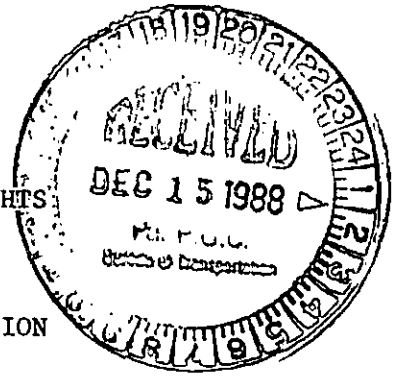


APPLICATION FOR APPROVAL OF TRANSFER
AND EXERCISE OF COMMON OR CONTRACT CARRIER RIGHTS



BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of A. Richard Oliastro, Inc.
(Applicant/Transferee)

for approval of the transfer and to exercise the right

as a Common carrier, described at Docket
common-contract

No. 8442-A-84442, Folder No. _____, issued to

John D. Aiken

Transferor

PUC Use Only	
Docket No.	<u>A-108557</u>
Folder No.	_____

DOCKETED
APPLICATION DOCKET
JAN 24 1989
ENTRY No. MW

**DOCUMENT
FOLDER**

RECEIVED
DEC 15 1988
SECRETARY'S OFFICE
Public Utility Commission

for transportation of Property
persons-property

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

- A. R. Oliastro, Inc.
(Full and correct name of applicant/transferee) **APPL:**
- A. R. Oliastro, Inc.
(Trade name, if any) **COMPL:**
The trade name has been registered with the Secretary of the
(has or has not) **MVIC:**
CHECKED BY MW
Commonwealth on 2/80 (attach copy of stamped registration form).
(date)
- 1690 Windover Avenue P.O. Box 148
(Business Street Address) (P.O. Box, if any)
Ellwood City, Pa. 16117 412-758-5215
City State Zip Telephone
- Applicant's attorney (for this application) is:
Thomas W. Minett, Esq. 780 Longvue Dr. Ellwood City, Pa. 16117 412-758-3639
(Name) (Address) (Telephone)
- Any notice, process or order of the PUC should be served upon:
A. Richard Oliastro P.O. Box 148 Ellwood City, Pa. 16117
(Name) (Address)
Applicant does not hold Pa. PUC authority under Docket
(does or does not)
Number _____ and operates as a _____ carrier.
(common or contract)
- Applicant does not hold Interstate Commerce Commission authority
does or does not

at Docket No. _____

BEGINNING

*1/18
Called atty
Minett got
recording.*

*1/24/89
talked with
Norma in
Oliastro office
there are
none unpaid
business debts.
will send in
statement*

8. Applicant is (check one):

Individual.

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

(Name)

(Address)

Corporation. Organized under the laws of the State of PA. and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on 2/80 (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.

None applicable

CHECKED BY

10. Applicant proposes to acquire all 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.

11. The reason for the transfer is John D. Aiken is retired because of health reasons & we are in need of P.U.C. rights for our business

12. The total amount of consideration to be paid is \$ 1,000.00 and was determined as follows: set by John D. Aiken

and will be paid as follows: Lump sum when transfer is complete

BRIDGING

13. Applicant is financially able to furnish adequate service to the public and submits Schedule "C" as a statement of financial condition.

14. Attach the following, as appropriate (check those attached):

- Sales Agreement. (Required)
- Partnership Agreement.
- Trade Name registration certificate.
- Certificate of Incorporation or Authority.
- Statement of corporate charter purpose.
- List of corporate officers and stockholders.
- List of equipment to be used to render service. (summarize by type)
- Operating authority to be transferred/retained.
- Equipment and other property to be transferred. (Schedules "A" & "B")
- Statement of Financial Condition (Schedule "C")
- Bilateral contract(s), if transferring contract carrier rights.
- Statement of unpaid business debts of transferor and how they will be satisfied.
- Copy of short form certificate showing date of death of transferor and name of executor/trix.

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.

Transferee sign here:
(Corporate Seal)

J. A. R. Oliviero
(each partner must sign)

12-12-88
(Date)

Transferor sign here:
(Corporate Seal)

Joh. G. Aiken

12/12/88

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. It is not required that applicant be represented by an attorney, unless applicant is a corporation.
3. 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 P.O. Box 3265, North Office Building, Harrisburg, PA 17120. A filing fee of One Hundred Twenty Five Dollars (\$125.00) is required and shall be paid by certified check or money order, made payable to the Commonwealth of Pennsylvania.
4. Carriers with Pa. PUC authority need not complete Paragraph 14 - Statement of Financial Condition if its latest Annual Report is on file at the Commission. You need only to reference same.
5. Copies of trade name registration form and certificate of incorporation of authority are not required from currently certificated/permitted carriers.
6. 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.
7. THIS APPLICATION FORM IS ONLY TO BE USED IN APPLYING FOR A TRANSFER OF RIGHTS UNDER EXISTING CERTIFICATES, PERMITS OR LICENSES. No application will be entertained for a transfer of rights which have been canceled or which for other reasons are obsolete.

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:
Law County :

Anthony R. Olastro, being duly sworn (affirmed) according to law, deposes and says that he is PRESIDENT of _____
(Office of Affiant)

A.R. OLIASTRO INC.; that he is authorized to and does make
(Name of Corporation)

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 A.R. OLIASTRO INC.
(Name of Corporation)

to be able to prove the same at the hearing hereof.

Anthony R. Olastro

Signature of Affiant

Sworn and subscribed before me this 18th
day of June 19 88
My Commission Expires Apr 19, 1991

Summali J. [Signature]

Signature of Official Administering Oath

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
 : ss:
Law County :

John W. Aiken, 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.

John W. Aiken
Signature of Affiant

Sworn and subscribed before me this 18th
day of June 19 88
My Commission Expires Apr 19, 1991

[Signature]
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)

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

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

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)	Capa- city (5)	Manufacturer's Number (6)	Miles Operated (7)									
<div style="position: absolute; bottom: 20px; right: 20px;">Total columns 10 to 16 inclusive</div>															

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)
<div style="position: absolute; bottom: 20px; right: 20px;">Total columns C to G inclusive</div>						

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

SCHEDULE "C"

STATEMENT OF FINANCIAL CONDITION

ASSETS

Motor vehicle equipment	\$	<u>84,034.00</u>
Buildings and structures	\$	<u>9,922.00</u>
Other property	\$	<u>194,642.00</u>
Cash	\$	<u>2,910.00</u>
Accounts receivable	\$	<u>44,368.00</u>
Notes receivable	\$	<u>0</u>
Materials and supplies	\$	<u>-0-</u>
Other assets (attach schedule) prepaid expenses	\$	<u>1,803.00</u>
Total Assets	\$	<u>337,679.00</u>

LIABILITIES

Mortgages payable	\$	<u>-0-</u>
Equipment obligations	\$	<u>27,233.00</u>
Accounts payable	\$	<u>17,130.00</u>
Notes payable	\$	<u>21,153.00</u>
Other liabilities (attach schedule) Payroll & Taxes	\$	<u>7,845.00</u>
Reserve for depreciation - motor vehicles	\$	<u></u>
Reserve for depreciation - buildings & structures	\$	<u>258,660</u>
Reserve for depreciation - other	\$	<u></u>
Net worth (individual or partnership)	\$	<u></u>
Capital stock (corporations only)	\$	<u>61,300.00</u>
Surplus (corporations only)	\$	<u>(55,642.00)</u>
Total Liabilities	\$	<u>337,679.00</u>

SALES AGREEMENT

I, John Aiken agree to sell the PUC rights that I
now own to A. R. Oliastro dealing in business as
A. R. Oliastro, Inc. for the amount of One Thousand Dollars
(\$1,000.00). One half (\$500.00) paid as of this date, with the balance
due upon receipt of rights from PUC to A. R. Oliastro Inc.
I guarantee that I have no outstanding liabilities and any that
I should become aware of in the future I agree to pay and save
A. R. Oliastro and A. R. Oliastro, Inc. harmless of these liabilities.

John Aiken

Name

Date

11/14/88

A. R. Oliastro

Name

Date

11-14-88

Filed this 11th day of

February, 1980

COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

CORPORATION BUREAU

Commonwealth of
Pennsylvania
Department of State

/s/ William R. Davis

Articles of
Incorporation—
Domestic Business Corporation

Secretary of the
Commonwealth

In compliance with the requirements of section 204 of the Business Corporation Law, act of May 5, 1933 (P.L. 364) (15 P.S. §1204) the undersigned, desiring to be incorporated as a business corporation, hereby certifies (certify) that:

1. The name of the corporation is: A. R. OLIASTRO, INC.

2. The location and post office address of the initial registered office of the corporation in this Commonwealth is: 1690 Windover Avenue, Ellwood City, Pennsylvania, 16117.

3. The corporation is incorporated under the Business Corporation Law of the Commonwealth of Pennsylvania for the following purpose or purposes: Residential, commercial, and industrial general contracting and hauling. The corporation shall have unlimited power to engage in and to do any lawful act concerning any or all lawful business for which corporations may be organized under the Business Corporation Law of Pennsylvania, as amended.

4. The term for which the corporation is to exist is: perpetual.

5. The aggregate number of shares which the corporation shall have authority to issue is: Three thousand (3,000) shares of par common stock with a stated value of one hundred dollars (\$100.00) per share, or a total stated value of three hundred thousand dollars (\$300,000.00).

6. The name(s) and post office address(es) of each incorporator(s) and the number and class of shares subscribed by such incorporator(s) is (are):

NAME	ADDRESS	NUMBER AND CLASS OF SHARES
Anthony Richard Oliastro	1240D Chapel Drive Ellwood City, Pa.	1 common

IN TESTIMONY WHEREOF, the incorporator(s) has (have) signed and sealed these Articles of Incorporation this 7th day of February, 1980.

Anthony Richard Oliastro (SEAL)
Anthony Richard Oliastro

(SEAL)

(SEAL)

A. R. OLIASTRO, INC.

EXCAVATING & CONSTRUCTION

P.O. BOX 148 · ELLWOOD CITY, PENNSYLVANIA 16117 · PHONE 758-5215 OR 758-4822

December 12, 1988

CORPORATE OFFICERS OF A. R. OLIASTRO, INC.

Anthony Richard Oliastro, Sr. President and Treasurer



A. R. OLIASTRO, INC.

EXCAVATING & CONSTRUCTION

P.O. BOX 148 - ELLWOOD CITY, PENNSYLVANIA 16117 - PHONE 758-5215 OR 758-4822

December 12, 1988

LIST OF EQUIPMENT TO BE USED TO RENDER SERVICE.

1 ton dump truck

1 ton stake body truck

2 Tandem dump trucks

1 Tri-Axle dump truck

1 tractor

1 dump trailer

1 lowboy trailer

1 flatbed trailer

Support equipment: Mechanic tools for repairs

Application Docket No. 84442

Application of JOHN D. AIKEN

REPORT AND ORDER

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of JOHN D. AIKEN, dated April 25, 1957, to operate motor vehicles as a common carrier, and having been duly presented in accordance with the rules of the Commission and full investigation of the matters and things involved having been had, and it appearing that the rights granted herein are in effect a transfer of the rights which have been held by RAYMOND W. BAUGER, under certificate of public convenience issued at A. 45786, Folder 2, on July 15, 1948, which certificate will be subsequently cancelled as of the date of this order upon compliance with the tariff and insurance requirements of the Commission by JOHN D. AIKEN, the Commission finds and determines that approval of the application, limited to the following rights:

To transport, as a Class D carrier, coal from mines or stripping operations in the Counties of Butler, Beaver and Lawrence to railroad sidings or tipples in the said counties, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

To transport, as a Class D carrier, building materials, in bulk in dump trucks, between points in the Counties of Butler, Beaver and Lawrence, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination.

and subject to the following conditions, in necessary or proper for the service, accommodation or convenience of the public:

FIRST: That the certificate holder is limited and restricted to the operation of the motor vehicles as named and described in the equipment certificate, to be subsequently issued.

SECOND: That the approval hereby given is not to be understood as committing the Commission, in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and/or rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.

DOCKETED
APPLICATION DOCKET

RECORDS

THIRD: That the applicant shall not record in his utility accounts any amount representing the rights herein granted, in excess of the actual cost of such rights to the original holder thereof.

FOURTH: That the applicant charge to his proprietorship account \$200 being the amount of the consideration payable by him for the rights, and going concern value attributable thereto, less any amount recorded under condition "3" above.

FIFTH: That the certificate holder shall comply with all the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Revised General Order No. 29, effective July 1, 1939, or as may hereafter be revised, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

NO., to wit, July 22, 1957, IT IS ORDERED: That upon compliance with the requirements of the Public Utility Law relating to insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate of public convenience issue evidencing the Commission's approval of the right to operate as above determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

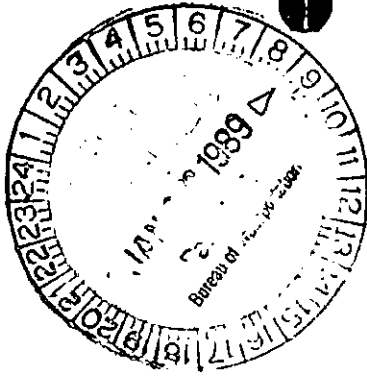
PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Leuschwitz
Chairman

ATTEST:

William P. Roan

Secretary



January 24, 1989

A-108557

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, Pa. 17120

Attn: Marlene Wendt

Re: PUC Transfer: John Aiken/A. R. Oliastro, Inc.

Dear Ms. Wendt,

As per our phone conversation of this date, we are stating that John D. Aiken does not have any unpaid business debts. Mr. Aiken has been in ill health for the past several years and has not conducted any business in that time.

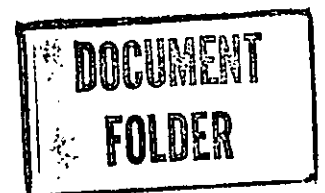
Thank you,

A. Richard Oliastro

A. R. Oliastro, Inc.

A. Richard Oliastro, President

ARO/nm



February 17, 1989

IN REPLY PLEASE
REFER TO OUR FILE

Thomas W. Minett
Attorney at Law
780 Longvue Drive
Ellwood City, PA 16117

In re: A-00108557 - Application of A. R. Oliastro, Inc.

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of A. R. Oliastro, Inc. for the rights of John D. Aiken.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before March 13, 1989. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that John D. Aiken 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.

You are further advised that the above application will be published in the Pennsylvania Bulletin of February 18, 1989.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:rs

cc: Applicant
1690 Windover Avenue
P.O. Box 148
Ellwood City, PA 16117

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
FEB 17 1989
ENTRY No.

A-00108557 A. R. OLIASTRO, INC. (1690 Windover Avenue, P.O. Box 148, Ellwood City, Lawrence County, PA 16117), a corporation of the Commonwealth of Pennsylvania - coal from mines or stripping operations in the counties of Butler, Beaver and Lawrence to railroad sidings or tipples in the said counties, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; and building materials, in bulk in dump trucks, between points in the counties of Butler, Beaver and Lawrence, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; which is to be a transfer of the rights authorized under the certificate issued at A-00084442 to John D. Aiken, subject to the same limitations and conditions. Attorney: Thomas W. Minett, 780 Longvue Drive, Ellwood City, PA 16117.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

FEB 18 1989

BUREAU OF TRANSPORTATION
COMMON CARRIER
FEBRUARY 1989

A-00108557

Application of A. R. Oliastro, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, coal from mines or stripping operations in the counties of Butler, Beaver and Lawrence to railroad sidings or tipples in the said counties, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; and building materials, in bulk in dump trucks, between points in the counties of Butler, Beaver and Lawrence, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; which is to be a transfer of the rights authorized under the certificate issued at A-00084442 to John D. Aiken, subject to the same limitations and conditions.

MW:11
2/6/89

Application received: 12/15/88
Application docketed: 1/24/89

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
FEB 17 1989
ENTRY No. _____

MAR 13 1989

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.

PENNSYLVANIA PUBLIC UTILITY COMMISSION



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.

A. R. Oliastro, Inc.
P.O. Box 148
1690 Windover Ave.
Ellwood City, PA 16117

DOCUMENT
FOLDER

Date March 2, 1989

CR 131661 A

In re application of A. R. Oliastro, Inc.
A-00108557.....\$125.00

DOCKETED
MAR 07 1989

Revenue account 001780-017601-102 (ck)

ck 6382 Checks \$125.00 Currency _____

Utility account _____ 50:26

C. Joseph Meisigner
For Department of Revenue