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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Application for Motor Common Carrier of Property

THIS APPLICATION IS REQUIRED TO REQUEST A CERTIFICATE OF PUBLIC CONVENIENCE TO OPERATE AS A COMMERCIAL CARRIER OF PROPERTY FOR COMPENSATION BETWEEN POINTS IN PENNSYLVANIA.

1. **Legal Name of Applicant** (Individual, Partnership or Corporation)

PATRICK S. SHEELEY Sr / Michelle Ann Sheeley

- If you are an individual who has not formed any type of corporate entity, you should enter your name **as it will appear on your insurance documents**.
- If you are filing for a partnership, but **not a limited liability partnership**, the names of all partners must be entered on this line. Those names should be entered **as they will appear on your insurance documents**. This includes husbands and wives filing jointly.
- If you are filing for a corporate entity (corporation, limited liability company, or limited liability partnership), **even if you are the sole shareholder member**, you must enter the name **exactly as it appears on the registration papers from the Corporation Bureau of the Pennsylvania Department of State**.

2. **Trade Name** (Attach a copy of fictitious name registration if applicable)

ELLIOTT BUN TRUCKING LLC.

This is any name which you will be operating under which differs from the **LEGAL NAME OF APPLICANT**. A **TRADE NAME** is considered a **FICTITIOUS NAME** if the identity of the applicant cannot be readily determined. *EXAMPLE: John Doe is the applicant and wants to use the name "Johnboy Trucking" as his trade name. People cannot readily determine that John Doe is the actual operator; therefore, the name is fictitious and must be registered as such. Trade names such as "John Doe Trucking" or "J. Doe Trucking" are not considered fictitious and would not have to be registered.*

3. **Do you currently hold PA PUC Authority?** **NO** Previous Authority? **NO**

If yes, at PUC No. A- _____

4. **Are you a business entity registered with the PA Department of State?** **NO**

If No, you must first register (see checklist)

If Yes, provide your PA Corporation Bureau Entity ID Number 6960205
(see checklist and indicate type of business entity registered)

5. If either a corporation or limited liability company please list members (LLC) or shareholders and officers (corporation).

Patrick S Sheoley Sr _____
Michael John Sheoley _____

6. Physical Address (do not use post office box)

13019 River Rd _____
Street Address
Sigel Pa 15860 _____
City, State and Zip Code
814 3358026 _____
Telephone Number
Elk County _____
County

The address entered here should reflect the actual location of the business. This is the address the Commission needs in order to dispatch Enforcement Officers to inspect equipment.

7. Mailing Address (if different from Physical Address)

Same _____
Street Address
Same _____
City, State and Zip Code

This is the address to which the Commission will send all official documents issued by the Commission. If left blank, it will be assumed that the MAILING ADDRESS is the same as the PHYSICAL ADDRESS.

8. Attorney (if applicable) (Completed own Entity #)
Fernan Gec Law Office PC _____
Attorney's Name & Telephone Number for this Filing

35 North Broad St Ridgway Pa 15853 _____
Attorney's Address

An attorney's name should only be entered if an attorney is filing the application for a client and the application is being sent under the attorney's cover letter.

9. Do you have a USDOT Number?

No Yes, at No. 3344442

10. What type of commodities do you intend to transport?

Landscape materials, Stone,
lumber, top soil, sand,
etc

11. Certification:

Applicant certifies that it is not now engaged in unauthorized intrastate transportation for compensation between points in Pennsylvania and will not engage in said transportation unless and until authorization is received from the Pennsylvania Public Utility Commission.

Applicant further certifies that it understands the requirements of the Pennsylvania Public Utility Commission, especially as they relate to safety and insurance and that it may be subject to civil penalties, suspension or cancellation of the Certificate for failure to comply with Commission requirements.

Applicant further certifies that it understands that it is subject to an annual assessment based upon its reported gross Pennsylvania intrastate revenues; said assessment to help defray expenses incurred in regulating Motor Common Carriers of Property; and acknowledges that failure to report revenue and pay its annual assessment may result in civil penalties, suspension or cancellation of the certificate.

Verification of Application

I/We hereby state that the statement(s) made in this application is/are true and correct to the best of my/our knowledge and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Patrick S Sheeley Sr / Michele Ann Sheeley
(Print Name)

Patrick S Sheeley Sr / *Michele Ann Sheeley*
(Signature) (Date) 11-4-19

The verification of the application must be completed by the applicant appearing on Line 1 of the application by the named individual, all partners if a partnership, a member (if a limited liability company), or by the President or Secretary (if a corporation).

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS
401 NORTH STREET, ROOM 206
P.O. BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.PA.GOV

Fernan Geci Law Office PC
35 North Broad St
RIDGWAY PA15853

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SECRETARY'S BUREAU

Elliott Run Trucking LLC


The Bureau of Corporations and Charitable Organizations is happy to send your filed document. The Bureau is here to serve you and we would like to thank you for doing business in Pennsylvania.

Thank you for registering with the Department of State to do business in Pennsylvania. Like many other businesses, you may have employees, sell taxable products, or provide a taxable service to consumers in Pennsylvania. Please visit www.pa100.state.pa.us to register for Business Taxes with the PA Department of Revenue & Labor and Industry or visit www.Business.pa.gov to find answers to most common registration questions.

If you have any questions pertaining to the Bureau, please visit our website at www.dos.pa.gov/BusinessCharities Or you may contact us by telephone at (717)787-1057. Information regarding business and UCC filings can be found on our searchable database at www.corporations.pa.gov/Search/CorpSearch.

Entity number : 6960205

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

<input checked="" type="checkbox"/> Return document by mail to: Fernan Geci Law Office PC Name 35 North Broad Street Address Ridgway, PA 15853 City State Zip Code <input type="checkbox"/> Return document by email to: _____	Certificate of Organization Domestic Limited Liability Company DSCB:15-8821 (rev. 2/2017)  TML191010JF0358
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Read all instructions prior to completing. This form may be s

Fee: \$125 I qualify for a veteran/reservist-owned small business fee exemption (see instructions)

In compliance with the requirements of 15 Pa.C.S. § 8821 (relating to certificate of organization), the undersigned desiring to organize a limited liability company, hereby certifies that:

- The name of the limited liability company is: Elliott Run Trucking LLC
(designator is required, e.g. "company," "limited" or "limited liability company" or any abbreviation thereof)
- Complete part (a) or (b) – not both:
 - The address of this limited liability company's registered office in this Commonwealth is:
(post office box alone is not acceptable)

13019 River Road	Sigel	PA	15860	Elk
Number and Street	City	State	Zip	County
 - The name of this limited liability company's commercial registered office provider and county of venue is:
c/o: _____
Name of Commercial Registered Office Provider County
- The name of each organizer is (all organizers must sign on page 2):
Patrick S. Sheeley

- Effective date of Certificate of Organization (check, and if appropriate complete, one of the following):
 The Certificate of Organization shall be effective upon filing in the Department of State.
 The Certificate of Organization shall be effective on: _____ at _____
Date (MM/DD/YYYY) Hour (if any)

5. Restricted professional companies only.

Check the box if the limited liability company is organized to render a restricted professional service and check the type of restricted professional service(s).

The company is a restricted professional company organized to render the following restricted professional service(s):

- Chiropractic
- Dentistry
- Law
- Medicine and surgery
- Optometry
- Osteopathic medicine and surgery
- Podiatric medicine
- Public accounting
- Psychology
- Veterinary medicine

6. Benefit companies only.

Check the box immediately below if the limited liability company is organized as a benefit company:

This limited liability company shall have the purpose of creating general public benefit.

Optional specific public benefit purpose. Check the box immediately below if the benefit company is organized to have one or more specific public benefits and supply the specific public benefit(s). See instructions for examples of specific public benefit.

This limited liability company shall have the purpose of creating the enumerated specific public benefit(s):

7. For additional provisions of the certificate, if any, attach 8½ x 11 sheet(s).

IN TESTIMONY WHEREOF, the organizer(s) has (have) executed this Certificate of Organization this

7th day of October, 2019.



 Signature

PATRICK S SHEELEY

 Signature

 Signature

**OPERATING AGREEMENT
OF
ELLIOTT RUN TRUCKING LLC**

This Operating Agreement (the "Agreement") has been adopted by PATRICK S. SHEELEY as the sole member (the "Member") of ELLIOTT RUN TRUCKING LLC, a Pennsylvania limited liability company (the "Company").

1. **Purpose.** The object and purpose of, and the nature of the business to be conducted and promoted by, the Company is engaging in any lawful act or activity for which limited liability companies may be formed under the Pennsylvania Limited Liability Company Act, 15 Pa.C.S. ' 8901, et seq., as amended from time to time (the "Act"), and engaging in any and all lawful activities necessary or incidental to the foregoing.

2. **Member.** The name and address of the Member is:

*Patrick S. Sheeley
13019 River Road
Sigel, PA 15860*

3. **Management.**

(a) The business and affairs of the Company shall be managed by the Member. The Member, on behalf of the Company, shall have the power to do any and all acts necessary or convenient to, or for the furtherance of, the business and affairs of the Company.

(b) The Member has appointed himself President, Vice President, Secretary, Treasurer and sole Director of the Company.

(c) If an officer of the Company is appointed by the Member and given a title that is used by officers of a business corporation, the Member shall be deemed to have delegated to the officer the duties, responsibilities, and authority that would be exercised by an officer of a business corporation with the same title, unless the Member provides otherwise by written resolution.

4. **Title to Company Property.** All real and personal property shall be acquired in the name of the Company and title to any property so acquired shall vest in the Company itself rather than in the Member.

5. **Compensation of Member.** The Member may be reimbursed for all expenses incurred in managing the Company and may, at the election of the Member, be entitled to compensation for management services rendered, in an amount to be determined from time to time by the Member.

6. **Distributions.** Distributions shall be made to the Member (in cash or in kind) at the times and in the aggregate amounts determined by the Member and as permitted by applicable law.

7. **Elections.** The Member may make any tax elections for the Company allowed under the Internal Revenue Code of 1986, as amended, or the tax laws of any state or other jurisdiction having taxing jurisdiction over the Company.

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8. **Assignability of Membership Interest.** The economic interest of the Member in the Company is assignable, in whole or in part, either voluntarily or by operation of law.

9. **Admission of Additional Members.**

Additional members of the Company may be admitted to the Company at the direction of the Member only if a new operating agreement or an amendment and restatement of this Agreement is executed.

10. **Liability of the Member.** The Member shall not have any liability for the debts, obligations or liabilities of the Company or for the acts or omissions of any other member, officer, agent, or employee of the Company except to the extent provided in the Act. The failure of the Member to observe any formalities or requirements relating to the exercise of the powers of the Member or the management of the business and affairs of the Company under this Agreement or the Act shall not be grounds for imposing liability on the Member for liabilities of the Company.

11. **Indemnification.** The Company shall indemnify the Member and those authorized officers, agents, and employees of the Company identified in writing by the Member as entitled to be indemnified under this section for all costs, losses, liabilities and damages paid or accrued by the Member (as the Member or as an officer, agent, or employee) or any such officer, agent, or employee in connection with the business of the Company, except to the extent prohibited by the laws of the Commonwealth of Pennsylvania. In addition, the Company may advance costs of defense of any proceeding to the Member or any such officer, agent, or employee upon receipt by the Company of an undertaking by or on behalf of such person to repay such amount if it shall ultimately be determined that the person is not entitled to be indemnified by the Company.

12. **Dissolution.**

(a) The Company shall dissolve, and its affairs shall be wound up, upon the first to occur of the following: (i) the written direction of the Member, or (ii) the entry of a decree of judicial dissolution under section 8972 of the Act. The death (or dissolution in the case of a member that is not a natural person), retirement, insanity, resignation, or bankruptcy of the Member or the occurrence of any other event that terminates the continued membership of the Member shall not cause a dissolution of the Company.

(b) Upon dissolution, the Company shall cease carrying on any and all business other than the winding up of the Company business, but the Company is not terminated and shall continue until the winding up of the affairs of the Company is completed and a certificate of dissolution has been filed pursuant to the Act. Upon the winding up of the Company, the Company's property shall be distributed (i) first to creditors, including the Member if the Member is a creditor, to the extent permitted by law, in satisfaction of the Company's liabilities; and (ii) then to the Member. Such distributions shall be in cash or property or partly in both, as determined by the Member.

13. **Conflicts of Interest.** Nothing in this Agreement shall be construed to limit the right of the Member to enter into any transaction that may be considered to be competitive with, or a business opportunity that may be beneficial to, the Company. The Member does not violate a duty or obligation to the Company merely because the conduct of the Member

further the interests of the Member. The Member may lend money to and transact other business with the Company. The rights and obligations of the Member upon lending money to or transacting business with the Company are the same as those of a person who is not the Member, subject to other applicable law. No transaction with the Company shall be void or voidable solely because the Member has a direct or indirect interest in the transaction.

14. Governing Law. This Agreement shall be governed by, and interpreted and enforced in accordance with, the substantive laws of the Commonwealth of Pennsylvania, without reference to the conflicts of law rules of that or any other jurisdiction.

15. Entire Agreement. This Agreement constitutes the entire agreement of the Member with respect to the subject matter hereof and supersedes all prior agreements, express or implied, oral or written, with respect thereto. The express terms of this Agreement control and supersede any course of performance or usage of trade inconsistent with any of the terms hereof.

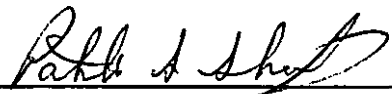
16. Amendment. This Agreement may be amended or modified from time to time only by a written instrument executed by the Member.

17. Rights of Creditors and Third Parties. This Agreement is entered into by the Member solely to govern the operation of the Company. This Agreement is expressly not intended for the benefit of any creditor of the Company or any other person other than the heirs, personal representatives, successors and assigns of the Member. Except and only to the extent provided by applicable statute, no creditor or third party shall have any rights under this Agreement or any agreement between the Company and the Member, with respect to the subject matter hereof.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound, has adopted this Operating Agreement to be effective for all purposes as of the filing of the Certificate of Organization.

SOLE MEMBER:

Dated: 10/7/19



PATRICK S. SHEELEY

Date of this notice: 09-30-2019

Employer Identification Number:
[REDACTED]

Form: SS-4

Number of this notice: CP 575 B

For assistance you may call us at:
1-800-829-4933

PATRICK SHAWN SHEELEY
ELLIOTT RUN TRUCKING
13019 RIVER RD
SIGEL, PA 15860

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 84-3210967. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Your Form 2290 becomes due the month after your vehicle is put into use.

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

From: Permits Team permits@foleyservices.com
Subject: DOT and Operating Authority Number Confirmation
Date: Oct 9, 2019 at 3:18:08 PM
To: Patrick Sheeley michsheeley72@gmail.com

Dear Valued Customer:

Thank you for choosing Foley Carrier Services to assist you with obtaining your USDOT Number 3344442 and Operating Authority Number 01068062.

What's Next?

- **Your Application is being review for statutory and regulatory compliance.**
- **You will receive a notification with your assigned US DOT Number and DOT Pin Number.**
- **All carriers must comply with the FMCSA regulations.**
- **To access all DOT/FMCSA Regulations please visit www.fmcsa.dot.gov**

The following steps are crucial to your interstate Operating Authority being approved:

1. **Provide your assigned MC to your insurance company.**
2. **Ensure insurance company files for a BMC 91, and any other required documentation such as state of incorporation documentation.**
3. **This filing will take approximately 24-48 hours to show up on Federal Motor Carrier Safety Administration's database, we recommend checking there 48 hours after filing to ensure everything is moving forward.**
4. **Your company will then be placed into a 20-25 business day vetting period to approve the application unless it is subject to further review by the agency, in which case it could take an additional 8 weeks or longer depending on the type of cargo your company transports.**
5. **Your BOC-3 is automatically attached to your MC and reported to FMCSA.**

During the vetting period, you CANNOT operate out of state

Once the vetting period is completed, and your interstate Operating Authority has been approved – you will receive confirmation by mail.

You will also receive a Personal Identification Number (PIN). Similar to your DOT PIN #, this is also an alpha-numeric code that will need to be kept with other company documentation. Should you need to update company documentation in the future with the FMCSA, then this code will be required.

Please feel free to contact Foley Carrier Services on 1800 253 5506 if you have any questions with regard to this process or any other aspect of your compliance requirements.

Note: To avoid delay in the issuance of your operating authority (MC number), your name,

From: Permits Team permits@foleyservices.com
Subject: BOC-3 Confirmation
Date: Oct 9, 2019 at 3:18:41 PM
To: Patrick Sheeley michsheeley72@gmail.com

Dear Valued Customer:

Attached is the BOC-3 (Blanket of Coverage). You have now successfully complied with regulation 366.4:

- **Motor carriers.** Every motor carrier (of property or passengers) shall make a designation for each State in which it is authorized to operate and for each State traversed during such operations. Every motor carrier (including private carriers) operating in the United States in the course of transportation between points in a foreign country shall file a designation for each State traversed.
- **Brokers.** Every broker shall make a designation for each State in which its offices are located or in which contracts will be written.

The Federal Motor Carrier Safety Administration has been notified and Blanket of Coverage is currently on file with the Department of Transportation.

The BOC-3 is good for the lifespan of your USDOT number. Should there be an update such as a change to your legal name you will need to purchase a re-file.

Please sign the BOC-3 and keep for your records. You are not required to send this back to Foley.

Thank you,

Permits Team

FOLEY

142 Hurlstone Ave., Second Floor, Hartford, CT 06108

Office: 800.253.5508 | permits@foleyservices.com

www.foleyservices.com | Facebook | Twitter | LinkedIn | our blog

This message and any attachments are intended only for the use of the addressee and may contain information that is privileged and confidential. If the reader of the message is not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by return email and delete the message and any attachments from your system. r10b1

address and MC number (excluding the suffix) **MUST MATCH EXACTLY** on all of the forms that you file, including the information filed by your insurance company. If name does not match please contact FMCSA to make changes at 1-800-832-5860 or you may do so at fmsca.dot.gov.

Please Note:

The FMCSA's Unified Registration System, used to generate DOT Numbers, has been experiencing a known system issue. Affected DOT Numbers will not have a Carrier Operation listed. If your completed DOT number is missing the Carrier Operation you will have to contact the FMCSA directly. Please see below for more information:

- **Option 1: Contact the FMCSA via telephone at (800) 832-5860**

- **Option 2: submit an MCS 150 Form via email to FMCSALicensing@dot.gov**

- **Option 3: Request your DOT Pin Number from the FMCSA via https://safer.fmcsa.dot.gov/AutoPin/index.xhtml Once you receive the DOT Pin number you can update your information electronically via https://fi-public.fmcsa.dot.gov/MEW/Pkg_Registration.Prc_Option**

Thank you,

Permits Team

FOLEY

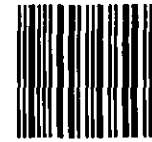
140 Hershope Ave. Second Floor, Hartford, CT 06106

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17120

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FROM: (PLEASE PRINT)

PHONE (814) 335 8026

ELLIOTT RUN TRUCKING LLC
13019 River Rd
Sigel, Pa 15860

PAYMENT BY ACCOUNT (if applicable)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box. Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the mail receptacle or other secure location without attempting to obtain the addressee's signature.

Delivery Options
 No Saturday Delivery (delivered next business day)
 Sunday/Holiday Delivery Required (additional fee, where available)
 10:30 AM Delivery Required (additional fee, where available)
*Refer to USPS.com or local Post Office for availability.

TO: (PLEASE PRINT)

PHONE ()

SECRETARY Pa Public
UTILITY COMMISSION
400 NORTH ST. 2ND F
HARRISBURG, Pa

ZIP + 4* (U.S. ADDRESSES ONLY)

17120

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811
\$100.00 Insurance Included.



To: PUC MASTER

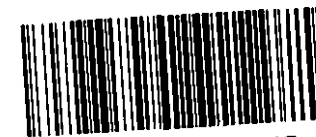
Agency: PUC

Floor:

External Carrier: EXPRESS

CMPC

11/5/2019 10:23:51 AM



EL361681230US

3-ADDRESSEE COPY

WRITE FIRMLY WITH BALL POINT PEN ON HARD SURFACE TO MAKE ALL COPIES LEGIBLE.

WHEN USED INTERNATIONALLY,
A CUSTOMS DECLARATION
LABEL MAY BE REQUIRED.



EP13F July 2013 OD: 12.5 x 9.5



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