

BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR TRANSPORTATION BY MOTOR
COMMON CARRIERS OF PROPERTY

011954

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

For PUC Use Only
Docket No. <u>A-114336</u>
Folder No. _____

RECEIVED
FACILITY DIVISION
97 OCT -6 AM 9:14

1. PAN Construction Company, Inc.
(Full and correct name in which you intend to operate)

2. _____
(Trade name, if any)

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

Secretary of the Commonwealth on
date-stamped registration form)

DOCKETED
APPLICATION DOCKET
OCT 16 1997
ENTRY No. JA (Telephone No.) 610-253-7515

3. 1600 Uhler Road
(Physical Address)

Easton Northampton PA 18040
(City) (County) (State) (Zip)

4. P.O. Box 219
(Mailing Address; if different)

Tatamy Northampton PA 18085
(City) (County) (State) (Zip)

5. Nancy T. Schneiderman, Attorney at Law 610-868-1744
(Attorney's Name) (Telephone Number)

60 West Broad St., Suite 300, Bethlehem, PA 18086
(Attorney's Address)

DOCUMENT
FOLDER

3

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

No. _____

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

issued by _____.

(attach copy)

8. Approximate number of commercial vehicles to be operated

intrastate: owned 7 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 April 13, 1982 (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.

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.

Peter A. Nicholson

Peter A. Nicholson Pres.

10/01/97

(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.

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.

Commonwealth of Pennsylvania
Department of State



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

F A N CONSTRUCTION COMPANY, 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 13th day
of April in the year of our
Lord one thousand nine hundred and eighty-two
and of the Commonwealth the two hundred sixth



William R. Davis

Secretary of the Commonwealth

0753711

FRANK J DANYI JR ESQ
PO BOX 1248
BETHLEHEM, PA 18018

PAN Construction Company, Inc.
P.O. Box 219
Tatamy, PA 18085

CORPORATE OFFICER ----- TITLE

Peter A. Nicholson, President
1700 Uhler Road
Easton, PA 18040

(Number of shares 20)

EXEMPTION FROM P.U.C. CARGO INSURANCE REGULATIONS

This is to advise that PAN Construction Company, Inc.
(Name of Carrier)
holding P.U.C. authority at Application Docket No. A-
is exempt from P.U.C. Cargo Insurance regulations for the following
reasons:

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

Peter A. Nicholson
(Signature of Individual, Partner or Corporate Officer)

RECORDED
TRANSPORTATION AND SAFETY
97 OCT -6 PM 2:53

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 10-1-97 Peter A. Nicholson
(Signature)

Peter A. Nicholson, President
(Print Name)

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

OCT-02-1997 09:15

MAILING INSTRUCTIONS: MAIL FILE THREE PARTS TO THE STATE COMMISSION. RETURN FOURTH PART FOR YOUR FILE.

Form B
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATE OF INSURANCE
(Executed in Triplicate)
PENNSYLVANIA

Filed with PUBLIC UTILITY COMMISSION (hereinafter called Commission)
(Name of Commission)

This is to certify, that the CINCINNATI INSURANCE COMPANY
(Name of Company)

(hereinafter called Company) of 6200 SOUTH GILMORE ROAD FAIRFIELD OHIO 45014
(Home Office Address of Company)

has issued to PAN CONSTRUCTION CO., INC. of 1600 UHLER RD. P O BOX 219 TATUM PA
(Name of Motor Carrier) (Address of Motor Carrier) 18085-0219

a policy or policies of insurance effective from 6/6/97 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until canceled as provided herein, which, by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

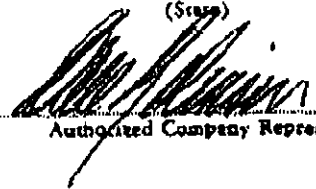
Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein may not be canceled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at 6200 SOUTH GILMORE ROAD FAIRFIELD OHIO 45014
(Street Address) (City) (State) (Zip Code)

this 1ST day of OCTOBER 1997

Insurance Company File No. CAR 768 61 26
(Policy Number)



Authorized Company Representative

Copy only

97 OCT -6 PM 2:53



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

IN REPLY PLEASE
REFER TO OUR FILE

November 7, 1997

NANCY T SCHNEIDERMAN
ATTORNEY AT LAW
60 WEST BROAD STREET SUITE 300
BETHLEHEM PA 18086

In re: A-00114336 Application of PAN Construction Company, Inc.

Dear Ms. Schneiderman:

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

You are further advised that the above-cited application will be submitted for review provided no comments are filed on or before November 17, 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

PAN CONSTRUCTION COMPANY INC
PO BOX 219
TATAMY PA 18085

