

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)

T-Davis Excavating, LLC

- 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)

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 ~~47-3532689~~
(see checklist and indicate type of business entity registered)

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

Tyler Davis

6. **Mailing Address**

475 Mull Road
Street Address
Middleburg, PA 17842 Snyder
City, State and Zip Code County
570-765-5039 tdavisexcavating@gmail.com
Telephone Number E-mail Address

This is the e-mail address to which the Commission will send all official documents issued by the Commission until further notice.

7. **Physical Address** (If different than mailing address. Do not use a post office box.)

Street Address

City, State and Zip Code County

Telephone Number E-mail Address

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. If left blank, it will be assumed that the **PHYSICAL ADDRESS** is the same as the **MAILING ADDRESS**

8. **Attorney** (if applicable)

Attorney's Name & Telephone Number for this Filing

Attorney's Address E-mail 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 X Yes, at No. 2841750

10. **What type of commodities do you intend to transport other than your own?
Please note applicable exemptions on pages 4-5.**

Equipment
Earthen Materials (stone, topsoil, 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.

Tyler Davis

(Print Name)

Tyler Davis 1-16-2024

(Signature) (Date)

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).

PUC EXEMPTIONS

Agricultural Products (see exemptions – farm owners)

Anti-skid Materials in dump trucks (except 5 axle tractor-trailers)

Ashes in dump trucks (except 5 axle tractor-trailers)

Buy and Sell Operation - own property to purchasers

Chemical Wood from wood lots (see **Wood Lot** definition)

Cooperative Associations for members on a nonprofit basis

Excavated Materials in dump trucks (except 5 axle tractor-trailers) - purpose of excavation is to create a hole or cavity, not valuable soil

Farm Owner or Operator - transporting agricultural products from the farm or farm supplies to the farm. This may include independent contractor if hauling exclusively for farm owners (but still must be agricultural products from farm or farm supplies to farm)
NOTE: livestock is agricultural

Federal Government moves – Under contract with a federal department or agency

Free Transportation - no compensation of any type

Hazardous Waste - Flue dust and Electric arc furnace dust

Incidental to primary non-transportation business

Interstate Transportation - See Federal Highway Administration

Lessor - under a vehicle sale lease, where lessor has no responsibility for vehicle maintenance, supervision or control

Logs (saw or veneer) from wood lots (see **Wood Lot** definition)

Motor Vehicles - wrecked or disabled
must be towed (tow truck, wrecker-type, flatbed, lowboy, etc.)
does not have to be from accident or breakdown
can be from place vehicle was towed to after accident if it's being towed to a place for repairs resulting from accident
replacement vehicles are exempt if to or from accident or breakdown
stolen or repossessed vehicles
NOT INCLUDED salvaged vehicles to and from auctions

Non-Profit Cooperative Enterprises

Private Transportation of Property by the owner to himself or to purchasers directly from him, in vehicles owned and operated by the owner of the property

Property from storage, if in storage 90 days or more

Pulpwood from wood lots (see **Wood Lot** definition)

Railroad ballast stone is considered a road construction material

Road Construction Materials: this does NOT include material for parking lots. Includes stone for railroad ballast, must be to: construction site repair site of road (private, public and stockpile)

Rubbish in dump trucks (recycled materials are NOT rubbish)

Voting Machines to and from polling place

Warehoused Merchandise - transportation to or from warehouse and customer's home or business performed by warehouseman. Tristate hhgs tariff, rule 45(b): a shipment in storage for more than 90 days becomes liability of warehouseman

Waste (no value) – DOES NOT include goods for recycling (have value)

Wood Chips from wood lots

Wood Lot Definition - an area devoted to the growing of forest trees

