

BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

SEP 13 1928  
THE PUBLIC SERVICE COMMISSION

In re: Application of Northern Pennsyl- )  
vania Power Company for a certificate of )  
public convenience evidencing the Com- )  
mission's approval of the sale to it by )  
L.D. Ross of the electric distribution )  
system owned and operated by the said )  
L.D. Ross in the Borough of Burlington, )  
Bradford County, Pennsylvania. )

Application Docket  
No. 14657 - 1928

TO THE PUBLIC SERVICE COMMISSION OF  
THE COMMONWEALTH OF PENNSYLVANIA:

The petition of Northern Pennsylvania Power Company  
respectfully represents:

I. That your petitioner, Northern Pennsylvania Power  
Company, is a public service company of the Commonwealth of  
Pennsylvania, duly formed by consolidation and merger under the  
name of Towanda Gas & Electric Company, having received letters  
patent on January 13, 1921; that it has, by proceedings recently  
approved by your Honorable Commission, acquired by purchase all  
the property and franchises of Sayre Electric Company, North Penn  
Power Company, Susquehanna County Light and Power Company, The  
Nicholson Light, Heat and Power Company and a number of so-called  
paper companies, and is now furnishing, inter alia, under valid  
charter rights, light, heat and power, by means of electricity,  
to the public in various places in the Counties of Bradford,  
Lycoming, Potter, Susquehanna, Tioga, Wayne and Wyoming; and that  
your petitioner has a valid charter right to supply electricity  
in the Borough of Burlington, Bradford County, Pennsylvania.

II. That L.D. Ross is now and for some time past has  
been the owner of an electric distribution system located in the  
Borough of Burlington.

III. That the names and addresses of your petitioner's  
attorneys are C. Edward Paxson, 50 Pine Street, New York, N.Y., and  
Harold J. Ryan, 412 Washington Street, Reading, Pennsylvania.

Check # 13. 349 of Northern Penna  
Power Co. Paid \$5.00 recd. 9/13/28

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IV. That the said L.D. Ross entered into an agreement under date of August 10, 1928, with your petitioner, Northern Pennsylvania Power Company, wherein he agreed to sell and your petitioner agreed to purchase, subject to the approval of your Honorable Commission, the said electric distribution system for the sum of \$1,000.00. A copy of the said agreement, marked "Exhibit A", is hereto attached and made a part hereof.

V. That your petitioner, Northern Pennsylvania Power Company, has been granted by the said Borough of Burlington a local consent to occupy the streets and highways of the said Borough with its poles, wires and other facilities, as will more fully appear from a petition filed contemporaneously herewith asking approval by your Honorable Commission of the said local consent; that your petitioner proposes to extend its facilities into the said Borough, take over and operate the distribution system there owned by the said L.D. Ross and furnish additional and improved service in the said Borough to meet the demands therefor and which the said L.D. Ross is unable to supply.

WHEREFORE, your petitioner prays your Honorable Commission to issue a certificate of public convenience under the provisions of Article III, Section 3, and Article V, Section 18, of the Public Service Company Law, evidencing its approval of the said contract and of the sale by L.D. Ross of the electric distribution system owned and operated by the said L.D. Ross to your petitioner, Northern Pennsylvania Power Company.

And it will ever pray, etc.

NORTHERN PENNSYLVANIA POWER COMPANY

Signed and dated this 14<sup>th</sup>  
day of September  
1928.

By *J. H. Boyle*  
Assistant Secretary

STATE OF NEW YORK            )  
  : SS.  
COUNTY OF BROOME            )

Personally appeared before me, a Notary Public in and for said County and State, F.J.L. DOYLE, who, being duly sworn according to law, doth depose and say that the facts contained in the foregoing petition are true and correct to the best of his knowledge and belief.

*F. J. L. Doyle*

Sworn and subscribed before me  
this *14<sup>th</sup>* day of *September*  
1928.

*Anna O. Flynn*  
Notary Public

My commission expires *Mar 30, 1930*

AGREEMENT made this Tenth day of August, One Thousand Nine Hundred and Twenty-eight, by and between L.D. ROSS, an individual, party of the first part, and Northern Pennsylvania Power Company, a corporation organized and existing under the Laws of the Commonwealth of Pennsylvania, party of the second part:

WHEREAS, the party of the first part is engaged in the business of generating and supplying electricity to the public in the Borough of Burlington, Burlington Township, Bradford County, Pennsylvania, and desires to sell to the party of the second part all his property used in distributing electricity, consisting of poles, wires, cross arms, insulators, brackets, guys, anchors, hardware, customers' services, etc., and the party of the second part is willing to buy the said property from the party of the first part on certain terms and conditions;

NOW, THEREFORE, This Agreement  
WITNESSETH, that the parties hereto, in consideration of the sum of One (\$1.00) Dollar by each to the other in hand paid, the receipt whereof is hereby acknowledged, hereby agree as follows:

1. Party of the first part agrees to sell to party of the second part all his property used in distributing electricity to the public.  
It is expressly understood and agreed that reference to or enumeration herein of any particular classes, kinds or items of property shall not be deemed to exclude from the operation and effect of this Agreement, any class, kind or item of property not so referred to, or enumerated which is now owned and used by party of the first part in distributing electricity; generating apparatus not included in this agreement.
2. Subject to the conditions hereinafter set forth, party of the second part agrees to purchase from party of the first part the property described or enumerated herein, and to pay therefor to party of the first part, the price or sum of One Thousand (\$1000.00) Dollars;
3. Party of the Second part's agreement to purchase the property described or enumerated herein is expressly conditioned upon its being granted a suitable and satisfactory franchise, free from burdensome restrictions, by the Borough of Burlington, and upon the approval of the terms of this Agreement by the Public Service Commission of the Commonwealth of Pennsylvania;
4. Party of the second part agrees immediately to take the necessary steps to present this Agreement to the Public Service Commission for approval and further agrees to promptly and diligently prosecute the said proceedings to a conclusion;
5. In the event that the Public Service Commission refuses to approve the terms of this Agreement, the same shall immediately terminate, and neither party shall be under any further obligation or liability to the other with respect thereto;
6. At the time of settlement, party of the first part agrees to convey, assign, transfer and deliver, or cause to be conveyed, assigned, transferred and delivered to party of the second part, its successors and assigns, the property described or enumerated hereinbefore, free and clear of all liens and encumbrances and to execute and deliver such deeds, bills of sale, or other legal instruments as

in the opinion of Counsel for the party of the second part may be deemed necessary to effect the purposes hereof and to assign to party of the second part, its successors and assigns, all existing contracts entered into by party of the first part for the delivery of electric energy;

7. At the time of settlement, party of the first part agrees to produce evidence satisfactory to party of the second part that all federal, state and local taxes due by him have been paid;
8. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the respective parties hereto;

IN WITNESS whereof the parties hereto have caused this Agreement to be executed in duplicate by their proper officers, thereunto authorized to do so, and duly attested as of the day and year first above written.

Attest:

L.D. ROSS

HILA HARRIS

NORTHERN PENNSYLVANIA POWER  
COMPANY

By W.B. GOUDEY  
Vice President & General Manager

*J. R. Gayle*, Assistant Secretary of Northern Pennsylvania Power Company, hereby certify that the above and foregoing is a true, accurate and complete copy of agreement dated August 10, 1928, between L.D. Ross and Northern Pennsylvania Power Company.

Witness my hand and seal this *14<sup>th</sup>* day of *September* 1928.

*J. R. Gayle* (SEAL)

BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

In re: Application of Northern  
Pennsylvania Power Co. for a  
certificate of public conven-  
ience evidencing the Commis-  
sion's approval of the sale to  
it by L.D. Ross of the elec-  
tric distribution system owned  
and operated by the said L.D.  
Ross in the Borough of Bur-  
lington, Bradford Co., Pa.  
Application Docket

No. - 1928

PETITION

C. EDWARD PAXSON  
50 Pine Street, New York, N.Y.  
HAROLD J. RYAN  
418 Washington St., Reading, Pa.  
Solicitors for Petitioner

BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

In re: Application of Northern Pennsylvania Power Company for approval of the sale to it by L.D. Ross of the electric distribution system owned and operated by the said L.D. Ross in the Borough of Burlington, Bradford County.

Application Docket  
No. 19659 -1928.

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OFFICE OF SECRETARY  
OF PUBLIC SERVICE

STATE OF PENNSYLVANIA }  
COUNTY OF BRADFORD } SS.

On this            day of            October            , A.D. 1928 , before me, the subscriber, a Notary Public in and for said County and State, personally appeared *J. J. Finnan* who, being duly sworn according to law, deposes and says, that he is the *Business Manager* of the Towanda Review published in the Borough of Towanda            , County of Bradford and State of Pennsylvania; and that the annexed is a true copy of a notice in the above matter published in said publication in the regular issues of Sept. 28th and Oct. 2nd            1928.

*J. J. Finnan*

Sworn and subscribed before me the day and year aforesaid.

*John J. Beckwith*  
Notary Public.

My commission expires *March 7, 1931*

**PUBLIC SERVICE HEARING**  
Notice is hereby given that application has been made to The Public Service Commission of the Commonwealth of Pennsylvania, under the provisions of the Public Service Company Law, by Northern Pennsylvania Power Company, Towanda, Pennsylvania, for a certificate of public convenience evidencing the commission's requisite approval of the sale to it by L. D. Ross of the electric distribution system owned and operated by the said L. D. Ross in the borough of Burlington, Bradford County, Pennsylvania.  
A public hearing upon this application will be held in the commission building, 112 Market street, Harrisburg, Pennsylvania, on the 9th day of October, 1928, at 9:30 a. m. Standard Time, when and where all persons in interest may appear and be heard, if they so desire.  
C. EDWARD PAXSON,  
50 Pine Street, New York, N. Y.  
HAROLD J. RYAN,  
412 Washington Street, Reading, Pa.  
Solicitors for Applicant.  
Application Docket No. 19659-1928.  
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**DOCKETED**  
APPLICATION DOCKET  
CCT 8 - 1928  
Entry No. *9*

FOLDER

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BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

In re: application of Northern  
Pennsylvania Power Company for  
approval of the sale to it by  
L.D. Ross of the electric dis-  
tribution system owned and  
operated by the said L.D. Ross  
in the Borough of Burlington,  
Bradford County.

Application Docket

No. 19689-1928.

PROOF OF PUBLICATION

C. EDWARD PARSON  
50 Pine Street, New York, N.Y.  
HAROLD J. RYAN  
412 Washington St., Reading, Pa.  
Solicitors for Petitioner