

# Alcaro & Maguire

ATTORNEYS AT LAW

FREDERICK W. ALCARO  
MEGAN P. MAGUIRE  
WILLIAM RUZZO

RECEIVED  
KINGSTON, PENNSYLVANIA 18704  
FAX 610-888-7798

JAN 21 1997

BUREAU OF  
TRANSPORTATION & SAFETY

January 16, 1997

RECEIVED

JAN 17 1997

Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA. 17105-3265

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

**RE: FALZONE'S TOWING SERVICE, INC.**  
**Application for Transportation by Motor**  
**Common Carriers of Property**

*A-113668*

Dear Sir or Madam:

Enclosed please find the following items, relative to the above-referenced matter:

1. Application for Transportation by Motor Common Carriers of Property, together with the Verification of Application, which has been executed by the following corporate officers: Sally A. Falzone (President), Richard T. Falzone (Vice President), and Paul S. Falzone (Sec/Treas);
2. my trust account check in the amount of \$100.00, payable to the Commonwealth of Pennsylvania, which represents the application filing fee;
3. a copy of my letter to the Pennsylvania Department of State/Corporation Bureau, requesting a Certificate of Good Standing for the above-named corporation (this item corresponds with numbers 8 and 9 of application);
4. Certificate of Insurance, which evidences bodily injury and property damage liability coverage in excess of \$300,000.00, as well as cargo liability coverage (general liability) in excess of \$5,000.00 (this item corresponds with number 9 of the application);

DOCUMENT  
FOLDER

PUC

RE: Falzone's Towing Service, Inc.

1/16/97

Page 2

If you require additional information, please advise. Otherwise, I shall look forward to receiving notice that the application has been accepted for filing and processing.

Sincerely yours,

A handwritten signature in cursive script that reads "Frederick W. Alcaro". The signature is written in dark ink and is positioned above the printed name.

FREDERICK W. ALCARO, ESQUIRE

FWA/tjr

Enclosures

cc: Falzone's Towing Service, Inc.

BEFORE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR TRANSPORTATION BY MOTOR  
COMMON CARRIERS OF PROPERTY

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

RECEIVED  
RECEIVED  
JAN 21 1997

For PUC Use Only
Docket No. <u>A-113668</u>
Folder No. _____

JAN 17 1997 BUREAU OF  
TRANSPORTATION & SAFETY  
PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

- FALZONE'S TOWING SERVICE, INC.  
\_\_\_\_\_  
(Full and correct name in which you intend to operate)  
N/A
- \_\_\_\_\_  
(Trade name, if any)  
The trade name, if fictitious, N/A been registered with the Secretary of  
(has or has not)  
the Commonwealth on N/A (attach copy of date-stamped registration  
(Date)  
form).

- 365 Pierce Street (717) 287-8501  
\_\_\_\_\_  
(Physical Address) (Telephone No.)  
Kingston, Luzerne PA 18704  
\_\_\_\_\_  
(City) (County) (State) (Zip)

DOCKETED  
APPLICATION DOCKET

- N/A  
\_\_\_\_\_  
(Mailing Address; if different)  
DOCUMENT  
\_\_\_\_\_  
(City) FOLDER (County)  
JAN 21 1997  
\_\_\_\_\_  
(State) (Zip)

5. Applicant does not hold ICC authority under Docket No. \_\_\_\_\_  
(does or does not)

6. Applicant does not have a current safety rating issued by \_\_\_\_\_  
(does or does not)

(attach copy).

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

owned: 10 leased \_\_\_\_\_

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 Pennsylvania and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on September 17, 1985 (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.

**Attachment to Application for Transportation by Motor  
Common Carriers of Property**

Applicant: FALZONE'S TOWING SERVICE, INC.  
365 Pierce Street  
Kingston, PA. 18704

Item # 8 - Corporate Officers (names, addresses, number of authorized shares)  
Total Number of Shares Authorized - 5,000

Sally A. Falzone (President) - 3,000 shares issued  
51 Plymouth Avenue  
Wilkes Barre, PA. 18702

Richard T. Falzone (Vice President) - 1,000 shares issued  
53 Reliance Drive  
Wilkes Barre, PA. 18702

Paul S. Falzone (Sec/Treas) - 1,000 shares issued  
95 Reliance Drive  
Wilkes Barre, PA. 18702

# 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.

SALLY A. FALZONE *Sally A. Falzone* 1-10-97  
(Print Name) (Signature) (Date)

PAUL FALZONE *Paul Falzone* 1-10-97  
(Print Name) (Signature) (Date)

*Richard T. Falzone* *Richard T. Falzone* 1-10-97  
(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).

10. Certification

- a. 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 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; and acknowledges that failure to abide by the requirements of the Commission as they relate to safety and insurance may result in civil penalties, suspension or cancellation of the certificate.
- c. Applicant certifies that it understands that it is subject to an annual assessment based upon its gross intrastate operating revenues to help pay expenses incurred by the PUC in regulating motor common carriers of property; and acknowledges that failure to file the annual assessment report and timely satisfy the assessment may result in civil penalties, suspension or cancellation of the certificate.

# Alcaro & Maguire

ATTORNEYS AT LAW

FREDERICK W. ALCARO  
MEGAN P. MAGUIRE  
WILLIAM RUZZO

109 PARK BUILDING  
400 THIRD AVENUE  
KINGSTON, PENNSYLVANIA 18704  
717-288-7799  
FAX 717-288-7798

RECEIVED  
JAN 21 1997

January 16, 1997

BUREAU OF  
TRANSPORTATION & SAFETY

Department of State  
Corporation Bureau  
P.O. Box 8722  
Harrisburg, PA. 17105-8722

RE: FALZONE'S TOWING SERVICE, INC.  
Date of Incorporation - 9-17-86

Dear Sir or Madam:

The purpose of this letter is to request a Certificate of Good Standing relative to Falzone's Towing Service, Inc. I am including the following information for your convenient reference:

Address of corporation: 365 Pierce Street, Kingston, Luzerne County, PA 18704

Officers: President - Sally A. Falzone  
Vice President - Richard Falzone  
Secretary - Paul S. Falzone

I enclose herewith a check in the amount of \$28.00, payable to Commonwealth of Pennsylvania, Department of State, which I believe is the fee to obtain the Certificate of Good Standing.

If you have any questions, please contact my office. Otherwise, I shall look forward to receiving the Certificate of Good Standing in the very near future.

Sincerely yours,

*s/ Frederick W Alcaro*  
FREDERICK W. ALCARO, ESQUIRE

FWA/tjr  
Enclosure

# ACORD CERTIFICATE OF INSURANCE

DATE (MM/DD/YY)  
12/06/96

**PRODUCER**  
Wilson H. Flock, Inc.  
464 Wyoming Ave.  
P.O. Box 96  
Wyoming, PA 18644

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

**INSURED**  
Falzone Service, Inc. Falzone  
Towing Inc. & SMS Service Corp.  
365 Pierce St.  
Kingston, PA 18704

COMPANIES AFFORDING COVERAGE	
COMPANY	AU.S.F. & G.
COMPANY	B Amguard Insurance Co
COMPANY	C
COMPANY	D

**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	1MP30039332404	07/20/96	07/20/97	GENERAL AGGREGATE \$1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY				PRODUCTS - COMP/OP AGG \$1,000,000
	<input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR				PERSONAL & ADV INJURY \$1,000,000
	<input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT				EACH OCCURRENCE \$1,000,000
					FIRE DAMAGE (Any one fire) \$
					MED EXP (Any one person) \$5,000
A	AUTOMOBILE LIABILITY				COMBINED SINGLE LIMIT \$
	<input type="checkbox"/> ANY AUTO				BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS				PROPERTY DAMAGE \$
	<input type="checkbox"/> HIRED AUTOS				
A	GARAGE LIABILITY	1MP30039332404	07/20/96	07/20/97	AUTO ONLY - EA ACCIDENT \$1,000,000
	<input type="checkbox"/> ANY AUTO				OTHER THAN AUTO ONLY: \$
	<input checked="" type="checkbox"/> Sched/Hired/DOC				EACH ACCIDENT \$1,000,000
	<input checked="" type="checkbox"/> Non-Owned				AGGREGATE \$3,000,000
A	EXCESS LIABILITY				EACH OCCURRENCE \$
	<input type="checkbox"/> UMBRELLA FORM				AGGREGATE \$
	<input type="checkbox"/> OTHER THAN UMBRELLA FORM				\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	FAWC702831	02/13/96	02/13/97	STATUTORY LIMITS \$
	THE PROPRIETOR/ PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				EACH ACCIDENT \$100,000
					DISEASE - POLICY LIMIT \$500,000
					DISEASE - EACH EMPLOYEE \$100,000
OTHER					

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

**CERTIFICATE HOLDER**  
  
Fred Alcaro, Esq.  
109 Park Building, 400 Third Avenue  
Kingston, PA 18704

**CANCELLATION**  
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 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  
*William F. Flock Jr*

# Alcaro & Maguire

ATTORNEYS AT LAW

FREDERICK W. ALCARO  
MEGAN P. MAGUIRE  
WILLIAM RUZZO

**RECEIVED**  
KINGSTON, PENNSYLVANIA 18704  
717-288-7799  
FAX 717-288-7798  
109 PARK BUILDING  
400 THIRD AVENUE

JAN 30 1997

BUREAU OF  
TRANSPORTATION & SAFETY

A-113668

January 27, 1997

Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA. 17105-3265

**RE: FALZONE'S TOWING SERVICE, INC.**  
**Application for Transportation by Motor**  
**Common Carriers of Property**

**RECEIVED**

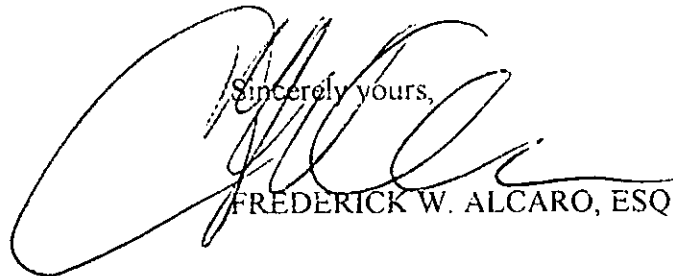
JAN 28 1997

PA PUBLIC UTILITY COMMISSION  
PROTHONOTARY'S OFFICE

Dear Sir or Madam:

Enclosed please find an original Certificate of Standing, issued by the Commonwealth of Pennsylvania on January 21, 1997, which I am forwarding to you in support of the Application for Transportation by Motor Common Carriers of Property, submitted on behalf of Falzone's Towing Service, Inc., on January 16, 1997.

Sincerely yours,



FREDERICK W. ALCARO, ESQUIRE

FWA/tjr  
Enclosure  
cc: Falzone's Towing Service, Inc.

**DOCUMENT  
FOLDER**



COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

JANUARY 21, 1997

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

FALZONES TOWING SERVICE, INC.

is duly incorporated under the laws of the Commonwealth of Pennsylvania and remains a subsisting corporation so far as the records of this office show, as of the date herein.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written.

*Joyette Kunk*

Secretary of the Commonwealth

DOCUMENT  
FOLDER

SWAL



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

IN REPLY PLEASE  
REFER TO OUR FILE

January 31, 1997

FREDERICK W ALCARO ESQUIRE  
ALCARO & MAGUIRE LAW FIRM  
109 PARK BUILDING  
400 THIRD AVENUE  
KINGSTON PA 18704

In re: A-00113668 - Application of Falzone's Towing Service, Inc.

Dear Sir:

The above-cited application has been received and accepted for publication. It will be published in the Pennsylvania Bulletin of February 1, 1997.

You are further advised that the above-cited application will be submitted for review provided no comments are filed on or before February 18, 1997.

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.

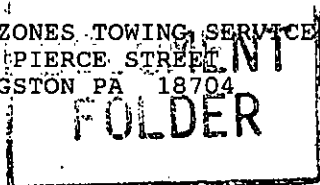
Very truly yours,

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

PSM:lg

cc: Applicant

FALZONES TOWING SERVICE, INC  
365 PIERCE STREET  
KINGSTON PA 18704



**PENNSYLVANIA' PUBLIC UTILITY COMMISSION**  
**RECEIPT**

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

ALCARO & MAGUIRE  
109 PARK BLDG 400 THIRD AVE  
KINGSTON, PA 18704

DATE 1/28/97  
RECEIPT # 192726

In re: Application fees for FALZONE'S TOWING SERVICE INC  
A-00113668 .....\$100.00

REVENUE ACCOUNT: 001780-017601-102

CHECK NUMBER: 1482

CHECK AMOUNT: \$ 100.00

C. Joseph Meisinger  
(for Dept. of Revenue)

JAF

**DOCKETED**  
JAN 31 1997

RECEIVED  
PROTHONOTARY'S OFFICE  
97 JAN 29 PM 4: 19

000227

DOCUMENT  
FOLDER