

Original

BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR MOTOR CARRIER CERTIFICATE OR PERMIT

134588

(SEE INSTRUCTIONS BEFORE PREPARING APPLICATION)

In re: Application of

APPLICATION DOCKET

No. A-114732

Folder No.

RECEIVED
NOTIFICATION OFFICE

98 FEB 26 AM 10:10

for a certificate of public convenience or a permit evidencing the Commission's approval of the right and privilege of operating motor vehicles as a motor carrier for the transportation of **PERSONS**.

(Check one only)

Airport Transfer Service

Call or Demand Service

Group & Party Service

Limousine Service

Scheduled Route Service

Paratransit Service

TO PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. Lancaster Emergency Medical Services Association, Inc.
(Full and correct name of applicant)

2. N/A
(Trade name, if any)

The trade name N/A (has or has not) been registered with the Secretary of the

Commonwealth on N/A (date) (attach copy of stamped registration form).

3. 1829 Lincoln Highway East 4652
(Business Street Address) (P.O. Box, if any)
Lancaster, Lancaster, Pa 17604-4652 (717) 481-4841
(City) (County) (State) (Zip) (Telephone)

4. Applicant's attorney (for this application) is:
N/A
(Name) (Address) (Telephone)

5. Any notice, process or order of the PUC should be served upon:
C. Robert May, LEMSA, P.O. Box 4652, Lancaster Pa
(Name) (Address)

DOCUMENT FOLDER

DOCKETED
APPLICATION DOCKET
MAR 09 1998
ENTRY No. gt

6. Applicant does not hold Pa. PUC authority under Docket No. N/A
(does or does not)
and operates as a N/A carrier.
(common or contract)

7. Applicant does not hold Interstate Commerce Commission authority
(does or does not)
at Docket No. N/A.

8. Applicant is (check one):

Individual.

Partnership. Attach copy of partnership agreement and list names and addresses of 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 February 6, 1996 (Attach copy of Certificate of Incorporation or Authority and statement of charter purpose). 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):

- A Partnership Agreement.
- B Trade Name registration form.
- C Certificate of Incorporation or Authority.
- D Statement of corporate charter purpose.
- E List of corporate officers and stockholders.
- F Map for Scheduled Route Service.

RECEIVED
MAY 10 1996

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.

C. Robert May C. Robert May 2-23-98
(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.



LEMSA
Lancaster Emergency
Medical Services Association
PO Box 4652
Lancaster, PA 17604-4652
(717) 481-4841
Fax: (717) 481-4845

LEMSA Officers

John Moryken
President

James Kelly
Secretary / Treasurer

C. Robert May
Executive Director

02/23/98

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

332

LANCASTER EMERGENCY MEDICAL SERVICES ASSOCIATION

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.

ENTITIES THAT ARE CHARITIES AND SOLICIT FUNDS SHOULD CONTACT THE BUREAU OF CHARITABLE ORGANIZATIONS FOR REGISTRATION REQUIREMENTS AT DEPARTMENT OF STATE, BUREAU OF CHARITABLE ORGANIZATIONS, SUITE 300 124 PINE STREET, HARRISBURG, PENNSYLVANIA 17101 (717) 783-1720 OR 1-800-732-0999 WITHIN PENNSYLVANIA.

ENTITY NUMBER: 2681498

MICROFILM NUMBER: 09615

0544-0548

C T CORP SYSTEM
COUNTER

4615-544

Filed in the Department of
State on FEB 27 1996

2681498

Scott K...
Secretary of the Commonwealth

ARTICLES OF INCORPORATION
OF
LANCASTER EMERGENCY MEDICAL SERVICES ASSOCIATION
(a Pennsylvania nonprofit corporation)

First: The name of the corporation is Lancaster Emergency Medical Services Association.

Second: The corporation, which does not contemplate pecuniary gain or profit, incidental or otherwise, to its Members, is organized and operated exclusively for charitable, scientific and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code and qualifies as a corporation described in Section 509(a)(3) of the Internal Revenue Code because of its operations in connection with St. Joseph Hospital, Inc. of Lancaster, Pennsylvania and Community Hospital of Lancaster (herein "supported organizations"), and in accordance with the doctrines, discipline, traditions, philosophy and canon law of the Roman Catholic Church, as applicable, and the *Ethical and Religious Directives for Catholic Health Care Services* as approved from time to time by the Committee on Doctrine of the National Conference of Catholic Bishops.

The corporation shall be equally owned by St. Joseph Hospital, Inc. and Community Hospital of Lancaster and be operated primarily for the purpose of rendering advanced and basic prehospital and interhospital emergency medical care to and transporting seriously ill or injured, through appropriately trained health professionals and certified emergency medical technician-paramedics employed by or otherwise under contract with the corporation, and to promote health, including education and training of others to accomplish the same purposes.

Provided that St. Joseph Hospital, Inc. and Community Hospital of Lancaster are exempt organizations described in Section 501(c)(3) of the Internal Revenue Code and qualify as corporations described in Section 509(a) of the Internal Revenue Code, the corporation shall be operated in a manner consistent with its primary purpose of providing emergency medical services and to additionally:

- (a) develop, conduct and support a regional emergency medical services operation comprised of advance and basic life support services and other health care related charitable activities devoted to improving and protecting the health and welfare of persons in the general area of Lancaster County, Pennsylvania, including providing opportunities to aid persons suffering from serious illness or injury and providing access to community resources aimed at promoting life and health; and

(b) receive, maintain and distribute funds and other assets and to administer and apply the income and principal thereof exclusively for the charitable, educational and scientific activities of St. Joseph Hospital, Inc. and Community Hospital of Lancaster or, within the scope of Section 509(a)(3), of any entity sponsored by or otherwise associated or affiliated with the supported organizations, which are exempt organizations described in Section 501(c)(3) of the Internal Revenue Code and, in furtherance thereof, to take and hold by bequest, devise, gift, grant, purchase, lease or otherwise, any property, real or personal, or any interest therein, and to sell, convey or otherwise dispose of any such property and to invest, reinvest or deal with the principal or the income thereof in such manner as will best promote the purposes of the corporations; and

(c) promote, by donation, loan or otherwise, within the scope of Section 509(a)(3) of the Internal Revenue Code the interests of any organizations or entities which are associated or affiliated with the corporation, the purposes of which are not inconsistent with those of the corporation; and

(d) engage in and promote the works of charity consistent with the objectives of this corporation, of the Members, and the *Ethical and Religious Directives for Catholic Health Care Services* approved by the Committee on Doctrine of the National Conference of Catholic Bishops; and

(e) carry out all other objectives as stated in the Articles of Incorporation and to engage in any lawful activities for which corporations may be organized under Pennsylvania law and not without the scope of activities permissible under Section 501(c)(3) of the Internal Revenue Code.

The corporation shall not pay dividends or distribute any part of its income or profits to its Members, trustees or officers. No part of the corporation's net earnings shall inure to the benefit of any organization which is not described in Section 501(c)(3) or 501(c)(4) of the Internal Revenue Code (and, as to the latter, only for the organization's charitable purposes), contributor, trustee, officer or other individual; no substantial part of the activities of the corporation shall consist of carrying on propaganda or otherwise attempting to influence legislation, and the corporation shall be empowered to make the election authorized under Section 501 (h) of the Internal Revenue Code; the corporation shall not participate or intervene in any political campaign on behalf of any candidate for public office;

4615-546

and upon any dissolution of this corporation, its assets remaining after all debts and expenses have been paid or provided for shall be distributed by the Board of Trustees, in accordance with canon law, as applicable, and any provisions regarding same in the bylaws of the corporation, to the supported organizations in equal amounts, provided such organizations qualify at that point for the exemption afforded by Section 501(c)(3) of the Internal Revenue Code, or to such other organizations qualifying for the exemption afforded by Section 501(c)(3) of the Internal Revenue Code as the Members of the corporation shall determine.

Notwithstanding any other provision hereof, this corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization which is tax exempt under Section 501(a) of the Internal Revenue Code as an organization described in Section 501(c)(3) of such Code.

References herein to Sections of the Internal Revenue Code are to provisions of the Internal Revenue Code of 1986, as amended, as those provisions are now enacted or to corresponding provisions of any future United States internal revenue law.

Third: The registered office of the corporation in the Commonwealth of Pennsylvania is:

Lancaster Emergency Medical Services Association
 c/o St. Joseph Hospital, Inc.
 250 College Avenue
 Lancaster, PA 17604
 Attn: Executive Director

Fourth: The corporation is to exist for a perpetual term.

Fifth: The corporation is organized upon a nonstock basis.

Sixth: The Members of the corporation shall be St. Joseph Hospital, Inc. and Community Hospital of Lancaster, Pennsylvania nonprofit corporations. Wherever the terms "Members" or "Membership" appear in these Articles of Incorporation, they shall be deemed to refer to St. Joseph Hospital, Inc. and Community Hospital of Lancaster.

Seventh: In addition to all matters required by law or by the Bylaws to be approved by the Members of the corporation, the Members may initiate and implement any proposal with respect to any of the following, and if any proposal with respect to any of the following is otherwise initiated, it shall not become effective unless approved by both Members of the corporation:

2015-577

(a) To adopt or change the mission, purpose, or strategic plan of the corporation;

(b) To change the general structure of the operation of the corporation as a voluntary, nonprofit corporation;

(c) To amend the corporation's Articles of Incorporation or Bylaws;

(d) To dissolve, divide, convert, or liquidate the corporation, or consolidate or merge the corporation with another corporation or entity;

(e) To appoint the members of the Board of Trustees of the corporation and to remove the members of the Board of Trustees subject to the provisions of Section 5-01 of the Bylaws;

(f) To elect or remove the Executive Director of the corporation after prior consultation with the Board of Trustees of the corporation;

(g) To elect or remove the chairperson of the Board, secretary or treasurer of the corporation;

(h) To purchase, sell or encumber in any way real property of the corporation, or incur any indebtedness, if the amount involved in any such transaction is in excess of an amount specified from time to time by resolution of the Members; or sell all or substantially all of its assets; or undertake a major expansion project;

(i) To approve the annual operating and capital budgets and the financial plan of the corporation;

(j) To organize a corporation or other entity in which the corporation has any voting or other interest or to transfer assets to any such corporation or entity unless otherwise provided for in a resolution adopted by the Members of the corporation;

(k) To resolve deadlocks by the Board of Trustees on matters regarding the reserved powers, as provided in the bylaws of the corporation; and

(l) Any other matters which may be required by civil or canon law, as applicable, to be submitted to the Members, or which the Board of Trustees may require to be submitted.

Eighth: Except as reserved to the Members in Article Seventh above, the business and affairs of the corporation shall be managed by a Board of Directors, referred to as

"Trustees," who shall be appointed by such method as shall be fixed by, or in the manner provided in the Bylaws of the corporation.

Ninth: All conditions, qualifications, requirements, privileges, and regulations regarding the Board of Trustees and, except as provided in Article Seventh hereof, Membership in the corporation, including voting rights, shall be fixed and governed by the Bylaws of the corporation.

Tenth: The name and address of the incorporators are:

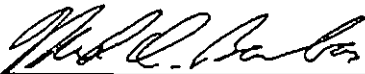
John K. Tolmie, President & CEO
St. Joseph Hospital, Inc.
250 College Avenue
Lancaster, PA 17604

Mark C. Barabas, President & CEO
Community Hospital of Lancaster
1100 E. Orange Street
Lancaster, PA 17604

IN TESTIMONY WHEREOF, the incorporators have signed and sealed these Articles of Incorporation this 6th day of February, 1996.



John K. Tolmie
Incorporator



Mark C. Barabas
Incorporator

DEPARTMENTS OF STATE AND REVENUE

FILING FEE: NONE

Dept. of State Entry Number _____

Revenue Box Number _____

Filing Period _____ Date 3 4 5 _____

SIC _____ Report Code _____

This form (file in triplicate) and all accompanying documents shall be mailed to:

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
CORPORATION BUREAU
P.O. BOX 8722
HARRISBURG, PA 17105-8722

Check proper box:

- Pa. Business-stock
- Pa. Business-statutory close
- Foreign-business
- Foreign-Certificate of Authority to D/B/A
- Business Trust
- Pa. Limited Liability Company
- Foreign Limited Liability Company
- Pa. Business-nonstock
- Pa. Business-cooperative
- Foreign-nonprofit
- Pa. Restricted Professional Limited Liability Company
- Foreign Restricted Professional Limited Liability Company
- Pa. Business-Management
- Pa. Nonprofit-stock
- Motor Vehicle for Hire
- Pa. Professional
- Pa. Nonprofit-nonstock
- Insurance

Association registering as a result of (check box):

- Incorporation (Pa.)
- Authorization of a foreign association
- Organization (Pa.)
- Domestication
- Division
- Consolidation
- Summary of Record

1. Name of association: Lancaster Emergency Medical Services Association

2. Location of (a) initial registered office in Pennsylvania or (b) the name and county of the commercial registered office provider:

(a) <u>250 College Avenue</u>	<u>Lancaster</u>	<u>PA</u>	<u>17604</u>	<u>Lancaster</u>
Number and Street/RD number and Box	City	State	Zip code	County

(b) c/o: ---

Name of commercial registered office provider _____ County _____

3. State or Country of Incorporation/Organization Pennsylvania

4. Specified effective date, if applicable: Upon Filing

5. Federal Identification Number: Applied For

6. Describe principal Pennsylvania activity to be engaged in, within one year of this application date: Provide advanced and basic prehospital and interhospital emergency medical care to and transporting seriously ill or injured appropriately trained health professionals and certified emergency medical technicians-paramedics.

7. Names, residences and social security numbers of the chief executive officer, secretary and treasurer or individual responsible for maintaining financial records:

Name	Address	Title	Social Security #
Robert May	250 College Ave., Lancaster, PA	Executive Director	
G.E. Hoffman	250 College Ave., Lancaster, PA	Treasurer/Secretary	

If professional association, include officer's professional license numbers with the respective Pennsylvania Professional Board.

8. Location of principal place of business: St. Joseph Hospital, Inc.
250 College Avenue Lancaster PA 17604 and Community Hospital
1100 E. Orange Street Lancaster PA 17604 of Lancaster
Number and Street/RD number and Box City State Zip Code

9. Mailing address if different than #8 (Location where correspondence, tax report form, etc. are to be sent):
Use 250 College Avenue, Lancaster, PA 17604

Number and Street/RD number and Box City State Zip Code

10. Act of General Assembly or authority under which you are organized or incorporated (Full citation of statute or other authority; attach a separate sheet if more space is required): PA Nonprofit Corporation Law of 1988

11. Date and state of incorporation or organization (foreign association only): _____

12. Date business started in Pennsylvania (foreign association only): _____

13. Is the association authorized to issue capital stock? YES NO

14. Association's fiscal year ends: June 30, 1996

This statement shall be deemed to have been executed by the individual who executed the accompanying submittal. See 18 Pa.C.S. 54904 (relating to unsworn falsification to authorities).

Instructions for Completion of Form:

- A. A separate completed set of copies of this form shall be submitted for each entity or registration resulting from the transaction.
- B. The Bureau of Corporation Taxes in the Pennsylvania Department of Revenue should be notified of any address changes. Notification should be sent to the Processing Division, Bureau of Corporation Taxes, Pa. Department of Revenue, Dept. 280705, Harrisburg, PA 17128-0705.
- C. All Pennsylvania corporate tax reports, except those for motor vehicle for hire, must be filed with the Commonwealth on the same fiscal basis as filed with the U.S. government. Motor vehicle for hire, i.e., gross receipts tax reports, must be filed on a calendar year basis only.
- D. The disclosure of the social security numbers of the corporate officers in Paragraph 7 is voluntary. The numbers are used to assure the proper identification of corporation officers by the Department of Revenue in accordance with the Fiscal Code.



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

REFER TO OUR FILE

March 27, 1998

LANCASTER EMERGENCY MEDICAL
SERVICES ASSOCIATION INC
1829 LINCOLN HIGHWAY EAST
LANCASTER PA 17604 4652

In re: A-001143732 - Application of Lancaster Emergency Medical Services Association, Inc.

Dear Sir:

The application cited above has been captioned as attached and will be submitted for review provided no protests are filed on or before April 20, 1998. If protests are filed, you will be advised as to further proceeding.

You are further advised that the above application will be published in the Pennsylvania Bulletin of March 28, 1998.

Yours truly,

Peter S. Marzolf, Supervisor
Compliance Office-Technical Unit
Bureau of Transportation & Safety

cc: Applicant
Document Folder

A-00114732 LANCASTER EMERGENCY MEDICAL SERVICES ASSOCIATION, INC.
(1829 Lincoln Highway East, Lancaster, Lancaster County,
PA 17604-4652), a corporation of the Commonwealth of
Pennsylvania - persons in paratransit service, between points in
the county of Lancaster, and from points in said county, to other
points in Pennsylvania, and vice versa.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin MAR 28 1998

BUREAU OF TRANSPORTATION & SAFETY
COMMON CARRIER
MARCH, 1998

A-00114732

Application of Lancaster Emergency Medical Services Association, Inc., a corporation of the Commonwealth of Pennsylvania, for the right to begin to transport, as a common carrier by motor vehicle, persons in paratransit service, between points in the county of Lancaster, and from points in said county, to other points in Pennsylvania, and vice versa.

GET:rs

3/16/98

Application Received: 02/26/98
Application Docketed: 03/09/98

Protests due

APR 20 1998