



SATALOFF TRANSPORTATION CONSULTANTS, INC.

MAILING ADDRESS: P.O. Box 2006 • Bristol, PA 19007
(609) 727-3838 FAX: (609) 727-4844

Kenneth D. Sataloff, President

January 15, 1998

Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

RE: Powell Excavating & Landscaping, Inc.

Dear Sir:

Enclosed herewith is an original and one copy of Form PUC-189 officially filed with your Commission seeking common carrier authority to transport "property" excluding household goods in use, between points in Pennsylvania.

Also enclosed is First Union Office Check in the amount of \$100.00 made payable to the Commonwealth of Pennsylvania covering filing fee to process said application.

Please receipt and return the duplicate copy of this transmittal letter in the enclosed self-addressed and stamped envelope.

Very truly yours,

Kenneth D. Sataloff,
President
KDS/mlm
Enclosures

cc: Powell Excavating & Landscaping, Inc.

PROTHONOTARY'S OFFICE
RECEIVED
98 JAN 20 PM 3:33

128597

DOCUMENT
FOLDER

JAN 17 1998

48

BEFORE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION FOR TRANSPORTATION BY MOTOR
COMMON CARRIERS OF PROPERTY

128599

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

For PUC Use Only	
Docket No.	<u>A-114601</u>
Folder No.	_____

ORIGINAL
RECEIVED
PENNSYLVANIA SECRETARY'S OFFICE
98 JAN 20 PM 3:33

1. POWELL EXCAVATING & LANDSCAPING, INC.
(Full and correct name in which you intend to operate)

2. _____
(Trade name, if any)

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

3. 1100 NAAMAN'S CREEK ROAD (610) 459-8316
(Physical Address) (Telephone No.)

<u>BOOTHWYN</u>	<u>DELAWARE</u>	<u>PENNSYLVANIA</u>	<u>19061</u>
(City)	(County)	(State)	(Zip)

4. SAME AS #3
(Mailing Address; if different)

(City) (County) (State) (Zip)

**DOCUMENT
FOLDER**

DOCKETED
APPLICATION DOCKET
JAN 26 1998
ENTRY NO. _____

5. Applicant DOES NOT hold ICC authority under Docket No. _____
(does or does not)

6. Applicant DOES NOT have a current safety rating issued by _____
(does or does not)

(attach copy).

7. Approximate number of commercial vehicles to be operated intrastate:

owned 15 leased -

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)

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 November 13, 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 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.

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.

List of corporate officers and stockholders and distribution of shares.

Proof of Insurance.

10. 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, and will be able to comply with them; and acknowledges that failure to abide by the requirements of the Commission 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 revenues 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.

NORMAN E. POWELL Norman E. Powell 1-6-98
(Print Name) (Signature) (Date)

(Print Name) (Signature) (Date)

(Print Name) (Signature) (Date)

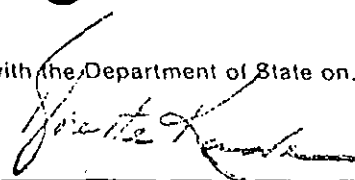

This section must be completed by the applicant appearing on Line 1, if an individual; by all partners, if a partnership; or by the President or Secretary if a corporation).

Microfilm Number _____

Entity Number _____

Filed with the Department of State on _____

NOV 13 1996


Secretary of the Commonwealth 

ARTICLES OF INCORPORATION

DSCB:15-1306 (Rev 89)

The type of domestic corporation is:

Business-stock (15 Pa. C.S. § 1306)

Professional (15 Pa. C.S. § 2903)

1. The name of the corporation is:

POWELL EXCAVATION AND LANDSCAPING, INC.

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

2. The address of this corporation's initial registered office in this Commonwealth is:

1100 Naamans Creek Road
Boothwyn, PA 19061 County of Delaware


3. The aggregate number of shares authorized to be issued is:

1,000 Shares

4. The name and address of the incorporator is:

Norman Powell, III

1100 Naamans Creek Road
Boothwyn, PA 19061


Norman Powell, III

11-6-96
Date

UNANIMOUS CONSENT IN LIEU OF
FIRST MEETING OF BOARD OF DIRECTORS
POWELL EXCAVATION AND LANDSCAPING, INC.

THE UNDERSIGNED, being all of the directors of the above named corporation, do hereby adopt the following resolutions:

RESOLVED, That the following persons be appointed to the offices set opposite their respective names, to serve for one year and until their successors are chosen and qualify:

President	Norman Powell, III	SHARES 540.
Treasurer	Norman Powell, IV	30
Treasurer	Stephanie Marie Powell	30
Secretary	Stephanie Marie Powell	

RESOLVED, That the share certificates of this corporation shall be in the form submitted.

RESOLVED, That the seal, an impression of which is herewith affixed, be adopted as the corporate seal of this corporation.

RESOLVED, That the Secretary is hereby authorized and directed to procure the proper corporate books, and the Treasurer be and is hereby authorized and directed to pay all fees and expenses incident to and necessary for the organization of the corporation.

RESOLVED, That the officers of this corporation be authorized and directed to open a bank account in the name of the corporation, in accordance with a form of bank resolution attached to these minutes.



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

IN REPLY PLEASE
REFER TO OUR FILE

February 9, 1998

POWELL EXCAVATING AND LANDSCAPING INC
1100 NAAMAN'S CREEK ROAD
BOOTHWYN PA 19061

In re: A-00114601 - Application of Powell Excavating and Landscaping, Inc.

Dear Sir or Madam:

The above-cited application has been received and accepted for publication. It will be published in the Pennsylvania Bulletin of February 7, 1998.

You are further advised that the above-cited application will be submitted for review provided no comments are filed on or before February 23, 1998.

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

