

OWLETT & LEWIS, P.C.
ATTORNEYS AT LAW

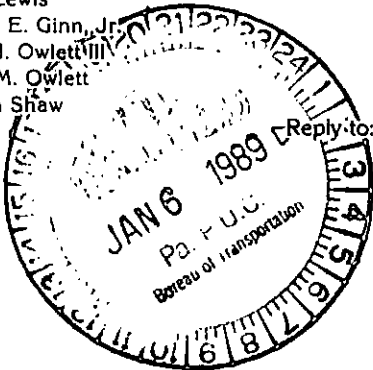
Edwin A. Glover
Edward H. Owlett
John D. Lewis
Raymond E. Ginn, Jr.
Edward H. Owlett III
Thomas M. Owlett
Wm. Alan Shaw

One Charles Street
P.O. Box 878
Wellsboro, Pa. 16901
(717) 724-1000

Elkland Office
102 Main St., P.O. Box 65
Elkland, Pa. 16920
(814) 258-5148

Troy Office
Van Noy Building
16 Canton St.
Troy, Pa. 16947
(717) 297-2096

Wellsboro



January 5, 1989

RECEIVED

JAN 6 1989

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

SECRETARYS OFFICE
Public Utility Commission

A-108518

In Re: PUC Transfer from James E. Ennis, Sr.
and Dorothy E. Ennis d/b/a Ennis Trucking
to James Ennis, Jr.
Docket No. 93650, Folder No. 1
Am-A, Am-B, Am-C

Gentlemen:

Enclosed are the original and two copies of a PUC Application For Approval of Transfer and Exercise of Common or Contract Carrier Rights and our office trust draft in the amount of \$125 for the filing fee. If you have any questions, please contact the undersigned.

Very truly yours,

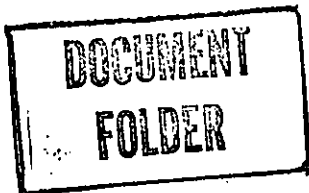
OWLETT & LEWIS, P.C.

BY:

John D. Lewis
John D. Lewis

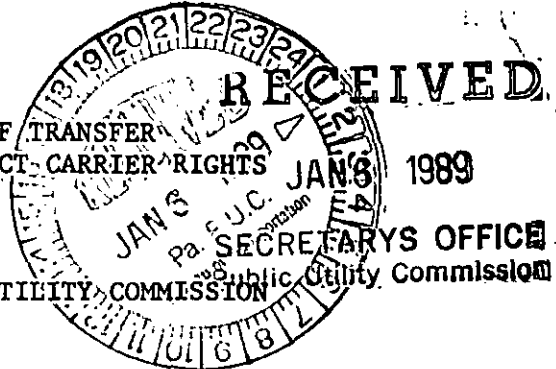
JDL:mjw

Encl.



A-108518

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



BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of James Ennis, Jr.
(Applicant/Transferee)

for approval of the transfer and to exercise the right

as a common carrier, described at Docket
common-contract

No. 93650, Folder No. 1, issued to
Am-A, Am-B, Am-C
James E. Ennis, Sr. and Dorothy E. Ennis,
a partnership, d/b/a Ennis Trucking
Transferor

for transportation of property
persons-property

PUC Use Only
Docket No. A-108518
Folder No. 1

DOCKETED
APPLICATION DOCKET
JAN 24 1989
ENTRY No. Sm

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

- James Ennis, Jr.
(Full and correct name of applicant/transferee)
- Ennis Trucking
(Trade name, if any)

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

Commonwealth on _____ (attach copy of stamped registration form).
(date)

- _____
(Business Street Address) P. O. Box 172
(P.O. Box, if any)
Wysox PA 18854 (717) 265-3504
City State Zip Telephone

- Applicant's attorney (for this application) is: (717) 724-6666
John D. Lewis, Esq. 1 Charles St., Wellsboro, PA 16901
(Name) (Address) (Telephone)

- Any notice, process or order of the PUC should be served upon:
John D. Lewis, Esq. P.O. Box 878, Wellsboro, PA 16901
(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. _____



108518

BEGINNING

APPL. _____
COMPL. _____
MVIC. _____
CHECKED BY _____

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 _____ and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on _____ (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

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 Transfeors wish to retire from the trucking business. Their son, the Transferee, wishes to carry on the family business.

12. The total amount of consideration to be paid is \$ 1.00 and was determined as follows: The transfer is essentially by gift from parents to child, with Transferee paying all costs of transfer and assuming any obligations of Transferors. and will be paid as follows: _____

DIVISION

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)
Exhibit "C" of Sales Agreement
- 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. "NONE"
- 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)

James E. Ennis, Jr. 1-4-89
(each partner must sign) (Date)
James Ennis, Jr.

Transferor sign here:
(Corporate Seal)

James E. Ennis, Sr. 1-4-89
James E. Ennis, Sr.

Dorothy E. Ennis 1-4-89
Dorothy E. Ennis

d/b/a Ennis Trucking

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:
Tioga County :

James Ennis, Jr., 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.

James E. Ennis, Jr.
Signature of Affiant
James Ennis, Jr.

Sworn and subscribed before me this 4th

day of January 1989 Marla J. Wood

My Commission Expires ARIAL SEAL
MARLA J. WOOD, Notary Public
Wellsboro Boro, Tioga County, Pa.
My Commission Expires April 10, 1989

Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (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

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
 :
 : ss:
Tioga County :

James E. Ennis, Sr. and Dorothy E. Ennis, being duly sworn (affirmed) according to law, deposes~~x~~ and says~~x~~ that the facts above set forth are true and correct; or are true and correct to the best of ~~his~~ ^{their} knowledge, information and belief and ~~he~~ ^{they} expects~~x~~ to be able to prove the same at the hearing hereof.

James E. Ennis, Sr.
Signature of Affiant
James E. Ennis, Sr.

Sworn and subscribed before me this 4th day of January 1989

Dorothy E. Ennis
Dorothy E. Ennis

My Commission Expires *Marla J. Wood*

NOTARIAL SEAL
MARLA J. WOOD, Notary Public
Wellsboro Boro, Tioga County, Pa.
My Commission Expires April 10, 1989

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)	Yr 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)									
International	1977	26' Van	345	30,000	D0522EHB16805		USED	\$8815.	(1985) \$3,500	12315.	12315.	NONE	5000.	-0-	
Fruehauf	1972	40' Van trl	None	73,280	MEP308365		USED	5000.	0	5000.	5000.	NONE	4000.	-0-	
Utilimaster	1983	27' Van trl	None	9,500	1KZ602E20 CW003393		USED	2000	0	2000	300.	1,700.	2200.	-0-	
Total columns 10 to 16 inclusive									9515	3500	19315	19315	1700	11,200	-0-

State who is to assume encumbrance and how it will be satisfied None

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)
Misc - Pads - walkboards- dollies	various dates	1500.	1500.	None	750.	-0-
Total columns C to G inclusive						

State who is to assume encumbrance and how it will be satisfied None

FD-150 (3)

SCHEDULE "C"

STATEMENT OF FINANCIAL CONDITION

ASSETS

Motor vehicle equipment	\$	<u>None</u>
Buildings and structures	\$	<u>4,500.00</u>
Other property	\$	<u>None</u>
Cash	\$	<u>1,315.00</u>
Accounts receivable	\$	<u>None</u>
Notes receivable	\$	<u>None</u>
Materials and supplies	\$	<u>1,000.00</u>
Other assets (attach schedule) (see below)	\$	<u>50,500.00</u>
Personal Motor Vehicles		
\$35,500 Total Assets	\$	<u>57,315.00</u>
Household Furnishings		
10,000		
Tools, Shop Equipment		
5,000		

LIABILITIES

Mortgages payable	\$	<u>None</u>
Equipment obligations	\$	<u>None</u>
Accounts payable	\$	<u>None</u>
Notes payable	\$	<u>None</u>
Other liabilities (attach schedule)		
Mastercard Line of Credit	\$	<u>3,500.00</u>
Reserve for depreciation - motor vehicles	\$	<u>None</u>
Reserve for depreciation - buildings & structures	\$	<u>None</u>
Reserve for depreciation - other	\$	<u>None</u>
Net worth (individual or partnership)	\$	<u>53,815.00</u>
Capital stock (corporations only)	\$	<u>N/A</u>
Surplus (corporations only)	\$	<u>N/A</u>
Total Liabilities	\$	<u>3,500.00</u>

A G R E E M E N T

THIS AGREEMENT, made as of the 1st day of January, 1989 between James E. Ennis, Sr. and Dorothy E. Ennis, a partnership t/d/b/a Ennis Trucking (hereinafter called the "Sellers"), P. O. Box 172, Wysox, Pennsylvania 18854;

A N D

James Ennis, Jr., (hereinafter called the "Buyer"), an individual, P. O. Box 172, Wysox, Pennsylvania 18854.

W I T N E S S E T H:

WHEREAS, the Sellers are a common carrier by motor vehicle operating under Certificates of Public Convenience issued by the Pennsylvania Public Utility Commission (hereinafter called the "P.U.C.") which operating authorities as issued by the P.U.C. appear at Docket No. 93650, and various amendments thereto; and a Certificate of Public Convenience and Necessity issued by the Interstate Commerce Commission (hereinafter called the "I.C.C.") which operating authorities issued by the I.C.C. appear at Docket No. MC-9918 and various amendments thereto and which operating authority as issued by the P.U.C. is attached hereto as Exhibit "A" and as issued by the I.C.C. is attached hereto as Exhibit "B"; and

WHEREAS, the Sellers desire and have agreed to sell and transfer to the Buyer and the Buyer desires and has agreed to buy and receive from the Sellers, upon the terms and conditions hereinafter set forth, the assets set forth on Exhibits "A" and "B".

WHEREAS, Sellers are the owners of personal property described in Exhibit "C" hereof; and

WHEREAS, Sellers are the owners of certain cash and accounts receivable; and

WHEREAS, the Sellers desire and have agreed to sell and transfer to the Buyer and the Buyer desires and has agreed to buy and receive from the Sellers upon the terms and conditions hereinafter set forth the assets described on Exhibits "A", "B" and "C" hereof and the cash and accounts receivable as of the effective date of this agreement.

NOW THEREFORE, in consideration of the mutual covenants and promises hereinafter contained and intending to be legally bounded hereby, the parties hereto agree as follows:

1. Sellers agree to sell, transfer or assign to the Buyer and Buyer agrees to purchase or acquire from the Sellers:

(a) all of Sellers' P.U.C. motor carrier operating rights, as more specifically identified in Exhibit "A" hereof (the Certificate of Public Convenience as issued to Sellers by the P.U.C. at Docket No. 93650), together with the business and good will attendant thereto, free and clear of any and all liens, claims and encumbrances of every kind and nature.

(b) all of Sellers' I.C.C. motor carrier operating rights as more specifically identified in Exhibit "B" hereof (the Certificate of Public Convenience and Necessity as issued to Sellers by the I.C.C. at No. MC-9918), together with the business and good will attendant thereto, free and clear of any and all liens, claims and encumbrances of every kind and nature.

(c) All of Sellers' right, title and interest in the personal property described in Exhibit "C" hereof, free and clear of any and all liens, claims and encumbrances of every kind and nature.

2. The purchase price for the assets described in Paragraph 1 (a) (b) and (c) hereof shall be \$1.00 with no other monetary consideration and is to be paid at the time of closing.

3. In order to induce Buyer to enter into this Agreement, and to consummate the transactions herein provided, the Sellers covenant, warrant and represent to the Buyer that:

(a) Exhibits "A" and "B", attached hereto and made a part hereof contain full and correct schedules and descriptions of the certificates and authorities issued to and owned and held by Sellers and that at the date hereof and at the time of the closing hereunder, said certificates and authorities are and will be in full force and effect, in good standing, under no orders of suspension or restraint, subject to no disciplinary, probationary or other orders and free from any pending or threatened proceedings involving revocation, suspension, restraint, disciplinary or any other action whereby any portion of said certificates or authorities may be cancelled, terminated, suspended, impaired, lost or otherwise adversely affected.

(b) Sellers have duly complied with the applicable provision of the Pennsylvania statutes and the applicable Rules and Regulations of the Pennsylvania Public Utility Commission and other regulatory bodies and will continue such compliance until the date of closing.

(c) Sellers have duly complied with the applicable provision of the Federal statutes and the applicable Rules and Regulations of the Interstate Commerce Commission and other regulatory bodies and will continue such compliance until the date of closing.

4. The transfer of Sellers' motor carrier operating rights identified in paragraphs 1(a) and (b) hereof is subject to the prior approval of the Pennsylvania Public Utility Commission and the Interstate Commerce Commission, respectively. Accordingly, promptly following the execution of this Agreement, the parties shall cooperate with one another in the preparation and filing of the necessary applications for the approval of the respective Commissions for the transfer of the motor carrier operating rights identified in paragraphs 1 (a) and (b) hereof. Each party shall prepare and be responsible for the preparation of, any and all documents and data which may be required in connection with the filing of said transfer applications and said applications shall be prosecuted in good faith until their final determination. The expense of furnishing documents, records and other information or preparing filing and prosecuting said transfer application, the expenses of witnesses and legal expenses required in connection therewith, shall be borne as follows:

(a) Buyer will pay for the transfer application and other related expenses for the transfer of the motor carrier operating rights as issued by the Interstate Commerce Commission and by the Pennsylvania Public Utility Commission.

5. In the event that the Pennsylvania Public Utility Commission and the Interstate Commerce Commission, or either of them, shall enter a final Order, refusing to approve the transfer of the Sellers' operating rights identified in paragraphs 1(a) and (b) hereof, or as an incident to approval, shall impose any restriction or restrictions upon the operating authorities as described in paragraphs 1 (a) and (b) hereof not acceptable to Buyer, the effect of which would be to prohibit Buyer from conducting the operations as they have been conducted by Sellers during the past several years, Buyer shall have the right to terminate that portion of this Agreement dealing with the purchase price or consideration for the transfer of that portion of the Sellers' operating rights identified in paragraphs 1(a) or (b) hereof, in which event each of the parties shall thereafter be released from any obligations hereunder.

6. The closing and consummation of this transaction shall be held at the offices of Owlett & Lewis, P.C., One Charles Street, Wellsboro, Pennsylvania, within fifteen (15) days from and after the effective date of the final Orders of the Pennsylvania Public Utility Commission and the Interstate Commerce Commission, or either of them, approving the sale and transfer of Sellers' respective operating rights as identified in paragraphs 1(a) and (b) hereof.

7. The parties hereto agree to execute and deliver each to the other any and all additional instruments, documents, consents and certifications reasonably necessary to give effect to this Agreement, within a reasonable time after demand therefor is made without cost or expense to the party making such demand.

8. This Agreement shall be binding upon and shall inure to the benefit of the respective heirs, legal representatives and assigns of each of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set
their hands and seals the day and year first above written.

~~Ennis Trucking~~

James E. Ennis Sr. (SEAL)
James E. Ennis, Sr., Partner

Dorothy E. Ennis (SEAL)
Dorothy E. Ennis, Partner

James E. Ennis Jr. (SEAL)
James Ennis, Jr.

Application Docket No. 93650

Application of JAMES E. ENNIS, SR., and DOROTHY E. ENNIS,
copartners, trading and doing business as ENNIS TRUCKING

REPORT AND ORDER
APPROVING TRUCKING SERVICE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of JAMES E. ENNIS, SR., and DOROTHY E. ENNIS, copartners, trading and doing business as ENNIS TRUCKING, dated January 20, 1967, 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 S. EUGENE JOHNSON, under report and order issued at A. 79325, Folder 2 on August 3, 1964, and the certificate of public convenience issued thereunder, 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 JAMES E. ENNIS, SR., and DOROTHY E. ENNIS, copartners, trading and doing business as ENNIS TRUCKING, the Commission finds and determines that approval of the application limited to the following rights:

(1)

~~To transport, as a Class D carrier,~~ merchandise from mail-order house outlets of Sears, Roebuck and Company and from retail stores in the Borough of Towanda, Bradford County, to their customers in the said borough and within an airline distance of thirty-five (35) statute miles of the limits of said borough, and the return of rejected, refused or returned merchandise to the point of origin;

~~and subject to the following conditions, is 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 right 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.~~

Exhibit "A"

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

FOURTH: That the \$100 consideration paid by applicant for the right and going concern value of the business be capitalized by applicant in Account 1550 - Other Intangible Property or in the alternative be charged off against applicant's ownership equity, provided the latter is sufficient in amount to absorb said charge off.

FIFTH: That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Revised General Order No. 29, affective 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.

NOW, to wit, May 1, 1967, 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

George L. Bloom
Chairman

ATTEST:

J. W. Richard
Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 93650
Folder 1, Am-A

Application of JAMES E. ENNIS, SR., AND DOROTHY E. ENNIS,
copartners, trading and doing business as ENNIS TRUCKING

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of JAMES E. ENNIS, SR., AND DOROTHY E. ENNIS, copartners, trading and doing business as ENNIS TRUCKING, dated December 27, 1967, for modification of the report and order issued under date of May 1, 1967 and the certificate of public convenience issued thereunder, 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 part of the rights (the remaining right is a duplication of the right presently held by the applicant and is not being transferred) which have been held by DOROTHY E. WENCK, under report and order issued at A. 74620 on September 26, 1949, and the certificate of public convenience issued thereunder, as modified and amended, which certificate will be subsequently cancelled, as of the date of this order, upon compliance with the tariff requirements of the Commission by JAMES E. ENNIS, SR., AND DOROTHY E. ENNIS, copartners, trading and doing business as ENNIS TRUCKING, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE,

NOW, to wit, May 27, 1968, IT IS ORDERED: That the report and order issued under date of May 1, 1967 and the certificate of public convenience issued thereunder, be and is hereby modified and amended so as to include the following right:

(2)

~~To transport, as a Class D carrier, household goods and office furniture and equipment, in use, from points within ten (10) miles by the usually traveled highways of Highway Route 220, between Dushore, Sullivan County, and the New York-Pennsylvania state line, near South Waverly, Bradford County, to points in Pennsylvania, and vice versa.~~

~~subject to the following conditions:~~

~~FIRST: 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 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~~

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

THIRD: That the applicant credit its partnership account with \$950, being the amount the net depreciated book value of the equipment exceeds the consideration payable; plus any amount recorded under condition two above;


IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law, relative to the filing and acceptance of a tariff establishing just and reasonable rates.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:



Chairman



Secretary

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held December 7, 1984

Commissioners Present:

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

Application of James E. Ennis, Sr. and
Dorothy E. Ennis, copartners, t/d/b/a
Ennis Trucking, for amendment to their
common carrier certificate, which grants
the right, inter alia, to transport, by
motor vehicle, household goods and
office furniture and equipment, in use,
from points within ten (10) miles by
the usually traveled highways of
Highway Route 220, between Dushore,
Sullivan County, and the New York-
Pennsylvania state line, near South
Waverly, Bradford County, to points
in Pennsylvania, and vice versa: SO
AS TO PERMIT the transportation of
property, except property in bulk
in tank-type vehicles, between
points in the county of Bradford,
and from points in said county,
to points in Pennsylvania, and
vice versa.

A-00093650
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Raymond Talipski for the applicant.
Campbell, Spitzer, Davis & Turgeon, by James D. Campbell, Jr., for
protestant, New Penn Motor Express.
Pillar and Mulroy, by Sally A. Davoren for protestant, W.H. Christie &
Sons, Inc.
John E. Fullerton for protestants: Roy A. Ayers, Ray Brandt Trucking Co.,
William C. Confer, R.H. Crawford, Inc., R.J. Glass, Inc., Lake Erie
Trucking Co., Powers Trucking Co., and S & L Services, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application
filed on September 15, 1983, and which was published in the Pennsylvania

Bulletin of November 5, 1983. Ten carriers protested but each withdrew based on a restrictive amendment which, (1) limits the overall service for two specifically named shippers, (2) prohibits service from and to certain areas, (3) prohibits service from the facilities of certain shippers and, (4) prohibits service for certain other named shippers.

As amended, the application is without further protest and the record is now certified to the Commission for processing under modified procedure. Verified statements were submitted by the applicant and two shippers.

James E. Ennis, a partner and manager of James E. Ennis, Sr. and Dorothy E. Ennis, copartners, t/d/b/a Ennis Trucking (or applicant), has entered a verified statement setting forth that there is no affiliation of any nature with other carriers. The partnership conducts business from the witnesses' residence at Wysox, Bradford County, from which it dispatches one pickup truck (three quarter ton maximum gross weight) and one van type five ton straight truck.

The witness further states that he, along with other persons employed by the partnership, are knowledgeable of the prescribed safety regulations and adhere to them at all times. The vehicles are inspected on a routine basis and the drivers are properly licensed and instructed to operate in a safe manner. The partnership is not serving the supporting shippers at the present time.

In support of their financial condition, the partners submitted a copy of their 1983 Annual Report which indicates that at year end, they had total assets of \$4,067.50 with total liabilities of \$6,499.24, leaving a deficit in net worth of \$2,431.74. A statement of income for the year indicates that from operating revenues of \$19,926, the partnership incurred expenses of \$20,819, resulting in an operating loss of \$893.

William R. McConnell is procurement manager of the Masonite Corporation's facilities at Wysox, Bradford County, and supports the application. His personal duties include the responsibility for expediting products that are necessary in the company's production process. He requested that the applicant initiate this application.

Masonite Corporation manufactures a broad line of building and construction products such as paneling, siding, hardboard, etc. As pertinent here, other products will be involved, including tile, furniture, electrical equipment, electrical appliances, glass, paper and paper products, lumber, pallets, steel banding tape, hard hats, and any other commodities needed for the production of its products.

The applicants will be used on a weekly basis and will be given a minimum of 500,000 pounds a year, all in less-than-truckload lots. All outbound shipments will originate in Wysox, Bradford County, and will move to points such as Altoona, New Castle, Greensburg, Pittsburgh, Johnstown, Clearfield, St. Mary's, Kane, Warren, Washington, Waynesburg,

State College, Pittston, Harrisburg, Scranton, Williamsport, York, Chambersburg, Lebanon, Wellsboro, Allentown, Reading, Philadelphia, Coatesville, Pottstown, New Milford and Tunkhannock. The applicants' place of business is approximately two miles from Masonite's plant which should allow for good service.

William G. Deck is sales manager for Reliance Universal, Inc., Wysox, Bradford County, and sets forth in a supporting verified statement that the company would use the applicants on a regular weekly basis, resulting in approximately 150,000 pounds of freight per year. The company provides special services to the Masonite Corporation, engaged in the manufacture of industrial coatings. Some of the commodities involved are coatings, rollers, brushes, pans, drip cloths, thinners, etc.

The company's primary needs are for the transportation of inbound freight to the Wysox facility from such points as Allentown, Bethlehem, Easton, Scranton, Wilkes-Barre, Pittsburgh, State College, Danville, Johnstown, Philadelphia, Washington, Lewisburg, Union, Reading and Coatesville. There is a need for outbound service on occasion when products are shipped back to suppliers which do not fall under rejected or damaged merchandise and therefore requires appropriate motor carrier authority. Reliable service is required in order to meet its service obligations to the Masonite Corporation.

DISCUSSION AND FINDINGS

By this application, in its amended form, James E. Ennis, Sr., and Dorothy E. Ennis, copartners, t/d/b/a Ennis Trucking, seek the right to transport property (except in bulk in tank vehicles) for Reliance Universal, Inc., and Masonite Corporation, between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa, subject to various conditions as will be further described hereafter.

Both shippers, Masonite Corporation and Reliance Universal, Inc., support the application and have displayed a need for service in the territory proposed. Masonite has customers located in all corners of the state while Reliance Universal's freight is mostly inbound from suppliers throughout the state. Reliance Universal is allied with Masonite to the extent that it provides a variety of special services to Masonite. Both are located in Bradford County and there is a certain amount of shipping activity between the two plants.

As pertinent to the applicant's fitness, it is obvious that the additional business to be generated from the proposed authority should only enhance the partnership's financial position. At present, the operation is small, having generated revenues of approximately \$21,000 in 1983, from which a loss of \$900 was realized. It could very well be that this additional business could result in a more favorable position.

The proposed authority has been limited to the point where service is to be provided for two specific shippers only, Masonite Corporation and Reliance Universal, which leads us to examine two other conditions that were also imposed by restrictive amendment. One condition would prohibit the transportation of certain products for Hammermill Paper Company and another would prohibit the transportation of certain products for Hodes Industries, Inc. Since the applicant is limited to providing service only for Masonite Corporation and Reliance Universal in the first place, any further restriction against providing service for any other shipper would have no significance and will therefore be deleted from any authority conveyed hereinafter.

We find:

1. That a public need for the service as proposed and amended and hereinafter modified does exist.
 2. That the applicants are fit, ready, willing and able to render the proposed service as amended and modified.
 3. That approval of the application as amended and modified is necessary for the accommodation and convenience of the public;
- THEREFORE,

IT IS ORDERED: That the application be and is hereby approved as amended and modified, and that the certificate issued to the applicants on June 19, 1967, as amended, be further amended to include the following right:

~~To transport, as a Class D carrier,~~⁽³⁾ property, for Masonite Corporation and Reliance Universal, Inc., between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa;

subject to the following conditions:

1. That no right, power or privilege is granted to transport commodities in bulk, in tank or hopper-type vehicles.
2. That no right, power or privilege is granted to transport property from or to points in Erie County.
3. That no right, power or privilege is granted to transport such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses, from or to points in York County.

4. That no right, power or privilege is granted to transport property from the facilities of American Home Foods Division of American Home Products Corporation, located in the township of Turbot and the borough of Milton, Northumberland County.

IT IS FURTHER ORDERED: That the applicants shall not engage in any transportation granted herein until they shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event the applicants have not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the applicants, shall not be construed as conferring more than one operating right.

BY THE COMMISSION,

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: December 7, 1984

ORDER ENTERED: DEC 13 1984

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held December 7, 1984

Commissioners Present:

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

Application of James E. Ennis, Sr., and Dorothy E. Ennis, Copartners, t/d/b/a Ennis Trucking, for amendment to their common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, household goods and office furniture and equipment in use, from points within ten (10) miles by the usually traveled highways of Highway Route 220, between Dushore, Sullivan County, and the New York-Pennsylvania State Line, near South Waverly, Bradford County, to points in Pennsylvania, and vice versa: SO AS TO PERMIT the transportation of (1) household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with the removal, from one location to another; and articles, in use, including objects of art, displays and exhibits which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the county of Bradford, and from points in said county, to points in Pennsylvania, and vice versa; (2) property, (except property in bulk and tank-type vehicles) for the accounts of E. I. Dupont deNemours & Company and GTE Products Corporation,

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F. 1, Am-C

between points in the county of Bradford, and from points in said county, to points in Pennsylvania, and vice versa.

Raymond Talipski for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on May 14, 1984, and published in the Pennsylvania Bulletin of June 30, 1984. There are no protests and the record is now certified to the Commission for its decision without oral hearing. Verified statements were submitted by the applicant and three supporting parties.

The applicant submitted a restrictive amendment with the verified statement pertinent to the authority proposed in Right No. (2) to transport property for the accounts of E. I. Dupont deNemours & Company and GTE Products Corporation. It has deleted E. I. Dupont DeNemours & Company as a shipper and would provide service only for GTE Products Corp.

James E. Ennis, Sr., a partner in Ennis Trucking (or applicant) with his wife, Dorothy E. Ennis, has entered a verified statement setting forth that they conduct business from their place of residence in Wysox, Bradford County, which has a mailing address of P.O. Box 172, Wysox, 18854. They are not affiliated with any other carriers.

The applicants currently hold authority to transport household goods and office furniture and equipment, in use, from points within 10 miles of Highway Route 220 (between Dushore, Sullivan County, and the New York-Pennsylvania State Line) to points in Pennsylvania, and vice versa. There will, consequently, be a very slight duplication of authority if the instant application is approved.

The applicants' operating equipment consists of one pick-up truck and a five ton van type truck. All of the driving is done by the son of the applicants and he is familiar with the safety regulations, both federal and local. The equipment is checked daily and is inspected as required by Pennsylvania law.

In support of their financial condition, the partners submitted a copy of their 1983 annual report which indicates that at year-end, they had total assets of \$4,067.50 with total liabilities of \$6,499.24, leaving a deficit in net worth of \$2,431.74. A statement of income for the year indicates that from operating revenues of \$19,126, the partnership incurred expenses of \$20,819, resulting in an operating loss of \$893.

Reverend William R. Lusk, minister of the United Methodist Church, Lawrenceville, Tioga County, supports the application in the capacity of also being district moving coordinator. He has the responsibility of insuring that fellow ministers receive proper moving service when they are transferred. He will arrange to use the applicants as the need arises. Most loads would consist of five or six rooms of furniture and related items.

The household moves would originate at churches and parsonages located at Bradford County points such as Towanda, Troy, East Smithfield, Big Pond, North Towanda, New Albany, Milan and Ulster, with destinations being any point in Pennsylvania where one of their churches are located. The moving needs are governed by the transfer of clergymen and when such occasions arise, a good, reliable carrier is required.

Billy Dell, an agent for Henry Dunn, Insurance Agent and Real Estate, 317 Main Street, Towanda, Bradford County, supports the application. He sells various kinds of insurance and is also involved in the buying and selling of real estate. While he is responsible to his employer, he states that he also performs as an individual in these functions.

As pertinent here, the witness states that he is knowledgeable with people moving into or out of the Bradford County area, and they often seek his advice concerning reputable moving companies as well as information relating to insurance and real estate. Drawing from his experience, he believes there would be a need for the proposed service approximately 12 times a year from Bradford County points (Towanda, Athens, South Waverly, Monroeton, Big Pond, Wysox, Canton, Troy, LeRaysville) to other points in Bradford County, and throughout Pennsylvania.

Larry C. Chandler is manager of divisional transportation for GTE Products Corporation (GTE or shipper), Hawes Street, Towanda, Bradford County, and has entered a supporting verified statement. He is responsible for obtaining satisfactory transportation services for the plant and is authorized to represent the company in this proceeding.

GTE is engaged in the manufacture and processing of chemicals and metallurgical products with most of its shipping done in less than truckload lots. An estimated 100,000 pounds per year will be available for the applicant. Representative points of destination include Scranton, Wilkes-Barre, Kingston, Philadelphia, Allentown, Easton, Altoona, Johnstown, Pittsburgh, Erie, etc. Points of origin for inbound freight involve most every point in Pennsylvania where its many suppliers are located, including most of the destination points previously cited.

The company needs the proposed service at the Towanda plant to bring about a complete transportation service. It would use the applicants to fill any service gaps that exist.

DISCUSSION AND FINDINGS

By this application, James E. Ennis, Sr., and Dorothy E. Ennis, Copartners, t/d/b/a Ennis Trucking, seek to amend their common carrier certificate so that they will have two additional rights. In the first right, they propose to transport household goods (in the broad form) between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa. The second right would permit the transportation of property for GTE Products Corporation in the same territory. No one has protested the application.

Relative to the right to transport household goods, the applicants are supported by a member of the clergy of the United Methodist Church and an individual involved in the real estate business. We recognize the difficulties that applicants for household moving authority have when attempting to obtain meaningful support and we are consequently resigned to accepting lesser support than we normally would for applications involving industrial or commercial shippers of manufactured goods or property.

We do not imply that the support in this instance has no substance. The witness for the church is assigned the responsibility of coordinating the movement of household goods and personal effects of its ministers from one location to another. Many of the transfers have the potential of involving movements from Bradford County to churches or parsonages throughout the entire state. The Bradford County real estate agent most assuredly is exposed to members of the public who need household goods carriers at one time or another and is at least qualified to testify concerning the extent to which service inquiries are made of him. He estimates that at least 12 household moves a year are made from and to the Bradford County area.

Considering the fact that the focal point of the household goods authority involves only the area of Bradford County, we believe the support generated by the applicants is sufficient to justify public need in the area.

By the second right, the applicants propose to transport property for the account of one shipper, GTE Products Corporation, between points in Bradford County, and from points in that county, to points in Pennsylvania, and vice versa. GTE has demonstrated that its shipping needs to and from its Bradford County plant are indeed of a statewide nature and that it would use the applicants as a back-up carrier to fill service gaps in its shipping program.

We have purposely emphasized the wording, "for the account of" as used in the proposed authority. We do not deem such language appropriate, especially since the needs of GTE are explicit. There are no unusual shipping procedures involved with GTE's traffic, nor are any third

parties involved that might ship for the account of GTE. This terminology will be omitted from any authority granted herein. The applicant will be able to meet all of the transportation needs expressed by GTE if the authority is modified to the extent that property can be transported "for GTE".

Although the applicant partnership's financial condition appears somewhat strained, the additional business realized from the proposed authority should help to improve its position. We believe the applicants are qualified to assume additional authority.

We find:

1. That a public need for the proposed service as amended and modified does exist.

2. That the applicants are fit, ready, willing and able to render the proposed service as amended and modified.

3. That approval of the application as amended and modified, is necessary for the accommodation and convenience of the public;
THEREFORE,

IT IS ORDERED: That the application be and is hereby approved as amended and modified, and that the certificate issued to the applicants on June 19, 1967, as amended, be further amended to include the following rights:

4

1. ~~To transport, as a Class D carrier,~~ household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another; and articles, in use, including objects of art, displays and exhibits which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the county of Bradford, and from points in said county, to points in Pennsylvania, and vice versa.

- (5)
2. ~~To transport, as a Class D carrier, property, for~~ GTE Products Corporation, between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa;

with Right No. 2 above, subject to the following condition:

That no right, power or privilege is granted to transport property in bulk in tank-type vehicles.

IT IS FURTHER ORDERED: That the applicants shall not engage in any transportation granted herein until they shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event the applicants have not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the applicants, shall not be construed as conferring more than one operating right.

BY THE COMMISSION,

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: December 7, 1984

ORDER ENTERED: DEC 20 1984

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY C-15.1

NO. MC 9918*

SERVICE DATE
NOVEMBER 29, 1968

JAMES E. ENNIS, SR. AND DOROTHY E. ENNIS,
A PARTNERSHIP,
DOING BUSINESS AS ENNIS TRUCKING,
WYSOX, PENNSYLVANIA

At a Session of the INTERSTATE COMMERCE COMMISSION, Division 1,
held at its office in Washington, D. C., on the 29th day of
November, A. D. 1968.

AFTER DUE INVESTIGATION, It appearing that the above-named carrier has complied with all applicable provisions of the Interstate Commerce Act, and the requirements, rules, and regulations prescribed thereunder, and, therefore, is entitled to receive authority from this Commission to engage in transportation in interstate or foreign commerce as a motor carrier; and the Commission so finding;

IT IS ORDERED, That the said carrier be, and it is hereby, granted this Certificate of Public Convenience and Necessity as evidence of the authority of the holder to engage in transportation in interstate or foreign commerce as a common carrier by motor vehicle; subject, however, to such terms, conditions, and limitations as are now, or may hereafter be, attached to the exercise of the privileges herein granted to the said carrier.

IT IS FURTHER ORDERED, and is made a condition of this certificate that the holder thereof shall render reasonably continuous and adequate service to the public in pursuance of the authority herein granted, and that failure so to do shall constitute sufficient grounds for suspension, change, or revocation of this certificate.

IT IS FURTHER ORDERED, That the transportation service to be performed by the said carrier in interstate or foreign commerce shall be as specified below:

IRREGULAR ROUTES:

Household goods, as defined by the Commission,

Between Towanda, Pa., and points in Pennsylvania within 20 miles of Towanda, on the one hand, and, on the other, New York, New Jersey, and Maryland.

NO. MC 9918*, SHEET NO. 2

AND IT IS FURTHER ORDERED, That this certificate shall supersede Certificate No. MC 9918, issued December 19, 1950, acquired by the above-named carrier pursuant to MC-FC 70218, and that said certificate be, and it is hereby, canceled.

By the Commission, division 1.

H. NEIL GARSON,
Secretary

(SEAL)

*This certificate embraces the operating rights in the certificate superseded and canceled in the last ordering paragraph above.

INTERSTATE COMMERCE COMMISSION
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NO. MC 9918 SUB 1
JAMES E. ENNIS, SR., AND DOROTHY E. ENNIS
DOING BUSINESS AS ENNIS TRUCKING
WYSOX, PENNSYLVANIA

SERVICE DATE

JAN 27 1984

This Certificate of Public Convenience and Necessity is evidence of the carrier's authority to engage in transportation as a common carrier by motor vehicle.

This authority will become effective only when the carrier has met the compliance requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043), the designation of agents upon whom process may be served (49 CFR 1044), and tariffs or schedules (49 CFR 1300 through 1310, revised). The carrier shall also render reasonably continuous and adequate service to the public. Failure to meet these conditions will constitute sufficient grounds for the suspension, change, or revocation of this authority.

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

~~For common carriers with irregular route authority:~~ Any irregular route authority authorized in this certificate may not be ticked or joined with your other irregular route authority unless joinder is specifically authorized.

The transportation service to be performed is described on the reverse side of this document and will be valid as long as the carrier maintains compliance with the above requirements.

By the Commission.

(SEAL)

James H. Bayne
Acting Secretary

Note: If there are any discrepancies regarding this document please notify the Commission within 30 days.

NO. MC 9918 SUB 1

To operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting general commodities (except classes A and B explosives, household goods, and commodities in bulk), between points in Bradford County, PA, on the one hand, and, on the other, those points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, MN, then along the western boundaries of Itasca and Koochiching Counties, MN to the International Boundary line between the United States and Canada.

Exhibit "C"

1977 International 26' Van
1972 Fruehauf 40' Van Trl
1983 Utilimaster 27' Van Trl

Misc - Pads - walkboards - dollies

Application of JAMES E. ENNIS, SR., and DOROTHY E. ENNIS,
copartners, trading and doing business as ENNIS TRUCKING

REPORT AND ORDER
APPROVING TRUCKING SERVICE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of JAMES E. ENNIS, SR., and DOROTHY E. ENNIS, copartners, trading and doing business as ENNIS TRUCKING, dated January 20, 1967, 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 S. EUGENE JOHNSON, under report and order issued at A. 79325, Folder 2 on August 3, 1964, and the certificate of public convenience issued thereunder, 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 JAMES E. ENNIS, SR., and DOROTHY E. ENNIS, copartners, trading and doing business as ENNIS TRUCKING, the Commission finds and determines that approval of the application limited to the following rights:

To transport, as a Class D carrier, merchandise from mail-order house outlets of Sears, Roebuck and Company and from retail stores in the Borough of Towanda, Bradford County, to their customers in the said borough and within an airline distance of thirty-five (35) statute miles of the limits of said borough, and the return of rejected, refused or returned merchandise to the point of origin;

and subject to the following conditions, is 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 right 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.

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

FOURTH: That the \$100 consideration paid by applicant for the right and going concern value of the business be capitalized by applicant in Account 1550 - Other Intangible Property or in the alternative be charged off against applicant's ownership equity, provided the latter is sufficient in amount to absorb said charge off.

FIFTH: That the certificate holder shall comply with all of the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Revised General Order No. 29, affective 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.

NOW, to wit, May 1, 1967, 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

George L. Bloom
Chairman

ATTEST:

J. W. Richard
Secretary

Application Docket No. 93650
Folder 1, Am-A

Application of JAMES E. ENNIS, SR., AND DOROTHY E. ENNIS,
copartners, trading and doing business as ENNIS TRUCKING

SUPPLEMENTAL REPORT AND ORDER
MODIFYING CERTIFICATE OF PUBLIC CONVENIENCE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of JAMES E. ENNIS, SR., AND DOROTHY E. ENNIS, copartners, trading and doing business as ENNIS TRUCKING, dated December 27, 1967, for modification of the report and order issued under date of May 1, 1967 and the certificate of public convenience issued thereunder, 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 part of the rights (the remaining right is a duplication of the right presently held by the applicant and is not being transferred) which have been held by DOROTHY E. WENCK, under report and order issued at A. 74620 on September 26, 1949, and the certificate of public convenience issued thereunder, as modified and amended, which certificate will be subsequently cancelled, as of the date of this order, upon compliance with the tariff requirements of the Commission by JAMES E. ENNIS, SR., AND DOROTHY E. ENNIS, copartners, trading and doing business as ENNIS TRUCKING, the Commission finds and determines that approval of the proposed modification is necessary or proper for the service, accommodation or convenience of the public; THEREFORE,

NOW, to wit, May 27, 1968, IT IS ORDERED: That the report and order issued under date of May 1, 1967 and the certificate of public convenience issued thereunder, be and is hereby modified and amended so as to include the following right:

To transport, as a Class D carrier, household goods and office furniture and equipment, in use, from points within ten (10) miles by the usually traveled highways of Highway Route 220, between Dushore, Sullivan County, and the New York-Pennsylvania state line, near South Waverly, Bradford County, to points in Pennsylvania, and vice versa.

subject to the following conditions:

FIRST: 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 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

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

THIRD: That the applicant credit its partnership account with \$950, being the amount the net depreciated book value of the equipment exceeds the consideration payable; plus any amount recorded under condition two above;

IT IS FURTHER ORDERED: That the applicant will not be permitted to operate or engage in any transportation granted herein until compliance with the requirements of the Public Utility Law, relative to the filing and acceptance of a tariff establishing just and reasonable rates.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:



Secretary



Chairman

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held December 7, 1984

Commissioners Present:

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

Application of James E. Ennis, Sr. and Dorothy E. Ennis, copartners, t/d/b/a Ennis Trucking, for amendment to their common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, household goods and office furniture and equipment, in use, from points within ten (10) miles by the usually traveled highways of Highway Route 220, between Dushore, Sullivan County, and the New York-Pennsylvania state line, near South Waverly, Bradford County, to points in Pennsylvania, and vice versa: SO AS TO PERMIT the transportation of property, except property in bulk in tank-type vehicles, between points in the county of Bradford, and from points in said county, to points in Pennsylvania, and vice versa.

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Raymond Talipski for the applicant.
Campbell, Spitzer, Davis & Turgeon, by James D. Campbell, Jr., for protestant, New Penn Motor Express.
Pillar and Mulroy, by Sally A. Davoren for protestant, W.H. Christie & Sons, Inc.
John E. Fullerton for protestants: Roy A. Ayers, Ray Brandt Trucking Co., William C. Confer, R.H. Crawford, Inc., R.J. Glass, Inc., Lake Erie Trucking Co., Powers Trucking Co., and S & L Services, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on September 15, 1983, and which was published in the Pennsylvania

Bulletin of November 5, 1983. Ten carriers protested but each withdrew based on a restrictive amendment which, (1) limits the overall service for two specifically named shippers, (2) prohibits service from and to certain areas, (3) prohibits service from the facilities of certain shippers and, (4) prohibits service for certain other named shippers.

As amended, the application is without further protest and the record is now certified to the Commission for processing under modified procedure. Verified statements were submitted by the applicant and two shippers.

James E. Ennis, a partner and manager of James E. Ennis, Sr. and Dorothy E. Ennis, copartners, t/d/b/a Ennis Trucking (or applicant), has entered a verified statement setting forth that there is no affiliation of any nature with other carriers. The partnership conducts business from the witnesses' residence at Wysox, Bradford County, from which it dispatches one pickup truck (three quarter ton maximum gross weight) and one van type five ton straight truck.

The witness further states that he, along with other persons employed by the partnership, are knowledgeable of the prescribed safety regulations and adhere to them at all times. The vehicles are inspected on a routine basis and the drivers are properly licensed and instructed to operate in a safe manner. The partnership is not serving the supporting shippers at the present time.

In support of their financial condition, the partners submitted a copy of their 1983 Annual Report which indicates that at year end, they had total assets of \$4,067.50 with total liabilities of \$6,499.24, leaving a deficit in net worth of \$2,431.74. A statement of income for the year indicates that from operating revenues of \$19,926, the partnership incurred expenses of \$20,819, resulting in an operating loss of \$893.

William R. McConnell is procurement manager of the Masonite Corporation's facilities at Wysox, Bradford County, and supports the application. His personal duties include the responsibility for expediting products that are necessary in the company's production process. He requested that the applicant initiate this application.

Masonite Corporation manufactures a broad line of building and construction products such as paneling, siding, hardboard, etc. As pertinent here, other products will be involved, including tile, furniture, electrical equipment, electrical appliances, glass, paper and paper products, lumber, pallets, steel banding tape, hard hats, and any other commodities needed for the production of its products.

The applicants will be used on a weekly basis and will be given a minimum of 500,000 pounds a year, all in less-than-truckload lots. All outbound shipments will originate in Wysox, Bradford County, and will move to points such as Altoona, New Castle, Greensburg, Pittsburgh, Johnstown, Clearfield, St. Mary's, Kane, Warren, Washington, Waynesburg,

State College, Pittston, Harrisburg, Scranton, Williamsport, York, Chambersburg, Lebanon, Wellsboro, Allentown, Reading, Philadelphia, Coatesville, Pottstown, New Milford and Tunkhannock. The applicants' place of business is approximately two miles from Masonite's plant which should allow for good service.

William G. Deck is sales manager for Reliance Universal, Inc., Wysox, Bradford County, and sets forth in a supporting verified statement that the company would use the applicants on a regular weekly basis, resulting in approximately 150,000 pounds of freight per year. The company provides special services to the Masonite Corporation, engaged in the manufacture of industrial coatings. Some of the commodities involved are coatings, rollers, brushes, pans, drip cloths, thinners, etc.

The company's primary needs are for the transportation of inbound freight to the Wysox facility from such points as Allentown, Bethlehem, Easton, Scranton, Wilkes-Barre, Pittsburgh, State College, Danville, Johnstown, Philadelphia, Washington, Lewisburg, Union, Reading and Coatesville. There is a need for outbound service on occasion when products are shipped back to suppliers which do not fall under rejected or damaged merchandise and therefore requires appropriate motor carrier authority. Reliable service is required in order to meet its service obligations to the Masonite Corporation.

DISCUSSION AND FINDINGS

By this application, in its amended form, James E. Ennis, Sr., and Dorothy E. Ennis, copartners, t/d/b/a Ennis Trucking, seek the right to transport property (except in bulk in tank vehicles) for Reliance Universal, Inc., and Masonite Corporation, between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa, subject to various conditions as will be further described hereafter.

Both shippers, Masonite Corporation and Reliance Universal, Inc., support the application and have displayed a need for service in the territory proposed. Masonite has customers located in all corners of the state while Reliance Universal's freight is mostly inbound from suppliers throughout the state. Reliance Universal is allied with Masonite to the extent that it provides a variety of special services to Masonite. Both are located in Bradford County and there is a certain amount of shipping activity between the two plants.

As pertinent to the applicant's fitness, it is obvious that the additional business to be generated from the proposed authority should only enhance the partnership's financial position. At present, the operation is small, having generated revenues of approximately \$21,000 in 1983, from which a loss of \$900 was realized. It could very well be that this additional business could result in a more favorable position.

The proposed authority has been limited to the point where service is to be provided for two specific shippers only, Masonite Corporation and Reliance Universal, which leads us to examine two other conditions that were also imposed by restrictive amendment. One condition would prohibit the transportation of certain products for Hammermill Paper Company and another would prohibit the transportation of certain products for Hodes Industries, Inc. Since the applicant is limited to providing service only for Masonite Corporation and Reliance Universal in the first place, any further restriction against providing service for any other shipper would have no significance and will therefore be deleted from any authority conveyed hereinafter.

We find:

1. That a public need for the service as proposed and amended and hereinafter modified does exist.
 2. That the applicants are fit, ready, willing and able to render the proposed service as amended and modified.
 3. That approval of the application as amended and modified is necessary for the accommodation and convenience of the public;
- THEREFORE,

IT IS ORDERED: That the application be and is hereby approved as amended and modified, and that the certificate issued to the applicants on June 19, 1967, as amended, be further amended to include the following right:

To transport, as a Class D carrier, property, for Masonite Corporation and Reliance Universal, Inc., between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa;

subject to the following conditions:

1. That no right, power or privilege is granted to transport commodities in bulk, in tank or hopper-type vehicles.
2. That no right, power or privilege is granted to transport property from or to points in Erie County.
3. That no right, power or privilege is granted to transport such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses, from or to points in York County.

4. That no right, power or privilege is granted to transport property from the facilities of American Home Foods Division of American Home Products Corporation, located in the township of Turbot and the borough of Milton, Northumberland County.

IT IS FURTHER ORDERED: That the applicants shall not engage in any transportation granted herein until they shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event the applicants have not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That the authority granted herein to the extent that it duplicates authority now held by or subsequently granted to the applicants, shall not be construed as conferring more than one operating right.

BY THE COMMISSION,

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: December 7, 1984

ORDER ENTERED: DEC 13 1984

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held December 7, 1984

Commissioners Present:

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

Application of James E. Ennis, Sr., and Dorothy E. Ennis, Copartners, t/d/b/a Ennis Trucking, for amendment to their common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, household goods and office furniture and equipment in use, from points within ten (10) miles by the usually traveled highways of Highway Route 220, between Dushore, Sullivan County, and the New York-Pennsylvania State Line, near South Waverly, Bradford County, to points in Pennsylvania, and vice versa: SO AS TO PERMIT the transportation of (1) household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and property of stores, offices, museums, institutions, hospitals or other establishments when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with the removal, from one location to another; and articles, in use, including objects of art, displays and exhibits which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the county of Bradford, and from points in said county, to points in Pennsylvania, and vice versa; (2) property, (except property in bulk and tank-type vehicles) for the accounts of E. I. Dupont deNemours & Company and GTE Products Corporation,

A-00093650
F. 1, Am-C

between points in the county of Bradford, and from points in said county, to points, in Pennsylvania, and vice versa.

Raymond Talipski for the applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission by an application filed on May 14, 1984, and published in the Pennsylvania Bulletin of June 30, 1984. There are no protests and the record is now certified to the Commission for its decision without oral hearing. Verified statements were submitted by the applicant and three supporting parties.

The applicant submitted a restrictive amendment with the verified statement pertinent to the authority proposed in Right No. (2) to transport property for the accounts of E. I. Dupont deNemours & Company and GTE Products Corporation. It has deleted E. I. Dupont DeNemours & Company as a shipper and would provide service only for GTE Products Corp.

James E. Ennis, Sr., a partner in Ennis Trucking (or applicant) with his wife, Dorothy E. Ennis, has entered a verified statement setting forth that they conduct business from their place of residence in Wysox, Bradford County, which has a mailing address of P.O. Box 172, Wysox, 18854. They are not affiliated with any other carriers.

The applicants currently hold authority to transport household goods and office furniture and equipment, in use, from points within 10 miles of Highway Route 220 (between Dushore, Sullivan County, and the New York-Pennsylvania State Line) to points in Pennsylvania, and vice versa. There will, consequently, be a very slight duplication of authority if the instant application is approved.

The applicants' operating equipment consists of one pick-up truck and a five ton vantage truck. All of the driving is done by the son of the applicants and he is familiar with the safety regulations, both federal and local. The equipment is checked daily and is inspected as required by Pennsylvania law.

In support of their financial condition, the partners submitted a copy of their 1983 annual report which indicates that at year-end, they had total assets of \$4,067.50 with total liabilities of \$6,499.24, leaving a deficit in net worth of \$2,431.74. A statement of income for the year indicates that from operating revenues of \$19,126, the partnership incurred expenses of \$20,819, resulting in an operating loss of \$893.

Reverend William R. Lusk, minister of the United Methodist Church, Lawrenceville, Tioga County, supports the application in the capacity of also being district moving coordinator. He has the responsibility of insuring that fellow ministers receive proper moving service when they are transferred. He will arrange to use the applicants as the need arises. Most loads would consist of five or six rooms of furniture and related items.

The household moves would originate at churches and parsonages located at Bradford County points such as Towanda, Troy, East Smithfield, Big Pond, North Towanda, New Albany, Milan and Ulster, with destinations being any point in Pennsylvania where one of their churches are located. The moving needs are governed by the transfer of clergymen and when such occasions arise, a good, reliable carrier is required.

Billy Dell, an agent for Henry Dunn, Insurance Agent and Real Estate, 317 Main Street, Towanda, Bradford County, supports the application. He sells various kinds of insurance and is also involved in the buying and selling of real estate. While he is responsible to his employer, he states that he also performs as an individual in these functions.

As pertinent here, the witness states that he is knowledgeable with people moving into or out of the Bradford County area, and they often seek his advice concerning reputable moving companies as well as information relating to insurance and real estate. Drawing from his experience, he believes there would be a need for the proposed service approximately 12 times a year from Bradford County points (Towanda, Athens, South Waverly, Monroeton, Big Pond, Wysox, Canton, Troy, LeRaysville) to other points in Bradford County, and throughout Pennsylvania.

Larry C. Chandler is manager of divisional transportation for GTE Products Corporation (GTE or shipper), Hawes Street, Towanda, Bradford County, and has entered a supporting verified statement. He is responsible for obtaining satisfactory transportation services for the plant and is authorized to represent the company in this proceeding.

GTE is engaged in the manufacture and processing of chemicals and metallurgical products with most of its shipping done in less than truckload lots. An estimated 100,000 pounds per year will be available for the applicant. Representative points of destination include Scranton, Wilkes-Barre, Kingston, Philadelphia, Allentown, Easton, Altoona, Johnstown, Pittsburgh, Erie, etc. Points of origin for inbound freight involve most every point in Pennsylvania where its many suppliers are located, including most of the destination points previously cited.

The company needs the proposed service at the Towanda plant to bring about a complete transportation service. It would use the applicants to fill any service gaps that exist.

DISCUSSION AND FINDINGS

By this application, James E. Ennis, Sr., and Dorothy E. Ennis, Copartners, t/d/b/a Ennis Trucking, seek to amend their common carrier certificate so that they will have two additional rights. In the first right, they propose to transport household goods (in the broad form) between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa. The second right would permit the transportation of property for GTE Products Corporation in the same territory. No one has protested the application.

Relative to the right to transport household goods, the applicants are supported by a member of the clergy of the United Methodist Church and an individual involved in the real estate business. We recognize the difficulties that applicants for household moving authority have when attempting to obtain meaningful support and we are consequently resigned to accepting lesser support than we normally would for applications involving industrial or commercial shippers of manufactured goods or property.

We do not imply that the support in this instance has no substance. The witness for the church is assigned the responsibility of coordinating the movement of household goods and personal effects of its ministers from one location to another. Many of the transfers have the potential of involving movements from Bradford County to churches or parsonages throughout the entire state. The Bradford County real estate agent most assuredly is exposed to members of the public who need household goods carriers at one time or another and is at least qualified to testify concerning the extent to which service inquiries are made of him. He estimates that at least 12 household moves a year are made from and to the Bradford County area.

Considering the fact that the focal point of the household goods authority involves only the area of Bradford County, we believe the support generated by the applicants is sufficient to justify public need in the area.

By the second right, the applicants propose to transport property for the account of one shipper, GTE Products Corporation, between points in Bradford County, and from points in that county, to points in Pennsylvania, and vice versa. GTE has demonstrated that its shipping needs to and from its Bradford County plant are indeed of a statewide nature and that it would use the applicants as a back-up carrier to fill service gaps in its shipping program.

We have purposely emphasized the wording, "for the account of" as used in the proposed authority. We do not deem such language appropriate, especially since the needs of GTE are explicit. There are no unusual shipping procedures involved with GTE's traffic, nor are any third

parties involved that might ship for the account of GTE. This terminology will be omitted from any authority granted herein. The applicant will be able to meet all of the transportation needs expressed by GTE if the authority is modified to the extent that property can be transported "for GTE".

Although the applicant partnership's financial condition appears somewhat strained, the additional business realized from the proposed authority should help to improve its position. We believe the applicants are qualified to assume additional authority.

We find:

1. That a public need for the proposed service as amended and modified does exist.
2. That the applicants are fit, ready, willing and able to render the proposed service as amended and modified.
3. That approval of the application as amended and modified, is necessary for the accommodation and convenience of the public;
THEREFORE,

IT IS ORDERED: That the application be and is hereby approved as amended and modified, and that the certificate issued to the applicants on June 19, 1967, as amended, be further amended to include the following rights:

1. To transport, as a Class D carrier, household goods, personal effects and property used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and property of stores, offices, museums, institutions, hospitals or other establishments, when a part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with a removal from one location to another; and articles, in use, including objects of art, displays and exhibits which, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the county of Bradford, and from points in said county, to points in Pennsylvania, and vice versa.

2. To transport, as a Class D carrier, property, for GTE Products Corporation, between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa;

with Right No. 2 above, subject to the following condition:

That no right, power or privilege is granted to transport property in bulk in tank-type vehicles.

IT IS FURTHER ORDERED: That the applicants shall not engage in any transportation granted herein until they shall have complied with the requirements of the Pennsylvania Public Utility Code and the rules and regulations of the Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event the applicants have not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the applicants, shall not be construed as conferring more than one operating right.

BY THE COMMISSION,

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: December 7, 1984

ORDER ENTERED: DEC 20 1984

February 10, 1989

IN REPLY PLEASE
REFER TO OUR FILE

John D. Lewis
Attorney at Law
1 Charles Street
Wellsboro, PA 16901

In re: A-00108518 - Application of James Ennis, Jr., t/d/b/a Ennis
Trucking

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of James Ennis, Jr., t/d/b/a Ennis Trucking for the rights of James E. Ennis, Sr. and Dorothy E. Ennis, Copartners, t/d/b/a Ennis Trucking.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before March 6, 1989. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that James E. Ennis, Sr. and Dorothy E. Ennis, Copartners, t/d/b/a Ennis Trucking will continue to render the service covered by their 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.

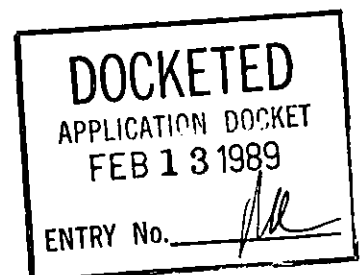
You are further advised that the above application will be published in the Pennsylvania Bulletin of February 11, 1989.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:11

cc: Applicant
P.O. Box 172
Wysox, PA 18854



A-00108518 JAMES ENNIS, JR. t/d/b/a Ennis Trucking (P.O. Box 172, Wysox, Bradford County, PA 18854) - (1) merchandise from mail-order house outlets of Sears, Roebuck and Company and from retail stores in the borough of Towanda, Bradford County, to their customers in the said borough and within an airline distance of thirty-five (35) statute miles of the limits of said borough, and the return of rejected, refused or returned merchandise to the point of origin; (2) household goods and office furniture and equipment, in use, from points within ten (10) miles by the usually traveled highways of Highway Route 220, between Dushore, Sullivan County, and the New York-Pennsylvania State Line, near South Waverly, Bradford County, to points in Pennsylvania, and vice versa; (3) property, for Masonite Corporation and Reliance Universal, Inc., between points in Bradford County, and from points in said county 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, in tank or hopper-type vehicles; That right, power or privilege is granted to transport property from or to points in Erie County; and That no right, power or privilege is granted to transport such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses, from or to points in York County; and That no right, power or privilege is granted to transport property from the facilities of American Home Foods Division of American Home Products Corporation, located in the township of Turbot and the borough of Milton, Northumberland County; (4) household goods, personal effects used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of the removal by the householder from one domicile to another; furniture, fixtures, equipment and property of stores, offices, museums, institutions, hospitals or other establishments, when part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with the removal from one location to another; and articles, in use, including objects of art, displays and exhibits, because of their unusual nature or value, require specialized handling and equipment usually employed in moving household goods, between points in the county of Bradford, and from points in said county, to points in Pennsylvania, and vice versa; and (5) property, for GTE Products Corporation, between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa; with Right No. 5 above subject to the following condition: That no right, power or privilege is granted to transport property in bulk, in tank hopper-type vehicles; which is to be a transfer of the rights authorized under the certificate issued at A-00093650, to James E. Ennis, Sr., and Dorothy E. Ennis, copartners, t/d/b/a/ Ennis Trucking, subject to the same limitations and conditions. Attorney: John D. Lewis, 1 Charles Street, Wellsboro, PA 16901.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

FEB 11 1989

DATE _____

SERVICE _____

BUREAU OF TRANSPORTATION
COMMON CARRIER
JANUARY 1989

A-00108518

Application of James Ennis, Jr., t/d/b/a Ennis Trucking, for the right to begin to transport, as a common carrier, by motor vehicle, (1) merchandise from mail-order house outlets of Sears, Roebuck and Company and from retail stores in the borough of Towanda, Bradford County, to their customers in the said borough and within an airline distance of thirty-five (35) statute miles of the limits of said borough, and the return of rejected, refused or returned merchandise to the point of origin; (2) household goods and office furniture and equipment, in use, from points within ten (10) miles by the usually traveled highways of Highway Route 220, between Dushore, Sullivan County, and the New York-Pennsylvania State Line, near South Waverly, Bradford County, to points in Pennsylvania, and vice versa; (3) property, for Masonite Corporation and Reliance Universal, Inc., between points in Bradford County, and from points in said county 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, in tank or hopper-type vehicles; That right, power or privilege is granted to transport property from or to points in Erie County; and That no right, power or privilege is granted to transport such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses, from or to points in York County; and That no right, power or privilege is granted to transport property from the facilities of American Home Foods Division of American Home Products Corporation, located in the township of Turbot and the borough of Milton, Northumberland County; (4) household goods, personal effects used or to be used in a dwelling when a part of the furnishings, equipment or supplies of such dwelling as an incidental part of the removal by the householder from one domicile to another; furniture, fixtures, equipment and property of stores, offices, museums, institutions, hospitals or other establishments, when part of the stock, equipment or supply of such stores, offices, museums, institutions, hospitals or other establishments, in connection with the removal from one location to another; and articles, in use, including objects of art, displays and exhibits, because of their unusual nature or value,

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
FEB 13 1989
ENTRY No.

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.

MAR - 6 1989

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____ SERVICE _____

require specialized handling and equipment usually employed in moving household goods, between points in the county of Bradford, and from points in said county, to points in Pennsylvania, and vice versa; and (5) property, for GTE Products Corporation, between points in Bradford County, and from points in said county, to points in Pennsylvania, and vice versa; with Right No. 5 above subject to the following condition: That no right, power or privilege is granted to transport property in bulk, in tank hopper-type vehicles; which is to be a transfer of the rights authorized under the certificate issued at A-00093650, to James E. Ennis, Sr., and Dorothy E. Ennis, copartners, t/d/b/a/ Ennis Trucking, subject to the same limitations and conditions.

LM:kmb

1/24/89

Application received: 1/6/89

Application docketed: 1/10/89

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.

John D. Lewis
One Charles St.
P.O. Box 878
Wellsboro, PA 16901

Date March 3, 1989

CR 131690 A

COPIES
FOLDER

In re application of James Ennis, Jr.,
t/a Ennis Trucking
A-00108518.....\$125.00

DOCKETED
MAR 09 1989

Revenue account 001780-017601-102 (ek)

256 Checks \$125.00 Currency _____

Utility account 50126

C. Joseph Meisinger
For Department of Revenue