

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



BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Stuart M Shaffer
(Applicant/Transferee-Buyer)

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

No. A92753, Folder No. 35, issued to
Edgar J Shaffer
(Transferor-Seller)

for transportation of property
(persons-property) FEB 27 1991
ENTRY No. _____

PUC USE ONLY
Docket No. A-109678
Folder No. _____

DOCKETED
APPLICATION DOCKET
FEB 27 1991
ENTRY No. _____

DOCUMENT
FOLDER

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

1. STUART M.
Edgar J Shaffer
(Full and correct name of applicant/transferee)

2. none
(Trade name, if any)

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

3. RD 1 Box 553
(Business Street Address) (P.O. Box, if any)

Hyndman Bedford PA 15545 (814) 842-3424
(City) (County) (State) (Zip) (Telephone)

APPL: _____ ✓
COMPL: _____ ✓
MVIC: _____ ✓
CHECKED BY MW

BEGINNING

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

none

(Name) (Address) (Telephone)

5. Any documents should be mailed to:

Transferee: Stuart M Shaffer FD 1 Box 555A Hyndman PA 15545
(Name) (Address)

Transferor: Edgar J Shaffer RD 1 Box 553 Hyndman PA 15545
(Name) (Address)

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

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

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

at Docket No. _____

8. Applicant is (check one):

Individual.

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

(Name) (Address)

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

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

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

Transferee sign here: ¹ Stuart M. Sheffer Feb 15, 1991
(each partner must sign) (Date)
(Corporate Seal)

Transferor sign here: ⁽⁷⁾ Edgar J. Shaffer
(Corporate Seal)

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

n/a

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

11. The reason for the transfer is retirement

12a. The following must be attached:

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

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

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

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

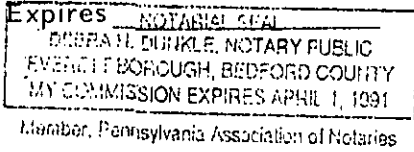
COMMONWEALTH OF PENNSYLVANIA :
: ss:
Bedford County :

Stuart M. Shaffer, 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.

Stuart M. Shaffer
Signature of Affiant

Sworn and subscribed before me this 15th
day of February 19 91

My Commission Expires



Deborah Dunkle
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEREE/APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
_____ County :

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

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

the same at the hearing hereof.

Signature of Affiant

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

Signature of Official Administering Oath

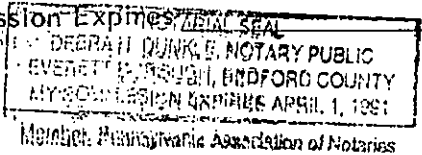
THIS MUST BE COMPLETED BY NOTARY PUBLIC
AFFIDAVIT OF TRANSFEROR/SELLER (Natural Person)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
Bedford County :

Edgar J Shaffer, 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.

Edgar J Shaffer
Signature of Affiant

Sworn and subscribed before me this 15th
day of February 19 91

My Commission Expires APRIL 1, 1991


Deborah Dunkle
Signature of Official Administering Oath

AFFIDAVIT OF TRANSFEROR/SELLER (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
_____ County :

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

that he is authorized to and does make this affidavit for it; and that the facts above set forth
are true and correct; or are true and correct to the best of his knowledge, information and belief
and that he expects the said _____ to be able to prove the
(Name of Corporation)
same at the hearing hereof.

Signature of Affiant

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

Signature of Official Administering Oath

EDGAR J. SHAFFER

TRUCKING & EXCAVATING

R. D. #1

Hyndman, Pennsylvania 15545

Phone (814) 842-3424

Reference to Docket # A92753 Public Utility Commission

To Whom It May Concern:

The undersigned states that there are no unpaid
business debts in relation to the above number.



Edgar J. Shaffer

EDGAR J. SHAFFER

TRUCKING & EXCAVATING

R. D. #1

Hyndman, Pennsylvania 15545

Phone (814) 842-3424

STATEMENT OF SAFETY PROGRAM

All vehicles receive a regular maintenance and safety check on a monthly basis or oftaner if required.

All operators and the owner are kept abreast of the latest in safety requirements and procedure by current periodicals and information.

There has not been an accident to any equipment or personnel in the past five years.

Dated February 15, 1991.


Edgar J. Shaffer

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Application Docket No. 92753

Application of EDGAR J. SHAFFER

REPORT AND ORDER
APPROVING TRUCKING SERVICE

BY THE COMMISSION:

This matter being before the Pennsylvania Public Utility Commission upon application of EDGAR J. SHAFFER, dated November 12, 1965,

to operate motor vehicles as a common carrier, and upon protests, and having been duly heard and submitted by the parties, and full investigation of the matters and things involved having been had, and it appearing that the applicant amended the application whereby protests were withdrawn, the Commission finds and determines that approval of the application, limited to the following rights:

To transport, as a Class D carrier, coal and stone between points in Counties of Somerset and Bedford, provided no haul shall exceed a distance of fifty (50) miles from point of origin to point of destination.

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

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

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

NOW, to wit, **February 28, 1966,** IT IS ORDERED: That upon compliance with the requirements of the Public Utility Law relating to insurance and the filing and acceptance of a tariff establishing just and reasonable rates, a certificate of public convenience issue evidencing the Commission's approval of the right to operate as above determined.

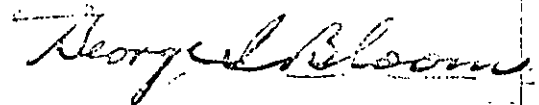
IT IS FURTHER ORDERED: That in the event said applicant has not, on or before thirty days from the date of the service of this order, complied with the requirements hereinbefore set forth, the application shall be dismissed without further proceedings.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ATTEST:



Secretary



Chairman

EDGAR J. SHAFFER

TRUCKING & EXCAVATING


R. D. #1

Hyndman, Pennsylvania 15545

Phone (814) 842-3424

I, Edgar J. Shaffer, do hereby, sale to Stuart M. Shaffer, my P. U. C. rights for the sum of One (\$1.00) Dollar, hereby accepted and paid. Sale is subject to the approval of the Public Utility Commission.

Dated February 15, 1991.


Edgar J. Shaffer, Seller


Stuart M. Shaffer

Docket Number A92753

EDGAR J. SHAFFER

TRUCKING & EXCAVATING

R. D. #1

Hyndman, Pennsylvania 15545

Phone (814) 842-3424

STATEMENT OF TRANSFEREE'S EXPERIENCE

by Stuart M. Shaffer

I am the son of the transferor, Edgar J. Shaffer, and I have been involved in the business as an employee for sixteen years.

I have driven trucks, operated equipment and been called upon to make decisions in actual operation of the business.

There will be no transitional phases to the transfer as I am equipped to continue the business as it has operated in the past.


Stuart M. Shaffer

EDGAR J. SHAFFER

TRUCKING & EXCAVATING

R. D. #1

Hyndman, Pennsylvania 15545

Phone (814) 842-3424

For Stuart M. Shaffer Application to PUC

List of equipment to be used to render service.

1989 Ford 1 ton dump truck ID#2FDLF47M1KCA17327

1970 Brockway Tandem Truck N358LL2672125

Edgar J. Shaffer
STATEMENT OF FINANCIAL POSITION (Balance Sheet)

as of 12/31/89

Date

ASSETS

CURRENT ASSETS

Cash		41841
Accounts Receivable		5000
Notes Receivable		-
Other current assets (Specify)		_____
Total current assets		46841

TANGIBLE ASSETS

Land		10000
Motor Vehicle Equipment	79815	
Less: Accumulated Depreciation	- 65117	= 14698
Buildings and Structures	17132	
Less: Accumulated Depreciation	- 12690	= 4442
Investments and Funds (Specify)		_____
Intangible Assets		_____
Other assets (Such as advances and idle equipment - specify)		75981

LIABILITIES

Current Liabilities (liabilities due within one year of date)

Accounts Payable		0
Notes Payable		0
Equipment Obligations		0
Other Liabilities (attach schedule)		0
Total Current Liabilities		0

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

Accounts Payable		0
Notes Payable		0
Equipment Obligations		0
Other Liabilities (attach schedule)		0
Total Long Term Liabilities		0

Total Liabilities

0

Net Worth (partnerships & individuals)

75981

OWNERS EQUITY (Corporations only)

Capital Stock (Corporations only)		0
Additional paid-in capital		0
Retained Earnings (Corporations only)		_____
Less: Treasury Stock	_____	= 0
Total Owner's Equity (Corporations only)		_____

Total Liabilities & Owner's Equity
(Corporations only)

75981

STATEMENT OF FINANCIAL CONDITION

INCOME STATEMENT

For the 12-month period ending 12/31/89
(Date)

REVENUE and GAINS

Operating Revenue	167089
Net Revenue from non-carrier operation	21257
Dividend and Interest revenues	2007
Other non-operating revenue	0
Gains	0
Total Revenue and Gains	190353

EXPENSES

Equipment Maintenance and Garage Expense	17098
Insurance Expense	30519
Employee Salaries	61500
Supervisory Salaries	0
Officer Salaries	0
Fuel Expense	37745
Purchased Transportation (Lease Expense)	1814
Materials and Supplies Expense	0
General Office Expense	1473
Advertising Expense	1292
Telephone Expense	3592
Accounting Expense	350
Legal Expense	0
Uncollectible Revenue	0
Depreciation Expense	6818
Amortization	0
Operating Taxes and Licenses	2254
Rent Expense	0
Loss	0
Total Operating Expense and Losses	164455

Net Income before Taxes	25898
Provision for Income Taxes	5789
Net Income	20109

Stuart M Shaffer
STATEMENT OF FINANCIAL POSITION (Balance Sheet)
 as of 12/31/90

Date

ASSETS

CURRENT ASSETS

Cash		23405
Accounts Receivable		-
Notes Receivable		-
Other current assets (Specify)		0
Total current assets		23405

TANGIBLE ASSETS

Land		
Motor Vehicle Equipment	119000	
Less: Accumulated Depreciation	89430	= 29570
Buildings and Structures	2656	
Less: Accumulated Depreciation	1325	= 1331
Investments and Funds (Specify)		
Intangible Assets		
Other assets (Such as advances and Idle equipment - specify)		

LIABILITIES

54306

Current Liabilities (liabilities due within one year of date)

Accounts Payable		0
Notes Payable		0
Equipment Obligations		0
Other Liabilities (attach schedule)		0
Total Current Liabilities		0

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

Accounts Payable		0
Notes Payable		0
Equipment Obligations		0
Other Liabilities (attach schedule)		0
Total Long Term Liabilities		0
Total Liabilities		0

Net Worth (partnerships & individuals)

54306

OWNERS EQUITY (Corporations only)

Capital Stock (Corporations only)		
Additional paid-in capital		
Retained Earnings (Corporations only)		
Less: Treasury Stock		=
Total Owner's Equity (Corporations only)		0

Total Liabilities & Owner's Equity
(Corporations only)

54306

STATEMENT OF FINANCIAL CONDITION

INCOME STATEMENT

For the 12-month period ending _____
(Date)

REVENUE and GAINS

Operating Revenue	_____
Net Revenue from non-carrier operation	_____
Dividend and Interest revenues	_____
Other non-operating revenue	_____
Gains	_____
Total Revenue and Gains	=====

EXPENSES

Equipment Maintenance and Garage Expense	_____
Insurance Expense	_____
Employee Salaries	_____
Supervisory Salaries	_____
Officer Salaries	_____
Fuel Expense	_____
Purchased Transportation (Lease Expense)	_____
Materials and Supplies Expense	_____
General Office Expense	_____
Advertising Expense	_____
Telephone Expense	_____
Accounting Expense	_____
Legal Expense	_____
Uncollectible Revenue	_____
Depreciation Expense	_____
Amortization	_____
Operating Taxes and Licenses	_____
Rent Expense	_____
Loss	_____
Total Operating Expense and Losses	=====

Net Income before Taxes	_____
Provision for Income Taxes	_____
Net Income	=====

March 15, 1991

IN REPLY PLEASE
REFER TO OUR FILE

Stuart M. Shaffer
R.D. #1, Box 553
Hyndman, PA 15545

In re: A-00109678 - Application of Stuart M. Shaffer

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of Stuart M. Shaffer for the rights of Edgar J. Shaffer.

The application has been captioned as attached and will be submitted for review, provided no protests are filed on or before April 8, 1991. If protests are filed, you will be advised as to further procedure.

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

You are further advised that the above application will be published in the Pennsylvania Bulletin of March 16, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:kmb

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
MAR 18 91
ENTRY No. 110

A-00109678 STUART M. SHAFFER (R.D. 1, Box 553, Hyndman, Bedford County, PA 15545) - coal and stone between points in the counties of Somerset and Bedford, provided no haul shall exceed a distance of fifty (50) miles from point of origin to point of destination; which is to be a transfer of the right authorized under the certificate issued at A-00092753 to Edgar J. Shaffer, subject to the same limitations and conditions.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

MAR 16 1991

BUREAU OF TRANSPORTATION
COMMON CARRIER
FEBRUARY 1991

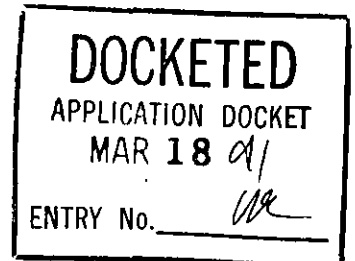
A-00109678

Application of Stuart M. Shaffer, for the right to begin to transport, as a common carrier, by motor vehicle, coal and stone between points in the counties of Somerset and Bedford, provided no haul shall exceed a distance of fifty (50) miles from point of origin to point of destination; which is to be a transfer of the right authorized under the certificate issued at A-00092753 to Edgar J. Shaffer, subject to the same limitations and conditions.

MW:rs
2/28/91

Application received: 2/20/91
Application docketed: 2/27/91

NH



APR - 8 1991

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