

APPLICATION

A-00109487 F1 AMA

CALDWELL & KEARNS

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

3631 NORTH FRONT STREET
HARRISBURG, PENNSYLVANIA 17110-1533

RECEIVED

93 MAR 16 AM 10:09

PA PUC
BUREAU OF 717-232-7661
TRANSPORTATION 717-232-2766

THOMAS D. CALDWELL, JR.
RICHARD L. KEARNS
CARL G. WASS
JAMES R. CLIPPINGER
CHARLES J. DEHART, III
JAMES D. CAMPBELL, JR.
JAMES L. GOLDSMITH
TIMOTHY I. MARK
RICHARD B. SWARTZ
JAMES G. NEALON, III
MATTHEW R. GOVER

March 12, 1993

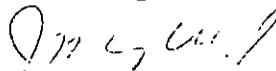
John G. Alford, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17120

Re: George F. DelBaggio, t/d/b/a D & G Trucking
A-00109487

Dear Secretary Alford:

Please find enclosed herewith the original and two copies of an Application filed by the above named carrier. Our check in the sum of \$350 is enclosed to cover the filing fee.

Sincerely,



James D. Campbell, Jr.
CALDWELL & KEARNS

JDCJr/njd

Enclosure

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MAR 12 1993

Public Utility Commission
SECRETARY'S BUREAU
Document Control Division
DOCUMENT
FOLDER

RECEIVED

MAR 12 1993

Public Utility Commission
SECRETARY'S BUREAU
Information Control Division

BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of George F. DelBaggio
t/d/b/a D & G Trucking

APPLICATION DOCKET

No. 00109487

Folder No. *F.1, AM-A*

for a certificate of public convenience or a permit
evidencing the Commission's approval of the right and
privilege of operating motor vehicles as a motor
carrier for the transportation of **PROPERTY**.

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

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MAR 16 AM 10:09
PA P.U.C.
BUREAU OF
TRANSPORTATION

1. George F. DelBaggio
(Full and correct name of applicant)

2. D & G Trucking
(Trade name, if any)

The trade name has been registered with the Secretary of the
(has or has not) previously filed with Commission
Commonwealth on 5/31/78 (attach copy of stamped registration form).
(date)

3. R.D. #4 Box 201-A
(Business Street Address) (P.O. Box, if any)
Tyrone Blair PA 16686 (814)684-4237
(City) (County) (State) (Zip) (Telephone)

4. Applicant's attorney (for this application) is:
James D. Campbell, Jr., Esq., 3631 N. Front St., Harrisburg, PA 17110; (717)232-7661
(Name) (Address) (Telephone)

5. Any notice, process or order of the PUC should be served upon:
James D. Campbell, Jr., Esq., 3631 N. Front Street, Harrisburg, PA 17110
(Name) (Address)

6. Applicant does hold Pa. PUC authority under Docket No. 00109487
(does or does not)

and operates as a common
(common or contract)

DOCUMENT
carrier
FOLDER

DOCKETED
APPLICATION NO. 00109487
APR 01 1993
ENTRY NO. *JL*

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

at Docket No. _____.

8. Applicant is (check one):

Individual.

Partnership. Attach copy of partnership agreement 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. Attach the following, as appropriate (check those attached):

A Partnership Agreement.

B Trade Name registration certificate.

C Certificate of Incorporation or Authority.

D Statement of corporate charter purpose.

E List of corporate officers and stockholders.

10. That the nature and character of the service to be rendered by applicant is the transportation of property as a Common Contract carrier by means of motor vehicles as follows:

SEE EXHIBIT A ATTACHED HERETO

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

George F. DelBaggio t/d/b/a
D & G Trucking

CORPORATE SEAL

(Print Name of Corporation, Partnership, Trade-Name or Individual)*

Sworn to and subscribed before me this
11 day of MARCH 1993
Sara E. Carpenter
My Commission Expires

By: George F. DelBaggio
(Signature) George F. DelBaggio

(Signature)

(Signature)

Notarial Seal
Sara E. Carpenter, Notary Public
Tyrone Boro, Blair County
My Commission Expires Nov. 21, 1995
Member, Pennsylvania Association of Notaries

*If a partnership, each partner must sign; if a corporation, at least one officer must sign, and corporate seal affixed.

THIS MUST BE COMPLETED BY NOTARY PUBLIC

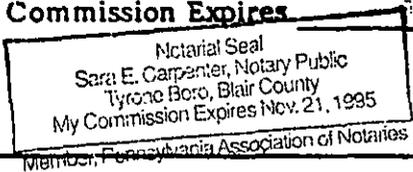
AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
BLAIR County : ss:

George F. DelBaggio, 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.

George F. DelBaggio
Signature of Affiant
George F. DelBaggio

Sworn and subscribed before me this 11
day of MARCH 19 93
My Commission Expires _____



Sara E. Carpenter
Signature of Official Administering Oath

AFFIDAVIT OF APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
_____ County : ss:

_____, being duly sworn (affirmed) according to law, deposes and says that he is _____ of _____
(Office of Affiant)

_____; that he is authorized to and does make this
(Name of Corporation)

affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said _____ to be able to prove the same
(Name of Corporation)

at the hearing hereof.

Signature of Affiant

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

Signature of Official Administering Oath

Interstate Amesite, Inc. and
IA Construction Corporation
St. Mary's ^{Proving Company}

EXHIBIT A

(1) To transport, as a Class D Carrier, sand, gravel, limestone and amesite, for New Enterprise Stone & Lime Co., Inc. from ~~its~~ facilities in the counties of Armstrong, Blair, Cambria, Centre, Clarion, Clearfield, Elk, Huntingdon, Indiana and Jefferson, to points in said counties, and vice versa, provided no haul shall exceed one hundred (100) statute miles from point of origin to point of destination;

their

(Which is to be in lieu of Applicant's existing authority worded identically as above but naming Warner Company as the shippers. Warner Company was acquired by New Enterprise Stone & Lime Co., Inc. April 1, 1984. See attached letter.) (Interstate Amesite Inc. now operates under the name IA Construction Corporation.)

and Interstate Amesite, Inc.

(2) To transport, as a Class D Carrier, property, in bulk, in dump vehicles, for Hoover Concrete, from its facilities in the county of Jefferson, and for Glen Hawbaker, Inc. from its facilities in the County of Centre, to points in Pennsylvania, and vice versa.



New Enterprise Stone & Lime Co., Inc.

P.O. Box 77 • New Enterprise, Pennsylvania 16664 • Corporate Office: 814-766-2211
Fax: 814-766-2970

February 9, 1993

To Whom it May Concern:

New Enterprise Stone & Lime Company, Inc. acquired the Warner Company April 1, 1984.

All business conducted under the name of Warner Company should now be New Enterprise Stone & Lime Co., Inc.

If you have any questions, please call.

Sincerely,

NEW ENTERPRISE STONE & LIME CO., INC.

Lawrence E Price

Lawrence E. Price
Personnel Manager

April 16, 1993

IN REPLY PLEASE
REFER TO OUR FILE

JAMES D CAMPBELL JR
ATTORNEY AT LAW
3631 NORTH FRONT STREET
HARRISBURG PA 17110

In re: A-00109487, F. 1, Am-A - Application of George F.
DelBaggio, t/d/b/a D & G Trucking

Dear Sir:

The application of George F. DelBaggio, t/d/b/a D & G Trucking has been captioned as attached and will be submitted for review provided no protests are filed on or before May 10, 1993. If protests are filed, you will be advised as to further procedure.

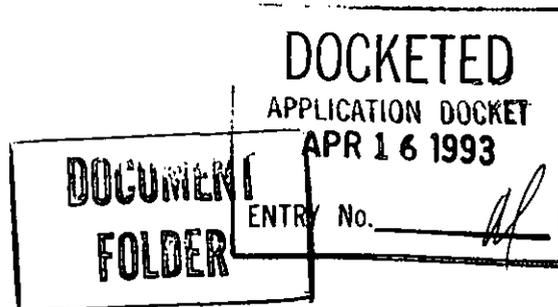
You are further advised that the above application will be published in the Pennsylvania Bulletin of April 17, 1993.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:rs

cc: Applicant
R.D. 4, Box 201A
Tyrone, PA 16686



A-0109487, Folder 1, Am-A GEORGE F. DELBAGGIO, t/d/b/a D & G TRUCKING
(R.D. #4, Box 201-A, Tyrone, Blair County, PA 16686) - (1) sand, gravel,
limestone and amesite for New Enterprise Stone & Lime Co., Inc., Interstate
Amesite, Inc., IA Construction Corporation, and St. Mary's Paving Company, from
their facilities in the counties of Armstrong, Blair, Cambria, Centre, Clarion,
Clearfield, Elk, Huntingdon, Indiana and Jefferson, to points in said counties,
and vice versa, provided no haul shall exceed one hundred (100) statute miles
from point of origin to point of destination; and, (2) property, in bulk, in
dump vehicles, for Hoover Concrete, from its facilities in the county of
Jefferson, and for Glen Hawbaker, Inc. from its facilities in the county of
Centre, to points in Pennsylvania, and vice versa: WHICH IS TO BE IN LIEU OF
PART OF ITS PRESENT AUTHORITY WHICH READS AS FOLLOWS: To transport, as a Class
D carrier, sand, gravel, limestone and amesite, for Interstate Amesite, Inc.,
St. Mary's Paving Company and Warner Company, from the facilities of said
companies located in the counties of Armstrong, Blair, Cambria, Centre, Clarion,
Clearfield, Elk, Huntingdon, Indiana and Jefferson, to points in said counties,
and vice versa, provided no haul shall exceed one hundred (100) statute miles
from point of origin to point of destination. Attorney: James D.
Campbell, Jr., 3631 N. Front Street, Harrisburg, PA 17110.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin APR 17 1993

BUREAU OF TRANSPORTATION
COMMON CARRIER
April 1993

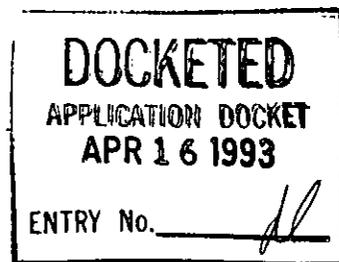
A-00109487
F. 1
Am-A

Application of George F. DelBaggio, t/d/b/a D. & G. Trucking for amendment to its common carrier certificate, this application seeks the right to transport, by motor vehicle, (1) sand, gravel, limestone and amesite for New Enterprise Stone & Lime Co., Inc., Interstate Amesite, Inc., IA Construction Corporation, and St. Mary's Paving Company, from their facilities in the counties of Armstrong, Blair, Cambria, Centre, Clarion, Clearfield, Elk, Huntingdon, Indiana and Jefferson, to points in said counties, and vice versa, provided no haul shall exceed one hundred (100) statute miles from point of origin to point of destination; and, (2) property, in bulk, in dump vehicles, for Hoover Concrete, from its facilities in the county of Jefferson, and for Glen Hawbaker, Inc. from its facilities in the county of Centre, to points in Pennsylvania, and vice versa: WHICH IS TO BE IN LIEU OF PART OF ITS PRESENT AUTHORITY WHICH READS AS FOLLOWS: To transport, as a Class D carrier, sand, gravel, limestone and amesite, for Interstate Amesite, Inc., St. Mary's Paving Company and Warner Company, from the facilities of said companies located in the counties of Armstrong, Blair, Cambria, Centre, Clarion, Clearfield, Elk, Huntingdon, Indiana and Jefferson, to points in said counties, and vice versa, provided no haul shall exceed one hundred (100) statute miles from point of origin to point of destination.

JG:11
4/5/93

Application received: 3/16/93
Application docketed: 4/1/93

NH



Protests due MAY 10 1993