

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, Pennsylvania 17105-3265

Public Meeting held June 4, 1992

Commissioners Present:

DAVID W. ROLKA, CHAIRMAN
JOSEPH RHODES, JR., VICE-CHAIRMAN
WENDELL F. HOLLAND, COMMISSIONER

Pennsylvania Public Utility Commission
v.

A-00103732C9201

ALLEN, JOHN R.
T/A ALLEN, JOHN, TRUCKING
R.D. 1, BOX 193
SUGAR GROVE PA 16350

U.S. CERTIFIED MAIL NO. 044243

ORDER TO SHOW CAUSE

DOCUMENT
FOLDER

BY THE COMMISSION:

This Commission, as the duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate common carriers, forwarders, and contract carriers within this Commonwealth, represents as follows:

1. Respondent holds a certificate of public convenience or contract carrier permit issued by this Commission at Application Docket No. A-00103732.
2. Respondent is required by the Public Utility Code, 66 Pa. C.S. Section 504 or Section 2508, and by the regulations of the Commission, 52 Pa. Code Section 29.42, Section 31.9 or Section 33.103, to file an Annual Report with the Commission for each calendar year. The Annual Report must be filed with the Commission no later than March 31, of the succeeding calendar year unless an extension of time for filing has been granted by the Commission.
3. As of the date of this order to show cause, which is after March 31, 1992, respondent has not filed its Annual Report for the year 1991.
4. By failing to file its Annual Report for 1991, respondent is in violation of 52 Pa. Code Section 29.42, Section 31.9 or Section 33.103; THEREFORE,

IT IS ORDERED:

1. That respondent show cause why the certificate of public convenience or contract carrier permit at Application Docket No. A-00103732 should not be revoked for failure to file its Annual Report for 1991.
2. That respondent has twenty (20) days from the date on which this order is served to file with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, an answer, in writing, under oath, which, as required by the Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.64, either affirms or specifically denies the allegations in this order.

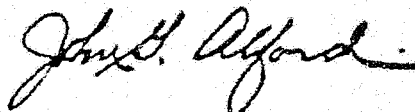
3. That in lieu of an answer to this order, respondent may file its Annual Report for 1991 within the time specified for filing an answer to this order. If the respondent so files its Annual Report for 1991, the time for filing that Report will be extended to the date upon which an answer is due, and upon receipt of said Annual Report, this order will be discharged without further proceedings.

4. That if respondent fails to file an answer or other responsive pleading within twenty (20) days, respondent will be deemed to have admitted all the allegations in this Order, in accordance with the Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.54. In that event, this Commission may, without hearing, enter an appropriate order which either revokes or suspends the certificate of public convenience or contract carrier permit held by respondent, and which imposes a fine or any other appropriate penalty or forfeiture as authorized by the Public Utility Code, 66 Pa. C.S. Subsection 101, et seq.

5. That if respondent files an answer which admits the allegations contained in this order, this Commission will enter an order which either revokes or suspends the certificate of public convenience or contract carrier permit held by respondent and which imposes a fine or any other appropriate penalty or forfeiture as authorized by the Public Utility Code, 66 Pa. C. S. Subsection 101, et seq.

6. That if respondent files a timely answer which specifically denies the allegations in this order, or which raises material questions of law or fact, this matter shall be referred to an Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, the respondent is found to have committed any of the violations alleged in this order, the Administrative Law Judge may render a decision which either revokes or suspends the certificate of public convenience or contract carrier permit held by respondent, and which imposes a fine or other appropriate penalty authorized by the Public Utility Code, 66 Pa. C.S. Subsection 101, et seq.

BY THE COMMISSION,



John G. Alford
Secretary



ORDER ADOPTED: June 4, 1992

ORDER ENTERED: July 8, 1992



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P. O. BOX 3265, HARRISBURG, Pa. 17120

KJR

January 28, 1992

IN REPLY PLEASE
REFER TO OUR FILE

John Allen
R. D. 1, Box 193
Sugar Grove, PA 16350

DOCUMENT
2010E

A-103732

Re: Incorporation of a Sole Proprietorship or Partnership

Dear Sir:

FILE

The Pennsylvania Public Utility Commission has received notice that you have recently incorporated and that you are conducting public utility service as a corporation. In order to legally conduct business in this manner, your PUC authority must be officially transferred into the corporation.

If there has been a change in the ownership or control of the business, it will be necessary to file an application for the transfer of authority. In order to obtain the necessary forms, please contact the Application Section at 717-787-3834.

If there has been no change in the ownership or control of the business, it will be necessary to submit a verified letter of notification to the Commission containing the following information:

1. The docket number of the motor carrier and the name of the motor carrier as presently shown in Commission records.
2. A copy of the articles of incorporation.
3. The names of the owners of the stock and distribution of shares.
4. The names of the officers and directors of the corporation.
5. A statement that there has been no change in the ownership or control of the business.
6. A copy of the approved certificate of incorporation or certificate of authority from the Pennsylvania Department of State.

Upon the submission of this information to the Commission, the Commission will endorse your existing certificate or permit in the name of the new entity with no change to your existing docket number. Within 30 days of this endorsement, you must make the necessary changes on your insurance and tariff filings with the Commission.

Thanks for your attention to this matter.

Sincerely,

David Enhart, Supervisor
Application Section
Bureau of Transportation