

BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR TRANSPORTATION BY MOTOR
COMMON CARRIERS OF PROPERTY

04082

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

For PUC Use Only	
Docket No.	<u>A-113672</u>
Folder No.	<u>F.2</u>

RECEIVED

JUL 07 1997

BUREAU OF
TRANSPORTATION & SAFETY

RECEIVED
PENNSYLVANIA
SECRETARY'S OFFICE

3 21 9
5

- R. L. Phillips' Hauling Inc.
(Full and correct name in which you intend to operate)
- R. L. Phillips' Hauling Inc.
(Trade name, if any)

The trade name, if fictitious, has been registered
(has or has not)

Secretary of the Commonwealth on Dec. 18, 1996 (attach
date-stamped registration form).

- 1920 Rockvale Road
(Physical Address) (717) 464-4212
(Telephone No.)
Lancaster Lancaster PA 17602
(City) (County) (State) (Zip)

DOCUMENT
FOLDER

DOCKETED
APPLICATION DOCKET
JUL 08 1997
ENTRY No. 101

- (Mailing Address; if different)
Lancaster Lancaster PA 17602
(City) (County) (State) (Zip)
- Kenelm L. Shirk, III (717) 733-7997
(Attorney's Name) (Telephone Number)

115 South State Street, Ephrata PA 17522-2412
(Attorney's Address)

have PUC set
no 8/12/97

6. Applicant does hold ICC authority under Docket
(does or does not)

No. MC 314752 P

7. Applicant does have a current safety rating
(does or does not)

issued by PA PUC

(attach copy)

8. Approximate number of commercial vehicles to be operated

intrastate: owned 1 leased _____

9. 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 December 18th, 1996 (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 numbers of shares held by each stockholder.

10. 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 current safety rating issued by a state or federal agency.

List of corporate officers and stockholders and distribution of shares.

Proof of insurance.

11. 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 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 revenue 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.

INSTRUCTIONS TO BE FOLLOWED IN PREPARING APPLICATION

No Application will be Accepted from a Minor

1. This application is to be used for authority to transport property for compensation, except household goods in use, between points in Pennsylvania. All applications will be considered for authority to operate as common carriers.
2. The original application signed at the place designated and one copy of same must be filed at the office of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, Pa. 17105-3265. A filing fee of One Hundred Dollars (\$100.00) is required and shall be paid by certified check or money order, made payable to the Commonwealth of Pennsylvania. The filing fee is non-refundable after the application has been received and accepted by the Commission.
3. All corporate names and fictitious trade names must be registered with the Pa. Department of State. A certificate of Incorporation is issued to a Pa. Corporation - a Certificate of Authority is issued to a non-Pa. (foreign) corporation. Call the Department of State at (717) 787-1057 for more information.
4. If space provided on form is not sufficient, prepare on separate sheet, attach it to application and give it the same number as question or statement to which refers.
5. Procedure. All acceptable applications will be notice in the Pennsylvania Bulletin with a 14 day public comment period. If no adverse comments are received, a compliance order will be issued. If adverse comments are received, the application may be referred to an Administrative Law Judge for hearing and initial decision. If adverse comments are filed and the matter is not referred for hearing, the application will be decided by the Commissioners at Public Meeting. In no event will an application be denied based upon adverse Safety comments without the opportunity for a hearing on those issued being provided. It is not required that applicant be represented by an attorney to file the application. However, a corporation or partnership must be represented by an attorney at a hearing.
6. Prior to beginning operations, you must submit acceptable evidence of insurance to the PUC. Acceptable evidence of insurance is a Form E for bodily injury and property damage liability coverage (\$300,000 minimum) and a Form H for cargo liability coverage (\$5,000 minimum). These forms are forwarded to the PUC by your insurance company and must reflect the exact name and address appearing on lines 1 and 3 (or 4) of the application.
7. Recognizing that your insurer may delay filing the necessary form, you may file temporary proof of insurance to begin operations. Acceptable temporary proofs of insurance are:
 - A copy of the insurance identification card (for vehicles registered in Pennsylvania only);

- A copy of the declaration page of the insurance policy;
 - A copy of a valid binder of insurance; or
 - A copy of a valid application for insurance to the Pennsylvania Automobile Insurance Plan.
 - A cargo waiver (for cargo liability)
8. Enclose with your application a copy of a current safety rating issued by a state or federal agency. If you cannot provide the PUC with proof of a current safety rating from the U.S. DOT or another state with safety regulations comparable to Pennsylvania, you must complete a safety fitness review conducted by a Commission Enforcement Officer.

Within 180 days after the entry date of a compliance order granting you operating authority, an Enforcement Officer will contact you to schedule this review. If it is determined that your safety rating is unsatisfactory, you will be directed to correct any deficiencies found and be subjected to a second safety fitness review to be scheduled within 60 days after the initial notification date. Failure to achieve a satisfactory rating at the second review will result in immediate suspension of your certificate and continued non-compliance may result in revocation of the certificate.

NOTE: INCOMPLETE APPLICATIONS ARE NOT ACCEPTABLE FOR FILING AND WILL BE RETURNED. IF YOU NEED HELP, CALL 717-787-3834.

9. **Cooperative corporations only:** (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: _____

IN TESTIMONY WHEREOF, the incorporator(s) has (have) signed these Articles of Incorporation this 17th day of
December, 19 96

(Signature)

Crystal A. Swartz

(Signature)

*R. L. Phillips Handling Inc.
1920 Riverside Road
Lancaster, PA 17602
Phone/Fax 717-464-4212*

CORPORATE OFFICERS

Rodney L. Phillips - President

Alana L. Phillips - Vice President, Secretary & Treasurer

STOCKHOLDERS

Rodney L. Phillips

Alana L. Phillips

DISTRIBUTION OF SHARES

500 Shares to Rodney L. and Alana L. Phillips

PRODUCER

KENNETT INSURANCE SERVICES
P.O. BOX 99
KENNETT SQUARE, PA 19348
(610) 444-0600 FAX: 444-9436

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.

COMPANIES AFFORDING COVERAGE

- COMPANY A MERCHANTS & BUSINESS MEN'S INS. CO.
- COMPANY B COMMERCE PROTECTIVE INS. CO.
- COMPANY C
- COMPANY D

INSURED

RODNEY L PHILLIPS
1920 ROCKVALE ROAD
LANCASTER, PA 17602

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
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT				GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ PERSONAL & ADV INJURY \$ EACH OCCURRENCE \$ FIRE DAMAGE (Any one fire) \$ MED EXP (Any one person) \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	TR 37297375	01/3/97	01/3/98	COMBINED SINGLE LIMIT \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$
	EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				WC STATUTORY LIMITS <input type="checkbox"/> OTHER <input type="checkbox"/> EL EACH ACCIDENT \$ EL DISEASE - POLICY LIMIT \$ EL DISEASE - EA EMPLOYEE \$
	OTHER B PHY DAMAGE B MOTOR CARGO	CP 3585 MTC 1417	1/3/97 1/3/97	1/3/98 1/3/98	\$1,000 DED COMP/COLL \$10,000 LIMITS \$1,000 DED

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER NAMED LOSS PAYEE
1990 MACK TRACTOR SER# 001323 VALUE \$22,500
1989 EVANS LOG TRLR SER# 003792 VALUE \$10,500

CERTIFICATE HOLDER

BLUE BALL NATIONAL BANK
PO BOX 580
BLUE BALL, PA 17506
FAX: 717-354-3602 ATTN: A KURTZ

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

Donna Christensen

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

IN REPLY PLEASE
REFER TO OUR FILE

March 31, 1997

A-00113672

R L PHILLIPS' HAULING INC
1920 ROCKVALE ROAD
LANCASTER PA 17602

Dear Sir :

On March 20, 1997, a safety fitness review was conducted by an enforcement officer of the Pennsylvania Public Utility Commission. As a result of that review, your compliance with the Commission's motor carrier safety requirements has been determined to be:

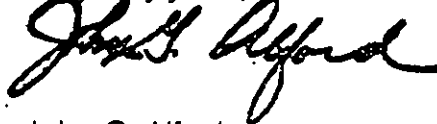
SATISFACTORY

A satisfactory review indicates that you have demonstrated at least a minimal compliance with this Commission's motor carrier safety regulations. The evaluation performed by this Commission is not a substitute for, or related in any way to, a rating issued by the Federal Highway Administration or any agency of another state.

If you have not already done so, to insure that all deficiencies identified on the Safety Fitness Review Report are corrected, please send a letter outlining the measures taken to correct those deficiencies to the district office noted on Page 5 of the safety fitness review report.

If you have any questions, please call this Commission's Motor Carrier Safety Office at (717) 772-2254.

Very truly yours,



John G. Alford
Secretary

pc: Motor Carrier Enforcement Division Safety Office
Harrisburg District Office/Adomaitis/SFR-97-060-01
Docket Room/Agnes Brewster



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

IN REPLY PL
REFER TO OU

July 18, 1997

KENNELM L SHIRK III
ATTORNEY AT LAW
115 SOUTH STATE STREET
EPHRATA PA 17522-2412

In re: A-00113672, F. 2 - Application of R. L. Phillips Hauling, Inc.

Dear Sir:

The above-cited application has been received and accepted for publication. It will be published in the Pennsylvania Bulletin of July 19, 1997.

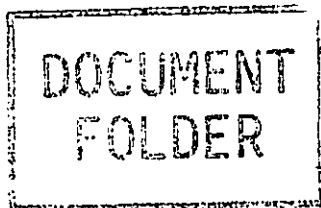
You are further advised that the above-cited application will be submitted for review provided no comments are filed on or before August 4, 1997.

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
Applications Review Section
Bureau of Transportation & Safety



PSM:lg

cc: applicant

R L PHILLIPS HAULING INC
1920 ROCKVALE ROAD
LANCASTER PA 17602