



PILLAR · MULROY & FERBER

RECEIVED  
PROTHONOTARY'S OFFICE

November 4, 1997

Re: Emerald Xpress, Inc.  
File No. 2576

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

A-114435

Dear Mr. McNulty:

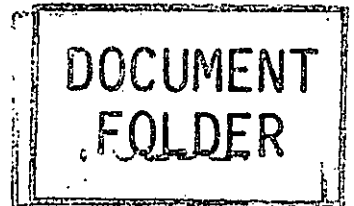
We enclose for filing the original and one copy of an application on behalf of Emerald Xpress, Inc. Also enclosed is the filing fee in the amount of \$100.00.

Please acknowledge receipt of the enclosures on the duplicate of this letter of transmittal and return it in the stamped, self-addressed envelope provided. If you require any further information in order to process this application, please advise the undersigned.

Very truly yours,

JOHN A. PILLAR

SW  
Enclosures  
cc: Emerald Xpress, Inc.



97 NOV 13 AM 10:55

PROFESSIONAL CORPORATION · ATTORNEYS  
1106 FRICK BUILDING · PITTSBURGH, PA 15219  
(412) 471-3300 · FAX: (412) 471-6068

42

BEFORE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

017135

97 NOV -7 AM 9:40

APPLICATION FOR TRANSPORTATION BY MOTOR  
CARRIERS OF PROPERTY

RECEIVED  
PENNSYLVANIA'S OFFICE

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

<p>For PUC Use Only</p> <p>Docket No. <u>A-114435</u></p>
---

- EMERALD XPRESS, INC.  
(Full and correct name in which you intend to operate)
- N/A  
(Trade name, if any)

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

- |                                  |                     |
|----------------------------------|---------------------|
| <u>R. D. #1, Ridgemont Drive</u> | <u>412/843-6609</u> |
| (Physical Address)               | (Telephone No.)     |

<u>Industry</u>	<u>Beaver</u>	<u>PA</u>	<u>15052</u>
(City)	(County)	(State)	(Zip)

- |                                 |
|---------------------------------|
| <u>P. O. Box 42</u>             |
| (Mailing Address, if different) |

<u>Industry</u>	<u>Beaver</u>	<u>PA</u>	<u>15052</u>
(City)	(County)	(State)	(Zip)

DOCUMENT  
FOLDER

NOV 17 1997

DOCKETED  
15052 APPLICATION DOCKET  
NOV 17 1997

*Handwritten initials*

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

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

7. Approximate number of commercial vehicles to be operated intrastate:  
owned \_\_\_\_\_ 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)

\_\_\_\_\_  
\_\_\_\_\_

  X   **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 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.

  X   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.

  X   List of corporate officers and stockholders and distribution of shares.

W. Mark Anderson is President/Treasurer and 50% shareholder;

Susan P. Edmunds is Vice Pres./Sec. and 50% shareholder of applicant.

  X   Proof of Insurance.

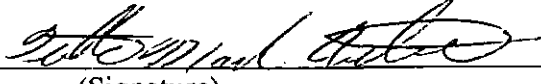
10. Certification

- 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 and belief.

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

W. Mark Anderson            10-21-97  
\_\_\_\_\_  
(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).**

PENNSYLVANIA DEPARTMENT OF STATE  
CORPORATION BUREAU  
ROOM 308 NORTH OFFICE BUILDING  
P.O. BOX 8722  
HARRISBURG, PA 17105-8722

45

EMERALD XPRESS, INC.

THE CORPORATION BUREAU IS HAPPY TO SEND YOU YOUR FILED DOCUMENT.  
PLEASE NOTE THE FILE DATE AND THE SIGNATURE OF THE SECRETARY OF THE  
COMMONWEALTH. THE CORPORATION BUREAU IS HERE TO SERVE YOU AND WANTS  
TO THANK YOU FOR DOING BUSINESS IN PENNSYLVANIA. IF YOU HAVE ANY  
QUESTIONS PERTAINING TO THE CORPORATION BUREAU, CALL (717) 787-1057.

ENTITY NUMBER: 2778680

MICROFILM NUMBER: 09773

0482-0483

FAX # (412) 741-6068  
PILLAR MULROY & FERBER  
JOHN A PILLAR ESQ

9773-482

DECE 15-1806 (Rev. 91)  
P. O. NALY COMPANY, PGL, PA 15219

Microfilm Number \_\_\_\_\_

Filed with the Department of State on \_\_\_\_\_

OCT - 6 1997

Entity Number 2778680

*[Signature]*  
Secretary of the Commonwealth

*OK*

ARTICLES OF INCORPORATION-FOR PROFIT  
OF

EMERALD XPRESS, INC.

Name of Corporation

A TYPE OF CORPORATION INDICATED BELOW

Indicate type of domestic corporation:

- Business-stock (15 Pa.C.S. § 1306)      \_\_\_\_\_ Management (15 Pa.C.S. § 2702)
- \_\_\_\_\_ Business-nonstock (15 Pa.C.S. § 2102)      \_\_\_\_\_ Professional (15 Pa.C.S. § 2903)
- \_\_\_\_\_ Business-statutory close (15 Pa.C.S. § 2303)      \_\_\_\_\_ Insurance (15 Pa.C.S. § 3101)
- \_\_\_\_\_ Cooperative (15 Pa.C.S. § 7102)

DSCB:15-1306/2102/2303/2702/2903/3101/7102A (Rev 91)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) the undersigned, desiring to incorporate a corporation for profit hereby, state(s) that:

1. The name of the corporation is: Emerald Xpress, Inc.

2. The (a) address of this corporation's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

(a) R.D. 1, Ridgemont Drive, P. O. Box 42, Industry, PA 15052 (Beaver County)  
Number and Street      City      State      Zip      County

(b) c/o: \_\_\_\_\_  
Name of Commercial Registered Office Provider      County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The corporation is incorporated under the provisions of the Business Corporation Law of 1988.

4. The aggregate number of shares authorized is: 1,000 (other provisions, if any, attach 8 1/2 x 11 sheet)

5. The name and address, including number and street, if any, of each incorporator is:

Name      Address  
John A. Pillar      1106 Frick Building, Pittsburgh, PA 15219


6. The specified effective date, if any, is: N/A  
month      day      year      hour, if any

DSCB:15-1306/2102/2303/2702/2903/3101/7102A (Rev 91)-2

- 7. Additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet.
- 8. Statutory close corporation only: Neither the corporation nor any shareholder shall make an offering of any of its shares of any class that would constitute a 'public offering' within the meaning of the Securities Act of 1933 (15 U.S.C. § 77a et seq).
- 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 6th day of October, 1997.

\_\_\_\_\_  
(Signature)

  
\_\_\_\_\_  
(Signature)  
John A. Pillar  
Incorporator

# ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YY)  
10/31/97

**PRODUCER**  
The Yorke Agency, Inc.  
P.O. Box 160  
Beaver Falls, Pa. 15010

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**  
Emerald Xpress, Inc.  
R. D. #1, Ridgmont Drive  
P.O. Box 42  
Industry, Pa. 15052

**COMPANIES AFFORDING COVERAGE**

COMPANY A U. S. F. & G.

COMPANY B

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
	<b>GENERAL LIABILITY</b> <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 - COM/OP AGG \$ PERSONAL & ADV INJURY \$ EACH OCCURRENCE \$ FIRE DAMAGE (Any one fire) \$ MED EXP (Any one person) \$
A	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	1CP300234100	2/14/97	2/14/98	COMBINED SINGLE LIMIT \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$
	<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$
	<b>EXCESS LIABILITY</b> <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL				WC STATU- TOBY LIMITS OTH- ER EL EACH ACCIDENT \$ EL DISEASE - POLICY LIMIT \$ EL DISEASE - EA EMPLOYEE \$
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

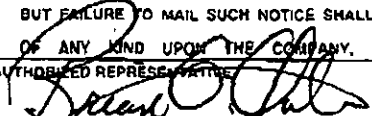
**CERTIFICATE HOLDER**

Commonwealth of Pennsylvania  
Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, Pa. 17105

**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 1030/5 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





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

IN REPLY PLEASE  
REFER TO OUR FILE

November 26, 1997

JOHN A PILLAR  
ATTORNEY AT LAW  
1106 FRICK BUILDING  
PITTSBURGH PA 15219

In re: A-00114435 - Application of Emerald Xpress, Inc.

Dear Mr. Pillar:

The above-cited application has been received and accepted for publication. It will be published in the Pennsylvania Bulletin of November 29, 1997.

You are further advised that the above-cited application will be submitted for review provided no comments are filed on or before December 15, 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  
Compliance Office  
Bureau of Transportation & Safety

GET/gt

cc: Applicant

EMERALD XPRESS INC  
PO BOX 42  
INDUSTRY PA 15052

