

VELITSKY & YURCHAK

ATTORNEYS-AT-LAW

49 EAST LUDLOW STREET

P.O. BOX 95

SUMMIT HILL, PA 18250

August 6, 1990

AREA CODE 717

645-2964



A-109692

Commonwealth of Pennsylvania
OFFICE OF PA. PUBLIC UTILITY COMMISSION
P.O. Box 3265
North Office Building
Harrisburg, PA 17120

RECEIVED

AUG 8 - 1990

**SECRETARY'S OFFICE
Public Utility Commission**

In re: Application Docket No. A.00106292

Gentlemen:

Enclosed please find Application for Transfer of PUC Permit from Kathryn M. Evans to her son, William T. Evans.

Also enclosed is my Attorney Check No. 8557 in the sum of Three Hundred Fifty (\$350.00) Dollars.

Please process accordingly.

Thank you.

Very truly yours,

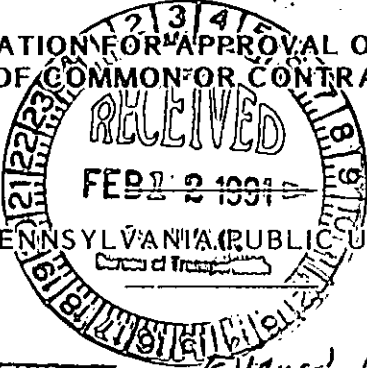
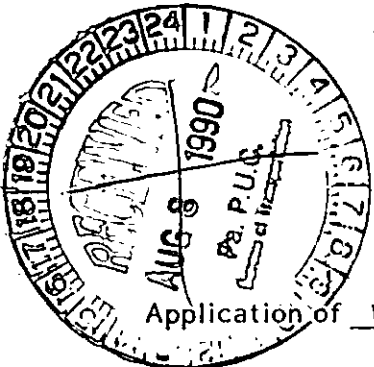
Joseph J. Velitsky
Joseph J. Velitsky

JJV:ehw

Enclosure



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



RECEIVED

AUG 9 1990

SECRETARY'S OFFICE
Public Utility Commission

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of William T. Evans
(Applicant/Transferee-Buyer)

Evans' Coal + Fuel Oil, Inc.

for approval of the transfer and to exercise the right
as a Common carrier, described at Docket
(common-contract)
No. A. 00106292, Folder No. _____, issued to
Kathryn M. Evans
(Transferor-Seller)

PUC USE ONLY
Docket No. 109692
Folder No. _____

for transportation of coal
(persons-property)

TK-700 4/0

RECEIVED

FEB 11 1991

SECRETARY'S OFFICE
Public Utility Commission

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

- 1. William T. Evans
(Full and correct name of applicant/transferee)
- 2. EVANS' COAL & FUEL OIL, INC.
(Trade name, if any)

The trade name has been registered with the Secretary of the
(has or has not)
Commonwealth on July 24, 1990 (attach copy of stamped registration form.)
(date)

- 3. 309 West Holland Street
(Business Street Address) _____ (P.O. Box, if any)
Summit Hill Carbon Pennsylvania 18250
(City) (County) (State) (Zip) (717) 645-5141
(Telephone)

DOCUMENT
FOLDER

BEGINNING

DOCKETED
APPLICATION DOCKET
MAR 11 1991
ENTRY No. low

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

Joseph J. Velitsky, Esquire, 49 E. Ludlow St., P.O. Box 95, Summit Hill,
(Name) (Address) (Telephone) PA 18250
(717) 645-2964

5. Any documents should be mailed to:

Transferee: 309 West Holland St., Summit Hill, PA 18250
(Name) (Address)

Transferor: 38 East Hazard St., Summit Hill, PA 18250
(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.

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.

none

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 transfer from mother to son of ongoing business.

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.

- 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: *Melvin J. [Signature]* 8/3/90
(each partner must sign) (Date)
(Corporate Seal)

Transferor sign here: *Kathryn M. Evans* 8/3/90
(Corporate Seal)

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

COMMONWEALTH OF PENNSYLVANIA :
: ss:
_____ County :

_____, 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 TRANSFEREE/APPLICANT (Corporation)

COMMONWEALTH OF PENNSYLVANIA :
: ss:
Carbon _____ County :

William T. Evans, being duly sworn (affirmed) according to law, desposes and says that he is President of Evans Coal & Fuel Oil, Inc.,
(Office of Affiant). (Name of Corporation)

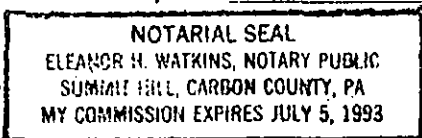
that he is authorized to and does make this affidavit for it; and that the facts above set forth are true and correct; or are true and correct to the best of his knowledge, information and belief and that he expects the said Evans Coal & Fuel Oil, Inc. to be able to prove the same
(Name of Corporation)

the same at the hearing hereof.

William T. Evans
Signature of Affiant

Sworn and subscribed before me this 22nd
day of February, 19 91
My Commission Expires _____

Eleanor H. Watkins
Signature of Official Administering Oath



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

COMMONWEALTH OF PENNSYLVANIA :

: ss:

_____ County :

_____, 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 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

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

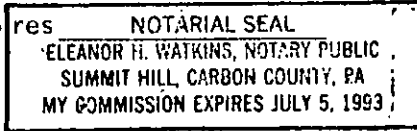
COMMONWEALTH OF PENNSYLVANIA :
: ss:
_____ CARBON _____ County :

_____ William T. Evans _____, 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
William T. Evans

Sworn and subscribed before me this 3d
day of August, 19 90.

My Commission Expires




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)

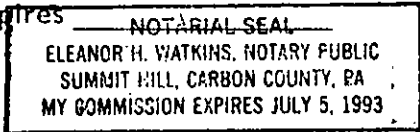
COMMONWEALTH OF PENNSYLVANIA :
: ss:
_____ County :

_____ Kathryn M. Evans _____, 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.

Kathryn Evans
Signature of Affiant

Sworn and subscribed before me this 3d
day of August, 19 90.

My Commission Expires _____



Eleanor H. Watkins
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 _____

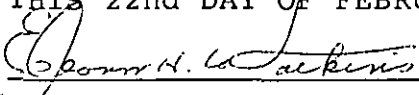
Signature of Official Administering Oath

ASSIGNMENT OF INTEREST

I, William T. Evans, who purchased the coal business from Kathryn Evans, do hereby assign my personal interest to Evans Coal & Fuel Oil, Inc., effective August 3, 1990.


Signature of Affiant

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 22nd DAY OF FEBRUARY, 1991.



NOTARIAL SEAL
ELEANOR H. WATKINS, NOTARY PUBLIC
SUMMIT HILL, CARBON COUNTY, PA
MY COMMISSION EXPIRES JULY 5, 1993

SALES AGREEMENT

THIS AGREEMENT made this 3rd day of August, 1990 by and between:

KATHRYN M. EVANS, of 38 East Hazard Street, Borough of Summit Hill, Carbon County, Pennsylvania, hereinafter referred to as "Seller",

A N D

WILLIAM T. EVANS, of 309 West Ludlow Street, Borough of Summit Hill, Carbon County, Pennsylvania, hereinafter referred to as "Buyer".

WHEREAS, Seller desires to transfer to Buyer all of her required right and interest to Pennsylvania Intrastate Motor Carrier Operating rights issued by the Pennsylvania Public Utility Commission at Docket No. A. 00106292. A copy of said authorization is attached hereto and made a integral part hereof.

NOW, THEREFORE, agreeing to be bound the parties agree as follows:

1. The purchase price for said operating rights shall be One (\$1.00) Dollar and other good and valuable consideration payable in cash at the time of consummation of this transaction which requires prior approval by the Commission. Seller fully understands and agrees that the requisite approval by the Commission shall be unqualified and the operating rights to be transferred shall be no less than those set forth in Exhibit A. Otherwise, this agreement shall immediately become null, void and of no effect.

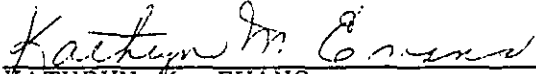
2. Seller warrants that said operating authority shall be free and clear of all liens, encumbrances, claims and adversary attacks of any nature whatsoever at the time of consummation.

3. Buyer agrees to file promptly and prosecute with reasonable diligence, and application with the Commission for approval of this transaction. Seller agrees to furnish all information, data and documents deemed necessary by Buyer or required by the Commission and to cooperate in processing said application.

4. Consummation shall take place within 60 days after the receipt of an administratively final order of the Commission approving the transaction in toto.

5. This Agreement shall be binding upon and inure to the benefit of the parties hereto, their personal representatives, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.


KATHRYN M. EVANS


WILLIAM T. EVANS

JOSEPH J. VELITSKY
ROBERT T. YURCHAK
Attorney at Law
49 E. Ludlow St.
Summit Hill, PA. 18250
Telephone: 717-645-2964

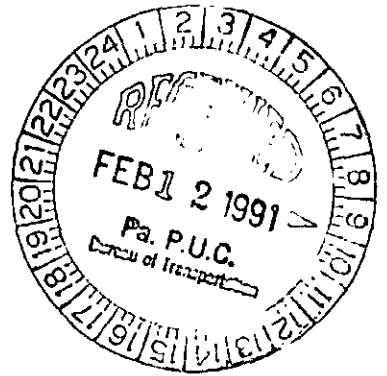
EXHIBIT D

ITEMIZED STATEMENT OF UNPAID BUSINESS DEBTS OF TRANSFEROR AND MANNER
OF SATISFYING:

NONE

Kathryn Evans
Kathryn M. Evans

PENNSYLVANIA
PUBLIC UTILITY COMMISSION



IN THE MATTER OF THE APPLICATION OF

KATHYRN M. EVANS, trading and doing business as
BILLY EVANS COAL CO.

CERTIFICATE
OF
PUBLIC CONVENIENCE

A. 00106292
Folder 1

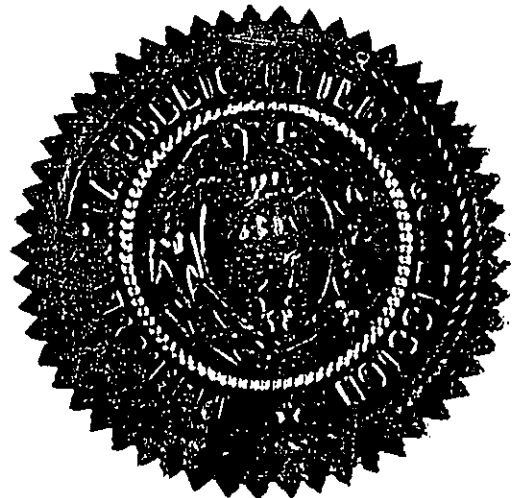
The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

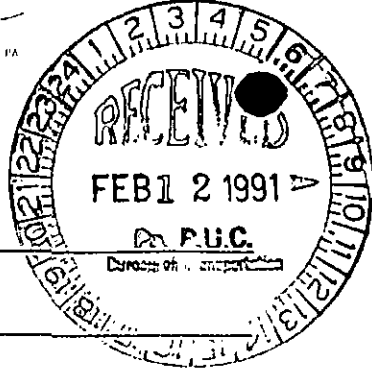
In Testimony Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 10th day of JANUARY, 19 86.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Attest:

John Lich
Secretary





Microfilm Number _____

Entity Number _____

Filed with the Department of State on JUL 24 1990

Christopher A. Lewis

Secretary of the Commonwealth

ARTICLES OF INCORPORATION

DSCB:15-1306(Rev 89)

RECEIVED

FEB 11 1991

Indicate type of domestic corporation (check one):

Business-stock (15 Pa. C.S. § 1306)

Professional (15 Pa. C.S. § 2903)

Business-nonstock (15 Pa. C.S. § 2102)

Management (15 Pa. C.S. § 2701)

Business-statutory close (15 Pa. C.S. § 2304a is applicable)

Cooperative (15 Pa. C.S. § 7701)

§ Pu
OFFICE
Commission

1. The name of the corporation is: Evans' Coal & Fuel Oil, Inc.

This corporation is incorporated under the provisions of the Business Corporation Law of 1988.

2. The address of this corporation's initial (a) registered office in this Commonwealth or (b) commercial registered office provider and the county of venue is:

(a) 309 West Holland Street, Summit Hill, PA 18250 Carbon
Number and Street City State Zip County

(b) _____
Name of Commercial Registered Office Provider County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The aggregate number of shares authorized is: 1,000 (other provisions, if any, attach 8 1/2 x 11 sheet)

4. The name and address, including street and number, if any, of each incorporator is:

Name	Address	Signature	Date
William T. Evans	309 W. Ludlow St., Summit Hill, PA 18250	<i>William T. Evans</i>	7/11/90
Sandra L. Evans	309 W. Ludlow St., Summit Hill, PA 18250	<i>Sandra L. Evans</i>	7/11/90

5. The specified effective date, if any, is: July 1990
month day year hour, if any

6. Any additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet.

7. Statutory close corporation only: Neither the corporation nor any shareholder shall make an offering of any of its shares of any class that would constitute a "Public Offering" within the meaning of the Securities Act of 1933 (15U.S.C. § 77A et seq.).

8. Business cooperative corporations only: (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: _____

DOCKETING STATEMENT (D&CB:15-134A)
DEPARTMENTS OF STATE AND REVENUE

BUREAU USE ONLY:

FILING FEE: NONE

Dept. of State Entity Number _____

Revenue Box Number _____

Filing Period _____ Date 3 4 5 _____

SIC _____ Report Code _____

This form (file in triplicate) and all accompanying documents shall be mailed to:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
CORPORATION BUREAU
308 NORTH OFFICE BUILDING
HARRISBURG, PA 17120-0029

Check proper box

- | | | | |
|--|--|---|---|
| <input checked="" type="checkbox"/> Business-stock | <input type="checkbox"/> Business-nonstock | <input type="checkbox"/> Business-Management | <input type="checkbox"/> Professional |
| <input type="checkbox"/> Business-statutory close | <input type="checkbox"/> Business-cooperative | <input type="checkbox"/> Nonprofit-stock | <input type="checkbox"/> Nonprofit-nonstock |
| <input type="checkbox"/> Foreign | <input type="checkbox"/> Foreign-nonprofit-stock | <input type="checkbox"/> Motor Vehicle for Hire | |
| <input type="checkbox"/> Foreign-Limited Certificate of Authority to D/B/A _____ | | | |

Corporation registering as a result of (check box):

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Incorporation (PA) | <input type="checkbox"/> Domestication | <input type="checkbox"/> Consolidation |
| <input type="checkbox"/> Authorization of a foreign corporation | <input type="checkbox"/> Division | <input type="checkbox"/> Summary of Record |

1. Name of corporation Evans' Coal & Fuel Oil, Inc.

2. Location of (a) initial registered office in PA or (b) the name and county of the commercial registered office provider:

(a) 309 West Holland Street, Summit Hill, Pennsylvania 18250 Carbon
 Number and Street/RD number and Box City State Zip code County

(b) _____
 Name of commercial registered office provider County

(c) Pennsylvania
 State or Country of Incorporation

3. Specified effective date, if applicable: July 1990

4. Describe principal PA activity to be engaged in, within one year of this application date: to engage, sell and distribute coal and heating fuel and repair and replacement to coal and oil heating systems.

5. Names, residences and social security numbers of the chief executive officer, secretary and treasurer:

Name	Address	Title	Social Security #
<u>William T. Evans</u>	<u>309 W. Ludlow St.,</u> <u>Summit Hill, PA 18250</u>	<u>President</u>	

<u>Sandra L. Evans</u>	<u>309 W. Ludlow St.,</u> <u>Summit Hill, PA 18250</u>	<u>Sec'y/Treas</u>	
------------------------	---	--------------------	--

If professional corporation, include officer's professional license numbers with the respective Pennsylvania Professional Board.

RICHARD P. SWARCHECK

269 W. Ludlow St. PUBLIC ACCOUNTANT
Summit Hill, PA 18250

ORIGINAL



EVANS COAL & FUEL OIL, INC.
309 W. HOLLAND ST.
SUMMIT HILL, PA 18250

Balance Sheet
As of December 31, 1990

MAR 7 1991
SECRETARYS OFFICE
Public Utility Commission

<u>ASSETS</u>		
Current Assets		
Cash	35,818	
Accounts Receivable	44,492	
Total Assets		<u>80,310</u>
 <u>LIABILITIES & EQUITY</u>		
Liabilities		
Current Liabilities		
Accounts Payable	24,350	
Total Liabilities		24,350
 <u>STOCKHOLDERS EQUITY</u>		
Capital Stock	100	
Retained Earnings	55,860	
Total Stockholders Equity		<u>55,960</u>
Total Liabilities & Stockholders Equity		<u>80,310</u>

Land, Building, and Equipment are owned by the principles and are leased on a yearly basis to the corporation.

Fixed assets are in the name of William T. Evans and Sandra Evans.

<u>FIXED ASSETS</u>	<u>NET</u>
Land	7,000
Building	59,582
Truck- Del - Coal	17,500
Van - 1989	13,125
Storage Tank	35,000
Tank	13,125
Office Furniture	4,926
Total	<u>\$150,258</u>

Mortgage Balance attributed to above \$148,360

R. P. Swarcheck

March 4, 1991

I have been employed 20 years (1965-1985) for my father in the coal hauling business. I managed the business 5 years (1985-1990) for my mother after my father's death for a total of 25 years experience.

I maintain an up-to-date safety program, inspecting our trucks every 3,000 miles. Our drivers are trained and qualified in the operation of our vehicles, having the proper class license required by law.

William A. Evans



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

August 22, 1990

IN REPLY PLEASE
REFER TO OUR FILE

Joseph J. Velitsky, Esquire
49 East Ludlow Street
P.O. Box 95
Summit Hill, PA 18250

A.109692

Re: Application of William T. Evans to acquire the rights of
Kathryn M. Evans, t/d/b/a Billy Evans Coal Co. at A-00106292

Dear Mr. Velitsky:

We are returning the above referenced application and filing
fee in the amount of \$350.00 for the following reasons:

- (1) All of the items checked in red under 12 a and
12 b must be attached to the application.
- (2) The attached articles of incorporation would
make this applicant a corporation instead of
an individual; therefore, an assignment of
interest from William T. Evans to the corpora-
tion of Evans' Coal & Fuel Oil, Inc. is necessary.
- (3) The affidavit for the transferee would have
to be for the corporation instead of an individual.

Please feel free to call or write if we can be of assistance.

Sincerely,

Frances Walkinshaw
Application Examiner
Bureau of Transportation
(717) 783-3037

Enclosures



VELITSKY & YURCHAK

ATTORNEYS-AT-LAW
49 EAST LUDLOW STREET
P.O. BOX 95
SUMMIT HILL, PA 18250

JOSEPH J. VELITSKY
ROBERT T. YURCHAK

AREA CODE 717
645-2964

27 August 1990

A. 109692

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



Attn: Frances Walkinshaw
Application Examiner
Bureau of Transportation

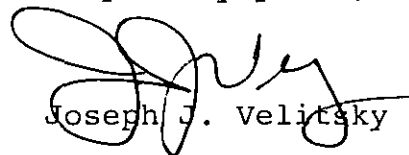
Re: Application of William T. Evans to
Acquire the Right of Kathryn M. Evans
t/d/b/a Billy Evans Coal Co. at A-00106292

Dear Ms. Walkinshaw:

Please be advised that the applicant is an individual and not a corporation. Although you received copies of Articles of Incorporation, they were inadvertently sent to you.

I will obtain the additional information which you indicated you needed and forward this information to you in the near future.

Very truly yours,


Joseph J. Velitsky

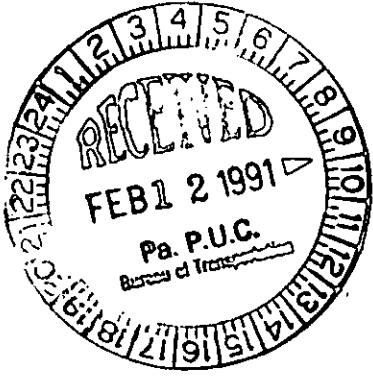
JJV/vhb

CC. William Evans



JOSEPH J. VELITSKY
ATTORNEY-AT-LAW
49 EAST LUDLOW STREET
P.O. BOX 95
SUMMIT HILL, PA 18250

AREA CODE 717
645-2964



February 7, 1991

A. 109692

RECEIVED

FEB 11 1991

STATE OFFICE
PUBLIC Utility Commission

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

In re: PUC Docket No. A00106292 Kathryn M. Evans
~~William T. Evans t/a Evans' Coal & Fuel Oil, Inc.~~

Gentlemen:

I am enclosing the Application for transfer of the PUC Certificate of Public Convenience which was granted to Kathryn M. Evans t/a Billy Evans Coal Co. A00106292. We are asking that this be transferred to Evans' Coal & Fuel Oil, Inc., a copy of the Sales Agreement is enclosed together with the operating authority to be transferred.

There are no unpaid business debts of the transferor. I am enclosing copy of incorporation, together with the list of corporate officers and the statement of the corporation charter. In the near future, the accounts will be forwarded with statement of financial condition and the list of equipment to be used to render services.

I trust you can now begin to act upon this application for transfer.

Very truly yours,

Joseph J. Velitsky



JJV:ehw

Enclosures

*2/14 called atty
need more info*

*OK 2/22 need assign content +
affidavit of corp
per*

*Please call my office
so we can supply*

*OK 2/26 called atty need
Financial statement, statement of
Safety Program + transferor's E.P. form*

March 22, 1991

IN REPLY PLEASE
REFER TO OUR FILE

Joseph J. Velitsky
Attorney at Law
49 East Ludlow Street
P.O. Box 95
Summit Hill, PA 18250

In re: A-00109692 - Application of Evans' Coal & Fuel Oil, Inc.

Dear Sir:

Acknowledgement is made of an application filed by you on behalf of Evans' Coal & Fuel Oil, Inc. for the rights of Kathryn M. Evans, t/d/b/a Billy Evans Coal Co.

The application 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.

This application is accepted with the understanding that Kathryn M. Evans, t/d/b/a Billy Evans Coal Co. will continue to render the service covered by her 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 23, 1991.

Very truly yours,

David Ehrhart
Supervisor - Application Section
Bureau of Transportation

DE:RP:kmb

cc: Applicant
309 West Holland Street
Summit Hill, PA 18250

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
MAR 22 *aj*
ENTRY No. *112*

A-00109692 EVANS' COAL & FUEL OIL, INC. (309 West Holland Street, Summit Hill, Carbon County, PA 18250), a corporation of the Commonwealth of Pennsylvania - coal from the colliery of Bethlehem Mines Corporation, Panther Valley Division, Greenwood Colliery, in the borough of Tamaqua, Schuylkill County, to points in the boroughs of Lansford and Summit Hill, and the township of Mahoning, all in Carbon County, and to employees of Bethlehem Mines Corporation residing within an airline distance of fifty (50) statute miles of the limits of the borough of Coaldale, Schuylkill County, excluding those employees residing in the borough of Tamaqua, Schuylkill County; which is to be a transfer of the rights authorized under the certificate issued at A-00106292 to Kathryn M. Evans, t/d/b/a Billy Evans Coal Co., subject to the same limitations and conditions. Attorney: Joseph J. Velitsky, 49 East Ludlow Street, P.O. Box 95, Summit Hill, PA 18250.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE _____

SERVICE _____

MAR 23 1991

BUREAU OF TRANSPORTATION
COMMON CARRIER
MARCH 1991

A-00109692

Application of Evans' Coal & Fuel Oil, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier, by motor vehicle, coal from the colliery of Bethlehem Mines Corporation, Panther Valley Division, Greenwood Colliery, in the borough of Tamaqua, Schuylkill County, to points in the boroughs of Lansford and Summit Hill, and the township of Mahoning, all in Carbon County, and to employees of Bethlehem Mines Corporation residing within an airline distance of fifty (50) statute miles of the limits of the borough of Coaldale, Schuylkill County, excluding those employees residing in the borough of Tamaqua, Schuylkill County; which is to be a transfer of the rights authorized under the certificate issued at A-00106292 to Kathryn M. Evans, t/d/b/a Billy Evans Coal Co., subject to the same limitations and conditions.

FW:ll
3/11/91

Application received: 2/11/91
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.