

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

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED  
OCT 12 1993

SECRETARY'S OFFICE  
Public Utility Commission

Application of William Thomson  
(Applicant/Transferee-Buyer).

for approval of the transfer and to exercise the right  
as a common carrier, described at Docket  
(common-contract)

No. \_\_\_\_\_, Folder No. A-18500 issued to  
Daniel R. & William Thomson  
(Transferor-Seller)

for transportation of Property  
(persons-property)

PUC USE ONLY  
Docket No. A-1115e1  
Folder No. \_\_\_\_\_

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

RECEIVED  
OCT 13 1993  
Bureau of Transportation

- William Thomson  
(Full and correct name of applicant/transferee)
- Thomson Trucking  
(Trade name, if any)

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

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

- Ball creek Road B Box 385  
(Business Street Address) (P.O. Box, if any)

Tarentum Allegheny PA 15084 412-226-1466  
(City) (County) (State) (Zip) (Telephone)

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
DEC 14 1993  
ENTRY No. 774

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

N/A  
(Name) (Address) (Telephone)

5. Any documents should be mailed to:

Transferee: William Thomson RD #2 Box 385 Tarentum  
(Name) (Address) PA 15084

Transferor: "James"  
(Name) (Address)

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

A-00105001 and operates as a common 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.

N/A

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 Termination of operations as a Partnership effective 12/31/87.

12a. The following must be attached:

- Sales Agreement. - N/A - Transferred w/o consideration
- List of equipment to be used to render service. (summarize by type) - SAME - continuation
- Operating authority to be transferred/retained. - All to be transferred.
- Statement of Financial Condition.
- Statement of unpaid business debts of transferor and how they will be satisfied. - SAME - through operations
- Statement of safety program. - SAME
- Statement of transferee's experience. - N/A - continuation

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: William Thomson 9/30/93  
(each partner must sign) (Date)  
(Corporate Seal) WILLIAM THOMSON

Transferor sign here: Daniel R. Thomson 9/30/93  
(Corporate Seal) DANIEL R. THOMSON  
William Thomson 9/30/93  
WILLIAM THOMSON

STATEMENT OF FINANCIAL CONDITION

INCOME STATEMENT

For the 12-month period ending 12/31/92  
(Date)

REVENUE and GAINS

Operating Revenue	<u>202,357</u>
Net Revenue from non-carrier operation	_____
Dividend and Interest revenues	_____
Other non-operating revenue	_____
Gains	_____
Total Revenue and Gains	<u>202,357</u>

EXPENSES

Equipment Maintenance and Garage Expense	<u>199,169</u>
Insurance Expense	_____
Employee Salaries	_____
Supervisory Salaries	_____
Officer Salaries	_____
Fuel Expense	_____
Purchased Transportation (Lease Expense)	_____
Materials and Supplies Expense	_____
General Office Expense	_____
Advertising Expense	_____
Telephone Expense	_____
Accounting Expense	_____
Legal Expense	_____
Uncollectible Revenue	_____
Depreciation Expense	<u>2,070</u>
Amortization	_____
Operating Taxes and Licenses	<u>3,231</u>
Rent Expense	_____
Loss	_____
Total Operating Expense and Losses	<u>204,470</u>

Net Income before Taxes	<u>20637</u>
Provision for Income Taxes	_____
Net Income	<u>(2063)</u>

STATEMENT OF FINANCIAL POSITION (Balance Sheet)

as of 12/31/97 Date

ASSETS

CURRENT ASSETS

Cash		<u>1958</u>
Accounts Receivable		
Notes Receivable		
Other current assets (Specify)		
Total current assets		<u>1958</u>

TANGIBLE ASSETS

Land		
Motor Vehicle Equipment	<u>45523</u>	
Less: Accumulated Depreciation	<u>38083</u>	= <u>7440</u>
Buildings and Structures		
Less: Accumulated Depreciation		=
Investments and Funds (Specify)		
Intangible Assets		<u>17414</u>
Other assets (Such as advances and idle equipment - specify)		<u>24884</u>

LIABILITIES

Current Liabilities (liabilities due within one year of date)

Accounts Payable		
Notes Payable		
Equipment Obligations		
Other Liabilities (attach schedule)		
Total Current Liabilities		<u>-0-</u>

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

Accounts Payable		
Notes Payable		
Equipment Obligations		
Other Liabilities (attach schedule)		
Total Long Term Liabilities		<u>-0-</u>
Total Liabilities		<u>-0-</u>

Net Worth (partnerships & individuals)

26812

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)		<u>N/A</u>
Total Liabilities & Owner's Equity (Corporations only)		<u>N/A</u>

THIS MUST BE COMPLETED BY NOTARY PUBLIC  
AFFIDAVIT OF TRANSFEREE/APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :

Allegheny County : ss:

William Thomson 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.

William Thomson  
Signature of Affiant

Sworn and subscribed before me this 1st day of October 19 93

My Commission Expires  
WILLIAM A. SELES, DISTRICT JUSTICE  
MAGISTERIAL DISTRICT 65, B-65  
MY COMMISSION EXPIRES ON THE FIRST  
MONDAY IN JANUARY, 1994

William A. Seles  
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :

County : ss:

\_\_\_\_\_ 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 \_\_\_\_\_ (Name of Corporation) to be able to prove the same 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 A NOTARY PUBLIC  
AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :

Allegheny County :

ss:

William Thomson, 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.

William Thomson

Signature of Affiant

Sworn and subscribed before me this 1st day of October 19 93

My Commission Expires 12-31-93

Notarial Seal  
Carl E. Linamen, Notary Public  
Fawn Twp., Allegheny County  
My Commission Expires, Dec. 31, 1993  
Member, Pennsylvania Association of Notaries

Carl E. Linamen

Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEROR/SELLER (Corporation)

COMMONWEALTH OF PENNSYLVANIA :

\_\_\_\_\_ County :

ss:

\_\_\_\_\_, 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 \_\_\_\_\_ (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

SAMPLE SALES AGREEMENT

Made this 15/15 day of Nov 1993 between (transferor) of (address) and (transferee) (address)

Daniel Thomson (transferor) R.D.#2 Box 385 Tarentum, Pa. 15084

1. Seller holds Pennsylvania intrastate motor carrier operating rights issued by the Pennsylvania Public Utility Commission at Docket No. A00105001. A copy of said authority is attached hereto marked Exhibit A and made an integral part hereof.

2. Seller agrees to sell and Buyer agrees to purchase all of the rights as set forth on Exhibit A.

3. The purchase price for said operating rights shall be \$ payable in cash at the time of consummation of this transaction which requires prior approval by the Commission. Seller fully understands and agrees that the requisite approval by the Commission shall be unqualified and the operating rights to be transferred shall be no less than those set forth in Exhibit A. Otherwise, this agreement shall immediately become null, void and of no effect.

4. Seller warrants that said operating authority shall be free and clear of all liens, encumbrances, claims and adversary attacks of any nature whatsoever at the time of consummation.

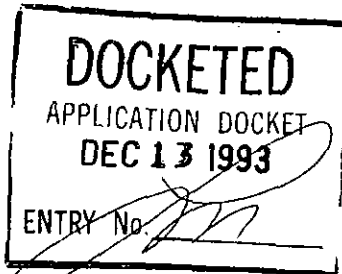
5. Buyer agrees to file promptly and prosecute with reasonable diligence, an application with the Commission for approval of this transaction. Seller agrees to furnish all information, data and documents deemed necessary by Buyer or required by the Commission and to cooperate in processing said application.

6. Consummation shall take place within 60 days after the receipt of an administratively final order of the Commission approving the transaction in toto.

7. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their personal representatives, successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

William Thomson (transferee)  
R.D.#2 Box 385  
Tarentum, Pa. 15084



(TRANSFEREE)

William Thomson

Daniel Thomson (transferor)  
R.D.#2 Box 385  
Tarentum, Pa. 15084

(TRANSFEROR)

Daniel R Thomson

A gift of \$1.00 was paid to Daniel Thomson (transferor) from William Thomson (transferee).



November 15, 1993

Dear Sir:

Per our phone call with your wife this date, enclosed is a simple sales agreement. This agreement is required by the P.V.C.

The consideration can be for love and affection, one dollar or more. If you have any questions regarding this call me at (717) 74350. Thanks,

Lou Miller  
P.V.C. Examiner

December 21, 1993

William Thomson, t/d/b/a  
Thomson Trucking  
Bull Creek Road  
Box 385  
Tarentum, PA 15084

In re: Application of - A-001111-54 - William Thomson, t/d/ba Thomson Trucking

Dear Sirs:

Acknowledgement is made of an application filed by you on behalf of William Thomson, t/d/b/a Thomson Trucking

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.

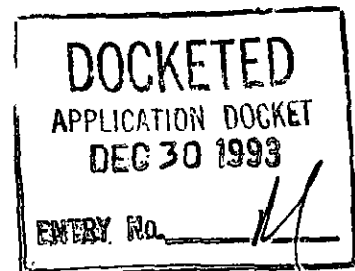
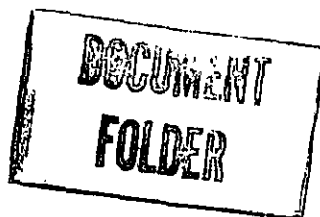
This application is accepted with the understanding that the transferor will continue to render the service and comply with all the rules of the Commission, including the carrying of continuous insurance, until final disposition is made of the application by the Commission.

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



A-00111154 - WILLIAM THOMSON, t/d/b/a THOMSON TRUCKING (Bull Creek Road, Box 385, Tarentum, Allegheny County, PA 15084) - (1) aggregates for Davison Sand & Gravel Company from the facilities of said shipper in the city of New Kensington, Westmoreland County, to points in the counties of Allegheny, Armstrong, Beaver, Butler, Indiana, Lawrence, Washington and Westmoreland; and is hereby approved granting the following right: (2) commodities in bulk, in dump vehicles, for Phyllis E. Thomson, t/d/b/a Thomson Materials, between points in Pennsylvania; Right 2 subject to the following conditions: (a) That no right, power or privilege is granted to provide transportation from the facilities of Davison Sand & Gravel Company or Davison Industries located in the townships of Derry and Unity, Westmoreland County; (b) That no right, power or privilege is granted to transport sand and gravel from points in the township of Hovey, Armstrong County, to points in Westmoreland County; (c) That no right, power or privilege shall be granted to transport coal; (d) That no right, power or privilege is granted to transport building materials and limestone between points in the counties of Clarion, Armstrong and Jefferson, except that said commodities may be transported in hauls exceeding twenty-five (25) miles from point of origin to point of destination, and that brick and clay products may be transported to, from or between points in the counties of Jefferson and Clarion; (e) That no right, power or privilege is granted to transport sand and gravel, in dump vehicles, between points in the borough of Tionesta, Forest County, and from points in the said borough to points within seventy-five (75) miles of the limits of the said borough; (f) That no right, power or privilege is granted to transport limestone from points in the townships of Perry and Richland, Clarion County, the townships of Hovey and East Franklin, Armstrong County, and the township of Mercer, Butler County, to points within an airline distance of seventy-five (75) statute miles of the point of origin, except to steel mills and foundries; (g) That no right, power or privilege is granted to transport sand, gravel, and deicing materials, except for salt and calcium chloride, from points in the townships of Perry and Richland, Clarion County, the townships of Hovey and East Franklin, Armstrong County, and the township of Mercer, Butler County, to points within an airline distance of seventy-five (75) statute miles of the point of origin, except for transportation to points in the counties of Allegheny and Beaver, and except for transportation of aggregates from the facilities of Davison Sand & Gravel Company and Davison Industries located in the township of East Franklin, Armstrong County, to points in Westmoreland County; (h) That no right, power or privilege is granted to transport sand, gravel, deicing materials, defrosting materials, and anti-skid materials, except for salt and calcium chloride, from points in the counties of Forest, Warren, Crawford and Venango to points within an airline distance of fifty (50) statute miles of the point of origin, except for service to points in the city of Erie, Erie County, and points in the counties of Allegheny and Beaver; (i) That no right, power or privilege is granted to transport cinders from points in the counties of Armstrong, Allegheny and Indiana, to points in the counties of Armstrong, Butler, Clarion, Clearfield, Crawford, Elk, Forest, Indiana, Jefferson, Venango and Warren; (j) That no right, power or privilege is granted to transport farm products and supplies between points in the townships of Annin, Liberty, Keating and Eldred, McKean County, and from points in said townships to points in the borough of Port Allegany, McKean County, and vice versa; (k) That no right, power or privilege is granted to transport building materials between points in the counties of Potter and McKean in hauls of less than twenty-five (25) miles from point of origin to point of destination; (l) That no right, power or privilege is granted to provide transportation between points in the borough of Port Allegany, McKean County, or from points in said

borough to points within twenty (20) miles by the usually traveled highways of the limits of said borough, and vice versa; (m) That no right, power or privilege is granted to transport glass products, raw materials used in the manufacture of glass products, insulating material, and materials and supplies used in the manufacture, distribution and installation of insulating material, between points in the borough of Port Allegany, McKean County, and within twenty (20) miles by the usually traveled highways of the limits of said borough, and from points in said area to points in Pennsylvania, and vice versa; and (n) That no right, power or privilege is granted to transport materials and supplies used in the manufacture or distribution of fiberboard cans and metal ends therefor to or from the plant site and warehouse facilities of Boise Cascade Corporation located in Oil City, Venango County, and within ten (10) statute miles of the limits of said city: which is to be a transfer of the rights authorized under the certificate issued at A-00105001 to Daniel R. Thomson and William Thomson, Copartners, 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-00111154

Application of William Thomson t/d/b/a Thomson Trucking, for the right to begin to transport, as a common carrier, by motor vehicle, (1) aggregates for Davison Sand & Gravel Company from the facilities of said shipper in the city of New Kensington, Westmoreland County, to points in the counties of Allegheny, Armstrong, Beaver, Butler, Indiana, Lawrence, Washington and Westmoreland; and is hereby approved granting the following right: (2) commodities in bulk, in dump vehicles, for Phyllis E. Thomson, t/d/b/a Thomson Materials, between points in Pennsylvania; Right 2 subject to the following conditions: (a) That no right, power or privilege is granted to provide transportation from the facilities of Davison Sand & Gravel Company or Davison Industries located in the townships of Derry and Unity, Westmoreland County; (b) That no right, power or privilege is granted to transport sand and gravel from points in the township of Hovey, Armstrong County, to points in Westmoreland County; (c) That no right, power or privilege shall be granted to transport coal; (d) That no right, power or privilege is granted to transport building materials and limestone between points in the counties of Clarion, Armstrong and Jefferson, except that said commodities may be transported in hauls exceeding twenty-five (25) miles from point of origin to point of destination, and that brick and clay products may be transported to, from or between points in the counties of Jefferson and Clarion; (e) That no right, power or privilege is granted to transport sand and gravel, in dump vehicles, between points in the borough of Tionesta, Forest County, and from points in the said borough to points within seventy-five (75) miles of the limits of the said borough; (f) That no right, power or privilege is granted to transport limestone from points in the townships of Perry and Richland, Clarion County, the townships of Hovey and East Franklin, Armstrong County, and the township of Mercer, Butler County, to points within an airline distance of seventy-five (75) statute miles of the point of origin, except to steel mills and foundries; (g) That no right, power or privilege is granted to transport sand, gravel, and deicing materials, except for salt and calcium chloride, from points in the townships of Perry and Richland, Clarion County, the townships of Hovey and East Franklin, Armstrong County, and the township of Mercer, Butler County, to points within an airline distance of seventy-five (75) statute miles of the point of origin, except for transportation to points in the counties of Allegheny and Beaver, and except for transportation of aggregates from the facilities of Davison Sand & Gravel Company and Davison Industries located in the township of East Franklin, Armstrong County, to points in Westmoreland County; (h) That no right, power or privilege is granted to transport sand, gravel, deicing materials, defrosting materials, and anti-skid materials, except for salt and calcium chloride, from points in the counties of Forest, Warren, Crawford and Venango to points within an airline distance of fifty (50) statute miles of the point of origin, except for service to points in the city of Erie, Erie County, and points in the counties of Allegheny and Beaver; (i) That no right, power or privilege is granted to transport cinders from points in the

Protests due

NH

DOCUMENT  
FOLDER

JAN 24 1994

DOCKETED  
APPLICATION DOCKET  
DEC 30 1993  
ENTRY No.

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

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**SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS**

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Published in Pennsylvania Bulletin \_\_\_\_\_

- 2 -

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LM:em  
12/15/93

Application received: 10/12/93  
Application docketed: 12/13/93

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