

DEAN A. BOWMAN  
ATTORNEY AT LAW  
LAW & FINANCE BUILDING  
133 WEST MAIN STREET  
SOMERSET, PENNSYLVANIA 15501

(814) 445-6543

March 4, 1991

MAILING ADDRESS  
P. O. BOX 306

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

MAR 6 1991

Public Utility Commission

*A-01109653*

Gentlemen:

Enclosed for filing on behalf of Otto Brick & Tile Works Inc. you will find an original Application for a Certificate of Public Convenience signed at the place designated, duly verified, and two copies of the same.

Also enclosed is check in the amount of \$350.00 for the filing fee.

Very truly yours,

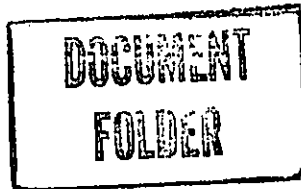


Dean A. Bowman

DAB:jz

Enclosures 4

cc: Otto Brick & Tile Works Inc.



BEFORE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

MAR 6 1991

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT  
Public Utility Commission

(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of  
OTTO BRICK & TILE WORKS, INC.

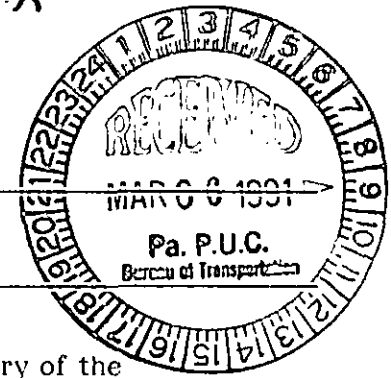
APPLICATION DOCKET

No. 109693

Folder No.

T.K-700411

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**.



TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. Otto Brick & Tile Works, Inc.  
(Full and correct name of applicant)

2. None  
(Trade name, if any)

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

Commonwealth on \_\_\_\_\_ (attach copy of stamped registration form).  
(date)

3. Route 669, Box 217  
(Business Street Address) (P.O. Box, if any)

Springs Somerset PA 15562 814-662-2100  
(City) (County) (State) (Zip) (Telephone)

4. Applicant's attorney (for this application) is:  
Dean A. Bowman, Esq., 133 W. Main St., Somerset, PA 15501 814-445-6543  
(Name) (Address) (Telephone)

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

Applicant  
(Name) (Address)

6. Applicant does not hold Pa. PUC authority under Docket No. \_\_\_\_\_  
(does or does not)

DOCUMENT  
and operates as a  
FOLDER

carrier.  
(common or contract)

BEGINNING

DOCKETED  
APPLICATION DOCKET  
MAR 11 91  
ENTRY No. fair

7. Applicant does hold Interstate Commerce Commission authority  
(does or does not)  
at Docket No. MC 205499.

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 April 9, 1964 (Attach copy of Certificate of Incorporation or Authority and statement of charter purpose). Include as an attachment a list of corporate officers and their titles and the names, addresses and number of shares held by each stockholder.

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

- A  Partnership Agreement.
- B  Trade Name registration certificate.
- C  Certificate of Incorporation or Authority.
- D  Statement of corporate charter purpose.
- E  List of corporate officers and stockholders.

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:

*located*

To transport as a Class D carrier lumber, from lumber mills ~~situate~~ in Somerset County, Pennsylvania to points in Pennsylvania.

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**

Otto Brick & Tile Works, Inc.  
(Print Name of Corporation, Partnership, Trade-Name or Individual)\*

By:

*Bradley C. Otto*  
\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(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 :  
Somerset \_\_\_\_\_ County : ss:

Bradley C. Otto, being duly sworn (affirmed) according to law, deposes and says that he is Sec./Treas. of Otto Brick & Tile Works, Inc.  
(Office of Affiant)

Works, 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 Otto Brick & Tile Works, Inc. to be able to prove the same  
(Name of Corporation)

at the hearing hereof.

Bradley C. Otto  
Signature of Affiant

Sworn and subscribed before me this 1st  
day of March 19 91.

My Commission Expires \_\_\_\_\_

Joyce A. Zerfos, Notary Public  
Somerset Boro, Somerset County  
My Commission Expires March 25, 1994  
Member, Pennsylvania Association of Notaries

Joyce A. Zerfos  
Signature of Official Administering Oath



Office of the  
Secretary of the Commonwealth

TO ALL TO WHOM THESE PRESENTS COME, GREETING:

WHEREAS, Under the provisions of the Business Corporation Law, approved the 5th day of May, Anno Domini, one thousand nine hundred and thirty-three, P. L. 364, as amended, the Department of State is authorized and required to issue a

CERTIFICATE OF INCORPORATION

evidencing the incorporation of a business corporation organized under the terms of that law.

AND WHEREAS, The stipulations and conditions of that law have been fully complied with by the persons desiring to incorporate as

OTTO BRICK & TILE WORKS INC.

THEREFORE, KNOW YE, That subject to the Constitution of this Commonwealth and under the authority of the Business Corporation Law, I do by these presents, which I have caused to be sealed with the Great Seal of the Commonwealth, create, erect, and incorporate the incorporators of and the subscribers to the shares of the proposed corporation named above, their associates and successors, and also those who may thereafter become subscribers or holders of the shares of such corporation, into a body politic and corporate in deed and in law by the name chosen and hereinbefore specified, which shall exist perpetually and shall be invested with and have and enjoy all the powers, privileges, and franchises incident to a business corporation and be subject to all the duties, requirements, and restrictions specified and enjoined in and by the Business Corporation Law and all other applicable laws of this Commonwealth.

GIVEN under my Hand and the Great Seal of the Commonwealth, at the City of Harrisburg, this 9th day of April in the year of our Lord one thousand nine hundred and sixty-four and of the Commonwealth the one hundred and eighty-eighth

*George Bloom*

Secretary of the Commonwealth

gje

# ARTICLES OF INCORPORATION

Penna. Business Corporation  
1933 P.L. 364

3-1-64, 12 File Number 458

1. Name: OTTO ERICK & TILE WORKS INC.

2. Address of Registered Office: Elk Lick Township, Somerset County, Pa.

Mailing Address: Star Route, Springs, Pa

3. Purposes:

The corporation is organized under the Business Corporation Law, Act of 1933, P.L. 364, as amended, to manufacture, buy, sell, distribute, trade and deal, as principal, agent and broker, in and with any and all kinds of brick, stone, artificial stone, tile, clay, clay products, building and construction materials, supplies and accessories of all kinds.

To carry on a general building, contracting and construction business and to act as contractor, sub-contractor and building operators for the purpose of excavating, building, erecting, repairing, altering and marketing of buildings, homes, apartment houses, stores, theatres and structures of all kinds.

4. Term of Existence:

Perpetual

5. Stock:

One Thousand (1,000) Shares of the par value of One Hundred Dollars (\$100.00) each, amounting in the aggregate to One Hundred Thousand Dollars (\$100,000.00).

6. First Directors:

Name:

Address:

Walter C. Otto

Star Route, Springs, Pennsylvania

Roy Otto

Star Route, Springs, Pennsylvania

Bradley C. Otto

Star Route, Springs, Pennsylvania

Guy W. Livengood

Star Route, Springs, Pennsylvania

7. Incorporators:

Name:

Address:

No. and Class of Shares

Ira S. Pimm, Jr.

926 Land Title Building  
Philadelphia, Pa.

1

Charles A. Adami

926 Land Title Building  
Philadelphia, Pa.

1

Standish F. Hansell

926 Land Title Building  
Philadelphia, Pa.

1

8. Signed and Sealed this 8th day of April 1964

*Ira S. Pimm, Jr.*

(SEAL)

*Charles A. Adami*

(SEAL)

*Standish F. Hansell*

(SEAL)

(SEAL)

9. Date approved

April 9, 1964

10. APPROVED: Secretary of the Commonwealth

*George Bloom*

VMS

CORPORATE OFFICERS

Guy Livengood  
Walter Otto  
Roy Otto  
Bradley C. Otto

President  
Vice President  
Vice President  
Sec./Treas.

March 22, 1991

IN REPLY PLEASE  
REFER TO OUR FILE

Dean A. Bowman  
Attorney at Law  
133 West Main Street  
Somerset, PA 15501

In re: A-00109693 - Application of Otto Brick & Tile Works, Inc.

Dear Sir:

The application of Otto Brick & Tile Works, Inc. has been captioned as attached and will be submitted for review provided no protests are filed on or before April 15, 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 March 23, 1991.

Very truly yours,

David Ehrhart  
Supervisor - Application Section  
Bureau of Transportation

DE:RP:rs

cc: Applicant  
Route 669, Box 217  
Springs, PA 15562

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
MAR 22 91  
ENTRY No.

A-00109693 OTTO BRICK & TILE WORKS, INC. (Route 669, Box 217, Springs, Somerset County, PA 15562), a corporation of the Commonwealth of Pennsylvania - lumber, from lumber mills located in the county of Somerset, to points in Pennsylvania. Attorney: Dean A. Bowman, 133 West Main Street, Somerset, PA 15501.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE \_\_\_\_\_

MAR 23 1991

BUREAU OF TRANSPORTATION  
COMMON CARRIER  
MARCH 1991

A-00109693

Application of Otto Brick & Tile Works, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, lumber, from lumber mills located in the county of Somerset, to points in Pennsylvania.

FW:kmb  
3/12/91

Application received: 3/6/91  
Application docketed: 3/11/91

NH

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
MAR 22 91  
ENTRY No. *me*

APR 15 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.