



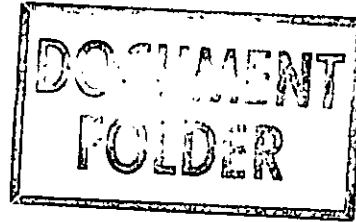
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

APR 27 1991

December 31, 1990

IN REPLY PLEASE
REFER TO OUR FILE

R-16



George L. Fenner, Jr., Esquire
171 South Franklin Street
P.O. Box 1161
Wilkes-Barre, PA 18703

Re: A-00109526 - Harry J. Kemmerer and Karl D. Kemmerer, copartners.

Dear Mr. Fenner:

Under date of December 21, 1990, the Secretary's office transmitted to you the Commission's compliance order adopted December 13, 1990, evidencing approval of the above application which is in effect a transfer of the rights formerly held by Samuel J. Giordano (deceased), at A-00036427, F. 3. The letter transmitting the order directs attention to the requirement for the filing of a tariff.

Pa. Code, Title 52, Section 23.13(c) provides that in the case of change of ownership, etc., if feasible to do so, the tariffs of the former operator shall be adopted by the new operator, and no change in rates is permitted to cover the transfer of rights.

In this instance it is not possible to meet the tariff requirements by the adoption of the former tariff for the reason that the present tariff's description of operating authority does not conform with the approval of this application.

It will be necessary, therefore, to file a new tariff which should be designated Freight Pa. P.U.C. No. 1. The tariff should name the same rates, rules and regulations as were filed by the former operator and may be issued to become effective on one day's notice under authority of Pa. Code, Title 52, Section 23.42.

Very truly yours,
Barry L. Ernst, Director
Bureau of Transportation

By: Joseph M. Machulsky, Chief
Financial Document Section

cc: Harry J. & Karl D. Kemmerer, copartners
31 Hazleton Street, P.O. Box 43
Ashley, PA 18706

Contact Person: G.B. Harry
(717) 783-5937

DENNIS M SRALIK

Certified Public Accountant
PO BOX 41

MOUNTAINTOP, PENNSYLVANIA 18707

(717) 474-2223

FAX (717) 474-2126

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P.U.C. CONTROL DIV.~~

SECRETARY'S OFFICE
Public Utility Commission

February 22, 1993

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MAR 1 1994

SECRETARY'S OFFICE
Public Utility Commission

Mr. John T Alford
Pennsylvania Public Utility Commission
P O Box 3265
Harrisburg, Pa.

Dear Sir;

The following entity has incorporated and would like to transfer the following PUC rights A-00109526. Enclosed is a copy of the Certificate of Incorporation.

FROM

TO

KEMMERER, HARRY J. AND KARL D.
31 ASHLEY STREET
ASHLEY PA 18706

KEMMERER MASONRY INC.
31 ASHLEY STREET
ASHLEY PA 18706

THE OWNERSHIP REMAINS IDENTICAL
HARRY J KEMMERER 50%
KARL D KEMMERER 50%

If you have any questions call

Sincerely

Dennis M Sralik
Dennis M Sralik

DOCUMENT
FOLDER

RECEIVED
MAR 02 1994
Pa. P.U.C.
Bureau of Transportation

NOV 28 1990

Microfilm Number _____

Filed with the Department of State on _____

Entity Number _____

Christopher A. Lewis

Secretary of the Commonwealth

ARTICLES OF INCORPORATION

DSCB:15-1306(Rev 89)

Indicate type of domestic corporation (check one):

- Business stock (15 Pa. C.S. § 1306)
- Business nonstock (15 Pa. C.S. § 2102)
- Business statutory close (15 Pa. C.S. § 2304a is applicable)
- Professional (15 Pa. C.S. § 2903)
- Management (15 Pa. C.S. § 2701)
- Cooperative (15 Pa. C.S. § 7701)

The name of the corporation is: Kemmerer Masonry, Inc.

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

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

) 31 Hazleton Street Ashley PA 18706 Luzerne
Number and Street City State Zip County

) Kemmerer Realty (EIN 23-2543110) Luzerne
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.

The aggregate number of shares authorized is: 500,000 (other provisions, if any, attach 8 1/2 x 11 sheet)

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

Name	Address	Signature	Date
<u>Karl D. Kemmerer</u>	<u>R.D.3Box 104 Mountaintop, PA 18707</u>	<i>[Signature]</i>	<u>11-9-90</u>
<u>Harry J. Kemmerer</u>	<u>35 Hazleton Street Ashley, PA 18706</u>	<i>[Signature]</i>	<u>11-9-90</u>

The specified effective date, if any, is: January 2, 1991
month day year hour, if any

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

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.).

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