

Cherewka & Radcliff, LLP.
624 North Front Street
Wormleysburg, Pennsylvania 17043
(717) 232-4701
(717) 901-3770
Fax (717) 232-4774

February 15, 2000

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

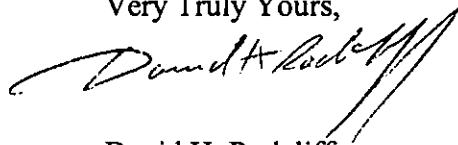
RE: N.L. Minich & Sons, Inc.
Motor Carrier Application

Dear Secretary McNulty:

I enclose for filing an original and two copies of an application for transportation of property for the above referenced client. Also enclosed is my check in the amount of \$100 to cover the filing fee.

I am forwarding a copy of this application to the applicant.

Very Truly Yours,



David H. Radcliff

Enclosures

cc: N.L. Minich & Sons, Inc.
730 North College Street
Carlisle, PA 17013

EEF



Before the Pennsylvania Public Utility Commission

APPLICATION
MOTOR COMMON CARRIER OF PROPERTY

704272

1. N.I. MINICH & SONS, INC.
FULL NAME OF APPLICANT (Individual, Partnership or Corporation)

DOCKETED
MAR 10 2000

2. _____
TRADE NAME IF ANY
The trade name, if fictitious, _____ been registered with the
(has or has not)

Secretary of the Commonwealth on _____ Attach a date
stamped copy of the registration form.

3. 730 N. College Street
Carlisle, PA 17013 Cumberland County (717)243-2856
PHYSICAL ADDRESS TELEPHONE NUMBER (REQUIRED)
(City, County, and Zip Code)

4. _____
MAILING ADDRESS IF DIFFERENT FROM PHYSICAL ADDRESS

5. David H. Radcliff, Esq. (717)232-4701
ATTORNEY'S NAME AND TELEPHONE NUMBER FOR THIS FILING
(Do not supply an Attorney's name if you want all correspondence and notice of
process mailed directly to you.)

624 North Front Street, Wormleysburg, PA 17043
ATTORNEY'S ADDRESS

6. APPLICANT does not HOLD INTERSTATE OPERATING
(does or does not)
AUTHORITY AT DOCKET NUMBER _____

7. APPLICANT does not HAVE A CURRENT SAFETY RATING
(does or does not)
ISSUED BY THE US DOT, PA PUC OR OTHER STATE REGULATORY
AGENCY. (ATTACH COPY)

REV 75-
BE PUC
NO COPY

DOCUMENT
FOLDER

A-116667

8. APPROXIMATE NUMBER OF COMMERCIAL VEHICLES TO BE OPERATED IN PENNSYLVANIA: OWNED 11 LEASED _____.

9. CHECK ONE THAT APPLIES TO THIS APPLICATION:

INDIVIDUAL

PARTNERSHIP. ATTACH A COPY OF A PARTNERSHIP AGREEMENT AND LIST THE NAMES AND ADDRESSES OF ALL PARTNERS BELOW:

(Attach a separate sheet if space provided is not sufficient.)

CORPORATION. ORGANIZED UNDER THE LAWS OF THE STATE OF Pennsylvania AND QUALIFIED TO DO BUSINESS IN PENNSYLVANIA BY REGISTERING WITH THE SECRETARY OF THE COMMONWEALTH ON _____ ATTACH A DATE-STAMPED COPY OF THE APPLICATION FOR CERTIFICATE OF INCORPORATION OR CERTIFICATE OF AUTHORITY. INCLUDE A LIST OF CORPORATE OFFICERS WITH TITLES, NAMES OF SHAREHOLDERS AND NUMBER OF SHARES HELD, AND ADDRESSES.

10. ATTACHMENT CHECKLIST:

FOR CORPORATIONS ONLY:

DATE STAMPED COPY OF APPLICATION FOR CERTIFICATE OF INCORPORATION OR CERTIFICATE OF AUTHORITY.

See attached

LIST OF OFFICERS/TITLES AND DISTRIBUTION OF SHARES.

See attached

FOR PARTNERSHIPS ONLY:

COPY OF PARTNERSHIP AGREEMENT.

FOR ALL APPLICANTS:

FICTITIOUS TRADE NAME REGISTRATION (IF APPLICABLE)

COPY OF CURRENT SAFETY RATING (IF AVAILABLE)

PROOF OF INSURANCE (See item 5 on instruction sheet). See attached

CERTIFIED CHECK, MONEY ORDER OR ATTORNEY'S CHECK

11. CERTIFICATION:

APPLICANT CERTIFIES THAT IT IS NOT NOW ENGAGED IN ANY INTRASTATE TRANSPORTATION OF PROPERTY FOR COMPENSATION BETWEEN POINTS IN PENNSYLVANIA AND WILL NOT ENGAGE IN SAID TRANSPORTATION UNLESS AND UNTIL AUTHORIZATION IS RECEIVED FROM THE PENNSYLVANIA PUBLIC UTILITY COMMISSION.

APPLICANT FURTHER CERTIFIES THAT IT UNDERSTANDS THE REQUIREMENTS OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, ESPECIALLY AS THEY RELATE TO SAFETY AND INSURANCE AND THAT IT MAY BE SUBJECT TO CIVIL PENALTIES, SUSPENSION OR CANCELLATION OF THE CERTIFICATE FOR FAILURE TO COMPLY WITH COMMISSION REQUIREMENTS.

APPLICANT FURTHER CERTIFIES THAT IT UNDERSTANDS THAT IT IS SUBJECT TO AN ANNUAL ASSESSMENT BASED UPON ITS REPORTED GROSS PENNSYLVANIA INTRASTATE REVENUES; SAID ASSESSMENT TO HELP DEFRAY EXPENSES INCURRED IN REGULATING MOTOR COMMON CARRIERS OF PROPERTY; AND ACKNOWLEDGES THAT FAILURE TO REPORT REVENUE AND PAY ITS ANNUAL ASSESSMENT MAY RESULT IN CIVIL PENALTIES, SUSPENSION OR CANCELLATION OF THE CERTIFICATE.

VERIFICATION OF APPLICATION

I/WE HEREBY STATE THAT THE STATEMENTS MADE IN THIS APPLICATION IS/ARE TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE AND BELIEF.

THE UNDERSIGNED UNDERSTANDS THAT FALSE STATEMENTS HEREIN ARE MADE SUBJECT TO THE PENALTIES OF 18 Pa. C.S. SECTION 4904 RELATING TO UNSWORN FALSIFICATION TO AUTHORITIES.

Nelson b. Murch (PRINT NAME) Nelson B. Murch (SIGNATURE) 7-15-2002 (DATE)

THE VERIFICATION OF THE APPLICATION MUST BE COMPLETED BY THE APPLICANT APPEARING ON LINE 1 OF THE APPLICATION BY THE NAMED INDIVIDUAL, ALL PARTNERS IF A PARTNERSHIP OR BY THE PRESIDENT OR SECRETARY IF A CORPORATION.

MINIMUM LIMITS OF INSURANCE
PENNSYLVANIA PUBLIC UTILITY COMMISSION AUTHORIZED
CARRIERS OF PROPERTY

General Commodities and/or Household goods in use.

Bodily Injury:

\$300,000 per accident per vehicle to cover liability for bodily injury, death or property damage incurred in an accident.

Insurance coverage of motor carriers of property shall meet the requirements of 75 PA C.S. Ss. 1711 (relating to required benefits).

Cargo:

\$5,000 for loss or damage to cargo being transported.

Cargo Insurance may be waived if you meet any one of three criteria:

1. All transportation will be provided in dump trucks.
2. All transportation will be limited to farm products, garbage, ashes, rubbish, coal debris, earth, crushed stone, amesite, and similar construction materials.
3. The value of any one load being transported will not be more than \$500.00 in value.

Commonwealth of Pennsylvania
Department of State

88981506



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

N. L. MINICH AND SONS, 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 30th day
of December in the year of our
Lord one thousand nine hundred and eighty-eight
and of the Commonwealth the two hundred thirteenth



James J. Hoyt
Secretary of the Commonwealth

ARTICLES OF INCORPORATION

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

PLEASE INDICATE (CHECK ONE) TYPE CORPORATION:

- DOMESTIC BUSINESS CORPORATION (checked)
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. 2908 B)

N. L. Minich and Sons, Inc.

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

730 North College Street

012 CITY

Carlisle

033 COUNTY

Cumberland

013 STATE

PA

064 ZIP CODE

17013

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050 EXPLAIN THE PURPOSE OR PURPOSES OF THE CORPORATION

To engage in any lawful business or act for which corporations may be organized or which corporations may perform, under the Pennsylvania Business Corporation Law, Act of May 5, 1933, P.L. 364, as amended, including excavating, contracting and related trades.

(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:

Table with 4 columns: 40 Number and Class of Shares, 041 Stated Par Value Per Share If Any, 042 Total Authorized Capital, 031 Term of Existence. Values: 30,000 shares of Common Stock, \$10.00, \$300,000, Perpetual.

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

Table with 3 columns: 060 Name, 061, 062 063, 064 Address (Street, City, State, Zip Code), Number & Class of Shares. Row 1: N. L. Minich, 796 Waggoners Gap Road, Carlisle, PA 17013, 10,000 shares of Common Stock.

(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 1st DAY OF January 1989

Witness: [Signature]

[Signature]

- FOR OFFICE USE ONLY -

Form with fields: 030 FILED, DEC 30 1988, 002 CODE, 003 REV BOX, SEQUENTIAL NO., 100 MICROFILM NUMBER, 88981504, REVIEWED BY, 004 SIC, AMOUNT, 001 CORPORATION NUMBER, 1073023, DATE APPROVED, DATE REJECTED, CERTIFY TO, INPUT BY, LOG IN, LOG IN (REFILE), MAILED BY DATE, VERIFIED BY, LOG OUT, LOG OUT (REFILE).

Secretary of the Commonwealth
Department of State
Commonwealth of Pennsylvania

N.L. Minich & Sons, Inc.

Metered Concrete & Excavation

730 N. College St.

Carlisle, PA 17013

Phone: (717) 243-2856

Fax: (717) 243-8993

LIST OF OFFICERS

NELSON L. MINICH - PRESIDENT

370 S. MIDDLESEX ROAD
CARLISLE PA 17013
717-249-3898

CHARLES N. MINICH SR.- VICE PRESIDENT

1200 McCLURES GAP ROAD
CARLISLE PA 17013
717-243-1010

MARSHALL M. MINICH SR.- VICE PRESIDNET

231 NORTH MIDDLETON ROAD
CARLISLE PA 17013
717-243-1734

KIMBERLY L. RHOADES- SEC- TREAS.

2160 WAGGONERS GAP ROAD
CARLISLE PA 17013
717-245-0998

LIST OF SHAREHOLDERS

MARSHALL M. MINICH SR. 4700 SHARES

CHARLES N. MINICH SR. 4700 SHARES

KIMBERLY L. RHOADES 2500 SHARES

LEON G. KELLEY 150 SHARES

531 WILLOW GROVE RD. CARLISLE PA
CHARLES N. MINICH JR. 500 SHARES

411 EASY ROAD CARLISLE PA 17013

FINANCIAL RESPONSIBILITY IDENTIFICATION CARD.

COMPANY NUMBER COMPANY
21784 Fireman's Ins Co of
POLICY NUMBER EFFECTIVE DATE EXPIRATION DATE
CAF2001362 06/11/99 06/11/00
YEAR MAKE/MODEL VEHICLE IDENTIFICATION NUMBER

ALL OWNED LEASED VEHICLES
AGENCY/COMPANY ISSUING CARD

Darr-Thumma Insurance
717-243-2921

INSURED

N L Minich & Sons Inc
&/Or Nelson L Minich
730 N College St
L Carlisle PA 17013

Not Valid More Than One Year From Effective Date

SEE IMPORTANT NOTICE ON REVERSE SIDE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

CHEREWKA & RADCLIFF LLP
ATTN DAVID H RADCLIFF
624 N FRONT ST
WORMLEYSBURG, PA 17043

DATE 3/14/00
RECEIPT # 196833

Application fees for N L MINICH & SONS INC

Docket Number A-00116667..... \$100.00

REVENUE ACCOUNT: 001780-017601-102

CHECK NUMBER: 1958
CHECK AMOUNT: \$100.00

DOCKETED
MAR 15 2000
DOCUMENT
FOLDER

C. Joseph Meisinger
(for Department of Revenue)

SRE