

LAW OFFICES

DE LONG, DRY, CIANCI & BELTZNER

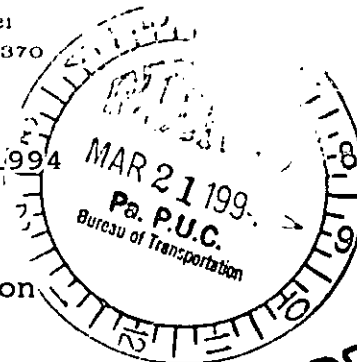
JOHN W. DRY
PETER F. CIANCI
RICHARD N. BELTZNER
WILLIAM F. ROBERTS
ROBERT D. KATZENMOYER
JOHN D. LEVAN

519 WALNUT STREET
P.O. BOX 8551
READING, PA 19603
(610) 376-6721
FAX (610) 376-2370

WILLIAM M. DE LONG (1989)

COUNTY OFFICES:
EXETER
4014 CIRCLE AVE.
FLEETWOOD
13 N. FRANKLIN ST.
KUTZTOWN
334 W. MAIN ST.
TOPTON
16 MAIN ST.
WYOMISSING
1204 PENN AVE.

March 17, 1994



John G. Alford, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Re: GARY P. KROGULSKI
A-00111219



NOTICE OF PROTEST ON BEHALF OF
JESSE BARO, INC., A.82045

SECRETARY'S OFFICE
Public Utility Commission

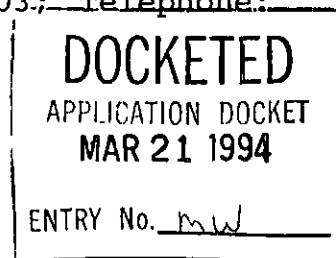
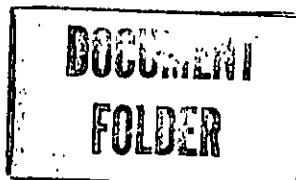
In accordance with the Rules of Practice and Procedure, 52 Pa. Code, Paragraph 3.381, protest of the above Application is made on behalf of Jesse Baro, Inc., A.82045, on the following grounds:

1. The Applicant's name and docket number is Gary P. Krogulski, A-00111219.

2. The date of Publication in the Pennsylvania Bulletin is March 12, 1994, at page 1322.

3. The name, business address, and telephone number of the Protestant is: Jesse Baro, Inc., 130 Quarry Road, Douglassville, Pennsylvania 19518; Telephone: (610) 323-8783.

4. The name, business address and telephone number of the Protestant's attorney is: William F. Roberts, Esquire, 519 Walnut Street, P.O. Box 8551, Reading, Pennsylvania 19603; Telephone: (610) 376-6721.



John G. Alford, Secretary
Pennsylvania Public Utility Commission
March 17, 1994
Page 2

5. The nature of the Protestant's interest in the Application is as follows: The Applicant, in its Application, requests authority to transport "contract carrier--commodities in bulk, in dump vehicles, rip rap and concrete barriers for American Asphalt Paving Co., from its Pennsylvania facilities, to points in Pennsylvania, and vice versa." The Protestant, Jesse Baro, Inc., holds Pennsylvania Public Utility Commission operating authority at Docket No. A.82045 and various folders, copies of which are attached hereto as Exhibit "A", some or all of which are in conflict with the Applicant's proposed authority.

6. Protestant avers that there is no need for the proposed service, which is in conflict with its certificates. Moreover, Protestant expects to produce at the hearing the amount of service provided during the 24-month period ending on or about the date of publication of the proposed Application, which service comes within the scope of the Application and would be affected if the Application were granted.

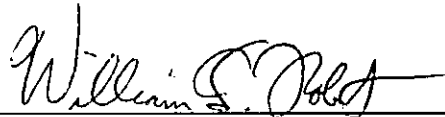
7. Protestant avers that if the Application is granted, it will adversely affect the economic interest of the Protestant. Protestant has provided extensive service under the relevant conflicting authorities within the preceding 24 months. Fitness of the applicant is also protested.

John G. Alford, Secretary
Pennsylvania Public Utility Commission
March 17, 1994
Page 3

8. The Protestant avers that it currently knows of no restrictive amendment which would satisfy its interests; however, it is willing to consider proposed restrictive amendments.

9. Demand is made upon the Applicant, pursuant to 66 Pa. C.S. 333(c) to furnish Protestant's counsel with the names and addresses of all witnesses whom the Applicant intends to call and the names and addresses of the companies which they represent.

I hereby certify that a copy of this Protest has, this day, been served by mailing to the Applicant, Gary P. Krogulski, 169 South Mountain Boulevard, Mountaintop, Pennsylvania 18707.



WILLIAM F. ROBERTS, ESQUIRE
Attorney for Protestant
P.O. Box 8551, Reading, PA 19603

cc: Gary P. Krogulski
Jesse Baro, Inc.

JESSE BARO, INC.Docket No. A.82045Folder 2

To transport, as a Class D carrier, building materials, excavated materials and road and building construction materials such as are usually transported in dump trucks, between points in the Township of Douglass, Berks County, and within fifty (50) miles by the usually traveled highways of the limits of the said township.

Folder 2, Am-A

To transport, as a Class D carrier, stone for John T. Dyer Quarry Company from its plant at Clingan, Robeson Township, Berks County, to points in Pennsylvania.

To transport, as a Class D carrier, stone for Pottstown Trap Rock Quarries, Inc. from its plants at Douglassville, R. D. #1, Douglass Township, Berks County and at Sanatoga, Lower Pottsgrove Township, Montgomery County, to points in Pennsylvania.

To transport, as a Class D carrier, bituminous concrete for Birdsboro Black Top, Inc., from its plant at Clingan, Robeson Township, Berks County, to points in Pennsylvania. Subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles.

Folder 3

To transport, as a Class D carrier, building construction materials for John T. Dyer Company and the Duquesne Slag Company between points in the Counties of Montgomery, Chester, Delaware, Bucks, Schuylkill, Berks, Lehigh, Philadelphia and Lancaster, provided no haul shall exceed a distance of fifty (50) miles from point of origin to point of destination.

To transport, as a Class D carrier, clay, in dump trucks, from points in the County of Berks to the Robinson Clay Products Company in the Borough of Pottstown, Montgomery County.

Folder 3, Am-A

To transport, as a Class D carrier, clay for the Robinson Clay Products Company from points in the County of Luzerne to points in the Borough of Pottstown, Montgomery County.

EXHIBIT "A"

use; (2) that no right, power or privilege is granted to transport commodities which, because of size or weight, require a special permit issued by the Pennsylvania Department of Transportation; (3) that no right, power or privilege is granted to transport petroleum or petroleum products in bulk, and (4) that no right, power or privilege is granted to provide service in dump vehicles; so as to permit the transportation of lime and limestone products, for Wimpey Minerals USA, Inc., from its facilities located in North Londonderry Township, Lebanon County; and Oxford Township, Adams County, to points in Pennsylvania. Application for temporary authority has been filed at A-00086298, F.2, Am-F seeking the rights cited above. Attorney: Christopher Zettlemoyer, P. O. Box 11844, Harrisburg, PA 16823.

A-00094848, Folder 1, Am-M. John F. Walter, Inc. (P. O. Box 175, Newville, Cumberland County, PA 17241), a corporation of the State of Delaware, inter alia—such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from points in Pennsylvania, to points in the borough of Harmony, Butler County: so as to permit the transportation of property (except household goods in use, commodities in bulk and such commodities which, because of their size or weight, require special handling or permits) for Heinz Service Company, between points in Pennsylvania. Attorney: David H. Radcliff, 2216 Walnut Street, Harrisburg, PA 17103.

A-00103935, Folder 1, Am-F. Martini, Inc. (Box 126, Hazleton, Luzerne County, PA 18201), a corporation of the Commonwealth of Pennsylvania, inter alia—malt beverages, for Wyoming Quality Beverage, from the facilities of Latrobe Brewing Company, in the borough of Latrobe, Westmoreland County, to the facilities of Wyoming Quality Beverage, in the borough of West Wyoming, Luzerne County: so as to permit the transportation of property (except household goods in use, commodities in bulk and Class A and B explosives) for Inland Container Corporation between points in Pennsylvania. Attorney: J. Bruce Walter, One South Market Square, P. O. Box 1146, Harrisburg, PA 18108.

A-00105266, Folder 1, Am-H. Paul J. Kennedy, t/d/b/a Paul Kennedy Trucking (R. D. 3, Box 16A, Cochran, Crawford County, PA 16314), inter alia—coal for Amerikohl Mining Inc., from points in the counties of Beaver, Butler, Lawrence and Armstrong, to points in the counties of Warren and Clarion: so as to permit the transportation of property (except household goods and petroleum and petroleum products in bulk), for Agway, Inc. from its facilities located in Mercer County, to points in Pennsylvania, and vice versa. Attorney: William A. Gray, 2310 Grant Building, Pittsburgh, PA 15219.

A-00106426, Folder 1, Am-G. Zappi Oil & Gas Co., Inc. (44 Bridge Street, Washington, Washington County, PA 15301), a corporation of the Commonwealth of Pennsylvania, inter alia—liquid petroleum asphalt, in bulk in tank vehicles, for Ashland Petroleum Company Division, Ashland Oil, Inc., from the facilities of said shipper located in the county of Allegheny to points in the counties of Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Clarion, Fayette, Fulton, Greene, Huntingdon, Indiana, Jefferson, Lawrence, Somerset, Washington and Westmoreland: so as to permit the transportation of liquid petroleum asphalt, and emulsions, in bulk, in tank vehicles, for Coastal Refining & Marketing, Inc., between points in Pennsylvania. Attorney: Sally A. Davoren, 201 Pilgrims Building, 508 Allegheny River Boulevard, Oakmont, PA 15139.

A-00108526, Folder 1, Am-B. McIlvaine Trucking, Inc. (7556 Cleveland Road, Wooster, Ohio 44691), a corporation of the State of Ohio, inter alia—petroleum and petroleum products for Koch Asphalt Company, between points in Pennsylvania; subject to the following condition: that no right, power or privilege is granted to transport fertilizers, liquified petroleum gas and liquid natural gas: so as to permit the transportation of commodities in bulk, in tank vehicles, except petroleum and petroleum products, for E+E (US) Holdings, Inc., and its Divisions, between points in Pennsylvania. Attorney: Sally A. Davoren, 201 Pilgrims Building, 508 Allegheny River Boulevard, Oakmont, PA 15139.

Applications of the following for amendment to the certificate of public convenience approving the operating of motor vehicles as common carriers for transportation of property by transfer of rights as described under each application.

A-00104504, Folder 1, Am-C. Krapf's Coaches, Inc. (313 Springton Road, Glenmoore, Chester County, PA 19343), a corporation of the Commonwealth of Pennsylvania—groups and parties of persons between points in the counties of Chester, Delaware and the city and county of Philadelphia, and the townships of Lower Providence, East Norriton, West Norriton, Upper Merion, Whitpain, Whitemarsh, Lower Merion, Upper Dublin, Springfield, Upper Moreland, Lower Moreland, Abington, Cheltenham and Plymouth and the boroughs of Norristown, Ambler, Conshohocken, West Conshohocken, Narbeth, Hatboro, Bryn Athyn, Jenkintown, Rockledge and Bridgeport, all in Montgomery County and from points in said counties to other points in Pennsylvania; subject to the following conditions: 1. provided that no right, power or privilege is granted to render any transportation between points in the city and county of Philadelphia and from points in said city and county to destinations in the counties of Bucks, Delaware and Montgomery; 2. provided that no right, power or privilege is granted to originate transportation in the city and county of Philadelphia north and east of the Frankford Creek and 3. provided that no right, power or privilege is granted to render tour or sightseeing service or special excursion service to or from points in the boroughs of Phoenixville and Spring City and the townships of East Vincent, East Pikeland and Schuylkill, Chester County: so as to permit the transportation of groups and parties of persons between points in the County of Berks, and from the said County, to points in Pennsylvania, and return; which is to be a transfer of the right authorized under the certificate issued at A-00105692, F.2 to Macaronis Tours, Inc., a corporation of the Commonwealth of Pennsylvania, subject to the same limitations and conditions. Attorney: Jack F. Aschinger, 212 Locust Street, Harrisburg, PA 17108.

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as contract carriers for transportation of property as described under each application.

A-00111214, Laura E. Clowes (343 Edgewood Drive, Cabot, Butler County, PA 16023)—contract carrier—newspapers for Gannett Satellite Information Network, Inc., between points in Pennsylvania.

A-00111219, Gary P. Krogulski (169 South Mountain Boulevard, Mountaintop, Luzerne County, PA 18707)—contract carrier—commodities in bulk, in dump vehicles, rip rap and concrete barriers for American Asphalt Paving Co., from its Pennsylvania facilities, to points in Pennsylvania, and vice versa.



american asphalt

PAVING CO
500 CHASE ROAD
SHAVERTOWN, PA 18708

Area 717
Dallas: 696-1181
Scranton: 969-1181
Pittston: 654-1183

Wilkes-Barre Construction
Dallas: 696-3122
Scranton: 969-0622
Wilkes-Barre: 825-2700

Fax: 696-3486

BERNARD C. BANKS, Jr.
Executive Vice President / Treasurer

Gary P. Krogulski

A-00111219

UE-620696

Application of Gary P. Krogulski, for the right to begin to transport, as a contract carrier, by motor vehicle, commodities in bulk, in dump vehicles, rip-rap and concrete barriers for American Asphalt Paving Co., from its Pennsylvania facilities, to points in Pennsylvania, and Vice versa.

subject to the following restrictions:

That no right, power or privilege is granted to provide service from the facilities of American Asphalt Paving Co. to points in the counties of Berks and Montgomery.

Bernard C. Banks Jr.

Bernard C. Banks, Jr.,
Executive Vice President
American Asphalt Paving Co.
Shipper

Gary P. Krogulski

Gary P. Krogulski
Carrier

Date: *3-25-94*

RECEIVED
94 MAR 29 PM 1:29
PA FIC
BUREAU OF
TRANSPORTATION

DOCKETED
APPLICATION DOCKET
MAR 29 1994
ENTRY NO. *12*

DOCUMENT
FOLDER

COMMONWEALTH OF PENNSYLVANIA RECEIVED
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
May 2, 1994

In Re: A-00111219 PA P.U.C.
INFO. CONTROL DIV.

(See attached list)

Application of Gary P. Krogulski

For the right to transport, as a contract carrier, commodities in bulk in dump vehicles, rip rap and concrete barriers for American Asphalt Paving Company from its facilities to points in Pennsylvania and vice versa.

NOTICE

The Public Utility Code directs that hearings shall be commenced in this case by the Administrative Law Judge within 90 days after the proceeding is initiated.

In compliance with this directive, an initial hearing is hereby scheduled for Tuesday, June 14, 1994 at 10:00 a.m. Room 318, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, Pennsylvania 18503.

Administrative Law Judge Richard M. Lovenwirth will be the presiding officer in this case. Judge Lovenwirth can be contacted at Room 317, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, Pennsylvania 18503; telephone number (717) 963-4818.

If you intend to file exhibits, please be advised that two copies of all hearing exhibits to be presented into evidence must be submitted to the Reporter and an additional copy should be furnished to the presiding officer and each party of record.

IF YOU ARE A PERSON WITH A DISABILITY, AND WISH TO ATTEND THE HEARING SCHEDULED ABOVE, AND REQUIRE AN AUXILIARY AID, SERVICE, OR OTHER ACCOMMODATION TO PARTICIPATE IN THE PROCEEDING, PLEASE CONTACT THE AT&T RELAY SERVICE NUMBER (TT) 1-800-654-5988 OR NORMA R. LEWIS (VOICE ONLY) (717) 787-1399 AT THE PENNSYLVANIA PUBLIC UTILITY COMMISSION (PUC) TO DISCUSS HOW THE PUC MAY BEST ACCOMMODATE YOUR NEEDS.

pc: Judge Lovenwirth
John Frazier - BPL
Norma Lewis
Bud Huntington, Scheduler
Stephen Springer
Beth Plantz
Docket Room

DOCKETED

MAY 12 1994

4/12
**DOCUMENT
FOLDER**

A-00111219 Application Gary P. Krogulski

For the right to transport, as a contract carrier, commodities in bulk in dump vehicles, rip rap and concrete barriers for American Asphalt Paving Company from its facilities to points in Pennsylvania and vice versa.

Gary P. Krogulski
169 Mountain Boulevard
Mountain Top, PA 18707

William F. Roberts, Esquire
DeLong, Dry, Cianci & Beltzner
P.O. Box 8551
Reading, PA 19603

WV



american asphalt

PAVING CO
500 CHASE ROAD
SHAVERTOWN, PA 18708

Area 717
Dallas: 888-1181
Scranton: 888-1181
Pittston: 654-1189

Wilkes-Barre Construction
Dallas: 888-3122
Scranton: 888-0822
Wilkes-Barre: 825-2700

Fax: 888-3480

BERNARD C. BANKS, JR.
Executive Vice President / Treasurer

RECEIVED
JUN 13 1994
SECRETARY'S OFFICE
Public Utility Commission

"RESTRICTIVE AMENDMENT FOR FILING"

LDA

Gary P. Krogulski

DOCUMENT FOLDER

Application of Gary P. Krogulski, for the right to begin to
transport, as a contract carrier, by motor vehicle, commodities in
bulk in dump vehicles, rig-top and concrete barriers for American
Asphalt Paving Co., from its Pennsylvania facilities, to points in
Pennsylvania, and vice versa.

Subject to the following restrictions:

That no right, power or privilege is granted to provide service from
the facilities of American Asphalt Paving Co. to points in the counties
of Berks and Montgomery and vice versa.

Bernard C. Banks, Jr.

Bernard C. Banks, Jr.,
Executive Vice President
American Asphalt Paving Co.
Shipper

Gary P. Krogulski

Gary P. Krogulski
Carrier

DOCKETED

JUN 16 1994

Date: 6-9-94

ORIGINAL

LAW OFFICES

DE LONG, DRY, CIANCI & BELTZNER

JOHN W. DRY
PETER F. CIANCI
RICHARD N. BELTZNER
WILLIAM F. ROBERTS
ROBERT D. KATZENMOYER

JOHN D. LEVAN

519 WALNUT STREET
P.O. BOX 8551
READING, PA 19603
(610) 376-6721
FAX (610) 376-2370

WILLIAM M. DE LONG (1989)

COUNTY OFFICES:
EXETER
4014 CIRCLE AVE.
FLEETWOOD
13 N. FRANKLIN ST.
KUTZTOWN
304 W. MAIN ST.
TOPTON
16 MAIN ST.
WYOMISSING
1204 PENN AVE.

RECEIVED
JUN 14 1994
SECRETARY'S OFFICE
Public Utility Commission

June 13, 1994

John Alford, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of Gary P. Krogulski
Docket No.: A-00111219

Dear Secretary Alford:

Applicant has amended his application by a Restrictive Amendment dated June 9, 1994, a copy of which is enclosed. I am advised that this has been filed with you. In view of such restrictive amendment and upon reliance on the Commission's acceptance thereof, and in reliance upon inclusion in any final Order granting authority to the applicant, we hereby withdraw the protest filed on behalf of our client, Jesse Baro, Inc. However, we wish to remain a party of record to receive any orders of this Commission in this proceeding.

DOCKETED

JUN 27 1994

Very truly yours,

DELONG, DRY, CIANCI & BELTZNER

William F. Roberts

WFR:mkn

cc Hon. Richard M. Lovenwirth
Jesse Baro, Inc.
Gary P. Krogulski
American Asphalt Paving Co.

DOCUMENT
FOLDER



american asphalt

PAVING CO

500 CHASE ROAD
SHAVERTOWN, PA 18708

Area 717
Dallas: 888-1181
Scranton: 866-1181
Pittston: 654-1188

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Dallas: 096-3122
Scranton: 866-0822
Wilkes-Barre: 825-3700

Fax: 888-3488

BERNARD C. BANKS, Jr.
Executive Vice President / Treasurer

RECEIVED
JUN 14 1994

SECRETARY'S OFFICE
Public Utility Commission

"RESTRICTIVE AMENDMENT FOR FILING"

Gary P. Krogulski

A-00111219

Application of Gary P. Krogulski, for the right to begin to transport, as a contract carrier, by motor vehicle, commodities in bulk, in dump vehicles, rip-rap and concrete barriers for American Asphalt Paving Co., from its Pennsylvania facilities, to points in Pennsylvania, and vice versa.

Subject to the following restrictions:

That no right, power or privilege is granted to provide service from the facilities of American Asphalt Paving Co. to points in the counties of Berks and Montgomery and vice versa.

Bernard C. Banks, Jr.,
Executive Vice President
American Asphalt Paving Co.
Shipper

Gary P. Krogulski
Carrier

Date: 6-9-94

CUP

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265
June 13, 1994

In Re: A-0011219

(See letter dated 05/02/94)

Application of Gary P. Krogulski

For the right to transport, as a contract carrier, commodities in bulk in dump vehicles, rip rap and concrete barriers for American Asphalt Paving Company from its facilities to points in Pennsylvania and vice versa.

NOTICE

This notice is to inform you that at the request of counsel for applicant the hearing scheduled for Tuesday, June 14, 1994 at 10:00 a.m. in Scranton, Pennsylvania, was cancelled.

As soon as the restrictive amendment and letters withdrawing all protests are received in this office, the subject application will be referred to the Bureau of Transportation for review and report to the Commission.

Administrative Law Judge Richard M. Lovenwirth will be the presiding officer in this case. Judge Lovenwirth can be contacted at Room 317, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, Pennsylvania 18503; telephone number (717) 963-4818.

pc: Judge Lovenwirth
John Frazier - BPL
Norma Lewis
Bud Huntington, Scheduler
Stephen Springer
Beth Plantz
Docket Room

DOCKETED
JUN 17 1994

**DOCUMENT
FOLDER**

APPEARANCE SHEET

ALJ HEARING REPORT

Docket No. A-00111219

RECEIVED

Case Name Application of Gary P. Krogulski

P. U. C. INFO. CONTROL DIV.

Location Scranton

Date June 14, 1994

ALJ Lovenwirth

Reporting Firm G & G Reporting

DOCUMENT FOLDER

CHECK THOSE BLOCKS WHICH APPLY:

Prehearing held YES ___ NO ___

Hearing held YES ___ NO

Testimony taken YES ___ NO ___

Hearing concluded YES ___ NO ___

Further hearing needed YES ___ NO ___

Estimated add'l days _____

RECORD CLOSED YES ___ NO ___

RUB

Briefs to be Filed YES ___ NO ___

BENCH DECISION YES ___ NO ___

REMARKS:

RECEIVED

JUN 17 1994

OFFICE OF ALJ/PA PUC ELIZABETH B. PLANTZ

6/16/94
Order to be withdrawn after filing of agreed upon restructure amendment. File then to be transferred by modified procedure!

NAMES, ADDRESSES AND TELEPHONE NUMBERS OF PARTIES OR COUNSEL OF RECORD

PLEASE PRINT CLEARLY

INCOMPLETE INFORMATION MAY RESULT IN DELAY OF PROCESS

NAME and TELEPHONE NUMBER	ADDRESS	APPEARING FOR
Telephone No.	City State Zip	
Telephone No.	OFFICE OF Public Utility Commission City State Zip	
Telephone No.	City State Zip	

CHECK THIS BOX IF ADDITIONAL PARTIES

OR COUNSEL OF RECORD APPEAR ON BACK.

REPORTER



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

July 20, 1994

IN REPLY PLEASE
REFER TO OUR FILE

GARY P KROGULSKI
169 SOUTH MOUNTAIN BOULEVARD
MOUNTAINTOP PA 18707

In re: A-00111219 - Application of Gary P. Krogulski

Dear Sir:

The above referenced contract carrier application has been assigned for review without oral hearing. In order to reach a determination on the application, you are required to file verified statements in accordance with 52 Pa. Code s3.381(e)(1). You will be required to file:

A. VERIFIED STATEMENT OF APPLICANT.

The verified statements should be in paragraph form. Each heading contained in the attached minimum outline should be a separate section or paragraph. If a bilateral contract is submitted at this time, it must be: (1) in writing; (2) signed by both parties (applicant and shipper); (3) for a specific period of time (automatic renewal is allowed); (4) state a specific minimum number of shipments during a specific time period ("x" shipments/pounds/tons/items, etc. per day week/month/year); and (5) it must state the authority to be granted by the Commission (as published in the Pennsylvania bulletin or as agreed to in a restrictive amendment).

You are being granted an initial thirty (30) days to file verified statements. They will be due on or before August 22, 1994. If additional time is required, it may be requested by telephone but should be followed in writing with the reasons for the extension stated. Questions about the application should be directed to me by telephoning 717-787-4386.

Very truly yours,

Lawrence E. Keener-Farley, Esquire
Technical review section
Bureau of Transportation

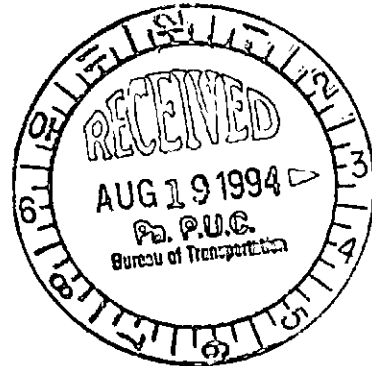
LKF:lg

DOCUMENT
FOLDER

POCKETED
JUL 20 1994

CONTRACT CARRIER
VERIFIED STATEMENT

A-00111219



1. LEGAL NAME AND DOMICILE OF APPLICANT.

Gary P. Krogulski
169 South Mountain Blvd.
Mountaintop, Pa. 18707

2. IDENTITY AND QUALIFICATIONS OF PERSON MAKING STATEMENT OF APPLICANT.

Same

3. IS THE APPLICANT AFFILIATED WITH OTHER CARRIERS?

No

4. AUTHORITY SOUGHT.

Commodities in bulk in dump vehicles, rip rap and concrete barriers for American Asphalt Paving Co., from its Pennsylvania facilities to points in Pennsylvania, and vice versa.

5. GENERAL SCOPE OF CURRENTLY AUTHORIZED OPERATIONS.

No interstate operations

6. DUPLICATING AUTHORITY WHICH WILL RESULT FROM GRANT OF AUTHORITY.

None

7. DUAL OPERATIONS RESULTING FROM GRANT OF AUTHORITY

DOCUMENT
FOLDER

INDEXED
AUG 18 1994

8. PERTINENT TERMINAL FACILITIES AND COMMUNICATIONS NETWORK.

169 South Mountain Blvd.
Mountaintop, Pa. 18707

9. PERTINENT EQUIPMENT.

'88 Kenworth Triaxle

10. SAFETY PROGRAM.

I am familiar with the operation of my vehicle(s); a trip inspection is done and I operate and maintain the vehicles in a safe manner.

11. TYPE OF SERVICE TO BE OFFERED.

Hauling truck load.

12. FINANCIAL DATA.

(Attached listing of assets and liabilities)

13. WHETHER SERVICE PROVIDED WILL CREATE EMPTY MILES OR BACKHAULS.

Service will generally create empty miles approximately 80% of the time and will create back hauls approximately 20% of the time.

14. DESCRIBE SHIPPER AND STATE THE TYPES OF COMMODITIES TO BE TRANSPORTED.

Shipper is a manufacturer with commodities to be transported in bulk in dump vehicles, rip rap and concrete barriers for American Asphalt Paving Co., from its Pennsylvania facilities to points in Pennsylvania, and vice versa.


15. ANY OTHER INFORMATION DEEMED PERTINENT.

American Asphalt Paving Co.
500 Chase Road
Shavertown, Pa. 18708

Principal plant facilities are located in:

- Jackson Township, Luzerne County
- Plains Township, Luzerne County
- Eaton Township, Wyoming County
- Exeter Township, Wyoming County
- Falls Township, Wyoming County
- Tunkhannock Township, Wyoming County

Alternate plant facilities and job sites are from, to and between aggregate plants, job sites, dump sites or customer sites in Luzerne, Wyoming, Lackawanna, Bradford, Susquehanna, Wayne, Sullivan, Pike, Columbus, Carbon and Monroe Counties.



Gary P. Krogujski

VERIFICATION OF STATEMENT

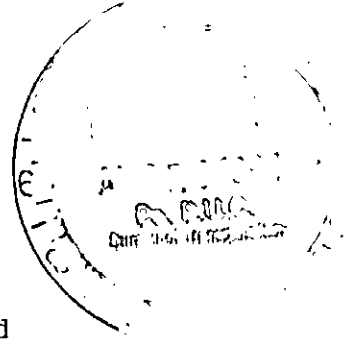
The undersigned deposes and says that he is the person who signed the Statement for the above-captioned application and that he is authorized to and does make this verification and that the facts set forth therein are true and correct to the best of his knowledge, information and belief.

The undersigned understands that false statements wherein are made subject to the penalties of 18 C.S. Sec. 4904 relating to unsworn falsification to authorities.

Date 8-16-94

Henry Krugels
Signature

C O N T R A C T



Between AMERICAN ASPHALT PAVING CO. and Gary P. Krogulski beginning 11-1-92 through 12-31-93, and from year to year unless cancelled by either party.

There will be a minimum of 20 truck loads per month during the operating season, which is generally defined as April through October of each year which, the shipper must tender to the carrier for delivery and the carrier must deliver. This will be done under operating authority A-00111219.

Rip rap and concrete barriers for American Asphalt Paving Co., from its Pennsylvania facilities to points in Pennsylvania, and vice versa.

Bernard C. Banks, Jr.

Bernard C. Banks, Jr.,
Executive Vice President
American Asphalt Paving Co.
Shipper

Gary P. Krogulski

Gary P. Krogulski
Carrier

DOCUMENT
FOLDER

DOCKETED
AUG 18 1994

Statement of Financial Position (Balance Sheet)
as of (date) _____

ASSETS

Current Assets		
Cash	15,000	
Accounts receivable	- 0 -	
Notes receivable	- 0 -	
Other current assets (specify)	- 0 -	
Total current assets		<u>15,000</u>
Tangible Assets		
Land	- 0 -	
Motor Vehicle Equipment	60,000	
Less: accumulated depreciation	- 0 - =	60,000
Building and structures	- 0 -	
Less: accumulated depreciation	- 0 - =	- 0 -
Investments and funds (specify)		- 0 -
Intangible assets		- 0 -
Other assets (such as advances and idle equipment - specify)		- 0 -
TOTAL ASSETS		<u><u>75,000</u></u>

LIABILITIES

Current Liabilities (due within one year of date)		
Accounts payable	- 0 -	
Notes payable	- 0 -	
Equipment obligations	20,000	
Other liabilities (attach schedule)	- 0 -	
Total Current Liabilities		<u>20,000</u>
Long Term Liabilities (due after one year of date)		
Accounts payable	- 0 -	
Notes payable	- 0 -	
Equipment obligations	- 0 -	
Other liabilities (attach schedule)	- 0 -	
Total Long Term Liabilities		<u>20,000</u>
TOTAL LIABILITIES		<u><u>40,000</u></u>

NET WORTH (partnerships and individuals only) 55,000

<u>OWNER'S EQUITY</u> (corporations only)		
Capital Stock		- 0 -
Additional paid-in capital		- 0 -
Retained earnings		- 0 -
Less: Treasury Stock	-	- 0 -
Total Owners Equity		<u>- 0 -</u>
TOTAL LIABILITIES & <u>OWNER'S EQUITY</u>		<u>- 0 -</u>