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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUL 5 1 17 PM 1951

SECRETARY'S OFFICE
PUBLIC UTILITY COMM.

In re: Application of THE BUCKEYE :
PIPE LINE COMPANY, a Corporation :
of the State of Ohio, for Approval : Application Docket No.
of the Right of a Foreign Public :
Utility to do Business within : ~~APPROVAL~~
Pennsylvania. : A.140100

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

1. The name and address of applicant are: THE
BUCKEYE PIPE LINE COMPANY, City of Lima, County of Allen,
State of Ohio.

2. The name and address of applicant's attorney
are: HULL, LEIBY and METZGER, 208-210 Walnut Street,
Harrisburg, Pennsylvania.

3. The Buckeye Pipe Line Company (hereinafter some-
times referred to as "Buckeye") is an Ohio corporation charter-
ed originally on March 31, 1886, and today represents the
merger, in 1943, of The Buckeye Pipe Line Company and Indiana
Pipe Line Company. The purpose of the corporation is to
transport, store, insure and ship petroleum, water and refined
products and to construct, maintain and operate such pipe lines,
tanks, pump stations and facilities as are necessary and proper

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7/26/51 - Hull, Leiby and Metzger
App. Cont. # 10, 22 - Recd. E. S. J.

for the conduct of said business. The Buckeye Pipe Line Company is a publicly owned corporation, the capital stock of which is widely distributed and held by some seven thousand shareholders, no one shareholder owning as much as ten per cent. of the outstanding capital stock of the company.

The Buckeye Pipe Line Company and its subsidiaries, Northern Pipe Line Company and New York Transit Company, Inc., the latter two companies having become wholly owned subsidiaries in the 1943 merger proceedings referred to above, own pipe lines constituting a common carrier crude oil trunk system extending from Griffith, Indiana, on the west to Buffalo on the east, and also serving intermediate consuming areas such as East Chicago, Toledo, Detroit and Cleveland. The Buckeye Pipe Line Company also owns and operates a petroleum products pipe line system connecting the refineries of the Texas Company at Lawrenceville, Illinois, and the Ohio Oil Company at Robinson, Illinois, to delivery terminals at Indianapolis, Indiana, Muncy, Indiana, and Lima, Ohio. Buckeye also owns and operates a crude oil gathering system in southeastern Ohio. Attached hereto and made a part of this application is a map marked Appendix A, showing the pipe line system of The Buckeye Pipe Line Company, Northern Pipe Line Company, New York Transit Company, Inc., and a proposed pipe line which is the basis for this application, the latter being designated on Appendix A as Proposed Eastern Products Line.

The Buckeye Pipe Line Company presently renders no public utility service in Pennsylvania. It proposes to construct an interstate products pipe line system originating in

the refining areas of Linden, New Jersey, to serve the consuming areas in eastern Pennsylvania and western New York. This pipe line will be used for the common carriage of petroleum and refined petroleum products in interstate commerce.

4. The proposed line will extend from Linden, New Jersey, through and into the Pennsylvania counties of Bucks, Lehigh, Northampton, Carbon, Monroe, Luzerne, Lackawanna, Wyoming and Susquehanna, and on into New York state, as shown on a map marked Appendix D, attached hereto and made a part hereof. Applicant will have delivery terminals in the Commonwealth of Pennsylvania in the Allentown and in the Scranton-Wilkes Barre areas.

5. The purpose of applicant in seeking approval of the right as a foreign public utility to do business in Pennsylvania, under Section 202(a) of the Public Utility Law, is to construct and operate in interstate commerce a petroleum and refined petroleum products pipe line system into and through eastern Pennsylvania. This application is filed as a precautionary measure in view of the recent decision of the Supreme Court of the United States dated May 14, 1951, in Panhandle Eastern Pipe Line Company v. Michigan Public Service Commission and Michigan Consolidated Gas Company, 19 Law Week, 4295. The applicant is filing simultaneously herewith, as a precautionary measure, an application for the right to begin the exercise of this interstate service in the area previously indicated.

6. Applicant will comply with all existing laws with respect to its right to do business in Pennsylvania. There is attached hereto, marked Appendix B and made a part hereof, a conformed copy of the Power of Attorney and Statement which will be filed in the Office of the Secretary of the Commonwealth in accordance with the provisions of the Act of June 1911 if this Commission assumes jurisdiction and approves this application.

7. The petroleum and refined petroleum products pipe line will extend from Linden, New Jersey, into and through eastern Pennsylvania into western New York state. Under these circumstances, being an interstate pipe line, it is impractical to secure a charter under the laws of each state involved. In addition, The Buckeye Pipe Line Company is in a position to supply the entire capital requirements which a new corporation may not be able to attract at satisfactory rates of interest.

8. This project will require additional capital amounting to \$30,000,000. This capital will be raised through the issuance of 20 Year, 3½%, Consolidated Sinking Fund Debentures. \$6,000,000 principal amount of the debentures will be issued in exchange for an equal principal amount of the applicant's 15 Year, 3-1/8%, Sinking Fund Debentures, due April 1, 1963. The proceeds from the sale of the remaining \$24,000,000 principal amount of the debentures will be applied to the construction of the pipe line system described herein to transport petroleum and refined petroleum products by the proposed pipe line as shown on Appendix D. Under present plans, these

debentures will be purchased by certain institutional investors for the purpose of investment, under purchase agreements whereby the sales will be an exempt transaction under the Federal Securities Act of 1933, and will not require qualification under the Trust Indenture Act of 1939.

9. The competitive conditions with other pipe line systems which will be created by construction and operation of the proposed pipe line system are, to the best knowledge of applicant, as shown on a map marked Appendix C, attached hereto and made a part hereof. The names and addresses of the Pennsylvania utility pipe line companies presently operating and furnishing service in the area are as follows: Keystone Pipe Line Company, 260 So. Broad Street, Philadelphia, Pa.; Susquehanna Pipe Line Company, 1608 Walnut Street, Philadelphia, Pa.

10. This system will consist of a pipe line from Linden, New Jersey (presently contemplated to be 14 inches in diameter) to Allentown, Pennsylvania, and pipe lines of smaller diameter extending from Allentown, Pennsylvania, north through the Wilkes Barre-Scranton area of Pennsylvania to Syracuse, New York, and on into other communities in the State of New York. The facilities will consist of line pipe and fittings, buildings, pumping equipment, tanks, right of way, and other miscellaneous property. It is impossible at this time to estimate with complete accuracy the cost of these facilities, but present estimates indicate a cost of approximately \$24,000,000.

11. The financial statements required by an application of this nature are not submitted herewith but will be furnished when requested by the Commission, should the approval sought in this application be deemed necessary by the Commission.

12. Applicant will render no intrastate service and for this reason no rate schedule is attached.

13. Applicant will receive no revenues from intrastate operations in Pennsylvania.

14. This application is related to the application filed simultaneously herewith by The Buckeye Pipe Line Company to secure approval of the beginning of the exercise of the right, power or privilege of owning, constructing and operating an interstate petroleum and refined petroleum products pipe line system through certain eastern Pennsylvania counties, and is also related to an application filed previously hereto by the Northern Pipe Line Company to amend its charter, and an application by Northern Pipe Line Company for approval of the beginning of the exercise of the right, power or privilege of owning that portion of the right of way which must be acquired through the exercise of eminent domain for the interstate petroleum and refined petroleum products pipe line system described herein.

15. Approval of this application is necessary or proper for the following reasons: there is a demand in the

area involved for this proposed pipe line system, so that petroleum and refined petroleum products may be transported from the refining areas in New Jersey to the consumption areas in Pennsylvania and New York, and thereby meet the needs of the consuming public.

WHEREFORE, applicant prays your Honorable Commission to issue a Certificate of Public Convenience approving the right of The Buckeye Pipe Line Company as a foreign public utility to do business within Pennsylvania under Section 202(a) of the Public Utility Law.

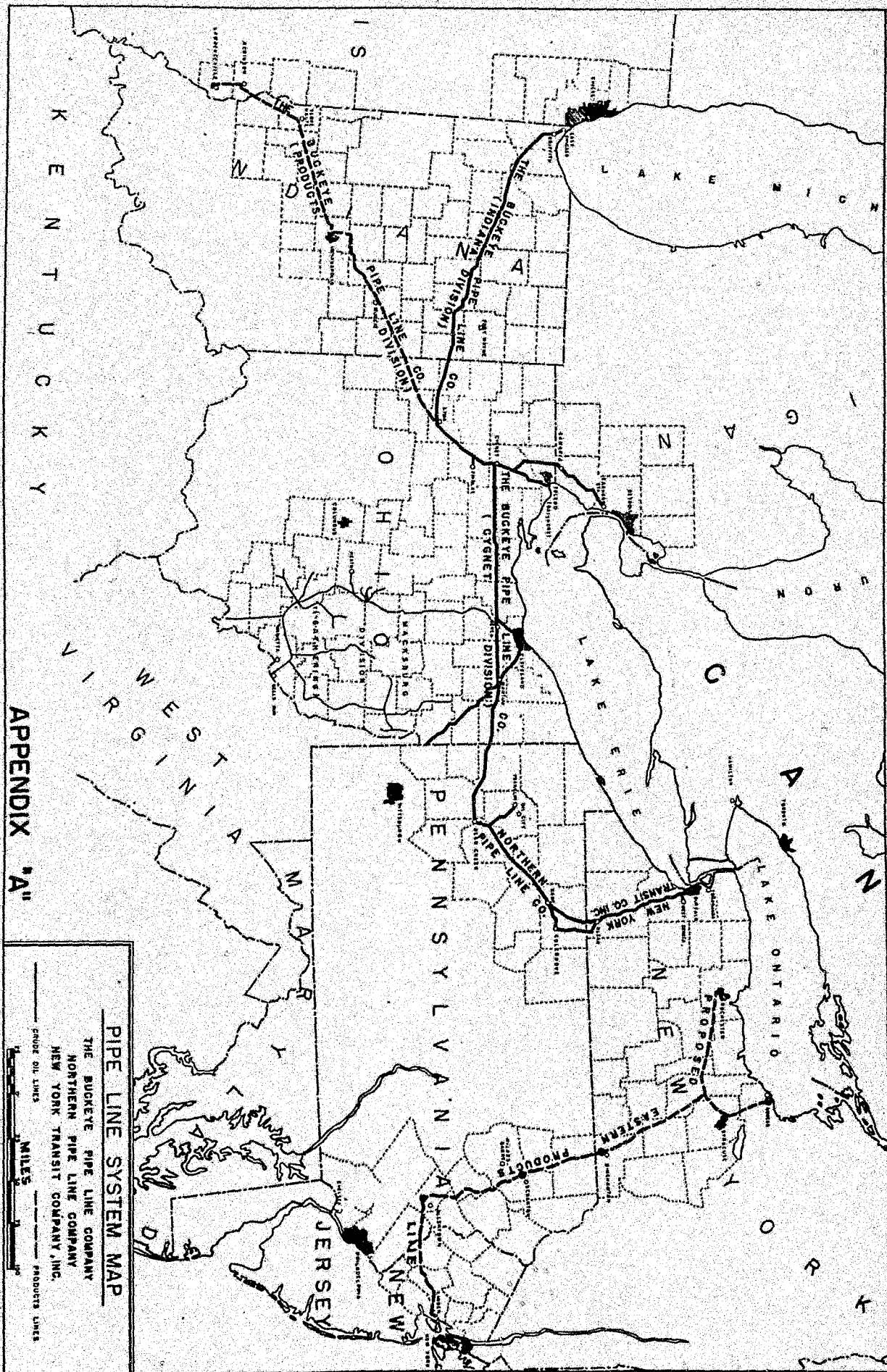
THE BUCKEYE PIPE LINE COMPANY

By

J. H. Peper
J. H. Peper, President

ATTEST:

C. O. Bell
C. O. Bell, Secretary



APPENDIX "A"

E-74

To the Secretary of the Commonwealth of Pennsylvania:

Sir:—

The BUCKEYE PIPE LINE Company, a foreign corporation, in compliance with the Act of the General Assembly of Pennsylvania, entitled "An Act to regulate the doing of business in this Commonwealth by foreign corporations, the registration thereof and service of process thereon, and providing punishment and penalties for the violation of its provisions, and repealing previous legislation on the subject," approved the eighth day of June, 1911, does hereby certify:

FIRST. That the title of said corporation is THE BUCKEYE PIPE LINE COMPANY

SECOND. That it is established, organized or chartered under the laws of the State of Ohio with its principal office at 137 West North Street, Lima, Ohio.

THIRD. The purpose of said corporation is to construct, establish, maintain, and operate pipe lines, tanks, pump stations, and related facilities for the transportation and storage of petroleum and refined products.

FOURTH. Its principal place of business in the Commonwealth of Pennsylvania, is in Allentown and the post office address within the Commonwealth, to which the Secretary of the Commonwealth shall send by mail any process against it, served on him, is at No. 1901 ~~Street~~, South Twelfth Street, Allentown, in the County of Lehigh, in said Commonwealth.

FIFTH. The said THE BUCKEYE PIPE LINE Company does hereby appoint the Secretary of the Commonwealth of Pennsylvania, and his successor in office, to be its true and lawful attorney and authorized agent, upon whom all lawful process in any proceeding against it may be served, and agrees that service of process on the Secretary of the Commonwealth shall be of the same legal force and validity as if served upon it, the said corporation, and the authority for such service of process shall continue in force as long as any liability remains outstanding against it in the Commonwealth of Pennsylvania.

IN TESTIMONY WHEREOF, The said corporation has caused its corporate name to be hereunto subscribed by its President, and its corporate seal to be affixed and attested by its Secretary; this 28th day of MAY 1911

CORPORATE SEAL

THE BUCKEYE PIPE LINE Company

By J. H. Peper President
 Attest: J. D. Bell Secretary

\$30.00

The fee for filing this paper is ~~\$10.00~~

All fees must be paid in cash, by money order, certified check, or bank draft.

NOTE.—A typewritten list of all signatures must accompany this paper.

To the Secretary of the Commonwealth of Pennsylvania

Under the provisions of an Act of the Commonwealth, entitled "An Act to regulate the doing of business in this Commonwealth by foreign corporations, the registration thereof and to provide for the control and regulation of the activities of the persons and entities engaged in such business, and for other purposes."

1951 May 28th

(Name or Corporation)

THE BUCKEYE PIPE LINE COMPANY

POWER OF ATTORNEY AND STATEMENT

Filed in the office of the Secretary of the Commonwealth, on the

day of

A. D. 19

Deputy Secretary of the Commonwealth

Recorded in Foreign Corporation Book

Vol. Page

I, the undersigned, Secretary of the Commonwealth of Pennsylvania, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on the date and at the place above stated.

Witness my hand and the seal of the Commonwealth at Harrisburg, Pennsylvania, this 28th day of May, 1951.

Secretary

Deputy Secretary

The fee for filing this paper is \$10.00

OVERSIZE

DOCUMENTS

OVERSIZE

DOCUMENTS

Harrisburg, August 1, 1951

A. 77702 - Application of The Buckeye Pipe Line Company, a corporation of the State of Ohio, for approval of the right of a foreign public utility to do business within Pennsylvania.

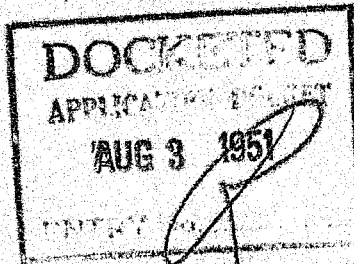
A. 77703 - Application of The Buckeye Pipe Line Company, a corporation of the State of Ohio, for approval of the beginning of the exercise of the right, power or privilege, of owning, constructing and operating an interstate petroleum and refined petroleum products pipe line system through certain eastern Pennsylvania counties.

Charles E. Thomas, Esquire
Hull, Leiby and Metzger
208-210 Walnut Street
Harrisburg, Pennsylvania

Dear Sir:

You are hereby advised that the Commission, at its Session of July 30, 1951, dismissed the applications of The Buckeye Pipe Line Company docketed at A. 77702 and A. 77703 for lack of jurisdiction.

Please acknowledge receipt of this letter.



Very truly yours,

J. A. WALTER
Secretary

JAW:mbo

RECORD
FOLDER

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

March 20, 1981

IN REPLY PLEASE
REFER TO OUR FILE

Buckeye Pipe Line Company
P.O. Box 368
Ebensburg, Pennsylvania 18049

BUCKEYE PIPE LINE COMPANY

The Public Utility Commission has begun a task of bringing together, physically, all application records filed by your company. One standard number will be assigned and all subsequent application filings will be identified with the standard number plus sequential folder numbers.

The many benefits are convenience, easy identification, retrievability, cost effectiveness, computer compatibility and, ultimately, conciseness when microfilmed.

Records pertaining to your company will be refiled contiguously for ease of retrieval. There will be no necessity to renumber historical documents or tariffs containing the old Application number. New Certificates of Public Convenience will not be issued. Simply, the Commission will develop a cross reference index for internal use to locate the files. Since fixed utility vehicles do not carry the PA PUC application number, there will be no need to repaint vehicles. For utilities which have proceedings currently under consideration by the Commission, the process will not start until the proceeding is closed.

Upon reviewing the files for **BUCKEYE PIPE LINE COMPANY**, we note the following numbers are the complete history of rights, certificated areas and other applications filed by your company with the Public Utility Commission:

(SEE ATTACHED SHEET)

We request you verify these numbers with your records, reporting errors or omission within 20 days from the date of this letter. Please address your correspondence to the Secretary, Attention: Mr. Herbert H. Holderman.

Very truly yours,

WILLIAM P. THIERFELDER
SECRETARY

HHH:mpk

BUCKEYE PIPE LINE COMPANY

A. 77702	-	A-140100, Folder 1
A. 77703	-	A-140100, Folder 2
A. 88470	-	A-140100, Folder 3
A. 88470, Folder 2	-	A-140100, Folder 4
A. 90915	-	A-140100, Folder 5
A. 91299	-	A-140100, Folder 6
A. 91996	-	A-140100, Folder 7
A. 93666	-	A-140100, Folder 8
A. 94143	-	A-140100, Folder 9