

CALDWELL & KEARNS

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

3631 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17110-1533

717-232-7661
FAX: 717-232-2766

THOMAS D. CALDWELL, JR.
RICHARD L. KEARNS
CARL G. WASS
JAMES R. CLIPPINGER
CHARLES J. DEHART, III
JAMES D. CAMPBELL, JR.
JAMES L. GOLDSMITH
RICHARD B. SWARTZ
JAMES G. NEALON, III
MATTHEW R. GOVER

July 26, 1991

Jerry Rich, Secretary
Pennsylvania Public
Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

RECEIVED
JUL 26 1991
SECRETARY'S OFFICE
Public Utility Commission

A-109874

Re: Application of Jet Messenger Service, Inc.

Dear Secretary Rich:

Please find enclosed herewith the original and two copies of an Application filed by the above named carrier. Our check in the sum of \$350.00 is enclosed to cover the filing fee.

Sincerely,



James D. Campbell, Jr.
CALDWELL & KEARNS

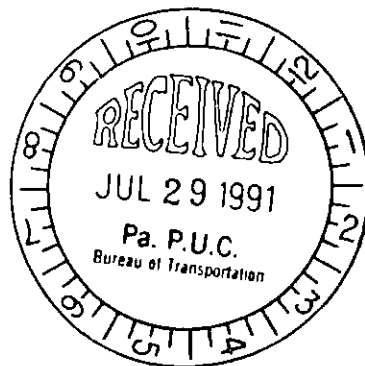
JDCJr/nd
Enclosure

cc: Lawrence J. Day

RECEIVED

JUL 26 1991

SECRETARY'S OFFICE
Public Utility Commission



DOCUMENT
FOLDER

RECEIVED

JUL 26 1991

SECRETARYS OFFICE
Public Utility Commission

BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of
JET MESSENGER SERVICE, INC.

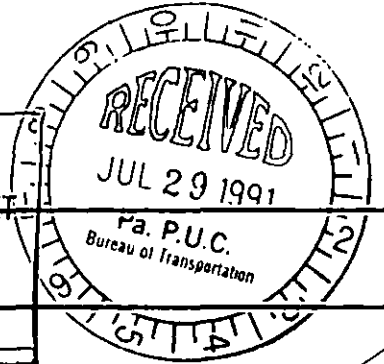
APPLICATION DOCKET
No. A-109874
Folder No.

for a certificate of public convenience or a permit
evidencing the Commission's approval of the right and
privilege of operating motor vehicles as a motor
carrier for the transportation of **PROPERTY**.

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

- JET MESSENGER SERVICE, INC.
(Full and correct name of applicant)
- N/A
(Trade name, if any)

DOCKETED
APPLICATION DOCKET
AUG 2⁴ 1991
ENTRY No. MW



The trade name N/A been registered with the Secretary of the Commonwealth (has or has not)

Commonwealth on N/A attach copy of stamped registration form).
(date)

COMPL.
MVIC.

- 54 Ethel Road
(Business Street Address)

**DOCUMENT
FOLDER**

CHECKED BY MW
(P.O. Box, if any)

Edison (Middlesex) NJ 08817 (908) 287-5600
(City) (County) (State) (Zip) (Telephone)

- Applicant's attorney (for this application) is:
James D. Campbell, Jr., 3631 North Front St., Harrisburg, PA 17110
(Name) (Address) (Telephone) (717) 232-7661

- Any notice, process or order of the PUC should be served upon:
James D. Campbell, Jr., 3631 North Front St., Harrisburg, PA 17110 (717) 232-7661
(Name) (Address)

- Applicant does not hold Pa. PUC authority under Docket No. _____
(does or does not)

and operates as a _____ carrier.
(common or contract)

BEGINNING

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

at Docket No. MC-124423

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 New Jersey and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on filed contemporaneously* (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.

* time stamped copy attached

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

- A Partnership Agreement.
- B Trade Name registration certificate.
- C Certificate of Incorporation or Authority.
- D Statement of corporate charter purpose.
- E List of corporate officers and stockholders.

10. That the nature and character of the service to be rendered by applicant is the transportation of property as a Common Contract carrier by means of motor vehicles as follows:

See Exhibit A Attached.


11. Applicant is not now engaged in any intrastate transportation of property for compensation in Pennsylvania (except as authorized by the certificates of public convenience or permits specified in Paragraph 6) and will not engage in the transportation for which approval is herein sought unless and until authorization for such transportation shall be received.

JET MESSENGER SERVICE, INC.

CORPORATE SEAL

(Print Name of Corporation, Partnership, Trade-Name
or Individual)*

By:



(Signature) Lawrence J. Day, Vice President

(Signature)

(Signature)

*If a partnership, each partner must sign; if a corporation, at least one officer must sign, and corporate seal affixed.

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :

_____ County : ss:

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

Signature of Affiant

Sworn and subscribed before me this _____

day of _____ 19 _____

My Commission Expires _____

Signature of Official Administering Oath

AFFIDAVIT OF APPLICANT (Corporation)

STATE OF NEW JERSEY

~~COMMONWEALTH OF PENNSYLVANIA~~ :

_____ County : ss:

Lawrence J. Day _____, being duly sworn (affirmed) according to law, deposes and says that he is Vice President of Jet Messenger _____ (Office of Affiant)

Service, Inc. _____; that he is authorized to and does make this (Name of Corporation)

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 Jet Messenger Service Inc.

_____ to be able to prove the same (Name of Corporation)

at the hearing hereof.

Lawrence J. Day

Lawrence J. Day, Vice President
Signature of Affiant

Gisela L. Van Note
Sworn and subscribed before me this _____

day of 24th of July 19 91

My Commission Expires _____

GISELA L. VAN NOTE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Jan. 5, 1993

Gisela L. Van Note

Signature of Official Administering Oath

To transport, as a contract carrier by motor vehicle,
property, for Hilti, Inc., between points located within an
airline distance of thirty statute miles of the limits of the
city of Philadelphia.

LIST OF CORPORATE
OFFICERS AND SHAREHOLDERS

Officers:

<u>Name</u>	<u>Office Held</u>
MADELYN E. DAY	PRESIDENT, SECRETARY, AND TREASURER
LAWRENCE J. DAY	VICE PRESIDENT

Shareholders:

<u>Name</u>	<u>Name of Shares Owned</u>
MADELYN E. DAY	160
LAWRENCE J. DAY	24

Secretary of the Commonwealth

APPLICATION FOR CERTIFICATE OF AUTHORITY

DSCB:15-4124 (Rev 89)

Indicate type of corporation (check one):

- Foreign Business Corporation
- Foreign Nonprofit Corporation (15 Pa. C.S. § 6124)
- Foreign Professional Corporation

1. The name of the corporation is: Jet Messenger Service, Inc.

2. The name which the corporation adopts for use in this Commonwealth is (complete only when the corporation must adopt a corporate designator for use in Pennsylvania):

3. (Complete only when the corporation name is not available for use in Pennsylvania):

Limited Certificate of Authority only:

This is a Limited Certificate of Authority for the sole purpose of qualifying to register the fictitious name of:

This corporation shall do business in Pennsylvania only under such fictitious name pursuant to the attached resolution by the board of directors under 15 Pa. C.S. § 4123(b)(1). (See attached fictitious name form DSCB:54-311).

4. The (a) address of this corporation's initial registered office in this Commonwealth or (b) commercial registered office provider and the county of venue is:

(a)	<u>3631 North Front Street</u>	<u>Harrisburg</u>	<u>PA</u>	<u>17110</u>	<u>Dauphin</u>
	Number and Street	City	State	Zip	County

(b)	_____	_____
	Name of Commercial Registered Office Provider	County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

5. ~~The corporation is incorporated for a purpose (not involving pecuniary profit, incidental or otherwise) to its shareholders. (Strike out if not applicable)~~

6. The **name** of the jurisdiction under the laws of which the corporation is incorporated is:

New Jersey

7. The **address** of its principal office under the laws of the jurisdiction in which it is incorporated is:

54 Ethel Road, Edison, NJ 08817

IN TESTIMONY WHEREOF, the undersigned corporation has caused this application to be signed by a duly authorized officer this 24 day of July, 19 91.

Jet Messenger Service, Inc.

(Name of Corporation)

BY:

Laurie J. Dore
(Signature)

TITLE: Vice President

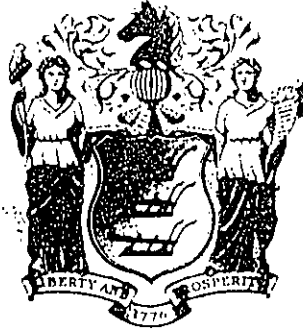
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JUL 26 991

SECRETARY'S OFFICE
Public Safety Commission

State of New Jersey

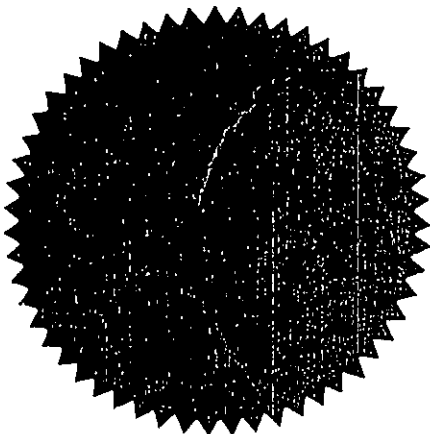


Department of State

I, the Secretary of State of the State of New Jersey, do hereby Certify that the foregoing is a true copy of Amended and Restated Certificate of Incorporation of JET MESSENGER SERVICE, INC.

_____ and the endorsements thereon, as the same is taken from and compared with the original filed in my office on the 1st day of April A. D. 1974, and now remaining on file and of record therein.

In Testimony Whereof, I have hereunto set my hand and affixed my Official Seal at Trenton, this 1st day of April A. D. 1974



J. Edward Walsh
Secretary of State

AMENDED AND RESTATED CERTIFICATE OF INCORPORATION

OF JET MESSENGER SERVICE, INC.

FILED & RECORDED

APR 1 1974

Edward Cahill
SECRETARY OF STATE

Pursuant to the provisions of Section 14A:9-5 of the New Jersey Business Corporation Act, the undersigned corporation hereby adopts the following Amended and Restated Certificate of Incorporation:

FIRST: The name of this corporation is
JET MESSENGER SERVICE, INC.

SECOND: The address of the current registered office of the corporation is Parsonage Professional Building, Route 27 and Parsonage Road, Edison, New Jersey 08817, and the name of the corporation's current registered agent at such address is CHARLES F. MANDELL.

THIRD: The purposes for which this corporation is organized are to engage in any activity within the purposes for which corporations may be organized under the New Jersey Business Corporation Act.

FOURTH: The aggregate number of shares of stock which this corporation shall have authority to issue shall be One Thousand (1000) shares of voting common stock, without nominal or par value.

FIFTH: Any plan or attempt to merge, consolidate, dissolve, liquidate, sell or otherwise dispose of all or substantially all of the assets and business of the corporation, shall be submitted to a vote of the shareholders and shall only be deemed to be approved by the shareholders if it is authorized and approved by a majority of the shareholders.

SIXTH: The number of directors constituting the current board are four, and the names and addresses of the persons who serve as such are as follows:

Allan J. Day Orchard Street, Edison, New Jersey
Madelyn E. Day Orchard Street, Edison, New Jersey
Allan G. Day Orchard Street, Edison, New Jersey
Lawrence J. Day Orchard Street, Edison, New Jersey

SEVENTH: Except for actions required or permitted to be taken at a meeting of shareholders by Chapter 10 of the New Jersey Business Corporation Act, any action required or permitted to be taken at a meeting of shareholders may be taken without a meeting upon the written consent of less than all the shareholders entitled to vote thereon, if the shareholders who so consent would be entitled to cast at least the minimum number of votes which would be required to take such action at a meeting at which all shareholders entitled to vote thereon are present.

EIGHTH: Any director of the corporation may be removed by a majority of the shareholders at any time, with or without cause.

NINTH: No shareholder shall have the pre-emptive right to acquire or purchase additional or treasury shares of the corporation that may hereafter be issued, whether or not presently authorized.

This Amended and Restated Certificate of Incorporation has been executed on behalf of JET MESSENGER SERVICE, INC., by its President, and attested by its Secretary this 1st day of March, 1974.

ATTEST:

Madelyn E. Day
Madelyn E. Day, Secretary

Allan J. Day
Allan J. Day, President

CERTIFICATE PURSUANT TO N.J.S.A. 14 A:9-5(5)

1. The name of this corporation is Jet Messenger Service, Inc.
2. The Amended and Restated Certificate of Incorporation was adopted by the shareholders of this corporation on March 1, 1974.
3. On March 1, 1974, there were one hundred ninety-five (195) shares of stock issued and outstanding, all of which were entitled to vote upon the adoption of the Amended and Restated Certificate of Incorporation.
4. The holders of all of the shares of stock issued and outstanding voted in favor of the adoption of the Amended and Restated Certificate of Incorporation.
5. The following amendments to the Certificate of Incorporation were adopted:
 - a. The name of the Registered Agent was changed to Charles F. Mandall, Esq.
 - b. The address of the Registered Office of the corporation was changed to Parsonage Professional Building, Route 27 and Parsonage Road, Edison, New Jersey 08817.
 - c. Paragraphs (D) and (E) of the original Certificate of Incorporation dealing with the objects for which this corporation was formed, and the powers conferred on this corporation have been replaced with an "all purpose" clause.

(d) The pre-emptive rights of shareholders have been denied with respect to any shares of stock hereafter to be issued.

(e) A provision was added permitting a majority of shareholders to remove a director any time with or without cause.

(f) A provision was added to reduce the shareholders' voting requirements (from two-thirds to a majority) necessary to approve a plan or an attempt to merge, consolidate, dissolve, liquidate, or sell all or substantially all of the assets and business of the corporation.

IN WITNESS WHEREOF, this Certificate pursuant to N.J.S.A. 14 A:9-5(5) has been executed on behalf of Jet Messenger Service, Inc., this 1st day of March, 1974.

JET MESSENGER SERVICE, INC.

by *Allan J. Day*
Allan J. Day, President

INDEXED
FILED (100 RECORDS)

MAR 1 - 1974

J. EDWARD ...
Secretary of State

August 16, 1991

IN REPLY PLEASE
REFER TO OUR FILE

JAMES D CAMPBELL JR
ATTORNEY AT LAW
3631 NORTH FRONT STREET
HARRISBURG PA 17110-1533

In re: A-00109874 - Application of Jet Messenger Service, Inc.

Dear Sir:

The application of Jet Messenger Service, Inc. has been captioned as attached and will be submitted for review provided no protests are filed on or before September 9, 1991. If protests are filed, you will be advised as to further procedure.

You are further advised that the above application will be published in the Pennsylvania Bulletin of August 17, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:kmb

cc: Applicant
54 Ethel Road
Edison, NJ 08817

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
AUG 16 1991
ENTRY No. *AR*

A-00109874 JET MESSENGER SERVICE, INC. (54 Ethel Road, Edison, New Jersey 08817), a corporation of the State of New Jersey - contract carrier - property, for Hilti, Inc., between points in the city and county of Philadelphia, and within an airline distance of thirty (30) statute miles of the limits thereof. Attorney: James D. Campbell, Jr., 3631 North Front Street, Harrisburg, PA 17110.

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin AUG 17 1991

**BUREAU OF TRANSPORTATION
CONTRACT CARRIER
AUGUST 1991**

A-00109874

Application of Jet Messenger Service, Inc., a corporation of the State of New Jersey, for the right to begin to transport, as a contract carrier, by motor vehicle, property, for Hilti, Inc., between points in the city and county of Philadelphia, and within an airline distance of thirty (30) statute miles of the limits thereof.

MW:kmb
8/6/91

Application received: 7/29/91
Application docketed: 8/2/91

NH

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKETED
AUG 16 1991
ENTRY NO. *[Signature]*

SEP - 9 1991

Protests due _____