

DAVID H. RADCLIFF, P.C.
2216 WALNUT STREET
HARRISBURG, PA 17103

DAVID H. RADCLIFF

TELEPHONE: (717) 236-9318

February 3, 1994
File: 968.12

RE: M. SIMON ZOOK CO. t/d/b/a ZOOK MOLASSES CO., A.109670, F. 2
(P.U.C. Brokerage License)

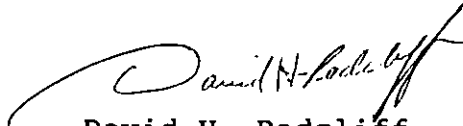
John G. Alford, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17120

Dear Secretary Alford:

I enclose for filing the original and one copy of a PUC Brokerage License application filed on behalf of my above named client. Also, enclosed is a check in the amount of \$350 to cover the filing fee.

A copy of this application is being forwarded to the Applicant.

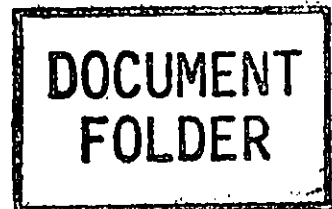
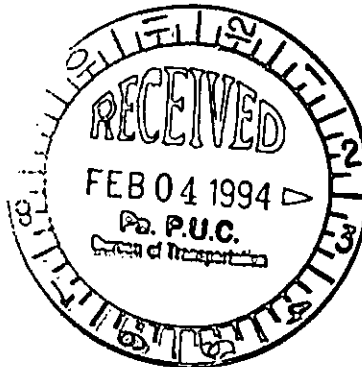
Very truly yours,


David H. Radcliff

DHR/br
c:\wp51\ letters\pucapp.1tr
Enclosure

cc: Larry Martin, President
Zook Molasses Co.
P. O. Box 160
Honey Brook, PA 19344

RECEIVED
94 FEB -3 PM 1:38
PA. P. U. C.
INFO. CONTROL DIV.



BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR A BROKERAGE LICENSE



(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of M. SIMON ZOOK CO. APPLICATION DOCKET
t/d/b/a ZOOK MOLASSES CO. No. A-00109670
Folder No. 2
for a BROKERAGE LICENSE evidencing the Commission's approval of the right and privilege to operate as a broker, to arrange for the transportation of (check one)

- Persons
- Property

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

DOCKETED APPLICATION DOCKET
FEB 28 1994
ENTRY No. mw

1. M. SIMON ZOOK CO.
(Full and correct name of applicant)
2. ZOOK MOLASSES CO.
(Trade name, if any)

The trade name _____ has _____ been registered with the Secretary of the Commonwealth on _____ (has or has not) (date) (attach copy of stamped registration form).

DOCUMENT FOLDER

3. WEST MAIN STREET P. O. Box 160
(Business Street Address) (P.O. Box, if any)
HONEY BROOK CHESTER PA 19344 (800) 327-4406
(City) (County) (State) (Zip) (Telephone)

4. Applicant's attorney (for this application) is:
David H. Radcliff, Esq., 2216 Walnut Street, Harrisburg, PA 17103
(Name) (Address) (Telephone)
(717) 236-9318

5. Any notice, process or order of the PUC should be served upon:
David H. Radcliff, Esq., 2216 Walnut Street, Harrisburg, PA 17103
(Name) (Address)

6. Applicant does hold Pa. PUC authority under Docket No. A-00109670
(does or does not)

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PA. P. U. C. DIV.
INFO. CONTROL DIV.
APPL. A-109670
COMPL.
MVIC.
CHECKED BY mw

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

at Docket No. MC-116996.

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 _____ (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. Previously filed with this Commission.

D Statement of corporate charter purpose. Previously filed with this Commission

E List of corporate officers and stockholders. See Attachment 9-E

F Applicant's Statement (Appendix A or B). (REQUIRED) See Attachment 9-F

G Statement of Financial Condition. (REQUIRED) See Attachment 9-G

10. That the nature and character of the service to be rendered by applicant is to arrange for the transportation of Persons Property by means of motor vehicles in the following geographic area:

Between points in Pennsylvania

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

CORPORATE SEAL

Larry S Martin

(Signature)

Larry Martin, President

(Signature)

(Signature)

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

THIS MUST BE COMPLETED BY NOTARY PUBLIC

AFFIDAVIT OF APPLICANT (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
_____ 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 :
DAUPHIN County : ss:

Larry Martin, being duly sworn (affirmed) according to law, deposes and says that he is President of M. SIMON ZOOK t/d/b/a
(Office of Affiant)

ZOOK MOLASSES CO.; 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 ZOOK MOLASSES CO. to be able to prove the same
(Name of Corporation)

at the hearing hereof.

Larry Martin

Signature of Affiant

Larry Martin

Sworn and subscribed before me this 3rd
day of February 1994
My Commission Expires _____

Roberta L. Radcliff

Signature of Official Administering Oath

Notarial Seal
Roberta L. Radcliff, Notary Public
Susquehanna Twp., Dauphin County
My Commission Expires Jan. 20, 1997
Member, Pennsylvania Association of Notaries

M. SIMON ZOOK CO.
t/a ZOOK MOLASSES COMPANY
A.109670

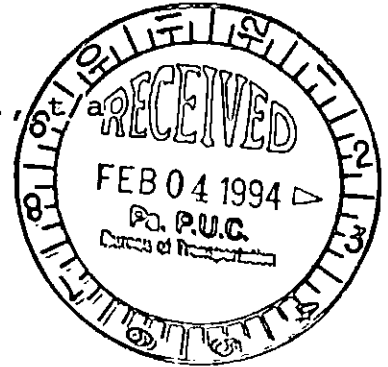
CORPORATE OFFICERS

Larry E. Martin - President
Sally Martin - Secretary/Treasurer

STOCKHOLDERS

Larry E. Martin - 2%
Sally Martin - 98%

In Re: Application of M. SIMON ZOOK CO.,
ZOOK MOLASSES COMPANY
A-109670, F. _____



STATEMENT ON BEHALF OF APPLICANT

1. NAME OF WITNESS PRESENTING EVIDENCE FOR APPLICANT AND WHY THIS PERSON IS QUALIFIED TO SPEAK FOR APPLICANT

My name is Larry Martin and I am the president of M. Simon Zook Co. The corporation trades under the name Zook Molasses Co. I am familiar with its facilities, authorities and operations and I am authorized to give this statement on its behalf.

2. IS THE APPLICANT AFFILIATED WITH ANY COMMON OR CONTRACT CARRIERS?

Applicant is a common carrier holding authority from this Commission at A-109670. Applicant also holds certificates and permits from the Interstate Commerce Commission at Docket No. MC-116996 and has applied for a broker's license from that Commission.

3. GENERAL SCOPE OF CURRENTLY AUTHORIZED OPERATIONS

Zook Molasses Company operates under its intrastate operating authority by transporting such commodities as liquid sweeteners and edible oils to points in Pennsylvania. Within the scope of our authority we serve commercial accounts in the delivery of processed and unprocessed molasses in tank vehicles. Various edible oils are also handled in the tank trailers. Our customers requested that we obtain this broker's license so that we may arrange for the

transportation of their products from storage and provide a complete transportation service for them.

4. PERTINENT FACILITIES AND COMMUNICATIONS NETWORK

Our office is located on West Main Street, Box 160, Honey Brook, Pennsylvania. Operations are directed from this one story building which contains office space for 5 full time and one part time employees. Communications facilities are maintained to enable shippers to reach us and we provide an 800 number service for the benefit of our customers.

Additionally, Applicant leases storage facilities at Leola, Pennsylvania. This facility is a transfer terminal where commodities may be unloaded from rail cars into storage. Liquid sweeteners and edible oils may be distributed directly from these storage facilities. The commodities may be blended to produce products meeting the specific requirements of our customers. From that transfer terminal they may be shipped to customers or may be moved to our warehouse in Honey Brook before final distribution.

Applicant will require no additional facilities to perform the proposed service.

5. TYPE OF SERVICE TO BE OFFERED

Zook Molasses Company has received requests from shippers of freight requiring truckload and trailer tank service. We would act as a broker arranging transportation service on behalf of our customers in the shipment of freight, except household goods, between points in Pennsylvania. We would assume the responsibility of securing motor carriers for the transportation of their

products.

We will meet the needs of the shippers for expedited service and special handling of food grade commodities. We would arrange transportation on the basis of exclusive use of the equipment.

We will use only carriers authorized by this Commission for intrastate Pennsylvania transportation.

6. FINANCIAL DATA

I have attached as Exhibit 1 the 1992 financial reports of the Applicant. The October 1993 reports are not yet completed but will be available in the near future.

7. IS THE APPLICANT A BONA FIDE EMPLOYEE OR AGENT OF AN AUTHORIZED COMMON OR CONTRACT CARRIER?

Zook Molasses Company is itself an authorized carrier. If we are able to handle the shipment we will not act as a broker. To meet the needs of our customers we would arrange transportation via any authorized carrier providing a service that meets the needs of the shipper.

8. WILL THE APPLICANT ASSUME CUSTODY OF THE PROPERTY?

When acting as a broker Zook Molasses will not assume custody of the freight but will arrange transportation directly to and from the facilities of our customers.

9. DOES THE APPLICANT INTEND TO ISSUE BILLS OF LADING, FREIGHT BILLS OR OTHER DOCUMENTS IN ITS OWN NAME? IF YES, EXPLAIN.

Zook Molasses will not issue bills of lading but will forward those documents received to its customers. Freight bills will be issued to the party paying the freight, either the consignor or the

consignee.

10. WILL THE PROPERTY PASS THROUGH A TERMINAL OR OTHER FACILITY OWNED OR LEASED BY THE APPLICANT?

Applicant operates a storage facility for liquid commodities. ✓
Property of our storage customers will be subject to the ✓
transportation brokerage activities for which a license is sought ✓
in this proceeding.

11. WILL THE PROPERTY BE TRANSPORTED IN VEHICLES OWNED OR LEASED BY THE APPLICANT? IF YES, HOW MANY AND WHAT TYPE?

Zook Molasses will use its own vehicles when available for ✓
shipments within the scope of its authority. Applicant owns and ✓
operates 14 tractor units, one dump truck, one tank truck, 14 tank ✓
trailers for sweeteners and edible oils and three tank trailers for ✓
oils and three flatbed and 6 vans trailers. ✓

12. WHO WILL ASSUME LIABILITY FOR PROPERTY LOSS OR DAMAGE?

The motor carrier transporting the freight will properly
assume liability for loss or damage of the freight. In instances
where Zook Molasses is the carrier, we will assume such liability.

13. HOW AND BY WHOM WILL CHARGES FOR BROKERAGE SERVICES BE MADE?

Brokerage charges will be made according to agreements reached ✓
with our customers. In most instances by agreement with our ✓
customer the brokerage commission will be charged to our customer. ✓
In some instances by agreement with our customer and the motor ✓
carriers involved the brokerage commissions may be charged to the ✓
motor carriers. ✓

VERIFICATION OF STATEMENT

The undersigned deposes and says that he is the person who gave the Statement for the above-captioned application 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. §4904 relating to unsworn falsification to authorities.

Dated:

Larry Martin
(Signature)

Larry Martin
(Print name)

M. SIMON ZOOK CO.
BALANCE SHEETS
OCTOBER 31, 1992 AND 1991

ASSETS	<u>1992</u>	<u>1991</u>
CURRENT ASSETS		
Cash	\$ 12,783	\$ 7,359
Short-term investments	1,000	1,000
Accounts receivable (net of allowance for doubtful accounts of \$4,000)	330,857	295,525
Due from Good Food, Inc.	72,230	39,368
Inventory	398,475	395,123
Prepaid expenses	<u>34,200</u>	<u>32,039</u>
	849,545 ✓	770,414
 PROPERTY AND EQUIPMENT	 3,215,568	 2,627,146
 OTHER ASSETS	 <u>18,955</u>	 <u>20,707</u>
 TOTAL ASSETS	 <u>\$4,084,068</u> ✓	 <u>\$3,418,267</u>
 LIABILITIES		
CURRENT LIABILITIES		
Note payable - bank	\$ 472,147	\$ 54,000
Current portion of long-term debt	84,920	71,512
Accounts payable and accrued expenses	807,538	717,217
Notes payable - others	285,000	309,000
Corporate taxes payable	<u>4,300</u>	<u>-</u>
	1,653,905 ✓	1,151,829
 LONG-TERM DEBT - Net of current portion	 <u>446,557</u> ✓	 <u>491,701</u>
 TOTAL LIABILITIES	 <u>2,100,462</u> ✓	 <u>1,643,530</u>
 STOCKHOLDERS' EQUITY		
COMMON STOCK - \$100 par value; 500 shares authorized; 150 shares issued and outstanding	15,000	15,000
RETAINED EARNINGS	<u>2,068,606</u>	<u>1,859,737</u>
	2,083,606	1,874,737
LESS: TREASURY STOCK - 100 SHARES, AT COST	<u>100,000</u>	<u>100,000</u>
 TOTAL STOCKHOLDERS' EQUITY	 <u>1,983,606</u> ✓	 <u>1,774,737</u>
 TOTAL LIABILITIES AND STOCKHOLDERS' EQUITY	 <u>\$4,084,068</u>	 <u>\$3,418,267</u>

M. SIMON ZOOK CO.
STATEMENTS OF INCOME
YEARS ENDED OCTOBER 31, 1992 AND 1991

	<u>1 9 9 2</u>	<u>1 9 9 1</u>
SALES	<u>\$12,821,880</u> ✓ 100.0%	<u>\$10,997,023</u> 100.0%
COST OF SALES		
Inventory - beginning of year	395,123	481,288
Purchases	<u>8,180,638</u>	<u>6,980,688</u>
	8,575,761	7,461,976
Less: Inventory - end of year	<u>398,475</u>	<u>395,123</u>
	<u>8,177,286</u> ✓ 63.8	<u>7,066,853</u> 64.3
GROSS PROFIT	4,644,594 ✓ 36.2	3,930,170 35.7
OPERATING EXPENSES	<u>4,266,660</u> ✓ 33.3	<u>3,686,746</u> 33.5
INCOME FROM OPERATIONS	<u>377,934</u> ✓ 2.9	<u>243,424</u> 2.2
OTHER INCOME (EXPENSE)		
Interest expense	(86,412)	(98,953)
Gain on sale of equipment	1,900	7,200
Insurance proceeds for damages	-	46,540
Interest income	902	3,802
	<u>(83,610)</u> (.6)	<u>(41,411)</u> (.4)
NET INCOME	<u>\$ 294,324</u> ✓ 2.3%	<u>\$ 202,013</u> 1.8%

April 1, 1994

David H. Radcliff
Attorney at Law
2216 Walnut Street
Harrisburg, PA 17103

In re: Application of - A-00109670, F.2 - M. Simon Zook Co., t/d/b/a Zook Molasses Co.

Dear Sirs:

Acknowledgement is made of an application filed by you on behalf of M. Simon Zook Co., t/d/b/a Zook Molasses Co.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before April 25, 1994. If protests are filed, you will be advised as to further procedure.

This application is accepted with the understanding that the transferor will continue to render the service and comply with all the rules of the Commission, including the carrying of continuous insurance, until final disposition is made of the application by the Commission.

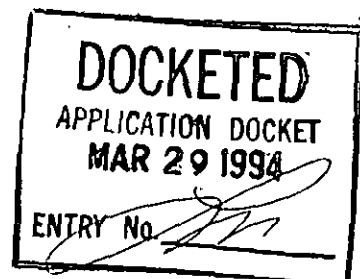
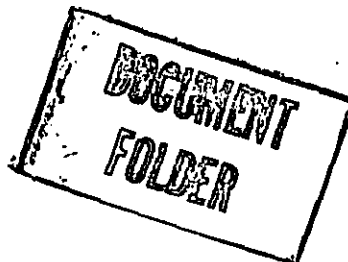
You are further advised that the above application will be published in the Pennsylvania Bulletin of April 2, 1994.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:rp

cc: Applicant
West Main Street
P. O. Box 160
Honey Brook, PA 19344



A-00109032, Folder 2 NORRISTOWN WHOLESALe, INC., (Conshohocken Road, P. O. Box 148, Norristown, Montgomery County, PA 19404), a corporation of the Commonwealth of Pennsylvania - brokerage license - to arrange for the transportation of property, between points in Pennsylvania. ATTORNEY: Christopher Zettlemyer, P. O. Box 11844, Harrisburg, PA 17108.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin

APR 2 1994

BUREAU OF TRANSPORTATION
BROKER
March 1994

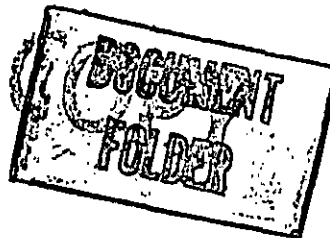
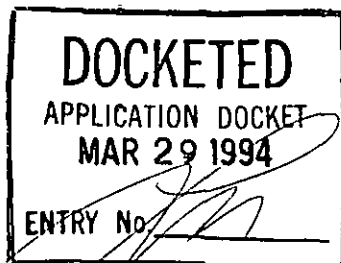
A-00109670
F. 2

Application of M. Simon Zook Co., t/d/b/a Zook Molasses Co., a corporation of the Commonwealth of Pennsylvania, for a brokerage license, evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, to arrange for the transportation of property, between points in Pennsylvania.

MW:rs/rn
3/23/94

Application received: 2-3-94
Application docketed: 2-28-94

NH



Protests due

APR 25 1994