

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

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUC  
BUREAU OF  
REGISTRATION

Application of Roger L. Palmer  
(Applicant/Transferee-Buyer)

for approval of the transfer and to exercise the right

as a common carrier, described at Docket  
(common-contract)

No. 700376 A-00108926, Folder No. 2, issued to

R.W. Rose & Sons  
(Transferor-Seller)

for transportation of property  
(persons-property)

**PUC USE ONLY**  
Docket No. A-111140  
Folder No. \_\_\_\_\_

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**SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION**

SECRETARY'S OFFICE  
Public Utility Commission

1. Roger L. Palmer  
(Full and correct name of applicant/transferee)

APPL: \_\_\_\_\_

2. \_\_\_\_\_  
(Trade name, if any)

COMPL: \_\_\_\_\_

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

MVIC: \_\_\_\_\_

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

CHECKED BY MW

3. RR 3  
(Business Street Address)

Box 60A  
(P.O. Box, if any)

Meshoppen Susquehanna PA 18630  
(City) (County) (State) (Zip)

(717) 833-4851  
(Telephone)

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DOCUMENT  
FOLDER

BEGINNING

DOCKETED  
APPLICATION DOCKET  
DEC 03 1993  
ENTRY No. MW

4. Applicant's attorney (or this application) is:

\_\_\_\_\_  
(Name) (Address) (Telephone)

5. Any documents should be mailed to:

Transferee: Roger L. Palmer RR 3 Box 60A, Meshoppen, PA 18630  
(Name) (Address)

Transferor: Richard W. Rose RR 6 Box 6264, Montrose, PA 18801  
(Name) (Address)

6. Applicant does not hold Pa. PUC authority under Docket Number  
(does or does not)

A- \_\_\_\_\_ and operates as a \_\_\_\_\_ carrier.  
(common or contract)

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

at Docket No. \_\_\_\_\_.

8. Applicant is (check one):

Individual.

Partnership. Must attach a copy of the partnership agreement (unless a copy is presently on file with PUC); 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.

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10. Applicant proposes to acquire all of the operating rights now held  
(all or part)  
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 sale of business to Roger L. Palmer

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12a. The following must be attached:

- Sales Agreement.
- List of equipment to be used to render service. (summarize by type)
- Operating authority to be transferred/retained.
- Statement of Financial Condition.
- Statement of unpaid business debts of transferor and how they will be satisfied.
- Statement of safety program.
- Statement of transferee's experience.

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

- Partnership Agreement.
- Trade Name registration certificate.
- Certificate of Incorporation. (Pa. Corporation only)
- Certificate of Authority. (Foreign (out-of-state) Corporation only)
- Statement of corporate charter purpose. (corporations only)
- List of corporate officers and stockholders. (corporations only)
- Copy of short form certificate showing date of death of transferor and name of executor or administrator/administratrix.

13. 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.
14. 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 the transfer.

WHEREFORE, Transferee and Transferor request that the Commission grant the Transfer.

Transferee sign here: *[Signature]* 11-4-93  
 (each partner must sign) (Date)  
 (Corporate Seal)

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Transferor sign here: *Richard W. Rose* 11-4-93  
*Harvey R. Vae*  
*Kenneth J. Rose*  
 (Corporate Seal)

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**STATEMENT OF FINANCIAL CONDITION**

**INCOME STATEMENT**

For the 12-month period ending September 30, 1993  
(Date)

**REVENUE and GAINS**

Operating Revenue	<u>30,288</u>
Net Revenue from non-carrier operation	<u>          </u>
Dividend and Interest revenues	<u>          </u>
Other non-operating revenue	<u>          </u>
Gains	<u>          </u>
Total Revenue and Gains	<u>30,288</u>

**EXPENSES**

Equipment Maintenance and Garage Expense	<u>5,935</u>
Insurance Expense	<u>2,081</u>
Employee Salaries	<u>          </u>
Supervisory Salaries	<u>          </u>
Officer Salaries	<u>          </u>
Fuel Expense	<u>2,946</u>
Purchased Transportation (Lease Expense)	<u>          </u>
Materials and Supplies Expense	<u>1,148</u>
General Office Expense	<u>134</u>
Advertising Expense	<u>35</u>
Telephone Expense	<u>          </u>
Accounting Expense	<u>252</u>
Legal Expense	<u>325</u>
Uncollectible Revenue	<u>          </u>
Depreciation Expense	<u>8,966</u>
Amortization	<u>440</u>
Operating Taxes and Licenses	<u>1,184</u>
Rent Expense	<u>          </u>
Loss	<u>          </u>
Total Operating Expense and Losses	<u>23,446</u>

Net Income before Taxes	<u>6,842</u>
Provision for Income Taxes	<u>0</u>
Net Income	<u>6,842</u>

**STATEMENT OF FINANCIAL POSITION (Balance Sheet)**

as of September 30, 1993

Date

**ASSETS**

**CURRENT ASSETS**

Cash			<u>4,810</u>
Accounts Receivable			
Notes Receivable			
Other current assets (Specify)			
Total current assets			<u>4,810</u>

**TANGIBLE ASSETS**

Land			
Motor Vehicle Equipment	<u>45,677</u>		
Less: Accumulated Depreciation	<u>27,844</u>	=	<u>17,833</u>
Buildings and Structures	<u>6,175</u>		
Less: Accumulated Depreciation	<u>1,924</u>	=	<u>4,251</u>
Investments and Funds (Specify)			
Intangible Assets			
Other assets (Such as advances and idle equipment - specify)			<u>26,894</u>

**LIABILITIES**

**Current Liabilities** (liabilities due within one year of date)

Accounts Payable			
Notes Payable			
Equipment Obligations			
Other Liabilities (attach schedule)			
Total Current Liabilities			

**Long Term Liabilities** (liabilities due after one year of date)

Accounts Payable			
Notes Payable			
Equipment Obligations			<u>9,073</u>
Other Liabilities (attach schedule)			
Total Long Term Liabilities			<u>9,073</u>

Total Liabilities 9,073

Net Worth (partnerships & individuals) 17,821

**OWNERS EQUITY** (Corporations only)

Capital Stock (Corporations only)			
Additional paid-in capital			
Retained Earnings (Corporations only)			
Less: Treasury Stock			
Total Owner's Equity (Corporations only)			

Total Liabilities & Owner's Equity  
(Corporations only)

THIS MUST BE COMPLETED BY NOTARY PUBLIC  
AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

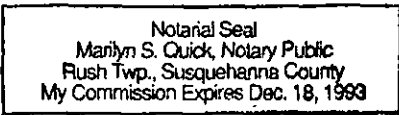
COMMONWEALTH OF PENNSYLVANIA :  
: ss:  
Susquehanna County :

Richard W. Rose, 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.

Richard W. Rose  
Signature of Affiant

Sworn and subscribed before me this 4th  
day of Nov 19 93

My Commission Expires \_\_\_\_\_



Marilyn S. Quick  
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) (Name of Corporation)

that he is authorized to and does make 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 \_\_\_\_\_ to be able to prove the  
(Name of Corporation)  
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 TRANSFEREE/APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :  
: ss:  
Susquehanna County :

Roger L. Palmer, 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.

Roger L. Palmer  
Signature of Affiant

Sworn and subscribed before me this 4th  
day of Nov 19 93

My Commission Expires \_\_\_\_\_

Notarial Seal  
Marilyn S. Quick, Notary Public  
Rush Twp., Susquehanna County  
My Commission Expires Dec. 18, 1993

Marilyn S. Quick  
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :  
: ss:  
\_\_\_\_\_ County :

\_\_\_\_\_, being duly sworn (affirmed) according to law, desposes and says that he is \_\_\_\_\_ of \_\_\_\_\_,  
(Office of Affiant) (Name of Corporation)

that he is authorized to and does make 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 \_\_\_\_\_ to be able to prove the same  
(Name of Corporation)

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

ALL Rights Transferred to Roger L Palmer

Certificate No. A-00108926  
Folder No. 2

Freight Pa. P.U.C. No. 1

Richard W. Rose, Thomas R. Rose and  
Kenneth S. Rose, Co-Partner, t/d/a  
R.W. Rose & Sons

Rates and Rules Governing the Transportation of

To transport, as a Class D carrier, sand, stone, shale, top soil, gravel and dirt between points in Susquehanna County, and from points in said county to points in the counties of Bradford, Lackawanna and Wyoming; subject to the following condition: that no right, power or privilege is granted to transport limestone or decorative stone.

Issued August 21, , 1991.

Effective August 22, , 1991.

Issued under authority of Pa., Code, Title 52, Section 23.42

By: Richard W. Rose, Partner  
R.D. # 6, Box 6264  
Montrose, Pennsylvania 18801 (717) 278-3342

November 4, 1993

Agreement for the sale of PUC rights

This agreement is for the sale of the rights to operate as a common carrier described at Docket No. A-00108926 Folder No. 2, issued to R. W. Rose and Sons (herein called Seller).

The Seller agrees to sell the rights to Roger L. Palmer (herein called purchaser) for the sum of \$1000. The sale of said rights is contingent on the approval of the transfer of these same rights by The Pennsylvania Public Utility Commission. The Purchaser agrees to pay the full sum of \$1000 to the Seller within 1 (one) week of the receipt of the transfer approval from The Public Utility Commission.

Richard W. Rose

Seller  
Richard W. Rose  
Kenneth I. Rose

Roger L. Palmer  
Purchaser

Margaret M. Ventresca  
Witness

Roger L. Palmer

Equipment to be used to render service

Quantity	Type
1	Ford Dump Truck
1	Lo Boy Trailer

Statement of Operating Authority Transfer

The Operating Authority is to be transfred from R W Rose & Sons to Roger L. Palmer.

Roger L Palmer

Statement of unpaid business debts of transferor

The transferor has no unpaid business debts applicable to this transfer.

Roger L Palmer

Statement of Safety Program

All United States Department of Transportation and Pennsylvania Department of Transportation standards and regulations will be followed by all drivers.

Roger L. Palmer

Statement of Transferee's Experience

1963 to 1965 operated various military vehicles  
1965 to 1967 operated tractor trailer, delivered fuel oil  
1967 to 1969 operated tri axle tractor trailer  
1969 to 1971 operated double trailers  
1971 to 1984 operated tractor trailers and double trailer  
1984 to 1987 owned and operated tractor trailer  
1990 present owned and operated tandem dump truck

Other equipment operated: bulldozers 350 to 850, loaders 350 to 973, excavators 200 to 790, wheel loaders 344 to 544 and back hoe.

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

December 31, 1993

IN REPLY PLEASE  
REFER TO OUR FILE

Roger L. Palmer  
R.R. #3, Box 60-A  
Meshoppen, PA 18630

In re: Application of - A-00111140 - Rodger L. Palmer

Dear Sirs:

Acknowledgement is made of an application filed by you.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before January 24, 1994. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that the transferor will continue to render the service 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 January 1, 1994.

Very truly yours,

David Ehrhart  
Supervisor - Application Section  
Bureau of Transportation

DE:de

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
DEC 30 1993  
ENTRY No.

A-00111140 ROGER L. PALMER (R.R. 3, Box 60A, Meshoppen, Susquehanna County, PA 18630) - sand, stone, shale, topsoil, gravel and dirt between points in Susquehanna County, and from points in said county to points in the counties of Bradford, Lackawanna and Wyoming; subject to the following condition: That no right, power or privilege is granted to transport limestone or decorative stone; which is to be a transfer of the right authorized under the certificate issued at A-00108926, F. 2 to Richard W. Rose, Thomas R. Rose, Kenneth S. Rose, t/d/b/a R. W. Rose & Sons, subject to the same limitations and conditions.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin JAN 1 1994

BUREAU OF TRANSPORTATION  
COMMON CARRIER  
December 1993

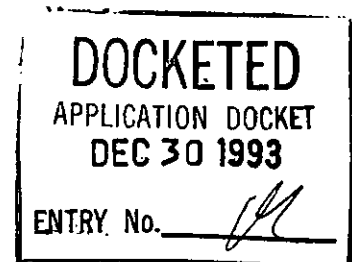
A-00111140

Application of Roger L. Palmer, for the right to begin to transport, as a common carrier, by motor vehicle, sand, stone, shale, topsoil, gravel and dirt between points in Susquehanna County, and from points in said county to points in the counties of Bradford, Lackawanna and Wyoming; subject to the following condition: That no right, power or privilege is granted to transport limestone or decorative stone; which is to be a transfer of the right authorized under the certificate issued at A-00108926, F. 2 to Richard W. Rose, Thomas R. Rose, Kenneth S. Rose, t/d/b/a R. W. Rose & Sons, subject to the same limitations and conditions.

MW:rs/em  
12/16/93

Application received: 11/8/93  
Application docketed: 12/3/93

NH



Protests due \_\_\_\_\_

JAN 2 4 1994