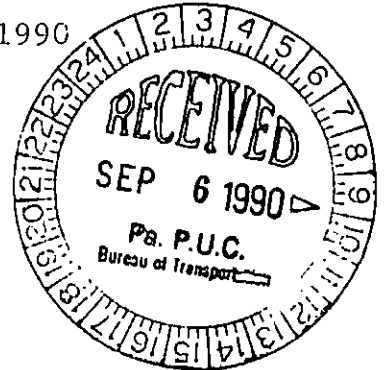


Peter P. Tayoun  
Attorney & Counselor at Law

105 South Main Avenue  
~~Suite 611, Cornell Building~~  
Scranton, Pennsylvania 18503 04  
Telephone (717) 346-7035-  
341-8301

September 5, 1990

Pennsylvania Public Utility Commission  
David Ehrhart Supervisor  
Application Section  
P.O. Box 3265  
Harrisburg, Pennsylvania 17120



Dear Mr. Ehrhart;

Enclosed please find certified check, the transferror's 1989 Annual Report, Applications (PUC-190), Agreement of Sale, List of Equipment to be used to render service, Operating Authority, Financial Statement, Statement that transferor does not have any outstanding business debts, Statement of Safety Program, and Statement of Transferer's Experience.

Also enclosed find Death Certificate of transferor and self-explained statement from widow.

The transferor and the transferee are individuals. There are no Corporations involved.

Please process the enclosed.

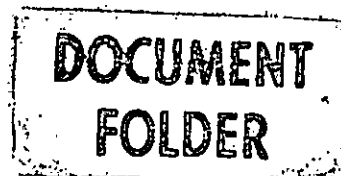
Very Truly Yours,

Peter P. Tayoun, Esquire

PPT/jt

Encls.

10/15 - called atty - ch for wrong amount  
he will send another  
in amount of \$225 to  
make up difference  
for



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

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of JAMES L. BOOTH  
(Applicant/Transferee-Buyer)

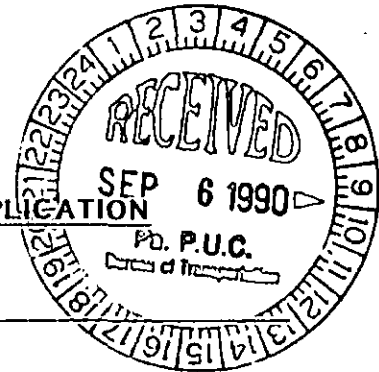
TX-700342

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

<b>PUC USE ONLY</b>
Docket No. <u>109492</u>
Folder No. _____

No. 00079909, Folder No. \_\_\_\_\_, issued to  
Sam Collura (deceased) CU27  
(Transferor-Seller) *no actions found*

for transportation of property  
(persons-property)



SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

- JAMES L. BOOTH  
(Full and correct name of applicant/transferee)
- \_\_\_\_\_  
(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)

- RD #1 P.O. Box 544  
(Business Street Address) (P.O. Box, if any)
- Olyphant Lackawanna PA 18447 (717) 961-5883  
(City) (County) (State) (Zip) (Telephone)

**DOCUMENT  
FOLDER**

BEGINNING

<b>DOCKETED</b>
APPLICATION DOCKET
SEP 17 1990
ENTRY No. <u>low</u>

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

Peter P. Tayoun, Esquire Scranton, PA 18504 (717) 341-8301  
(Name) (Address) (Telephone)

5. Any documents should be mailed to:

Transferee: James L. Booth RD#1 Box 544 Olyphant, PA  
(Name) (Address)

Transferor: Sam Collura 127 7th Ave, Carbondale, Pa. 18407  
(Name) (Address)

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

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

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

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

8. Applicant is (check one):

Individual.

Partnership. Must attach a copy of the partnership agreement (unless a copy is presently on file with PUC), and list names and addresses of partners below (use additional sheet if necessary).

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

\_\_\_\_\_

\_\_\_\_\_

Corporation. Organized under the laws of the State of \_\_\_\_\_

and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on \_\_\_\_\_ (Attach copy of Certificate of Incorporation or Authority and statement of charter purpose). Include as an attachment a list of corporate officers and their titles and the names, addresses and number of shares held by each stockholder.

9. If applicant, its stockholders or partnership members are in control of or affiliated with any other carrier, state name of carrier(s), Docket Number(s) and nature of control or affiliation.

None

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10. Applicant proposes to acquire all of the operating rights now held  
(all or part)  
by transferor. Attach sheet describing rights to be transferred to applicant  
and rights to be retained by transferor, if any. If any rights are to be omitted,  
give reasons.

11. The reason for the transfer is Transferor wishes to retire. Transferee  
wishes to be capable of hauling for someone other than  
himself.

---

12a. The following must be attached:

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

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

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

13. Transferor attests that all general assessments and fines are paid, that no annual reports are due and agrees to continue to render the service which is to be transferred until this application is approved, whereupon transferor will surrender said certificate or permit for cancellation.
14. Transferee agrees to assume and pay any General Assessments that may be made against transferor as a common carrier for any and all operating periods up to the actual date of the transfer.

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

Transferee sign here:  
(Corporate Seal)

James L. Polk August 30, 1990  
(each partner must sign) (Date)

Transferor sign here:  
(Corporate Seal)

Sophie Gallura  
Sam Gallura August 30, 1990

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

COMMONWEALTH OF PENNSYLVANIA :  
: ss:  
Lackawanna County :

JAMES L. BOOTH, 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.

*James L. Booth*  
Signature of Affiant

Sworn and subscribed before me this 30<sup>th</sup>  
day of April 19 90.  
My Commission Expires May 30, 1994

*James V. [Signature]*  
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

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

\_\_\_\_\_, being duly sworn (affirmed) according to law, desposes and says that he is \_\_\_\_\_ of \_\_\_\_\_,  
(Office of Affiant) (Name of Corporation)  
that he is authorized to and does make this affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said \_\_\_\_\_ to be able to prove the same  
(Name of Corporation)  
the same at the hearing hereof.

\_\_\_\_\_  
Signature of Affiant

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

\_\_\_\_\_  
Signature of Official Administering Oath

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

COMMONWEALTH OF PENNSYLVANIA :

ss:

Lackawanna County :

Sam Collura, 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.

Sam Collura  
Signature of Affiant  
Sophie Collura

Sworn and subscribed before me this 30<sup>th</sup>  
day of August 19 90

My Commission Expires May 30, 1994

Jane V. Hayden  
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEROR/SELLER (Corporation)

COMMONWEALTH OF PENNSYLVANIA :

ss:

LACKAWANNA County :

SAM COLLURA, 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.

Sam Collura  
Signature of Affiant  
Sophie Collura

Sworn and subscribed before me this 30<sup>th</sup>  
day of August 19 90

My Commission expires May 30, 1994

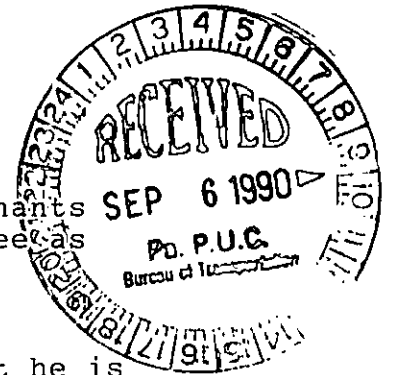
Jane V. Hayden  
Signature of Official Administering Oath

A G R E E M E N T O F S A L E

THIS AGREEMENT, made this 30<sup>th</sup> day of August, 1990, by and between SAM COLLURA, hereinafter referred to as the SELLER, and JAMES L. BOOTH, hereinafter referred to as the BUYER.

WITNESSETH;

In consideration of the mutual covenants hereinafter contained, the parties hereto agree as follows:



- (1) WHEREAS, the SELLER represents that he is the sole owner and has the absolute right to sell his PUC rights, No. 00079909, which was issued to him for the transportation of property.
- (2) WHEREAS, the SELLER agrees to sell and the BUYER agrees to purchase the aforesaid PUC rights.
- (3) WHEREAS, the SELLER is an adult individual, sui juris, and not under any legal disability with full power and authority to execute, deliver and implement this AGREEMENT IN accordance with its terms and provisions.
- (4) CONSIDERATION: The purchase price for said PUC rights shall be the sum of Eighteen Hundred (\$1,800.00) Dollars.
- (5) WHEREAS, the SELLER hereby states that the rights are free and clear of any and all liens, encumbrances, leases or security

interests of any kind whatsoever.

- (6) Upon the signing of this AGREEMENT, the BUYER agrees to pay the SELLER the full amount of Eighteen Hundred (\$1,800.00) Dollars. In the event that the BUYER cannot get approval, the Eighteen Hundred (\$1,800.00) Dollars shall be returned to the BUYER.

IN WITNESS WHEREOF, .....

and intending to be legally bound hereby, the undersigned have caused this AGREEMENT to be duly executed the day and year first above written.

*Sophie Collura*  
*Sam Collura* (SEAL)  
 SAM COLLURA

*James L. Booth* (SEAL)  
 JAMES L. BOOTH

Sworn To and Subscribed  
 Before Me This 30<sup>th</sup> day  
 of August, 1990

*Jane V. Teyoun*  
 Notary Public

Notarial Seal  
 Jane V. Teyoun, Notary Public  
 Scranton, Lackawanna County  
 My Commission Expires May 30, 1994

LIST OF EQUIPMENT TO BE USED TO RENDER SERVICE

- (1) 1978 Ford F-750  
Serial # F7SEVT26343  
Dump Truck  
Gross Weight - 18,000 Lbs.
  
- (2) 1980 White Tractor  
Serial # 2TRCPHJ044992  
Gross Weight 73,280 Lbs.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

---

Application Docket No. 79909

---

Application of SAM COLLURA

---

REPORT AND ORDER  
APPROVING TRUCKING SERVICE

---

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of SAM COLLURA, dated March 21, 1953,

to operate motor vehicles as a common carrier, and having been duly presented in accordance with the rules of the Commission, and full investigation of the matters and things involved having been had, the Commission finds and determines that approval of the application, limited to the following rights:

To transport, as a Class D carrier, building materials in bulk in dump trucks, coal, wood, sand, gravel and lumber, between points in the City of Carbondale, Lackawanna County, and within twenty-five (25) miles of the limits thereof, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination;

A. 79909

and subject to the following conditions, is necessary or proper for the service, accommodation or convenience of the public:

FIRST: That the certificate holder is limited and restricted to the operation of the motor vehicles as named and described in the equipment certificate, to be subsequently issued.

SECOND: That the certificate holder shall comply with all the provisions of the Public Utility Law as now existing or as may hereafter be amended, and Revised General Order No. 29, effective July 1, 1939, or as may hereafter be revised, and any other rules and regulations as may hereafter be prescribed by the Commission. Failure to comply shall be sufficient cause to suspend, revoke or rescind the rights and privileges conferred by the certificate.

NOW, to wit, **June 1, 1953,** IT IS ORDERED: That upon compliance with all requirements of Sections 302 and 915 of the Public Utility Law, relative to tariff and insurance, and with the rules and regulations promulgated by the Commission thereunder, a certificate of public convenience issue evidencing the Commission's approval of the right to operate, as above determined.

IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty 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.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

ATTEST:



Chairman



Acting Secretary

## STATEMENT OF FINANCIAL POSITION (Balance Sheet)

as of June 30, 1990

Date

ASSETSCURRENT ASSETS

Cash		\$	25,934
Accounts Receivable			
Notes Receivable			
Other current assets (Specify) Inventory			37,270
Total current assets			63,204

TANGIBLE ASSETS

Land			10,000
Motor Vehicle Equipment	214,105		
Less: Accumulated Depreciation	115,611	=	98,494
Buildings and Structures	116,499		
Less: Accumulated Depreciation	5,394	=	111,105
Investments and Funds (Specify)			
Intangible Assets			
Other assets Loan Origination Fees			2,248
<u>TOTAL ASSETS</u>			<u>285,051</u>

LIABILITIESCurrent Liabilities (liabilities due within one year of date)

Accounts Payable			418
Notes Payable			
Equipment Obligations			
Other Liabilities (attach schedule) Accrued Payroll Taxes			508
Total Current Liabilities			926

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

Accounts Payable			
Notes Payable			133,887
Equipment Obligations			
Other Liabilities (attach schedule)			
Total Long Term Liabilities			133,887

Total Liabilities

Net Worth (partnerships & individuals)			150,238
<u>TOTAL LIABILITIES AND NET WORTH</u>			<u>285,051</u>

Capital Stock (Corporations only)

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

Total Liabilities & Owner's Equity  
(Corporations only)

STATEMENT OF FINANCIAL CONDITION

INCOME STATEMENT

For the 6 -month period ending June 30, 1990  
(Date)

REVENUE and GAINS

Operating Revenue	317,860
Net Revenue from non-carrier operation	
Dividend and Interest revenues	
Other non-operating revenue	
Gains	
Total Revenue and Gains	317,360

EXPENSES

Equipment Maintenance and Garage Expense	4,521
Insurance Expense	2,001
Employee Salaries	12,168
Supervisory Salaries	
Officer Salaries	
Fuel Expense	
Purchased Transportation (Lease Expense)	630
Materials and Supplies Expense	2,912
General Office Expense	25
Advertising Expense	35
Telephone Expense and Utilities	9,071
Accounting Expense	
Legal Expense	
Interest Expense	9,943
Depreciation Expense	12,883
Amortization	84
Operating Taxes and Licenses	964
Miscellaneous	334
Cost of Goods Sold	260,110
Total Operating Expense and Losses	315,681

Net Income before Taxes	2,179
Provision for Income Taxes	
Net Income	2,179

To Whom It May Concern:

Please be advised that, I, the transferor, Sam Collura,  
state that I do not have any business debts.

*Sam Collura*

Sam Collura

*Sophie Collura*

Sworn to and Subscribed  
before me this 30<sup>th</sup> day  
of August, 1990.

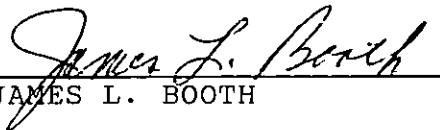
*Jane V. Tayoun*  
Notary Public

Notarial Seal  
Jane V. Tayoun, Notary Public  
Scranton, Lackawanna County  
My Commission Expires May 30, 1994

STATEMENT OF SAFETY PROGRAM

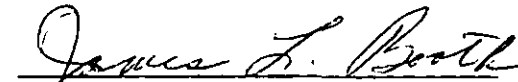
I, THE UNDERSIGNED, hereby state that the following steps are taken by way of a safety program:

- (1) Every vehicle is inspected at an official inspection station as required by the law of Pennsylvania;
- (2) That before any vehicle is dispatched, the tires, lights and brakes are checked;
- (3) Repairs are immediately made to each vehicle;
- (4) Drivers are not allowed to drive more than eight (8) hours per day, if an extended trip is required;
- (5) Only properly licensed drivers are allowed to drive.

  
\_\_\_\_\_  
JAMES L. BOOTH

STATEMENT OF TRANSFEREE'S EXPERIENCE

THE UNDERSIGNED, hereby states that he has been in the scrap business for the last twenty (20) years. The undersigned, further states that during the aforementioned twenty (20) years, he has accumulated hauling experience resulting from the hauling of his own scrap.

  
JAMES L. BOOTH

WARNING: IT IS ILLEGAL TO ALTER THIS TO DUPLICATE BY PHOTOSTAT OR PHOTOGRAPH.

PH 105, 112 REV. 11-85  
(FEE FOR THIS CERTIFICATE \$2.00)

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF HEALTH-VITAL RECORDS

No. 2219482

LOCAL REGISTRAR'S CERTIFICATION OF DEATH

Registered No. \_\_\_\_\_

Full Name of Deceased: Samuel P. Colliver  
First Middle Last

Residence: 127 7<sup>th</sup> Ave. Carbondale Lackawanna Pa.  
Number Street City or Town County State

Place of Death: Lackawanna Carbondale Pennsylvania  
County City, Borough or Township State

Sex: Male Date of Death: March 18, 1990 Race: White

Date of Birth: June 30, 1920 Birthplace: Carbondale Pa. Marital Status: Married

Social Security No. \_\_\_\_\_ Occupation: Truck Driver Veteran's Serial No. \_\_\_\_\_

MEDICAL CERTIFICATE

Part I: Death was caused by:	Interval Between Onset and Death
Immediate Cause (a) <u>Acute Coronary Occlusion, Sudden Arrest</u>	
Due To (b) <u>Coronary Artery, Heart Disease</u>	
Due To (c) _____	

PART II: OTHER SIGNIFICANT CONDITIONS contributing to death but not related to the immediate cause given in Part I (a)

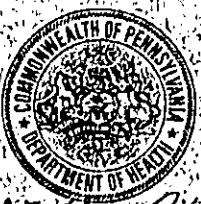
Diabetes

Accident, Suicide or Homicide \_\_\_\_\_ How did injury occur \_\_\_\_\_

Name and Title of Person Who Certified Cause of Death: Thomas H. Coleman M.D.  
(M.D. D.O. Coroner, M.P.)

Address: 767 N. Main St. Carbondale Pa. 18407  
Street City

This is to certify that the information here given is correctly copied from an original certificate of death duly filed with me as Local Registrar. The original certificate will be forwarded to the State Vital Records Office for permanent filing.



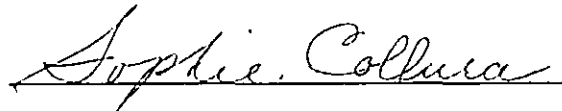
Mary Rupp 35-313  
Local Registrar of Vital Records District No.

12 Rittenhouse Pl. Simpson Pa.  
Street Address City, Borough, Township

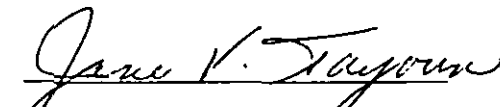
March 12, 1990  
Date Received by Local Registrar

March 20, 1990  
Date of Issue of This Certification

I, SOPHIE COLLURA, THE WIDOW OF SAM COLLURA, STATE THAT MY HUSBAND, SAM COLLURA, DIED ON THE 10TH DAY OF MARCH, 1990. I FURTHER STATE THAT NO ESTATE WAS NECESSARY TO FILE AND THAT I AM THE SOLE HEIR OF SAM COLLURA'S PROPERTY.

  
SOPHIE COLLURA

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 30<sup>th</sup> day  
OF AUGUST, 1990.

  
NOTARY PUBLIC

Notarial Seal  
Jane V. Tayoun, Notary Public  
Scranton, Lackawanna County  
My Commission Expires May 30, 1994

September 28, 1990

IN REPLY PLEASE  
REFER TO OUR FILE

Peter Tayoun  
Attorney at Law  
105 South Main Avenue  
Scranton, PA 18504

In re: A-00109492 - Application of James L. Booth

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of James L. Booth for the rights of Sam Collura (Deceased).

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before October 22, 1990. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that the Administratrix of the Estate of Sam Collura (Deceased) will continue to render the service covered by his 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.

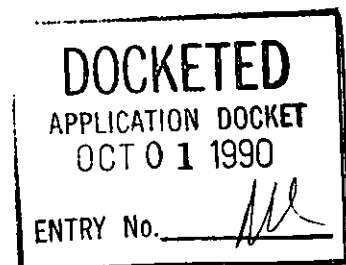
You are further advised that the above application will be published in the Pennsylvania Bulletin of September 29, 1990.

Very truly yours,

David Ehrhart  
Supervisor - Application Section  
Bureau of Transportation

DE:RP:rs

cc: Applicant  
R.D. 1, P.O. Box 544  
Olyphant, PA 18447



DOCUMENT  
FOLDER

A rectangular stamp with a double border. The text is arranged in two lines: "DOCUMENT" on the top line and "FOLDER" on the bottom line, both in bold, sans-serif font.

A-00109492 JAMES L. BOOTH (R.D. #1, P.O. Box 544, Olyphant, Lackawanna County, PA 18447) - building materials in bulk in dump trucks, coal, wood, sand, gravel and lumber between points in the city of Carbondale, Lackawanna County, and within twenty-five (25) miles of the limits thereof, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; which is to be a transfer of the rights authorized under the certificate issued at A-00079909 to Sam Collura (Deceased), subject to the same limitations and conditions. Attorney: Peter Tayoun, 105 South Main Avenue, Scranton, PA 18504.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_ SEP 29 1990

BUREAU OF TRANSPORTATION  
COMMON CARRIER  
SEPTEMBER 1990

A-00109492

Application of James L. Booth, for the right to begin to transport, as a common carrier, by motor vehicle, building materials in bulk in dump trucks, coal, wood, sand, gravel and lumber between points in the city of Carbondale, Lackawanna County, and within twenty-five (25) miles of the limits thereof, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of destination; which is to be a transfer of the rights authorized under the certificate issued at A-00079909 to Sam Collura (Deceased), subject to the same limitations and conditions.

FW:rs  
9/18/90

Application received: 9/6/90  
Application docketed: 9/17/90

NH

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
OCT 01 1990  
ENTRY No. *W*

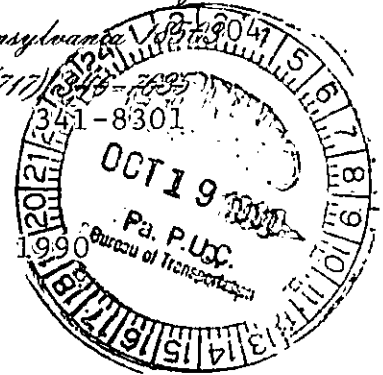
Protests due on No Hearings \_\_\_\_\_  
Protests due on Hearings - (5 days prior to date of hearing)  
Notice of the above application was mailed to all certificate holders and railroad companies in the service area as noted above.

OCT 22 1990

*Peter P. Tayoun*  
*Attorney & Counselor at Law*

105 South Main Avenue  
*State St. - Connett Building*  
Scranton, Pennsylvania  
Telephone (717) 341-8301

October 16, 1990



Pennsylvania Public Utility Commission  
c/o Frances Walkinshaw  
Application Section  
P.O. Box 3265  
Harrisburg, PA. 17120

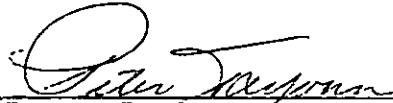
IN RE: A-00109492 - Application of James L. Booth

Dear Ms. Walkinshaw:

Enclosed please find check representing balance of application fee, per your phone request of October 15, 1990.

Sorry for the inconvenience.

Very Truly Yours,

  
Peter P. Tayoun, Esquire

PPT/jt

DOCUMENT  
FOLDER