

APPLICATION

A-00109698 F1 AMB

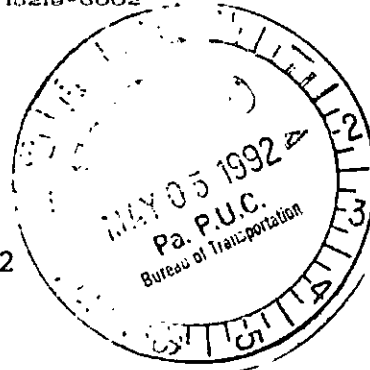
LPV

LAW OFFICES
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SEVENTH FLOOR
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PITTSBURGH, PENNSYLVANIA 15210-6002

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OF COUNSEL

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FAX: (412) 281-2859

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THERESA L. WASSER
MICHAEL KAMINSKI
K. BRADLEY MELLOH
ROBERT G. BELLO
THOMAS M. FEROUSSON



April 30, 1992

RECEIVED

MAY 4 1992

SECRETARYS OFFICE
Public Utility Commission

A- 109698
F. 1, Am-B

Mr. John Alford
Secretary of PUC
Pennsylvania Public Utility Commission
P.O. Box 3265
North Office Building
Harrisburg, PA 17120

Re: Bill Snoddy Construction Company, Inc. Application for
Temporary and Permanent Carrier Authority

Dear Mr. Alford:

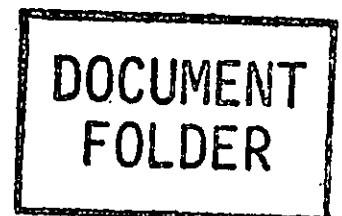
Enclosed for filing is an original and two copies of an Application of Motor Carrier Certificate or Permit, together with certified check number 2766, payable to the Commonwealth of Pennsylvania, in the amount of \$350.00, in payment of the required filing fee.

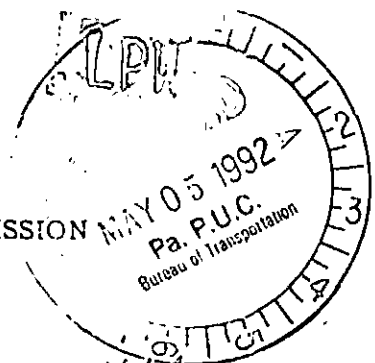
Also enclosed for filing is an original and two copies of the corresponding Application for Temporary Authority, together with certified check number 2767, payable to the Commonwealth of Pennsylvania, in the amount of \$100.00, in payment of the required filing fee.

I have provided you with an additional copy of both the Application for Motor Carrier Certificate or Permit and the Application for Temporary Authority which I request that you "date or time stamp" and return to me for my file. I have enclosed a stamped, self-addressed envelope for your convenience.

If you have any questions, or if any additional information

5/28
talked with
Atty Bello
Sable of is
street Elizabeth,
Allegheny Co.





BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR MOTOR CARRIER CI

ORIGINAL

(SEE INSTRUCTIONS BEFORE PREPA

In re: Application of

700412

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.

APPLICATION DOCKET

No. A-109698

Folder No. 1, Am-B

RECEIVED

MAY 4 1992

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. Bill Snoddy Construction Company, Inc.
(Full and correct name of applicant)

SECRETARYS OFFICE

Public Utility Commission

APPL: A-109698
active

2. N/A

(Trade name, if any)

The trade name has not
(has or has not)

Commonwealth on N/A
(date)

DOCKETED
APPLICATION DOCKET
MAY 29 1992
ENTRY No. 111

been registered with the Secretary of the

COMPL: ✓

INVIC: ✓

CHECKED BY mw
(signature)

3. Old Route 119 North
(Business Street Address)

P.O. Box 945
(P.O. Box, if any)

Uniontown, Fayette, Pennsylvania 15401 (412) 437-6495
(City) (County) (State) (Zip) (Telephone)

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

Gregg M. Rosen, Esquire 7th Fl., Frick Building (412) 281-5577
(Name) (Address) (Telephone)

5. Any notice, process or order of the PUC should be served upon:

Gregg M. Rosen, Esq., 7th Fl. Frick Building, Pgh., PA 15219
(Name) (Address)

6. Applicant does hold Pa. PUC authority under Docket No. A-00109698
(does or does not)

and operates as a common carrier.
(common or contract)

F.1 AMENDMENT B

DOCUMENT FOLDER

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

at Docket No. N/A

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 Pennsylvania and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on August 4, 1988 (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. (See attached).

*This document is not required from currently certified/permitted PUC Carriers.

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:

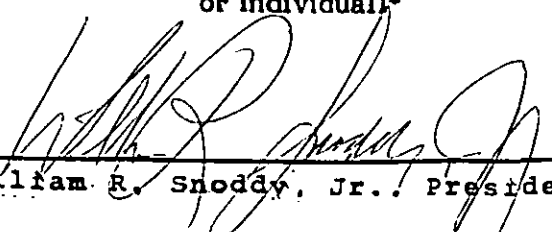
(See attached)

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.

CORPORATE SEAL

~~Bill Snoddy Construction Company, Inc~~
(Print Name of Corporation, Partnership, Trade-Name
or Individual)*

By:



William R. Snoddy, Jr., President

(Signature)

(Signature)

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

10. (a) ~~Temporary~~ authority to transport, as a Common Carrier for Coolspring Stone Supply, Inc. of Uniontown, Fayette County, Pennsylvania, crushed and sized stone and/or aggregate in bulk in dump trucks within a 100 air mile radius of the stone quarry located at Coolspring, Fayette County, Pennsylvania.

(b) ~~Temporary~~ authority to transport, as a Common Carrier for Marsh Asphalt, Inc. of Uniontown, Fayette County, Pennsylvania, crushed and sized stone and/or aggregate in bulk in dump trucks from any asphalt plant owned or operated by Marsh Asphalt, Inc. in Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmichaels, Pennsylvania, North Versailles, Pennsylvania or Washington, Pennsylvania to any point within a 100 air mile radius of the aforementioned plants.

*5/28
Per tele com
with atty Bill
Sheet Elizabeth,
Allegheny Co*

~~Temporary~~ authority to transport, as a Common Carrier, asphalt oils and kerosene in bulk in tank vehicles for Coolspring Stone Supply, Inc. and Marsh Asphalt, Inc. from points in Fleurof, Pennsylvania, Dravosburg, Pennsylvania, Mercer, Pennsylvania, North Charleroi, Pennsylvania, to points in Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmicheals, Pennsylvania, North Versailles, Pennsylvania, and Washington, Pennsylvania where Marsh Asphalt, Inc. and/or Coolspring Stone Supply, Inc. own and/or operate asphalt plants.

(d) ~~Temporary~~ authority to transport, as a Common Carrier, cement, in bulk in tank vehicles or packaged in bags on flatbed trailers, from points in Allegheny County, Beaver County and Lawrence County, Pennsylvania to the Uniontown Builders Supply Company plant located in either Uniontown, Pennsylvania or Washington Pennsylvania.

(e) Temporary authority to transport, as a Common Carrier, sand or gravel, in bulk in dump trucks to the Uniontown Builders Supply Company facility at either Uniontown, Fayette County, Pennsylvania or to their facility at Washington, Washington County, Pennsylvania, from any point within a 100 air mile radius of either of the aforementioned facilities.

(f) Temporary authority to transport, as a Common Carrier for Marsh Asphalt, Inc. crushed or sized stone and/or aggregate to any plant owned or operated by Marsh Asphalt, Inc. at Belle Vernon, Coolspring, Dravosburg, Carmichaels, North Versailles or Washington, Pennsylvania from any point within a 100 air mile radius of any of the aforementioned plant locations.

88571

Commonwealth of Pennsylvania

Department of State



CERTIFICATE OF INCORPORATION

Office of the Secretary of the Commonwealth
To All to Whom These Presents Shall Come, Greeting:

Whereas, Under the provisions of the Laws of the Commonwealth, the Secretary of the Commonwealth is authorized and required to issue a "Certificate of Incorporation" evidencing the incorporation of an entity.

Whereas, The stipulations and conditions of the Law have been fully complied with by

BILL SNODDY CONSTRUCTION COMPANY, INC.

Therefore, Know Ye, That subject to the Constitution of this Commonwealth, and under the authority of the Laws thereof, I do by these presents, which I have caused to be sealed with the Great Seal of the Commonwealth, declare and certify the creation, erection and incorporation of the above in deed and in law by the name chosen hereinbefore specified.

Such corporation shall have and enjoy and shall be subject to all the powers, duties, requirements, and restrictions, specified and enjoined in and by the applicable laws of this Commonwealth.



Given under my Hand and the Great Seal of the Commonwealth
at the City of Harrisburg, this 4th day
of August in the year of our
Lord one thousand nine hundred and eighty-eight
and of the Commonwealth the two hundred thirteen

James J. Hoyt
Secretary of the Commonwealth

BILL SNOODY CONSTRUCTION CO., INC.

List of Corporate Officers and Stockholders

Officers and Stockholders

President - William R. Snoddy, Jr.

Stockholders - William R. Snoddy, Jr.

1 Please sign and Notarize

BY PUBLIC

Person)

COMMONWEALTH OF

William R. Snoddy
deposes and says that t
to the best of his know
same at the hearing here

(affirmed) according to law.
rrect; or are true and correct
pects to be able to prove the

Signature of Affiant

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

Signature of Official Administering Oath

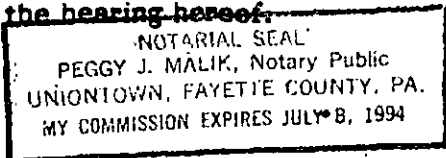
AFFIDAVIT OF APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
Fayette County : ss:

William R. Snoddy, Jr., being duly sworn (affirmed) according to
law, deposes and says that he is President of Bill Snoddy Constructi
(Office of Affiant) Co., Inc.

_____; 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
Construction Company, Inc.
_____, to be able to prove the same
(Name of Corporation)

at the hearing hereof.



William R. Snoddy, Jr.
William R. Snoddy, Jr.

Sworn and subscribed before me this 28th.
day of April 19 92
My Commission Expires July 8, 1994

Peggy J Malik

VERIFIED STATEMENT OF THE APPLICANT

1. Domicile of Applicant:

Bill Snoddy Construction Company, Inc.
Old Route 119 North
Fayette County, P.O. Box 945
Uniontown, PA 15401

2. Identity and qualifications of person making statement for applicant:

James P. Kanar
Accountant for Bill Snoddy Construction Company, Inc. since 1988 when company was formed.

3. Is the applicant affiliated with other carriers?

The applicant is not affiliated with other carriers.

4. Authority sought.

(see attached)

5. General scope of currently authorized operations.

Current authorized operations are rights granted under Certificate No. A00109698 which are as follows:

- (a) To transport, as a Class D carrier, coal for domestic consumption between points in the county of Fayette, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination.
- (b) To transport, as a Class D carrier, coal and coke from mines and ovens in the county of Fayette, to docks, ramps and railroad sidings in said county, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of delivery.
- (c) To transport, as a Class D carrier, building construction materials and building supplies, such as are usually transported in dump trucks, between points in the county of Fayette, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of delivery.
- (d) To transport, as a Class D carrier, coal from mines in the counties of Fayette, Somerset, Greene, Westmoreland and Washington, to Hoover Works, Nos. 1 and 2 in German Township, Fayette County, provided no haul shall exceed a distance of seventy-five (75) miles from point of origin to point of destination.

(e) To transport, as a Class D carrier, coal from mines in the county of Fayette to the Duquesne Light Company Plant in the village of Elrama, Union Township, Washington County.

(f) To transport, as a Class D carrier, coal from Mon-West Enterprises of Uniontown, Pennsylvania between points in the counties of Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington and from points in said counties to points in the counties of Indiana and Cambria.

A copy of the Orders granting these rights are attached hereto.

6. Duplicating authority which will result from grant of authority.

We believe that no duplicating authority or overlapping will result from the grant of authority herein.

7. Dual operations resulting from grant of authority.

No dual operations will result from the grant of authority herein.

8. Pertinent terminal facilities and communications network.

The Applicant's terminal facilities are located at a five (5) acre tract of land on Old Route 119 North in Uniontown Pennsylvania. The carrier property is stored in a yard surrounded by a fence. The facilities include a garage building where all equipment is maintained and repaired and complete mechanical service is available at the garage. A public telephone system is used for communications. Personnel are qualified and licenced to operate the vehicles in service by the Applicant.

9. Pertinent equipment (make, model, year, owned or leased, and if leased, name of lessor).

The Applicant intends to use tri-axle end dump trucks to haul stone, aggregate, sand and gravel and will use five 5200 gallon Freuhauf asphalt tankers to haul the asphalt oil and kerosene. In addition, Applicant will use a 40 foot 1976 Freuhauf tandem-axle flat bed trailer and a 985 cubic yard 1978 Freuhauf cement bulk tanker to haul cement. A complete list of the Applicant's equipment is attached to this Applicant's statement as Exhibit 1.

10. Safety program.

A copy of the company's safety program is attached hereto.

11. Type of service currently provided to the supporting witnesses. (How witness currently receives services.)

The applicant currently provides limited service within the restrictions of its existing operating authority. The service consists of the hauling of cement, asphalt oil, kerosene and stone.

12. Type of service to be offered.

The type of service to be offered is the hauling of cement, asphalt oil and kerosene and stone which is not within the scope of the present authority granted by PUC.

13. Financial data. (Current balance sheet and income statement for corporations and partnerships; statement of assets and liabilities for individuals).

Financial data is attached hereto.

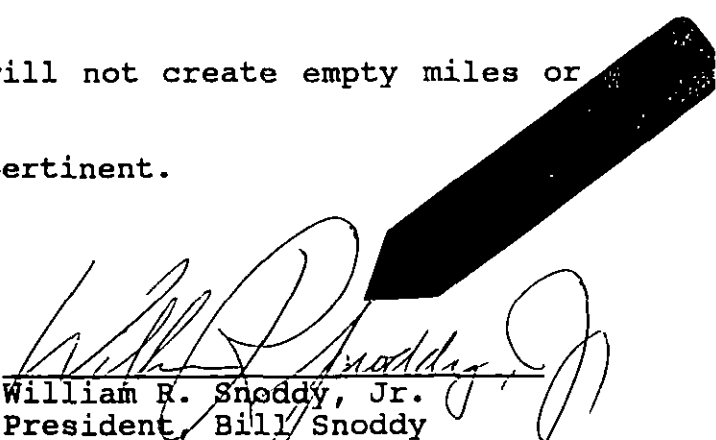
14. Whether service provided will create empty miles or backhauls.

The services to be provided will not create empty miles or backhauls.

15. Any other information deemed pertinent.

None.

(Seal)



William R. Snoddy, Jr.
President, Bill Snoddy
Construction Company, Inc.

- 4.(a) Temporary authority to transport, as a Common Carrier for Coolspring Stone Supply, Inc. of Uniontown, Fayette County, Pennsylvania, crushed and sized stone and/or aggregate in bulk in dump trucks within a 100 air mile radius of the stone quarry located at Coolspring, Fayette County, Pennsylvania.
- (b) Temporary authority to transport, as a Common Carrier for Marsh Asphalt, Inc. of Uniontown, Fayette County, Pennsylvania, crushed and sized stone and/or aggregate in bulk in dump trucks from any asphalt plant owned or operated by Marsh Asphalt, Inc. in Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmichaels, Pennsylvania, North Versailles, Pennsylvania or Washington, Pennsylvania to any point within a 100 air mile radius of the aforementioned plants.
- (c) Temporary authority to transport, as a Common Carrier, asphalt oils and kerosene in bulk in tank vehicles for Coolspring Stone Supply, Inc. and Marsh Asphalt, Inc. from points in Fleurof, Pennsylvania, Dravosburg, Pennsylvania, Mercer, Pennsylvania, North Charleroi, Pennsylvania, to points in Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmicheals, Pennsylvania, North Versailles, Pennsylvania, and Washington, Pennsylvania where Marsh Asphalt, Inc. and/or Coolspring Stone Supply, Inc. own and/or operate asphalt plants.
- (d) Temporary authority to transport, as a Common Carrier, cement, in bulk in tank vehicles or packaged in bags on flatbed trailers, from points in Allegheny County, Beaver County and Lawrence County, Pennsylvania to the Uniontown Builders Supply Company plant located in either Uniontown, Pennsylvania or Washington Pennsylvania.
- (e) Temporary authority to transport, as a Common Carrier, sand or gravel, in bulk in dump trucks to the Uniontown Builders Supply Company facility at either Uniontown, Fayette County, Pennsylvania or to their facility at Washington, Washington County, Pennsylvania, from any point within a 100 air mile radius of either of the aforementioned facilities.
- (f) Temporary authority to transport, as a Common Carrier for Marsh Asphalt, Inc. crushed or sized stone and/or aggregate to any plant owned or operated by Marsh Asphalt, Inc. at Belle Vernon, Coolspring, Dravosburg, Carmichaels, North Versailles or Washington, Pennsylvania from any point within a 100 air mile radius of any of the aforementioned plant locations.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held April 25, 1991

Commissioners Present:

William S. Smith, Chairman
Joseph Rhodes, Jr., Vice-Chairman
Frank Fischl, Commissioner

David W. Rolka, Commissioner

Application of Bill Snoddy Construction Co., Inc., a corporation of the Commonwealth of Pennsylvania, for the transfer of all of the operating rights of Curtis P. Bixler under the certificate issued at A-00061456 subject to the same limitations and conditions.

A-00109698

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on an application filed March 14, 1991. Public notice of the application was given in the Pennsylvania Bulletin of March 30, 1991. The unopposed application is certified to the Commission for its decision without oral hearing.

Bill Snoddy Construction Co., Inc., seeks to initiate common carrier service in Pennsylvania through acquisition of all of the common carrier rights held by Curtis P. Bixler. The applicant is a Pennsylvania corporation domicile at Old Route 119 North in Uniontown, Fayette County. It's sole shareholder and office is William R. Snoddy, Jr. It has a fleet of dump vehicles with which to provide service. It has experience in the transportation industry through lease of tri-axle dump trucks and tractor dump trailer units to a currently certificated carrier.

As evidence of its financial capacity to initiate service, the applicant provided a balance sheet dated December 31, 1990, reporting total assets of \$603,526.28 with total liabilities of \$516,579.34.

The total consideration for the rights is \$3,500. No tangible assets are involved. The sales agreement requires the consideration to be paid as follows: \$100.00 was paid upon the execution of the sales agreement dated March 12, 1991. The balance of \$3,400 will be paid within three days after approval of the transfer application by the Commission.

A review of the record before us indicates that the applicant possesses the requisite experience, equipment and financial capacity to provide the proposed service.

The authority to be transferred has been operated by the transferor. Therefore, it is presumed that there is a continuing public need, which may be overcome only by evidence to the contrary. In re: Bverly, 440 Pa. 521 (1970); Hostatter v. Pa. P.U.C., 160 Super. Ct. 94 (1947). Since the record is void of any such evidence, this presumption of continuing public need applies in this transfer proceeding.

We find:

1. The applicant is fit, willing and able to provide the service proposed.
2. Transfer of the authority is in the public interest and is necessary for the continued accommodation and convenience of the public; **THEREFORE.**

IT IS ORDERED: That the transfer application be and is hereby approved and that a certificate be issued granting the following rights:

1. To transport, as a Class D carrier, coal for domestic consumption between points in the county of Fayette, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination.
2. To transport, as a Class D carrier, coal and coke from mines and ovens in the county of Fayette, to docks, ramps and railroad sidings in said county, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of delivery.
3. To transport, as a Class D carrier, building construction materials and building supplies, such as are usually transported in dump trucks, between points in the county of Fayette, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of delivery.
4. To transport, as a Class D carrier, coal from mines in the counties of Fayette, Somerset, Greens, Westmoreland and Washington, to Hoover Works, Nos. 1 and 2, in German Township, Fayette County, provided no haul shall exceed a distance of seventy-five (75) miles from point of origin to point of destination.

5. To transport, as a Class D carrier, coal from mines in the county of Fayette to the Duquesne Light Company Plant in the village of Elrama, Union Township, Washington County.

subject to the following general conditions:

1. That the approval hereby given is not to be understood as committing the Commission; in any proceedings that may be brought before it for any purpose, to fix a valuation on the property and rights to be acquired by applicant from the present certificate holder equal to the consideration to be paid therefor, or equal to any value that may be placed thereon by applicant, or to approve or prescribe rates sufficient to yield a return thereon.
2. That applicant shall not record in its utility accounts any amount representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
3. That the applicant charge to Account 1550, Other Intangible Property, \$3,500, being the amount of the consideration payable by it for the rights and going concern value attributable thereto; less any amount recorded under condition 2 above; and subject to further adjustment due to any normal interim transactions to the date of actual transfer.
4. That the accounts of the transferee shall reflect the same book values as the records of the transferor at the effective date of the transfer; any previously recorded appreciation having been deleted therefrom; provided that the applicant shall not record in its utility accounts any amounts representing the rights herein granted in excess of the actual cost of such rights to the original holder thereof.
5. That the operating authority granted herein, or now held or subsequently granted to the applicant to the extent that it is duplicative shall not be construed as conferring more than one operating right.

6. That the certificate/permit holder shall not transfer, sell or in any way convey any of its outstanding capital stock to any individual, partnership, corporation or any entity, without the prior filing of an application and approval thereof by the Commission under 66 PA S.S.A. §1102(a)(3).

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

IT IS FURTHER ORDERED: That issuance of the certificate be withheld pending receipt of the 1990 Annual Report of the transferor.

IT IS FURTHER ORDERED: That upon compliance with the requirements above set forth, a certificate 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 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 upon compliance with this order, the rights granted the transferor Curria P. Bixler, at A-00061456 be cancelled and the record be marked closed.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: April 25, 1991

ORDER ENTERED: April 25, 1991

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held November 7, 1991

Commissioners Present:

William H. Smith, Chairman
Joseph Rhodes, Jr., Vice-Chairman
Wendell F. Holland, Commissioner
David W. Rolka, Commissioner

Application of Bill Snoddy Construction Co., Inc.,
a corporation of the Commonwealth of Pennsylvania,
for amendment to its common carrier certificate,
which grants the right, inter alia, to transport,
by motor vehicle, coal from mines in the county of
Fayette to the Duquesne Light Company plant in the
village of Elrama, Union Township, Washington
County: SO AS TO PERMIT the transportation of
coal, for Mon West Enterprises, between points in
the counties of Beaver, Fayette, Greene, Lawrence,
Westmoreland, Allegheny and Washington, and from
points in said counties to points in the counties
of Indiana and Cambria.

A-00109698
F. 1
Am-A

Sable, Makoroff, Sherman & Gusky, P.C. by Gregg M. Rosen for the
applicant.

O R D E R

BY THE COMMISSION:

This matter comes before the Commission on applications for
temporary and permanent authority filed July 29, 1991. Public notice of the
applications was given in the Pennsylvania Bulletin of August 24, 1991
(Permanent) and September 14, 1991 (Temporary). No protests were filed.

The applications are now certified to the Commission for its
decision without an oral hearing. The record consists of verified statements
submitted by the applicant and by Mon West Enterprises.

DISCUSSION AND FINDINGS

3. That approval of the application is necessary for the accommodation and convenience of the public; THEREFORE,

IT IS ORDERED: That the application be and is hereby approved, and that the certificate issued to the applicant on May 24, 1991, be amended to include the following right:

To transport, as a Class D carrier, coal, for Mon West Enterprises, between points in the counties of Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington, and from points in said counties to points in the counties of Indiana and Cambria.

IT IS FURTHER ORDERED: That the applicant shall not engage in any transportation granted herein until it 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 applicant has not, on or before sixty (60) days from the date of 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.

IT IS FURTHER ORDERED: That the application for temporary authority docketed at A-00109698, F. 1, Am-A, be and is hereby dismissed.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: November 7, 1991

ORDER ENTERED: November 7, 1991

BILL SNODDY CONSTRUCTION CO., INC.

Common Carrier Property

Tri-Axle Dump Trucks

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1986 Mack	1M2P141CIGA004618	Owned
1989 Mack	2M2P141CCKC007850	Owned
1990 Mack	1M2AY83COLM004902	Owned
1991 Mack	1M2P270C5MM010044	Owned

Tractors

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1980 Mack	1M2N178Y2BA069108	Owned
1989 Kenworth	MW900BSIXKWDB9X3KM528S10	Owned
1987 Peterbilt	1XP5DB9X7HN2S0600	Owned
1987 Mack	1M2N277Y5HA004289	Owned

Dump Trailers

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1982 East	SIEIDIS389CRJ05179	Owned
1984 East	131DIR281CRF05771	Owned
1988 Cobra	1C9DS30B6J1133950	Owned
1988 Cobra	1C9DS35BXJ1133961	Owned

Cement Tankers

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1978 Fruehauf	UNZ604415	Owned

Asphalt Tankers

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1975 Fruehauf	UNF231402	Leased
1975 Etnyre	K1738K195	Leased
1976 Etnyre	K2472K9046	Leased
1979 Etnyre	H139633258	Leased
1976 Etnyre	K1965K8464	Leased

BILL SNODDY CONSTRUCTION CO., INC.

Safety Program

1. Each driver is required to have a Class 2 or Class 3 PA Driver's License and must have a physical examination every two (2) years.
2. Every driver shall come to work dressed in safe and suitable wearing apparel.
3. Except in the case of an emergency, all work shall stop for a half-hour lunch period. The company shall set the time as close to noon as possible, or unless ordered by the Superintendent, depending upon the type of work being performed.
4. The duties of a truck driver include responsibility for the care of the truck while it is assigned to him. He shall examine it frequently and report any mechanical problem to his shop manager. The driver of each truck is required to fill out a Driver's Vehicle Condition Report at the end of each day if repairs are needed to be made. Every working day before leaving the terminal, each driver shall check the oil, water, lights and tires with a gauge. Drivers must keep wheels tight, and are not to run on a flat tire.

Each driver is responsible for the general interior and exterior appearance of his truck. Special attention shall be directed to mirrors and all glass including reflectors, headlights, taillights and license plates.

All loads shall be tarped. Tailgates must be latched after every dump.

5. Once a month, each truck will be totally inspected by the maintenance department to insure that the truck is in good mechanical condition.
6. Any driver who is caught drinking alcoholic beverages or using drugs will be immediately discharged. If an employee has a problem of this nature, the company will help provide assistance for rehabilitation. Every driver is expected to conduct himself on and off the job in a manner which reflect favorably on the company. All dealings with members of the general public, whether or not they are customers, shall be conducted with courtesy and tact. Drivers are expected to obey all traffic rules and drive in a safe and courteous manner. No driver should hesitate to assist any person in trouble.

■ ■ ■ ■ ■ ■ ■ ■

FINANCIAL STATEMENTS

BILL SNODDY CONSTRUCTION COMPANY, INC.

December 31, 1991 and 1990

■ ■ ■ ■ ■ ■ ■ ■

C O N T E N T S

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WILLIAM P. McCURRY

CERTIFIED PUBLIC ACCOUNTANT

21301 POWERLINE ROAD
SUITE 204
BOCA RATON, FLORIDA 33433
(407) 482-8400

Board of Directors and Stockholder
Bill Snoddy Construction Company, Inc.
P.O. Box 945
Uniontown, PA 15401

I have reviewed the accompanying balance sheets of Bill Snoddy Construction Company, Inc. as of December 31, 1991 and 1990 and the related statements of income and retained earnings, and cash flows for the years then ended, in accordance with standards established by the American Institute of Certified Public Accountants. All information included in these financial statements is the representation of the management of Bill Snoddy Construction Company, Inc.

A review consists principally of inquiries of Company personnel and analytical procedures applied to financial data. It is substantially less in scope than an examination in accordance with generally accepted auditing standards, the objective of which is the expression of an opinion regarding the financial statements taken as a whole. Accordingly, I do not express such an opinion.

Based on my review, I am not aware of any material modifications that should be made to the financial statements in order for them to be in conformity with generally accepted accounting principles.



Boca Raton, FL
February 6, 1991

BALANCE
(SEE ACCOUNTANT'S

BILL SNODDY CONSTRUCTION

DECEMBER 31,

ASSETS

	1991 -----	1990 -----
<u>CURRENT ASSETS</u>		
Cash	\$ 19,814	\$ 9,594
Accounts receivable:		
Trade	225,258	102,018
Officer	62,467	29,768
Prepaid insurance and income taxes	13,611	106
Current maturities of loans receivable	49,255	--
	-----	-----
TOTAL CURRENT ASSETS	370,405	141,486
<u>FIXED ASSETS</u>		
Trucks and automobiles	738,896	498,605
Less accumulated depreciation	163,942	84,174
	-----	-----
NET FIXED ASSETS	574,954	414,431
<u>OTHER ASSETS</u>		
Long-term loans receivable	45,833	45,000
Intangible asset	3,500	--
	-----	-----
	\$ 994,692	\$ 600,917
	-----	-----

The accompanying notes are an integral

SHEETS
REVIEW REPORT)

COMPANY, INC.

1991 and 1990

LIABILITIES AND STOCKHOLDER'S EQUITY

	1991 -----	1990 -----
<u>CURRENT LIABILITIES</u>		
Notes payable - bank	\$ 31,200	\$ --
Accounts payable - trade	65,801	39,812
Payroll taxes withheld and accrued	4,110	218
Accrued income taxes		10,133
Current maturities of long-term debt	156,352	102,638
Deferred income taxes	22,000	--
	-----	-----
TOTAL CURRENT LIABILITIES	279,463	152,801
<u>OTHER LIABILITIES</u>		
Long-term debt	330,460	268,147
Deferred income taxes	123,000	57,000
	-----	-----
TOTAL LIABILITIES	732,923	477,948
	-----	-----
<u>STOCKHOLDER'S EQUITY</u>		
Common stock, \$10.00 par value, 1000 shares authorized, 100 shares issued and outstanding	1,000	1,000
Retained earnings	260,769	121,969
	-----	-----
TOTAL STOCKHOLDER'S EQUITY	261,769	122,969
	-----	-----
	\$ 994,692	\$ 600,917
	-----	-----

part of these financial statements.

STATEMENTS OF INCOME AND RETAINED EARNINGS
(SEE ACCOUNTANT'S REVIEW REPORT)

BILL SNODDY CONSTRUCTION COMPANY, INC.

For the years ended December 31, 1991 and 1990

	1991 ----	1990 ----
<u>GROSS PROFIT</u>		
Hauling sales	\$1,323,594	\$ 536,363
Cost of sales:		
Contract labor	3,566	3,840
Depreciation	67,754	47,845
Employee benefits	12,236	--
Fuel and oil	128,567	114,754
Hauling	464,954	--
Insurance	34,326	23,897
Licenses, fees and use taxes	19,441	13,804
Parts and repairs	29,796	9,182
Payroll and related taxes	211,160	141,636
	-----	-----
	971,800	354,958
	-----	-----
GROSS PROFIT	351,794	181,405
<u>SELLING, GENERAL AND ADMINISTRATIVE EXPENSES</u>		
Advertising	1,004	831
Depreciation	14,014	5,039
Donations	1,595	185
Entertainment and promotion	5,432	18,584
Office	6,706	4,852
Officers compensation	56,112	20,412
Professional fees	3,262	1,124
Travel	5,203	2,259
	-----	-----
	93,328	53,286
	-----	-----
INCOME FROM OPERATIONS	258,466	128,119

The accompanying notes are an integral part of these financial statements.

STATEMENTS OF INCOME AND RETAINED EARNINGS (CONTINUED)
(SEE ACCOUNTANT'S REVIEW REPORT)

BILL SNODDY CONSTRUCTION COMPANY, INC.

For the years ended December 31, 1991 and 1990

	<u>1991</u>	<u>1990</u>
<u>OTHER INCOME (EXPENSE)</u>		
Interest income	\$ 8,020	\$ --
Gain on sale of fixed assets	12,600	--
Interest expense	(47,886)	(27,016)
	-----	-----
	(27,266)	(27,016)
	-----	-----
INCOME BEFORE PROVISION FOR INCOME TAXES	231,200	101,103
<u>PROVISION FOR INCOME TAXES</u>	92,400	45,176
	-----	-----
NET INCOME	138,800	55,927
Retained earnings, beginning of year	121,969	66,042
	-----	-----
RETAINED EARNINGS, END OF YEAR	\$ 260,769	\$ 121,969
	-----	-----

The accompanying notes are an integral part of these financial statements.

STATEMENTS OF CASH FLOWS
(SEE ACCOUNTANT'S REVIEW REPORT)

BILL SNODDY CONSTRUCTION COMPANY, INC.

For the years ended December 31, 1991 and 1990

	1991 ----	1990 ----
<u>CASH FLOWS FROM OPERATING ACTIVITIES</u>		
Net income	\$ 138,800	\$ 55,927
Adjustments to reconcile net income to net cash provided by operating activities:		
Depreciation	81,768	52,884
Gain on sale of fixed assets	(12,600)	--
Deferred income taxes	88,000	35,000
(Increase) decrease in assets:		
Accounts receivable - trade	(123,240)	(55,701)
Accounts receivable - officer	(32,699)	(27,425)
Prepaid insurance and income taxes	(13,505)	(106)
Increase (decrease) in liabilities:		
Accounts payable - trade	25,989	38,288
Payroll taxes withheld and accrued	3,892	218
Accrued income taxes	(10,133)	6,250
	-----	-----
NET CASH PROVIDED BY OPERATING ACTIVITIES	146,272	105,335
<u>CASH FLOWS FROM INVESTING ACTIVITIES</u>		
Capital expenditures	(260,291)	(298,655)
Proceeds from sale of fixed assets	30,600	--
Purchase of intangible asset	(3,500)	--
	-----	-----
NET CASH USED IN INVESTING ACTIVITIES	(233,191)	(298,655)

The accompanying notes are an integral part of these financial statements.

STATEMENTS OF CASH FLOWS (CONTINUED)
(SEE ACCOUNTANT'S REVIEW REPORT)

BILL SNODDY CONSTRUCTION COMPANY, INC.

For the years ended December 31, 1991 and 1990

	1991 ----	1990 ----
<u>CASH FLOWS FROM FINANCING</u>		
<u>ACTIVITIES</u>		
Borrowings on long-term debt	\$ 298,501	\$ 392,541
Repayments of long-term debt	(182,474)	(146,005)
Advances on line of credit	58,200	--
Repayments of line of credit	(27,000)	--
Loan receivable advances	(67,383)	(45,000)
Loan receivable collections	17,295	--
	-----	-----
NET CASH PROVIDED BY FINANCING ACTIVITIES	97,139	201,536
	-----	-----
NET INCREASE IN CASH	10,220	8,216
Cash, beginning of year	9,594	1,378
	-----	-----
CASH, END OF YEAR	\$ 19,814	\$ 9,594
	-----	-----
<u>SUPPLEMENTAL DISCLOSURES OF</u>		
<u>CASH FLOW INFORMATION</u>		
Cash paid during the year for:		
Interest	\$ 56,028	\$ 27,016
	-----	-----
Income taxes	\$ 11,961	\$ 16,321
	-----	-----

The accompanying notes are an integral part of these financial statements.

NOTES TO FINANCIAL STATEMENTS
(SEE ACCOUNTANT'S REVIEW REPORT)

BILL SNODDY CONSTRUCTION COMPANY, INC.

December 31, 1991 and 1990

NOTE A - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Fixed Assets - Fixed assets are recorded at cost. Expenditures which substantially increase the productive lives of existing assets are capitalized. Maintenance and repair costs are expensed as incurred. Depreciation is provided on the straight-line method at rates intended to distribute the cost of the assets over their estimated useful lives, which range from four to six years for automobiles and ten years for trucks.

When an asset is disposed of, its cost and related accumulated depreciation are removed from the accounts. The difference between the undepreciated cost and proceeds from disposition is recorded as gain or loss.

Income Taxes - Deferred federal and state income taxes are provided for differences in timing in reporting income and expenses for financial statement and tax purposes. Income and expenses are recorded on the cash method for tax reporting purposes and on the accrual method for financial reporting purposes. Accelerated depreciation over a prescribed recovery period is used for tax reporting, and straight-line depreciation over the estimated useful life of the asset is used for financial statement reporting.

Intangible Asset - Public Utility Commission (PUC) rights are recorded at cost and are not being amortized to expense given their indefinite economic life.

NOTE B - ACCOUNTS RECEIVABLE

Accounts receivable - trade at December 31, 1991 and 1990 include \$145,245 and \$102,018 respectively, of amounts due from a related party. Hauling sales to this related party for 1991 and 1990 amounted to \$704,837 and \$509,282 respectively.

NOTES TO FINANCIAL STATEMENTS (CONTINUED)
(SEE ACCOUNTANT'S REVIEW REPORT)

BILL SNODDY CONSTRUCTION COMPANY, INC.

December 31, 1991 and 1990

NOTE C - LONG-TERM LOANS RECEIVABLE

Loans receivable consists of the following:

	1991 -----	1990 -----
Note receivable - officer, unsecured, bearing interest at 9.00%, with no current repayment arrangement through December 31, 1991, then due in monthly installments of \$621, including interest, maturing in December, 2001	\$49,000	\$45,000
Loan receivable - related party, unsecured, non-interest bearing, due in 1992	46,088 -----	-- -----
	95,088	45,000
Less: current maturities	49,255 -----	-- -----
	\$45,833 -----	\$45,000 -----

Principal payments due on long-term loans receivable for each of the five years succeeding December 31, 1991 are as follows:

<u>Year ending December 31,</u>	<u>Amount</u>
1992	\$49,255
1993	3,464
1994	3,789
1995	4,533
thereafter	29,902 -----
	\$95,088 -----

NOTES TO FINANCIAL STATEMENTS (CONTINUED)
(SEE ACCOUNTANT'S REVIEW REPORT)

BILL SNODDY CONSTRUCTION COMPANY, INC.

December 31, 1991 and 1990

NOTE D - NOTES PAYABLE - BANK

On February 21, 1991, the Company executed a \$50,000 line of credit loan agreement with the bank. The loan is due upon demand and interest is payable monthly at a rate of 1.00% above the bank's prime rate which amounted to 8.50% at December 31, 1991. The loan is personally guaranteed by the Company's sole stockholder.

NOTE E - ACCOUNTS PAYABLE

Accounts payable - trade at December 31, 1991 and 1990 include \$7,913 and \$39,812 respectively, of amounts due to related parties. These balances arise from charges for expenses such as parts and repairs, fuel, oil, and insurance.

NOTE F - LONG-TERM DEBT

Long-term debt consists of the following:

	1991	1990
	----	----
Notes payable, secured by trucks and automobiles, payable in monthly installments of \$19,778 and \$14,639 at December 31, 1991 and 1990 respectively, including interest at rates from 10.00% to 14.00%, maturing at various dates through July, 1995	\$426,812	\$340,785

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

BILL SNOODY CONSTRUCTION COMPANY INC.
(SEE ACCOUNTANT'S REVIEW REPORT)

December 31, 1991 and 1990

NOTE F - LONG-TERM DEBT (CONTINUED)

Note payable - related party,
unsecured, bearing interest at the
prime rate plus 1.00%, with no
current repayment obligation at
December 31, 1991 and 1990

	60,000	30,000
	-----	-----
	486,812	370,785
Less: current maturities	156,352	102,638
	-----	-----
	\$330,460	\$268,147
	-----	-----

Certain amounts above in addition to being secured by trucks and automobiles, are personally guaranteed by the Company's sole stockholder.

Principal payments due on long-term debt for each of the five years succeeding December 31, 1991 are as follows:

<u>Year ending</u> <u>December 31,</u>	<u>Amount</u>
1992	\$156,352
1993	147,663
1994	108,278
1995	14,519
1996	--
thereafter	60,000

	\$486,812

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

BILL SNODDY CONSTRUCTION COMPANY INC.
(SEE ACCOUNTANT'S REVIEW REPORT)

December 31, 1991 and 1990

NOTE G - PROVISION FOR INCOME TAXES

The components of the provision for income taxes consist of the following:

	1991 ----	1990 ----
Currently payable:		
Federal	\$ 2,000	\$ 6,456
State	2,400	3,720
	-----	-----
	4,400	10,176
Deferred:		
Federal	62,000	30,500
State	26,000	4,500
	-----	-----
	88,000	35,000
	-----	-----
Total provision for income taxes	\$ 92,400 -----	\$ 45,176 -----

VERIFIED STATEMENT OF UNIONTOWN BUILDERS SUPPLY COMPANY
IN SUPPORT OF THE APPLICATION

1. Legal name and domicile of supporting party or firm. (Give the actual location - city, township or borough - and the county. Do not give the mailing address).

Supporting witness - Louis Agostini, Vice President of Uniontown Builders Supply Company, 144 East Main Street, Fayette County, Uniontown, PA 15401.

2. Identity and qualifications of person making statement for supporting party or firm.

Louis Agostini, Vice President of Uniontown Builders Supply Company.

3. General description of supporting party, organization or operations. (If property application, include the type of commodities to be transported).

Uniontown Builders Supply Company ("Uniontown Builders") is a cement and construction supply firm. Incident to our business, we require shipment and delivery of cement in bulk in tank vehicles or packaged in bags which are hauled on flatbed trailers from points in Allegheny County, Beaver County and Lawrence County to our existing plant located in Uniontown, Pennsylvania or to the site of our proposed new facility in Washington, Pennsylvania. Our existing business at Uniontown, Pennsylvania, requires a shipment of between 180 and 225 loads per year. When we open our Washington, Pennsylvania facility, we expect our business to grow to a comparable level. Additionally, our business includes the sale of 5,000 to 10,000 tons of sand or gravel per year from our existing Uniontown, Pennsylvania facility. This commodity must be delivered to us in bulk in dump trucks. When we open our Washington facility, we expect that our business will grow to require a similar level of shipment and delivery of sand and/or gravel.

4. Volume and frequency of intended use.

As stated above, we require shipment and delivery of between 180 and 225 loads of cement per year. A load consists of either a bulk cement tank or a flatbed trailer fully loaded with bags of cement. The 180 to 225 loads, per facility (either Uniontown, Pennsylvania or Washington, Pennsylvania) are evenly distributed over the course of a construction season, which runs from approximately April 1 through the end of October.

The frequency of movement involves shipment by tri-axle and/or trailer truck five days per week and requires between 1 to 2 trucks per hauling day.

5. Specific or representative origins and destinations or both.

As indicated above, points of origin include our cement suppliers who are located in either Wampum, Pennsylvania, Leetsdale, Pennsylvania, Pittsburgh, Pennsylvania or Bessemer, Pennsylvania to our existing Uniontown, Pennsylvania facility or to our planned facility in Washington, Pennsylvania. All cement is delivered either in bulk in fully loaded tank trucks or in bags on fully loaded flatbed trailers. Sand and gravel are delivered in tri-axle end dump trucks.

6. Type of service required. Describe. (Property - bulk, less than truck load, multiple delivery, and the like).

See answer to Number 3.

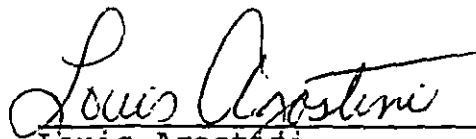
7. Similar applications supported (pertinent docket numbers).

None.

8. Any other information deemed pertinent.

See attached letter.

(Seal)



Louis Agostini
Vice President
Uniontown Builders Supply Company

VERIFICATION OF STATEMENT

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

The undersigned understands that false statements he has made subject to the penalties of 18 C.S. Sec. 4904 relating to unsworn falsification to authorities.

Dated

4/27/92



Louis Agostini

Louis Agostini, Vice President
Uniontown Builders
Supply Company

UNIONTOWN BUILDERS SUPPLY COMPANY
144 EAST MAIN STREET
UNIONTOWN, PENNSYLVANIA 15401

April 23, 1992

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Re: Supporting witness for carrier authority for cement for
Bill Snoddy Construction Company, Inc.

To whom it may concern:

This letter is written by Uniontown Builders Supply Company,
("Uniontown Builders") 144 East Main Street, Uniontown,
Pennsylvania 15401.

Uniontown Builders Supply Company is a cement and
construction supply firm having its principal place of business
at 144 East Main Street, Uniontown, Pennsylvania 15401. I, Louis
Agostini, am the Vice President of Uniontown Builders. Uniontown
Builders requires the transportation of cement by truck on a
routine and daily basis.

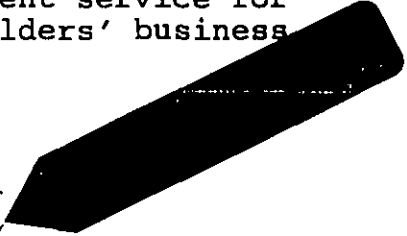
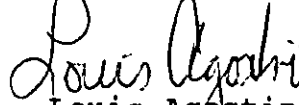
Our needs are such that we do in fact require the services
of Bill Snoddy Construction Company, Inc. for movements of cement
in bulk in tank vehicles or packaged in bags on flatbed trailers
from points in Allegheny County, Beaver County and Lawrence
County, to the Uniontown Builders plant located in Uniontown,
Pennsylvania. As stated, these movements would occur on a daily
and routine basis, totalling in excess of 180 to 225 loads per
year, as we now project our needs. Additionally, our business
includes the sale of 5,000 to 10,000 tons of sand or gravel per
year from our existing Uniontown, Pennsylvania facility. This
commodity must be delivered to us in bulk in dump trucks. When
we open our Washington facility, we expect that our business will
grow to require a similar level of shipment and delivery of sand
and/or gravel.

We have inspected the Company's terminal and equipment, and
we have extensively interviewed its management. We at Uniontown
Builders have concluded that the Company has the facilities,
equipment, management and dedication necessary to service our own
expanding needs.

It is our sincere desire that Bill Snoddy Construction
Company, Inc. provide competitive trucking service to and from

the Pennsylvania areas outlined above. Bill Snoddy Construction Company offers the flexibility to provide excellent service for the constantly changing demands of Uniontown Builders' business

Sincerely,



Louis Agostini
Vice President
Uniontown Builders Supply
Company

VERIFIED STATEMENT OF MARSH ASPHALT, INC.
IN SUPPORT OF THE APPLICATION

1. Legal name and domicile of supporting party or firm. (Give the actual location - city, township or borough - and the county. Do not give the mailing address).

Marsh Asphalt, Inc., Old Route 119, Gallatin Avenue Extension, Uniontown, Fayette County, Pennsylvania 15401.

2. Identity and qualifications of person making statement for supporting party or firm.

William R. Snoddy, Sr., President of Marsh Asphalt, Inc.

3. General description of supporting party, organization or operations. (If property application, include the type of commodities to be transported).

Marsh Asphalt, Inc. owns and operates asphalt manufacturing plants at Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmichaels, Pennsylvania, and it owns land and intends to erect and operate asphalt plants in the near future at North Versailles, Pennsylvania and Washington, Pennsylvania. Incident to operation of these asphalt plants, Marsh Asphalt requires delivery and transportation of asphalt oil and/or kerosene as a raw material for its plant. Additionally, Marsh Asphalt requires transportation and delivery of approximately 500,000 tons of stone or aggregate as a raw material used in the manufacture of asphalt. Finally, Marsh Asphalt purchases for resale approximately 25,000 tons of stone and/or aggregate which it resells from any or all of its asphalt plants.

4. Volume and frequency of intended use.

Marsh Asphalt requires approximately nine hundred 5200 gallon loads of asphalt oil and/or kerosene per year evenly distributed throughout the construction season from approximately April 1 through October 31. Additionally, it requires transportation and delivery of approximately 500,000 tons of stone which is delivered daily from various quarries to the site of all of its plants in tri-axle end dump trucks. Finally, it sells and delivers approximately 25,000 tons of stone or aggregate on an intermittent basis from a combination of all of its asphalt plants throughout the construction season.

5. Specific or representative origins and destinations or both.

Fraser
Asphalt and/or kerosene is purchased from points of origination in Fleurof, Pennsylvania, Dravosburg, Pennsylvania, Mercer, Pennsylvania or North Charleroi, Pennsylvania which is then delivered to any of its asphalt plants located in either Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmichaels, Pennsylvania, or its prospective plants at North Versailles or Washington, Pennsylvania. Marsh Asphalt also purchases stone for its asphalt manufacturing from quarries located in Coolspring, Pennsylvania, Connelsville, Pennsylvania, Belle Vernon, Pennsylvania, the various terminals located along the Monongahela River in South West Pennsylvania, or from the site of a potential quarry in Mount Pleasant, Pennsylvania. Depending on market conditions, Marsh Asphalt can transport and order delivery of this stone or aggregate from any point within up to a 100 air mile radius of any of its aforementioned plants or locations. Additionally, Marsh Asphalt resells stone and/or aggregate from any of its aforementioned plants or locations to any point within a air mile radius of approximately 100 miles.

6. Type of service required. Describe. (Property - bulk, less than truck load, multiple delivery, and the like).

For asphalt oils and/or kerosene, those commodities are transported in bulk in tanker cars. For transportation and delivery of stone either to any of the asphalt plants or for resale from any of the asphalt plants, those commodities are transported in fully loaded tri-axle end dump trucks.

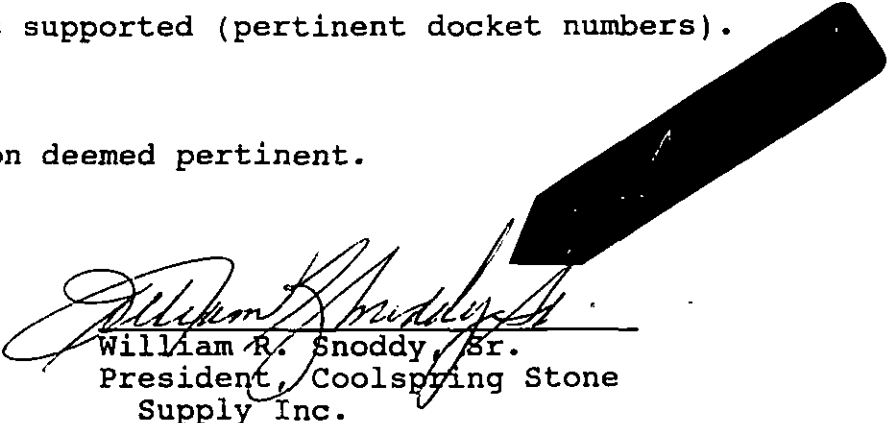
7. Similar applications supported (pertinent docket numbers).

No.

8. Any other information deemed pertinent.

None.

(Seal)



William R. Snoddy, Sr.
President, Coolspring Stone
Supply Inc.

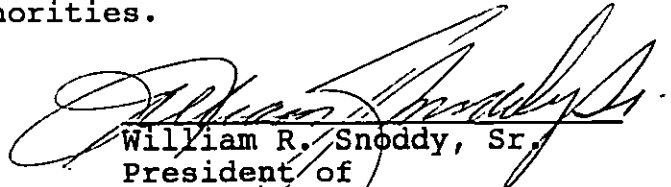
VERIFICATION OF STATEMENT

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

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

Dated

4-27-92



William R. Snoddy, Sr.
President of
Marsh Asphalt, Inc. and
Coolspring Stone Supply, Inc.

MARSH ASPHALT, INC.
OLD ROUTE 119, GALLATIN AVENUE EXTENSION
UNIONTOWN, PENNSYLVANIA 15401

April 23, 1992

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Re: Supporting Witness for Carrier Authority for asphalt
oil, kerosene, and crushed and sized stone and
aggregate.

To whom it may concern:

This letter is written by Marsh Asphalt, Inc. ("Marsh"), Old
Rout 119, Gallatin Avenue Extension, Uniontown, Pennsylvania
15401.

Marsh owns and operates asphalt manufacturing plants at
Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg,
Pennsylvania, Carmichaels, Pennsylvania, and owns land and
intends to erect and operate asphalt plants in the near future at
North Versailles, Pennsylvania and Washington, Pennsylvania. I
William R. Snoddy, Sr., am the Vice President of Marsh. Marsh
requires the transportation of asphalt oil and/or kerosene and
stone and/or aggregate on a routine and daily basis.

Our needs are such that we do in fact require the services
of Bill Snoddy, Construction Company, Inc. for movements of
asphalt oil and/or kerosene and stone and/or aggregate. Marsh
currently requires the shipping of asphalt oils and kerosene in
the amount of approximately nine hundred 5200 gallon loads per
year through the shipment by five 5200 gallon Freuhauf asphalt
tankers five days per week, and requiring between 3 and 4 tankers
per hauling day. Asphalt and/or kerosene is purchased from
points of origination in Fleurof, Pennsylvania, Dravosburg,
Pennsylvania, Mercer, Pennsylvania or North Charleroi,
Pennsylvania which is then delivered to any of its asphalt plants
located in either Belle Vernon, Pennsylvania, Coolspring,
Pennsylvania, Dravosburg, Pennsylvania, Carmichaels,
Pennsylvania, or its prospective plants at North Versailles or
Washington, Pennsylvania. Marsh Asphalt also purchases stone for
its asphalt manufacturing from quarries located in Coolspring,
Pennsylvania, Connelville, Pennsylvania, Belle Vernon,
Pennsylvania, the various terminals located along the Monongahela
River in South West Pennsylvania, or from the site of a potential
quarry in Mount Pleasant, Pennsylvania. Depending on market
conditions, Marsh Asphalt can transport and order delivery of
this stone or aggregate from any point within up to a 100 air

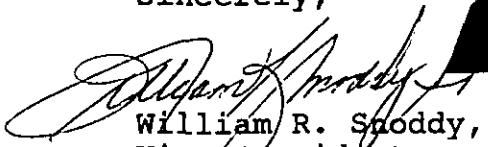
mile radius of any of its aforementioned plants or locations. Additionally, Marsh Asphalt resells stone and/or aggregate from any of its aforementioned plants or locations to any point within a air mile radius of approximately 100 miles.

In addition, Marsh also requires approximately 500,000 tons of stone per year for its purposes, and expects to substantially increase its needs by at least 20%. The frequency and movement involves shipment by tri-axle and/or trailer truck five days per week and requires between 5 to 15 trucks per hauling day. Marsh Asphalt also sells and ships to third party customers approximately 25,000 tons of stone and/or aggregate per year. The frequency of these shipments change with demand.

We have inspected the Company's terminal and equipment, and we have extensively interviewed its management. We at Marsh have concluded that the Company has the facilities, equipment, management and dedication necessary to service our own expanding needs.

It is our sincere desire that Bill Snoddy Construction Company, Inc. provide competitive trucking service to and from the Pennsylvania areas outlined above. Bill Snoddy Construction Company offers the flexibility to provide excellent service for the constantly changing demands of Marsh's business.

Sincerely,



William R. Snoddy, Sr.
Vice President
Marsh Asphalt, Inc.

LPW

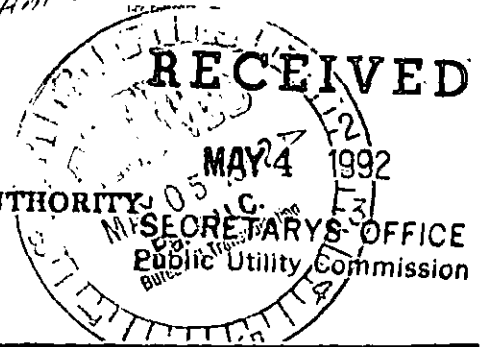
PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION

See Instructions before Completing Application

Application For:

- EMERGENCY TEMPORARY AUTHORITY
- TEMPORARY AUTHORITY
- EXTENSION OF EMERGENCY TEMPORARY AUTHORITY

A-109698
F.I. Am-B



1. Bill Snoddy Construction Company, Inc.
 (Name of applicant) (Trade name, if any)
Old Route 119, P.O. Box 945 Uniontown, PA 15401
 (Street address) (City) (State & Zip Code)

2. Gregg M. Rosen, Esq., 7th Fl. Frick Building, Pgh., PA 15219
(412) 281-5577
 (Name, Address & Telephone Number of Applicant's Attorney, if any)

3. Applicant is an individual partnership X corporation.
4. Applicant requests authority to provide service as a X common or contract carrier by motor vehicle, broker or freight forwarder in intrastate commerce; or is proposing to acquire authority by transfer. Give a description of type of service to be provided and area to be served:

(See attached)

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
MAY 29 1992
ENTRY No. MW

5. Applicant does hold Pa. PUC authority under Docket No. A-00109698 and
 (does or does not)
 operates as a common carrier.
 (common or contract)

6. If this application is for temporary authority, applicant does does not have pending an application for permanent authority to perform the same service as proposed herein. If it has, give docket number, filing date and status. If applicant does not have a pending permanent application currently on file, application for permanent authority must be enclosed.

Application for permanent authority is being submitted herewith simultaneously.

7. If this application is for emergency temporary authority, and not accompanied by applications for corresponding temporary and permanent authority, state when the applications for temporary and permanent authority will be filed.

Application for permanent authority is being submitted herewith simultaneously.

8. "Applicant's Statement" shall be prepared by the applicant or authorized representative of the applicant and shall contain the information as stated at Appendix A.

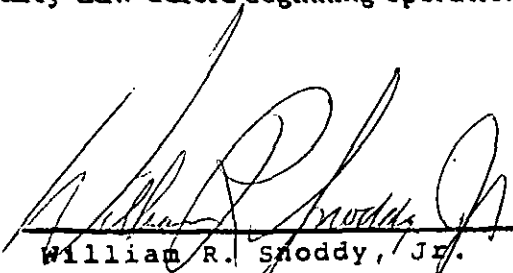
(See attached)

9. "Statements of Supporting Shippers or Witnesses" shall be prepared by the shipper or witness, or an authorized representative of the shipper or witness and shall contain the information as stated at Appendix B.

(See attached)

Applicant further declares that:

10. It is aware that a grant of the requested authority will create no presumption that corresponding permanent authority will be granted.
11. If the requested authority is granted, applicant will comply with the tariff and insurance requirements of the Public Utility Law before beginning operation.



William R. Snoddy, Jr.
President, Bill Snoddy Construction
Co., Inc. (Corporate Title)

April 28, 1992

(Date)

- 4.(a) Temporary authority to transport, as a Common Carrier for Coolspring Stone Supply, Inc. of Uniontown, Fayette County, Pennsylvania, crushed and sized stone and/or aggregate in bulk in dump trucks within a 100 air mile radius of the stone quarry located at Coolspring, Fayette County, Pennsylvania.
- (b) Temporary authority to transport, as a Common Carrier for Marsh Asphalt, Inc. of Uniontown, Fayette County, Pennsylvania, crushed and sized stone and/or aggregate in bulk in dump trucks from any asphalt plant owned or operated by Marsh Asphalt, Inc. in Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmichaels, Pennsylvania, North Versailles, Pennsylvania or Washington, Pennsylvania to any point within a 100 air mile radius of the aforementioned plants.
- (c) Temporary authority to transport, as a Common Carrier, asphalt oils and kerosene in bulk in tank vehicles for Coolspring Stone Supply, Inc. and Marsh Asphalt, Inc. from points in Fleurof, Pennsylvania, Dravosburg, Pennsylvania, Mercer, Pennsylvania, North Charleroi, Pennsylvania, to points in Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmicheals, Pennsylvania, North Versailles, Pennsylvania, and Washington, Pennsylvania where Marsh Asphalt, Inc. and/or Coolspring Stone Supply, Inc. own and/or operate asphalt plants.
- (d) Temporary authority to transport, as a Common Carrier, cement, in bulk in tank vehicles or packaged in bags on flatbed trailers, from points in Allegheny County, Beaver County and Lawrence County, Pennsylvania to the Uniontown Builders Supply Company plant located in either Uniontown, Pennsylvania or Washington Pennsylvania.
- (e) Temporary authority to transport, as a Common Carrier, sand or gravel, in bulk in dump trucks to the Uniontown Builders Supply Company facility at either Uniontown, Fayette County, Pennsylvania or to their facility at Washington, Washington County, Pennsylvania, from any point within a 100 air mile radius of either of the aforementioned facilities.
- (f) Temporary authority to transport, as a Common Carrier for Marsh Asphalt, Inc. crushed or sized stone and/or aggregate to any plant owned or operated by Marsh Asphalt, Inc. at Belle Vernon, Coolspring, Dravosburg, Carmichaels, North Versailles or Washington, Pennsylvania from any point within a 100 air mile radius of any of the aforementioned plant locations.

APPENDIX A - APPLICANT'S STATEMENT

- A. A description of the equipment which will be used to render service, including a statement of whether it is specialized equipment.

The Applicant intends to use tri-axle end dump trucks to haul stone, aggregate, sand and gravel and will use five 5200 gallon Freuhauf asphalt tankers to haul the asphalt oil and kerosene. In addition, Applicant will use a 40 foot 1976 Freuhauf tandem-axle flat bed trailer and a 985 cubic yard 1978 Freuhauf cement bulk tanker to haul cement. A complete list of the Applicant's equipment is attached to this Applicant's statement as Exhibit 1.

- B. A description of the Applicant's terminal facilities and personnel.

The Applicant's terminal facilities are located at a five (5) acre tract of land on Old Route 119 North in Uniontown Pennsylvania. The carrier property is stored in a yard surrounded by a fence. The facilities include a garage building where all equipment is maintained and repaired and complete mechanical service is available at the garage. A public telephone system is used for communications. Personnel are qualified and licenced to operate the vehicles in service by the Applicant.

- C. A statement of whether the filing of the application resulted from a warning, road check or investigation by the Commission.

No.

- D. A telephone number at which the Applicant or an authorized representative of the Applicant may be contacted.

Either James Kanar or William R. Snoddy, Jr. are the proper officials who can be contacted at (412) 437-6495.

- E. A statement of the proposed rates, fares or charges, and schedule provisions.

The proposed rates, fares or charges and schedule provisions proposed to be used by Applicant will be the same as the current rates and tariffs, that is \$0.50 per ton for the first mile, and \$0.10 per ton per mile for each mile thereafter, except that with respect to loads hauled by the asphalt tankers, a flat or fixed rate per load shall be charged which roughly approximates the above rates.

- F. A statement of whether there are under suspension any rates, any fares or charges published for its account or whether an application for special permission to file its rates, fares or charges on less than 30 days notice in connection with another ETA, TA or permanent authority application covering the same territory has be granted or denied.

There are no rates, fares or charges under suspension and the Applicant has not filed an application for special permission to file its rates, fares or charges on less than 30 days notice in connection with any other application for emergency temporary authority, temporary authority or permanent authority covering the same territory.

- G. Proof of ability to comply with the Commission's insurance requirements, or in the case of an authorized carrier, a statement indicating that it currently has evidence of insurance on file with the Commission.

The Applicant has currently on file with the PUC evidence of insurance. However, the Applicant has attached hereto as Exhibit 2, a binder indicating the most recent insurance coverage which Applicant has obtained and which lists the coverage and limits of liability which meet the PUC requirements.

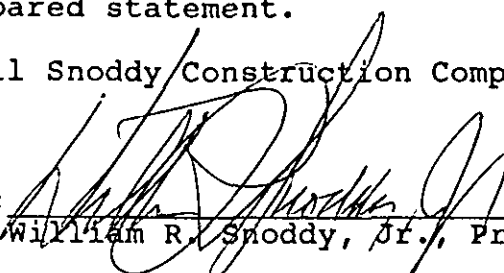
- H. Names and addresses of labor unions which represent, or which within the past 12 months have represented, or which have filed a petition to represent the employees of the Applicant with the National Labor Relations Board of the Pennsylvania Labor Relations Board. If the application seeks temporary approval of a transfer of rights under a certificate of public convenience, this information shall be supplied for the transferor or and transferee.

The Applicant's employees are not unionized.

Signature of person who prepared statement.

Bill Snoddy Construction Company, Inc.

By:


William R. Snoddy, Jr., President

(Seal)

BILL SKODDY CONSTRUCTION CO., INC.

Common Carrier Property

Tri-Axle Dump Trucks

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1986 Mack	1M2P141CIGA004618	Owned
1989 Mack	2M2P141CCKC007850	Owned
1990 Mack	1M2AY83COLM004902	Owned
1991 Mack	1M2P270C5MM010044	Owned

Tractors

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1980 Mack	1M2N178Y2BA069108	Owned
1989 Kenworth	MW900BSIXKWDB9X3KM528S10	Owned
1987 Peterbilt	1XP5DB9X7HN2S0600	Owned
1987 Mack	1M2N277Y5HA004289	Owned

Dump Trailers

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1982 East	SIEIDIS389CRJ05179	Owned
1984 East	131DIR281CRF05771	Owned
1988 Cobra	1C9DS30B6J1133950	Owned
1988 Cobra	1C9DS35BXJ1133961	Owned

Cement Tankers

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1978 Fruehauf	UNZ604415	Owned

Asphalt Tankers

<u>Description</u>	<u>Serial No.</u>	<u>Owned/Leased</u>
1975 Fruehauf	UNF231402	Leased
1975 Etnyre	K1738K195	Leased
1976 Etnyre	K2472K9046	Leased
1979 Etnyre	H139633258	Leased
1976 Etnyre	K1965K8464	Leased

04/22/92

15:48

ETNA PITTSBURGH

001

Form B
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATE OF INSURANCE

(Executed in Triplicate)

6A 100000

Filed with Public Utility Commission of PA (Name of Commission) (hereinafter called Commission)

This is to certify, that the Aetna Casualty & Surety Co. (Name of Company)

(hereinafter called Company) of Hartford, Conn. (Home Office Address of Company)

has issued to Bill Snoddy Construction Co., Inc. (Name of Motor Carrier) of P.O. Box 945, Uniontown, PA 15401 (Address of Motor Carrier)

a policy or policies of insurance effective from 3-18-91 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until canceled as provided herein, which, by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein may not be canceled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Commission.

Counterinsured at 1700 Two Chatham Center, Pittsburgh, PA 15219 (Street Address) (City) (State) (Zip Code)

this 17th day of April 19 92

Insurance Company File No. 000 FJ 975680 DCA (Policy Number)

F E Kaufman
Authorized Company Representative

APPENDIX B1
STATEMENT OF UNIONTOWN BUILDERS SUPPLY COMPANY

Uniontown Builders Supply Company is a cement and construction supply firm situated in Uniontown, Fayette County, Pennsylvania.

- A. A description of the specific commodity which will be transported if the transportation of property is involved.

The commodity to be transported will be limited to cement, sand and gravel.

- B. Points or areas to, from or between which the transportation will be provided.

From points in Allegheny County, Beaver County, and Lawrence County to Uniontown Builders Supply facility in Uniontown, Fayette County, Pennsylvania or Washington, Washington County, Pennsylvania.

- C. A statement of the shipper's current and recent needs concerning volume of traffic, frequency of movement and manner of transportation.

Uniontown Builders Supply Company has a current need of approximately 180 to 225 loads of cement per year. This need could exist indefinitely as this is the projected amount of cement which Uniontown Builders Supply Company needs to operate its business at its Uniontown, Pennsylvania facility on an annual basis. The frequency of movement involves shipments by tank vehicles and/or flatbed trailers five days per week and requires between 1 to 2 trucks per hauling day. The 180 to 225 loads, per facility (either Uniontown, Pennsylvania, or Washington Pennsylvania) are evenly distributed over the course of a construction season, which runs from approximately April 1 through the end of October. Uniontown Builders Supply Company anticipates operating another, separate facility at Washington, Pennsylvania whereupon we will experience a volume need for that facility which is the same as our need for our Uniontown facility. Uniontown Builders Supply Company also has a current need to have delivered to its Uniontown, Pennsylvania facility 5,000 to 10,000 tons of sand and/or gravel, per year. When we establish our Washington, Pennsylvania facility, we anticipate a similar need for that facility.

- D. A statement indicating when the service shall be provided.

This service must be provided immediately.

- E. A statement indicating how long the need for service will continue and whether the supporting shipper or witness will support the permanent authority application.

As indicated in Paragraph (C), above, the need for this service will exist indefinitely for the purpose of servicing the needs of Uniontown Builders Supply Company. Uniontown Builders Supply has submitted a statement or letter in support of an Application for Permanent Authority for this transportation haulage which is filed herewith by Bill Snoddy Construction Company, Inc.

- F. An explanation of the consequences of not having the service made available.

In the event services are not immediately made available, then the inability to ship adequate amounts of cement will dictate that we may lose certain orders. If we lose orders, we will lose business opportunities and the producer from whom we intend to procure the cement may suffer diminished operating revenues and/or reduced employment and production. This may result in the loss of business to another supplier (shipper). Alternatively, we will suffer higher prices for delivery of these products which will reduce our competitiveness. In that case, our sales may drop and we may be forced to layoff employees.

- G. A description of the circumstances which created an immediate need for the requested service.

Other carriers have reduced the size of their fleet so that they presently possess insufficient tonnage capacity to adequately service our shipping needs, or those who possess both the authority and capacity cannot or will not transport these products at a reasonable rate or at a rate at which we can remain competitive. Bill Snoddy Construction Company, Inc. is a local trucking company which could satisfy our shipping needs if the requested hauling authority is granted and we would have more confidence in this local company than in other companies located outside of Uniontown.

- H. A statement of whether efforts have been made to obtain the service from existing carriers, including the dates and results of these efforts.

Based on our investigation and survey of existing carriers, we have determined that there are no carriers which have the necessary operating authority and fleet capacity to transport the required volume of our product and who are willing to do so at a reasonable rate. For

example, Russell Trucking has the necessary operating authority and fleet capacity to transport the cement, but would charge our company approximately \$1.00 more per ton than Bill Snoddy Construction Company, Inc. would charge. We cannot remain competitive at this rate. Based on our investigation, we have determined that there is no shipper which presently possesses the authority to transport our sand and gravel. However, we are aware of significant demand for these products and thus require the ability to ship such products to satisfy that demand. The award of the requested authority to Bill Snoddy Construction Company, Inc. would accomplish this purpose.

- I. Names and addresses of existing carriers who have failed or refused to provide the service, and the reasons given for the failure or refusal.

We have contacted the only carrier in the Uniontown area which has the necessary operating authority and fleet capacity to transport the cement that we require, Russell Trucking. However, its rate to provide hauling services for us is as much as \$1.00 more per ton than it would cost to have Bill Snoddy Construction Company, Inc. haul our product. We cannot remain competitive at Russell Trucking's rates, but we can at the proposed rates of Bill Snoddy Construction Company, Inc.

- J. A statement of whether the supporting shipper or witness has supported a recent application for permanent, temporary or emergency temporary authority covering all or part of the requested service, the carrier's name, address and docket numbers, if known, and whether the application was granted or denied and the date of the action, if known.

The supporting shipper or witness has not recently supported a recent application for authority of any type.

- K. Name and addresses of all labor unions which represent, or which within the past 12 months have represented, or which have filed a petition to represent the employees of the supporting shipper with the National Labor Relations Board or the Pennsylvania Labor Relations Board.

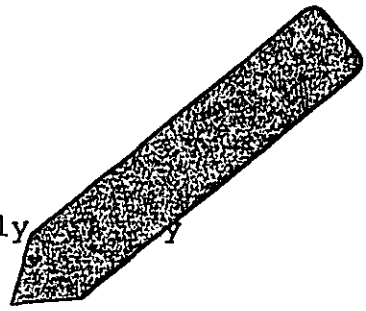
Teamsters Union Local 491
Morgantown Street
Uniontown, Pennsylvania 15401

L. Signature of the person who prepared statement.

Uniontown Builders Supply

By: Louis Agostini
Louis Agostini, Vice President

(Seal)



APPENDIX B2
STATEMENT OF MARSH ASPHALT, INC.

Marsh Asphalt, Inc. is an asphalt manufacturer headquartered in Uniontown, Fayette County, Pennsylvania with plants located at Belle Vernon, Coolspring, Dravosburg and Carmicheals, Pennsylvania and Washington, Pennsylvania. Marsh Asphalt owns or has acquired rights to land in North Versailles and Washington, Pennsylvania, where it intends to erect and operate plants. Marsh Asphalt is engaged in manufacturing asphalt, and sale of crushed and sized aggregate.

- A. A description of the specific commodity which will be transported, if transportation of property is involved.

The commodity to be transported will be limited to asphalt oils and kerosene to be used for the asphalt manufacturing process and crushed and sized stone or aggregate.

- B. Points or areas to, from or between which the transportation will be provided.

Asphalt oil and/or kerosene is purchased from points of origination in Fleurof, Pennsylvania, Dravosburg, Pennsylvania, Mercer, Pennsylvania or North Charleroi, Pennsylvania which is then delivered to any of its asphalt plants located in either Belle Vernon, Pennsylvania, Coolspring, Pennsylvania, Dravosburg, Pennsylvania, Carmichaels, Pennsylvania, or its prospective plants at North Versailles or Washington, Pennsylvania. Marsh Asphalt also purchases stone for its asphalt manufacturing from quarries located in Coolspring, Pennsylvania, Connelsville, Pennsylvania, Belle Vernon, Pennsylvania, the various terminals located along the Monongahela River in South West Pennsylvania, or from the site of a potential quarry in Mount Pleasant, Pennsylvania. Depending on market conditions, Marsh Asphalt can transport and order delivery of this stone or aggregate from any point within up to a 100 air mile radius of any of its aforementioned plants or locations. Additionally, Marsh Asphalt resells stone and/or aggregate from any of its aforementioned plants or locations to any point within a air mile radius of approximately 100 miles.

- C. A statement of the shipper's current and recent needs concerning volume of traffic, frequency of movement and manner of transportation.

(1) Marsh Asphalt currently requires shipping of asphalt oils and kerosene in the amount of approximately nine

hundred 5200 gallon loads per year. This need shall exist indefinitely based upon the business requirements of Marsh Asphalt. The frequency of movement involves shipments by five (5) 5200 gallon Freuhauf and/or Etnyre asphalt tankers five days per week and requires between 3 and 4 tankers per hauling day. (2) Marsh Asphalt, Inc. currently requires approximately 500,000 tons of stone per year for its business purposes, but it expects to substantially increase its need by at least 20.%. The frequency in movement involves shipments by tri-axle and/or trailer truck 5 days per week and requires between 5 to 15 trucks per hauling day. Marsh Asphalt also sells and ships to third party customers approximately 25,000 tons of stone or aggregate per year. The frequency of these shipments change with demand.

- D. A statement indicating when the service shall be provided.

The service must be provided immediately.

- E. A statement indicating how long the need for service will continue and whether the supporting shipper or witness will support the permanent authority application.

As indicated in Paragraph (C), above, the need for this service will exist indefinitely for the purpose of servicing the business needs of Marsh Asphalt, Inc. Marsh Asphalt, Inc. has already submitted a statement or letter in support of an Application for Permanent Authority for this and other similar transportation haulages which is filed herewith by Bill Snoddy Construction Company, Inc.

- F. An explanation of the consequences of not having the service made available.

In the event services are not immediately made available, then the inability to ship for receipt and manufacturing adequate amounts of oil or stone or aggregate will dictate that we may lose certain orders. If we lose orders, we will lose business opportunities and the producer from whom we intend to procure the asphalt oil, kerosene and stone may suffer diminished operating revenues and/or reduced employment and production. This may result in the loss of business to another supplier (shipper). Additionally, our business depends on selling and shipping crushed stone and/or aggregate to customers to maintain their satisfaction. If we are unable to ship stone for resale, our customer relations and overall business will suffer.

- G. A description of the circumstances which created an immediate need for the requested service.

B&L Trucking Company is a local trucking company which had previously satisfied our shipping needs. However, Marsh anticipates a significant increase in business and B&L has not and will not increase its fleet to service and accommodate Marsh's increasing hauling requirements.

- H. A statement of whether efforts have been made to obtain the service from existing carriers, including the dates and results of these efforts.

To date we have relied upon B&L Trucking's fleet to service our shipping needs. However, B&L's fleet is aging and the company will not provide a guarantee that it will replace and/or expand its fleet to accommodate Marsh's anticipated increased business. Another Uniontown carrier, G.R.S. Services, has advised us that it operates at full capacity during the construction season and that it cannot commit to accommodate our expanding needs.

- I. Names and addresses of existing carriers who have failed or refused to provide the service, and the reasons given for the failure or refusal.

Carrier

- (1) G.R.S. Services, 24 Mayflower Drive, Uniontown, PA 15401, (412) 438-4581.

(a) Date Contacted: April 21, 1992.

(b) Company Representative: Jerry Sabatine

(c) Reason For Inability To Provide Service: Operating at capacity.

- (2) B&L Trucking, Inc., P.O. Box 945, Uniontown, PA 15401, (412) 437-6495.

(a) Date Contacted: April 2, 1992.

(b) Company Representative: Roger Glover

(c) Reason For Inability To Provide Service: Operating at capacity.

- J. A statement of whether the supporting shipper or witness has supported a recent application for permanent, temporary or emergency tempera authority covering all or part of the requested service, the carrier's name, address and docket

numbers, if know, and whether the application was granted or denied and the date of the action, if known.

The supporting shipper or witness has not recently supported a recent application for authority of any type.

- K. Name and addresses of all labor unions which represent, or which within the past 12 months have represented, or which have filed a petition to represent the employees of the supporting shipper with the National Labor Relations Board or the Pennsylvania Labor Relations Board.

United Steel Workers of America
143 West Pike Street
Cannonsburg, PA 15317

- L. Signature of the person who prepared statement.

Marsh Asphalt, Inc.

(Seal)

By 

William R. Snoddy, Sr.
Vice President

APPENDIX B3
STATEMENT OF COOLSPRING STONE SUPPLY, INC.

Coolspring Stone Supply, Inc. is a producer and manufacturer of prepared, crushed and sized stone and is a manufacturer of asphalt headquartered in Uniontown, Fayette County, Pennsylvania.

- A. A description of the specific commodity which will be transported if the transportation of property is involved.

The commodity to be transported will be limited to: crushed and sized stone and/or aggregate and asphalt oil and kerosene for asphalt manufacturing process.

- B. Points or areas to, from or between which the transportation will be provided.

(1) Crushed and sized stone and/or aggregate to any point within a 100 air mile radius of the Coolspring Stone Supply, Inc. quarry located at Coolspring, Fayette County, Pennsylvania.

(2) Asphalt oil and kerosene from points in Dravosburg, Pennsylvania, Fleurof, Pennsylvania and Mercer, Pennsylvania, to Coolspring, Pennsylvania, where Coolspring Stone Supply, Inc. operates an asphalt plant.

- C. A statement of the shipper's current and recent needs concerning volume of traffic, frequency of movement and manner of transportation.

(1) Coolspring Stone Supply, Inc. currently expects to sell approximately 1,000,000 tons of stone per year in approximately 22 ton loads for its business purposes. This need will exist indefinitely. The frequency in movement involves shipments by tri-axle and/or tractor-trailer truck 5 days per week and requires between 5 to 45 trucks per hauling day. (2) Coolspring Stone Supply, Inc. currently requires the shipping of asphalt oils and kerosene in the amount of two hundred 5200 gallon loads per year. This need shall exist indefinitely based upon the business requirements of Coolspring Stone Supply, Inc. The frequency of movement involves shipments by five (5) 5200 gallon Freuhauf and/or Etnyre asphalt tankers five days per week and requires between 3 to 4 tankers per hauling day.

- D. A statement indicating when the service shall be provided.

This service must be provided immediately.

- E. A statement indicating how long the need for service will continue and whether the supporting shipper or witness will support the permanent authority application.

As indicated in Paragraph (C), above, the need for this service will exist indefinitely for the purpose of servicing the needs of Coolspring Stone Supply, Inc. Coolspring Stone Supply, Inc. has submitted a statement or letter in support of an Application for Permanent Authority for this transportation haulage which is filed herewith by Bill Snoddy Construction Company, Inc.

- F. An explanation of the consequences of not having the service made available.

In the event services are not immediately made available, then the inability to ship adequate amounts of stone or aggregate will dictate that we may lose certain orders. If we lose orders, we will lose business opportunities and the producer from whom we intend to procure the asphalt oil, kerosene and stone may suffer diminished operating revenues and/or reduced employment and production. This may result in the loss of business to another supplier (shipper). Additionally, if we cannot ship our manufactured stone or aggregate, we may be forced to default on standing orders and face liability for these defaults.

- G. A description of the circumstances which created an immediate need for the requested service.

B&L Trucking Company is a local trucking company which had previously satisfied our shipping needs. However, Coolspring anticipates a significant increase in business and B&L has not and will not commit to increase its fleet to service and accommodate Coolspring's increasing hauling requirements. B&L Trucking Company is currently operating at full capacity during the construction season. The same is true of G.R.S. Services, which we also contacted.

- H. A statement of whether efforts have been made to obtain the service from existing carriers, including the dates and results of these efforts.

To date we have relied upon B&L Trucking's fleet to service our shipping needs. However, B&L's fleet is aging and the company will not provide a guaranty that it will replace or expand its fleet to accommodate Coolspring's anticipated increased business for either stone or asphalt oil or kerosene. G.R.S. Services, which we also contacted, is currently operating at full

capacity and cannot commit to transport our increased production of stone.

- I. Names and addresses of existing carriers who have failed or refused to provide the service, and the reasons given for the failure or refusal.

Carrier

(1) G.R.S. Services, 24 Mayflower Drive, Uniontown, PA 15401, (412) 438-4581.

(a) Date Contacted: April 21, 1992.

(b) Company Representative: Jerry Sabatine

(c) Reason For Inability To Provide Service: Operating at capacity.

(2) B&L Trucking, Inc., P.O. Box 945, Uniontown, PA 15401, (412) 437-6495.

(a) Date Contacted: April 2, 1992.

(b) Company Representative: Roger Glover

(c) Reason For Inability To Provide Service: Operating at capacity.

- J. A statement of whether the supporting shipper or witness has supported a recent application for permanent, temporary or emergency temporary authority covering all or part of the requested service, the carrier's name, address and docket numbers, if know, and whether the application was granted or denied and the date of the action, if known.

The supporting shipper or witness has not recently supported a recent application for authority of any type.

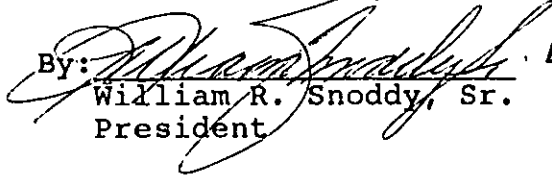
- K. Name and addresses of all labor unions which represent, or which within the past 12 months have represented, or which have filed a petition to represent the employees of the supporting shipper with the National Labor Relations Board or the Pennsylvania Labor Relations Board.

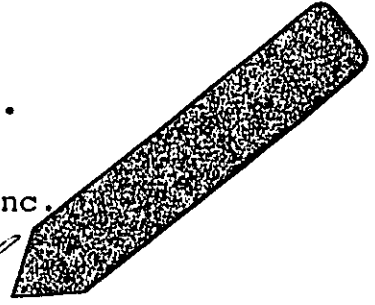
United Steelworkers of America
147 West Pike Street
Cannonsburg, PA 15317

L. Signature of the person who prepared statement.

Coolspring Stone Supply, Inc.

(Seal)

By: 
William R. Snoddy, Sr.
President



VERIFIED STATEMENT OF COOLSPRING STONE SUPPLY, INC.
IN SUPPORT OF THE APPLICATION

1. Legal name and domicile of supporting party or firm. (Give the actual location - city, township or borough - and the county. Do not give the mailing address).

Coolspring Stone Supply, Inc., Old Route 119, Gallatin Avenue Extension, Uniontown, Fayette County, Pennsylvania 15401.

2. Identity and qualifications of person making statement for supporting party or firm.

William R. Snoddy, Sr., President of Coolspring Stone Supply, Inc.

3. General description of supporting party, organization or operations. (If property application, include the type of commodities to be transported).

Coolspring Stone Supply, Inc. ("Coolspring") operates a stone quarry in Coolspring, Fayette County, Pennsylvania which manufacturers, crushes and sizes stone and aggregate for resale. Coolspring also owns and operates an asphalt plant at the same site where it manufactures asphalt for sale. See attached statements.

4. Volume and frequency of intended use.

Coolspring expects to ship, between approximately April 1 and October 31 of each year, in excess of one million tons of stone and/or aggregate in approximately 22 ton loads hauled by tri-axle end dump trucks and/or tractor-trailer trucks. These shipments are made uniformly, generally from Monday through Friday, throughout the course of the season. Additionally, Coolspring must have shipped and delivered to it for its asphalt manufacturing plant approximately five (5) 5200 gallon Freuhauf and/or Etnyre asphalt tankers five days per week and requires between 3 to 4 tankers per hauling day. This volume is needed throughout the construction season, from April through October of each year. Coolspring will deliver the stone and/or aggregate which it manufacturers, crushes and sizes to any point up to a 100 air mile radius from the quarry which it operates in Coolspring, Fayette County, Pennsylvania. Coolspring purchases and therefore requires delivery to its asphalt plant located in Coolspring, Fayette County, Pennsylvania asphalt oil and/or kerosene from points including Dravosburg, Pennsylvania, Fleurof, Pennsylvania or Mercer, Pennsylvania.

5. Specific or representative origins and destinations or both.

See answer to Number 4.

6. Type of service required. Describe. (Property - bulk, less than truck load, multiple delivery, and the like).

All stone or aggregate is shipped in bulk in tri-axle end dump trucks. Asphalt or kerosene is ordered and delivered by tanker truck, usually containing approximately 5200 gallons.

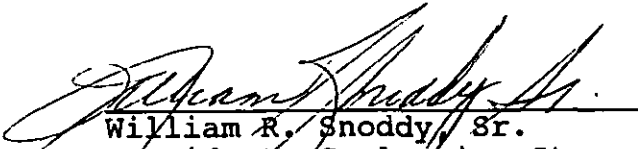
7. Similar applications supported (pertinent docket numbers).

No.

8. Any other information deemed pertinent.

None.

(Seal)

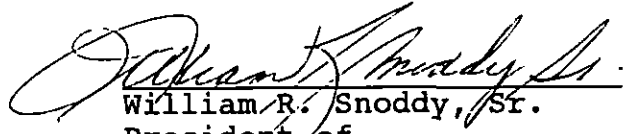

William R. Snoddy, Sr.
President, Coolspring Stone
Supply Inc.

VERIFICATION OF STATEMENT

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

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

Dated 4-27-92



William R. Snoddy, Sr.
President of
Marsh Asphalt, Inc. and
Coolspring Stone Supply, Inc.

COOLSPRING STONE SUPPLY, INC,
OLD ROUTE 119, GALLATIN AVENUE EXTENSION
UNIONTOWN, PENNSYLVANIA 15401

April 23, 1992

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17120

Re: Supporting Witness for Carrier Authority for asphalt
oil, kerosene, and crushed and sized stone and
aggregate.

To whom it may concern:

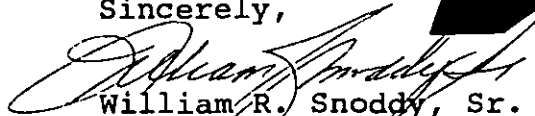
This letter is written by Coolspring Stone Supply, Inc. ("Coolspring") Old Route 119, Gallatin Avenue Extension, Uniontown, Pennsylvania. Coolspring operates a stone quarry in Coolspring, Fayette County, Pennsylvania which manufactures, crushes and sizes stone and aggregate for resale. Coolspring also owns and operates an asphalt plant at the same site where it manufactures asphalt for sale. I, William R. Snoddy, Sr., am the President of Coolspring Stone Supply, Inc.

Our needs are such that we do in fact require the services of Bill Snoddy Construction Company, Inc. for the shipment of in excess of 1,000,000 tons of stone and/or aggregate in approximately 22 ton loads hauled by tri-axle end dump trucks. Coolspring also requires a shipment of approximately one 5200 gallon truck of asphalt and/or kerosene per day for its asphalt manufacturing plant. Coolspring's business needs require the delivery of stone and/or aggregate which Coolspring manufactures, crushes and sizes to any point up to a 100 air mile radius from the quarry which it operates in Coolspring, Fayette County, Pennsylvania. In addition, in the course of its business, Coolspring purchases and thus requires delivery to its asphalt plant located in Coolspring, Fayette County, Pennsylvania asphalt oil and/or kerosene in points including Dravosburg, Pennsylvania, Fleurof, Pennsylvania or Mercer, Pennsylvania. As stated, these movements would occur on a daily and routine basis, totalling in excess of 1,000,000 tons of stone and/or aggregate and five 5200 gallon Freuhauf tankers per week, with three to four tankers per hauling day.

We have inspected the Company's terminal and equipment and we have extensively interviewed its management. We at Coolspring have concluded that the Company has the facilities, equipment, management and dedication necessary to service our own expanding needs.

It is our sincere desire that Bill Snoddy Construction Company, Inc. provide competitive trucking services to and from the Pennsylvania areas outlined above. Bill Snoddy Construction Company, Inc. offers the flexibility to provide excellent services for the constantly changing demands of Coolspring business.

Sincerely,



William R. Snoddy, Sr.
President, Coolspring
Stone Supply, Inc.

June 12, 1992

IN REPLY PLEASE
REFER TO OUR FILE

Teamsters Union Local 491
Morgantown Street
Uniontown, PA 15401

Re: Application of Bill Snoddy Construction Co., Inc. at A-00109698, F.1, Am-B
for Temporary Authority

TO WHOM IT MAY CONCERN:

Please be advised that the above applicant has filed an application for temporary authority to render service as a common carrier or contract carrier in the Commonwealth of Pennsylvania with the Pennsylvania Public Utility Commission. The requested authority is attached.

If you wish to protest this application, the protests are due on or before July 6, 1992 at the above Commission address; and shall conform with the Provisions as set forth in Section 3.383 (5)(ii)(B) of Title 52, PA Code, Chapter 3.

"A union which represents the employes of a motor carrier or supporting shipper, which may be affected by the approval of an application for Temporary Authority, may file a protest to the application. The protests shall be limited to the issue of whether a threatened or existing labor dispute precludes Commission consideration and approval of the Temporary Authority Application."

Very truly yours,

David Ehrhart
Supervisor-Application Section
Bureau of Transportation

DE:nk
Enclosures



**PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin _____

- 2 -

crushed and sized stone and aggregates for Marsh Asphalt, Inc. from points in Pennsylvania located within an airline distance of one hundred (100) statute miles of the limits of the borough of Belle Vernon and the township of North Union, Fayette County, the borough of Dravosburg and the township of North Versailles, Allegheny County, the borough of Carmichaels, Greene County, and the city of Washington, Washington County, to its facilities located in said townships, boroughs and city. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00109698, F. 1, AM-B, SEEKING THE RIGHTS CITED ABOVE.

MW:rs
5/29/92

Application received: 5/4/92
Application docketed: 5/29/92
TA Application received: 5/4/92
TA Application docketed: 5/29/92

Protests due _____

June 12, 1992

IN REPLY PLEASE
REFER TO OUR FILE

GREG M ROSEN
ATTORNEY AT LAW
7TH FLOOR FRICK BUILDING
PITTSBURGH PA 15219

In re: A-00109698, F. 1, Am-B - Application of Bill Snoddy Construction Co., Inc.

Dear Sir:

The application of Bill Snoddy Construction Co., Inc. for permanent and temporary authority has been captioned as attached and will be submitted for review provided no protests are filed on or before July 6, 1992. 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 June 13, 1992.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:11

cc: Applicant
Old Route 119 North
P.O. Box 945
Uniontown, PA 15401

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUN 12 1992
ENTRY No. MW

A-00109698, Folder 1, Am-B BILL SNODDY CONSTRUCTION CO., INC. (Old Route 119 North, P.O. Box 945, Uniontown, Fayette County, PA 15401), a corporation of the Commonwealth of Pennsylvania, inter alia - coal for domestic consumption between points in the county of Fayette, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination: SO AS TO PERMIT the transportation of crushed and sized stone and aggregate, in bulk in dump trucks, for Coolspring Stone Supply, Inc. from the township of North Union, Fayette County, to points in Pennsylvania within an airline distance of one hundred (100) statute miles of the limits of said township; crushed and sized stone and aggregate, in bulk in dump trucks, for Marsh Asphalt, Inc. from the borough of Belle Vernon and the township of North Union, Fayette County, the borough of Carmichaels, Greene County, the borough of Dravosburg, and the township of North Versailles, Allegheny County, and the city of Washington, Washington County, to points in Pennsylvania within an airline distance of one hundred (100) statute miles of the limits of said townships, boroughs and city; asphalt oils and kerosene, in bulk in tank vehicles, for Coolspring Stone Supply, Inc. and Marsh Asphalt, Inc., from points in the boroughs of West Elizabeth and Dravosburg, Allegheny County, the borough of Mercer, Mercer County, and the borough of North Charleroi, Washington County, to points in the borough of Belle Vernon and the township of North Union, Fayette County, the borough of Dravosburg, and the township of North Versailles, Allegheny County, the borough of Carmichaels, Greene County, and the city of Washington, Washington County; cement, in bulk in tank vehicles or packaged in bags on flatbed trailers from points in the counties of Allegheny, Beaver and Lawrence, to the facilities of Uniontown Builders Supply Company located in the city of Uniontown, Fayette County and the city of Washington, Washington County; sand and gravel, in bulk in dump vehicles, from points in Pennsylvania within an airline distance of one hundred (100) statute miles of the limits of the cities of Uniontown, Fayette County and Washington, Washington County to the facilities of Uniontown Builders Supply Company located in said cities; and crushed and sized stone and aggregates for Marsh Asphalt, Inc. from points in Pennsylvania located within an airline distance of one hundred (100) statute miles of the limits of the borough of Belle Vernon and the township of North Union, Fayette County, the borough of Dravosburg and the township of North Versailles, Allegheny County, the borough of Carmichaels, Greene County, and the city of Washington, Washington County, to its facilities located in said townships, boroughs and city. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00109698, F. 1, AM-B, SEEKING THE RIGHTS CITED ABOVE. Attorney: Gregg M. Rosen, Seventh Floor, Frick Building, Pittsburgh, PA 15219.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

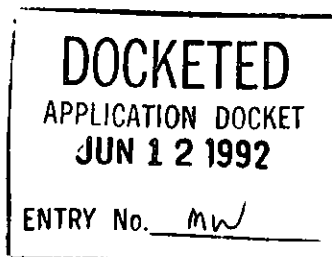
Published in Pennsylvania Bulletin JUN 7 3 1992

BUREAU OF TRANSPORTATION
COMMON CARRIER
MAY 1992

A-00109698
F. 1
Am-B

Application of Bill Snoddy Construction Co., Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, coal for domestic consumption between points in the county of Fayette, provided no haul shall exceed a distance of fifteen (15) miles from point of origin to point of destination: SO AS TO PERMIT the transportation of crushed and sized stone and aggregate, in bulk in dump trucks, for Coolspring Stone Supply, Inc. from the township of North Union, Fayette County, to points in Pennsylvania within an airline distance of one hundred (100) statute miles of the limits of said township; crushed and sized stone and aggregate, in bulk in dump trucks, for Marsh Asphalt, Inc. from the borough of Belle Vernon and the township of North Union, Fayette County, the borough of Carmichaels, Greene County, the borough of Dravosburg, and the township of North Versailles, Allegheny County, and the city of Washington, Washington County, to points in Pennsylvania within an airline distance of one hundred (100) statute miles of the limits of said townships, boroughs and city; asphalt oils and kerosene, in bulk in tank vehicles, for Coolspring Stone Supply, Inc. and Marsh Asphalt, Inc., from points in the boroughs of West Elizabeth and Dravosburg, Allegheny County, the borough of Mercer, Mercer County, and the borough of North Charleroi, Washington County, to points in the borough of Belle Vernon and the township of North Union, Fayette County, the borough of Dravosburg, and the township of North Versailles, Allegheny County, the borough of Carmichaels, Greene County, and the city of Washington, Washington County; cement, in bulk in tank vehicles or packaged in bags on flatbed trailers from points in the counties of Allegheny, Beaver and Lawrence, to the facilities of Uniontown Builders Supply Company located in the city of Uniontown, Fayette County and the city of Washington, Washington County; sand and gravel, in bulk in dump vehicles, from points in Pennsylvania within an airline distance of one hundred (100) statute miles of the limits of the cities of Uniontown, Fayette County and Washington, Washington County to the facilities of Uniontown Builders Supply Company located in said cities; and

NH



JUL - 6 1992

TA

Protests due _____