APPLICATION
A-00108945 F1 AMA

#### COZEN AND O'CONNOR

A PROFESSIONAL CORPORATION

1900 MARKET STREET

PHILADELPHIA, PA 19103

(2(5) 665-2000 (800) 523-2900

FACSIMILE (215) 665-2013

www.cozen.com

CNEW YORK, NY

O NEWARK, NJ

SAN DIEGO, CA

SEATTLE, WA

WEST CONSHOHOCKEN, PA

WESTMONT, NJ

MARK C. STEPHENSON

ATLANTA, GA

CHARLOTTE, NC

COLUMBIA, SC

DALLAS, TX

LOS ANGELES, CA

DIRECT DIAL (215) 665-2176

Office of the Secretary Pennsylvania Public Utility Commission P.O. Box 3265 Harrisburg, PA 17105-3265

RE:

Application for Additional Authority as a Class D

Common Carrier

Dear Secretary:

Enclosed for filing please find the original and one copy of Gardner Moving Company's application for additional authority as a Class D common carrier. Included in this filing are the following:

- Completed Application for the Transportation of 1) Household Goods by Motor Vehicle;
- Statement of Financial Position; 2)
- Verification of Statement executed by Joseph P. 3) Gardner;
- 4) Applicant's Articles of Incorporation;
- 5) Affidavit of Joseph P. Gardner in support of the Application;
- 6) The verified statements of supporting shippers Madge Hamel, Gina Lison and John Grimm.

Also enclosed please find Gardner Moving Company's certified check in the amount of \$350.00 as filing fee for this application.

Office of the Secretary Pennsylvania Public Utility Commission November 4, 1998 Page 2

If you have any questions or I can be of assistance regarding this application, please feel free to contact me at the above telephone number.

Very truly yours,

COZEN AND O'CONNOR

BY: MARK COSTEPHENSON

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

# APPLICATION FOR THE TRANSPORTATION OF HOUSEHOLD $\bigcirc \hspace{-0.5em} \bigcirc \hspace{-0.5em} \bigcirc$ BY MOTOR VEHICLE

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

	(The second seco	. I DI CAI I VII J
	Folder No. F. J. Am-A	98 NOV -6 J RECEIN SECRETARY
_		AMI S BUS BED
1.	Gardner Moving Company (Full and correct name of applicant)	
٠.	(- del ciu velloco meno el lepresamo)	<b>≥</b> ∞,
2.	Not Applicable	7
۷.	(Trade name, if any)	
		•
	The trade name, if fictitious, Not Applicable (has or has	not)
	registered with the Secretary of the Commonweal	(Date)
3.	(attach copy of date-stamped registration form)  3236 Beacon Hill Avenue  (Mailing Address) (T	(412) 257-4443
•	(Mailing Address)	elephone No.)
	Pittsburgh Allegheny PA	45046
	(City) (County) (State	15216 (Zip)
5.	[ ] Check if change of address.  Applicant's attorney (for his application) is:	
	Mark C. Stephenson, 1900 Market Street, Phila	delphia, PA 19103
	(Name) (Address)	deiphia, FA 19103
		DOCKETED
		APPLICATION DOCKET
	, <b>3</b>	NOV 13 1998
		ENTRY No.

6.	Appl	icant _	. does	,	hold Pa.	PUC author	ority under
		_	(does c	or does not	<b>E)</b>		•
	Dock	et No.	A-00	108945	_ and operates		common or contract)
	carr	ier.					
7.	Appl	icant i	s (Check on	ne):		•	
٠	<b>[]</b>	Indivi	dual				
	[]	names		ses of al	of partnership 1 partners be		
	***	(Nam	e)		(Address	;)	
	ស	Pennsy Common date-s Incorp Includ their	ylvania lvania by wealth tamped co oration or e as an at	register:  py of a  Authority  tachment  the names	der the laws of qualified ing with the pplication fand statement a list of const, addresses a	to do la Secreta Cert of Charte croporate control of the control o	business in ary of the (Attach ificate of er purpose). officers and
8.	Atta [] []	Partne	rship Agree	ement.	riate (check t ious Name regis		•
	M. [] []	Date-s Incorp Statem List o	tamped cor oration <u>or</u>	py of A Certificat corate char charter p	pplication f te of Authorit tter purpose. purpose.	or Cert	ificate of
9.	appl	icant i	s: Transpor	tation of	of the service household good vehicles, as	ds, as a	K common or

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See Attachment "A"

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

I/We hereby state that the statements made in the application are true and correct to the best of my/our knowledge, information and belief. The undersigned understands that the statements herein are made subject to the penalties of 18 Pa. C. S. §4904 relating to unsworn falsification to authorities.

(Print Name)	(Signature)	(Date)

(This section must be completed by the applicant appearing on Line 1, if an individual; by <u>all</u> partners; if a partnership, or by the President or Secretary, if a corporation).

GARDNER Moving

## STATEMENT OF FINANCIAL POSITION (Balance Sheet) as of 12/31/97

#### **ASSETS**

#### Current Assets

Cash Accounts Receivable Notes Receivable Other Current Assets (Specify) Inventory  Total Current Assets  Tangible Assets  Land Motor Vehicle Equipment Less: Accumulated Depreciation Buildings and Structures Less: Accumulated Depreciation Investments and Funds (Specify) Intangible Assets	8,979 489 500 9,968 47,027
Other Assets TOTAL ASSETS	56,995
LIABILITIES <u>Current Liabilities (liabilities due Within one year)</u>	
Accounts Payable Notes Payable Equipment Obligations Other liabilities (attach schedule) Total current liabilities Long Term Liabilities (liabilities due after one year)	514 18,655
Accounts Payable Notes Payable Equipment Obligations Other liabilities (attach schedule) TOTAL LIABILITIES	23,172
OWNER'S EQUITY (corporations only)	
Capital Stock Additional paid-in capital Retained Earnings (16,650) Less: Treasury Stock = = = TOTAL OWNER'S EQUITY Total Liabilities & Owner's Equity	1,000 30,304 (16,650) 14,654 56,995
NET WORTH (Partnerships & Individuals): Total assets minus Total liabilities	

### VERIFICATION OF STATEMENT

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

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

Dated 8-27-98

(Signature)

Joseph P. Gardner

(Print Name)

#### Attachment "A"

In addition to Rights Nos. 1 through 3 granted applicant at Certificate No. A-00108945, applicant seeks the further Right as stated below:

\*\*\*\*

under"

#### ATTACHMENT "B"

#### **GARDNER MOVING COMPANY**

#### **CORPORATE OFFICERS**

	<u>Title</u>	No. of Shares
Joseph P. Gardner, 130 Pinewood Drive Bridgeville, PA 15017	President	50
Michael W. Gardner 2608 Santa Barbara Drive Bethel Park, PA 15102	Vice President	35
Patricia I. Gardner 3236 Beacon Hill Avenue Pittsburgh, PA 15216	Secretary	15
Joseph F. Gardner 3236 Beacon Hill Avenue Pittsburgh, PA 15216	Treasurer	

-- DSTEAM INC. BY

	2436 Mun		
Σ.	DOMESTIC	BUSINESS	CORPORATION

T LONESTIC BURNIESS CORPORATION

FEE \$75.00

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE - CORPORATION BUREAU
WAN NORTH OFFICE BUILDING HARRISBURG PA 17120

DOMESTIC PROFESSIONAL CORPORATION ENTER BOARD LICENSE NO

306 NORTH OFFICE BUILDING, MARKISBURG,	PA 17120		_ <del></del>
010 NAME OF CORPORATION IMUST CONTAIN A CORPORA	TE INDICATOR UNLESS EXEMPT UNDER 15 P.S.	2905 B)	_
Gardner Moving Company			
011 ADDRESS OF REGISTERED OFFICE IN PENNSYLVANIA	PO BOX NUMBER NOT ACCEPTABLE)		
3236 Beacon Hill Avenue	_		
D12 CITY	033 COUNTY	DIS STATE	DEC ZIP CODE
Pittsburgh	Alleghenv	PA	15216

050 EXPLAIN THE PURPOSE OR PURPOSES OF THE CORPORATION

To transport household goods, personal effects and property used in a dwelling and to transport furniture, fixtures, equipment and the property of stores, offices, museums, institutions, hospitals or other establishments in connection with the removal from one location to another and to engage in and do any lawful act concerning any and all lawful business for which corporation may be incorporated under the Pennsylvania Business Corporation Law, Act of 1933, P.L. 364, as amended.

40 Number and Class of Shares	041 Star	ted Par Value Per	042 Total Authorized Co	y to Issue: apital 03	1 Term of Existence
5000	\$1.		\$5,000		Perpetual
he Name and Address of Each Incorporator.	and the Number and Class of	Shares Subscribed	to by Each Incorporator		<del></del>
060 Name	061, 062 063, 064 Address	i1, 052 i3, 054 Address (Street, City, State, Zip			er & Class of Shares
Joseph P. Gardner	130 Pinewood   Bridgeville,			1	
	(ATTACH 8% = 1	1 SHEET IF NECESSA	RY)		
IN TESTIMONY WHEREOF, T	DAY OF			1989	-
` ¬ , `	DAY OF	y July		_	
THIS 17th	DAY OF	July	sept PS	19 <u>89</u>	
THIS <u>17th</u>	DAY OF	y July		19 <u>89</u>	OFILM NUMBER
THIS 17th	DAY OF	July	sept PS	19 <u>8</u> 9	
THIS 17th	- FOR OF	July  Y  FICE USE ONLY -  O03 REV BOX	SEQUENTIAL NO.	19 <u>8</u> 9	OFILM NUMBER
THIS 17th  FILED  JUL 8 1 1989	- FOR OF	July  Y  FICE USE ONLY -  O03 REV BOX	SEQUENTIAL NO.	19 <u>8</u> 9	OFILM NUMBER
THIS17th	- FOR OF  O02 CODE  REVIEWED BY TO DATE APPROVED	FICE USE ONLY -  O03 REV BOX  O04 SICC	SEQUENTIAL NO.	1989 100 MICRO 00: CORPO	OFILM NUMBER DRATION NUMBER

## THIS MUST BE COMPLETED BY NOTARY PUBLIC AFFIDAVIT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA ss:	•
County	'
	being duly sworn (affirmed) according to law, deposes
and says that the facts above set forth are true and correct	et; 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 Atlant
Sworn and subscribed before me this	
day of 19	
My Commission Expires	•
	Signature of Official Administering Oath
A FEBRUANTE	
AFFIDAVIT (	Corporation
COMMONWEALTH OF PENNSYLVANIA }	
ALLEGHENY County ss:	
Joseph P. Gardner	haira dulu ayan (
•	Gardner Moving Company
and says that he is President of	
(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 corre	ect; or are true and correct to the best of his knowledge.
information and belief and he expects the said Gar	rdner Moving Company
	_ to be able to prove the same at the hearing hereof.
(Name of Сиросани) -	1 Court P Stanton
	Joseph P. Gardner
<del>-</del>	Signature of Affiant
Sworn and subscribed before me this 27 th	
day of AUGUST 1998.	
My Commission Expires	
Notarial Seal Chris R. Vogeley, Notary Public Scott Twp., Allegheny County	Steries & logeley Steries of Michael Administering 1989
My Commission Expires May 13, 2001	

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

020933

In Re: Application of Gardner Moving Company 00108945

RECEIVED SECRETARY'S BURE,A

VERIFIED STATEMENT OF SUPPORTING SHIPPER

Mark C. Stephenson, Esquire Cozen and O'Connor 1900 Market Street Philadelphia, PA 19103

Telephone: (215) 665-2176

DOCKETED APPLICATION DOCKET

NOV 10 1998

ENTRY No.

3 VS's in support

JO NOV - 6 AM 10:

#### **VERIFIED STATEMENT OF GARDNER MOVING**

Legal Name and Domicile of Shipper

John E. Grimm 223 Hemlock Dr. McMurray, Pennsylvania 15317

#### Identify and Qualifications of Testifying-Witness

My name is John E. Grimm and I am employed as a consultant to NCR corporation in Pittsburgh, Pennsylvania.

#### General Description of Support Party and Its Operations

The Grimm's used Gardner Moving in their move from Chicago, Illinois to 223 Hemlock Drive in McMurray, Pennsylvania. In addition, I have used Gardner Moving for previous moves.

#### Specific Description of Commodities Applied For

I anticipate using the services of Gardner Moving to move household goods, personal effects, and property under the authority which is the subject of this application.

#### Origins and Destinations

Not known at this time.

#### Type of Service Required

I anticipate using the services of Gardner Moving to move household goods, personal effects, and property under the authority which is the subject of this application.

#### Similar Applications Supported

None.

#### Other Pertinent Information

None.

#### IX.

#### Argument

The undersigned believes there is a need for the proposed service. I feel that approval of this application will benefit the public. I will use the service and hope that your Commission will act favorably upon applicant's request.

Madge Hamel

#### COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF ALLEGHENY

Personally appeared before me, a Notary Public in and for the State and County aforesaid, MACGE HAMEL, who, being duly sworn according to law, deposes and says that he/she has made this affidavit and that the facts set forth in the foregoing statement are true and correct to the best of his/her knowledge, information, and belief

Masy Hamel

Sworn to and subscribed

before me this  $\mathcal{P}$  day

of SEPPITEBER 1998.

Notary Public

My Commission expires: Och. 8. 2001.

(SEAL)

NOTARIAL SEAL
CONSTANCE R. WELSH, NOTARY PUBLIC
HAMPTON TOWNSHIP, ALLEGHENY COUNTY
MY COMMISSION EXPIRES OCT. 8, 2001

M:\8\_LAW\68037\1058\PLE\APPLICAT.PUC

#### BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of Gardner Moving Company 00108945

#### **VERIFIED STATEMENT OF SUPPORTING SHIPPER**

Mark C. Stephenson, Esquire Cozen and O'Connor 1900 Market Street Philadelphia, PA 19103

Telephone: (215) 665-2176

#### **VERIFIED STATEMENT OF GARDNER MOVING**

I.

Legal Name and Domicile of Shipper

Madge Hamel Howard Hanna Co. 6310 Forbes Avenue Pittsburgh, Pennsylvania 15217

II.

#### Identify and Qualifications of Testifying-Witness

My name is Madge Hamel and I am employed as a Real Estate Agent of Howard Hanna Co. in Pittsburgh, Pennsylvania.

III.

#### General Description of Support Party and Its Operations

The Hamel's used Gardner Moving in their move from Shaler to Shaler in Pittsburgh. In addition, I have used Gardner Moving for other local moves and have recommended them to numerous customers who have given them excellent ratings on their service.

#### Specific Description of Commodities Applied For

I anticipate using the services of Gardner Moving to move household goods, personal effects, and property under the authority which is the subject of this application.

#### Origins and Destinations

Not known at this time.

#### Type of Service Required

I anticipate using the services of Gardner Moving to move household goods, personal effects, and property under the authority which is the subject of this application.

Similar Applications Supported

None.

Other Pertinent Information

None.

#### IX.

#### Argument

The undersigned believes there is a need for the proposed service. I feel that approval of this application will benefit the public. I will use the service and hope that your Commission will act favorably upon applicant's request.

Madage Hamel

#### COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF ALLEGHENY

Personally appeared before me, a Notary Public in and for the State and County aforesaid, MACGE HOMEL, who, being duly sworn according to law, deposes and says that he/she has made this affidavit and that the facts set forth in the foregoing statement are true and correct to the best of his/her knowledge, information, and belief

Masy Hamel

Sworn to and subscribed

before me this 9 day

of SEPPITEBBER 1998.

Notary Public

My Commission expires: Och. 8. 2001.

ASTEAT Y

NOTARIAL SEAL
CONSTANCE R. WELSH, NOTARY PUBLIC
HAMPTON TOWNSHIP, ALLEGHENY COUNTY
MY COMMISSION EXPIRES OCT. 8, 2001

M:\B\_LAW\68037\1058\PLE\APPLICAT.PUC

## BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of Gardner Moving Company 00108945		( ( (
VERIFIED STATEMENT OF SUPPORTING SHIPPER	SECRETARY'S BUREA	2:01 ky 9- AON 86

Mark C. Stephenson, Esquire Cozen and O'Connor 1900 Market Street Philadelphia, PA 19103

Telephone: (215) 665-2176

#### VERIFIED STATEMENT OF GARDNER MOVING

Legal Name and Domicile of Shipper

Gina Lison 104 Meadowvue Court Venetia, Pennsylvania 15367

#### Identify and Qualifications of Testifying-Witness

My name is Gina Lison and I am a homemaker in Venetia, Pennsylvania.

General Description of Support Party and Its Operations

The Lison's used Gardner Moving in their move from West Mifflin to Peter's Township in Pittsburgh.

#### Specific Description of Commodities Applied For

	I ant	icipate usir	ig the s	services	of Ga	rdner	Movin	g to	move	househole	i goo	ds
personal ef	fects, an	d property	under	the auth	ority	which	is the	subje	ect of	this applic	cation	

#### Origins and Destinations

Not known at this time.

#### Type of Service Required

I anticipate using the services of Gardner Moving to move household goods, personal effects, and property under the authority which is the subject of this application.

Similar Applications Supported

None.

Other Pertinent Information

None.

IX.

#### Argument

The undersigned believes there is a need for the proposed service. I feel that approval of this application will benefit the public. I will use the service and hope that your Commission will act favorably upon applicant's request.

Gina Uson

#### COMMONWEALTH OF PENNSYLVANIA

SS:

COUNTY OF ALLEGHENY

2

Personally appeared before me, a Notary Public in and for the State and County aforesaid, GINA LISON, who, being duly sworn according to law, deposes and says that he/she has made this affidavit and that the facts set forth in the foregoing statement are true and correct to the best of his/her knowledge, information, and belief

Sworn to and subscribed

before me this 3/2 day

My Commission expires:

Catherine Hilles, Notary Public Pittsburgh, Alleghony County My Commission Expires May 7, 2001

Notarial Seal

(SEAL)

Member, Pennsylvania Association of Notaries

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

#### **RECEIPT**

The addressee named here has paid the PA P.U.C. for the following bill:

GARDNER MOVING CO 3236 BEACON HILL AVE PITTSBURGH PA 15216 DATE 11/16/98 RECEIPT # 195067

IN RE: Application fees for GARDNER MOVING CO

Docket Number A-00108945F0001AMA......\$350.00

DOCKETED

REVENUE ACCOUNT: (

NOV 19 1998

CHECK NUMBER:

CHECK AMOUNT: \$350.00

C. Joseph Meisinger

(for Department of Revenue) №

23125

DOCUMENT

RECEIVED SECRETARY'S BURFAL



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

IN REPLY PLEASE REFER TO OUR FILE

November 19, 1998

MARK C STEPHENSON ATTORNEY AT LAW THE ATRIUM 1900 MARKET STREET PHILADELPHIA PA 19103

In re: A-00108945, F. 1, Am-A - Application of Gardner Moving Company.

Dear Mr. Stephenson:

The application cited above has been captioned as attached and will be submitted for review provided no protests are filed on or before December 21, 1998. If protests are filed, you will be advised as to further proceedings.

You are further advised that the above application will be published in the Pennsylvania Bulletin of November 28, 1998.

Very truly yours,

DOCKETED APPLICATION DOCKET Gale E. Travitz

Transportation Applications Specialist Compliance Office - Technical Unit

Bureau of Transportation & Safety

GET:rs

Document Folder pc:

> GARDNER MOVING COMPANY 3236 BEACON HILL AVENUE PITT\$BURGH PA 15216





#### SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

#### Published in Pennsylvania Bulletin

NOV 2 8 1998

#### BUREAU OF TRANSPORTATION AND SAFETY COMMON CARRIER November, 98

A-00108945 F. 1 Am-A

Application of Gardner Moving Company, a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport household goods, personal effects and property used to 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 of the householder from one domicile to another; furniture, fixtures, equipment and the 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 special handling and equipment usually employed in moving household goods between points in the county of Allegheny, and from points in said county to points in Pennsylvania; subject to the following condition: that no right, power or privilege is granted to provide service to points in the counties of Chester and Montgomery, and the city of Harrisburg, Dauphin County, and points within ten (10) miles by the usually traveled highway of the limits of said city: SO AS TO PERMIT the transportation of household goods in use, between points within an airline radius of seventy-five (75) statute miles of the Allegheny County Courthouse, located in the city of Pittsburgh, Allegheny County.

GET:rs

11/12/98

Application Received: 11/06/98

Application docketed: 11/10/98

DEC 2 1 1998

Protests due

A-00108945, F. 1, Am-A GARDNER MOVING COMPANY (3236 Beacon Hill Avenue, Pittsburgh, Allegheny County, PA 15216), a corporation of the Commonwealth of Pennsylvania inter alia - household goods, personal effects and property used to 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 of the householder from one domicile to another; furniture, fixtures, equipment and the 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 special handling and equipment usually employed in moving household goods between points in the county of Allegheny, and from points in said county to points in Pennsylvania; subject to the following condition: that no right, power or privilege is granted to provide service to points in the counties of Chester and Montgomery, and the city of Harrisburg, Dauphin County, and points within ten (10) miles by the usually traveled highway of the limits of said city: SO AS TO PERMIT the transportation of household goods in use, between points within an airline radius of seventy-five (75) statute miles of the Allegheny County Courthouse, located in the city of Pittsburgh, Allegheny County. Attorney: Mark C. Stephenson, 1900 Market Street, Philadelphia, PA 19103.