from Kline Fixture Company and Automatic Equipment Company and silk machinery from Johnson Silk Machine Company from points in the city of Wilkes-Barre, Luzerne County, to points within twenty (20) miles by the usually traveled highways of the Wilkes-Barre City Hall, and vice versa.

To transport, as a Class C carrier, electric and gas refrigerators and ranges, store equipment and other heavy machinery and equipment from points in the city of Wilkes-Barre, Luzerne County, and within nine (9) miles by the usually traveled highways of the limits of said city to points in Pennsylvania within seventy-five (75) miles by the usually traveled highways, of the limits of said city, and vice versa, provided that no right, power or privilege is granted to transport property to the city of Wilkes-Barre except returned goods.

To transport, as a Class D carrier, property between points in the city of Wilkes-Barre, Luzerne County, and within twenty (20) miles by the usually traveled highways of the Wilkes-Barre City Hall, provided that no right, power or privilege is granted to transport property to or from points within the city of Scranton, Lackawanna County, and/or to or from points south of the line extending east and west of the boroughs of Alberts and Blytheburn.

To transport, as a Class D carrier, household goods and office furnishings, in use, between points in the city of Wilkes-Barre, Luzerne County, and within twenty-five (25) miles, by the usually traveled highways of the Wilkes-Barre City Hall, provided that no right, power or privilege is granted to transport property to or from points within the city of Scranton, Lackawanna County, and/or to or from points south of the line extending east and west of the borough of Alberts and Blytheburn; and from points in the said territory to points in Pennsylvania, and vice versa.

To transport, as a Class D carrier, electric and gas refrigerators and ranges, and electrical machines and store fixtures to be set up or taken down by the certificate holder in connection with the transportation thereof between points in the city of Wilkes-Barre, Luzerne County, and within twenty (20) miles by the usually traveled highways of the Wilkes-Barre City Hall.

To transport, as a Class D carrier, electric and gas refrigerators and ranges, and electrical machines and store fixtures to be set up or taken down by the certificate holder in connection with the transportation thereof from points in the city of Wilkes-Barre, Luzerne County, and within twenty (20) miles by the usually traveled highways of the Wilkes-Barre City Hall to points within one hundred thirty (130) miles by the usually traveled highways of the Wilkes-Barre City Hall, and vice versa.

To transport, as a Class D carrier, property for the Luzerne and Lackawanna Supply Company from its place of business in the city of Wilkes-Barre, Luzerne County, to points in the said city and within sixty (60) miles by the usually traveled highways of the limits thereof, and the return of refused or damaged merchandise.

Abbreviations and reference marks are explained on last page of Tariff.

JOSEPH SPARACINO MOVERS INC.

as of 12/31/94
Date

ASSETS

CURRENT ASSETS

Cash		13,280.00
Accounts Receivable		4,731.00
Notes Receivable		
Other current assets (Specify)		
Total current assets		18,011.00

TANGIBLE ASSETS

Land			
Motor Vehicle Equipment	151,000.00		
Less: Accumulated Depreciation	- 35,400.00	=	115,600.00
Buildings and Structures			
Less: Accumulated Depreciation	-	=	
Investments and Funds (Specify)			
Intangible Assets P.U.C. CERTIFICATE #108084...			3,000.00
Other assets (Such as advances and idle equipment - specify) HANDLING EQUIPT....			10,500.00

LIABILITIES

TTL... 147,111.00 ✓

Current Liabilities (liabilities due within one year of date)

Accounts Payable			
Notes Payable			1,000.00
Equipment Obligations			
Other Liabilities (attach schedule)			
Total Current Liabilities			

TTL... 1,000.00 ✓

Long Term Liabilities (liabilities due after one year of date)

Accounts Payable			
Notes Payable			31,000.00
Equipment Obligations			
Other Liabilities (attach schedule)			
Total Long Term Liabilities			31,000.00

TTL... 32,000.00 ✓

Total Liabilities

Net Worth (partnerships & individuals)

OWNERS EQUITY (Corporations only)

Capital Stock (Corporations only)			96,395.00
Additional paid-in capital			10,000.00
Retained Earnings (Corporations only)	8,716.00		
Less: Treasury Stock	-0-	=	8,716.00
Total Owner's Equity (Corporations only)			112,111.00 (see)

TTL... 147,111.00

Total Liabilities & Owner's Equity
(Corporations only)

STATEMENT OF FINANCIAL CONDITION**INCOME STATEMENT**For the 12-month period ending 12/31/94
(Date)**REVENUE and GAINS**

Operating Revenue	18,355.00
Net Revenue from non-carrier operation	166,025.00
Dividend and Interest revenues	-0-
Other non-operating revenue	-0-
Gains	-0-
Total Revenue and Gains	184,380.00

EXPENSES

Equipment Maintenance and Garage Expense	13,521.00
Insurance Expense	23,401.00
Employee Salaries	21,460.00
Supervisory Salaries	14,882.00
Officer Salaries	
Fuel Expense	10,850.00
Purchased Transportation (Lease Expense)	
Materials and Supplies Expense	14,667.00
General Office Expense	2,440.00
Advertising Expense	1,804.00
Telephone Expense	6,676.00
Accounting Expense	
Legal Expense	
Uncollectible Revenue	
Depreciation Expense	35,900.00
Amortization	
Operating Taxes and Licenses	3,695.00
Rent Expense	25,525.00
Loss	
Total Operating Expense and Losses	174,821.00
Net Income before Taxes	9,559.00
Provision for Income Taxes	300.00
Net Income	9,259.00

Joseph Sparacino Movers Inc.

June 15, 1995

-- *Distinctive Services* --

#6 SOUTH KEYSER AVE. TAYLOR, PENNA 18517
Taylor, (717) 344-7055 Wilkes-Barre (717) 822-5859



++++ SAFETY +++++

Joseph Sparacino Movers, Inc. is completely family owned and operated. Two sons of the president, Joseph Sparacino Sr, drive the equipment in the Household Moving entity. Due to the area restrictions under our present Pa. P.U.C. certificates our household goods operations are primarily of interstate [out of state] moving services. To this end we have consistently complied with all the stringent safety rules of the Interstate Commerce Commission in both vehicle and driver categories. Both sons and their father are physically examined every two years, drug tested, possess CDL qualified driving licenses as required by the bureau. and have successfully driven without a chargeable accident in all our years of operation.

Our vehicles are maintained and repaired in our own shop and are state inspected under Penna. regulatory rules. We have managed to replace aged equipment as required and have inaugurated a line of credit with several national truck repair and tire agencies to service our equipment, if necessary, when intermittent trip distance is demanded.

We subscribe to various publications to keep abreast of new regulatory modifications of in the transportation industry. As a agent for a National Van Line Carrier, we are continuously informed of changes introduced by the Federal Agencies of the D.O.T. We like to credit our dedication to safety precautions as being above the standards advanced by the regulatory agencies as one basis for our competent, perpetual mover services to the public spanning over thirty years, and the preservation of our reputation as a safe, responsible Household Goods Mover.

Sincerely,

J.N. SPARACINO, Pres.

JNS/mm

STATEMENT OF TRANSFEREE'S EXPERIENCE

UNINTERRUPTED AND CONTINUOUS HOUSEHOLD GOODS MOVING SERVICES ✓
IN THE STATE OF PENNSYLVANIA SINCE MARCH 1, 1965.

Commonwealth of Pennsylvania
Department of State

86061129



CERTIFICATE OF INCORPORATION

Office of the Secretary of the Commonwealth

To All to Whom These Presents Shall Come, Greeting:

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

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

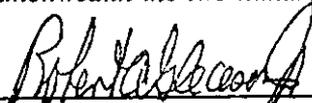
JOSEPH SPARACINO MOVERS, INC.

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

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



Given under my Hand and the Great Seal of the Commonwealth,
at the City of Harrisburg, this 13th day
of January in the year of our
Lord one thousand nine hundred and eighty-six
and of the Commonwealth the two hundred tenth


Secretary of the Commonwealth

PENNSYLVANIA PUBLIC UTILIT COMMISSION

RECEIPT

The addressee named here has paid PA P.U.C. for the following bill

EDWIN UTAN ESQ
800 PENN SECURITY BANK BUILDING
SCRANTON PA 18517

DATE 07/18/95
RECEIPT # 191167

DOCKETED
JUL 19 1995

DOCUMENT
FOLDER

RECEIVED
95 JUL 18 PM 2:14
PA. P. U. C.
INFO. CONTROL DIV.

In re Application of JOSEPH SPARACINO MOVERS INC
A-00108084, F.2.....\$350.00

REVENUE ACCOUNT: 001780-017601-102

CHECK NUMBER: 5549

CHECK AMOUNT: \$350.00

C. Joseph Meisinger
(for Dept. of Revenue)



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

August 25, 1995

EDWIN UTAN
ATTORNEY AT LAW
800 PENN SECURITY BANK BUILDING
142 NORTH WASHINGTON AVENUE
SCRANTON PA 18503

In re: A-00108084, F. 2 - Application of Joseph Sparacino Movers, Inc.

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of Joseph Sparacino Movers, Inc..

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before September 18, 1995.

This application is accepted with the understanding that the transferor will continue to render the service 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.

You are further advised that the above application will be published in the Pennsylvania Bulletin of August 26, 1995.

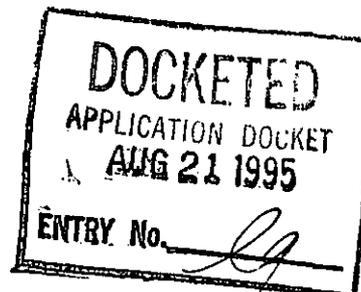
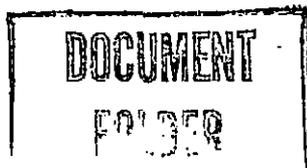
Very truly yours,

Peter S. Marzolf, Supervisor
Application Review Section
Bureau of Transportation & Safety

PSM:lg

cc: Applicant

JOSEPH SPARACINO MOVERS INC
6 SOUTH KEYSER AVENUE
TAYLOR PA 18517



A-00108084, FOLDER 2 JOSEPH SPARACINO MOVERS, INC. (6 South Keyser Avenue, Taylor, Lackawanna County, PA 18517), a corporation of the Commonwealth of Pennsylvania, for the additional right, to transport household goods and office furnishings, in use, between points in the city of Wilkes-Barre, Luzerne County, and within twenty-five (25) miles, by the usually traveled highways of the Wilkes-Barre City Hall, provided that no right, power or privilege is granted to transport property to or from points within the city of Scranton, Lackawanna County, and/or to or from points south of the line extending east and west of the borough of Alberts and Blytheburn; and from points in said territory to points in Pennsylvania, and vice versa; which is to be a transfer of the rights authorized under the certificate issued at A-00102924 to Eugene Lavelle, t/d/b/a Lavelle's Express, subject to the same limitations and conditions. Attorney: Edwin Utan, 800 Penn Security Bank Building, 142 North Washington Avenue, Scranton, PA 18503.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

AUG 26 1995

Published in Pennsylvania Bulletin

BUREAU OF TRANSPORTATION & SAFETY
COMMON CARRIER
August, 1995

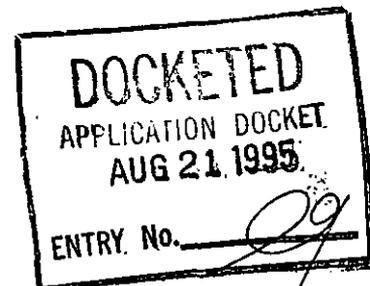
A-00108084

F. 2

Application of Joseph Sparacino Movers, Inc., a corporation of the Commonwealth of Pennsylvania, for the additional right, to transport, as a common carrier, by motor vehicle, household goods and office furnishings, in use, between points in the city of Wilkes-Barre, Luzerne County, and within twenty-five (25) miles, by the usually traveled highways of the Wilkes-Barre City Hall, provided that no right, power or privilege is granted to transport property to or from points within the city of Scranton, Lackawanna County, and/or to or from points south of the line extending east and west of the borough of Alberts and Blytheburn; and from points in the said territory to points in Pennsylvania, and vice versa; which is to be a transfer of the rights authorized under the certificate issued at A-00102924 to Eugene Lavelle, t/d/b/a Lavelle's Express, subject to the same limitations and conditions.

LFK:rn
8/7/95

Application Received: 06/27/95
Application Docketed: 07/12/95



SEP 18 1995

Protests due