

SEE INSTRUCTIONS ON BACK BEFORE PREPARING APPLICATION

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED



In re: Application of Roland T. Barry Transferee

FEB 24 1988

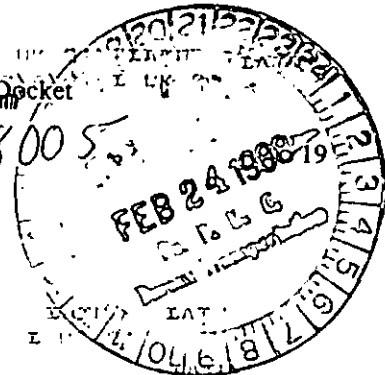
for approval of the transfer and the beginning of the exercise of the right as a

SECRETARY'S OFFICE

Common carrier, described at Docket No. A-0009243 Public Utility Application Docket

No. 108005

Folder No.



Contract - Common

Folder No. issues to Robert N. Fink t/d/b/a for

Frank J. Irvin Transferor

transportation of Property

Persons - Property

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

The application of Roland T. Barry

(Full and correct name of transferee)

respectfully represents.

1. That the business address of applicant is:

451 Orchard Avenue

(Street and number)

Allegheny

(County)

APPL: [Signature]

COMPL: [Signature]

MVIC: [Signature]

CHECKED BY: [Signature]

Bellevue

(City)

Pennsylvania

(State)

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

(Name)

(Address)

3. That applicant is

Individual

(Individual, partnership or corporation)

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

A B C--EZ Moving, Co.

The said trade name Has been registered with the Secretary of the Commonwealth on

(has or has not)

2/19

(Month and day)

19 88

(Year)

and with the Prothonotary of N/A

County

County on N/A

(Month and day)

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

That applicant, if a partnership, attaches hereto, as an exhibit, a copy of the partnership agreement and asserts that the names and addresses of the partners are as follows:

Name City Address County

That applicant, if a corporation, was organized under the laws of the State of _____ and attaches hereto as an exhibit, a statement of its charter purpose. Applicant (if a foreign corporation) qualified to do business in Pennsylvania by registering in the office of the Secretary of the Commonwealth on the _____ day of _____, 19____.

4. That applicant designates Roland T. Barry 451 Orchard Ave., Bellevue, PA as the person upon whom service of any notice, process or order of the Public Utility Commission be made for him or it.

5. That applicant now holds the following certificates of public convenience or permits (include those issued by Interstate Commerce Commission) None

6. That the applicant is 21 years of age or over Yes (Yes) (No)

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

Passenger-carrying vehicles _____

No.

Type of Body

Trucks 1

No.

Tractors _____

Semi-trailers _____

Four-wheel trailers _____

DOCUMENT FOLDER

BEGINNING

DOCKETED APPLICATION DOCKET MAR 07 1988 ENTRY No. [Signature]

Gross Weight

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

ASSETS AND LIABILITIES OF APPLICANT: ✓

ASSETS

Value of Real Estate \$ 80,000.00
Value of Personal Property \$ 30,000.00

LIABILITIES

Amount of Mortgages \$ None
Amount of Judgments \$ None
Amount of Other Liabilities \$ None

9. That applicant now operates as a Common carrier, and submits herewith as Exhibits A and B a Balance Sheet (Statement of Assets and Liabilities) as of 19 , and an Income Statement (Statement of Profit and Loss) for the twelve months ended 19 (See Instructions, Par. 3)

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

11. That applicant proposes to render as a Common carrier by means of motor vehicles, the service authorized in the certificates or permits issued to Robert N. Fink t/d/b/a Frank J. Irvin, as follows: (See instructions, Paragraph 4.) (see attachment No. 1 Paragraph 11)

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

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

14. That the total amount of consideration to be paid is \$10,000.00. That the consideration was determined as follows: Only the portion of its business relating to operating rights.

That the consideration will be paid as follows: A cash downpayment of \$8,000.00 with a separate promissory note with terms for the remainder of balance owed.

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

16. That the following exhibits are attached hereto and made a part hereof: Exhibit C, being a copy of the sales agreement.

Exhibit D, being an itemized statement of the unpaid business debts of transferor and how they will be satisfied.

Exhibit E, being a statement of the gross common carrier intrastate operating revenue of the transferor for each of the past three years.

17. That all General Assessments which have been made against Robert N. Fink t/d/b/a Frank J. Irvin as a common carrier, and as a common carrier pursuant to Section 1201 of the Public Utility Law, have been paid or remittance is made herewith to cover such General Assessment.

18. That Roland L. Barry t/d/b/a A B C-EZ Moving, Co. hereby agrees to assume and pay any General Assessments that may be made, pursuant to Section 1201 of the Public Utility Law, against Robert N. Fink t/d/b/a Frank J. Irvin as a common carrier for any and all operating periods up to the actual date of the approval of transfer of the certificate.

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

WHEREFORE, Transferee and Transferor pray your Honorable Commission to issue a Certificate of public convenience, under the provisions of the Pennsylvania Public Utility Law, evidencing its approval of the right of the transferor to transfer and transferee to begin to exercise the right to operate motor vehicles for the transportation of persons or property as described in Paragraph 11 of this application.

SCHEDULE "A"

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

Name of Manufacturer (1)	Year of Manufacturer (2)	Description					Date Purchased (8)	Condition When Purchased (New or Used) (9)	Original Cost (10)	Cost of Additions Betterments, and Improvements (11)	Total Cost (12)	Depreciation (13)	Total Cost Less Depreciation (14)	Estimated Present Value (15)	Encumbrance (16)
		Type Of Body (3)	Engine Number (4)	Capacity (5)	Manufacturer's Number (6)	Miles Operated (7)									
<p align="center"><i>NONE</i></p>															
Total columns 10 to 16 inclusive															

State 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 (A)	Date of Purchase, Installation or Construction (B)	Original Cost (C)	Depreciation (D)	Original Cost Less Depreciation (E)	Estimated Present Value (F)	Encumbrance (G)
<p align="center"><i>NONE</i></p>						
Total columns C to G inclusive						

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

Transferee sign here ✓

Roland T. Barry
(If partnership each partner must sign)

Signed and date this 18th day of Feb. 19 88

Transferor sign here ✓

Robert N. Fink
(If partnership, each partner must sign)

Signed and dated this 18th day of Feb 19 88

COMMONWEALTH OF PENNSYLVANIA

ss:

COUNTY OF Allegheny

Personally appeared before me, a Notary Public in and for said County and Commonwealth Roland T. Barry who being duly sworn according to law doth depose and say that the facts contained in the foregoing application are true and correct to the best of transferee's knowledge and belief, and that transferee is not now engaged in any intrastate transportation of persons or property for compensation in Pennsylvania (except as authorized by the certificates of public convenience or permits specified in Paragraph 5) and will not engage in the transportation for which approval is herein sought unless and until he shall have received authorization for such transportation.

Sworn to and subscribed before me this 18th day of February, 19 88.

EDWARD A. MROZOWSKI, NOTARY PUBLIC
ROSS TOWNSHIP, ALLEGHENY COUNTY
MY COMMISSION EXPIRES FEB. 2, 1989
Member, Pennsylvania Association of Notaries

Edward A. Mrozowski
(Signature of official authorized to administer oaths)

AFFIDAVIT OF TRANSFEROR

COMMONWEALTH OF PENNSYLVANIA

ss:

COUNTY OF Allegheny

Personally appeared before me, a Notary Public in and for said County and Commonwealth Robert N. Fink who being duly sworn according to law doth depose and say that he is the holder of the certificates of public convenience or permits proposed to be transferred to Roland T. Barry, that the facts as contained in the foregoing application are true and correct to the best of his knowledge and belief.

Sworn to and subscribed before me this 18th day of February, 19 88.

EDWARD A. MROZOWSKI, NOTARY PUBLIC
ROSS TOWNSHIP, ALLEGHENY COUNTY
MY COMMISSION EXPIRES FEB. 2, 1989
Member, Pennsylvania Association of Notaries

Edward A. Mrozowski
(Signature of official authorized to administer oaths)

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

1. A separate application must be filed for each type of service, such as common carrier of persons on schedule; contract carrier of persons; transportation of persons on call or demand; transportation of persons in group and party service; common carrier of property; contract carrier of property.
2. In Paragraph 5, state the number or numbers of any Public Service Commission, Pennsylvania Public Utility Commission, or Interstate Commerce Commission Certificate or Contract Carrier Permit now held by the applicant.
3. The balance sheet referred to in Paragraph 9 should be as of the latest date available and the Income Statement should be for the twelve months ending with the date of the balance sheet.
4. In Paragraph 11, describe service as authorized under the certificates or permits to be transferred, which the applicant proposes to render. If any part of the service is to be omitted, give reasons for such omission.
5. It is not required that applicant be represented by an attorney, unless applicant is a corporation.
6. The original application signed at the place designated, duly verified by affidavit and two copies of same must be filed at the office of the Pennsylvania Public Utility Commission at Harrisburg, Pennsylvania. A filing fee of One Hundred Twenty Five Dollars (\$125.00) is required.
7. If fee is paid by check or post office money order, make same payable to State Treasurer. Checks must be certified.
8. If space provided in form is not sufficient, prepare on separate sheet, attach it to application and give it the same number as question or statement to which it refers.
9. THIS APPLICATION FORM IS ONLY TO BE USED IN APPLYING FOR A TRANSFER OR RIGHTS UNDER EXISTING CERTIFICATES OR PERMITS. No application will be entertained for a transfer of rights which have been canceled or which for other reasons are obsolete.

Certificate No. A-00092431

To transport, as a Class B carrier, household goods, office furnishings and store equipment, in use, between points in the 27th Ward of the City of Pittsburgh and the Boroughs of Bellevue, Avalon, Ben Avon and West View and the Township of Ross, Allegheny County.

To transport, as a Class D carrier, household goods, office furnishings and store equipment, in use, from points in the 27th Ward of the City of Pittsburgh and the Boroughs of Bellevue, Avalon, Ben Avon and West View and the Township of Ross, Allegheny County, to other points in Pennsylvania within seventy-five (75) miles by the usually traveled highways of the City-County Building in the City of Pittsburgh.

To transport, as a Class D carrier, household goods and office furniture, in use, between points in the County of Allegheny.

SALES AGREEMENT

For the total consideration of \$10,000.00, Roland T. Barry agrees to purchase from Robert N. Fink t/d/b/a Frank J. Irvin only the portion of that business relating to its P. U. C. Operating rights. That the consideration will be paid as follows: \$8,000.00 down payment and a separate promissory note with terms for the remainder of the balance owed.

It is the intent of both individuals that the P.U.C. operating rights described in Docket No. A-00092431 registered to Robert N. Fink t/d/b/a Frank J. Irvin be transferred to Roland T. Barry. The sale is contingent upon approval of the transfer by the Pennsylvania Public Utility Commission.

Transferee *Roland T. Barry*
Roland T. Barry

Transferor *Robert N. Fink*
Robert N. Fink

Sworn to and subscribed before me this 18th day of February, 1988

Edward A. Mrozowski

EDWARD A. MROZOWSKI, NOTARY PUBLIC
ROSS TOWNSHIP, ALLEGHENY COUNTY
MY COMMISSION EXPIRES FEB. 2, 1989
Member, Pennsylvania Association of Notaries

EXHIBIT D

UNPAID BUSINESS DEBTS OF TRANSFEROR.

None

EXHIBIT E

STATEMENT OF THE GROSS COMMON CARRIER INTRASTATE OPERATING REVENUE OF TRANSFEROR PAST 3 YEARS.

1985 - \$47,180.00

1986 - \$42,066.00

1987 - \$20,272.00

INSTALLMENT JUDGMENT NOTE

\$ 2,000.00

February 18 1988

For value received, the undersigned, or any one or ones of them, jointly and severally, promise to pay to the order of ROBERT N. FINK of 127 Greenwood Ave., Pittsburgh, Pa. 15202

*(Interest 8% (8.696% APR) per annum) WITH INTEREST WITHOUT DEFALCATION

the sum of Two Thousand and 0/100 DOLLARS (\$2,000.00)

in 24 monthly installments of Ninety & 46/100 DOLLARS (\$90.46)

each, with a final installment of \$ beginning on the 1st day of April 1988.

and continuing on the same day of each and every month thereafter until the full amount of said note is paid AT Maturity

As often as the making of any such installment shall be delayed more than fifteen (15) days beyond the day as herein agreed to be made, the undersigned, or any one or ones of them jointly and severally, in addition to the above sum, promise to pay the holder hereof, at the time of making such delayed payment and on or before the next payment date, the sum of five cents (5¢) per dollar of delayed payment as compensation for damage occasioned by such delay, the total of such compensation not to exceed the amount permitted by law.

Failure to make any payment on this note or upon the death, insolvency or bankruptcy of or by the undersigned or any one or ones of them, shall constitute a default, and the full outstanding balance, at the option of the holder, shall become accelerated and immediately become due and payable.

And further, I ME do hereby empower the Prothonotary or any Attorney of any Court of Record within the United States or elsewhere, to appear for ME ME and with or without declaration filed, confess judgment against ME ME, and in favor of said payee, his executors, administrators or assigns, as of any term for the above sum, with Costs of Suit and Attorney's commission of 15% per cent. for collection and release of all errors, and without stay of execution and inquisition and extension upon any levy is hereby waived, and condemnation agreed to and the exemption of all property from levy and sale on any execution hereon, is also hereby expressly waived, and no benefit of exemption be claimed under and by virtue of any exemption law now in force or which may be hereafter passed.

WITNESS ME hand and seal the day and year first above written.

X [SEAL]

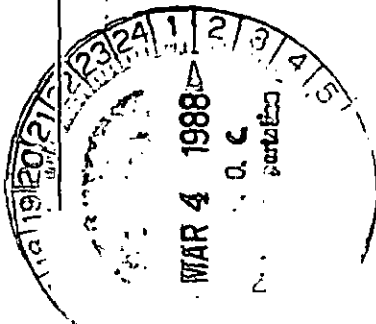
Roland T. Barry

X [SEAL]

X [SEAL]


X [SEAL]

431 Orchard Ave., Pgh. Pa. 15202



SCHEDULE "A"

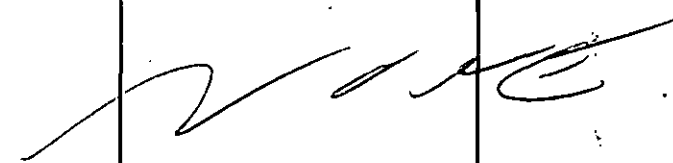
DESCRIPTION OF EACH PASSENGER VEHICLE, TRUCK, TRACTOR, TRAILER, SEMI-TRAILER, TAXICAB OR OTHER MOTOR VEHICLE TO BE TRANSFERRED FROM CERTIFICATE OR PERMIT HOLDER TO APPLICANT

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

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

SCHEDULE "B"

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

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

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

SCHEDULE "C"

STATEMENT OF FINANCIAL CONDITION

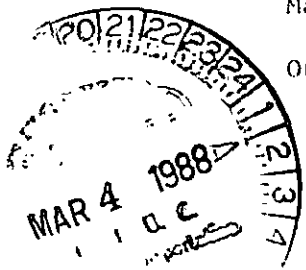
ASSETS

Motor vehicle equipment	\$	<u>3,500.00</u>
Buildings and structures	\$	<u>HOME NOTE 80,000.00</u>
Other property	\$	<u>STOCKS NOTE 20,000.00</u>
Cash	\$	<u>NOTE 15,000.00</u>
Accounts receivable	\$	<u>NOTE</u>
Notes receivable	\$	<u>NOTE</u>
Materials and supplies	\$	<u>500.00</u>
Other assets (attach schedule)	\$	<u>NOTE</u>
Total Assets	\$	<u>4,000.00 + 115,000.00</u>

TOTAL \$119,000.00

LIABILITIES

Mortgages payable	\$	<u>NOTE</u>
Equipment obligations	\$	<u>NOTE</u>
Accounts payable	\$	<u>NOTE</u>
Notes payable	\$	<u>PROMISSORY NOTE 20,000.00 NOTE</u>
Other liabilities (attach schedule)	\$	<u>NOTE</u>
Reserve for depreciation - motor vehicles	\$	<u>NOTE</u>
Reserve for depreciation - buildings & structures	\$	<u>NOTE</u>
Reserve for depreciation - other	\$	<u>NOTE</u>
Net worth (individual or partnership)	\$	<u>NOTE</u>
Capital stock (corporations only)	\$	<u>NOTE</u>
Surplus (corporations only)	\$	<u>NOTE</u>
Total Liabilities	\$	<u>NOTE 2,000.00</u>



TO

Pennsylvania Public Utility Commission
P.O. Box 3265/ Application Section
Harrisburg, PA 17120
Attn. Dave Ehrhart

FROM

DAVID W. FAIR
TRANSPORTATION CONSULTANT
8984 EASTVIEW DRIVE
ALLISON PARK, PA 15101

SUBJECT Application PUC -190 / Roland T. Barry, Transferee

DATE 2/22/88

MESSAGE

Dear Mr. Ehrhart:

Enclosed is the application I talked to you about in our phone conversation last week. If you have any questions on the application or if additional information is required please call me at (412) 366-7317.

A-108005

RECEIVED

SIGNED

David W. Fair

FEB 24 1988

REPLY

SECRETARY'S OFFICE
Public Utility Commission

2/29 talked to Mr. Fair - told him we need copy of promissory note and an expansion of the financial condition.

DOCUMENT FOLDER

John

SIGNED

DATE / /

TO

Francis Walkinshaw
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

FROM

DAVID W. FAIR
TRANSPORTATION CONSULTANT
8984 EASTVIEW DRIVE
ALLISON PARK, PA 15101

SUBJECT Roland T. Barry Transferee Docket No. A-00092431

DATE 3/2/88

MESSAGE

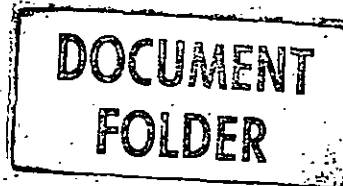
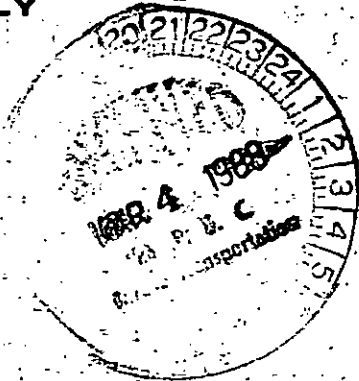
As requested, please find enclosed, Schedule "C" Statement of Financial Condition and the Promissory Note to be included in the application of the above subject transferee.

If you have any questions please call me at (412) 366-7317

A 108005

SIGNED *David W. Fair*

REPLY



SIGNED

DATE / /

REDIFORM 45-471

SEND PARTS 1 AND 3 WITH CARBON INTACT -
PART 3 WILL BE RETURNED WITH REPLY.

POLY-PAK (50 SETS) 4P 471

March 18, 1988

IN REPLY PLEASE
REFER TO OUR FILE

Roland T. Barry
t/d/b/a A B C-EZ Moving Co.
451 Orchard Avenue
Bellvue, PA 15202

In re: A-00108005

Application of Roland T. Barry, t/d/b/a A B C-EZ Moving Co.

Dear Sir:

Acknowledgement is made of an application filed by you for the rights of Robert N. Fink, t/d/b/a Frank J. Irvin.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before April 11, 1988. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that Robert N. Fink, t/d/b/a Frank J. Irvin will continue to render the service covered by his certificate and comply with all the rules of the Commission, including the carrying of continuous insurance, until final disposition is made of the application by the Commission. We wish to emphasize the above as failure to comply with these requirements, will result in the dismissal of the application.

You are further advised that the above application will be published in the Pennsylvania Bulletin of March 19, 1988.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:rs

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
MAR 18 1988
ENTRY No. *[Signature]*

A-0108005 ROLAND T. BARRY, t/d/b/a A B C--EZ Moving Co.. (451 Orchard Avenue, Bellvue, Allegheny County, Pennsylvania 15202) - (1) as a Class B carrier, household goods, office furnishings and store equipment, in use, between points in the 27th Ward of the city of Pittsburgh and the boroughs of Bellvue, Avalon, Ben Avon and West View and the township of Ross, Allegheny County; (2) household goods, office furnishings and store equipment, in use, from points in the 27th Ward of the city of Pittsburgh and the boroughs of Bellvue, Avalon, Ben Avon and West View and the township of Ross, Allegheny County, to other points in Pennsylvania within seventy-five (75) miles by the usually traveled highways of the City-County Building in the city of Pittsburgh; and (3) household goods and office furniture, in use, between points in the county of Allegheny; which is to be a transfer of the rights authorized under the certificate issued at A-00092431 to Robert N. Fink, t/d/b/a Frank J. Irvin, subject to the same limitations and conditions.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

MAR 19 1988

BUREAU OF TRANSPORTATION
COMMON CARRIER
MARCH 1988

A-00108005

Application of Roland T. Barry, t/d/b/a A B C--EZ Moving Co., for the right to begin to transport, as a common carrier, by motor vehicle, (1) as a Class B carrier, household goods, office furnishings and store equipment, in use, between points in the 27th Ward of the city of Pittsburgh and the boroughs of Bellvue, Avalon, Ben Avon and West View and the township of Ross, Allegheny County; (2) household goods, office furnishings and store equipment, in use, from points in the 27th Ward of the city of Pittsburgh and the boroughs of Bellvue, Avalon, Ben Avon and West View and the township of Ross, Allegheny County, to other points in Pennsylvania within seventy-five (75) miles by the usually traveled highways of the City-County Building in the city of Pittsburgh; and (3) household goods and office furniture, in use, between points in the county of Allegheny; which is to be a transfer of the rights authorized under the certificate issued at A-00092431 to Robert N. Fink, t/d/b/a Frank J. Irvin, subject to the same limitations and conditions.

FW:11
3/7/88

Application received: 2/24/88
Application docketed: 3/7/88

NA

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
MAR 18 1988
ENTRY No.

APR 11 1988

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.