

BEFORE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

0089

APPLICATION FOR TRANSPORTATION BY MOTOR  
COMMON CARRIERS OF PROPERTY

(PLEASE READ INSTRUCTIONS BEFORE PREPARING APPLICATION)

**For PUC Use Only**

Docket No. 703403

Folder No. \_\_\_\_\_

**DOCKETED**  
APPLICATION DOCKET

SEP 16 1998

ENTRY No. 72

RECEIVED  
SECRETARY'S BUREAU

98 SEP -8 AM 11:09

- Sacks + Co. Inc.  
(Full and correct name in which you intend to operate)
- \_\_\_\_\_  
(Trade name, if any)  
The trade name, if fictitious, N/A been registered  
(has or has not)  
Secretary of the Commonwealth on N/A (attach  
date-stamped registration form).
- 8 Big ROAD 610-287-7393  
(Physical Address) (Telephone No.)  
Zieglerville Montg. PA 19492  
(City) (County) (State) (Zip)
- \_\_\_\_\_  
(Mailing Address; if different)  
N/A  
\_\_\_\_\_  
(City) (County) (State) (Zip)
- William Klin (610) 970-2880  
(Attorney's Name) (Telephone Number)

DOCUMENT  
FOLDER

A-115305

25  
Prop Gmt  
Form E  
5 copy  
to W...

6. Applicant does 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 1 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 \_\_\_\_\_ 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 numbers of shares held by each stockholder.

MATTHEW R. SACKS (Pres.) 50 %  
P.O. Box 169 8 Big RD  
Zieglerville, PA. 19492

JONATHAN B. SACKS (Sec.) 50 %  
P.O. Box 169 8 Big RD  
Zieglerville, PA. 19492

# 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.

MATTHEW R. SACKS      Matthew R Sacks      9/2/98  
(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.

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.

WILLIAM H. KLEIN, J.D., CPA

*Attorney at Law*

1866 E. HIGH STREET, POTTSTOWN, PENNSYLVANIA 19464

PHOENIXVILLE (610) 993-0789

(610) 970-2880

FAX NO. (610) 327-3701

August 17, 1998

Commonwealth of Pennsylvania  
Department of State  
Corporation Bureau  
308 North Office Building  
Harrisburg, PA 17120-0029

COPY

RE: SACKS & CO., INC.

Dear Sirs,

Enclosed please find the Articles of Amendment and Docketing Statement for Sacks & Co., Inc., along with a check in the amount of \$52.00 to cover filing fees. Finally, I have enclosed one (1) additional copy of each document. Upon filing, would you please time stamp and return the copies in the self-addressed, stamped envelope provided.

Thank you for your cooperation.

Very truly yours,  
WILLIAM H. KLEIN, J.D., P.C.

*William H. Klein, Esq.*  
William H. Klein, Esq.

WIK:kk  
Enclosure

Corporation Number \_\_\_\_\_

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

City Number \_\_\_\_\_

Secretary of the Commonwealth

ARTICLES OF AMENDMENT-DOMESTIC BUSINESS CORPORATION

DSCB:15-1915 (Rev 90)

In compliance with the requirements of 15 Pa.C.S. § 1915 (relating to articles of amendment), the undersigned business corporation, desiring to amend its Articles, hereby states that:

The name of the corporation is: TERRY SACKS + SONS, INC

The (a) address of this corporation's current registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is (the Department is hereby authorized to correct the following information to conform to the records of the Department):

(a) PO Box 169, 8 BIG RD, ZIEGLERVILLE, PA 19492 BERKS  
Number and Street City State Zip County

(b) n/a  
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.

The statute by or under which it was incorporated is: BUSINESS CORPORATION LAW OF COMMONWEALTH OF PA

The date of its incorporation is: 1-1-98

(Check, and if appropriate complete, one of the following):

The amendment shall be effective upon filing these Articles of Amendment in the Department of State.

The amendment shall be effective on: \_\_\_\_\_ at \_\_\_\_\_  
Date Hour

(Check one of the following):

The amendment was adopted by the shareholders (or members) pursuant to 15 Pa.C.S. § 1914(a) and (b).

The amendment was adopted by the board of directors pursuant to 15 Pa.C.S. § 1914(c).

(Check, and if appropriate complete, one of the following):

The amendment adopted by the corporation, set forth in full, is as follows:

The name of the corporation TERRY SACKS + SONS, INC shall be changed effective with the filing of this amendment, to SACKS + Co., Inc.

The amendment adopted by the corporation is set forth in full in Exhibit A attached hereto and made a part hereof.

DSCR.15-1915 (Rev 90)-2

1.  (Check if the amendment restates the Articles):

The restated Articles of Incorporation supersede the original Articles and all amendments thereto.

IN TESTIMONY WHEREOF, the undersigned corporation has caused these Articles of Amendment to be signed by a duly authorized officer thereof this 14<sup>th</sup> day of August, 1998.

SACKS + Co., Inc.  
 (Name of Corporation)

BY: Matthew A. Sack  
 (Signature)

TITLE: Pres.

LOCKETING STATEMENT (usc8:15-134B)

BUREAU USE ONLY:

REVENUE LABOR & INDUSTRY OTHER

FILING FEE: NONE

FILE CODE

FILED DATE

MICROFILM NUMBER

This form (file in triplicate) and all accompanying documents shall be mailed to: COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF STATE CORPORATION BUREAU 300 NORTH OFFICE BUILDING HARRISBURG, PA 17120-0029

Part I. COMPLETE FOR EACH FILING:

Current name of entity or registrant affected by the submittal to which this statement relates: (survivor or new corporation if merger/consolidation)

TERRY SACKS & SONS INC

Entity number, if known: NOTE: ENTITY NUMBER is the computer index number assigned to an entity upon its filing in the Department of State.

Current registrant office:

Incorporation/qualification date in PA: 11-24-97 State of Incorporation: PA

Specified effective date, if any: 1-1-98

Part II. COMPLETE FOR EACH FILING This statement is being submitted with (check proper box):

- X Articles of Amendment: complete Section A only
Amended Certificate of Authority: complete Section A only
Articles of Merger: complete Section B
Articles of Consolidation: complete Section C
Articles of Division: complete Section D
Articles of Conversion: complete Section A and E only
Statement of Merger, Consolidation or Division: complete Section B, C or D
Statement of Correction: complete Section A only
Statement of Termination: complete Section H
Statement of Revival: complete Section G
Dissolution by Shareholders or Incorporators before Commencement of Business: complete Section F only
Amendment of Certificate of Limited Partnership: complete Section A only

Part III. COMPLETE IF APPROPRIATE: The delayed effective date of the accompanying submittal is:

month day year hour, if any

(2)

X Section A. CHANGES TO BE MADE TO THE ENTITY NAMED IN Part I: (Check box/boxes which pertain)

X Name: SACKS + Co., INC.

Registered Office: \_\_\_\_\_

Purpose: \_\_\_\_\_

Stock: aggregate number of shares authorized \_\_\_\_\_ (attach additional provisions, if any)

Term of Existence: \_\_\_\_\_

Other: \_\_\_\_\_

Section B. MERGER (Complete Section A if any changes to survivor corporation):

MERGING CORPORATIONS ARE:

1. Name: \_\_\_\_\_

Entity Number, if known: \_\_\_\_\_ Inc./qual. date in PA: \_\_\_\_\_ State of Incorporation: \_\_\_\_\_

2. Name: \_\_\_\_\_

Entity Number, if known: \_\_\_\_\_ Inc./qual. date in PA: \_\_\_\_\_ State of Incorporation: \_\_\_\_\_

Attach sheet containing above corporate information if there are additional merging corporations.

Section C. CONSOLIDATION (NEW corporation information should be completed in Part I. Also, complete and attach DOCKETING STATEMENT DSC8:15-134A for the NEW corporation formed.)

CONSOLIDATING CORPORATIONS ARE:

1. Name: \_\_\_\_\_

Entity Number, if known: \_\_\_\_\_ Inc./qual. date in PA: \_\_\_\_\_ State of Incorporation: \_\_\_\_\_

2. Name: \_\_\_\_\_

Entity Number, if known: \_\_\_\_\_ Inc./qual. date in PA: \_\_\_\_\_ State of Incorporation: \_\_\_\_\_

Attach sheet containing above corporate information if there are additional consolidating corporations.

**EXEMPTION FROM PUC CARGO INSURANCE REGULATIONS**

This is to advise that SACKS + CO. INC.  
(Name of applicant/carrier)

holding PUC authority at Application Docket No. A- \_\_\_\_\_  
(If available)

is exempt from Cargo Insurance Regulations for the following reasons  
(Check all that apply):



All transportation will be provided in dump trucks.



All transportation will be limited to farm products, garbage, ashes, rubbish, coal, debris, earth, crushed stone, amesite, and similar construction materials.



The value of any one load being transported will not be more than \$500.00 in value.

Matthew R. Sacks (pres.)  
Signature of Individual, Partner or Corporate Officer.

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**Verification of Statement**

The undersign 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 setforth 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. 409 relating to unsworn falsification to authorities.

Date 8/31/98

Matthew R. Sacks  
(Signature)

MATTHEW R. SACKS  
(Print Name)

Please return to:

Pennsylvania Public Utility Commission  
Bureau of Transportation and Safety  
Insurance Unit  
PO Box 3265  
Harrisburg, PA 17105-3265



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

IN REPLY PLEASE  
REFER TO OUR FILE

September 24, 1998

SACKS & CO INC  
8 BIG ROAD  
ZIEGLERVILLE PA 19492

In Re: A-00115305 - Application of Sacks & Co., Inc.

Gentlemen:

The above-cited application has been received and accepted for publication. It will be published in the Pennsylvania Bulletin of October 3, 1998.

You are further advised that the above-cited application will be submitted for review provided no comments are filed on or before October 19, 1998.

If comments are filed you will be advised as to the procedure.

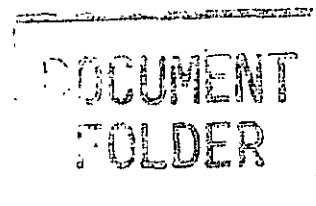
**You are not now authorized to provide intrastate service. You will receive notification as to when you may begin providing service.**

Very truly yours,

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

PSM:tz

cc: Document Folder



PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

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

SACKS & CO INC  
PO BOX 169  
ZIEGLERVILLE PA 19492

DATE 10/ 2/98  
RECEIPT # 194934

IN RE: Application fees for SACKS & CO INC

Docket Number A-00115305..... \$100.00

REVENUE ACCOUNT: 001780-017601-102

CHECK NUMBER: USPMO 68684809858  
CHECK AMOUNT: \$100.00

DOCKETED

OCT 16 1998

C. Joseph Meisinger  
(for Department of Revenue)

010558

DOCUMENT  
FOLDER

RECEIVED  
SECRETARY'S BUREAU  
98 OCT 16 AM 8:29

EEF