

APPLICATION

A-00105786 F1 AM A

Shilobod Leger & Ball, P.C.

Attorneys and Counselors at Law
617 Grant Building
330 Grant Street
Pittsburgh, Pennsylvania 15219

Fax: (412) 456-9701
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(412) 456-9700

October 2, 1997

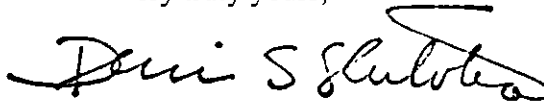
Secretary of the Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of Smith Bus Company, Inc.

Dear Sir:

Enclosed for filing in the above Application Docket are the original and three copies of "Application of Smith Bus Company, Inc. for Amendment of its Motor Carrier of Passenger Certificate of Public Convenience", along with our check for \$350 for the filing fee.

Very truly yours,



Dennis S. Shilobod

DSS/kjw

Enclosures

cc: Randall L. Smith (w/enclosure)

010755

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

APPLICATION OF SMITH BUS COMPANY, INC.)
FOR AMENDMENT OF ITS MOTOR CARRIER)
OF PASSENGERS CERTIFICATE OF)
PUBLIC CONVENIENCE)

Docket A-00105786

Folio 647010

APPLICATION OF MOTOR CARRIER OF PASSENGERS
FOR AMENDMENT OF CERTIFICATE OF PUBLIC CONVENIENCE

AND now comes Smith Bus Company, Inc., by its attorneys Dennis S. Shilobod and Shilobod Leger & Ball, P.C., and applies for an amendment of its certificate of public convenience as follows:

010756

1. Applicant is Smith Bus Company, Inc., a Pennsylvania Corporation with its offices at R.D. #1 Box 622B; Blairsville, Indiana County, Pennsylvania 15717.

2. The name and address of Applicant's attorneys, upon whom any notice or PUC order are to be served are:

Dennis S. Shilobod, Esquire
Shilobod Leger & Ball, P.C.
617 Grant Building
Pittsburgh, PA 15219

DOCKETED
APPLICATION DOCKET
OCT 20 1997
ENTRY No. 12

RECEIVED
GENERAL COUNSEL'S OFFICE

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3. Pursuant to this Commission's order of June 26, 1986, Randall L. Smith, t/d/b/a Smith Bus Company was issued a certificate of public convenience by the Pennsylvania Public Utility Commission as set forth in the attached Exhibit #1.

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A-105786
F1
AM-A

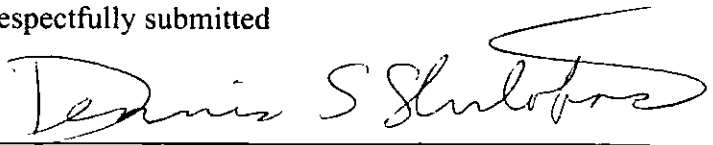
4. The name of the holder of the certificate of public convenience was changed to Smith Bus Company, Inc., and the change was reflected on the certificate of public convenience as indicated in a letter from the Secretary of the Public Utility Commission dated February 19, 1993, a copy of which is hereto attached as Exhibit No. 2.
5. The certificate of public convenience confines the service to be provided by Smith Bus Company to *group and party service to an area within an airline distance of one hundred (100) statute miles of point of origin, with the points of origin being Burrell Township and Homer Center High School in Center Township, Indiana County, and the Borough of Elderton, Armstrong County; and Applicant is not authorized to offer tour, sightseeing or special excursion service, and the certificate of public convenience further limits the Applicant's authorized service to the use of school bus type equipment.*
6. The Applicant is and has been operating under authority of and in full compliance with the Order granting the certificate of public convenience that is hereto attached as Exhibit No. 1.
7. Applicant now wishes to amend its certificate of public convenience so that it may begin to offer to the public, as a common carrier of persons, unrestricted group and party service between points in Burrell Township and Center Township in Indiana County and Borough of Elderton, Armstrong County, and from such points in Burrell and Center Townships in Indiana County and/or Elderton Borough, Armstrong County to points in Pennsylvania and return, through the use of motor coaches and/or school buses when appropriate.
8. The proposed expansion of service will provide necessary or proper group and party service to primarily rural communities, and will be in the public interest.
9. Based upon its operating history, Applicant has shown that it has the financial and administrative and operating ability and willingness to operate safely and in compliance

with this Commission's rules, regulations and orders.

10. Applicant will not attempt to offer service in violation of the present limitations set forth in its existing certificate of public convenience unless and until authorization for a change in the existing limitations in its certificate of public convenience is received. begin to offer to the public, as a common carrier of persons, unrestricted group and party service between points in Burrell Township and Center Township in Indiana County and the Elderton Borough, County of Armstrong, and from such points in Burrell and Center Townships in Indiana County and/or Armstrong County to points in Pennsylvania and return, through the use of motor coaches and/or school buses when appropriate.
11. Under §1102 of the Public Utility Code this Commission has the power to permit the changes in Applicant's certificate of public convenience.
12. All of Applicant's present officers are Randall L. Smith, President; Jamie B. Keeler, Vice-President and Barbara Keeler, Secretary. Applicant is a corporation that operates without a board of directors.

WHEREFORE, Applicant respectfully requests an amendment of its certificate of public convenience to permit it to begin to offer to the public, as a common carrier of persons, unrestricted group and party service between points in Burrell Township and Center Township in Indiana County and Elderton Borough, County of Armstrong, and from such points in Burrell and Center Townships in Indiana County and/or Elderton Borough, Armstrong County to points in Pennsylvania and return, through the use of motor coaches and/or school buses when appropriate.

Respectfully submitted



Dennis S. Shilobod, Esq.
Shilobod Leger & Ball, P.C.
617 Grant Building
Pittsburgh, PA 15219
412-456-9700
Fax 412-456-9701

AFFIDAVIT OF CORPORATE APPLICANT

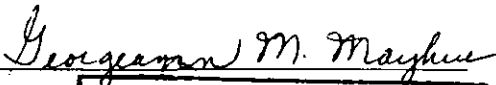
COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF INDIANA) ss:

Randall L. Smith, being duly sworn according to law, deposes and says that he is the
President of Smith Bus Company, Inc., that he is authorized to and does make this
affidavit for it; and that the facts set forth above are true and correct; or are true and correct to the
best of his knowledge, information and belief and that he expects the said Smith Bus Company,
Inc. to be able to prove the same at the hearing hereof.



Randall L. Smith

Sworn to and subscribed before
me this 26 day of September, 1997.



Notary Public

Notarial Seal
Georgeann M. Mayhue, Notary Public
Burrell Twp., Indiana County
My Commission Expires July 2, 2001

My commission expires: 7/2/01
Member, Pennsylvania Association of Notaries

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

IN THE MATTER OF THE APPLICATION OF

Randall L. Smith, trading and doing business as
SMITH BUS COMPANY

CERTIFICATE
OF
PUBLIC CONVENIENCE

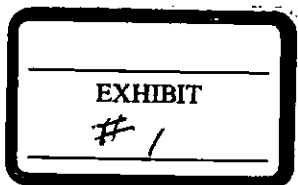
A. 00105786
Folder 1

The Pennsylvania Public Utility Commission hereby certifies that after an investigation and/or hearing had on the above entitled application, it has, by its report and order made and entered, a copy of which is attached hereto and made a part hereof, found and determined that the granting of said application is necessary or proper for the service, accommodation, convenience and safety of the public, and this certificate is issued evidencing its approval of the said application as set forth in said report and order.

In Testimony Whereof, The PENNSYLVANIA PUBLIC UTILITY COMMISSION has caused these presents to be signed and sealed, and duly attested by its Secretary at its office in the city of Harrisburg this 21st day of OCTOBER, 19 86.

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Attest:



Jerry Lich
Secretary

Certificate No. A-00105786

Group and Party PA. P.U.C. No. 1

RANDALL L. SMITH
t/d/b/a SMITH BUS COMPANY

RATES AND RULES

GOVERNING

THE TRANSPORTATION OF
PERSONS IN GROUP AND PARTY SERVICE

Between

POINTS IN PENNSYLVANIA

(As Set Forth Herein)

ISSUED: August 1, 1986 EFFECTIVE: August 2, 1986

Issued Under Authority of Pa. Code, Title 52, Section 23.42

ISSUED BY:

Randall L. Smith
t/d/b/a Smith Bus Company
R. D. #1
Shelocta, PA 15547

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EXPLANATIONS OF ABBREVIATIONS AND REFERENCE MARKS

- | | |
|--|---------------------|
| (A) -- Indicate Increase
in Rate | Pa. -- Pennsylvania |
| (R) -- Indicate Decrease
in Rate | Per -- For Each |
| (C) -- Indicates Change or
Addition | Via -- By Way Of |
| Inc. -- Number | |

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For Explanation of Abbreviations and Reference Marks, See Above

OPERATING AUTHORITY

Certificate No. A-00105786
Order, dated June 26, 1986

"To transport, as a common carrier, groups and parties of persons from points in the township of Burrell, and the facilities of Homer Center High School in the township of Center, Indiana County, and the borough of Elderton, Armstrong County, to points in Pennsylvania within an airline distance of one hundred (100) statute miles of point of origin."

Subject to the following conditions:

"1. That the service herein authorized is limited to charter service with no right, power or privilege granted to provide tour, sightseeing or special excursion service."

"2. That all transportation herein authorized is limited to the use of school bus type equipment."

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For Explanation of Abbreviations and Reference Marks, See Page 2

DJH

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

015542

97 NOV -5 PM 2:41

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

RECEIVED
PROTODOTARY'S OFFICE

DENNIS S SHILOBOD ESQ
617 GRANT BLDG
PITTSBURGH, PA 15219

DOCKETED

NOV 6 1997

DATE 11/4/97
RECEIPT # 193681

**DOCUMENT
FOLDER**

IN RE: Application fees for SMITH BUS CO INC

A-00105786F0001AMA..... \$350.00
REVENUE ACCOUNT: 001780-017601-102

CHECK NUMBER: 3875

CHECK AMOUNT \$350.00

C. Joseph Meisinger
(for Dept. of Revenue)

PENNSYLVANIA
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

NOV 08 1997

Published in Pennsylvania Bulletin _____

BUREAU OF TRANSPORTATION AND SAFETY
COMMON CARRIER
OCTOBER 1997

A-00105786
F. 1
Am-A

Application of Smith Bus Company, Inc., a corporation of the Commonwealth of Pennsylvania, for amendment to its common carrier certificate, which grants the right, to transport, by motor vehicle, groups and parties of persons, from points in the township of Burrell and the facilities of Homer Center High School in the township of Centre, Indiana County, and the borough of Elderton, Armstrong County, to points in Pennsylvania within an airline distance of one hundred (100) statute miles of the point of origin; subject to the following conditions: (1) That the service herein authorized is limited to charter service with no right, power or privilege granted to provide tour, sight-seeing or special excursion service; and (2) That all transportation herein authorized is limited to the use of school bus type equipment: SO AS TO PERMIT the transportation of persons in group and party service, between points in the townships of Burrell and Centre, Indiana County, and the borough of Elderton, Armstrong County, and from points in the said townships and borough, to points in Pennsylvania, and return.

TLZ:tz

10/23/97

Application Received: October 6, 1997
Application Docketed: October 20, 1997

DEC 01 1997

Protests due _____



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

REFER TO OUR FILE

November 7, 1997

DENNIS S SHILOBOD
617 GRANT BUILDING
330 GRANT STREET
PITTSBURGH PA 15219

In re: A-00105786, F.1, Am-A;- Application of Smith Bus Company, 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 December 1, 1997. 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 November 8, 1997.

Very truly yours,

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

cc: Applicant
Document Folder

A-00105786, F. 1, Am-A SMITH BUS COMPANY, INC. (RD #1, Box 622 B, Blairsville, Indiana County, PA 15717), a corporation of the Commonwealth of Pennsylvania - groups and parties of persons, from points in the township of Burrell and the facilities of Homer Center High School in the township of Centre, Indiana County, and the borough of Elderton, Armstrong County, to points in Pennsylvania within an airline distance of one hundred (100) statute miles of the point of origin; subject to the following conditions: (1) That the service herein authorized is limited to charter service with no right, power or privilege granted to provide tour, sight-seeing or special excursion service; and (2) That all transportation herein authorized is limited to the use of school bus type equipment: SO AS TO PERMIT the transportation of persons in group and party service, between points in the townships of Burrell and Centre, Indiana County, and the borough of Elderton, Armstrong County, and from points in the said townships and borough, to points in Pennsylvania, and return. Attorney: Dennis S. Shilobod, 617 Grant Building, 330 Grant Street, Pittsburgh, PA 15219.