

BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

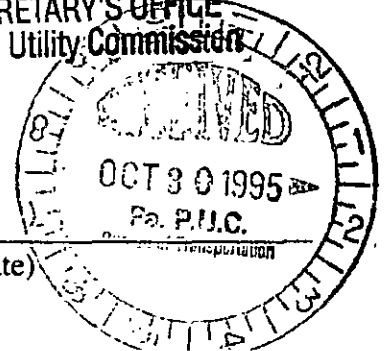
APPLICATION FOR TRANSPORTATION BY MOTOR
CARRIERS OF PROPERTY

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

<p>For PUC Use Only</p> <p>Docket No. <u>11-112587</u></p>

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OCT 30 1995

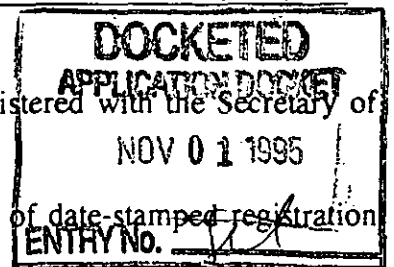
SECRETARY'S OFFICE
Public Utility Commission



1. K & B Summers, Inc.
(Full and correct name in which you intend to operate)

2. N/A
(Trade name, if any)

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



3. 106 Garden Spot Rd. (717)733-6556
(Physical Address) (Telephone No.)

Ephrata, Lancaster PA 17522
(City) (County) (State) (Zip)

4. P.O. Box 239
(Mailing Address; if different)

Ephrata, Lancaster PA 17522
(City) (County) (State) (Zip)

5. Applicant does hold ICC authority under Docket No. MC 249242
(does or does not)

6. Applicant does have a current safety rating issued by US DOT
(does or does not)

(attach copy).

7. Approximate number of commercial vehicles to be operated intrastate:

owned 5 leased 1

8. Applicant is (check one):

Individual

Partnership. Attach copy of partnership agreement and list names and addresses of all partners below (use additional sheet if necessary).

(Name)	(Address)

Corporation. Organized under the laws of the State of PA and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on 2/26/88 (Attach date-stamped copy of application for Certificate of Incorporation or Authority). Include as an attachment a list of corporate officers and their titles and the names, addresses and number of shares held by each stockholder.

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

Partnership Agreement.

Date-stamped copy of Fictitious Trade Name registration certificate.

Date-stamped copy of Application for Certificate of Incorporation or Certificate of Authority.

Copy of a current safety rating issued by a state or federal agency.

List of corporate officers and stockholders and distribution of shares.

Proof of Insurance.

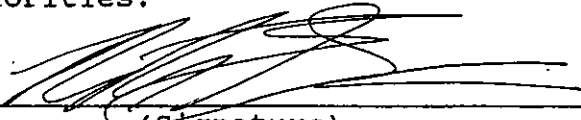
10. Certification

- a. Applicant certifies that it is not now engaged in any transportation of property for compensation in Pennsylvania and will not engage in the transportation for which approval is herein sought unless and until authorization for such transportation is received.
- b. Applicant certifies that it understands the requirements of the Pennsylvania Public Utility Commission, especially as they relate to safety and insurance, and will be able to comply with them.
- c. Applicant certifies that it understands that it is subject to an annual assessment based upon its gross intrastate operating revenues to help pay the expenses incurred by the PUC in regulating motor carriers of property.

VERIFICATION OF APPLICATION

I/We hereby state that the statements made in the application are true and correct to the best of my/our knowledge, information belief.

The undersigned understand(s) that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Rebecca E. Summers  10/25/95

(Print Name) (Signature) (Date)

(Print Name) (Signature) (Date)

(Print Name) (Signature) (Date)

This section must be completed by the applicant appearing on Line 1, if an individual; by all partners, if a partnership; or by the President or Secretary, if a corporation).

ARTICLES OF INCORPORATION

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

- DOMESTIC BUSINESS CORPORATION
 DOMESTIC BUSINESS CORPORATION
A CLOSE CORPORATION - COMPLETE BACK
 DOMESTIC PROFESSIONAL CORPORATION
ENTER BOARD LICENSE NO.

FEE
\$75.00

010 NAME OF CORPORATION (MUST CONTAIN A CORPORATE INDICATOR UNLESS EXEMPT UNDER 15 P.S. 2906 B)

K & B SUMMERS, INC.

011 ADDRESS OF REGISTERED OFFICE IN PENNSYLVANIA (P.O. BOX NUMBER NOT ACCEPTABLE)

102 Garden Spot Road, P. O. Box 239

012 CITY

Ephrata

033 COUNTY

Lancaster

013 STATE

Pa.

064 ZIP CODE

17522

050 EXPLAIN THE PURPOSE OR PURPOSES OF THE CORPORATION

The purpose for which the Corporation has been organized is to engage in and to do any and all lawful acts concerning any and all lawful business for which the Corporation may be incorporated under the Pennsylvania Business Corporation Law.

(ATTACH 8 1/2 x 11 SHEET IF NECESSARY)

The Aggregate Number of Shares, Classes of Shares and Par Value of Shares Which the Corporation Shall Have Authority to Issue:

040 Number and Class of Shares

5,000 common

041 Stated Par Value Per Share If Any

no par

042 Total Authorized Capital

to be determined

031 Term of Existence

perpetual

The Name and Address of Each Incorporator, and the Number and Class of Shares Subscribed to by Each Incorporator

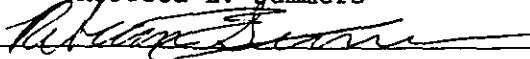
060 Name	061, 062 063, 064 Address (Street, City, State, Zip Code)	Number & Class of Shares
Kenneth R. Summers	2 Brook Circle, R. D. #1 Ephrata, Pa. 17522	500 common
Rebecca E. Summers	116 East Church Street, Stevens, Pa. 17578	500 common
(ATTACH 8 1/2 x 11 SHEET IF NECESSARY)		

IN TESTIMONY WHEREOF, THE INCORPORATOR(S) HAS (HAVE) SIGNED AND SEALED THE ARTICLES OF INCORPORATION

THIS 23rd DAY OF February 1988.

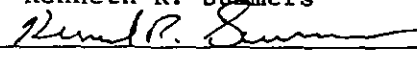
/s/ Rebecca E. Summers

Rebecca E. Summers



/s/ Kenneth R. Summers

Kenneth R. Summers



- FOR OFFICE USE ONLY -

030 FILED February 26, 1988 /s/ James J. Haggerty	002 CODE	003 REV BOX	SEQUENTIAL NO. 0914	100 MICROFILM NUMBER 8816 767	
	REVIEWED BY	004 SICC	AMOUNT \$ 75.00	001 CORPORATION NUMBER 1022993	
	DATE APPROVED				
	DATE REJECTED	CERTIFY TO <input type="checkbox"/> REV. <input type="checkbox"/> L & I <input type="checkbox"/> OTHER	INPUT BY 3/11/88	LOG IN	LOG IN (REFILE)
	MAILED BY DATE		VERIFIED BY 3/11/88	LOG OUT	LOG OUT (REFILE)

Secretary of the Commonwealth
Department of State
Commonwealth of Pennsylvania

Commonwealth of Pennsylvania
Department of State

8816 768



CERTIFICATE OF INCORPORATION

Office of the Secretary of the Commonwealth

To All to Whom These Presents Shall Come, Greeting:

Whereas, Under the provisions of the Laws of the Commonwealth, the Secretary of the Commonwealth is authorized and required to issue a "Certificate of Incorporation" evidencing the incorporation of an entity.

Whereas, The stipulations and conditions of the Law have been fully complied with by

K & B SUMMERS, INC.

Therefore, Know Ye, That subject to the Constitution of this Commonwealth, and under the authority of the Laws thereof, I do by these presents, which I have caused to be sealed with the Great Seal of the Commonwealth, declare and certify the creation, erection and incorporation of the above in deed and in law by the name chosen hereinbefore specified.

Such corporation shall have and enjoy and shall be subject to all the powers, duties, requirements, and restrictions, specified and enjoined in and by the applicable laws of this Commonwealth.



Given under my Hand and the Great Seal of the Commonwealth,
at the City of Harrisburg, this 26th day
of February in the year of our
Lord one thousand nine hundred and eighty-eight
and of the Commonwealth the two hundred twelfth

James J. Hoyt
Secretary of the Commonwealth

1022993

INTERSTATE COMMERCE COMMISSION

PERMIT

SERVICE DATE

SEP 21 1992

No. MC 249242 (Sub 1)

K & B SUMMERS, INC.
EPHRATA, PA

This Permit is evidence of the carrier's authority to engage in transportation as a contract carrier by motor vehicle.

This authority will be effective as long as the carrier maintains compliance with the requirements pertaining to insurance coverage for the protection of the public (49 CFR 1043); the designation of agents upon whom process may be served (49 CFR 1044); the execution of contracts (49 CFR 1053)¹; and for passenger carriers, tariffs or schedules (49 CFR 1312).

This authority is subject to any terms, conditions, and limitations as are now, or may later be, attached to this privilege.

The transportation service to be performed is described on the reverse side of this document.

By the Commission.

(SEAL)

SIDNEY L. STRICKLAND, JR.
Secretary

NOTE: If there are any discrepancies regarding this Permit, please notify the Commission within 30 days.

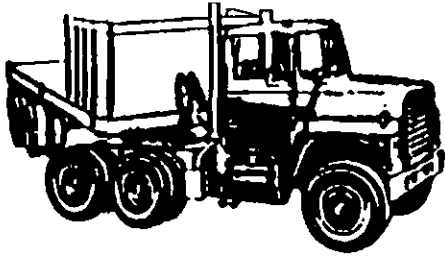
¹While the execution of contracts must be accomplished, it is unnecessary to file them with the Commission.

To operate as a contract carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting general commodities (except hazardous materials and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with commercial shippers or receivers of such commodities.

NOTE: Willful and persistent noncompliance with applicable safety fitness regulations as evidenced by a DOT safety fitness rating of "Unsatisfactory" or by other indicators, could result in a proceeding requiring the holder of this certificate or permit to show cause why this authority should not be suspended or revoked.

** NOTE **

EFFECTIVE JANUARY 1, 1991, AS REQUIRED BY THE MOTOR CARRIER SAFETY ACT OF 1990 (PUBLIC LAW 101-500), THOSE MOTOR CARRIERS RECEIVING AN "UNSATISFACTORY" SAFETY RATING, ISSUED BY THE FEDERAL HIGHWAY ADMINISTRATION, ARE PROHIBITED FROM TRANSPORTING PLACARDABLE QUANTITIES OF HAZARDOUS MATERIALS, OR FOR HIRE TRANSPORTATION OF MORE THAN 15 PASSENGERS, INCLUDING THE DRIVER, IN INTERSTATE COMMERCE. THIS PROHIBITION WILL BEGIN 45 DAYS AFTER THE EFFECTIVE DATE OF AN "UNSATISFACTORY" SAFETY RATING, OR RECEIPT OF THE "UNSATISFACTORY" SAFETY RATING LETTER, WHICHEVER IS LATER.



K & B SUMMERS, INC.

WBE #PAJDK & 011

P.O. Box 239 P.O. Box 634
Ephrata, PA 17522 or Sicklerville, NJ 08081

Phone (717) 733-6556
FAX (717) 733-1344

Corporate Officers

Rebecca E. Summers	President	effective 10/29/90
Julie A. Summers	Secretary	effective 10/13/93
Julie A. Summers	Treasurer	effective 10/29/90

Shareholders

Rebecca E. Summers	500 shares common	4/25/88
	100 shares common	5/21/90
Julie A. Summers	100 shares common	5/21/90
	500 shares common	5/12/93

PRODUCER

PMA GROUP
P.O. BOX 604
LEMOYNE, PA 17043

(717) 763-7281
MARIO J. SPINA

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHT UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER **A** THE PMA GROUP
- COMPANY LETTER **B**
- COMPANY LETTER **C**
- COMPANY LETTER **D**
- COMPANY LETTER **E**

INSURED

K & B SUMMERS, INC.
P. O. BOX 239
EPHRATA, PA 17522

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR. <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT.	829500-75-97-69-3	10/01/95	10/01/96	GENERAL AGGREGATE \$ 2,000,000 PRODUCTS COMP/OP AGG. \$ 1,000,000 PERSONAL & ADV. INJURY \$ 1,000,000 EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (Any one fire) \$ 50,000 MED. EXPENSE (Any one person) \$ 5,000
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY	169500-75-97-69-3	10/01/95	10/01/96	COMBINED SINGLE LIMIT \$ 1,000,000 BODILY INJURY (Per Person) \$ BODILY INJURY (Per Accident) \$ PROPERTY DAMAGE \$
A	EXCESS LIABILITY <input checked="" type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	859500-75-97-69-3	10/01/95	10/01/96	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000
A	WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY	209500-75-97-69-3	04/09/95	04/09/96	STATUTORY LIMITS EACH ACCIDENT \$ 100,000 DISEASE-POLICY LIMIT \$ 500,000 DISEASE-EACH EMPLOYEE \$ 100,000
A	OTHER CARGO INSURANCE	829500-75-97-69-3	10/01/95	10/01/96	\$100,000, \$1,000 DEDUCTIBLE
A	GARAGEKEEPERS	139500-75-97-69-3	10/01/95	10/01/96	\$1,000,000

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

ALL VEHICLES

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

Mario J. Spina



U.S. Department
of Transportation
**Federal Highway
Administration**

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

SEPTEMBER 01, 1993

IN REPLY REFER TO:
YOUR USDOT NO.: 493751
REVIEW NO.: 00155270/SR

K & B SUMMERS, INC.
P.O. BOX 239
EPHRATA, PA 17522

GENTLEMEN:

THE MOTOR CARRIER SAFETY RATING FOR YOUR COMPANY IS:

SATISFACTORY

THIS SATISFACTORY RATING IS THE RESULT OF A JAN 20, 1993, REVIEW AND EVALUATION. A SATISFACTORY RATING INDICATES THAT YOUR COMPANY HAS ADEQUATE SAFETY MANAGEMENT CONTROLS IN PLACE TO EFFECT SUBSTANTIAL COMPLIANCE WITH THE FEDERAL MOTOR CARRIER SAFETY AND/OR HAZARDOUS MATERIALS REGULATIONS.

PLEASE ASSURE YOURSELF THAT ANY SPECIFIC DEFICIENCIES IDENTIFIED IN THE REVIEW REPORT HAVE BEEN CORRECTED. WE APPRECIATE YOUR EFFORTS TOWARD PROMOTING MOTOR CARRIER SAFETY THROUGHOUT YOUR COMPANY. IF YOU HAVE QUESTIONS OR REQUIRE FURTHER INFORMATION, PLEASE CONTACT THE SAFETY SPECIALIST WHO CONDUCTED THE REVIEW.

RONALD G. ASHBY
CHIEF, FEDERAL PROGRAMS DIVISION

- SEE MESSAGE ON BACK -



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

November 10, 1995

K & B SUMMERS INC
PO BOX 239
EPHRATA PA 17522

In re: A-00112587 - Application of K & B Summers, Inc.

Dear Sir:

The above-cited application has been received and accepted for publication. It will be published in the Pennsylvania Bulletin of November 11, 1995.

You are further advised that the above-cited application will be submitted for review provided no comments are filed on or before November 27, 1995. If comments are filed, you will be advised as to the procedure.

You are not yet authorized to provide intrastate service. You will receive notification when you may begin.

Very truly yours,

Peter S. Marzolf, Supervisor
Application Review Section
Bureau of Transportation & Safety

PSM:lg

