

BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR TRANSPORTATION BY MOTOR
COMMON CARRIERS OF PROPERTY

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

RECEIVED

JAN 21 1997

BUREAU OF
TRANSPORTATION & SAFETY

<p>For PUC Use Only</p> <p>Docket No. <u>A-113675</u></p>
--

- ~~C + B Excavating~~ Charles G. Kishbaugh + Bradley J. Kishbaugh
(Full and correct name in which you intend to operate)
- H/A C + B Excavating
(Trade name, if any)

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

Secretary of the Commonwealth on 12-13-96 (attach
date-stamped registration form).

- | | |
|---|--|
| <u>RR #1 Box 1857</u>
(Physical Address) | <u>(717) 759-8621</u>
(Telephone No.) |
| <u>Nescopeck, Columbia</u>
(City) (County) | <u>Pa 18635</u>
(State) (Zip) |

- | | |
|--|----------------------|
| <u>(Mailing Address; if different)</u> | DOCKETED |
| | APPLICATION DOCKET |
| | JAN 22 1997 |
| <u>(City) (County)</u> | <u>(State) (Zip)</u> |

- | | |
|---|---|
| <u>Bob Bull</u>
(Attorney's Name) | ENTRY NO. <u>gt</u>
(Telephone Number) |
| <u>106 Market St Berwick, Pa.</u>
(Attorney's Address) | <u>18603</u> |

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

No. _____

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

issued by _____.

(attach copy)

8. Approximate number of commercial vehicles to be operated

intrastate: owned 2 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).

Charles Kishbaugh RR#4 Box 4330 Berwick, Pa. 18603
(Name) (Address)

Corporation. Organized under the laws of the State of _____ and qualified to do business in Pennsylvania by registering with the Secretary of the Commonwealth on _____ (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.

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.

Bradley Kishbaugh Buddy Kishbaugh 1-17-97
(Print Name) (Signature) (Date)

Charles G Kishbaugh Charles J Kishbaugh 1-17-97
(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.

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)

01/17/97

PRODUCER
 Boyer Ins. Agency
 420 Broad St.
 PO Box 515
 Nescopeck, Pa. 18635

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 Selective Ins. Co.

COMPANY
B

COMPANY
C

COMPANY
D

INSURED
 Charles Kishbaugh
 Bradley Kishbaugh
 RR#4, Box 4330
 Berwick, Pa. 18603

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 type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT	S1211366	06/14/96	06/14/97	GENERAL AGGREGATE \$ 1,000,000.
					PRODUCTS - COMP/OP AGG \$ 1,000,000.
					PERSONAL & ADV INJURY \$ 500,000.
					EACH OCCURRENCE \$ 500,000.
					FIRE DAMAGE (Any one fire) \$ 50,000.
					MED EXP (Any one person) \$ 5,000.
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	S1211366	06/14/96	06/14/97	COMBINED SINGLE LIMIT \$ 100,000.
					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 \$
	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				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER
					EL EACH ACCIDENT \$
					EL DISEASE - POLICY LIMIT \$
					EL DISEASE - EA EMPLOYEE \$
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

CERTIFICATE HOLDER

Pennsylvania Public Utility Commission
 Bureau of Transportation & Safety
 Insurance Unit
 PO Box 3265
 Harrisburg, Pa. 17105-3265

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL _____ 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

London S Boyer

EXEMPTION FROM P.U.C. CARGO INSURANCE REGULATIONS

This is to advise that C & B Excavating
(Name of Carrier)
holding P.U.C. authority at Application Docket No. A- 113675
is exempt from P.U.C. Cargo Insurance regulations for the following reasons:

- All Transportation will be provided in dump trucks.
- All transportation will be limited to farm products, garbage, ashes, rubbish, coal, debris, earth, crushed stone, amesite and similar construction materials.
- The value of any one load being transported will not be more than \$500.

Bradley Kishbaugh Partner
(Signature of Individual, Partner or Corporate Officer)

VERIFICATION OF STATEMENT

The undersigned deposes and says that he/she is the person who signed the Statement for the above-captioned applicant/application and that he/she is authorized to and does make this verification and the facts set forth therein are true and correct to the best of his/her knowledge, information and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 C. S. Sec. 4904 relating to unsworn falsification to authorities.

Date 11-26-96 Bradley Kishbaugh
(Signature)
Bradley Kishbaugh
(Print Name)

Please return to: PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION AND SAFETY
INSURANCE UNIT
P. O. BOX 3265
HARRISBURG, PA 17105-3265

cc sent to Ins Sec 1-22-97

PENNSYLVANIA PUBLIC UTILITY COMMISSION
RECEIPT

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

000446

97 FEB -3 PM 3:59

BOB BULL
106 MARKET ST
BERWICK, PA 18603

RECEIVED
DATE 1/31/97
PROTODIARY'S OFFICE
RECEIPT # 192752

In re: Application fees for C&B EXCAVATING
A-00113675\$100.00

REVENUE ACCOUNT: 001780-017601-102

CHECK NUMBER: 124939

CHECK AMOUNT: \$ 100.00

C. Joseph Meisinger
(for Dept. of Revenue)

BTL

DOCUMENT
FOLDER

DOCKETED
FEB 5 1997



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

BOB BULL
ATTORNEY AT LAW
106 MARKET STREET
BERWICK PA 18603

In re: A-00113675 - Application of Charles & Bradley Kishbaugh, Copartners,
t/d/b/a C & B Excavating

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

CHARLES & BRADLEY KISHBAUGH COPARTNERS
T A C & B EXCAVATING
RR #1 BOX 1857
NESCOPECK PA 18653

