

GRAF, ANDREWS & RADCLIFF, P. C.  
ATTORNEYS AT LAW  
407 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF  
FREDERICK W. ANDREWS  
DAVID H. RADCLIFF  
GREGORY R. LYONS

OF COUNSEL  
JOHN E. FULLERTON  
TELEPHONE: A. C. 717-236-9318

March 8, 1990  
File: 49.467

RE: GABLER TRUCKING, INC., A. 109226  
(Transfer from H. C. Gabler, Inc.)

**RECEIVED**

MAR 8 1990

**SECRETARY'S OFFICE  
Public Utility Commission**

Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, Pennsylvania 17120

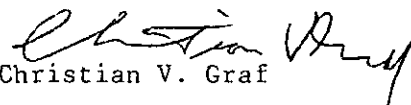
Dear Mr. Rich:

On behalf of Gabler Trucking, Inc., a recently-formed corporation, we enclose herewith the following:

1. The original and 2 copies of an application for transfer to it of all of the Pennsylvania intrastate operating authority of H. C. Gabler, Inc.
2. Check in the amount of \$350 to cover the filing fee.
3. The original and 2 copies of an application for emergency temporary authority and temporary authority to operate the Pennsylvania intrastate authority of H. C. Gabler, Inc.
4. Check in the amount of \$200 to cover the filing fee.

Copies are being mailed to both Transferor and Transferee.

Very truly yours,

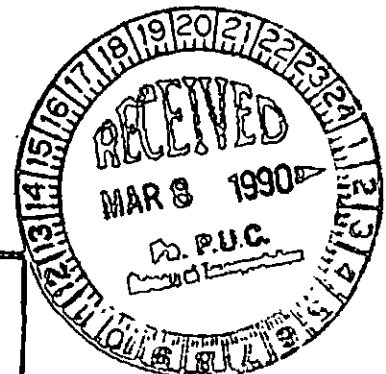
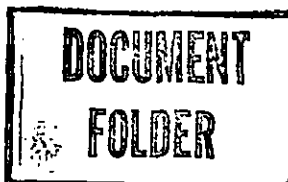
  
Christian V. Graf

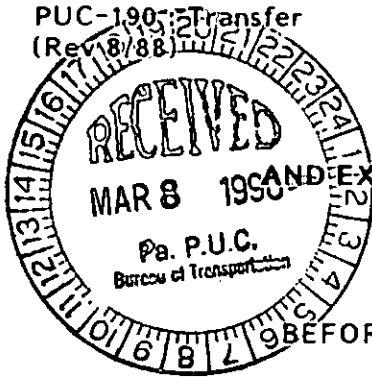
CVG: tcr  
Enclosures

cc: Gabler Trucking, Inc.  
1580 Gabler Road  
Chambersburg, PA 15201

H. C. Gabler, Inc.  
1580 Gabler Road  
Chambersburg, PA 17201

David H. Radcliff, Esquire





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

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

MAR 8 1990  
SECRETARY'S OFFICE  
Public Utility Commission

Application of GABLER TRUCKING, INC.  
(Applicant/Transferee-Buyer)

for approval of the transfer and to exercise the right

as a common carrier, described at Docket  
(common-contract)

No. A. 83975, Folder No. 3, 4, 5, 6 issued to

H. C. Gabler, Inc.  
(Transferor-Seller)

for transportation of property  
(persons-property)

PUC USE ONLY  
Docket No. A-109226  
Folder No. \_\_\_\_\_

DOCKETED  
APPLICATION DOCKET  
MAR 29 1990  
ENTRY No. mw

DOCUMENT  
FOLDER

SEE INSTRUCTIONS BEFORE COMPLETING APPLICATION

1. GABLER TRUCKING, INC. APPL: ✓  
(Full and correct name of applicant/transferee)

2. Same COMPL: ✓  
(Trade name, if any) MVIC: ✓

The trade name need not be xxx registered with the Secretary of the mw  
(has or has not) CHECKED BY

Commonwealth on XXXXXXXXXXXXXXXXXXXX Attach copy of stamped registration form xxx  
(date)

3. 1580 Gabler Road (P.O. Box, if any)  
(Business Street Address)

Chambersburg Franklin PA 17201 A.C. 717, 264-4184  
(City) (County) (State) (Zip) (Telephone)

BEGINNING

4. Applicant's attorney (for this application) is: GRAF, ANDREWS & RADCLIFF, P.C.  
Christian V. Graf, Esquire 407 N. Front St.  
David H. Radcliff, Esquire Harrisburg, PA 17101 A.C. 717, 236-9318  
(Name) (Address) (Telephone)

5. Any documents should be mailed to:

Transferee: Christian V. Graf, Esq., 407 N. Front St., Harrisburg, PA 17101  
(Name) (Address)

Transferor: Christian V. Graf, Esq., 407 N. Front St., Harrisburg, PA 17101  
(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. \_\_\_\_\_ (Application for ICC transfer has been filed)

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 Delaware

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. (Will be registered). (See Exhibit 8).

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.

(See Exhibit 9)

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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. (See Exhibit 10)

11. The reason for the transfer is sale of the trucking aspect of H. C. Gabler, Inc. consisting of ICC authority, intrastate authority in Pennsylvania, Virginia and North Carolina.

12a. The following must be attached:

- Sales Agreement. (See Exhibit 12.a)
- List of equipment to be used to render service. (summarize by type)  
(See Exhibit A to Exhibit 12.s)
- Operating authority to be transferred/retained. (See Exhibit 10)
- Statement of Financial Condition. (See Exhibit A to Exhibit 12.a)
- Statement of unpaid business debts of transferor and how they will be satisfied. (See Exhibit A to Exhibit 12.a)
- Statement of safety program. (See Exhibit 12.a.1)
- Statement of transferee's experience. (See Exhibit 12.a.2)

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

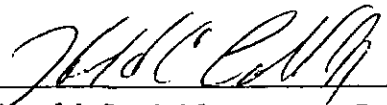
- Partnership Agreement.
- Trade Name registration certificate.
- Certificate of Incorporation. (Pa. Corporation only)
- Certificate of Authority. (Foreign (out-of-state) Corporation only) (To be filed)
- Statement of corporate charter purpose. (corporations only) (See Exhibit 12.b)
- List of corporate officers and stockholders. (corporations only) (See Exhibit 9)
- 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.

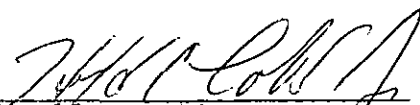
Transferee sign here: GABLER TRUCKING, INC. March 1990  
(each partner must sign) (Date)

(Corporate Seal)

By:   
Harold C. Gabler, Jr., President

Transferor sign here: H. C. GABLER, INC.

(Corporate Seal)

By:   
Harold C. Gabler, Jr., President

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:  
FRANKLIN \_\_\_\_\_ County :

HAROLD C. GABLER, JR., being duly sworn (affirmed) according to law, deposes and says that he is President of GABLER TRUCKING, 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 GABLER TRUCKING, INC. to be able to prove the same  
(Name of Corporation)

the same at the hearing hereof.

\_\_\_\_\_  
Signature of Affiant

Harold C. Gabler, Jr.

Sworn and subscribed before me this 8th  
day of March 19 90

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

(SEAL)

NOTARIAL SEAL  
DEBORAH L. BRENNEMAN Notary Public  
Harrisburg, Dauphin County, Pa.  
My Commission Expires June 18, 1990

\_\_\_\_\_  
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 :

\_\_\_\_\_ HAROLD C. GABLER, JR. \_\_\_\_\_, being duly sworn (affirmed) according to law,  
deposes and says that he is \_\_\_\_\_ President \_\_\_\_\_ of \_\_\_\_\_ H. C. Gabler, 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 \_\_\_\_\_ H. C. Gabler, Inc. \_\_\_\_\_ to be able to prove the  
(Name of Corporation)

same at the hearing hereof.

\_\_\_\_\_  
Signature of Affiant  
Harold C. Gabler, Jr.

Sworn and subscribed before me this 8th  
day of March 19 90  
My Commission expires Deborah L. Brenneeman

\_\_\_\_\_  
Signature of Official Administering Oath

(SEAL)

NOTARIAL SEAL  
DEBORAH L. BRENNEMAN, Notary Public  
Harrisburg, Dauphin County, Pa.  
My Commission Expires June 18, 1990

OFFICERS, DIRECTORS and STOCKHOLDERS OF GABLER TRUCKING, INC.

DIRECTORS:

Harold C. Gabler, Jr.  
Ernest P. Wiemer  
P. Thomas Gabler

OFFICERS:

Harold C. Gabler, Jr. - President  
P. Thomas Gabler - Vice-President  
Harmon C. Piper - Secretary-Treasurer

STOCKHOLDERS:

Ernest P. Wiemer will hold stock as a nominee for ENW-IV Holdings, Inc. and after payment of the consideration by ENW-IV Holdings, Inc. Mr. Wiemer's stock will be turned over to ENW-IV Holdings, Inc. or its nominee. In the event it does not make the payment, the stock of Gabler Trucking, Inc. will be held by Harold C. Gabler; Harold C. Gabler, Jr.; Eleanor S. Gabler and P. Thomas Gabler.



AFFILIATION

The stockholder in GABLER TRUCKING, INC. has initially been designated as Ernest P. Wiemer who will hold said stock as Nominee for ENW-IV HOLDINGS, INC. until approval of this transaction and its consummation.

The officers of GABLER TRUCKING, INC. will be:

President - Harold C. Gabler, Jr.  
Vice-President - P. Thomas Gabler  
Secretary-Treasurer - Harmon Piper

The original directors of GABLER TRUCKING, INC. will be:

Harold C. Gabler, Jr.  
Ernest P. Wiemer  
P. Thomas Gabler

The stock in H. C. Gabler, Inc. is owned as follows:

Class A Voting Preferred Stock

Eleanor S. Gabler and Valley Bank and Trust Company,  
Trustees for Harold C. Gabler, Sr., U/A  
2,108 Shares

Class B Non-Voting Preferred Stock

Eleanor S. Gabler and Valley Bank and Trust Company,  
Trustees for Harold C. Gabler, Sr., U/A  
17,119 Shares

Voting Common Stock

Harold C. Gabler, Jr.	900 Shares
P. Thomas Gabler	900 Shares
	1,800 Shares

Non-Voting Common Stock

Harold C. Gabler, Jr.	14,876 Shares
P. Thomas Gabler	14,876 Shares
	29,752 Shares
Total Outstanding	50,779 Shares

Shares Held in Treasury

Voting Common	100 Shares
Non-Voting Common	1,600 Shares
Treasury Stock	1,700 Shares

The directors of H. C. Gabler, Inc. are as follows:

Harold C. Gabler  
Harold C. Gabler, Jr.  
P. Thomas Gabler  
Eleanor S. Gabler

The officers of H. C. Gabler, Inc. are:

Chairman of the Board of Directors	H. C. Gabler, Sr.
President	Harold C. Gabler, Jr.
Executive Vice President & Secretary	P. Thomas Gabler
Treasurer and Asst. Secretary	Eleanor S. Gabler
Vice President	Harmon Piper
Vice President	Robert L. Summers

H. C. Gabler, Inc. upon approval and consummation of this transaction, will no longer possess any operating authority but will continue in business in its other operations. Its stockholders and directors will remain the same, as will its officers. While Harold C. Gabler, Jr. will become President of Gabler Trucking, Inc., he will devote 80 percent of his time to Gabler Trucking, Inc. and 20% of his time to H. C. Gabler, Inc. P. Thomas Gabler will devote 60 percent of his time to Gabler Trucking, Inc. and 40 percent of his time to H. C. Gabler, Inc.

Robert L. Summers as Vice-President will devote 100 percent of his time to H. C. Gabler, Inc. as will Harold C. Gabler, Chairman of the Board.

The business of H. C. Gabler, Inc., after approval and consummation, will be in the tire business, the ownership and development of real estate in the nature of truck terminals and warehouses and in equipment rental.

The sole stockholder of ENW-IV Holdings, Inc. is Ernest P. Wiemer. The directors are Ernest P. Wiemer, Mark E. Wiemer and Nora K. Wiemer. The same three individuals are also the officers, with Ernest P. Wiemer being President; Mark E. Wiemer, Vice-President and Treasurer; and Nora K. Wiemer, Secretary.

This corporation is incorporated in Delaware and its principal office is at 2005 Biloxi Circle, Plano, Texas 75075.

It is contemplated that upon consummation of the transaction Ernst P. Wiemer who will be holding stock as a nominee for ENW-IV Holdings, Inc. and will turn that stock over to the corporation. In any case, ENW-IV Holdings in that event will pay to H. C. Gabler, Inc. the consideration of Seven hundred fifty-thousand (\$750,000) Dollars. In the event it does not make said payment the stock in Gabler Trucking, Inc. will then be issued to Harold C. Gabler; Harold C. Gabler, Jr.; Eleanor S. Gabler and P. Thomas Gabler.

This page IS subject to the Fuel Surcharge Supplement.  
The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

ICC-GBLR-110  
FREIGHT PA-PUC 20

H. C. GABLER, INC.  
Scope of Operations Tariff

Original Page 30-A

SECTION 2

Docket No. 83975

§ Folder 3

To transport, as a Class D carrier, milk from points in the Townships of Saint Thomas and Hamilton to the Boroughs of Chambersburg, Mercersburg and Greencastle, Franklin County, and the Borough of Shippensburg, Cumberland County.

To transport, as a Class D carrier, fruit and vegetables from farms and orchards to canneries and packing, storage and freight houses between points in the Counties of Franklin and Adams.

To transport, as a Class D carrier, farm products, farm machinery and supplies from points in the Township of Hamilton and Saint Thomas to the Borough of Chambersburg, Franklin County, and vice versa; provided such transportation shall either originate or terminate at a farm.

To transport, as a Class D carrier, heavy or bulky machinery for the Chambersburg Implement Company from the City of Harrisburg, Dauphin County to points within fifteen (15) miles by the usually traveled highways of the limits of the Borough of Chambersburg, Franklin County, excluding the said borough.

To transport, as a Class D carrier, apples and apple products from the plant of the Knouse Corporation in the Borough of Chambersburg, Franklin County, to the Village of Peach Glen, Adams County, and vice versa.

To transport, as a Class D carrier, powdered milk from the plant of the Hershey Creamery Company in the Borough of Chambersburg, Franklin County, to points within one hundred fifty (150) miles by the usually traveled highways of the limits thereof, excluding transportation from the Hershey Creamery Company's plant in the Borough of Chambersburg, Franklin County, to points on the route of Horn's Motor Express and the routes of its connecting carriers, namely, Motor Freight Express, from the city of Harrisburg, Dauphin County, to the Cities of Lancaster and Philadelphia, and Hall's Motor Transit Company, from the City of Harrisburg, Dauphin County, to the Cities of Sunbury, Williamsport, Wilkes-Barre and Scranton.

To transport, as a Class D carrier, cream from the Borough of Chambersburg, Franklin County, to the City of Harrisburg, Dauphin County.

To transport, as a Class D carrier, apples and peaches from points in the Counties of Franklin and Adams to points within two hundred (200) miles by the usually traveled highways of the limits thereof.

(concluded on next page)

§ - Brought forward, without change, from Original Page 30.

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: SEPTEMBER 10, 1979

INTERSTATE: OCTOBER 15, 1979  
EFFECTIVE: INTRASTATE: SEPTEMBER 15, 1979  
(Under authority of Certificate No. A.83975, Folder 2, Am-B)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

MF-ICC 34  
FREIGHT PA-FUC 20

H. C. GARLER, INC.  
Scope of Operations Tariff

Original Page 31

SECTION 2

Docket No. 83975

Folder 3 - concluded

To transport, as a Class C carrier, apples and apple products for the Knouse Corporation located in the Borough of Chambersburg, Franklin County, and the Village of Peach Glen, Adams County, to points within two hundred (200) miles by the usually traveled highways of the limits thereof.

To transport, as a Class C carrier, castings, patterns and supplies in shipments weighing fourteen thousand (14,000) pounds or more and single units weighing six thousand (6,000) pounds or more which require the use of Mechanical cranes for loading or unloading for the Chambersburg Engineering Company from points within two hundred (200) miles by the usually traveled highways of the limits of the Borough of Chambersburg, Franklin County, to the plant of the said company in the said borough.

To transport, as a Class D carrier, packing house supplies, cannery supplies, farm supplies and food products in containers between canneries, packing houses, storage houses and freight houses in the Counties of Franklin and Adams, and from said places to farms in the said counties, and vice versa.

To transport, as a Class C carrier, castings, patterns, products and supplies which require mechanical cranes for loading and unloading and flat-bottom open-top trucks or trailers for the transportation for the Chambersburg Engineering Company from its plant in the Borough of Chambersburg, Franklin County, to points in Pennsylvania.

Folder 3, Am-B

To transport, as a Class D carrier, frozen foods from the plants of Knouse Foods, Inc. and Knouse Foods Cooperative, Inc. in the village of Peach Glen and Orttanna, Adams County, to points in Pennsylvania, and vice versa.

Folder 3, Am-C

To transport, as a Class D carrier, empty containers and materials and supplies used in the production of food products from points in Pennsylvania west of U.S. Highway Route 15 to the plants of Knouse Foods, Inc. and Knouse Foods Cooperative, Inc., in the Village of Orttanna, Adams County.

To transport, as a Class D carrier, dry sugar in bulk from points in Pennsylvania to the plants of Knouse Foods, Inc., and Knouse Foods Cooperative, Inc., in the Borough of Chambersburg, Franklin County.

Subject to the following conditions:

That no right, power or privilege is granted to transport any property from the Borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) miles of the limits of said borough.

That no right, power or privilege is granted to transport glass containers from the Borough of South Connellsville, Fayette County.

That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles, except dry sugar in bulk.

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: JULY 20, 1976

EFFECTIVE: AUGUST 23, 1976

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

MF-ICC 34  
FREIGHT PA-PUC 80

H. C. GABLER, INC.

1st Revised Page 32  
Cancels  
Original Page 32

Scope of Operations Tariff

SECTION 2

Docket No. 83975

Folder 3 Am-D and Folder 3 Am-J

To transport, as a Class D carrier, fruits, fresh and canned, farm products and supplies, from points in the County of Adams to points in Pennsylvania and vice versa.

To transport, as a Class D carrier, fruits from storage houses in the County of Adams to other points in Pennsylvania.

To transport, as a Class D carrier, fresh fruit from orchards and packing houses in the Counties of Adams, Franklin, Cumberland and York for Musselman Fruit Products Division of Pet, Inc. to its canneries at Gardners and Biglerville, Adams County.

To transport, as a Class D carrier, canned products, from such canneries to other points in Pennsylvania, and empty containers, supplies and returned goods from other points in Pennsylvania to the canneries.

To transport, as a Class D carrier, fresh fruit for the Knouse Corporation of the same nature and in the same manner as for Musselman Fruit Products Division of Pet, Inc. to its cannery at Peach Glen, Adams County.

To transport, as a Class D carrier, feed, constituent parts of feed and fertilizer for L. A. Gulden from Philadelphia, to applicant's warehouse at Biglerville, Adams County, and to farmers and dealers in the Counties of York, Adams, Franklin, Fulton, Perry, Cumberland and Dauphin either directly from Philadelphia or from the applicant's warehouse.

To transport, as a Class D carrier, foodstuffs from canneries, packing houses and storage places operated in connection therewith in Adams County, and materials and supplies used in said canneries and packing houses to points in Pennsylvania, and vice versa.

ⓐ The right immediately above subject to the following condition:

No right, power or privilege is granted to transport frozen or other commodities requiring refrigeration trucks from points in the City of Harrisburg, Dauphin County, and points within an airline distance of ten (10) miles of the limits of said city.

To transport, packing house supplies and equipment and clay products, as a Class D carrier, from points in the County of Adams to other points in Pennsylvania, and vice versa.

To transport building materials, as a Class D carrier, between points in the Counties of Adams, Cumberland, York, Franklin, Perry, Lancaster and Dauphin, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of disposal, and excluding the transportation of brick or by-products of brick from the City of Harrisburg, Dauphin County, as a point of origin.

To transport, as a Class B carrier, property between points in the Borough of Biglerville, Adams County.

To transport, as a Class D carrier, fruits and vegetables and fruit and vegetable products, canned or packed, in metal or glass containers, vinegar, cereal products and baby foods, from canneries, packing houses and storage places operated in connection therewith in Adams County, and materials and supplies used by said canneries and packing houses to points in Pennsylvania and vice versa.

The right immediately above subject to the following condition:

No right, power or privilege is granted to transport frozen or other commodities requiring refrigeration trucks from points in the City of Harrisburg, Dauphin County, and points within an airline distance of ten (10) miles of the limits of said city.

Folder 3, Am-E

To transport, as a Class D carrier, sugar in bags from points in the City and County of Philadelphia to points in the County of Franklin, and the return of refused or rejected shipments to the point of origin.

Folder 3, Am-F

To transport, as a Class D carrier, grass stop, in rolls, metal stove shovels, metal roofing and siding and fabricated metal building products, from the plant site of Penn Supply and Metal Corporation in the city and county of Philadelphia to points in Pennsylvania, with the right to return materials and supplies used in the manufacture of said commodities and refused or rejected shipments to the said plant site;

(concluded on next page)

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: OCTOBER 1, 1976

EFFECTIVE: NOVEMBER 6, 1976

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

MF-ICC 34  
FREIGHT PA-PUC 20

H. C. GABLER, INC.  
Scope of Operations Tariff

1st Revised Page 33  
Cancels  
Original Page 33

SECTION 2

▲(C)Certificate No. A.83975

Folder 3, Am-F - concluded

Subject to the following conditions:

That no right, power or privilege is granted to provided service to or from points in the city and county of Philadelphia and points within an airline distance of thirty-five (35) statute miles of the Philadelphia City Hall.

That no right, power or privilege is granted to provided service from the plants of the Bethlehem Steel Corporation in Cambria County.

▲(C) Folder 3, Am-G - CANCEL. See Folder 3, Am-O.

Folder 3, Am-H

To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain grocery food business houses (except commodities in bulk), between points in the borough of Hanover and the township of Penn, York County, and from points in said borough and township to points in that part of Pennsylvania west of U.S. Highway Route 219, and vice versa.

Folder 3, Am-I

To transport, as a Class D carrier, property from the plant site of PPG Industries, Inc., in the township of South Middleton, Cumberland County, to points in Pennsylvania, and vice versa.

Subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport commodities in bulk in dump vehicles or tank vehicles.

SECOND: That no right, power or privilege is granted to transport property which, because of size or weight, requires special handling or the use of special equipment such as winch trucks or tractors, pole trailers, extendible trailers or carryalls.

THIRD: That no right, power or privilege is granted to transport household goods in use.

FOURTH: That no right, power or privilege is granted to transport junk, scrap iron, metal borings, and metal turnings for Maryland Metals, Inc. to points in the borough of Lewistown, Mifflin County, and to that part of Pennsylvania bounded on the east by U.S. Highway Route 219 and on the north by U.S. Highway Routes 322 and 62, including points on said routes, and to plants of the Bethlehem Steel Company in the county of Cambria.

(C) - Indicates change or addition.  
For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: DECEMBER 22, 1977

EFFECTIVE: INTERSTATE: JANUARY 27, 1978  
INTRASTATE: DECEMBER 30, 1977  
(Under authority of Certificate No. A.83975, Folder 3, Am-O)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

MP-ICC 34  
FREIGHT PA-POC 20

H. C. GABLER, INC.  
Scope of Operations Tariff

Original Page 34

SECTION 2

Docket No. 83975

Folder 3, Am-K

To transport, as a Class D carrier, foodstuffs, pet foods, drugs, waxes and polishes, and paper and wrapping items (excluding commodities in bulk), from the warehouse of D. Westervelt, Inc. in the borough of Hanover, York County, to points in that part of Pennsylvania on and east of U.S. Highway Route 219 and vice versa.

Subject to the following condition:

That no right, power or privilege is granted to transport any single shipment weighing less than 10,000 pounds.

Folder 3, Am-L

To transport, as a Class D carrier, foodstuffs (except in bulk) in vehicles equipped to protect from heat or cold, from the facilities of Hershey Foods Corporation in the township of Derry, Dauphin County, to points in Pennsylvania; and the return of materials and supplies (except in bulk) used in the production of foodstuffs, in vehicles equipped to protect from heat or cold.

To transport, as a Class D carrier, foodstuffs (except in bulk) from the facilities of San Giorgio Macaroni, Inc., in the city of Lebanon, Lebanon County, to points in Pennsylvania; and the return of materials and supplies (except in bulk) used in the production of foodstuffs.

The preceding right subject to the following conditions:

That no right, power or privilege is granted to render service to or from points in the counties of Berks, Blair, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Delaware, Huntingdon, Juniata, Lackawanna, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Schuylkill, Snyder, Union and Wyoming.

That no right, power or privilege is granted to transport containers, closures, cartons or boxes from Brockway Glass Company, Inc., in the city of Washington, Washington County.

Folder 3, Am-M

To transport, as a Class D carrier, property from the facilities of Calgon Consumer Products Company, Inc., subsidiary of Merck & Co., Inc., in Falls Township, Bucks County, to points in Pennsylvania (excluding points in the counties of Philadelphia, Chester, Delaware, Bucks, Montgomery, Franklin, Perry, Adams, Dauphin, York, Lancaster and Lebanon).

Subject to the following conditions:

FIRST: Provided that transportation to points in the county of Cumberland shall be limited to the facilities of Dauphin Distribution Services Co.

SECOND: Provided that no right, power or privilege is granted to perform transportation to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the limits of said city; points in the borough of Lewistown, Mifflin County, and points within an airline distance of ten (10) statute miles of the limits thereof; points in the borough of State College, Centre County, and points within an airline distance of ten (10) statute miles of the limits thereof; and points in the borough of Huntingdon, Huntingdon County, and points within an airline distance of five (5) statute miles of the limits thereof.

To transport, as a Class D carrier, soap, soap products and cleaning compounds marketed by Armour-Dial, Inc., from the plant site of Purex Corp., in the borough of Bristol, Bucks County, to points in Pennsylvania (excluding points in the counties of Philadelphia, Chester, Delaware, Bucks, Montgomery, Franklin, Perry, Adams, Dauphin, York, Lancaster and Lebanon).

Subject to the following conditions:

FIRST: Provided that deliveries to points in Cumberland County shall be limited to the facilities of Dauphin Distribution Services Co.

(concluded on next page)

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: JULY 20, 1976

EFFECTIVE: AUGUST 23, 1976

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201



The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

MF-ICC 34  
FREIGHT PA-PUC 20

H. C. GABLER, INC.  
Scope of Operations Tariff

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Cancels  
Original Page 35

SECTION 2

▲(C)Certificate No. A.83975

Folder 3, Am-M - concluded

SECOND: Provided that no right, power or privilege is granted to perform transportation to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the limits of said city; points in the borough of Lewistown, Mifflin County, and points within an airline distance of ten (10) statute miles of the limits thereof; points in the borough of State College, Centre County, and points within an airline distance of ten (10) statute miles of the limits thereof; and points in the borough of Huntingdon, Huntingdon County, and points within an airline distance of five (5) statute miles of the limits thereof.

THIRD: Provided that no right, power or privilege is granted to perform transportation to points in the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) statute miles of the limits of said borough, plus the city of Johnstown, Cambria County, and the boroughs and townships contiguous thereto.

Folder 3, Am-N

To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail, and chain grocery food houses (except commodities in bulk), from the plant sites, warehouses and distribution centers of:

1. Hanover Terminals, Inc. and Hanover Brands, Inc. in the borough of Hanover and the township of Penn, York County;
2. D. Westervelt, Inc., in the boroughs of Hanover, New Freedom, and Shrewsbury and the township of Penn, York County;
3. California Cannery and Growers in the township of Conewago, Adams County.

to points in Pennsylvania, and vice versa;

provided that no right, power or privilege is granted:

1. To perform transportation of containers from the city of Clarion and the township of Paint, Clarion County;
2. To transport any single shipment weight less than 10,000 pounds from points in the borough of Hanover and the township of Penn, York County, to points on and east of U.S. Highway 219, and vice versa; and
3. To transport any single shipment weighing less than 10,000 pounds from the boroughs of New Freedom and Shrewsbury, York County, and the township of Conewago, Adams County, to points in Pennsylvania, and vice versa, except to and from points on and west of U.S. Highway 220 and points on and south of U.S. Highway 22.

⊙(C)Folder 3, Am-O

To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain grocery food business houses (except commodities in bulk), from the plant sites and warehouses of Dauphin Distribution Services Co., in the borough of Camp Hill and the township of Hampden, Cumberland County, to points in Pennsylvania with the right to return refused, damaged or rejected shipments to the point of origin;

Subject to the following condition:

That no right, power or privilege is granted to render service to the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) statute miles of the limits of said borough, except on multiple delivery shipments involving destinations both within and beyond said territory on the same truckload.

(C) - Indicates charge or addition.  
For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: DECEMBER 22, 1977

EFFECTIVE: INTERSTATE: JANUARY 27, 1978  
INTRASTATE: DECEMBER 30, 1977  
(Under authority of Certificate No. A.83975, Folder 3, Am-O)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

ICC-GHLR-110  
FREIGHT PA-PUC 20

E. C. GABLER, INC.  
Scope of Operations Tariff

4th Revised Page 36  
Cancels  
3rd Revised Page 36

SECTION 2

Docket No. 83975

Folder 3, Am-Q

To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain food grocery business houses, except commodities in bulk, from points in that part of Pennsylvania on and west of US Highway Route 219, and from the shipping facilities of the Durkee Foods Division of SCM Corporation in the City of Bethlehem, Lehigh and Northampton Counties, the Borough of Pen Argyl, and the Township of Plainfield, Northampton County, to the facilities of Dauphin Distribution Services Co. in the Borough of Camp Hill and the Township of Hampden, Cumberland County.

Subject to the following condition:

That transportation from the shipping facilities of the Durkee Foods Division of SCM Corporation shall be limited to shipments of thirty thousand (30,000) pounds or more.

Folder 3, Am-R

To transport, as a Class D carrier, animal feed, from the facilities of Perk Foods Company, Division of C. H. B. Foods, Inc., located in the Township of Lower Allen, Cumberland County, to points in Pennsylvania.

Folder 3, Am-S

1. To transport, as a Class D carrier, such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from points in the county of Cumberland, to points in Pennsylvania, and vice versa.

2. To transport, as a Class D carrier, such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from the facilities of H.J. Heinz, located in the county of Allegheny, to points in Pennsylvania, and vice versa.

Both of the above rights subject to the following condition:

That no right, power or privilege is granted to provide service from the facilities of Ralston Purina Company.

Folder 4

To transport, as a Class D carrier, milk and farm products, fruit and vegetables from points in the Townships of Greene, Guilford and Southampton, Franklin County, and within three(3) miles of the limits of said townships to other points in Pennsylvania within fifty(50) miles by the usually traveled highways of the limits of said townships, and vice versa.

To transport, as a Class D carrier, household goods, in use, from points in the Borough of Chambersburg, Franklin County, and within three(3) miles of the limits of said borough to other points in Pennsylvania, and vice versa, provided that such transportation shall originate or terminate at a farm or a rural dwelling.

To transport, as a Class D carrier, fruit from orchards and packers in the County of Franklin to other points in Pennsylvania.

To transport, as a Class D carrier, fruit juices from the Village of Scotland, Green Township, Franklin County, to points in Pennsylvania, and the return of empty containers to points in the said village, provided that no fruit juices shall be transported to points on the direct lines of Horn's Motor Express, nor shall any empty containers be transported from or to points on the direct lines of Horn's Motor Express (Formerly A 37906, Folder 4).

Folder 4, Am-A

To transport, as a Class D carrier, containers and container parts, from the plant site of Continental Can Company in the city of Lancaster, Lancaster County, and its warehouses in the county of Lancaster, to points in Pennsylvania (except points in the county of Adams).

Subject to the following condition:

That the service herein authorized shall be limited to transportation in high-cube and extra high-cube van trailers having a rear door opening of one hundred(100) inches or more.

For application of provisions formerly shown above, see 1st Revised Page 37.

(C) - Indicates Change or Addition.

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: JUNE 8, 1981

EFFECTIVE: INTERSTATE: JULY 10, 1981  
INTRASTATE: JUNE 10, 1981  
(Under authority of Certificate No. A-00083975  
Folder 3, Am-S)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

▲ICC-GBLR-110  
FREIGHT PA-PUC 20

H. C. GABLER, INC.  
Scope of Operations Tariff

1st Revised Page 37  
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SECTION 2

Docket No. 83975

▲Folder 5, Am-D

To transport, as a Class D carrier, dry pyrophyllite, in flat bed vehicles, dump vehicles and pneumatic tank vehicles, from points in the Townships of South Middleton and Dickinson, Cumberland County, to points in Pennsylvania; provided that transportation to points within thirty(30) miles of the limits of the Borough of Martinsville, Blair County, shall be confined to transportation in dump vehicles and pneumatic tank vehicles, and the right to return rejected or refused shipments from points in Pennsylvania to points in the Townships of South Middleton and Dickinson, Cumberland County.

▲Folder 5, Am-E

To transport, as a Class D carrier, slate dust, in bulk, and ground, crushed and pulverized slate, in bulk, from the plant of Roofing Granule Division of the Ruberiod Company in the Township of Peach Bottom, York County, to points in Pennsylvania, and the right to return refused or rejected shipments to the point of origin.

Folder 6

To transport, as a Class D carrier, raw milk, in bulk in tank trucks, for Cherry Lane Dairy, Shively's Dairy and Chambersburg Dairy Products, all located in the Borough of Chambersburg, Arthur's Dairy located in the Borough of Waynesboro and Miller and Read's Dairy located in the Borough of Shippensburg, between points in the Borough of Chambersburg, Franklin County, and within sixty(60) miles of the limits of the Borough of Chambersburg and from points in the said territory to points within two hundred fifty(250) miles of the limits of the said Borough of Chambersburg;

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

FIRST: That no right, power or privilege is granted to perform transportation for:

1. Abbott's Dairies, Inc.
2. Sealtest Supplee Division of National Dairy Products
3. Harbison's
4. Foremost Dairies
5. Breyer's Ice Cream Co. Division of National Dairy Products
6. Lancaster Milk Co.
7. Penn-Dairies, Inc.
8. Hershey Creamery, Inc.
9. Hershey Chocolate Company
10. Rakestraw's Dairy Products
11. Harrington Dairies, Inc.

their present or future subsidiaries, affiliates, successors or assigns.

SECOND: That no right, power or privilege is granted to perform transportation to points in the cities of Harrisburg, York and Philadelphia and points in the Counties of Northumberland, Union, Snyder, Centre and Clinton.

▲ - Brought forward, without change, from 3rd Revised Page 36.  
For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: JUNE 8, 1981

ISSUED: INTERSTATE: JULY 10, 1981  
INTRASTATE: JUNE 10, 1981  
(Under authority of Certificate No.A-00083975  
Folder 5, Am-S)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

TRANSFER AGREEMENT

This TRANSFER AGREEMENT, made this First Day of November 1989

BY AND BETWEEN

ENW-IV HOLDINGS, INC., a Delaware corporation of 2005 Biloxi Circle, Plano, Texas 75075, hereinafter referred to as "ENW"

AND

H. C. GABLER, INC., a Delaware corporation of 1580 Gabler Road, Chambersburg, Pennsylvania 17201, hereinafter referred to as "GABLER"

WITNESSETH THAT:

WHEREAS, GABLER possesses certain authority issued by the Interstate Commerce Commission, Pennsylvania Public Utility Commission and the State Commissions of Maryland and North Carolina, together with certain assets used and useful in the trucking business and certain liabilities attributable thereto and is desirous of selling same to ENW or its nominee; and

WHEREAS, ENW is desirous of acquiring said assets and assuming said liabilities, and

WHEREAS, H. C. GABLER, INC. is retaining certain assets unrelated to the trucking business and is also retaining the liabilities applicable thereto,

NOW, THEREFORE, the parties hereto mutually intending to be bound do hereby agree as follows:

1. ENW agrees to purchase the trucking assets only of GABLER and to assume the trucking liabilities only of GABLER for a consideration of Seven hundred fifty-thousand (\$750,000) dollars, payable in cash at settlement.

2. The assets to be transferred and the liabilities to be assumed are as set forth on Exhibit A attached herto reflecting those assets and liabilities as at ~~October 18,~~ <sup>December 31</sup> 1989 in the column headed "To Be Transferred." It is specifically understood and agreed that the assets and liabilities in the column of Exhibit A headed "To Be Retained" will remain with GABLER.

*Handwritten initials: HCF*

3. ENW will form a new corporation in Delaware to be known as "Gabler Trucking, Inc." to which Gabler will, if necessary, file a Consent to Use Similar Name and in which ENW will be the sole stockholder. Gabler Trucking, Inc. will take over the assets and assume the liabilities set forth in the column "To Be Transferred" on Exhibit A attached hereto. The legal fees and costs incident to the formation of the new corporation shall be borne by ENW.

4. The new corporation, as a non-carrier, will file an Application for Control and Petition for Exemption with the Interstate Commerce Commission under 49 U.S.C. Sec. 11343(e) and will concurrently file an Application for Temporary Authority with said Commission under 49 U.S.C. 11349. Both the Petition for Exemption and the Temporary Authority Application shall be so structured as to cover the interstate operating authority of GABLER and the Pennsylvania, Virginia and North Carolina intrastate operating authority of GABLER. The cost and fees incident to said Petition and Application for Temporary Authority shall be borne by ENW.

5. As further consideration payable to GABLER in connection with this transaction, the following shall apply:

a. ENW will cause its newly-formed corporation to enter into an employment contract with Harold C. Gabler, Jr. for a three-year period at an annual salary of Eight five thousand (\$85,000) dollars plus all presently-existing fringe benefits.

b. ENW will cause its newly-formed corporation to enter into an employment contract with P. Thomas Gabler for a term of three years at an annual salary of Seventy five thousand (\$75,000) dollars plus all presently-existing fringe benefits.

c. ENW will cause its newly-formed corporation to enter into an employment contract with Harold C. Gabler, III, for a term of three years at an annual salary of Forty five thousand (\$45,000) dollars, subject to all presently-existing benefits.

d. The employment contracts mentioned in Subparagraphs a, b and c to this paragraph shall be guaranteed by Gabler Trucking, Inc., when formed. In the event that Gabler Trucking, Inc. is liquidated, net proceeds (funding remaining after primary lenders have been satisfied) from such liquidation will be made available for the above employment contracts prior to any distribution to be made to Gabler Trucking, Inc. or ENW. If Gabler Trucking, Inc. is sold, the contracts are either to be paid out in full or continued in full force and effect with a guarantee by the purchaser.

e. ENW will cause the newly-formed corporation to make available to GABLER accounting and computer services for its remaining businesses for a period of six (6) months at no charge to GABLER, beginning with settlement date, in order that GABLER will have time to acquire its own computer replacement service.

f. ENW agrees that GABLER may continue to transport fresh fruits and vegetables in both inter- and intrastate commerce even if such transportation shall require the securing of separate Pennsylvania Public Utility Commission operating authority to permit such transportation; and specifically agrees that it will not protest or induce others to protest such an application. Such transportation shall not be construed as a violation of the Covenant Not To Compete set forth in Paragraph 6.

g. ENW will cause the newly-formed corporation to lease the GABLER terminals at Winchester, Virginia; Baltimore, Maryland; Charlotte, North Carolina; and its Pennsylvania terminals at Aspers, New Kingstown 1 and New Kingstown 2; and its parking facilities at Mechanicsburg; and its main terminal at Chambersburg, for a rental to be negotiated. These terminals (less any warehouses or leased space therein) shall be leased for a term of ninety (90) days beginning at settlement date, with the Lessee ENW or its nominee to give notice on or before sixty (60) days of the term as to its intention to terminate said leases or to expand them for a term of not less than one year. Said notice shall be in writing. Should there be any capital improvements required by ENW or its newly-formed corporation, the minimum term applicable to the terminal involved shall be a three-year to five-year lease, depending upon the cost of the capital improvements. Should temporary authority be granted, the newly-formed corporation shall be entitled to occupy said terminals provided that it shall pay all expenses incident to the occupancy.

6. Upon approval of the Petition for Exemption, GABLER agrees not to compete with Gabler Trucking, Inc. for a period of five (5) years in the trucking business only, within the area of GABLER'S present operations and this Covenant Not To Compete shall be enforceable by Gabler Trucking, Inc. in any court of competent jurisdiction and GABLER agrees that the capabilities of its stockholders, officers and directors are such that an enforcement of an injunction to enforce this Covenant Not To Compete will not deprive them of a livelihood. The transportation of fresh fruits and vegetables as mentioned in Paragraph 5.e. shall not be construed as a violation of their Covenant Not To Compete. If Gabler Trucking, Inc. is sold the Covenant shall continue in effect for the full five-year period which shall commence with settlement date. Should Gabler Trucking, Inc. ~~be liquidated~~ <sup>DECIDE TO LIQUIDATE IN WAY</sup>, this Covenant shall be of no further force and effect.

7. Should there be any contingent liabilities of any of the stockholders of GABLER on any of the liabilities being assumed by ENW, the contingent liability shall be released or assumed by ENW or its newly-formed corporation.

*Handwritten: J.P. Hill*  
*Handwritten: SIX*  
8. GABLER agrees to employ Ernest P. Wiemer at a salary of ~~Five~~ <sup>SIX</sup> thousand (\$6,000) dollars per month, plus normal business-related expenses, effective ~~from November 1, 1989.~~ <sup>in December</sup> Effective December 1, 1989, GABLER agrees to designate Wiemer as General Manager. If temporary authority is granted by the Interstate Commerce Commission, this salary will be paid by the new corporation, Gabler Trucking, Inc.



9. GABLER agrees that Ernest P. Wiemer may announce publicly the fact of this Agreement and its details and the fact of his appointment as General Manager with full control of the motor carrier operations of GABLER.

10. Any major expenses including, but not limited to, legal, accounting and auditing to be paid by GABLER will be repaid to GABLER by ENW or its newly-formed corporation at settlement date. In the event ENW does not consummate the proposed transaction once financing is in place and all Agreements have been executed, ENW will pay all fees and costs incurred.

11. Should temporary authority be granted GABLER agrees to lease the motor vehicle equipment to Gabler Trucking, Inc. for a period beginning with the grant of temporary authority and expiring with May 15, 1990 for a rental equivalent to the ~~Federal income tax depreciation thereon~~ <sup>MONTHLY PAYMENT ON EQUIPMENT LEASES & LOANS THEREON</sup> in order to avoid the necessity of paying duplicate registration fees. The titles to equipment plus Twenty-five thousand (\$25,000) dollars, shall be deposited with an escrow agent to be named, with instructions to the escrow agent that upon final approval by the ICC and not later than May 15, 1990, the titles shall be delivered to Gabler Trucking, Inc. or ENW or their designee and then Twenty-five thousand (\$25,000) dollars shall be delivered to GABLER.

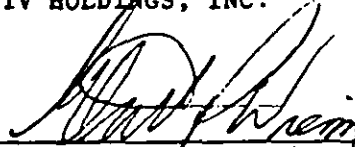
12. In the event ENW shall not have its funding in place to pay the consideration and the fees and expenses required by this transaction within ~~ninety (90)~~ <sup>SIXTY (60)</sup> days, ENW will pay GABLER the sum of Fifteen thousand (\$15,000) dollars per month until funding is in place, which amount shall be deducted from the total consideration set forth in Paragraph 1 hereof.

13. The parties hereto agree that they have executed this Agreement in due legal form, having full legal authority so to do.

IN WITNESS WHEREOF, this Transfer Agreement has been duly executed, to be effective from the date first set forth above.


ENW-IV HOLDINGS, INC.

By:

  
Ernest P. Wiemer

H. C. GABLER, INC.

By:

  
Harold C. Gabler, Jr., President

**H. C. GABLER, INC. and GABLER TRUCKING, INC.**

**Balance Sheet Breakdown as of 12-31-99**

To be retained by H.C.Gabler, Inc.      To be transferred to Gabler Trucking, Inc.

ASSETS	Current Assets	Current Assets	Total Combined
<b>Current Assets</b>			
Cash F and H Trust Co.	0.00	(92,917.32)	(92,917.32)
Cash Southern Natl Bank	0.00	26,946.94	26,946.94
Cash F and H Trust Mgt.	0.00	9,533.33	9,533.33
Working Fund	200.00	822.50	1,022.50
Misc Special Ins. Deposits	0.00	99,576.00	99,576.00
Accts Recd Revenue	264,825.74	1,545,477.79	1,810,303.53
Accts Recd Tires	102,308.05	0.00	102,308.05
Accts Recd. Others	0.00	6,830.82	6,830.82
Allow for Uncollect Accts	(9,051.77)	(2,201.98)	(11,253.75)
Prepaid Taxes and License	0.00	42,852.34	42,852.34
Prepaid State Income Taxes	10,722.77	0.00	10,722.77
Prepaid Federal Income Tax	25,893.91	0.00	25,893.91
Prepaid Fed Highway Use Tax	0.00	0.00	0.00
Prepaid Real & Property T	40,742.34	3,217.05	43,959.39
Prepaid Insurance Liability	6,675.02	30,892.70	37,567.72
Prepaid Life Ins on Officers	2,945.34	1,665.85	4,611.19
Prepaid Interest	0.00	1,365.40	1,365.40
Inventory New Tires	394,152.60	0.00	394,152.60
Inventory Recapping	74,974.24	0.00	74,974.24
Inventory Diesel & Gas	39,572.06	37,106.24	76,678.30
Other Materials & Supplies	0.00	120,383.05	120,383.05
Inventory Svcs-Parts Oil etc	40,241.18	0.00	40,241.18
<b>Total Current Assets</b>	<b>995,257.48</b>	<b>1,855,250.71</b>	<b>2,850,538.19</b>
		↑	
<b>Tangible Property</b>			
Land Winchester,	161,166.60	0.00	161,166.60
Land Aspers	22,909.50	0.00	22,909.50
Land Baltimore, Md.	784,000.00	0.00	784,000.00
Land New Kingstown #1	65,849.90	0.00	65,849.90
Land New Kingstown #2	85,500.00	0.00	85,500.00
Land Mechanicsburg	26,592.09	0.00	26,592.09
Land Charlotte, N. Car.	68,943.50	0.00	68,943.50
<b>Total Land</b>	<b>1,220,361.59</b>	<b>0.00</b>	<b>1,220,361.59</b>
Structures Winchester Term	113,325.48	0.00	113,325.48
Structures Aspers Term	114,952.04	0.00	114,952.04
Structures New Kingstown #1	68,732.96	0.00	68,732.96
Structures New Kingstown #2	250,910.82	0.00	250,910.82
Structures Mechanicsburg	25,763.25	0.00	25,763.25
Structures Charlotte	65,947.71	0.00	65,947.71
Improvement Leasehold Property	129,750.48	0.00	129,750.48
Structures Baltimore	994,626.50	0.00	994,626.50
Structures Aspers Warehouse	1,086,010.18	0.00	1,086,010.18
Structures Charlotte Dist.	251,743.15	0.00	251,743.15
Structures Tires Off & Shop #1	138,572.41	0.00	138,572.41
Structures Tires Off & Shop #2	100,638.29	0.00	100,638.29
<b>Total Structures</b>	<b>4,243,233.27</b>	<b>0.00</b>	<b>4,243,233.27</b>
Accu Depr Winc Term	(86,921.41)	0.00	(86,921.41)
Accu Depr Aspers Terminal	(109,400.56)	0.00	(109,400.56)

EWSTBK

H. C. Gabler, Inc. and Gabler Trucking, Inc.  
 Balance Sheet Breakdown  
 Dated 12-31-89

Accu Depr New King. #1	(26,957.53)	0.00	(26,957.53)
Accu Depr New King. #2	(17,922.06)	0.00	(17,922.06)
Accu Depr Mechanicsburg	(25,783.25)	0.00	(25,783.25)
Accu Depr Charlotte	(17,351.58)	0.00	(17,351.58)
Accu Depr Improvements L-R Pro	(118,474.12)	0.00	(118,474.12)
Accu Depr Baltimore	(222,156.49)	0.00	(222,156.49)
Accu Depr Aspers Warehouse	(567,766.47)	0.00	(567,766.47)
Accu Depr Charlotte Dist	(117,876.28)	0.00	(117,876.28)
Accu Depr Tires Off & Shop #1	(11,370.72)	0.00	(11,370.72)
Accu Depr Tires Off & Shop #2	(6,468.46)	0.00	(6,468.46)
Total Accu Depr	(1,328,510.93)	0.00	(1,328,510.93)
Book Value of Structures	2,914,742.34	0.00	2,914,742.34
Service Cars & Equipment	0.00	188,721.18	188,721.18
Tractors	0.00	1,099,881.51	1,099,881.51
Van Trailers	0.00	3,974,657.26	3,974,657.26
Flat Trailers	0.00	0.00	0.00
Shop & Garage Equipment	0.00	14,085.86	14,085.86
Furniture & Office Equip	0.00	50,541.22	50,541.22
Miscellaneous Equip	0.00	91,642.90	91,642.90
Computer Equipment	0.00	90,727.02	90,727.02
Telephone Equipment	0.00	60,725.82	60,725.82
Computer Software	0.00	74,660.00	74,660.00
Rent-Me Equipment	787,373.59	0.00	787,373.59
Tires Equip & Storage Vans	223,370.61	0.00	223,370.61
H C Gabler Misc Equip	257,364.12	0.00	257,364.12
Total Equipment	1,328,608.32	5,635,642.77	6,964,251.09
Accu Depr Service Equip	0.00	(145,043.87)	(145,043.87)
Accu Depr Tractors	0.00	(797,843.83)	(797,843.83)
Accu Depr Trailers	0.00	(2,362,006.46)	(2,362,006.46)
Accu Depr Flat Trailers	0.00	0.00	0.00
Accu Depr Shop & Garage Eq	0.00	(12,662.05)	(12,662.06)
Accu Depr Furniture & Off Eq	0.00	(28,579.64)	(28,579.64)
Accu Depr Misc. Equip	0.00	(70,566.05)	(70,566.05)
Accu Depr Computer Equip	0.00	(58,941.07)	(58,941.07)
Accu Depr Telephone Eq	0.00	(56,084.82)	(56,084.82)
Accu Depr Rent-Me Eq	(664,724.39)	0.00	(664,724.39)
Accu Depr Tire Equip & Vans	(119,977.71)	0.00	(119,977.71)
Accu Depr H C Gabler Misc Eq	(206,968.66)	0.00	(206,968.66)
Total Accu Depr Equip	(971,670.76)	(3,538,727.80)	(4,530,398.56)
Book Value of Equipment	336,937.56	2,096,914.97	2,433,852.53
Total Tangible Property	4,472,041.49	2,096,914.97	6,568,956.46

ENSTBI:

H. C. Gabler, Inc. and Gabler Trucking, Inc.  
Balance Sheet Breakdown  
Dated 12-31-89

Intangible Property			
Settlement Fees Balt	24,092.90	0.00	24,092.90
Accu Depr Settlement Fees	(4,684.75)	0.00	(4,684.75)
Total Intangible Property	19,409.15	0.00	19,409.15
Investments Life Insurance	146,500.77	8,217.46	154,718.23
Working Advances Employees	0.00	1,600.00	1,600.00
Misc Special Deposits	0.00	10,337.00	10,337.00
Total Others	146,500.77	20,154.46	166,655.23
<b>TOTAL ASSETS</b>	<b>5,633,238.89</b>	<b>3,972,320.14</b>	<b>9,605,559.03</b>
<b>LIABILITIES</b>			
Current Liabilities			
Accu Payroll Deductions	3,616.05	29,527.98	33,144.03
Accounts Payable	181,823.74	252,331.78	464,155.52
Accounts Payable Pallets	0.00	26,910.00	26,910.00
Accts Payable Leased Payroll	0.00	106,024.52	106,024.52
Accounts Payable Tires	54,006.82	0.00	54,006.82
Accts Pay. Paul Revere Plan	0.00	81.76	81.76
Salaries & Wages Payable	4,863.06	42,000.73	46,863.81
Accrued Diesel & Fuel Tax	0.00	34,880.43	34,880.43
Accr Sales Tax	5,269.51	0.00	5,269.51
Accu Fed Highway Use Tax	0.00	0.00	0.00
Accu Gross Receipts Tax	0.00	5,250.00	5,250.00
Accr Interest Payable	12,602.42	225.15	12,827.57
F & K Trust Co Due Within 1 Yr	0.00	750,000.00	750,000.00
Valley Bank With 1 Yr.	0.00	165,251.17	165,251.17
Balt Dist Ctr. Within 1 Yr	1,191,472.00	0.00	1,191,472.00
Aspers Warehouse Within 1 Yr.	79,092.00	0.00	79,092.00
New Kingstown Within 1 Yr	9,568.00	0.00	9,568.00
Whirlpool Acceptance Within 1	0.00	60,816.94	60,816.94
Amlicon Financial Within 1 Yr	0.00	25,773.00	25,773.00
Charlotte Within 1 Yr.	7,344.00	0.00	7,344.00
Accu Cargo Loss & Damage Claim	0.00	36,231.68	36,231.68
Estimated Insurance Premiums	0.00	410,121.48	410,121.48
Accu Vacation Wages	5,074.95	38,036.97	43,111.92
Accu Rental Income	71,742.12	0.00	71,742.12
Total Current Liabilities	1,626,484.69	2,013,463.59	3,639,938.28
Long Term Debt			
Valley Bank	0.00	690,259.34	690,259.34
New Kingstown	296,060.21	0.00	296,060.21
Whirlpool Acceptance	0.00	466,254.18	466,254.18
Amlicon Financial Long Term	0.00	125,707.16	125,707.16
Baltimore	0.00	0.00	0.00
Aspers Warehouse	1,052,670.11	0.00	1,052,670.11
Charlotte	216,186.06	0.00	216,186.06
Loans from Ins. Company	84,011.95	5,987.00	89,998.95
Total Long Term Debt	1,648,928.33	1,288,207.68	2,937,136.01

EWSTBK

H. C. Gabler, Inc. and Gabler Trucking, Inc.  
Balance Sheet Breakdown  
Dated 12-31-87

Deferred Credits			0.00
Leased Operators Reserve	0.00	70,843.50	70,843.50
Security Deposits Balt.	34,270.73	0.00	34,270.73
Revenue Dup. Payments	0.00	17,814.04	17,814.04
Accu Deferred Income Tax Cr	500,349.00	0.00	500,349.00
Total Deferred Credits	534,619.73	88,657.54	623,277.27
Capital Stock			
Total Capital Stock	2,032,248.00	0.00	2,032,248.00
Total Treasury Stock	(60,838.53)	0.00	(60,838.53)
Total Retained Earnings	433,782.00	0.00	433,782.00
Total Stock & Earnings	2,405,197.47	0.00	2,405,197.47
LIABILITIES & S/E	6,215,290.22	3,390,328.81	9,605,549.03
Net Worth	(581,991.33)	581,991.33	0.00
Other obligations:			
Twenty Five tractors lease obligation		0.00	342,764.23
AS 400 IBM Computer and Upgrades		0.00	66,358.70

STATEMENT OF SAFETY PROGRAM

GABLER TRUCKING, INC. will carry the same public liability and property damage insurance and cargo insurance as did H. C. Gabler, Inc.

The safety program of H. C. Gabler, Inc. will be adopted by Gabler Trucking, Inc. which should be adequate since H. C. Gabler, Inc. has a satisfactory safety rating from the U.S. Department of Transportation, certification of which is attached as the next page to this exhibit.



U.S. Department  
of Transportation  
Federal Highway  
Administration

400 Seventh St., S.W.  
Washington, D.C. 20590

DECEMBER 4, 1986

IN REPLY REFER TO:

HFO-10  
010579

H. C. GABLER, INC.  
RD #3 P O BOX 220  
CHAMBERSBURG PA 17201

DEAR SIRs:

IN ACCORDANCE WITH THE PROVISIONS OF TITLE 49, CODE OF FEDERAL REGULATIONS, PART 385, YOUR MOTOR CARRIER SAFETY RATING AS OF THIS DATE IS: SATISFACTORY.

THIS RATING RESULTED FROM A RECENT REVIEW AND EVALUATION OF YOUR COMPLIANCE WITH THE FEDERAL MOTOR CARRIER SAFETY AND/OR HAZARDOUS MATERIALS REGULATIONS, AND INCLUDED RECORDS MAINTAINED BY THE OFFICE OF MOTOR CARRIERS (STATE AND OFFICE CONTACT REPORTS). A SATISFACTORY RATING MEANS THAT NO SUBSTANTIAL VIOLATIONS OF THOSE REGULATIONS WERE DISCOVERED.

SINCERELY YOURS,

GERALD J. DAVIS  
CHIEF, FEDERAL PROGRAMS DIVISION

CC: HMC - 03  
FILE  
READER FILE



STATEMENT OF TRANSFEREE'S EXPERIENCE

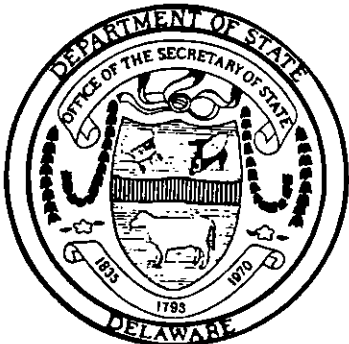
As previously stated, Harold C. Gabler, Jr. and P. Thomas Gabler, both of whom were associated as President and Executive Vice-President and Secretary respectively of H. C. Gabler, Inc. will fill the same capacities with Gabler Trucking, Inc. and will, of course, carry with them the experience gained over many years with the Transferor, which as previously noted has received a satisfactory safety rating from the Federal Department of Transportation.




# Office of Secretary of State

I, MICHAEL HARKINS, SECRETARY OF STATE OF THE STATE OF DELAWARE DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF INCORPORATION OF GABLER TRUCKING, INC. FILED IN THIS OFFICE ON THE SIXTEENTH DAY OF JANUARY, A.D. 1990, AT 9 O'CLOCK A.M.

||| ||| ||| |||



710016017

  
Michael Harkins, Secretary of State

AUTHENTICATION: 12500622  
DATE: 01/17/1990

CERTIFICATE OF INCORPORATION

OF

GABLER TRUCKING, INC.

---

FIRST. The name of this corporation shall be:

GABLER TRUCKING, INC.

SECOND. Its registered office in the State of Delaware is to be located at 1013 Centre Road, in the City of Wilmington, County of New Castle, 19805, and its registered agent at such address is CORPORATION SERVICE COMPANY.

THIRD. The purpose or purposes of the corporation shall be:

To engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware.

FOURTH. The total number of shares of stock which this corporation is authorized to issue is:

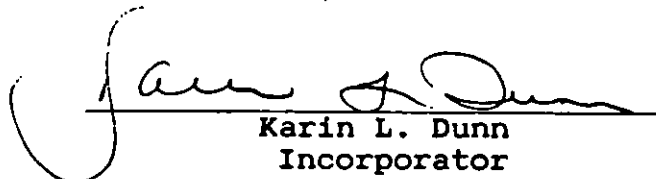
Three Thousand (3,000) shares without par value.

FIFTH. The name and address of the incorporator is as follows:

Karin L. Dunn  
Corporation Service Company  
1013 Centre Road  
Wilmington, DE 19805

SIXTH. The Board of Directors shall have the power to adopt, amend or repeal the by-laws.

IN WITNESS WHEREOF, The undersigned, being the incorporator hereinbefore named, has executed, signed and acknowledged this certificate of incorporation this sixteenth day of January, A.D. 1990.

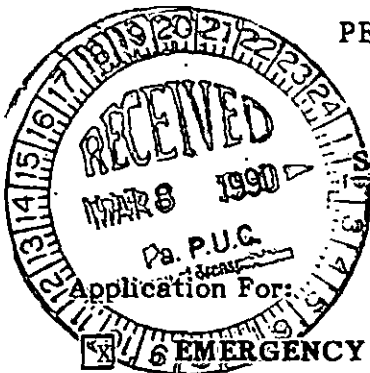
  
Karin L. Dunn  
Incorporator

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
BUREAU OF TRANSPORTATION

RECEIVED

MAR 8 1990

SECRETARY'S OFFICE  
Public Utility Commission



See Instructions before Completing Application

EMERGENCY TEMPORARY AUTHORITY

TEMPORARY AUTHORITY

EXTENSION OF EMERGENCY TEMPORARY AUTHORITY

A-109226

1. GABLER TRUCKING, INC. Same  
(Name of applicant) (Trade name, if any)  
1580 Gabler Road Chambersburg Pennsylvania 17201  
(Street address) (City) (State & Zip Code)  
GRAF, ANDREWS & RADCLIFF, P.C.  
Christian V. Graf, Esquire 407 N. Front St.  
2. David H. Radcliff, Esquire Harrisburg, PA 17101 A.C. 717, 236-9318  
(Name, Address & Telephone Number of Applicant's Attorney, if any)

3. Applicant is an individual partnership X corporation.

4. Applicant requests authority to provide service as a X common or contract carrier by motor vehicle, broker or freight forwarder in intrastate commerce; or is proposing to acquire authority by transfer. Give a description of type of service to be provided and area to be served:  
(See Exhibit A)

DOCUMENT  
FOLDER

DOCKETED  
APPLICATION DOCKET  
MAR 29 1990  
ENTRY No. mw

5. Applicant does not hold Pa. PUC authority under Docket No. \_\_\_\_\_ and  
(does or does not)  
operates as a \_\_\_\_\_ carrier.  
(common or contract)

6. If this application is for temporary authority, applicant does does not have pending an application for permanent authority to perform the same service as proposed herein. If it has, give docket number, filing date and status. If applicant does not have a pending permanent application currently on file, application for permanent authority must be enclosed.

Being filed concurrently herewith.

7. If this application is for emergency temporary authority, and not accompanied by applications for corresponding temporary and permanent authority, state when the applications for temporary and permanent authority will be filed.

Being filed concurrently herewith.

8. "Applicant's Statement" shall be prepared by the applicant or authorized representative of the applicant and shall contain the information as stated at Appendix A.

9. "Statements of Supporting Shippers or Witnesses" shall be prepared by the shipper or witness, or an authorized representative of the shipper or witness and shall contain the information as stated at Appendix B.

Applicant further declares that:

10. It is aware that a grant of the requested authority will create no presumption that corresponding permanent authority will be granted.

11. If the requested authority is granted, applicant will comply with the tariff and insurance requirements of the Public Utility Law before beginning operation.

GABLER TRUCKING, INC.

By: 

(Signature)

Harold C. Gabler, Jr.

President

(Corporate Title)

March 8, 1990

(Date)

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:

\_\_\_\_\_ Harold C. Gabler, Jr. \_\_\_\_\_, being duly sworn (affirmed) according to law, deposes and says that he is \_\_\_\_\_ President \_\_\_\_\_ of \_\_\_\_\_ Gabler Trucking, Inc. \_\_\_\_\_  
(Office of Affiant)

\_\_\_\_\_ ; 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 \_\_\_\_\_  
\_\_\_\_\_ Gabler Trucking, Inc. \_\_\_\_\_ to be able to prove the same  
(Name of Corporation)

at the hearing hereof.

\_\_\_\_\_  
Signature of Affiant

Harold C. Gabler, Jr.

Sworn and subscribed before me this 8<sup>th</sup>  
day of March 1990  
My Commission Expires \_\_\_\_\_

(SEAL)

NOTARIAL SEAL  
DEBORAH L. BRENNEMAN, Notary Public  
Harrisburg, Dauphin County, Pa.  
My Commission Expires June 18, 1990

\_\_\_\_\_  
Signature of Official Administering Oath

APPENDIX A

Applicant's Statement must include:

(A) A description of the equipment which will be used to render service, including a statement of whether it is specialized equipment. Applicant will use the equipment operated by H. C. Gabler, Inc. which, pending consummation, will be leased and, upon consummation will be transferred to Gabler Trucking, Inc.

(B) A description of the applicant's terminal facilities and personnel.  
[For terminal facilities, see Attachment (B)]

(C) A statement of whether the filing of the application resulted from a warning, road check or investigation by the Commission.

It did not.

(D) A telephone number at which the applicant or an authorized representative of the applicant may be contacted.

For applicant: A.C. 717, 264-4184

For applicant's attorney: A.C. 717, 236-9318

(E) A statement of the proposed rates, fares or charges, and schedule provisions.  
Gabler Trucking, Inc. will adopt the tariffs of H. C. Gabler, Inc.

(F) A statement of whether there are under suspension any rates, fares or charges published for its account or whether an application for special permission to file its rates, fares or charges on less than 30 days' notice in connection with another ETA, TA or permanent authority application covering the same territory has been granted or denied.

None.

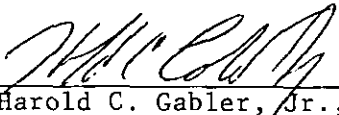
(G) Proof of ability to comply with the Commission's insurance requirements, or in the case of an authorized carrier, a statement indicating that it currently has evidence of insurance on file with the Commission.

Applicant will file the same insurance coverage as H. C. Gabler, Inc. upon approval of ETA.

(H) Names and addresses of labor unions which represent, or which within the past 12 months have represented, or which have filed a petition to represent the employees of the applicant with the National Labor Relations Board of the Pennsylvania Labor Relations Board. If the application seeks the temporary approval of a transfer of rights under a certificate of public convenience, this information shall be supplied for the transferor and the transferee.

None.

(I) Signature of person who prepared statement.

  
Harold C. Gabler, Jr.,  
President  
GABLER TRUCKING, INC.

ATTACHMENT B

H. C. Gabler, Inc. currently operates at the following locations:

1. Chambersburg, PA, which is the principal terminal and home office.
2. Winchester, Virginia.
3. Baltimore, Maryland.
4. Charlotte, North Carolina.
5. Aspers, Pennsylvania.
6. New Kingstown 1 and New Kingstown 2, PA.
7. Parking facilities only at Mechanicsburg.

These terminals will be leased for a term of ninety (90) days beginning at settlement date with the option to terminate or extend the term for a period of not less than one year. The rental will be negotiated prior to settlement date.

Gabler Trucking, Inc. will take over all of the driver, helper, terminal employees and dispatchers of H. C. Gabler, Inc. as the same exist at settlement date.



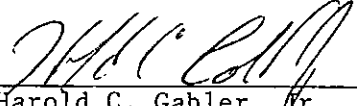
APPENDIX B

The reason no supporting witnesses are being presented here is that the entire operating authority and equipment related thereto is the subject of this transaction.

There is a presumption of continuing necessity in transfer applications. [See In Re: Bylerly, 440 Pa. 521 (1970); Hostetter v. Pa. P.U.C., 160 Super. Ct. 94 (1947)]. This presumption is particularly applicable in view of the fact that H. C. Gabler, Inc. had total revenues during the year 1989 of \$12,334,816.21, and has been certificated by this Commission since 1957 and by the Interstate Commerce Commission, also since 1957.

H. C. GABLER, INC.

By: \_\_\_\_\_

  
Harold C. Gabler, Jr.,  
President

This page IS subject to the Fuel Surcharge Supplement.

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

ICC-GBLR-110  
FREIGHT PA-PUC 20

H. C. GABLER, INC.  
Scope of Operations Tariff

Original Page 30-A

SECTION 2

Docket No. 83975

Folder 3

1 To transport, as a Class D carrier, milk from points in the Townships of Saint Thomas and Hamilton to the Boroughs of Chambersburg, Mercersburg and Greencastle, Franklin County, and the Borough of Shippensburg, Cumberland County.

2 To transport, as a Class D carrier, fruit and vegetables from farms and orchards to canneries and packing, storage and freight houses between points in the Counties of Franklin and Adams.

3 To transport, as a Class D carrier, farm products, farm machinery and supplies from points in the Township of Hamilton and Saint Thomas to the Borough of Chambersburg, Franklin County, and vice versa; provided such transportation shall either originate or terminate at a farm.

4 To transport, as a Class D carrier, heavy or bulky machinery for the Chambersburg Implement Company from the City of Harrisburg, Dauphin County to points within fifteen (15) miles by the usually traveled highways of the limits of the Borough of Chambersburg, Franklin County, excluding the said borough.

5 To transport, as a Class D carrier, apples and apple products from the plant of the Knouse Corporation in the Borough of Chambersburg, Franklin County, to the Village of Peach Glen, Adams County, and vice versa.

6 To transport, as a Class D carrier, powdered milk from the plant of the Hershey Creamery Company in the Borough of Chambersburg, Franklin County, to points within one hundred fifty (150) miles by the usually traveled highways of the limits thereof, excluding transportation from the Hershey Creamery Company's plant in the Borough of Chambersburg, Franklin County, to points on the route of Horn's Motor Express and the routes of its connecting carriers, namely, Motor Freight Express, from the city of Harrisburg, Dauphin County, to the Cities of Lancaster and Philadelphia, and Hall's Motor Transit Company, from the City of Harrisburg, Dauphin County, to the Cities of Sunbury, Williamsport, Wilkes-Barre and Scranton.

7 To transport, as a Class D carrier, cream from the Borough of Chambersburg, Franklin County, to the City of Harrisburg, Dauphin County.

8 To transport, as a Class D carrier, apples and peaches from points in the Counties of Franklin and Adams to points within two hundred (200) miles by the usually traveled highways of the limits thereof.

(concluded on next page)

8 - Brought forward, without change, from Original Page 30.

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: SEPTEMBER 10, 1979

INTERSTATE: OCTOBER 15, 1979  
EFFECTIVE: INTRASTATE: SEPTEMBER 15, 1979  
(Under authority of Certificate No. A.83975, Folder 2, Am-B)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

MP-ICC 34  
FREIGHT PA-PUC 20

H. C. GABLER, INC.  
Scope of Operations Tariff

Original Page 31

SECTION 2

Docket No. 83975

Folder 3 - concluded

To transport, as a Class C carrier, apples and apple products for the Knouse Corporation located in the Borough of Chambersburg, Franklin County, and the Village of Peach Glen, Adams County, to points within two hundred (200) miles by the usually traveled highways of the limits thereof.

To transport, as a Class C carrier, castings, patterns and supplies in shipments weighing fourteen thousand (14,000) pounds or more and single units weighing six thousand (6,000) pounds or more which require the use of Mechanical cranes for loading or unloading for the Chambersburg Engineering Company from points within two hundred (200) miles by the usually traveled highways of the limits of the Borough of Chambersburg, Franklin County, to the plant of the said company in the said borough.

To transport, as a Class D carrier, packing house supplies, cannery supplies, farm supplies and food products in containers between canneries, packing houses, storage houses and freight houses in the Counties of Franklin and Adams, and from said places to farms in the said counties, and vice versa.

To transport, as a Class C carrier, castings, patterns, products and supplies which require mechanical cranes for loading and unloading and flat-bottom open-top trucks or trailers for the transportation for the Chambersburg Engineering Company from its plant in the Borough of Chambersburg, Franklin County, to points in Pennsylvania.

Folder 3, Aa-B

To transport, as a Class D carrier, frozen foods from the plants of Knouse Foods, Inc. and Knouse Foods Cooperative, Inc. in the village of Peach Glen and Orrtanna, Adams County, to points in Pennsylvania, and vice versa.

Folder 3, Aa-C

To transport, as a Class D carrier, empty containers and materials and supplies used in the production of food products from points in Pennsylvania west of U.S. Highway Route 15 to the plants of Knouse Foods, Inc. and Knouse Foods Cooperative, Inc., in the Village of Orrtanna, Adams County.

To transport, as a Class D carrier, dry sugar in bulk from points in Pennsylvania to the plants of Knouse Foods, Inc., and Knouse Foods Cooperative, Inc., in the Borough of Chambersburg, Franklin County.

Subject to the following conditions:

That no right, power or privilege is granted to transport any property from the Borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) miles of the limits of said borough.

That no right, power or privilege is granted to transport glass containers from the Borough of South Connellsville, Fayette County.

That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles, except dry sugar in bulk.

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: JULY 30, 1976

EFFECTIVE: AUGUST 23, 1976

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

CAVOC  
10/1/85

CAVOC  
10/1/85

The provisions published herein will, if effective, not result in an effect on the quality of the human environment

MP-ICC 34  
FREIGHT PA-PUC 30

H. C. GAHLER, INC.

1st Revised Page 32  
Cancels  
Original Page 32

Scope of Operations Tariff

SECTION 2

Docket No. 83975

Folder 3 Aa-D and Folder 3 Aa-J

- 14 To transport, as a Class D carrier, fruits, fresh and canned, farm products and supplies, from points in the County of Adams to points in Pennsylvania and vice versa.
- 15 To transport, as a Class D carrier, fruits from storage houses in the County of Adams to other points in Pennsylvania.
- 14 To transport, as a Class D carrier, fresh fruit from orchards and packing houses in the Counties of Adams, Franklin, Cumberland and York for Musselman Fruit Products Division of Pet, Inc. to its canneries at Gardners and Biglerville, Adams County.
- 17 To transport, as a Class D carrier, canned products, from such canneries to other points in Pennsylvania, and empty containers, supplies and returned goods from other points in Pennsylvania to the canneries.
- 18 To transport, as a Class D carrier, fresh fruit for the Knouse Corporation of the same nature and in the same manner as for Musselman Fruit Products Division of Pet, Inc. to its cannery at Peach Glen, Adams County.
- 14 To transport, as a Class D carrier, feed, constituent parts of feed and fertilizer for L. A. Gulden from Philadelphia, to applicant's warehouse at Biglerville, Adams County, and to farmers and dealers in the Counties of York, Adams, Franklin, Fulton, Perry, Cumberland and Dauphin either directly from Philadelphia or from the applicant's warehouse.
- 20 To transport, as a Class D carrier, foodstuffs from canneries, packing houses and storage places operated in connection therewith in Adams County, and materials and supplies used in said canneries and packing houses to points in Pennsylvania, and vice versa.
- ⓐ The right immediately above subject to the following condition:  
No right, power or privilege is granted to transport frozen or other commodities requiring refrigeration trucks from points in the City of Harrisburg, Dauphin County, and points within an airline distance of ten (10) miles of the limits of said city.
- 23 To transport, packing house supplies and equipment and clay products, as a Class D carrier, from points in the County of Adams to other points in Pennsylvania, and vice versa.
- To transport building materials, as a Class D carrier, between points in the Counties of Adams, Cumberland, York, Franklin, Perry, Lancaster and Dauphin, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of disposal, and excluding the transportation of brick or by-products of brick from the City of Harrisburg, Dauphin County, as a point of origin.
- To transport, as a Class B carrier, property between points in the Borough of Biglerville, Adams County.
- To transport, as a Class D carrier, fruits and vegetables and fruit and vegetable products, canned or packed, in metal or glass containers, vinegar, cereal products and baby foods, from canneries, packing houses and storage places operated in connection therewith in Adams County, and materials and supplies used by said canneries and packing houses to points in Pennsylvania and vice versa.
- The right immediately above subject to the following condition:  
No right, power or privilege is granted to transport frozen or other commodities requiring refrigeration trucks from points in the City of Harrisburg, Dauphin County, and points within an airline distance of ten (10) miles of the limits of said city.

Folder 3, Aa-E

To transport, as a Class D carrier, sugar in bags from points in the City and County of Philadelphia to points in the County of Franklin, and the return of refused or rejected shipments to the point of origin.

Folder 3, Aa-F

To transport, as a Class D carrier, grass stop, in rolls, metal stove shovels, metal roofing and siding and fabricated metal building products, from the plant site of Penn Supply and Metal Corporation in the city and county of Philadelphia to points in Pennsylvania, with the right to return materials and supplies used in the manufacture of said commodities and refused or rejected shipments to the said plant site;

(concluded on next page)

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: OCTOBER 1, 1976

EFFECTIVE: NOVEMBER 6, 1976

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

NF-ICC 34  
FREIGHT PA-PUC 20

H. C. GABLER, INC.  
Scope of Operations Tariff

1st Revised Page 33  
Cancels  
Original Page 33

SECTION 2

▲(C)Certificate No. A.83975

Folder 3, Am-F - concluded

Subject to the following conditions:

That no right, power or privilege is granted to provided service to or from points in the city and county of Philadelphia and points within an airline distance of thirty-five (35) statute miles of the Philadelphia City Hall.

That no right, power or privilege is granted to provided service from the plants of the Bethlehem Steel Corporation in Cambria County.

▲(C) Folder 3, Am-G - CANCEL. See Folder 3, Am-O.

Folder 3, Am-H

To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain grocery food business houses (except commodities in bulk), between points in the borough of Hanover and the township of Penn, York County, and from points in said borough and township to points in that part of Pennsylvania west of U.S. Highway Route 219, and vice versa.

Folder 3, Am-I

To transport, as a Class D carrier, property from the plant site of PPG Industries, Inc., in the township of South Middleton, Cumberland County, to points in Pennsylvania, and vice versa.

Subject to the following conditions:

FIRST: That no right, power or privilege is granted to transport commodities in bulk in dump vehicles or tank vehicles.

SECOND: That no right, power or privilege is granted to transport property which, because of size or weight, requires special handling or the use of special equipment such as winch trucks or tractors, pole trailers, extendible trailers or carryalls.

THIRD: That no right, power or privilege is granted to transport household goods in use.

FOURTH: That no right, power or privilege is granted to transport junk, scrap iron, metal borings, and metal turnings for Maryland Metals, Inc. to points in the borough of Lewistown, Mifflin County, and to that part of Pennsylvania bounded on the east by U.S. Highway Route 219 and on the north by U.S. Highway Routes 322 and 62, including points on said routes, and to plants of the Bethlehem Steel Company in the county of Cambria.

(C) - Indicates change or addition.

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: DECEMBER 22, 1977

EFFECTIVE: INTERSTATE: JANUARY 27, 1978  
INTRASTATE: DECEMBER 30, 1977  
(Under authority of Certificate No. A.83975, Folder 3, Am-O)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

MP-ICC 34  
FREIGHT PA-PUC 20

H. C. GARLER, INC.  
Scope of Operations Tariff

Original Page 34

SECTION 2

Docket No. 83975

Folder 3, Am-K

To transport, as a Class D carrier, foodstuffs, pet foods, drugs, waxes and polishes, and paper and wrapping items (excluding commodities in bulk), from the warehouse of D. Westervelt, Inc. in the borough of Hanover, York County, to points in that part of Pennsylvania on and east of U.S. Highway Route 219 and vice versa.

Subject to the following condition:

That no right, power or privilege is granted to transport any single shipment weighing less than 10,000 pounds.

Folder 3, Am-L

To transport, as a Class D carrier, foodstuffs (except in bulk) in vehicles equipped to protect from heat or cold, from the facilities of Hershey Foods Corporation in the township of Derry, Dauphin County, to points in Pennsylvania; and the return of materials and supplies (except in bulk) used in the production of foodstuffs, in vehicles equipped to protect from heat or cold.

To transport, as a Class D carrier, foodstuffs (except in bulk) from the facilities of San Giorgio Macaroni, Inc., in the city of Lebanon, Lebanon County, to points in Pennsylvania; and the return of materials and supplies (except in bulk) used in the production of foodstuffs.

The preceding right subject to the following conditions:

That no right, power or privilege is granted to render service to or from points in the counties of Berks, Blair, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Delaware, Huntingdon, Juniata, Lackawanna, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Schuylkill, Snyder, Union and Wyoming.

That no right, power or privilege is granted to transport containers, closures, cartons or boxes from Brockway Glass Company, Inc., in the city of Washington, Washington County.

Folder 3, Am-M

To transport, as a Class D carrier, property from the facilities of Calgon Consumer Products Company, Inc., subsidiary of Merck & Co., Inc., in Falls Township, Bucks County, to points in Pennsylvania (excluding points in the counties of Philadelphia, Chester, Delaware, Bucks, Montgomery, Franklin, Perry, Adams, Dauphin, York, Lancaster and Lebanon).

Subject to the following conditions:

FIRST: Provided that transportation to points in the county of Cumberland shall be limited to the facilities of Dauphin Distribution Services Co.

SECOND: Provided that no right, power or privilege is granted to perform transportation to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the limits of said city; points in the borough of Lewistown, Mifflin County, and points within an airline distance of ten (10) statute miles of the limits thereof; points in the borough of State College, Centre County, and points within an airline distance of ten (10) statute miles of the limits thereof; and points in the borough of Huntingdon, Huntingdon County, and points within an airline distance of five (5) statute miles of the limits thereof.

To transport, as a Class D carrier, soap, soap products and cleaning compounds marketed by Armour-Dial, Inc., from the plant site of Purex Corp., in the borough of Bristol, Bucks County, to points in Pennsylvania (excluding points in the counties of Philadelphia, Chester, Delaware, Bucks, Montgomery, Franklin, Perry, Adams, Dauphin, York, Lancaster and Lebanon).

Subject to the following conditions:

FIRST: Provided that deliveries to points in Cumberland County shall be limited to the facilities of Dauphin Distribution Services Co.

(concluded on next page)

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: JULY 20, 1976

EFFECTIVE: AUGUST 23, 1976

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

MF-ICC 34  
FREIGHT PA-PUC 80

H. C. GABLER, INC.  
Scope of Operations Tariff

1st Revised Page 35  
Cancels  
Original Page 35

SECTION 2

▲(C)Certificate No. A.83975

Folder 3, Am-M - concluded

SECOND: Provided that no right, power or privilege is granted to perform transportation to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the limits of said city; points in the borough of Lewistown, Mifflin County, and points within an airline distance of ten (10) statute miles of the limits thereof; points in the borough of State College, Centre County, and points within an airline distance of ten (10) statute miles of the limits thereof; and points in the borough of Huntingdon, Huntingdon County, and points within an airline distance of five (5) statute miles of the limits thereof.

THIRD: Provided that no right, power or privilege is granted to perform transportation to points in the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) statute miles of the limits of said borough, plus the city of Johnstown, Cambria County, and the boroughs and townships contiguous thereto.

Folder 3, Am-N

To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail, and chain grocery food houses (except commodities in bulk), from the plant sites, warehouses and distribution centers of:

1. Hanover Terminals, Inc. and Hanover Brands, Inc. in the borough of Hanover and the township of Penn, York County;
2. D. Westervelt, Inc., in the boroughs of Hanover, New Freedom, and Shrewsbury and the township of Penn, York County;
3. California Cannery and Growers in the township of Conewago, Adams County.

to points in Pennsylvania, and vice versa;

provided that no right, power or privilege is granted:

1. To perform transportation of containers from the city of Clarion and the township of Paint, Clarion County;
2. To transport any single shipment weight less than 10,000 pounds from points in the borough of Hanover and the township of Penn, York County, to points on and east of U.S. Highway 219, and vice versa; and
3. To transport any single shipment weighing less than 10,000 pounds from the boroughs of New Freedom and Shrewsbury, York County, and the township of Conewago, Adams County, to points in Pennsylvania, and vice versa, except to and from points on and west of U.S. Highway 220 and points on and south of U.S. Highway 22.

Ⓢ(C)Folder 3, Am-O

To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain grocery food business houses (except commodities in bulk), from the plant sites and warehouses of Dauphin Distribution Services Co., in the borough of Camp Hill and the township of Hampden, Cumberland County, to points in Pennsylvania with the right to return refused, damaged or rejected shipments to the point of origin;

Subject to the following condition:

That no right, power or privilege is granted to render service to the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) statute miles of the limits of said borough, except on multiple delivery shipments involving destinations both within and beyond said territory on the same truckload.

(C) - Indicates charge or addition.  
For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: DECEMBER 22, 1977

EFFECTIVE: INTERSTATE: JANUARY 27, 1978  
INTRASTATE: DECEMBER 30, 1977  
(Under authority of Certificate No. A.83975, Folder 3, Am-O)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

ICC-GHLR-110  
FREIGHT PA-PUC 20

E. C. GÄHLER, INC.  
Scope of Operations Tariff

4th Revised Page 36  
Cancels  
3rd Revised Page 36

SECTION 2

Docket No. 83975

Folder 3, Am-Q

To transport, as a Class D carrier, such merchandise as is dealt in by wholesale, retail and chain food grocery business houses, except commodities in bulk, from points in that part of Pennsylvania on and west of US Highway Route 219, and from the shipping facilities of the Durkee Foods Division of SCM Corporation in the City of Bethlehem, Lehigh and Northampton Counties, the Borough of Pen Argyl, and the Township of Plainfield, Northampton County, to the facilities of Dauphin Distribution Services Co. in the Borough of Camp Hill and the Township of Hampden, Cumberland County.

Subject to the following condition:

That transportation from the shipping facilities of the Durkee Foods Division of SCM Corporation shall be limited to shipments of thirty thousand (30,000) pounds or more.

Folder 3, Am-R

To transport, as a Class D carrier, animal feed, from the facilities of Perk Foods Company, Division of C. E. B. Foods, Inc., located in the Township of Lower Allen, Cumberland County, to points in Pennsylvania.

Folder 3, Am-S

1. To transport, as a Class D carrier, such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from points in the county of Cumberland, to points in Pennsylvania, and vice versa.

2. To transport, as a Class D carrier, such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from the facilities of H.J. Heinz, located in the county of Allegheny, to points in Pennsylvania, and vice versa.

Both of the above rights subject to the following condition:

That no right, power or privilege is granted to provide service from the facilities of Balston Purina Company.

Folder 4

To transport, as a Class D carrier, milk and farm products, fruit and vegetables from points in the Townships of Greene, Guilford and Southampton, Franklin County, and within three(3) miles of the limits of said townships to other points in Pennsylvania within fifty(50) miles by the usually traveled highways of the limits of said townships, and vice versa.

To transport, as a Class D carrier, household goods, in use, from points in the Borough of Chambersburg, Franklin County, and within three(3) miles of the limits of said borough to other points in Pennsylvania, and vice versa, provided that such transportation shall originate or terminate at a farm or a rural dwelling.

To transport, as a Class D carrier, fruit from orchards and packers in the County of Franklin to other points in Pennsylvania.

To transport, as a Class D carrier, fruit juices from the Village of Scotland, Green Township, Franklin County, to points in Pennsylvania, and the return of empty containers to points in the said village, provided that no fruit juices shall be transported to points on the direct lines of Horn's Motor Express, nor shall any empty containers be transported from or to points on the direct lines of Horn's Motor Express (Formerly A 37906, Folder 4).

Folder 4, Am-A

To transport, as a Class D carrier, containers and container parts, from the plant site of Continental Can Company in the city of Lancaster, Lancaster County, and its warehouses in the county of Lancaster, to points in Pennsylvania (except points in the county of Adams).

Subject to the following condition:

That the service herein authorized shall be limited to transportation in high-cube and extra high-cube van trailers having a rear door opening of one hundred(100) inches or more.

For application of provisions formerly shown above, see 1st Revised Page 37.

(C) - Indicates Change or Addition.

For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: JUNE 8, 1981

EFFECTIVE: INTERSTATE: JULY 10, 1981  
INTRASTATE: JUNE 10, 1981  
(Under authority of Certificate No. A-00083975  
Folder 3, Am-S)

ISSUED BY:

C. J. KAKE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201



The provisions published herein will, if effective, not result in an effect on the quality of the human environment.

AICC-GHLR-110  
FREIGHT PA-POC 20

E. C. GABLER, INC.  
Scope of Operations Tariff

1st Revised Page 37  
Cancels  
Original Page 37

SECTION 2

Docket No. 83975

Folder 5, Aa-D

To transport, as a Class D carrier, dry pyrophyllite, in flat bed vehicles, dump vehicles and pneumatic tank vehicles, from points in the Townships of South Middleton and Dickinson, Cumberland County, to points in Pennsylvania; provided that transportation to points within thirty(30) miles of the limits of the Borough of Martinsville, Blair County, shall be confined to transportation in dump vehicles and pneumatic tank vehicles, and the right to return rejected or refused shipments from points in Pennsylvania to points in the Townships of South Middleton and Dickinson, Cumberland County.

Folder 5, Aa-E

To transport, as a Class D carrier, slate dust, in bulk, and ground, crushed and pulverized slate, in bulk, from the plant of Roofing Granule Division of the Ruberiod Company in the Township of Peach Bottom, York County, to points in Pennsylvania, and the right to return refused or rejected shipments to the point of origin.

Folder 6

To transport, as a Class D carrier, raw milk, in bulk in tank trucks, for Cherry Lane Dairy, Shively's Dairy and Chambersburg Dairy Products, all located in the Borough of Chambersburg, Arthur's Dairy located in the Borough of Waynesboro and Miller and Read's Dairy located in the Borough of Shippensburg, between points in the Borough of Chambersburg, Franklin County, and within sixty(60) miles of the limits of the Borough of Chambersburg and from points in the said territory to points within two hundred fifty(250) miles of the limits of the said Borough of Chambersburg;

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

FIRST: That no right, power or privilege is granted to perform transportation for:

1. Abbott's Dairies, Inc.
2. Sealtest Supplee Division of National Dairy Products
3. Barbison's
4. Foremost Dairies
5. Breyer's Ice Cream Co. Division of National Dairy Products
6. Lancaster Milk Co.
7. Penn-Dairies, Inc.
8. Hershey Creamery, Inc.
9. Hershey Chocolate Company
10. Rakestraw's Dairy Products
11. Harrington Dairies, Inc.

their present or future subsidiaries, affiliates, successors or assigns.

SECOND: That no right, power or privilege is granted to perform transportation to points in the cities of Harrisburg, York and Philadelphia and points in the Counties of Northumberland, Union, Snyder, Centre and Clinton.

6 - Brought forward, without change, from 3rd Revised Page 36.  
For explanation of abbreviations and reference marks, see last page of tariff.

ISSUED: JUNE 8, 1981

ISSUED: INTERSTATE: JULY 10, 1981  
INTRASTATE: JUNE 10, 1981  
(Under authority of Certificate No. A-00083975  
Folder 3, Aa-5)

ISSUED BY:

C. J. KANE, Traffic Manager  
P. O. Box 220  
Chambersburg, Pennsylvania 17201

GRAF, ANDREWS & RADCLIFF, P. C.  
ATTORNEYS AT LAW  
407 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF  
FREDERICK W. ANDREWS  
DAVID H. RADCLIFF  
GREGORY R. LYONS

OF COUNSEL  
JOHN E. FULLERTON  
TELEPHONE: A. C. 717-236-9318

March 14, 1990  
File: 49.467

RE: GABLER TRUCKING, INC., A. 109226  
(Transfer from H. C. Gabler, Inc.)



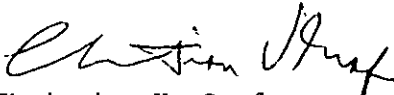
Ms. Marlene Wendt  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, Pennsylvania 17120

Dear Ms. Wendt:

The Exhibit A forwarded by my letter of March 13, 1990 was also in error and 3 copies of a corrected Exhibit A are now enclosed.

Copies are being mailed to carbon copy addressees with the request that this Exhibit A be substituted for the previous one.

Very truly yours,

  
Christian V. Graf

CVG:tc  
Enclosures

cc: Harold C. Gabler, Jr., President  
H. C. Gabler, Inc.  
1580 Gabler Road  
Chambersburg, PA 17201

Mr. Ernest Wiemer  
Gabler Trucking, Inc.  
1580 Gabler Road  
Chambersburg, PA 17201

David H. Radcliff, Esquire

*3/22  
talked with atty Radcliff,  
paperwork has not come  
back from Delaware.*



H. C. GABLER, INC. and GABLER TRUCKING, INC.

Balance Sheet Breakdown as of 12-31-80

To be retained by H.C. Gabler, Inc.      To be transferred to Gabler Trucking, Inc.

ASSETS	Current Assets	Current Assets	Total Combined
<b>Current Assets</b>			
Cash F and H Trust Co.	0.00	192,917.32	192,917.32
Cash Southern Natl Bank	0.00	26,946.94	26,946.94
Cash F and H Trust Mfg.	0.00	9,533.33	9,533.33
Working Fund	800.00	822.50	1,082.50
Misc Special Ins. Deposits	0.00	99,576.00	99,576.00
Accts Recd Revenue	264,823.74	1,565,477.79	1,830,301.53
Accts Recd Tires	103,308.05	0.00	103,308.05
Accts Recd. Others	0.00	6,830.82	6,830.82
Allow for Uncollect Accts	(19,051.77)	(12,201.98)	(31,253.75)
Prepaid Taxes and License	0.00	42,852.34	42,852.34
Prepaid State Income Taxes	10,722.77	0.00	10,722.77
Prepaid Federal Income Tax	25,893.91	0.00	25,893.91
Prepaid Fed Highway Use Tax	0.00	0.00	0.00
Prepaid Real & Property T	40,742.34	2,217.05	42,959.39
Prepaid Insurance Liability	6,675.02	30,892.70	37,567.72
Prepaid Life Ins on Officers	2,965.34	1,651.85	4,617.19
Prepaid Interest	0.00	1,325.40	1,325.40
Inventory New Tires	394,152.60	0.00	394,152.60
Inventory Recapping	74,974.24	0.00	74,974.24
Inventory Diesel & Gas	39,572.06	37,106.24	76,678.30
Other Materials & Supplies	0.00	120,383.05	120,383.05
Inventory Svcs-Parts Oil etc	40,241.18	0.00	40,241.18
<b>Total Current Assets</b>	<b>995,257.42</b>	<b>1,852,250.71</b>	<b>2,847,508.13</b>
<b>Tangible Property</b>			
Land Winchester,	161,166.60	0.00	161,166.60
Land Aspers	22,909.50	0.00	22,909.50
Land Baltimore, Md.	786,000.00	0.00	786,000.00
Land New Kingstown 01	65,849.90	0.00	65,849.90
Land New Kingstown 02	85,500.00	0.00	85,500.00
Land Mechanicsburg	26,592.05	0.00	26,592.05
Land Charlotte, N. Car.	68,943.50	0.00	68,943.50
<b>Total Land</b>	<b>1,220,361.55</b>	<b>0.00</b>	<b>1,220,361.55</b>
Structures Winchester Tera	113,325.42	0.00	113,325.42
Structures Aspers Tera	116,952.04	0.00	116,952.04
Structures New Kingstown 01	62,732.96	0.00	62,732.96
Structures New Kingstown 02	250,910.82	0.00	250,910.82
Structures Mechanicsburg	25,783.25	0.00	25,783.25
Structures Charlotte	65,947.71	0.00	65,947.71
Improvement Leasehold Property	129,750.48	0.00	129,750.48
Structures Baltimore	994,626.50	0.00	994,626.50
Structures Aspers Warehouse	1,886,910.18	0.00	1,886,910.18
Structures Charlotte Dist.	251,743.15	0.00	251,743.15
Structures Tires Off & Shop 01	136,572.61	0.00	136,572.61
Structures Tires Off & Shop 03	100,838.29	0.00	100,838.29
<b>Total Structures</b>	<b>4,243,253.27</b>	<b>0.00</b>	<b>4,243,253.27</b>
Accu Depr Misc Tera	(86,981.41)	0.00	(86,981.41)
Accu Depr Aspers Terminal	(109,400.36)	0.00	(109,400.36)

GRAF, ANDREWS & RADCLIFF, P. C.  
ATTORNEYS AT LAW  
407 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17101

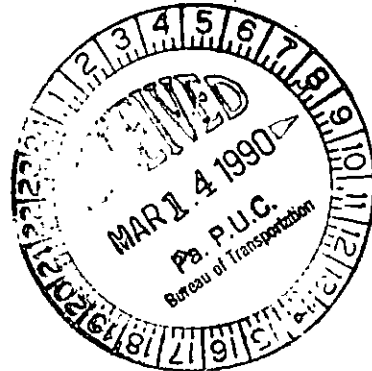
CHRISTIAN V. GRAF  
FREDERICK W. ANDREWS  
DAVID H. RADCLIFF  
GREGORY R. LYONS

OF COUNSEL  
JOHN E. FULLERTON  
TELEPHONE: A. C. 717-236-9318

March 13, 1990  
File: 49.467

RE: GABLER TRUCKING, INC., A. \_\_\_\_\_  
(Transfer from H. C. Gabler, Inc.)

Ms. Marlene Wendt  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, Pennsylvania 17120



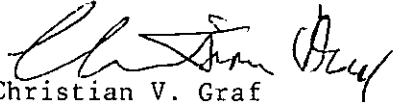
Dear Ms. Wendt:

Following our telephone conversation this afternoon I am enclosing a new first page to the above-captioned application of Exhibit A. The financial data which appeared immediately ahead of this bearing August and October dates should be disregarded because they were replaced by Exhibit A and should not be considered with this application.

We are forwarding copies to the carbon copy addressees with the request that they make the deletion and substitution on their copies.

We will be filing for a Certificate of Authority as soon as we can do so and will forward at that time a stamped copy upon its receipt from the Department of State.

Very truly yours,

  
Christian V. Graf

CVG:tcr  
Enclosure

cc: Harold C. Gabler, Jr., President  
H. C. Gabler, Inc.  
1580 Gabler Road  
Chambersburg, PA 17201

Mr. Ernest Wiemer  
Gabler Trucking, Inc.  
1580 Gabler Road  
Chambersburg, PA 15201

David H. Radcliff, Esquire

EXHIBIT

**H. C. GABLER, INC. and GABLER TRUCKING, INC.**

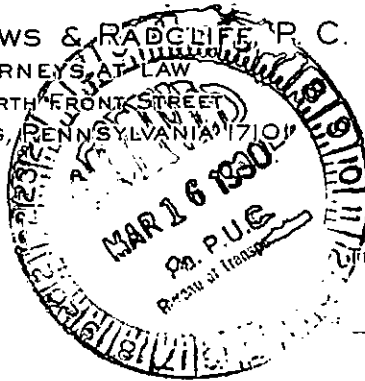
**Balance Sheet Breakdown as of 12-31-90**

To be transferred  
to  
Gabler Trucking, Inc.

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<b>Current Assets</b>			
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Cash Southern Natl Bank	0.00	26,946.94	26,946.94
Cash F and H Trust Mfg.	0.00	9,533.33	9,533.33
Working Fund	200.00	822.50	1,022.50
Misc Special Ins. Deposits	0.00	99,976.00	99,976.00
Accts Recd Revenue	264,825.74	1,565,477.79	1,830,303.53
Accts Recd Tires	103,308.05	0.00	103,308.05
Accts Recd. Others	0.00	6,830.82	6,830.82
Allow for Uncollect Accts	(9,051.77)	(2,201.98)	(11,253.75)
Prepaid Taxes and License	0.00	42,858.34	42,858.34
Prepaid State Income Taxes	10,722.77	0.00	10,722.77
Prepaid Federal Income Tax	25,893.91	0.00	25,893.91
Prepaid Fed Highway Use Tax	0.00	0.00	0.00
Prepaid Real & Property T	40,742.34	3,217.05	43,959.39
Prepaid Insurance Liability	6,675.02	30,892.70	37,567.72
Prepaid Life Ins on Officers	2,965.34	1,695.85	4,661.19
Prepaid Interest	0.00	1,365.40	1,365.40
Inventory New Tires	394,152.60	0.00	394,152.60
Inventory Recapping	74,974.24	0.00	74,974.24
Inventory Diesel & Gas	39,578.04	37,106.24	76,684.28
Other Materials & Supplies	0.00	120,383.05	120,383.05
Inventory Svcs-Parts Oil etc	40,241.18	0.00	40,241.18
<b>Total Current Assets</b>	<b>995,257.48</b>	<b>1,855,250.71</b>	<b>2,850,538.19</b>
<b>Tangible Property</b>			
Land Winchester,	161,166.60	0.00	161,166.60
Land Aspers	22,909.50	0.00	22,909.50
Land Baltimore, Md.	786,000.00	0.00	786,000.00
Land New Kingstown #1	65,849.90	0.00	65,849.90
Land New Kingstown #2	85,500.00	0.00	85,500.00
Land Mechanicsburg	26,592.05	0.00	26,592.05
Land Charlotte, N. Car.	68,343.50	0.00	68,343.50
<b>Total Land</b>	<b>1,220,361.59</b>	<b>0.00</b>	<b>1,220,361.59</b>
Structures Winchester Term	113,325.48	0.00	113,325.48
Structures Aspers Term	116,952.04	0.00	116,952.04
Structures New Kingstown #1	68,732.96	0.00	68,732.96
Structures New Kingstown #2	250,910.82	0.00	250,910.82
Structures Mechanicsburg	25,783.25	0.00	25,783.25
Structures Charlotte	65,947.71	0.00	65,947.71
Improvement Leasehold Property	129,750.48	0.00	129,750.48
Structures Baltimore	994,626.50	0.00	994,626.50
Structures Aspers Warehouse	1,886,010.18	0.00	1,886,010.18
Structures Charlotte Dist.	251,743.15	0.00	251,743.15
Structures Tires Off & Shop 01	138,572.41	0.00	138,572.41
Structures Tires Off & Shop 03	100,838.29	0.00	100,838.29
<b>Total Structures</b>	<b>4,243,253.27</b>	<b>0.00</b>	<b>4,243,253.27</b>
Accu Depr Misc Term	(86,981.41)	0.00	(86,981.41)
Accu Depr Aspers Terminal	(109,400.56)	0.00	(109,400.56)

GRAF, ANDREWS & RADCLIFF, P. C.  
ATTORNEYS AT LAW  
407 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17101

CHRISTIAN V. GRAF  
FREDERICK W. ANDREWS  
DAVID H. RADCLIFF  
GREGORY R. LYONS



OF COUNSEL  
JOHN E. FULLERTON  
TELEPHONE: A. C. 717-236-9318

March 14, 1990  
File: 49.467

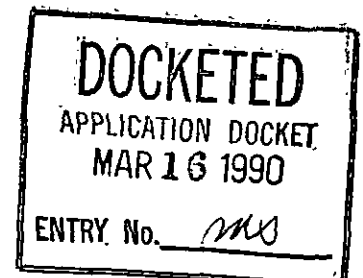
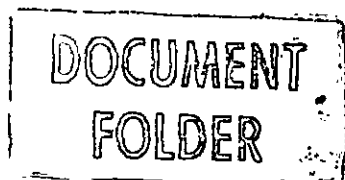
RE: GABLER TRUCKING, INC., A. 109226  
(Transfer from H. C. Gabler, Inc.)

Peter S. Marzolf, Chief  
Technical Review Section  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17120

Dear Mr. Marzolf:

Per our discussion this afternoon you inquired as to the reason for the ETA and TA application filed on behalf of Gabler Trucking, Inc. The reasons are as follows:

1. Transferor holds interstate operating authority which covers approximately two-thirds of the U.S. It also holds operating authority in the states of Pennsylvania, North Carolina and Virginia.
2. Gabler Trucking, Inc. is contemplating filing for New York State authority.
3. A temporary authority application is pending before the Interstate Commerce Commission and if granted will necessitate Gabler Trucking being able not only to handle interstate freight but to handle traffic at the same time in Pennsylvania which is its most important state so far as intrastate and interstate revenues are concerned. The inability to coordinate this with interstate temporary authority would render difficult the operation with Gabler Trucking trying to provide the interstate commerce and H. C. Gabler, Inc. trying to provide the intrastate.
4. We have made arrangements to secure the necessary forms and have written North Carolina counsel with a view to handling it after we have made the preparations. While these states are not as important, their operation can be deferred a bit, if necessary, though we are trying to coordinate all of the state operations as quickly as possible.



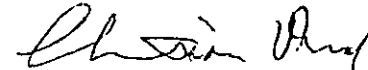
Peter S. Marzolf, PUC

- 2 -

March 14, 1990  
File: 49.467

5. As soon as action is received on the interstate application for temporary operation, which can be coordinated upon approval after insurance and tariff filings, we will notify you to that effect.

Very truly yours,



Christian V. Graf

CVG:tcr

cc: Harold C. Gabler, Jr., President  
H. C. Gabler, Inc. and Gabler Trucking, Inc.  
1580 Gabler Road  
Chambersburg, PA 17201

David H. Radcliff, Esquire

GRAF, ANDREWS & RADCLIFF, P. C.  
ATTORNEYS AT LAW  
407 NORTH FRONT STREET  
HARRISBURG, PENNSYLVANIA 17101

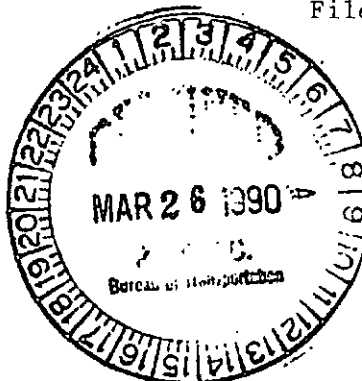
CHRISTIAN V. GRAF  
FREDERICK W. ANDREWS  
DAVID H. RADCLIFF  
GREGORY R. LYONS

OF COUNSEL  
JOHN E. FULLERTON  
TELEPHONE: A. C. 717-236-9318

March 26, 1990  
File: 49.467

RE: GABLER TRUCKING, INC. *A-109226*

Ms. Marlene Wendt  
Bureau of Transportation  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, Pennsylvania 17120



Dear Ms. Wendt:

I am enclosing a clocked-in copy of the application for a certificate of authority as a foreign business corporation filed this date on behalf of Gabler Trucking, Inc. Please add this material to the application file for our client.

I understand that this matter is now ready for publication in the Pennsylvania Bulletin.

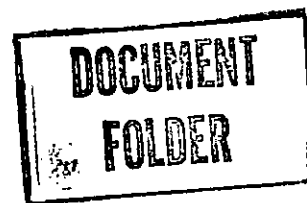
Very truly yours,

*David H. Radcliff*  
David H. Radcliff

DHR:tc  
Enclosure

cc: Harold C. Gabler, Jr., President  
H. C. Gabler, Inc.  
1580 Gabler Road  
Chambersburg, PA 17201

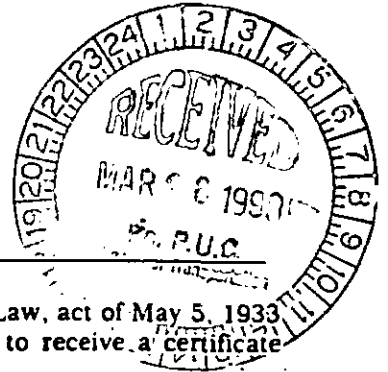
Christian V. Graf, Esquire





Application For a  
Certificate of Authority—  
Foreign Business Corporation

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
CORPORATION BUREAU



In compliance with the requirements of section 1004 of the Business Corporation Law, act of May 5, 1933 (P. L. 364) (15 P. S. §2004), the undersigned foreign business corporation, desiring to receive a certificate of authority under said act, does hereby certify that:

1. The name of the corporation is:

GABLER TRUCKING, INC.

A-109226

2. The name which the corporation adopts for use in this Commonwealth is:

GABLER TRUCKING, INC.

3. The name of the state or country under the laws of which the corporation is incorporated is:

Delaware.

4. The address of its principal office in its state or country of incorporation is:

1580

Gabler Road

(NUMBER)

(STREET)

Chambersburg

PA

17201

(CITY)

(STATE)

(ZIP CODE)

5. The address of the proposed registered office of the corporation in this Commonwealth is:

1580

Gabler Road

(NUMBER)

(STREET)

Chambersburg

Pennsylvania

17201

(CITY)

(ZIP CODE)

6. The Secretary of the Commonwealth of Pennsylvania, and his successor in office, is hereby designated as the true and lawful attorney of the corporation upon whom all lawful process in any action against it may be served. The corporation hereby agrees that service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation, and that the authority for such service of process shall continue in force so long as any liability remains outstanding against the corporation in this Commonwealth.

7. The business the corporation proposes to do within this Commonwealth, such business being authorized by its Articles of Incorporation, Certificate of Incorporation or equivalent charter document, is:

To operate as a motor carrier of property  
in interstate commerce and in intrastate  
commerce in Pennsylvania.

8. The corporation is a corporation incorporated for a purpose or purposes involving pecuniary profit, incidental or otherwise, to its shareholders.

IN TESTIMONY WHEREOF, the undersigned corporation has caused this application to be signed by a duly authorized officer and its corporate seal, duly attested by another such officer, to be hereunto affixed this 26<sup>th</sup> day of March, 1990.

GABLER TRUCKING, INC.  
(NAME OF CORPORATION)

By:

[Handwritten Signature]  
(SIGNATURE)

Harold C. Gabler, Jr., President  
(TITLE: PRESIDENT, VICE PRESIDENT, ETC.)

Attest:

[Handwritten Signature]  
(SIGNATURE)

Harmon G. Piper, Secretary

(TITLE: SECRETARY, ASSISTANT SECRETARY, ETC.)

(CORPORATE SEAL)

FD-308 (Rev. 81)  
 Filing Fee: None

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

**CORPORATE  
 REGISTRY INFORMATION  
 FOR  
 DEPARTMENTS OF STATE  
 AND REVENUE**  
 (FILE IN TRIPLICATE)

**BUREAU USE ONLY (T/C 53)**

Department of State Number	177 City of Harrisburg
Box Number	1770 8 100
Filing Period	Inc. Date 3-4-90
Standard Industrial Code	Report Code

**BUSINESS CORPORATION**     **NON-PROFIT CORPORATION**     **MOTOR VEHICLE FOR HIRE**

**1** Name of Corporation/Business: GABLER TRUCKING, INC.      **2** Federal E.I.N.: 25-1621845

**3** Location of Initial Registered Office in Pennsylvania (Street/Route, City, County, State, Zip Code)  
 (Street and Number or R.D. Number and Box)  
1580 Gabler Road  
Chambersburg      Franklin      PA      17201  
 (City or Town)      (County)      (State)      (Zip Code)

**4** Mailing Address if different than # 3 (location where correspondence, tax report forms, etc. are to be sent)  
 (Street and Number/or R.D. Number and Box)  
 (City or Town)      (County)      (State)      (Zip Code)

**5A** Foreign corporations: Location of proposed registered office (Street and Number, Post Office, State)  
1580 Gabler Road, Chambersburg, Franklin Co., PA 15201      **5B** Date Business Started in PA.  
1/16/90

**6** Principal Officers (President, Vice President, Secretary, Treasurer)

**A. Name** Harold C. Gabler, Jr.      **Title** President      **Social Security Number** \_\_\_\_\_

**Home Address**  
Montgomery Ave. Extended, Chambersburg, PA

**B. Name** P. Thomas Gabler      **Title** Vice-President      **Social Security Number** \_\_\_\_\_

**Home Address**  
695 Walker Road Chambersburg, PA 17201

**C. Name** Harmon G. Piper      **Title** Secretary-Treasurer      **Social Security Number** \_\_\_\_\_

**Home Address**  
4174 Fording Creek Road Greencastle, PA 17225

**D. Name** Ernest P. Wiemer      **Title** Chmn of the Board      **Social Security Number** \_\_\_\_\_

**Home Address**  
2005 Biloxi Circle Plano, Texas 75075

**7** Date and State of Incorporation or Organization  
**Date:** January 16, 1990      **State:** Delaware

**8** Applicant is Operating as:  
 Corporation     An Individual     Co-Partnership     Joint Stock Association     Association of Individuals     Other

**9** Provide the Act of General Assembly or authority under which you are organized or incorporated (full citation of statute or status - attach a separate sheet if more space is required)  
General Corporation Law of Delaware

**10A** Is the corporation authorized to issue capital stock?    No    Yes  
 If yes, amount authorized? 3,000 shares, no parX      **10B** Amount of Capital paid in and Date  
 Amount: \$300      Date: January 16, 1990

**11** Is the Corporation part of a system operating in Pennsylvania?     No     Yes  
 If yes, provide parent's box number, name and subsidiary corporation. (Attach a separate sheet listing subsidiary corporation).  
**Box Number:** \_\_\_\_\_      **Name:** \_\_\_\_\_

**12** Corporation's fiscal year ends: December 31      **13** Standard Industrial Classification Code  
4212 and 4213

**14** Describe principal Pa. business activity to be engaged in, within one year of this application date (attach separate sheet if necessary).  
 For Motor Vehicles: Include routes to be traveled.  
Motor common carrier of property, irregular routes.

**15** For Foreign Corporations Only - provide text of purpose as stated in articles.  
To engage in any lawful act or activity for which corporations may be organized under the General Corporation Law of Delaware.

**STATEMENT OF CHANGE IN FILING PERIOD (applicable to Corporations only)**

The Corporation listed on the reverse side, with its principal office in Pennsylvania, certifies that its fiscal year closes on \_\_\_\_\_ (attach explanation if needed) and that the Corporation reports to the U.S. Government on the same filing basis. Business was started in Pennsylvania on \_\_\_\_\_

**CERTIFICATION**

I/We certify that the information provided on this form has been examined and is, to the best of my/our knowledge, true and correct.

\_\_\_\_\_  
(Incorporator of Proposed Domestic Business Corporation)

GABLER TRUCKING, INC.

\_\_\_\_\_  
(Name of Foreign Corporation or Corporate Incorporator)

Attest

*Harmon G. Piper*  
\_\_\_\_\_  
(Secretary, Assistant Secretary, Etc.)

By

*Harold C. Gabler, Jr.*  
\_\_\_\_\_  
(President, Vice President, Etc.)  
Harold C. Gabler, Jr., President

(Corporate Seal)

**DEPARTMENT OF STATE USE ONLY:**

Certificate of Incorporation  , Certificate of Domestication  , Certificate of Authority  , Issued by the Department of State on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_

- NOTE:**
- The Department of Revenue should be notified of any address changes and should be notified annually of any change in Corporate Officers or of a change in authority to issue capital stock.
  - All PA. Corporate Tax Reports, except those for Motor Vehicle For Hire, must be filed with the Commonwealth on the same fiscal basis as filed with the United States Government Motor Vehicle For Hire, i.e., Gross Receipts Tax Reports, must be filed on a calendar year basis only.
  - This form must be mailed in triplicate to:  
Commonwealth of Pennsylvania  
Department of State  
Corporation Bureau  
Harrisburg, PA 17120

In the case of a proposed business corporation, this Registry Statement shall be executed by one of the original corporate members. A corporate incorporator or a foreign business corporation shall be executed under the seal of the corporation by two authorized officers. The Registry Information must be submitted in triplicate, with one statement including a copy of the stated purposes of a foreign corporation. Only one copy need be manually signed. The remaining copies may be either conformed or facsimile copies.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

DATE \_\_\_\_\_ SERVICE APR 14 1990

BUREAU OF TRANSPORTATION  
COMMON CARRIER  
MARCH 1990

A-00109226

Application of Gabler Trucking, Inc., a corporation of the State of Delaware, for the right to begin to transport, as a common carrier, by motor vehicle, (1) milk from points in the townships of Saint Thomas and Hamilton to the boroughs of Chambersburg, Mercersburg and Greencastle, Franklin County, and the borough of Shippensburg, Cumberland County; (2) fruit and vegetables from farms and orchards to canneries and packing, storage and freight houses between points in the counties of Franklin and Adams; (3) farm products, farm machinery and supplies from points in the townships of Hamilton and Saint Thomas to the borough of Chambersburg, Franklin County, and vice versa; provided such transportation shall either originate or terminate at a farm; (4) heavy or bulky machinery for the Chambersburg Implement Company from the city of Harrisburg, Dauphin County to points within fifteen (15) miles by the usually traveled highways of the limits of the borough of Chambersburg, Franklin County, excluding the said borough; (5) apples and apple products from the plant of the Knouse Corporation in the borough of Chambersburg, Franklin County, to the village of Peach Glen, Adams County, and vice versa; (6) powdered milk from the plant of the Hershey Creamery Company in the borough of Chambersburg, Franklin County, to points within one hundred fifty (150) miles by the usually traveled highways of the limits thereof, excluding transportation from the Hershey Creamery Company's plant in the borough of Chambersburg, Franklin County, to points on the route of Horn's Motor Express and the routes of its connecting carriers, namely, Motor Freight Express, from the city of Harrisburg, Dauphin County, to the cities of Lancaster and Philadelphia, and Hall's Motor Transit Company, from the city of Harrisburg, Dauphin County, to the cities of Sunbury, Williamsport, Wilkes-Barre and Scranton; (7) cream from the borough of Chambersburg, Franklin County, to the city of Harrisburg, Dauphin County; (8) apples and peaches from points in the counties of Franklin and Adams to points within two hundred (200) miles by the usually traveled highways of the limits thereof; (9) as a Class C carrier, apples and apple products for the Knouse Corporation located in the borough of Chambersburg, Franklin County, and the village of Peach Glen, Adams County, to points within two hundred (200) miles by the usually traveled highways of the limits thereof; (10) as a Class D carrier, packing

NA

MAY - 7 1990

TA

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.

DOCUMENT  
FOLDED

DOCKETED  
APPLICATION DOCKET  
APR 13 1990  
ENTRY No. \_\_\_\_\_

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

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

- 2 -

house supplies, cannery supplies, farm supplies and food products in containers between canneries, packing houses, storage houses and freight houses in the counties of Franklin and Adams, and from said places to farms in the said counties, and vice versa; (11) frozen foods from the plants of Knouse Foods, Inc., and Knouse Foods Cooperative, Inc. in the villages of Peach Glen and Orrtanna, Adams County, to points in Pennsylvania, and vice versa; (12) empty containers and materials and supplies used in the production of food products from points in Pennsylvania west of U.S. Highway Route 15 to the plants of Knouse Foods, Inc., and Knouse Foods Cooperative, Inc., in the village of Orrtanna, Adams County; (13) dry sugar in bulk from points in Pennsylvania to the plants of Knouse Foods, Inc., and Knouse Foods Cooperative, Inc., in the borough of Chambersburg, Franklin County; with right nos. 12 and 13 subject to the following conditions: That no right, power or privilege is granted to transport any property from the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) miles of the limits of said borough; That no right, power or privilege is granted to transport glass containers from the borough of South Connellsville, Fayette County; and That no right, power or privilege is granted to transport commodities in bulk in tank vehicles or in hopper-type vehicles, except dry sugar in bulk; (14) fruits, fresh and canned, farm products and supplies, from points in the county of Adams to points in Pennsylvania, and vice versa; (15) fruits from storage houses in the county of Adams to other points in Pennsylvania; (16) canned products from such canneries to other points in Pennsylvania, and empty containers, supplies and returned goods from other points in Pennsylvania to the canneries; (17) feed, constituent parts of feed, and fertilizer for L.A. Gulden from Philadelphia to applicant's warehouse at Biglerville, Adams County, and to farmers and dealers in the counties of York, Adams, Franklin, Fulton, Perry, Cumberland and Dauphin either directly from Philadelphia or from the applicant's warehouse; (18) packing house supplies and equipment and clay products between points in the county of Adams; (19) packing house supplies and equipment and clay products from points in the county of Adams to other points in Pennsylvania, and vice versa; (20) building materials between points in the counties of Adams, Cumberland, York, Franklin, Perry, Lancaster and Dauphin, provided no haul shall exceed a distance of twenty-five (25) miles from point of origin to point of disposal, and excluding the transportation of brick or by-products of brick from the city of Harrisburg, Dauphin County, as a point of origin; (21) as a Class B carrier, property between points in the borough of Biglerville, Adams County; (22) as a Class D

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.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

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

- 3 -

carrier, sugar in bags from points in the city and county of Philadelphia to points in the county of Franklin, and the return of refused or rejected shipments to the point of origin; (23) grass stop, in rolls, metal stove shovels, metal roofing and siding and fabricated metal building products, from the plant site of Penn Supply and Metal Corporation in the city and county of Philadelphia to points in Pennsylvania, with the right to return materials and supplies used in the manufacture of said commodities and refused or rejected shipments to the said plant site; with right no. 23 subject to the following conditions: That no right, power or privilege is granted to provide service to or from points in the city and county of Philadelphia and points within an airline distance of thirty-five (35) statute miles of the Philadelphia City Hall; and That no right, power or privilege is granted to provide service from the plants of the Bethlehem Steel Corporation in Cambria County; (24) such merchandise as is dealt in by wholesale, retail and chain grocery food business houses (except commodities in bulk), between points in the borough of Hanover and the township of Penn, York County, and from points in said borough and township to points in that part of Pennsylvania west of U.S. Highway Route 219, and vice versa; (25) property from the plant site of PPG Industries, Inc., in the township of South Middleton, Cumberland County, to points in Pennsylvania, and vice versa; with right no. 25 subject to the following conditions: That no right, power or privilege is granted to transport commodities in bulk in dump vehicles or tank vehicles; That no right, power or privilege is granted to transport property which, because of size or weight, requires special handling or the use of special equipment such as winch trucks or tractors, pole trailers, extendible trailers or carryalls; That no right, power or privilege is granted to transport household goods in use; and That no right, power or privilege is granted to transport junk, scrap iron, metal borings and metal turnings for Maryland Metals, Inc. to points in the borough of Lewistown, Mifflin County, and to that part of Pennsylvania bounded on the east by U.S. Highway Route 219 and on the north by U.S. Highway Routes 322 and 62, including points on said routes, and to plants of the Bethlehem Steel Company in the county of Cambria; (26) fresh fruit from orchards and packing houses in the counties of Adams, Franklin, Cumberland and York for Musselman Fruit Products Division of Pet, Inc. to its canneries at Gardners and Biglerville, Adams County; (27) fresh fruit for the Knouse Corporation of the same nature and in the same manner as for Musselman Fruit Products Division of Pet, Inc. to its cannery at Peach Glen, Adams County; (28) foodstuffs from canneries, packing houses and storage places operated in connection therewith

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.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

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

- 4 -

in Adams County, and materials and supplies used in said canneries and packing houses to points in Pennsylvania, and vice versa; with right no. 28 subject to the following condition: That no right, power or privilege is granted to transport frozen or other commodities requiring refrigeration trucks from points in the city of Harrisburg, Dauphin County and points within an airline distance of ten (10) miles of the limits of said city; (29) foodstuffs, pet foods, drugs, waxes and polishes, and paper and wrapping items (excluding commodities in bulk), from the warehouse of D. Westervelt, Inc. in the borough of Hanover, York County, to points in that part of Pennsylvania on and east of U.S. Highway Route 219 and vice versa; with right no. 29 subject to the following condition: That no right, power or privilege is granted to transport any single shipment weighing less than 10,000 pounds; (30) foodstuffs (except in bulk) in vehicles equipped to protect from heat or cold, from the facilities of Hershey Foods Corporation in the township of Derry, Dauphin County, to points in Pennsylvania; and the return of materials and supplies (except in bulk) used in the production of foodstuffs, in vehicles equipped to protect from heat or cold; (31) foodstuffs (except in bulk) from the facilities of San Giorgio Macaroni, Inc., in the city of Lebanon, Lebanon County, to points in Pennsylvania; and the return of materials and supplies (except in bulk) used in the production of foodstuffs; with right no. 31 subject to the following conditions: That no right, power or privilege is granted to render service to or from points in the counties of Berks, Blair, Bucks, Carbon, Centre, Chester, Clinton, Columbia, Delaware, Huntingdon, Juniata, Lackawanna, Lehigh, Luzerne, Lycoming, Mifflin, Monroe, Montgomery, Montour, Northampton, Northumberland, Schuylkill, Snyder, Union and Wyoming; and That no right, power or privilege is granted to transport containers, closures, cartons or boxes from Brockway Glass Company, Inc., in the city of Washington, Washington County; (32) property from the facilities of Calgon Consumer Products Company, Inc., subsidiary of Merck & Co., Inc., in Falls Township, Bucks County, to points in Pennsylvania (excluding points in the counties of Philadelphia, Chester, Delaware, Bucks, Montgomery, Franklin, Perry, Adams, Dauphin, York, Lancaster and Lebanon); with right no. 32 subject to the following conditions: Provided that transportation to points in the county of Cumberland shall be limited to the facilities of Dauphin Distribution Services Co.; and Provided that no right, power or privilege is granted to perform transportation to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the limits of said city; points in the borough of Lewistown, Mifflin County, and points within an airline distance

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.



PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

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

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of ten (10) statute miles of the limits thereof; points in the borough of State College, Centre County, and points within an airline distance of ten (10) statute miles of the limits thereof; and points in the borough of Huntingdon, Huntingdon County, and points within an airline distance of five (5) statute miles of the limits thereof; (33) soap, soap products and cleaning compounds marketed by Armour-Dial, Inc., from the plant site of Purex Corp., in the borough of Bristol, Bucks County, to points in Pennsylvania (excluding points in the counties of Philadelphia, Chester, Delaware, Bucks, Montgomery, Franklin, Perry, Adams, Dauphin, York, Lancaster and Lebanon); with right no. 33 subject to the following conditions: Provided that deliveries to points in Cumberland County shall be limited to the facilities to Dauphin Distribution Services Co.; Provided that no right, power or privilege is granted to perform transportation to points in the city of Pittsburgh, Allegheny County, and points within an airline distance of thirty-five (35) statute miles of the limits of said city; points in the borough of Lewistown, Mifflin County, and points within an airline distance of ten (10) statute miles of the limits thereof; points in the borough of State College, Centre County, and points within an airline distance of ten (10) statute miles of the limits thereof; and points in the borough of Huntingdon, Huntingdon County, and points within an airline distance of five (5) statute miles of the limits thereof; and Provided that no right, power or privilege is granted to perform transportation to points in the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) statute miles of the limits of said borough, plus the city of Johnstown, Cambria County, and the boroughs and townships contiguous thereto; (34) such merchandise as is dealt in by wholesale, retail, and chain grocery foods, houses (except commodities in bulk), from the plant sites, warehouses and distribution centers of: 1. Hanover Terminals, Inc. and Hanover Brands, Inc. in the borough of Hanover and the township of Penn, York County; 2. D. Westervelt, Inc., in the boroughs of Hanover, New Freedom, and Shrewsbury and the township of Penn, York County; and 3. California Cannery and Growers in the township of Conewago, Adams County; with right no. 34 subject to the following conditions: that no right, power or privilege is granted: (1) To perform transportation of containers from the city of Clarion and the township of Paint, Clarion County; (2) To transport any single shipment weighing less than 10,000 pounds from points in the borough of Hanover and the township of Penn, York County, to points on and east of U.S. Highway 219, and vice versa; and (3) To transport any single shipment weighing less than 10,000 pounds from the boroughs of New Freedom and Shrewsbury, York County,

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and the township of Conewago, Adams County, to points in Pennsylvania, and vice versa, except to and from points on and west of U.S. Highway 220 and points on the south of U.S. Highway 22; (35) such merchandise as is dealt in by wholesale, retail and chain grocery food business houses (except commodities in bulk) from the plant sites and warehouses of Dauphin Distribution Services Co., in the borough of Camp Hill and the township of Hampden, Cumberland County, to points in Pennsylvania, with the right to return refused, damaged or rejected shipments to the point of origin; with right no. 35 subject to the following condition: That no right, power or privilege is granted to render service to the borough of Martinsburg, Blair County, and points within an airline distance of thirty (30) statute miles of the limits of said borough, except on multiple delivery shipments involving destinations both within and beyond said territory on the same truckload; (36) such merchandise as is dealt in by wholesale, retail and chain food grocery business houses, except commodities in bulk, from points in that part of Pennsylvania on and west of U.S. Highway Route 219, and from the shipping facilities of the Durkee Foods Division of SCM Corporation in the city of Bethlehem, Lehigh and Northampton Counties, the borough of Pen Argyl and the township of Plainfield, Northampton County, to the facilities of Dauphin Distribution Services Co., in the borough of Camp Hill and the township of Hampden, Cumberland County; with right no. 36 subject to the following condition: That transportation from the shipping facilities of the Durkee Foods Division of SCM Corporation shall be limited to shipments of thirty thousand (30,000) pounds or more; (37) animal feed, from the facilities of Perk Foods Company, Division of C.H.B. Foods, Inc., located in the township of Lower Allen, Cumberland County, to points in Pennsylvania; (38) such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from points in the county of Cumberland, to points in Pennsylvania, and vice versa; (39) such commodities as are dealt in by wholesale, retail, chain grocery and food business houses, from the facilities of H.J. Heinz Company, located in the county of Allegheny, to points in Pennsylvania, and vice versa; with right nos. 38 and 39 subject to the following condition: That no right, power or privilege is granted to provide service from the facilities of Ralston Purina Company; (40) commodities as are dealt in by wholesale, retail and chain grocery and food business houses, for the Pillsbury Company, from the plant site of said company, located in the township of West Sadsbury, Chester County, to points in Pennsylvania, and vice versa; (41) property for the Dial Corporation, between the facilities owned, leased or utilized by the Dial Corporation, and

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from said facilities to points in Pennsylvania, and vice versa; with right no. 41 subject to the following condition: That no right, power or privilege is granted to transport commodities in bulk; (42) milk and farm products, fruit and vegetables from points in the townships of Greene, Guilford and Southampton, Franklin County, and within three (3) miles of the limits of said townships to other points in Pennsylvania within fifty (50) miles by the usually traveled highways of the limits of said townships, and vice versa; (43) household goods, in use, from points in the borough of Chambersburg, Franklin County, and within three (3) miles of the limits of said borough to other points in Pennsylvania, and vice versa, provided that such transportation shall originate or terminate at a farm or a rural dwelling; (44) fruit from orchards and packers in the county of Franklin to other points in Pennsylvania; (45) fruit juices from the village of Scotland, Greene Township, Franklin County, to points in Pennsylvania, and the return of empty containers to points in the said village, provided that no fruit juices shall be transported to points on the direct lines of Horn's Motor Express, nor shall any empty containers be transported from points on the direct lines of Horn's Motor Express; (46) containers and container parts, from the plant site of Continental Can Company in the city of Lancaster, Lancaster County and its warehouses in the county of Lancaster, to points in Pennsylvania (except points in the county of Adams); with right no. 46 subject to the following condition: That the service herein authorized shall be limited to transportation in high-cube and extra high-cube van trailers having a rear door opening of one hundred (100) inches or more; (47) dry pyrophyllite, in flatbed vehicles, dump vehicles and pneumatic tank vehicles, from points in the townships of South Middleton and Dickinson, Cumberland County, to points in Pennsylvania; provided that transportation to points within thirty (30) miles of the limits of the borough of Martinsburg, Blair County, shall be confined to transportation in dump vehicles and pneumatic tank vehicles, and the right to return rejected or refused shipments from points in Pennsylvania to points in the townships of South Middleton and Dickinson, Cumberland County; (48) slate dust, in bulk, and ground, crushed and pulverized slate, in bulk, from the plant of Roofing Granule Division of the Ruberoid Company in the township of Peach Bottom, York County, to points in Pennsylvania, and the right to return refused or rejected shipments to the point of origin; and (49) raw milk, in bulk in tank trucks, for Cherry Lane Dairy, Shively's Dairy and Chambersburg Dairy Products, all located in the borough of Chambersburg, Arthur's Dairy located in the borough of Waynesboro and Miller and Read's Dairy located in the borough of Shippensburg, between

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points in the borough of Chambersburg, Franklin County, and within sixty (60) miles of the limits of the borough of Chambersburg and from points in the said territory to points within two hundred fifty (250) miles of the limits of the said borough of Chambersburg; with right no. 49 subject to the following conditions: That no right, power or privilege is granted to perform transportation for: (1) Abbott's Dairies, Inc.; (2) Sealtest Supplee Division of National Dairy Products; (3) Harbison's; (4) Foremost Dairies; (5) Breyer's Ice Cream Co. Division of National Dairy Products; (6) Lancaster Milk Co.; (7) Penn-Dairies, Inc.; (8) Hershey Creamery, Inc.; (9) Hershey Chocolate Company; (10) Rakestraw's Dairy Products; (11) Harrington Dairies, Inc.; their present or future subsidiaries, affiliates, successors or assigns; and That no right, power or privilege is granted to perform transportation to points in the cities of Harrisburg, York and Philadelphia and points in the counties of Northumberland, Union, Snyder, Centre and Clinton; which is to be a transfer of the rights authorized under the certificate issued at A-00083975, Folders 3, 4, 5 and 6 to H.C. Gabler, Inc., a corporation of the State of Delaware, subject to the same limitations and conditions. APPLICATION FOR TEMPORARY AUTHORITY HAS BEEN FILED AT A-00109226, SEEKING THE RIGHT CITED ABOVE.

MW:np  
3/30/90

Application received: 3/8/90  
Application docketed: 3/29/90  
TA application received: 3/8/90  
TA application docketed: 3/29/90 .

Protests due on No Hearings  
Protests due on Hearings - (5 days prior to date of hearing)  
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