



Susquehanna Depot, Susquehanna County, Pennsylvania.

5. On October 2, 1916, an ordinance was enacted by the Council of the Borough of Susquehanna Depot, granting a franchise to one of your petitioner's predecessor constituent companies, the said Susquehanna County Light and Power Company, to erect, construct and maintain the poles, crossarms and wires necessary for the purpose of supplying electric service in that borough. This ordinance was approved by The Public Service Commission of the Commonwealth of Pennsylvania on July 3, 1917 (P.C. 582-1917). A copy of said ordinance is attached hereto, marked "Exhibit A", and made a part hereof.

6. Your petitioner and its predecessor constituent companies have, since the effective date of said ordinance, operated and maintained facilities in the said borough for the purpose of supplying electricity to the public in said borough.

7. The franchise granted by said ordinance extended for a period of thirty-five (35) years and will expire on October 2, 1951.

8. On November 13, 1950, for the purpose of renewing said franchise, the Council of the Borough of Susquehanna Depot enacted an ordinance which granted to your petitioner permission and consent to construct, operate and maintain electric lines upon, along, across, over and under the public roads, streets, highways and other public ways of the Borough of Susquehanna Depot, including such poles, wires, crossarms, cables and other structures, appliances and appurtenances as may be from time to time necessary for the proper and convenient transaction of the business of supplying light, heat and power, or any of them, by means of electricity to the public. This ordinance was approved by the Burgess of the said Borough on November 13, 1950 and after being duly advertised, was recorded in the Ordinance Book on

November 30, 1950. This ordinance, and all of the terms and conditions thereof, was accepted by your petitioner on December 3, 1950. There are being filed contemporaneously herewith with your Honorable Commission, pursuant to Section 911 of the Public Utility Law, an executed and two conformed copies of the said ordinance and of the acceptance thereof by your petitioner. The said ordinance and the acceptance thereof, as so filed, are incorporated herein by reference and copies thereof are attached hereto, marked "Exhibit B" and "Exhibit C", respectively, and made a part hereof.

9. The additional right, power, franchise or privilege granted by the said borough to your petitioner under the ordinance enacted November 15, 1950, is necessary to enable your petitioner to continue to furnish electricity to the public in said borough after October 1, 1951, the date on which your petitioner's present franchise will expire.

WHEREFORE, your petitioner prays your honorable Commission to issue a certificate of public convenience under the provisions of Section 202 (b) and (c) of the Public Utility Law, evidencing its approval of (i) the obtaining by it of the additional right, power, franchise, or privilege to construct, operate and maintain electric lines upon, along, across, over and under the public roads, streets, highways and other public ways in the Borough of Susquehanna Depot, Susquehanna County, Pennsylvania, as evidenced by an ordinance enacted by the Borough Council of the said Borough of Susquehanna Depot, and (ii) the beginning of the exercise of the said additional right, power, franchise, or privilege conferred by the said ordinance.

And it will ever pray, etc.

WPA COMMONWEALTH PENNSYLVANIA POWER COMPANY  
Signed and dated this 9 day of Jan, 1951. By W. R. Luce  
President

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF Bradford ) SS.

On this 9<sup>th</sup> day of January, 1951, before me, the subscriber, a Notary Public in and for the said Commonwealth and County, personally appeared D. R. Smith, who, being duly sworn according to law, deposes and says that he is President of Northern Pennsylvania Power Company and, as such, is charged with the duty of verification of the statements contained in the foregoing application; and that the said statements and the exhibits attached thereto and made a part thereof are true and correct.

D. R. Smith

Sworn to and subscribed before  
me the day and year aforesaid.

Donald Eberweis  
Notary Public

My commission expires Jan 27, 1953

An Ordinance authorizing the Susquehanna County Light and Power Company, its successors and assigns, to erect poles and erect cross arms thereon, string wires upon the same, and to suspend lamps therefrom, upon the streets, alleys, lanes and public places of the Borough of Susquehanna Depot, and prescribing the condition with which the said Company must comply before availing itself of the privilege of this ordinance.

Section 1. Be it ordained by the Burgess and Town Council of the Borough of Susquehanna Depot, and it is hereby ordained by the authority of the same; that the Susquehanna County Light and Power Company, be and is hereby authorized and empowered to erect, construct and maintain the necessary poles, cross arms, and to string such wire or wires, cable or cables, as may be necessary in the conduct of the business of the said Company in supplying either the public places in the said Borough or the private houses or business places therein located, with the electric fluid, and the lamps for illuminating such public places and houses, upon the streets, lanes, alleys and public places in the Borough of Susquehanna Depot, as may be provided from time to time by the Burgess and Town Council of said Borough, for the period of thirty-five (35) years from the date of the adoption of this ordinance.

Section 2. It shall be the duty of the said Susquehanna County Light and Power Company before any poles are erected upon any of the streets, lanes, alleys or public places, in the said Borough, to submit to the Town Council of said Borough, a written application specifying the number, size and height of poles to be erected, designating the street or streets, the place or places where same are to be erected, and if such application shall receive the favorable action of the said Borough Council and the approval of the Burgess, it shall be the duty of the said Burgess to issue a license to said Susquehanna County Light and Power Company for the erection of said poles at the designated places of insertion, and such license shall also designate the height of such poles (and the height of such poles) and the height of the wire above the street or streets designated in the license.

Section 3. This franchise is in no manner to be construed as relieving the said Susquehanna County Light and Power Company from any liability for injury to property, public or private, or to the person or persons of individuals but the same liability for injury to property whether public or private, or for injuries caused to the persons of individuals as would attach if this franchise had not been granted.

The said Susquehanna County Light and Power Company shall change from time to time, pole or poles, wire or wires, cable or cables, where such change or changes may become necessary to facilitate the operations of the Town Council and Burgess of said Borough in the discharge of their duty as such officers as the law provides over the streets and highways and public places in said Borough. Such changes shall be made without expense to the said Borough and at the proper charge and expense of said Light and Power Company.

Section 4. That before availing itself of the privileges of this ordinance, the said Light and Power Company shall cause to be executed and delivered to the said Borough, a good sufficient bond in the sum of five thousand (\$5000) dollars, in some good

and solvent bonding indemnity or surety company to be approved by the Burgess, conditioned that the said Light and Power Company shall save harmless the said Borough against all damages, costs and demands, whatsoever that may in any manner arise by reason of the privileges herein granted by the Borough.

Further, that should the said Light and Power Company surrender or forfeit its charter then and in such event the said Light and Power Company shall remove all poles, cross arms, isaps, wires and cables that may be erected upon the streets, alleys, lanes, and public places of the said Borough, pursuant to the license granted herein.

Section 5. The said Luzerne County Light and Power Company shall within six months after the adoption of this ordinance, be prepared to furnish to any citizen, firm or corporation within the corporate limits of the said Borough, such lights, together with the necessary electric current to illuminate the same as he, they or it may require, and failure to comply with the provisions of this section shall work a forfeiture of this franchise.

Adopted October 2nd, 1916.

/s/ E. J. Lannon  
President of Town Council

Attest:

/s/ D. J. Lynch  
Secretary of Town Council

Approved this 31st day of October, 1916.

/s/ John V. O'Connell  
Burgess.

Approved by the the Public Service Commission of the Commonwealth of Pennsylvania on July 3, 1917. P.C. 582-1917.

ORDINANCE NO. 216

AN ORDINANCE granting to NORTHERN PENNSYLVANIA POWER COMPANY, its successors, assigns and lessees, permission and consent to construct, operate and maintain electric lines and appurtenances, upon, along, across, over and under the public roads, streets, highways and other public ways of the Borough of Susquehanna Depot, Susquehanna County, Pennsylvania.

BE IT ORDAINED by the Council of the Borough of Susquehanna Depot, Susquehanna County, Pennsylvania:

Section 1. That permission and consent be and the same is hereby granted to Northern Pennsylvania Power Company to construct, operate and maintain electric lines upon, along, across, over and under the public roads, streets, highways and other public ways of the Borough of Susquehanna Depot, including such poles, wires, crossarms, cables and other structures, appliances and appurtenances as may be from time to time necessary for the proper and convenient transaction of the business of supplying light, heat and power, or any of them, by means of electricity to the public.

Section 2. That said lines shall be constructed and maintained in a workmanlike manner and the said Northern Pennsylvania Power Company shall, at its own cost and expense, promptly and properly restore and replace any sidewalk or street that may be disturbed in the doing of such work; and if any such sidewalk or street is not so restored and replaced within three (3) months from the time the same is disturbed the work of restoring and replacing the same shall be done by the Borough and the cost thereof shall be promptly paid by the said Company to the said Borough. The location of all poles hereafter erected shall be under the supervision of the Street Committee of the Borough.

Section 3. That Northern Pennsylvania Power Company shall indemnify and save harmless Borough from all suits, actions, claims and demands of whatsoever nature, caused by its negligence or that of its employees in the construction, maintenance and operation of said electric lines.

Section 4. That Northern Pennsylvania Power Company shall accept this Ordinance and the terms and conditions thereof, by an instrument in writing under its corporate seal, duly filed with the Secretary of the said Borough, pursuant to corporate action of its Board of Directors, and unless so accepted within thirty (30) days after the approval of this Ordinance same shall be null and void and of no effect. If so accepted, this Ordinance shall take effect at the expiration of thirty (30) days

from the time it is filed with the Pennsylvania Public Utility Commission or, in the event proceedings with respect thereto are instituted by the said Commission pursuant to Section 911 of the Public Utility Law, upon the grant of approval thereof by the said Commission.

Section 5. That the said Northern Pennsylvania Power Company shall pay all costs of printing and publishing this Ordinance.

Section 6. That the permission and consent hereby granted shall extend to the said Northern Pennsylvania Power Company, its successors, assigns and lessees.

Section 7. That all ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

Enacted into an Ordinance and passed by the Council of the Borough of Susquehanna Depot this 15th day of November , 1950.

Attest:

/s/ Harold D. Washburn  
President of Council

/s/ John J. Horrigan  
Borough Secretary

Approved this 15th day of Nov. , 1950.

/s/ Joseph L. Carrigg  
Burgess

I, John J. Horrigan, Secretary of the Borough Council of the Borough of Susquehanna Depot, Susquehanna County, Pennsylvania, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance passed by the Borough Council on the 13th day of November, 1950, and approved by the Burgess on the 13th day of November, 1950; that the said Ordinance was passed by the Council of the Borough at a duly authorized meeting at which a quorum was present; that all local rules of the Council were complied with in connection with its passage; that it was properly advertised in a newspaper of general circulation, as required by law, and has been recorded in the Ordinance Book on the 30th day of November, 1950.

Witness my hand and seal of the Borough of Susquehanna Depot this 30th day of November, 1950.

/s/ John J. Horrigan

(SEAL)

WHEREAS, the Borough Council of the Borough of Susquehanna Depot, Susquehanna County, Pennsylvania, enacted an Ordinance entitled:

"AN ORDINANCE granting to NORTHERN PENNSYLVANIA POWER COMPANY, its successors, assigns and lessees, permission and consent to construct, operate and maintain electric lines and appurtenances, upon, along, across, over and under the public roads, streets, highways and other public ways of the Borough of Susquehanna Depot, Susquehanna County, Pennsylvania."

duly approved by the Burgess on November 13, 1950; and

WHEREAS, Section 4 of the said Ordinance provides "That Northern Pennsylvania Power Company shall accept this Ordinance and the terms and conditions thereof, by an instrument in writing under its corporate seal, duly filed with the Secretary of the said Borough, pursuant to corporate action of its Board of Directors, and unless so accepted within thirty (30) days after the approval of this Ordinance same shall be null and void and of no effect.":

NOW BE IT KNOWN that Northern Pennsylvania Power Company does hereby accept the provisions of the said Ordinance approved November 13, 1950, and known as Ordinance No. 216, and agrees to be bound by all the terms and conditions thereof.

IN WITNESS WHEREOF, Northern Pennsylvania Power Company has caused these presents to be duly executed and its common or corporate seal hereto affixed by authority of its Board of Directors this 8th day of December, 1950.

NORTHERN PENNSYLVANIA POWER COMPANY

Attest:

By /s/ D. R. Smith  
President

/s/ J. A. Dunlap  
Secretary

(SEAL)

I, JOHN J. HERRIGAN, Borough Secretary of the Borough of Susquehanna Depot, Susquehanna County, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of the acceptance by Northern Pennsylvania Power Company of Ordinance No. 216 enacted November 13, 1950, by the said Borough of Susquehanna Depot, which acceptance was filed in my office on the 8th day of December, 1950.

WITNESS my hand and the seal of the said Borough of Susquehanna Depot this 8th day of December, 1950.

/s/ John J. Herrigan  
Borough Secretary

(SEAL)

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION

Application Docket  
No. -1951.

In re: Application of  
Northern Pennsylvania Power  
Company for the approval of  
the additional right, power,  
franchise, or privilege and  
the exercise thereof to con-  
struct, operate and maintain  
electric lines upon, along,  
across, over and under the  
public roads, streets, high-  
ways and other public ways in  
the Borough of Susquehanna  
Depot, Susquehanna County,  
Pennsylvania.

PETITION

Harold J. Ryan  
Samuel B. Russell  
412 Washington Street  
Reading, Pennsylvania,  
Attorneys for Petitioner

JAN 23 9 20 AM 1951

SECRETARY'S OFFICE  
P. O. C.  
BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of Northern Pennsylv- )  
 ania Power Company for approval of the )  
 additional right and the exercise there- )  
 of to construct, operate and maintain )  
 electric lines, and appurtenances, upon, ) Application Docket  
 along, across, over and under the public )  
 roads, streets, highways and other public ) No. 76862 -1951  
 ways, in supplying light, heat and power, )  
 or any of them, to the public, by means )  
 of electricity, in the Borough of Sus- )  
 quehanna Depot, Susquehanna County. )

COMMONWEALTH OF PENNSYLVANIA )  
 : SS.  
 COUNTY OF BERKS )

On this 22nd day of January, 1951, before me, the sub-  
 scriber, a Notary Public in and for the said County and Common-  
 wealth, personally appeared MARION E. FRITZ, who, being duly  
 sworn according to law, deposes and says that she is over twenty-  
 one years of age; that she is employed in the office of Harold J.  
 Ryan, Attorney for Metropolitan Edison Company, Applicant in the  
 above entitled matter; that on January 22, 1951, she served a  
 notice of the filing of the application in the above entitled  
 matter, by first class mail, on the Burgess of the Borough of  
 Susquehanna Depot, Susquehanna County, Pennsylvania; that at the  
 time of mailing said notice she paid the full postage thereon;  
 and that there are regular mail communications between Reading,  
 Pennsylvania and Susquehanna Depot.

Marion E. Fritz

Sworn to and subscribed before  
 me the day and year aforesaid.

James M. Miller  
 Notary Public

My commission expires January 23, 1953

JAN 26 1951  
 ENTRY No. 107

RECEIVED