

APPLICATION

A-00109698 F1 AMA

LAW OFFICES
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SEVENTH FLOOR
FRICK BUILDING

PITTSBURGH, PENNSYLVANIA 15219-6002

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LISA H. KAHN
*ADMITTED IN OHIO ONLY

JEROME M. LIBENSON
OF COUNSEL



File No. 9594.01

July 25, 1991

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

A-109698
F. I. A M-A

RECEIVED
JUL 29 1991
SECRETARY'S OFFICE
Public Utility Commission

Re: Bill Snoddy Construction Co., Inc.

Dear Sir or Madam:

Enclosed for filing is an original and two copies of an Application for Motor Carrier Certificate or Permit, together with certified check number 2161, 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 Emergency Temporary Authority, together with certified check number 2162, payable to the Commonwealth of Pennsylvania, in the amount of \$100.00, in payment of the filing fee.

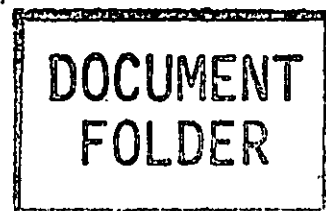
I have provided you with an additional copy of the Application for Motor Carrier Certificate or Permit and the Application for Emergency Temporary Authority which I request be "date or time stamped" and returned to me for my file. I have enclosed a stamped, self-addressed envelope for your convenience.

If you have any questions, or if any additional information is required, please contact the undersigned. Thank you for your assistance in this matter.

Very truly yours,

Gregg M. Rosen

d1m
Enclosures



BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of Bill Snoddy Construction Co., Inc.

APPLICATION DOCKET
No. A-00109698
Folder No. 1, Am-A

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

REC'D
JUL 29 1991
SECRETARY'S OFFICE
Public Utility Commission

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

DOCKETED
APPLICATION DOCKET
AUG 7 1991
ENTRY No. MW

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

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

APPL: A-109698
COMPL: active

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

CHECKED BY MW

Commonwealth on N/A
(date)

DOCUMENT
FOLDER

3. Old Route 119 North
(Business Street Address)

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, 7th Floor - Frick Bldg., Pgh., PA 15219-6002 (412) 281-5577
(Name) (Address) (Telephone)

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

Gregg M. Rosen, 7th Floor - Frick Bldg., Pgh., PA 15219-6002
(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 A

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

D * Statement of corporate charter purpose.

E List of corporate officers and stockholders. see attached.

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:

To transport as a common carrier coal for Mon West Enterprises of Uniontown, PA., from points in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington counties to destinations in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny, Washington, Indiana and Cambria counties.

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

By:

William R. Snoddy, Jr.
William R. Snoddy, Jr. (Signature) Title: President

(Signature)

(Signature)

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

88571761

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

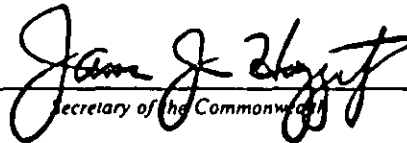
BILL SNODDY CONSTRUCTION COMPANY, INC.

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 thirteenth


Secretary of the Commonwealth

1049020

BILL SNODDY CONSTRUCTION CO., INC.

List of Corporate Officers and Stockholders

Officers and Stockholders

President - William R. Snoddy, Jr.

Stockholders - William R. Snoddy, Jr.

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
_____ County : ss:

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

Signature of Affiant

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

Signature of Official Administering Oath

AFFIDAVIT OF 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
(Office of Affiant)

Construction Co., Inc.; that he is authorized to and does make this
(Name of Corporation)

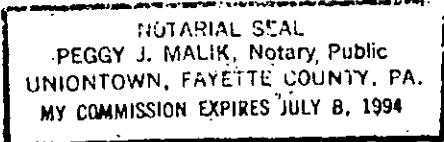
affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said Bill Snoddy Construction Co., Inc. to be able to prove the same
(Name of Corporation)

at the hearing hereof.

William R. Snoddy, Jr.
Signature of Affiant

Sworn and subscribed before me this 2nd
day of July 19 91
My Commission Expires July 9, 1994

Peggy J. Malik
Signature of Official Administering Oath



Bill Snoddy Construction Co., Inc.
Verified Statement of Applicant

1. Legal name and domicile of applicant

Bill Snoddy Construction Co., 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 Co., Inc. since 1988
when company was formed.

**3. Is the applicant affiliated with other carriers?
(Name of affiliate and description of affiliation.)**

The applicant is not affiliated with other carriers.

4. Authority sought.

Authority sought is to transport as a common carrier, coal for Mon-West Enterprises of Uniontown, PA from points in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny, and Washington counties to points in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny, Washington, Indiana and Cambria counties.

**5. General scope of currently authorized operations.
(attach copies of pertinent operating rights.)**

Current authorized operations are rights granted under certificate no. A00109698 which are as follows:

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, 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.

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.

A copy of the Order granting these rights is attached hereto.

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

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

7. Dual operations resulting from grant of authority.

No dual operations will result from grant of authority.

8. Pertinent terminal facilities and communications network.

Terminal facilities are located on a five acre tract of land on Old Route 119 North, Uniontown, PA. The carrier property is stored in a fenced-in area. Complete mechanical service is provided by the company's own maintenance department. The public telephone system is used for communications.

9. Pertinent equipment.

(Make, model, year, owned or leased, and if leased, name of lessor).

See attached list.

10. Safety program.

A copy of the company's safety program is enclosed.

11. Type of service currently provided to the supporting witnesses.

(How witness currently receives services.)

The applicant provides limited service within the restrictions of our existing operating authority. The service consists of the hauling of coal.

12. **Type of service to be offered.**

The type of service to be offered is the hauling of coal to more destinations that are covered under the present PUC authority.

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 create empty miles.

15. **Any other information deemed pertinent.**

None.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held April 25, 1991

Commissioners Present:

William H. 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

ORDER

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: Byerly, 440 Pa. 521 (1970); Hostetter 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, 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.

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 C.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 Curtis 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

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	2M2P141CXKC007850	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

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.

STATEMENT OF FINANCIAL POSITION (Balance Sheet)

as of December 31, 1990

Date

ASSETSCURRENT ASSETS

Cash			90,789.10
Accounts Receivable			132,052.66
Notes Receivable			
Other current assets (Specify)			
Total current assets			222,841.76

TANGIBLE ASSETS

Land			1,000.00
Motor Vehicle Equipment	514,605.04		
Less: Accumulated Depreciation	- 159,608.99	=	354,996.05
Buildings and Structures			
Less: Accumulated Depreciation	-	=	
Investments and Funds (Specify) Common Stocks			24,688.47
Intangible Assets			
Other assets (Such as advances and idle equipment - specify)			603,526.28

LIABILITIESCurrent Liabilities (liabilities due within one year of date)

Accounts Payable			43,207.82
Notes Payable			
Equipment Obligations			133,413.15
Other Liabilities (attach schedule)			32,585.84
Total Current Liabilities			209,206.81

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

Accounts Payable			
Notes Payable			
Equipment Obligations			307,372.53
Other Liabilities (attach schedule)			
Total Long Term Liabilities			307,372.53
Total Liabilities			516,579.34

Net Worth (partnerships & individuals)

OWNERS EQUITY (Corporations only)

Capital Stock (Corporations only)			1,000.00
Additional paid-in capital			
Retained Earnings (Corporations only)	85,946.94		
Less: Treasury Stock		=	85,946.94
Total Owner's Equity (Corporations only)			86,946.94
Total Liabilities & Owner's Equity (Corporations only)			603,526.28

STATEMENT OF FINANCIAL CONDITION

INCOME STATEMENT

For the 12-month period ending December 31, 1990
(Date)

REVENUE and GAINS

Operating Revenue	576,378.36
Net Revenue from non-carrier operation	
Dividend and Interest revenues	
Other non-operating revenue	
Gains	
Total Revenue and Gains	576,378.36

EXPENSES

Equipment Maintenance and Garage Expense	10,920.94
Insurance Expense	20,504.43
Employee Salaries	103,409.80
Supervisory Salaries	
Officer Salaries	14,400.00
Fuel Expense	105,327.77
Purchased Transportation (Lease Expense)	2,400.00
Materials and Supplies Expense	24,346.03
General Office Expense	26,912.92
Advertising Expense	3,274.70
Telephone Expense	3,825.68
Accounting Expense	
Legal Expense	1,124.17
Uncollectible Revenue	
Depreciation Expense	97,839.37
Amortization	
Operating Taxes and Licenses	56,328.11
Rent Expense	
Loss	
Total Operating Expense and Losses	470,613.92

Net Income before Taxes	105,764.44
Provision for Income Taxes	32,585.84
Net Income	73,178.60

BILL SNODDY CONSTRUCTION CO., INC.

STATEMENT OF FINANCIAL POSITION

DECEMBER 31, 1990

Other Liabilities

Federal Income Taxes Payable	\$ 22,538.22
State Income Taxes Payable	\$ <u>10,047.62</u>
	\$ <u>32,585.84</u>

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 July 22, 1991

James P. Kanar
(Signature)

James P. Kanar
(Print Name)

VERIFIED STATEMENT 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).

Mon West Enterprises
250 West Main Street
Uniontown, PA 15401

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

Daniel J. Stefanov, Vice President of Mon West Enterprises.

3. General description of supporting party, organization or operations.

(If property application, include the type of commodities to be transported.)

See attached statement.

4. Volume and frequency of intended use.

See attached statement.

5. Specific or representative origins and destinations, or both.

See attached statement.

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

See attached statement.

7. Similar applications supported.
(Pertinent docket numbers.)

Application of B & L Trucking, Inc., at docket no. A-00106115, F001, Am-A.

8. Any other information deemed pertinent.

None.

ALL INFORMATION SUBMITTED
SHOULD BE NOTARIZED
OR VERIFIED (SEE STATEMENT
ON BACK OF THIS SHEET)

MON-WEST ENTERPRISES
P.O. BOX 1015
UNIONTOWN, PA 15401

July 17, 1991

To Whom It May Concern:

This letter is written by Mon-West Enterprises in support of Bill Snoddy Construction Co., Inc., P.O. Box 945, Uniontown, PA 15401.

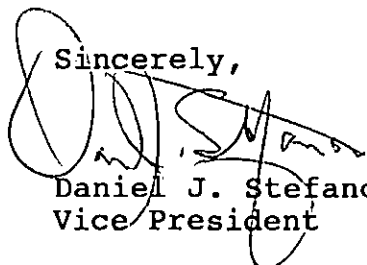
Mon-West is a coal brokerage firm, having its principal place of business at 250 West Main Street, Uniontown, Pennsylvania. I, Daniel J. Stefanov, am the Vice President of Mon West Enterprises. Mon West is engaged in the movement of bituminous coal by truck on a routine and daily basis.

Our needs are such that we do in fact require the services of Bill Snoddy Construction Co., Inc. for movements of coal from points in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington Counties to destinations in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny, Washington, Indiana and Cambria counties. As stated, these movements would occur on a daily and routine basis, totalling in excess of 300,000 tons per year, as we now project our needs.

We have inspected the Company's terminal and equipment, and we have extensively interviewed its management. We at Mon West 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 Co., Inc. provide competitive trucking service to and from the counties, as outlined above. Bill Snoddy Construction Co. offers the flexibility to provide the constantly changing demands of Mon West's business.

Sincerely,



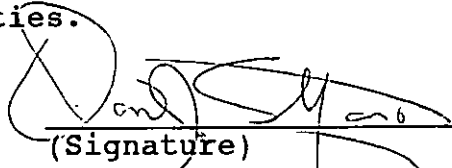
Daniel J. Stefanov
Vice President

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 July 22, 1991



(Signature)

Daniel J. Stefanov

(Print Name)

August 23, 1991

IN REPLY PLEASE
REFER TO OUR FILE

GREGG M ROSEN
ATTORNEY AT LAW
7TH FLOOR FRICK BUILDING
PITTSBURGH PA 15219-6002

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

Dear Sir:

The application of Bill Snoddy Construction Co., Inc. has been captioned as attached and will be submitted for review provided no protests are filed on or before September 16, 1991. If protests are filed, you will be advised as to further procedure.

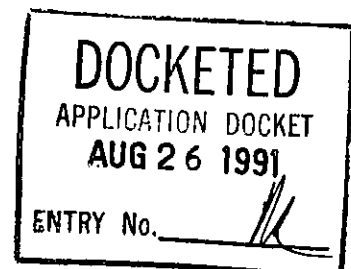
You are further advised that the above application will be published in the Pennsylvania Bulletin of August 24, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:kmb

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



A-00109698, Folder 1, Am-A BILL SNODDY CONSTRUCTION CO., INC. (Old Route 119N, P.O. Box 945, Uniontown, Fayette County, PA 15401), a corporation of the Commonwealth of Pennsylvania, inter alia - 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. Attorney: Gregg M. Rosen, 7th Floor, Frick Building, Pittsburgh, PA 15219-6002.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin AUG 24 1991

BUREAU OF TRANSPORTATION
COMMON CARRIER
AUGUST 1991

A-00109698
F. 1
Am-A

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.

MW:kmb
8/14/91

Application received: 7/29/91
Application docketed: 8/7/91

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
AUG 26 1991
ENTRY No. *[Signature]*

Protests due _____

SEP 16 1991

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-A

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

2. Gregg M. Rosen, Seventh Floor, Frick Building, Pittsburgh, PA 15222-6002 (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, x 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:

Emergency temporary authority to transport coal as a common carrier for Mon-West Enterprises of Uniontown, Pennsylvania, from points in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington counties to points in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny, Washington, Indiana and Cambria counties

DOCUMENT FOLDER

DOCKETED
 APPLICATION DOCKET
 SEP 3 - 1991
 ENTRY No. MW

RECEIVED
 JUL 29 1991
 Pa. P.U.C.
 Bureau of Transportation

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 X 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 enclosed herewith.

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 enclosed herewith.

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.

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.

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.
(Signature)

William R. Snoddy, Jr.

President

(Corporate Title)

7/22/91
(Date)

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
_____ County : ss:

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

Signature of Affiant

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

Signature of Official Administering Oath

AFFIDAVIT OF APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
_____ County : ss:

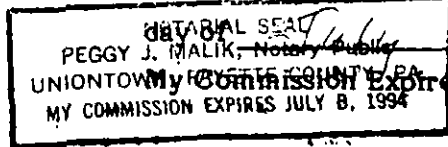
William R. Snoddy, Jr., being duly sworn (affirmed) according to law, deposes and says that he is President of Bill Snoddy Construction Company, Inc. (Office of Affiant); that he is authorized to and does make this (Name of Corporation)

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

at the hearing hereof.

William R. Snoddy, Jr.
Signature of Affiant
William R. Snoddy, Jr.

Sworn and subscribed before me this 22nd



day of July 19 91
My Commission Expires July 8, 1994

Peggy J. Malik
Signature of Official Administering Oath

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 and some tractor-trailer end dump trucks to haul the coal which it has been requested to transport by Mon-West Enterprises. A complete list of the Applicant's equipment is attached to this Applicant's statement as Exhibit "1". Any of the equipment described as Mack Tri-Axle Dump Trucks, Mack Tractors or Trailers may be used in hauling the coal which Applicant has been requested to transport by Mon-West Enterprises.

- (B) A description of the applicant's terminal facilities and personnel.

The Applicant's terminal facilities are located at a 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 licensed 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 their current rates and tariffs, that is, ".60 cents per ton for the first mile, .10 cents per ton, per mile for each of the next five miles and .08 cents per ton for each mile thereafter".

- (F) A statement of whether there are under suspension any rates, 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 been 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 for its most recent insurance which shows 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 the temporary approval of a transfer of rights under a certificate of public convenience, this information shall be supplied for the transferor and the transferee.

The Applicant's employees are not unionized.

(I) **Signature of person who prepared statement.**

BILL SNODDY CONSTRUCTION COMPANY, INC.

By: William R. Snoddy, Jr.
William R. Snoddy, Jr., President

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	2M2P141CQKC007850	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

EXHIBIT

ACORD CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

7/17/91

PRODUCER

WALKER AND ASSOCIATES
 P. O. BOX 8318
 PITTSBURGH, PENNSYLVANIA 15218
 412 825-3200

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER **A** AETNA CASUALTY AND SURETY CO
- COMPANY LETTER **B**
- COMPANY LETTER **C**
- COMPANY LETTER **D**
- COMPANY LETTER **E**

INSURED

BILL SNODDY CONSTRUCTION CO., INC.
 P. O. BOX 945
 UNIONTOWN, PENNSYLVANIA 15401

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
GENERAL LIABILITY				GENERAL AGGREGATE \$ 2,000,000
XX COMMERCIAL GENERAL LIABILITY				PRODUCTS-COMP/OP AGG. \$ 2,000,000
CLAIMS MADE XXX OCCUR.	CO 5799255	9/1/90	9/1/91	PERSONAL & ADV. INJURY \$ 1,000,000
OWNER'S & CONTRACTOR'S PROT.				EACH OCCURRENCE \$ 1,000,000
				FIRE DAMAGE (Any one fire) \$ 50,000
				MED. EXPENSE (Any one person) \$ 5,000
AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT \$ 1,000,000
XX ANY AUTO	FJ 975496	9/1/90	9/1/91	BODILY INJURY (Per person) \$
ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
SCHEDULED AUTOS				PROPERTY DAMAGE \$
HIRED AUTOS				
NON-OWNED AUTOS				
GARAGE LIABILITY				
EXCESS LIABILITY				EACH OCCURRENCE \$ 1,000,000
XX UMBRELLA FORM	XS 638087	9/1/90	9/1/91	AGGREGATE \$ 1,000,000
OTHER THAN UMBRELLA FORM				
WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY				XX STATUTORY LIMITS Pennsylvania
	C615133	9/1/90	9/1/91	EACH ACCIDENT \$ 100,000
				DISEASE-POLICY LIMIT \$ 500,000
				DISEASE-EACH EMPLOYEE \$ 100,000

OTHER

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

GREG ROSEN
 ATTORNEY AT LAW

FAX 281-2859

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

James A. Orenat



APPENDIX B - STATEMENT OF MON-WEST ENTERPRISES

Mon-West Enterprises is a coal broker situated in Uniontown, Fayette County, Pennsylvania primarily engaged in brokering bituminous coal between producers and customers on a spot market and/or short term supply contract basis.

- (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 bituminous coal.

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

Emergency temporary authority to transport coal as a common carrier for Mon-West Enterprises of Uniontown, PA from points in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny and Washington counties to points in Beaver, Fayette, Greene, Lawrence, Westmoreland, Allegheny, Washington, Indiana and Cambria counties.

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

Mon-West Enterprises current need for this particular order involves approximately between 8,000 to 10,000 tons per month. This need should exist at least through the end of this calendar year (1993) and could exist indefinitely into the future. The frequency of movement involves shipments by tri-axle and/or trailer truck 5 days per week and requires between 15 to 20 trucks per hauling day.

- (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 probably continue through the end of this calendar year (1993) and may exist indefinitely into the future. Mon-West Enterprises 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 volatility of the spot market will dictate that we may lose orders. If we lose orders, we will lose business opportunity and the producer from whom we intend to procure the coal may suffer diminished operating revenues and/or reduced employment and production. The spot market is so volatile that orders must be filled immediately when they are available or the orders will be lost to another supplier (shipper).

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

The coal spot market is volatile and opportunities present themselves without warning. In this instance, the producer's coal is of high quality and came in demand suddenly and unexpectedly for the buyer in question.

- (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, it is our understanding that there are no carriers who have the necessary operating authority to transport the product to and from the points in question for some hauls. For other hauls, we are not sure that other carriers can consistently deliver service, day in and day out, at the level Mon-West requires.

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

None, because we understand that no carriers currently have the needed rights.

- (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.

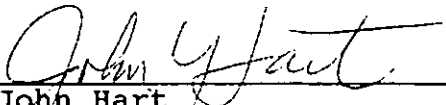
We have supported the enclosed application for permanent authority covering the requested service in the carrier's name. We supported a request for permanent authority made by application which was filed in June, 1990 by Bill Snoddy Construction Company, Inc., Uniontown, PA, at docket number A-00106115, Folder 1, Am-A, the application was granted on November 1, 1990.

- (K) Names 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.

None

- (L) Signature of person who prepared statement.

MON-WEST ENTERPRISES

By: 
John Hart

LAW OFFICES
SABLE, MAKOROFF, SHERMAN & GUSKY, P.A. **AUG 29 1991**

SEVENTH FLOOR
FRICK BUILDING

PITTSBURGH, PENNSYLVANIA 15210-0002

(412) 471-4000

FAX: (412) 281-2850

SECRET
Public Utility Commission

ROBERT G. SABLE
STANLEY G. MAKOROFF
C. LEON SHERMAN
HENRY GUSKY
STEPHEN J. LAIDHOLD
DAVID W. LAMPI
GREGG M. ROSEN
E. SCOTT GRAY
ROBERT J. BLUMLING
AMY S. CUNNINGHAM
JOHN M. GIUNTA

JEROME M. LIBENSON
OF COUNSEL

MICHAEL MCGREAL
ELIZABETH T. WINSON
ALAN B. GORDON
MARK S. SEKWALD
THERESA L. WASSER
MICHAEL M. KAMINSKI
K. BRADLEY MELLOR*
MARK REILLY
CAROL JEAN GATEWOOD
THOMAS M. FERGUSON
LISA H. KAHN

File No. 9594.01

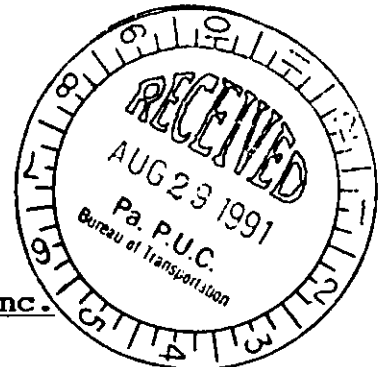
August 27, 1991

*ADMITTED IN OHIO ONLY

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

Attention: Mr. Bigelow

RE: Bill Snoddy Construction Company, Inc.



Dear Mr. Bigelow:

By letter dated July 25, 1991, Bill Snoddy Construction Company filed an application with the Pennsylvania PUC for a Motor Carrier Certificate and an Application for Emergency Temporary Authority. You subsequently telephoned me and advised me that the statement in support of the Application for Emergency Temporary Authority which was filed by Mon-West might be inadequate. Accordingly, I am enclosing herewith a supplemental statement of Mon-West which is to be attached to Bill Snoddy Construction Company, Inc.'s Application for Emergency Temporary Authority. Additionally, we are simultaneously applying for Temporary Authority based on the same information as is contained in our Application for Emergency Temporary Authority. Would you kindly place an "X" in the appropriate box marked "TEMPORARY AUTHORITY" on the application and process it as such? We are enclosing herewith our office check in the amount of \$100.00 as payment for this temporary authority application.

Very truly yours,

Gregg M. Rosen



GMR/mla

Enclosure

cc: Bill Snoddy Construction Company, Inc. (w/encl.)

RECEIVED

AUG 21 1991

RECEIVED

APPENDIX "B" TO APPLICATION FOR EMERGENCY TEMPORARY AUTHORITY OF BILL SNODDY CONSTRUCTION COMPANY, INC. AUG 29 1991

SUPPLEMENTAL STATEMENT OF MON-WEST

SECRET
Public Utility Commission

(C) Since our initial statement which was attached to the Application for Emergency Temporary Authority for, Bill Snoddy Construction Company, our immediate needs for a carrier has become more clear. Specifically, we require a carrier for a haul of approximately 27 miles originating in Fayette County and terminating in Greene County. This haul requires approximately 2 to 6 trucks per day. We require a carrier for a haul of approximately 40 miles, originating in Westmoreland County and terminating in Indiana County. This haul requires 10 to 20 trucks per day. We require a carrier for a haul of approximately 85-90 miles, originating in Fayette County and terminating in Lawrence County. This haul requires 15-20 trucks per day. We require a carrier for haul of approximately 25-26 miles originating in Greene county and terminating in Fayette county. This haul requires 4 trucks per day. We expect completion of a business contract in September of 1991, which will require a haul of approximately 18 miles, originating in Beaver County and terminating in Lawrence County. This haul will require approximately 10 to 25 trucks per day. Although this latter haul, is as of this date, a future need, we expect it will become a "current" need within the next 30-60 days.

RECEIVED
AUG 29 1991
Pa. P.U.C.
Bureau of Transportation

(D) The first four hauls, described above in paragraph (C), are immediate needs. The fifth haul, as indicated in paragraph (C), above, is expected to be needed within the next 30 days.

(H) Since issuing our initial statement in support of Bill Snoddy Construction Company's application for Emergency Temporary Authority, Mon-West has contacted the following carriers on the following dates in an effort to secure the service needed:

<u>Carrier</u>	<u>Date contacted</u>
B & L Trucking Company, Inc.	July 31, 1991
Richetelli Bros.	August 14, 1991
J & J Trucking Co.	August 14, 1991
GRS Services	August 14, 1991

None of the above companies are willing or able to commit to the level of service and specific hauls for which Mon-West needs service.

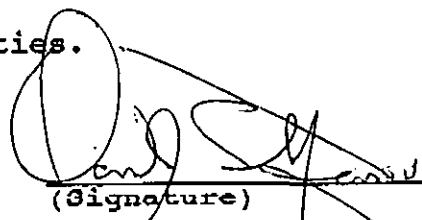
(I) See paragraph (H) hereof.

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: August 20, 1991



(Signature)

Daniel Stefanov

(Print Name)

LAW OFFICES
SABLE, MAKOROFF, SHERMAN & GUSKY, P. C.
SEVENTH FLOOR
FRICK BUILDING
PITTSBURGH, PENNSYLVANIA 15219-0002

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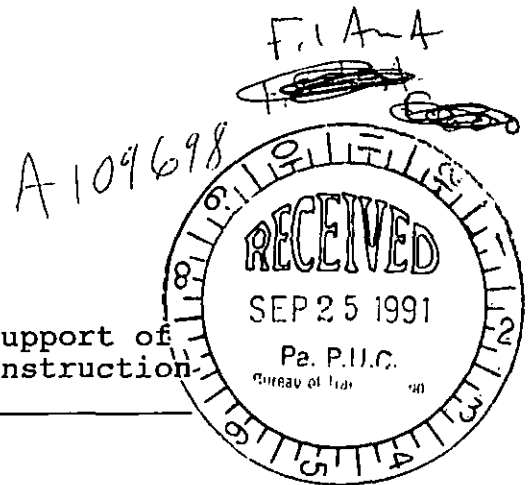
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K. BRADLEY MELLOR*
MARK RILLY
THOMAS M. FERGUSON
LISA H. KAHN
*ADMITTED IN OHIO ONLY

September 11, 1991

SENT BY TELEFAX WITH HARD COPY TO FOLLOW:

Mr. Peter S. Marzolf
Pennsylvania Public Utilities Commission
Bureau of Transportation
Room 408
Transportation & Safety Building
Harrisburg, Pennsylvania 17120

Re: Second Supplemental Statement in Support of
PUC Application for Bill Snoddy Construction
Company, Inc.



Dear Mr. Marzolf:

I enclose for filing and for your review the Second Supplemental Statement in Support of the Public Utilities Commission Application for the Bill Snoddy Construction Company, Inc. This Supplemental Statement is being sent to you to provide further support for the Application for Emergency Temporary Authority and Temporary Authority.

If you have any questions, or if any additional information is required, please contact the undersigned.

Thank you for your assistance in this matter.

Very truly yours,

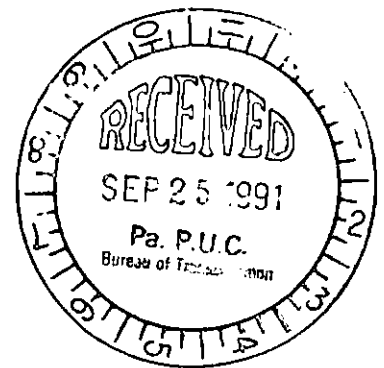
Robert G. Bello

RGB:lad
Enclosure

cc: William Snoddy



Second Supplemental Statement in
Support of the Public Utilities
Commission Application for the
Bill Snoddy Construction
Company, Inc.



DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 27 1991
ENTRY No. 11

APPENDIX "C" TO APPLICATION FOR EMERGENCY TEMPORARY AUTHORITY OF
BILL SNODDY CONSTRUCTION COMPANY, INC.

SUPPLEMENTAL STATEMENT OF MON-WEST

(H) In conjunction with our Supplement Statement which was forwarded to you with regard to the Application for Emergency Temporary Authority and Temporary Authority for Bill Snoddy Construction Company, Inc., we submit this Supplemental Statement to clarify the reasons that we were unable to obtain the necessary level of service from the carriers listed below, which were contacted on the date shown.

Carrier

(1) B & L Trucking Company, Inc.

(a) Date Contacted: July 31, 1991

(b) Company Representative: Roger Glover

(c) Reason for Inability to Provide Service: Company unable to supply the equipment necessary for transportation needs at the levels needed. Company said it devotes its hauling resources to the construction industry during the construction season, from April through October.

(2) Richetelli Bros.

(a) Date Contacted: August 14, 1991

(b) Company Representative: Frank Richetelli

(c) Reason for Inability to Provide Service: Company committed to carrier contracts with other customers and thus insufficient trucking force available.

(3) J. & J. Trucking Company

(a) Date Contacted: August 14, 1991

(b) Company Representative: Jan Kikta

(c) Reason for Inability to Provide Service: Company does not have the trucking force, or number of drivers, or sufficient equipment to provide the level of service necessary.

(4) GRS Services

(a) Date Contacted: August 14, 1991

(b) Company Representative: Jerry Sabitine

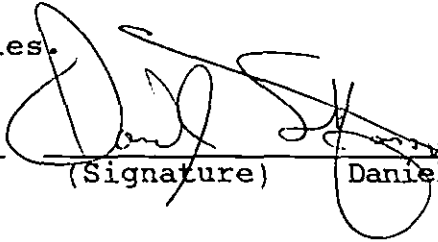
(c) Reason for Inability to Provide Service: Company committed to carrier contracts with other customers and thus unavailable to provide the necessary level of service; company does not have the hauling equipment necessary to provide the level of service we require.

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: September 10, 1991



(Signature) Daniel Stefanov

Daniel Stefanov

(Print Name)

September 13, 1991

IN REPLY PLEASE
REFER TO OUR FILE

GREGG M ROSEN
ATTORNEY AT LAW
7TH FLOOR
FRICK BUILDING
PITTSBURGH PA 15219-6002

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

Dear Sir:

The application of Bill Snoddy Construction Co., Inc. for temporary authority has been captioned as attached and will be submitted for review provided no protests are filed on or before October 7, 1991. 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 September 14, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:11

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

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 16 1991
ENTRY No. 112

A-00109698, Folder 1, Am-A BILL SNODDY CONSTRUCTION CO., INC. (Old Route 119N, P.O. Box 945, Uniontown, Fayette County, PA 15401), a corporation of the Commonwealth of Pennsylvania, inter alia - temporary authority - 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. APPLICATION FOR PERMANENT AUTHORITY APPEARED IN THE PENNSYLVANIA BULLETIN, VOLUME 21, NO. 34, AUGUST 24, 1991. Attorney: Gregg M. Rosen, 7th Floor, Frick Building, Pittsburgh, PA 15219-6002.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

SEP 14 1991

Published in Pennsylvania Bulletin _____

BUREAU OF TRANSPORTATION
COMMON CARRIER
SEPTEMBER 1991

A-00109698
F. 1
Am-A

Application of Bill Snoddy Construction Co., Inc., a corporation of the Commonwealth of Pennsylvania, for temporary authority to transport, as a common carrier, by motor vehicle, 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. APPLICATION FOR PERMANENT AUTHORITY APPEARED IN THE PENNSYLVANIA BULLETIN, VOLUME 21, NO. 34, AUGUST 24, 1991.

MW:kmb
9/3/91

TA Application received: 7/29/91
TA Application docketed: 9/3/91

NH

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
SEP 16 1991
ENTRY No.

Protests due _____

OCT - 7 1991

TA ONLY