

RECEIVED

SHERR, JOFFE & ZUCKERMAN, P.C.
ATTORNEYS AT LAW

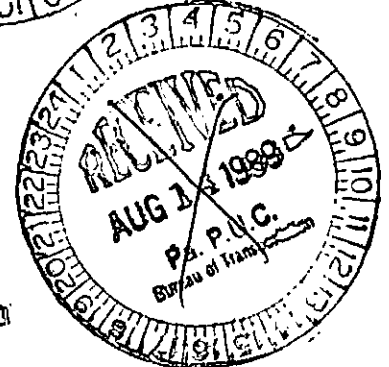
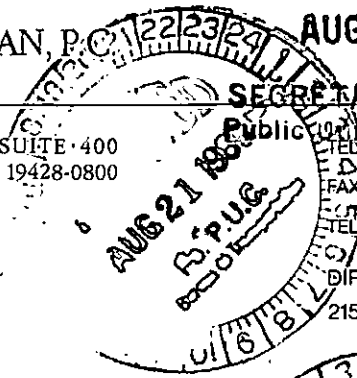
AUG 11 1989

RONALD H. SHERR
BENJAMIN E. ZUCKERMAN
STANLEY M. JOFFE
JAMES W. HENNESSEY
WILLIAM A. JONES
MARK C. SCHULTZ
CARL WEISS
ROBERT A. SELIG
STANLEY A. BARG*
MARC L. DAVIDSON*
JOSEPH B. MAYERS
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RICHARD J. MENNIES
VICTOR M. VERBEKE
ANTHONY R. SHERR
YVONNE A. OKONIESKI
JUDITH L. BIRCHFIELD
MARC D. MANOFF

200 FOUR FALLS CORPORATE CENTER, SUITE 400
P.O. BOX 800, WEST CONSHOHOCKEN, PA 19428-0800

SECRETARY'S OFFICE
Public Utility Commission

TEL: 215-941-5400
FAX: 215-941-0711
TELEX: 9102401334
DIRECT DIAL:
215-941-2348



*LL.M. IN TAXATION

Office of the Pennsylvania
Public Utility Commission
P.O. Box 3265
North Office Building
Harrisburg, PA 17120

August 9, 1989

AUG 21 1989

SECRETARY'S OFFICE
Public Utility Commission

Re: Filing of Application for Transfer of PUC Rights

Dear Sir/Madam:

Please find enclosed an original and two copies of an application for approval of transfer of PUC common carrier rights, verified by affidavit, along with the required filing fee of \$125.00 by certified check.

If there are any questions concerning this application, please feel free to contact me.

Sincerely,

SHERR, JOFFE & ZUCKERMAN, P.C.

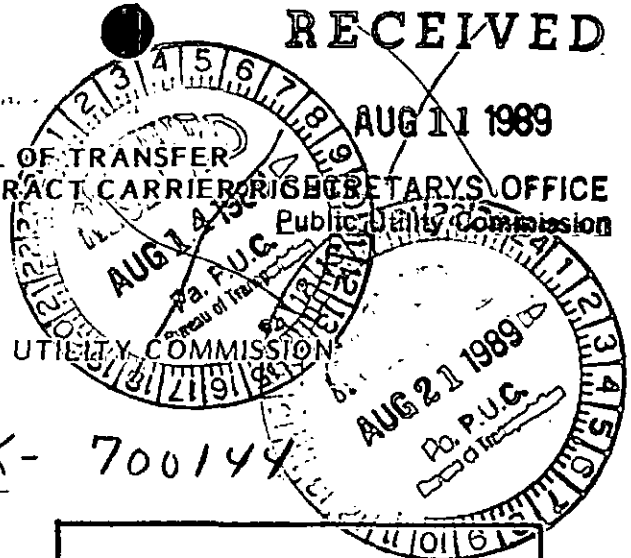
STANLEY A. BARG

SAB/gc
Enclosures



RECEIVED

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



BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Gardner Moving Company
(Applicant/Transferee-Buyer)

TK- 700144

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

PUC USE ONLY
Docket No. 108945
Folder No. _____

No. A-00101375, Folder No. F.1, AmB, issued to
Patricia Irene Gardner & Joseph P. Gardner,
Co-Partners, t/d/b/a Gardner Moving
(Transferor-Seller)

RE

for transportation of property
(persons-property)

AUG 21 1989

SECRETARY'S OFFICE
Public Utility Commission

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

1. Gardner Moving Company
(Full and correct name of applicant/transferee)

2. N.A.
(Trade name, if any)

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

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

3. 3236 Beacon Hill Avenue _____ (P.O. Box, if any)
(Business Street Address) _____
Pittsburgh Allegheny PA 15216 (412) 341-8407
(City) (County) (State) (Zip) (Telephone)

DOCUMENT
FOLDER

BEGINNING

DOCKETED
APPLICATION DOCKET
AUG 23 1989
ENTRY No. law

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

Sherr, Joffe & Zucker
Zucker, P.C. P.O. Box 800
West Conshohocken PA 19428-0800 (215) 941-5400
(Name) (Address) (Telephone)

5. Any documents should be mailed to:

Transferee: Gardner Moving Co., 3236 Beacon Hill Ave, Pittsburgh PA 15216
(Name) (Address)

Patricia Irene Gardner & Joseph P. Gardner,
Transferor: t/d/b/a Gardner Moving - 3236 Beacon Hill Ave., Pittsburgh, PA
(Name) (Address) 15216

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

A- _____ 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 Pennsylvania

and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on July 21, 1989 (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 incorporation of business currently operating
as a partnership.

12a. The following must be attached:

Sales Agreement. N.A. Upon P.U.C. approval, equipment will be transferred
to corporation in exchange for stock. No other consideration will be given.

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)

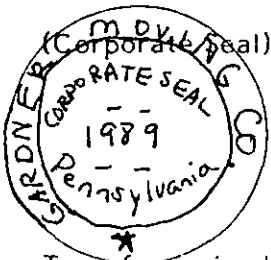
List of corporate officers and stockholders. (corporations only)

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: By: Joseph P. Gardner 8/4/89
 (each partner must sign) (Date)



Attest: [Signature]

Transferor sign here: Joseph P. Gardner 8/4/89
 (Corporate Seal)

THIS MUST BE COMPLETED BY NOTARY PUBLIC
AFFIDAVIT OF TRANSFEREE/APPLICANT (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; or are true and correct to the best of his knowledge, information and belief and he expects to be able to prove the same at the hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____
day of _____ 19 _____
My Commission Expires _____

Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
: SS:
Allegheny _____ County :

Joseph P. Gardner, being duly sworn (affirmed) according to law, desposes and says that he is President of Gardner Moving Company,
(Office of Affiant) (Name of Corporation)

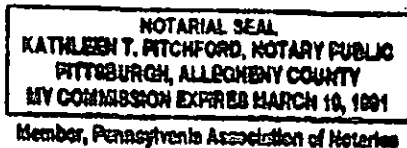
that he is authorized to and does make this affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said Gardner Moving Company to be able to prove the same
(Name of Corporation)

the same at the hearing hereof.

Joseph P. Gardner
Signature of Affiant

Sworn and subscribed before me this 4th
day of August 19 89
My Commission Expires _____

Kathleen T. Pitchford
Signature of Official Administering Oath



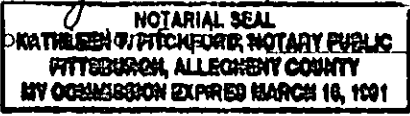
THIS MUST BE COMPLETED BY NOTARY PUBLIC
AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
Allegheny County :

JOSEPH P. GARDNER, 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.

Joseph P. Gardner
Signature of Affiant

Sworn and subscribed before me this 4th
day of August 19 89

My Commission expires _____


Kathleen T. Pitchford
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

ATTACHMENTS TO THE APPLICATION OF
GARDNER MOVING COMPANY

1. Copy of filed Articles of Incorporation, including statement of corporate charter purpose
2. List of corporate officers, their titles and names, addresses and number of shares held by each stockholder
3. List of Equipment to be used to render service
4. Operating authority to be transferred
5. Statement of Financial Condition
6. Statement of unpaid business debts
7. Statement of Safety Program
8. Statement of Transferee's experience.

ARTICLES OF INCORPORATION

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

PLEASE INDICATE (CHECK ONE) TYPE CORPORATION.
 DOMESTIC BUSINESS CORPORATION
 DOMESTIC BUSINESS CORPORATION
A CLOSE CORPORATION - COMPLETE BACK FEE \$75.00
 DOMESTIC PROFESSIONAL CORPORATION
ENTER BOARD LICENSE NO

010 NAME OF CORPORATION (MUST CONTAIN A CORPORATE INDICATOR UNLESS EXEMPT UNDER 15 P.S. 2908 B)

Gardner Moving Company

011 ADDRESS OF REGISTERED OFFICE IN PENNSYLVANIA (P.O. BOX NUMBER NOT ACCEPTABLE)

3236 Beacon Hill Avenue

012 CITY

Pittsburgh

033 COUNTY

Allegheny

013 STATE

PA

064 ZIP CODE

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 corporations may be incorporated under the Pennsylvania Business Corporation Law, Act of 1933, P.L. 364, as amended.

(ATTACH 8 1/2 x 11 SHEET IF NECESSARY)

The Aggregate Number of Shares, Classes of Shares and Par Value of Shares Which the Corporation Shall Have Authority to Issue:

040 Number and Class of Shares

5000

041 Stated Par Value Per Share If Any
\$1.00

042 Total Authorized Capital

\$5,000

031 Term of Existence

Perpetual

The Name and Address of Each Incorporator, and the Number and Class of Shares Subscribed to by Each Incorporator

060 Name	061, 062 063, 064 Address (Street, City, State, Zip Code)	Number & Class of Shares
Joseph P. Gardner	130 Pinewood Drive Bridgeville, PA 15017	1

(ATTACH 8 1/2 x 11 SHEET IF NECESSARY)

IN TESTIMONY WHEREOF, THE INCORPORATOR(S) HAS (HAVE) SIGNED AND SEALED THE ARTICLES OF INCORPORATION

THIS 17th DAY OF July 1989

Joseph P. Gardner

- FOR OFFICE USE ONLY -

030 FILED

JUL 21 1989

James J. [Signature]
Secretary of the Commonwealth
Department of State
Commonwealth of Pennsylvania

002 CODE	003 REV BOX	SEQUENTIAL NO.	100 MICROFILM NUMBER	
REVIEWED BY	004 SICC	AMOUNT	001 CORPORATION NUMBER	
DATE APPROVED		\$		
DATE REJECTED	CERTIFY TO <input type="checkbox"/> REV.	INPUT BY	LOG IN	LOG IN (REFILE)
MAILED BY DATE	<input type="checkbox"/> L & I <input type="checkbox"/> OTHER	VERIFIED BY	LOG OUT	LOG OUT (REFILE)

GARDNER MOVING COMPANY

CORPORATE OFFICERS

	<u>Title</u>	<u>No. of Shares</u>
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	

GARDNER MOVING COMPANY

EQUIPMENT

1982 Mack Truck
Vehicle I.D. NO. VG6M111B1CB015339
Unladen Weight - 16,800
Reg. Gross Weight - 32,000

1985 Mack Truck
Vehicle I.D. NO. VG6M111B8BF024365
Unladen Weight - 16,000
Reg. Gross Weight - 32,000

1986 Mack Diesel Truck
Vehicle I.D. NO. VG6BA01A0GB000037
Unladen Weight - 16,800
Reg. Gross Weight - 32,000

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AUG 21 1989

**SECRETARY'S OFFICE
Public Utility Commission**

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held December 18, 1986

Commissioners Present:

Linda C. Taliaferro, Chairman
Frank Fischl
Bill Shane

Application of Patricia Irene Gardner and Joseph P. Gardner, copartners, t/d/b/a Gardner Moving, for amendment to their common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, household goods, personal effects and property used 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 by 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: SO AS TO PERMIT the transportation of household goods, personal effects and property used or to be used in a dwelling when part of the furnishings, equipment or supplies of such dwelling as an incidental part of a removal by the householder from one domicile to another; furniture, fixtures, equipment and the property of stores,

A-00101375

F. 1

Am-B

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AUG 21 1989

SECRETARY'S OFFICE
Public Utility Commission

offices, musuems, 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.

Reed, Smith, Shaw & McClay by Christopher Zettlemoyer for the applicant.
Vuono, Lavelle & Gray by William J. Lavelle for the protestants,
McNaughton Bros., Inc. and B. H. Stumpf Co., Inc.
John E. Fullerton for the protestant, Movers World, Inc.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed December 20, 1985. Public notice of the application was given in the Pennsylvania Bulletin of January 18, 1986. Protests to the application were filed by McNaughton Bros., Inc., B. H. Stumpf Co., Inc. and Movers World, Inc. The protests of McNaughton Bros., Inc. and B. H. Stumpf Co., Inc. were withdrawn upon reconsideration, without amendment. The protest of Movers World, Inc. was withdrawn when the applicant restrictively amended the application to exclude transportation to points in the counties of Chester and Montgomery, and to points in the city of Harrisburg, Dauphin County, and points within ten (10) miles by the usually traveled highways of the limits of said city.

The application is now unprotested and the record is certified to the Commission for its decision without an oral hearing. The record consists of verified statements submitted by the applicant and three supporting shippers.

DISCUSSION AND FINDINGS

The applicants, Patricia Irene Gardner and Joseph P. Gardner, under the trade name of Gardner Moving (applicants) are engaged in transporting household goods, personal effects and property between points in the county of Allegheny. The applicants now seek by the amended application to expand their transportation of household goods to include transportation between points in Allegheny County, and from points in said county, to points in Pennsylvania; excluding service to

points in the counties of Chester and Montgomery, and points in the city of Harrisburg, Dauphin County, and points within ten (10) miles of the city of Harrisburg.

Gardner leases parking space for its equipment from South Hills Movers, Inc., 3132 Industrial Boulevard, Bethel Park, Allegheny County. No terminal facilities are needed by the applicant due to the nature of the commodities transported. The applicant currently operates three straight trucks.

Supporting the applicants for the additional operating authority are Reverend Francis T. Bach and Craig Mallick, Pittsburgh; and Kathleen H. Omahne, Bridgeville, Allegheny County. The three supporting parties have indicated that they have used the services of the applicants for transportation of their personal household goods or for the relocation of business offices. The three supporting parties have all indicated that they anticipate using the applicants' services under the proposed authority.

After review of the record, we are of the opinion that the applicants have demonstrated that they are capable of providing the additional proposed transportation. We also believe that the record contains sufficient evidence to demonstrate that there exists a public need for the service proposed by the amended application.

Approval of the amended application will result in extensive duplication of the applicants' current authority at A-00101375, Folder 1, and at Folder 1; Am-A. To eliminate the duplication of authority, the rights hereinafter set forth, will be comprised of the authority sought by the instant application, as amended, as well as those rights currently held by the applicants that authorize the transportation of commodities not herein involved, thereby eliminating any duplication of household goods authority.

We find:

1. That the applicants are fit, willing and able to provide the proposed transportation, as amended.
2. That the applicants have met their statutory burden of demonstrating that a public need exists.
3. That approval of the application, as amended, is necessary for the accommodation and convenience to the public; THEREFORE,

IT IS ORDERED: That the application, as amended, be and is hereby approved, and that the certificate issued to the applicants on September 12, 1979, as amended, be further amended so that the rights contained at A-00101375, F. 1 and F. 1, Am-A, shall now read as follows:

- (1) To transport, as a Class D carrier, coal, coke and other solid fuels, contractors road building materials and supplies, between points in the city of Pittsburgh, and within fifteen (15) miles by the usually traveled highways of the City-County Building in the city of Pittsburgh, Allegheny County.
- (2) To transport, as a Class B carrier, property from the Klein-Logan Company, to and from railroad stations in the city of Pittsburgh, Allegheny County.
- (3) To transport, as a Class D carrier, household goods, personal effects and property used 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.

with Right No. 3 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 highways of the limits of said city.

IT IS FURTHER ORDERED: That the applicants shall not engage in any transportation granted herein until they shall have complied with the requirements of the Public Utility Code and the rules and regulations of this Commission relative to the filing and acceptance of a tariff establishing just and reasonable rates.

IT IS FURTHER ORDERED: That in the event said applicants have not, on or before sixty (60) days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

IT IS FURTHER ORDERED: That the authority granted herein, to the extent that it duplicates authority now held by or subsequently granted to the carrier, shall not be construed as conferring more than one operating right.

BY THE COMMISSION,

A handwritten signature in cursive script that reads "Jerry Rich". The signature is written in dark ink and is positioned above the typed name and title.

Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: December 18, 1986

ORDER ENTERED: DEC 30 1986

STATEMENT OF FINANCIAL POSITION (Balance Sheet)
 "PRO FORMA" as of 12/21/90
 Date

ASSETS

CURRENT ASSETS

Cash		29,000
Accounts Receivable		
Notes Receivable		
Other current assets (Specify)		
Total current assets		29,000

TANGIBLE ASSETS

Land		
Motor Vehicle Equipment	128,000	
Less: Accumulated Depreciation	- 108,000	= 20,000
Buildings and Structures		
Less: Accumulated Depreciation	-	=
Investments and Funds (Specify)		
Intangible Assets		
Other assets (Such as advances and idle equipment - specify)		49,000

LIABILITIES

Current Liabilities (liabilities due within one year of date)

Accounts Payable		500
Notes Payable		
Equipment Obligations		20,000
Other Liabilities (attach schedule)		
Total Current Liabilities		20,500

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

Accounts Payable		
Notes Payable		
Equipment Obligations		20,000
Other Liabilities (attach schedule)		
Total Long Term Liabilities		20,000
Total Liabilities		40,500

Net Worth (partnerships & individuals)

OWNERS EQUITY (Corporations only)

Capital Stock (Corporations only)		100
Additional paid-in capital		4,400
Retained Earnings (Corporations only)	4,000	
Less: Treasury Stock	-	= 4,000
Total Owner's Equity (Corporations only)		8,500
Total Liabilities & Owner's Equity (Corporations only)		49,000

STATEMENT OF FINANCIAL CONDITION

"PRO FORMA"

INCOME STATEMENT

For the 12-month period ending 12/31/90
(Date)

REVENUE and GAINS

Operating Revenue	260,000
Net Revenue from non-carrier operation	_____
Dividend and Interest revenues	1,000
Other non-operating revenue	_____
Gains	_____
Total Revenue and Gains	<u>261,000</u>

EXPENSES

Equipment Maintenance and Garage Expense	5,000
Insurance Expense	17,000
Employee Salaries	66,000
Supervisory Salaries	_____
Officer Salaries	100,000
Fuel Expense	9,000
Purchased Transportation (Lease Expense)	_____
Materials and Supplies Expense	_____
General Office Expense	15,000
Advertising Expense	3,000
Telephone Expense	9,000
Accounting Expense	1,000
Legal Expense	2,000
Uncollectible Revenue	_____
Depreciation Expense	20,000
Amortization	_____
Operating Taxes and Licenses	10,000
Rent Expense	_____
Loss	_____
Total Operating Expense and Losses	<u>257,000</u>

Net Income before Taxes	4,000
Provision for Income Taxes	0
Net Income	<u>4,000</u>

STATEMENT OF UNPAID BUSINESS DEBTS OF TRANSFEROR

The business debts of Patricia Irene Gardner and Joseph P. Gardner, Co-Partners, (d/b/a Gardner Moving) will be transferred and assumed by the Corporation Gardner Moving Company.

GARDNER MOVING COMPANY

SAFETY PROGRAM

We have insurance policies covering liability and property damage, a list of which is attached to this statement as Exhibit "A".

All of our equipment is subject to daily checks for the usual operating items such as lights, brakes, tires, windshields and the like and we have all the required periodic maintenance checks. In addition, our equipment is inspected annually according to Pennsylvania State Law.

We are familiar with keeping travel logs and Department of Transportation safety regulations.

GARDNER MOVING COMPANY

1. Continental Casualty Co.
Policy No. 5 02066662
Customers' Household Goods Certificate of Insurance
Policy Period 12/14/88 to 12/14/89
2. Continental Casualty Co.
Policy No. 4-00518153
Commercial General Liability Coverage
Policy Period 6/20/89 to 6/20/90
3. Continental Casualty Co.
Policy No. TRK 902067128
Automobile Liability
Policy Period 12/14/88 to 12/14/89
4. Continental Casualty Co.
Policy No. WC 902427305
Workers' Compensation and Employer's Liability
Policy Period 3/10/88 to 3/10/89

GARDNER MOVING COMPANY

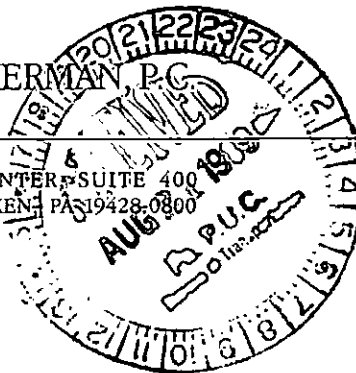
TRANSFEREE'S EXPERIENCE

We have been in the business of moving household goods, personal effects and property used in a dwelling for ten (10) years. Operating as a partnership, we were originally granted the authority to provide this service within Allegheny County by Your Honorable Commission on September 2, 1979. Our common carrier certificate was amended by an order dated December 30, 1986 to allow us to provide this service from points in Allegheny County to points in Pennsylvania.

We have extensive experience operating under the above-referenced authority and will be operating as a Corporation with the same personnel, equipment and experience.

C PA
C TA

SHERR, JOFFE & ZUCKERMAN, P.C.
ATTORNEYS AT LAW



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RECEIVED

August 17, 1989

AUG 21 1989

SECRETARY'S OFFICE
Public Utility Commission

A-108945

Office of the Pennsylvania
Public Utility Commission
P.O. Box 3265
North Office Building
Harrisburg, PA 17120

Re: Filing of Application for Transfer of PUC Rights

Dear Sir/Madam:

Please find enclosed an original and two copies of an application for approval of transfer of PUC common carrier rights, which was returned to us for incorrect filing fee, along with two certified checks totalling the required filing fee of \$350.00.

If there are any questions concerning this application, please feel free to contact me.

Sincerely,

SHERR, JOFFE & ZUCKERMAN, P.C.

Judith L Birchfield
JUDITH L. BIRCHFIELD

JLB/gc
Enclosures



Annex A

TITLE 52. PUBLIC UTILITIES

PART I. PUBLIC UTILITY COMMISSION

Subpart A. GENERAL PROVISIONS

CHAPTER 1. RULES OF ADMINISTRATIVE PRACTICE AND PROCEDURE

Subchapter E. FEES

§ 1.43. Schedule of fees payable to the Commission.

(a) *Fees for services.* The fees for services rendered by the Commission are as follows:

<i>Description</i>	<i>Fee (in dollars)</i>
Copies of papers, testimony, microfiche, records and computer printouts per sheet	\$.75
Copies of microfiche per sheet	\$ 1.50
Copies of microfilm per roll	\$ 25
Certifying copy of a paper, testimony or record	\$ 5
Filing each securities certificate	\$350
Filing each abbreviated securities certificate	\$ 25
Filing each application for a certificate, permit or license or amendment of a certificate, permit or license	\$350
Filing an application for emergency temporary authority as common carrier or contract carrier or broker or for an extension thereof	\$100
Filing an application for temporary authority as common carrier, contract carrier or broker	\$100
Filing an application for a certificate to discontinue common carrier service	\$ 10

(b) *Fees for testing.* The fees fixed by section 317 of the act (relating to fees for services rendered by commission) to be charged and collected from public utilities for the testing of their instruments of precision and measuring apparatus are as follows:

<i>Description</i>	<i>Fee (in dollars)</i>
Testing each watthour meter	\$16
Testing each indicating instrument	10
Testing each transformer	10
Testing each standard cell	5
Testing each standard resistance	10
Testing each potentiometer	50
Testing each gas meter prover	35
Testing each calorimeter tested at the gas company's plant	35
Testing each calorimeter tested at the Commission laboratory	10
Each water meter testing apparatus tested at the company's plant	15
Each water meter tested at the Commission laboratory	3

RE: FILING FEES

A-108945

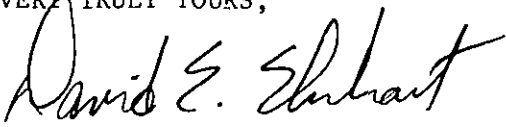
DEAR APPLICANT:

WE ARE RETURNING YOUR APPLICATION.

OUR FILING FEES INCREASED ON AUGUST 5, 1989.

KINDLY SUBMIT THE APPLICATION WITH THE APPROPRIATE FEE.

VERY TRULY YOURS,



DAVID E. EHRHART, SUPERVISOR
BUREAU OF TRANSPORTATION



RECEIVED

AUG 21 1989

**SECRETARY'S OFFICE
Public Utility Commission**



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

August 28, 1989

IN REPLY PLEASE
REFER TO OUR FILE

A-108945

Judith L. Birchfield, Esquire
Sherr, Joffe & Zuckerman, P.C.
200 Four Falls Corporate Center, Suite 400
P.O. Box 800
West Conshohocken, PA 19428-0800

Re: Application of Gardner Moving Company for the acquisition of
the rights of Patricia Irene Gardner & Joseph P. Gardner,
Copartners, t/d/b/a Gardner Moving

Dear Ms. Birchfield:

Please have Patricia Irene Gardner sign the attached
pages where the red x appears.

We will also need a sales agreement. It can be for
\$1.00. Attached is a sample sales agreement for your convenience.

Sincerely,

Frances Walkinshaw
Application Examiner
Bureau of Transportation
(717) 783-3037

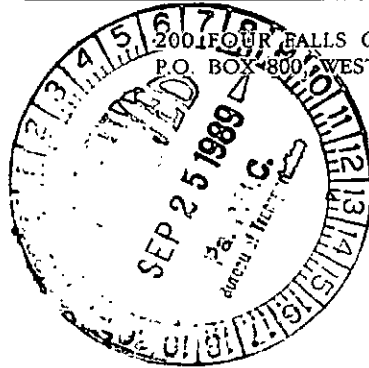
Attachments



SHERR, JOFFE & ZUCKERMAN, P.C.

ATTORNEYS AT LAW

RONALD H. SHERR
BENJAMIN E. ZUCKERMAN
STANLEY M. JOFFE
JAMES W. HENNESSEY
WILLIAM A. JONES
MARK C. SCHULTZ
CARL WEISS
ROBERT A. SELIG
STANLEY A. BARG
MARC L. DAVIDSON
JOSEPH B. MAYERS
JOANNE STEINKE FAUL
RICHARD J. MENNIES
VICTOR M. VERBEKE
ANTHONY R. SHERR
YVONNE A. OKONIESKI
JUDITH L. BIRCHFIELD
MARC D. MANOFF



2001 FOUR FALLS CORPORATE CENTER, SUITE 400
P.O. BOX 800 WEST CONSHOHOCKEN, PA 19428-0800

TEL: 215-941-5400
FAX: 215-941-0711
TELEX: 9102401334
DIRECT DIAL:
215-941-2356

September 21, 1989

Frances Walkinshaw, Examiner
Bureau of Transportation
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

A-108945

Re: Application of Gardner Moving Company for the
Acquisition of the Rights of Patricia Irene Gardner
and Joseph P. Gardner, Co-partners, t/d/b/a
Gardner Moving

Dear Ms. Walkinshaw,

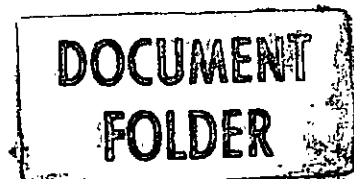
Please find enclosed the signature pages of the above
application where all partners have signed. The Sales Agreement
to be attached to the application is currently being signed by
all parties and will be forwarded to you shortly.

If you have any further questions, please feel free to
contact me.

Very truly yours,

JUDITH L. BIRCHFIELD

JLB/gc
Enclosures



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



COMMONWEALTH OF PENNSYLVANIA :
: SS:
Allegheny County :

X JOSEPH P. GARDNER, 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.

Joseph P. Gardner
Signature of Affiant

Sworn and subscribed before me this 4th
day of August 19 89

X Michael W. Gardner
X Patricia J. Gardner

My Commission Expires March 10, 1991
NOTARIAL SEAL
KATHLEEN T. PITCHFORD, NOTARY PUBLIC
PITTSBURGH, ALLEGHENY COUNTY
MY COMMISSION EXPIRES MARCH 10, 1991
Member, Pennsylvania Association of Notaries

Kathleen T. Pitchford
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

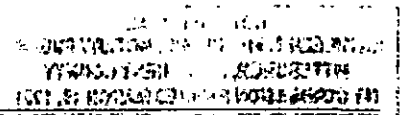
THIS MUST BE COMPLETED BY NOTARY PUBLIC
AFFIDAVIT OF TRANSFEREE/APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
_____ County :

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

Signature of Affiant

Sworn and subscribed before me this _____
day of _____ 19 _____
My Commission Expires _____



Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

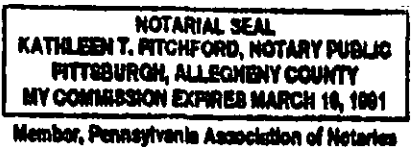
COMMONWEALTH OF PENNSYLVANIA :
: ss:
Allegheny County :

Joseph P. Gardner, being duly sworn (affirmed) according to law, deposes and says that he is President of Gardner Moving Company,
(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 Gardner Moving Company to be able to prove the same
(Name of Corporation)
the same at the hearing hereof.

Joseph P. Gardner
Signature of Affiant

Sworn and subscribed before me this 4th
day of August 19 89
My Commission Expires _____

Kathleen T. Fitchford
Signature of Official Administering Oath



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 incorporation of business currently operating as a partnership.

12a. The following must be attached:

Sales Agreement. N.A. Upon P.U.C. approval, equipment will be transferred to corporation in exchange for stock. No other consideration will be given.

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)

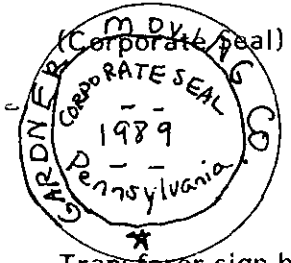
List of corporate officers and stockholders. (corporations only)

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: By: Joseph P. Gardner 9/4/89
 (each partner must sign) (Date)



Attest: Michael W. Gardner

Transferor sign here: Joseph P. Gardner 9/4/89
 (Corporate Seal)

X Michael W. Gardner 9/12/89
 X Patricia L. Gardner 9/12/89

September 22, 1989

IN REPLY PLEASE
REFER TO OUR FILE

Stanley A. Barg
Attorney at Law
P.O. Box 800
West Conshohocken, PA 19428-0800

In re: A-00108945 - Application of Gardner Moving Company

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of Gardner Moving Company for the rights of Irene Gardner and Joseph P. Gardner, Copartners, t/d/b/a Gardner Moving.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before October 16, 1989. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that Irene Gardner and Joseph P. Gardner, Copartners, t/d/b/a Gardner Moving will continue to render the service covered by their certificate 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 September 23, 1989.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:rs

cc: Applicant
3236 Beacon Hill Avenue
Pittsburgh, PA 15216

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 25 1989
ENTRY No. 112

A-00108945 GARDNER MOVING COMPANY (3236 Beacon Hill Avenue, Pittsburgh, Allegheny County, PA 15216), a corporation of the Commonwealth of Pennsylvania - (1) coal, coke and other solid fuels, contractors road building materials and supplies, between points in the city of Pittsburgh, and within fifteen (15) miles by the usually traveled highways of the City-County Building in the city of Pittsburgh, Allegheny County; (2) as a Class B carrier, property from the Klein-Logan Company, to and from railroad stations in the city of Pittsburgh, Allegheny County; and (3) household goods, personal effects and property used 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; with Right No. 3 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 highways of the limits of said city; which is to be a transfer of the rights authorized under the certificate issued at A-00101375 to Patricia Irene Gardner and Joseph P. Gardner, Copartners, t/d/b/a Gardner Moving, subject to the same limitations and conditions. Attorney: Stanley A. Barg, P.O. Box 800, West Conshohocken, PA 19428-0800.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

SEP 23 1989

BUREAU OF TRANSPORTATION
COMMON CARRIER
AUGUST 1989

A-00108945

Application of Gardner Moving Company, a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, (1) coal, coke and other solid fuels, contractors road building materials and supplies, between points in the city of Pittsburgh, and within fifteen (15) miles by the usually traveled highways of the City-County Building in the city of Pittsburgh, Allegheny County; (2) as a Class B carrier, property from the Klein-Logan Company, to and from railroad stations in the city of Pittsburgh, Allegheny County; and (3) household goods, personal effects and property used 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; with Right No. 3 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 highways of the limits of said city; which is to be a transfer of the rights authorized under the certificate issued at A-00101375 to Patricia Irene Gardner and Joseph P. Gardner, Copartners, t/d/b/a Gardner Moving, subject to the same limitations and conditions.

FW:11
8/30/89

Application received: 8/21/89
Application docketed: 8/28/89

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 25 1989
ENTRY No. _____

OCT 16 1989

Protests due on No Hearings _____
Protests due on Hearings - (5 days prior to date of hearing)
Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

SHERR, JOFFE & ZUCKERMAN, P.C.

ATTORNEYS AT LAW

RONALD H. SHERR
BENJAMIN E. ZUCKERMAN
STANLEY M. JOFFE
JAMES W. HENNESSEY
WILLIAM A. JONES
MARK C. SCHULTZ
CARL WEISS
ROBERT A. SELIG
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YVONNE A. OKONIESKI
JUDITH L. BIRCHFIELD
MARC D. MANOFF

200 FOUR FALLS CORPORATE CENTER, SUITE 400
P.O. BOX 800, WEST CONSHOHOCKEN, PA 19428-0800

TEL: 215-941-5400

FAX: 215-941-0711

TELEX: 9102401334

DIRECT DIAL:

215-941-



*L.L.H. IN TAXATION

October 4, 1989

Frances Walkinshaw, Examiner
Bureau of Transportation
Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

A-00108945

RE: Application of Gardner Moving Company for the
Acquisition of the Rights of Patricia Irene Gardner
and Joseph P. Gardner, Co-partners, t/d/b/a
Gardner Moving

Dear Ms. Walkinshaw,

Please find enclosed the signed Sales Agreement to complete
the above application process.

If you have any further questions, please feel free to contact
me.

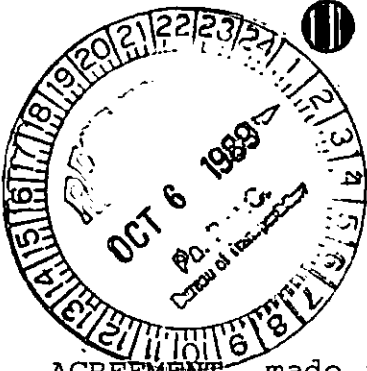
Very truly yours,

Judith L. Birchfield

JUDITH L. BIRCHFIELD

JLB/mtb
Enclosure





SALES AGREEMENT

AGREEMENT, made this *9th* day of *September*, 1989, between PATRICIA IRENE GARDNER and JOSEPH P. GARDNER, Co-Partners, t/d/b/a GARDNER MOVING, with an address at 3236 Beacon Hill Avenue, Pittsburgh, Pennsylvania ("Seller") and GARDNER MOVING COMPANY, a Pennsylvania corporation with an address at 3236 Beacon Hill Avenue, Pittsburgh, Pennsylvania ("Buyer").

1. Seller holds Pennsylvania intrastate motor carrier operating rights issued by the Pennsylvania Public Utility Commission at Docket No. A-00101375, Folder No. F.1, AmB. A copy of said authority is attached hereto and 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. Said operating rights shall be transferred to the Buyer, together with other assets, for and in consideration of the transfer of all of the shares of Buyer's common stock 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 sixty (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.

GARDNER MOVING COMPANY

ATTEST:

Patricia I. Gardner

BY Joseph P. Gardner

GARDNER MOVING

WITNESS:

Joseph P. Gardner (SEAL)
JOSEPH P. GARDNER

Patricia Irene Gardner (SEAL)
PATRICIA IRENE GARDNER

Michael Gardner (SEAL)
MICHAEL GARDNER