

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In re: Application of Northern Pennsylvania Power Company for approval of the transfer by sale of its steam heat distribution system in the Borough of Towanda, Bradford County, Pennsylvania, to John F. Kizer.) Application Docket No. **A78109-1951**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

The application of Northern Pennsylvania Power Company respectfully represents that:

1. The name and address of Applicant are Northern Pennsylvania Power Company, Towanda, Pennsylvania.
2. The name and address of Applicant's attorney are Harold J. Ryan, 412 Washington Street, Reading, Pennsylvania.
3. Applicant is a public service company of the Commonwealth of Pennsylvania, duly formed by merger and consolidation under and by virtue of an Act of the Commonwealth of Pennsylvania approved the third day of May, 1909, as by reference to the agreement of merger and consolidation of the Company dated October 18, 1922, and the letters patent issued thereon under date of May 7, 1923, will more fully and at large appear. Applicant has, by proceedings approved by your Honorable Commission, acquired by purchase all the property and franchises of various electric and gas companies, including, inter alia, Northern Pennsylvania Power Company, a predecessor constituent company of the same name, one of the predecessor constituent companies of which latter company was Towanda Electric Illuminating Company, which was incorporated under the General Corporation Act of April 29, 1874 and the several supplements thereto, on December 27, 1889. Applicant furnishes light, heat and power by means of electricity to the public in various places in the Counties of Bradford, Lackawanna, Lycoming,

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Pl. 4069 - Northern Pennsylvania Power Co.

Potter, Sullivan, Susquehanna, Tioga, Wayne and Wyoming, and, as successor to said Towanda Electric Illuminating Company, steam heat to 101 consumers in the central business section of the Borough of Towanda, Bradford County, Pennsylvania. In 1945 Applicant, with the approval of your Honorable Commission, sold its gas properties and is no longer engaged in the business of manufacturing or distributing gas.

4. Towanda Electric Illuminating Company was incorporated for the purpose of supplying light, heat and power, or any of them, by means of electricity to the public in the said Borough of Towanda and adjacent territory, and possessed no specific charter to render steam heat service. The steam heat service now furnished by your Applicant is limited to the central portion of the said borough and originated upwards of fifty years ago from the sale of exhaust steam from certain electric generating units then owned and operated by Towanda Electric Illuminating Company.

5. Under date of August 10, 1951, Applicant and John F. Kizer entered into an agreement, a copy of which is attached hereto, made a part hereof and marked "Exhibit A", under the terms of which and subject to the conditions set forth in the agreement (1) Applicant agreed to sell and the said John F. Kizer agreed to purchase the steam heat mains, meters, services and other equipment described in paragraph 1 of the agreement, and (2) Applicant agreed to assign to the said John F. Kizer its local consent or franchise rights from the Borough of Towanda to maintain and operate steam heat mains in the streets, alleys and other public highways of the said borough.

6. John F. Kizer, the prospective purchaser, is a resident of the said Borough of Towanda. Applicant is informed and believes and, therefore, avers that the said John F. Kizer is a financially responsible person and that he has had previous experience in supplying public utility service to the public in the

said borough. The plans of the said John F. Kizer to take over the said steam heat distribution system of Applicant and to continue to furnish the steam heat service now being rendered by Applicant are more fully outlined in paragraph 5 of said Exhibit A, to which reference is hereby made for a statement thereof.

7. The number of consumers by classes to whom Applicant furnishes steam heat service in the said borough is as follows:

Residential	-	28
Commercial	-	64
Industrial	-	3
Public	-	6

The said John F. Kizer proposes to continue to furnish steam heat service to the same consumers.

8. There is attached hereto, made a part hereof and marked "Exhibit B", a balance sheet of Applicant as of July 31, 1951.

9. There is attached hereto, made a part hereof and marked "Exhibit C", an income statement of Applicant for the twelve months ended July 31, 1951.

10. The consideration for the transfer is set forth in paragraph 2 of Exhibit A and reference is made thereto for a full statement thereof. The amount of the consideration was arrived at by agreement between the parties as a result of arm's-length bargaining and the basic figure of \$5,148.00 represents the capital expenditures (less estimated depreciation) made by Applicant to the said steam heat distribution system subsequent to January 1, 1949.

11. There is attached hereto, made a part hereof and marked "Exhibit D", a statement of the original cost of the utility plant to be transferred as hereinbefore set forth, containing an estimate of the depreciation reserve applicable to that property.

12. There is attached hereto, made a part hereof and

marked "Exhibit E", a certified copy of the resolutions adopted by the Board of Directors of Applicant, authorizing the transfer herein proposed.

13. The proposed transfer will have no adverse effect on the service to the consumers involved.

14. The reasons for the proposed transfer are:

(a) Applicant desires to devote its entire attention to its electric business and to this end previously, to wit, in 1945, with the approval of your Honorable Commission, disposed of its gas properties and now carries on, except for this relatively minor steam heat business, no business other than the electric business.

(b) Applicant, to take care of the expanding requirements of its electric business, has need in connection with the operation of that business of the space in its building in the said Borough of Towanda now occupied by the two engine driven generators and steam boilers used partly in connection with the steam heat business and partly in connection with the electric business and upon the consummation of the sale of the steam heat mains it will dismantle and remove the boilers, generators and appurtenant equipment which are obsolete and, so far as the generating equipment goes, are in addition inefficient and high cost units. The generating units in question have for some years been operated by Applicant only during the steam heat season.

(c) The said John F. Kizer, who plans to construct a new steam plant to supply steam for the steam heat distribution system, is in a position to concentrate his efforts on the operation of that business.

(d) Applicant will be able to rid itself of the accounting and other complications which are inherent in carrying on both the electric and steam heat business in the said Borough of Towanda.

15. Applicant and the said John F. Kizer are not affiliated.

16. Applicant has paid all general and special assessments made against it by your Honorable Commission pursuant to Section 1201 of the Public Utility Law and the amounts of any and all lawful special and general assessments which your Honorable Commission may make against it pursuant to said Section from the dates of the next preceding special and general assessments to the date of the transfer herein proposed will be paid by it upon receipt of bills therefor.

WHEREFORE, Applicant prays your Honorable Commission to issue a certificate of public convenience under the provisions of Section 202 (e) of the Public Utility Law evidencing its approval of the transfer to John F. Kizer of the property and assets which are the subject of this application.

And it will ever pray, etc.

 NORTHERN PENNSYLVANIA POWER COMPANY

By *David R. Smith*
President

Signed and dated this
15th day of October ,
1951.

COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF *Bradford*) SS.

On this *15th* day of *October* , 1951, before me, the subscriber, a Notary Public in and for the said Commonwealth and County, personally appeared *David 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.

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

William M. Baker
Notary Public

David R. Smith
My commission expires *Feb. 1, 1953*

AGREEMENT made this 10th day of August, 1951, by and between NORTHERN PENNSYLVANIA POWER COMPANY, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, having its principal office in the Borough of Towanda, Bradford County, Pennsylvania (hereinafter called "Seller"), party of the first part, and JOHN F. KIZER, of the said borough (hereinafter called "Buyer"), party of the second part.

W I T N E S S E T H :

That the parties hereto, in consideration of the sum of One dollar (\$1.00) by each to the other in hand paid, the receipt whereof is hereby acknowledged, do hereby covenant and agree with each other as follows:

1. Subject to the provisions hereinafter set forth, Seller shall sell and Buyer shall purchase and pay for the steam heat mains, services, meters and all other equipment appurtenant to and physically connected to the steam heat distribution system owned by the Seller located in the Borough of Towanda, Bradford County, Pennsylvania (other than the portion thereof located on the steam plant property of Seller on the East side of Main Street in the said borough), the general location of the said steam heat mains and services being more particularly shown in solid black lines and the general description of said mains and services being shown as a legend on a print of drawing No. C-148 entitled "Northern Pennsylvania Power Co. Steam Heat Distribution System Towanda Boro", dated 9/28/48, revised 7/27/51, attached hereto and made a part hereof/ and Seller shall assign to Buyer its franchise rights under the ordinance referred to in Article 4 hereof. The section of main shown on the said drawing as being privately owned by Towanda Wholesale Company, as well as the land, building, boilers, machinery and equipment located on Seller's said steam

plant property, are expressly excluded from the terms of this agreement.

2. Buyer shall pay to Seller for the property purchased and sold pursuant to the terms of this agreement the sum of Five thousand one hundred and forty-eight dollars (\$ 5148.00) plus an amount equal to any sum expended by Seller between the date of this agreement and the date of closing hereinafter provided for with respect to the property covered by this agreement and properly chargeable to plant or property account in accordance with the regulations, rules and orders of the Pennsylvania Public Utility Commission. The payment in this Article provided for shall be made in cash at the time of settlement.

3. The transfer of title to the property to be purchased and sold pursuant to the terms of this agreement shall be by an appropriate instrument or appropriate instruments in writing satisfactory in form to counsel for the Seller and shall operate to convey to the Buyer all the Seller's right, title and interest therein, free and clear of all liens and encumbrances, but without any warranty, express or implied, as to condition at the time of such transfer.

4. The purchase and sale contemplated by this agreement is contingent upon (a) securing the necessary approval from the Pennsylvania Public Utility Commission, free from conditions and restrictions unsatisfactory to either of the parties hereto, and (b) the enactment by the Borough of Towanda of an appropriate ordinance, free from conditions and restrictions unsatisfactory to either of the parties hereto, consenting to the assignment by Seller to Buyer of the franchise rights to lay and maintain steam mains and pipes in the streets of the said borough granted to Towanda Electric Illuminating Company (a predecessor constituent company of Seller) by ordinance enacted August 3, 1896, and

relieving Seller of any obligations, duties or liabilities arising under that franchise ordinance on and after the date of the assignment thereof by Seller to Buyer and the completion of all necessary steps before the Pennsylvania Public Utility Commission with respect to the new ordinance. Each of the parties hereto shall with promptness and diligence take and pursue the necessary steps designed to successfully conclude the matters hereinbefore set forth in this Article, and shall cooperate with each other to that end.

5. Buyer represents that he has acquired or is in a position to acquire an appropriate site for a plant to manufacture steam to supply the requirements of the said steam heat distribution system and the necessary boilers and equipment, and to erect the said plant on the above mentioned site. Immediately upon securing from the Pennsylvania Public Utility Commission the approval contemplated by (a) of Article 4 hereof and the enactment by the Borough of Towanda of an appropriate ordinance as contemplated by (b) of Article 4 hereof, Buyer shall proceed with all diligence to construct the steam manufacturing plant referred to in the preceding sentence of this Article, to connect the same with the steam heat distribution system which is the subject of this agreement, and lay the necessary connecting mains or pipes at the southern end of the said system so that the requirements of the steam heat customers can be supplied without the use of the mains, pipes and other equipment located on Seller's steam plant property situated on the East side of Main Street in the said Borough of Towanda.

6. Settlement shall be made on the first day of the month following the perfection of the various matters set forth in Articles 4 and 5 hereof and shall be held at the office of Seller in the Borough of Towanda at 10:00 o'clock A.M. (E.S.T.) on that day.

7. All revenues from the operation of the steam heat business up to and including the last day of the month preceding the settlement shall belong to Seller and any thereof which may subsequently come into the hands of or be collected by Buyer shall be promptly turned over by Buyer to Seller. All expenses incident to the operation of the said steam heat business up to and including the last day of the month prior to the date of settlement shall be borne by Seller; provided, however, that Seller shall be under no obligation (between the date of this agreement and the date of closing) to do anything more than the minimum necessary to keep the said steam heat distribution system in operation and Buyer shall, on the date of closing, reimburse Seller for any capital expenditures of the nature contemplated by Article 2 hereof as there provided.

Any claims for injuries to persons or damages to property arising out of matters occurring prior to the settlement shall be the responsibility of Seller and any such arising thereafter shall be the responsibility of Buyer. Each party shall indemnify and save the other harmless from any loss, cost and expense by reason of any such claims which are, under the terms of this agreement, to be its responsibility.

8. This agreement is contingent upon the matters referred to in Articles 4 and 5 hereof being accomplished and if the parties or either of them are unable to accomplish any of those things prior to July 1, 1952, this agreement shall terminate and neither party shall be under any further liability to the other by reason thereof. All expenses incurred by either party in attempting to carry out the provisions of this agreement shall be borne by the party so incurring them.

9. The provisions in this agreement that (1) as set forth in Article 3 hereof there shall be no express or implied

warranty as to condition and (2) as set forth in Article 7 hereof certain claims for damages shall be the responsibility of the parties there set forth shall not be superseded by or merged into the instrument or instruments of conveyance to be delivered by Seller to Buyer at the closing but shall in all respects continue in full force and effect.

10. This agreement, together with all its terms and conditions, shall enure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns, as the case may be, of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be duly executed, in duplicate, as of the day and year first above written.

NORTHERN PENNSYLVANIA POWER COMPANY

(SEAL) Attest:
/s/ J. A. Dunlap
Secretary

By /s/ D. R. Smith
President

Witness:
/s/ Nellie R. Howell

/s/ John F. Kizer (SEAL)

OVERSIZE

DOCUMENTS

NORTHERN PENNSYLVANIA POWER COMPANY

BALANCE SHEET
as at July 31, 1951

<u>ASSETS AND OTHER DEBITS</u>		<u>LIABILITIES AND OTHER CREDITS</u>	
<u>UTILITY PLANT:</u>			
Electric	\$12,740,645.64	<u>CAPITAL STOCK:</u>	
Steam Heating	129,899.74	Common Capital Stock	\$ 2,713,000.00
		TOTAL CAPITAL STOCK	\$ 2,713,000.00
TOTAL UTILITY PLANT	<u>\$12,870,545.38</u>	<u>LONG-TERM DEBT:</u>	
<u>INVESTMENT AND FUND ACCOUNTS:</u>			
Other Physical Property	\$ 79,639.55	Bonds	\$ 5,100,000.00
Investment in Affiliated Company	100,000.00	TOTAL LONG-TERM DEBT	\$ 5,100,000.00
Other Investments	1,900.00	<u>CURRENT AND ACCRUED LIABILITIES:</u>	
TOTAL INVESTMENT AND FUND ACCOUNTS	<u>\$ 181,539.55</u>	Note Payable	\$ 100,000.00
<u>CURRENT AND ACCRUED ASSETS:</u>			
Cash	\$ 355,982.06	Accounts Payable	305,304.20
Special Deposits	180.29	Accounts Payable to Affiliated Companies	4,495.94
Working Funds	4,182.19	Customers' Deposits	44,481.53
Accounts Receivable	352,672.66	Taxes Accrued	545,657.61
Interest and Dividends Receivable	15.84	Interest Accrued	20,648.25
Materials and Supplies	213,811.13	Other Current and Accrued Liabilities	5,364.36
Prepayments	16,306.07	TOTAL CURRENT AND ACCRUED LIABILITIES	<u>\$ 1,025,951.89</u>
TOTAL CURRENT AND ACCRUED ASSETS	<u>\$ 925,150.24</u>	<u>DEFERRED CREDITS:</u>	
<u>DEFERRED DEBITS:</u>			
Preliminary Survey and Investigation Charges	\$ 4,602.13	Customers' Advances for Construction	\$ 102,967.03
Retirement Work in Progress	1,535.70	Other Deferred Credits	3,358.09
Other Work in Progress	1,195.72	TOTAL DEFERRED CREDITS	<u>\$ 106,325.12</u>
Other Deferred Debits	287.41	<u>RESERVES:</u>	
TOTAL DEFERRED DEBITS	<u>\$ 7,616.96</u>	Reserve for Depreciation of Utility Plant (Note 1):	
		Electric	\$ 2,667,778.71
		Steam Heating	109,700.28
		Reserve for Uncollectible Accounts	22,042.09
		Other Reserves (Note 2)	342,000.00
		TOTAL RESERVES	<u>\$ 3,141,521.08</u>
		<u>CONTRIBUTIONS IN AID OF CONSTRUCTION</u>	
			\$ 27,886.45
		<u>SURPLUS:</u>	
		Capital Surplus	\$ 301,500.00
		Earned Surplus (Note 3)	1,566,667.59
		TOTAL SURPLUS	<u>\$ 1,868,167.59</u>
TOTAL ASSETS AND OTHER DEBITS	<u>\$13,982,852.13</u>	TOTAL LIABILITIES AND OTHER CREDITS	<u>\$13,982,852.13</u>

EXHIBIT C

NORTHERN PENNSYLVANIA POWER COMPANY

Statement of Income
for the Twelve Months ended July 31, 1951

	<u>Electric</u>	<u>Steam Heating</u>	<u>Total</u>
OPERATING REVENUE	<u>\$4,693,377.96</u>	<u>\$53,219.56</u>	<u>\$4,746,597.52</u>
OPERATING REVENUE DEDUCTIONS:			
Operating expenses (other than shown below)	\$ 799,112.47	\$46,612.69	\$ 845,725.16
Purchased and interchange power (net)	2,047,769.18		2,047,769.18
Maintenance	250,905.49	3,904.89	254,810.38
Provision for depreciation of utility plant (Note 1)	.332,050.00	1,200.00	333,250.00
Provision for taxes:			
Federal income (Note 2)	381,000.00		381,000.00
State income	39,600.00		39,600.00
Other	<u>210,659.42</u>	<u>548.86</u>	<u>211,208.28</u>
TOTAL OPERATING REVENUE DEDUCTIONS	<u>\$4,061,096.56</u>	<u>\$52,266.44</u>	<u>\$4,113,363.00</u>
OPERATING INCOME	<u>\$ 632,281.40</u>	<u>\$ 953.12</u>	<u>\$ 633,234.52</u>
OTHER INCOME			<u>\$ 1,462.98*</u>
GROSS INCOME			<u>\$ 631,771.54</u>
INCOME DEDUCTIONS:			
Interest on long-term debt			\$ 135,045.14
Other interest charges			6,508.13
Interest charged to construction			7,421.57*
Miscellaneous income deductions			<u>6,607.61</u>
TOTAL INCOME DEDUCTIONS			<u>\$ 140,739.31</u>
NET INCOME			<u>\$ 491,032.23</u>

* Denotes red figure.

NORTHERN PENNSYLVANIA POWER COMPANY

NOTES TO FINANCIAL STATEMENTS

1. The Company's annual provisions for depreciation for the past several years have been substantially equivalent to depreciation deductions claimed or to be claimed for Federal income tax purposes, which deductions are based on a straight-line method. The current provision is equivalent to approximately 3.1% of the original cost of depreciable property which is substantially the same as the tax cost thereof.

2. For the past several years, the Company joined with its parent and others in consolidated Federal income and excess profits tax returns and proposes to join in similar returns for 1950 and 1951. The returns through 1945 have been examined and deficiencies in income tax paid. No liability was found for excess profits taxes and it is expected that there will be none for 1950 or 1951.

All participants in the consolidated returns are severally liable for the full amount of any tax, including penalties and interest, which may be assessed against the affiliated group. Any such liability is allocated, under existing agreements, to the participants in accordance with a ratio computed on the basis of their separate return liabilities.

The reserve for tax contingencies reflects the Company's provision for its portion of the consolidated Federal income tax liability for 1947 computed without recognition of a substantial deduction of the parent company claimed in the return which, as a result of such deduction, showed no liability. The determination of the amount thereof allowable may involve certain controversial issues.

3. In accordance with certain provisions of the Company's mortgage, \$768,726 of the balance of earned surplus at July 31, 1951 is restricted as to the payment of cash dividends on common stock.

NORTHERN PENNSYLVANIA POWER COMPANY

Utility Plant to be transferred to Purchaser

<u>Acct. No.</u>	<u>Title</u>	<u>Original Cost and Book Value</u>
225	Distribution Mains	\$19,865.82
226	Services	665.27
227	Meters	6,364.18
228	Meter Installations	<u>303.92</u>
	Total	<u>\$27,199.19</u>

NORTHERN PENNSYLVANIA POWER COMPANY

Estimated Depreciation Reserve applicable to
Utility Plant transferred

<u>Acct. No.</u>	<u>Title</u>	<u>Amount</u>
225	Distribution Mains	Not Segregated By Primary Accounts
226	Services	
227	Meters	
228	Meter Installations	
	Estimated Total	<u>\$21,982.54</u>

NORTHERN PENNSYLVANIA POWER COMPANY

CERTIFIED RESOLUTIONS

RESOLVED, that the proper officers of this Company be and they hereby are authorized on its behalf to execute and deliver an agreement in substantially the form presented and read at this meeting covering the proposed sale by this Company of its steam heat mains, services, meters and other appurtenant equipment in the Borough of Towanda to the extent described therein and the assignment of its franchise rights to occupy the streets of the said Borough with steam heat pipes to John F. Kizer for a consideration of Five thousand one hundred forty-eight dollars (\$5,148), plus an amount equal to any sum which may be expended by this Company between the date of the agreement and the date of closing provided for therein with respect to the property covered by the agreement and properly chargeable to plant or property account.

FURTHER RESOLVED, that the proper officers of this Company be and they hereby are authorized on its behalf to take such other steps and do such further acts, including the securing of any approvals which may be required from regulatory bodies, as may be necessary to carry out the terms of the agreement.

THIS IS TO CERTIFY that the undersigned is Secretary of Northern Pennsylvania Power Company, a corporation of the Commonwealth of Pennsylvania; that the above and foregoing is a true and correct copy of certain resolutions duly and regularly adopted by the Board of Directors of said Company at a meeting thereof duly convened and held on the 10th day of August, 1951, at which meeting a quorum was present and voted; that "Exhibit A" of the application of Northern Pennsylvania Power Company to Pennsylvania Public Utility Commission dated October 15, 1951, for approval of the transfer by sale of its steam distribution system to John F. Kizer, is in the form of the agreement referred to in the foregoing resolution; and that said resolutions have not been annulled, revoked or amended in any way whatsoever and are in full force and effect.

WITNESS the signature of the undersigned as such officer of the Company and its corporate seal hereunto affixed this 15th day of October, 1951.


John F. Kizer
Secretary

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION
Application Docket
No. - 1951

In re: Application of
Northern Pennsylvania Power
Company for approval of the
transfer by sale of its steam
heat distribution system in
the Borough of Towanda,
Bradford County, Pennsylvania
to John F. Kizer.

PLENTIFF

HAROLD J. RYAN
1112 Washington Street
Reading, Pennsylvania
Attorney for Applicant

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY
COMMISSION

In re: Application of
Northern Pennsylvania Power
Company for approval of the
transfer by sale to John F.
Kizer of its steam heat
distribution system in the
Borough of Towanda, Bradford
County.

PROOF OF SERVICE

Harold J. Ryan, Esq.
112 Washington Street,
Reading, Pennsylvania

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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SECRETARY'S OFFICE
PENNSYLVANIA COMMISSION

In re: Application of Northern Pennsylvania Power Company for approval of the transfer by sale to John F. Kizer of its steam heat distribution system in the Borough of Towanda, Bradford County.)
Application Docket No. 78109 1951

COMMONWEALTH OF PENNSYLVANIA)
: SS.
COUNTY OF BERKS)

On this 21st day of November, 1951, before me, the subscriber, a Notary Public in and for the said County and Commonwealth, personally appeared CHRISTINE E. HAIN, 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 Northern Pennsylvania Power Company, Applicant in the above entitled matter; that on November 21, 1951, she served a copy of the application in the above entitled matter, by first class mail, on J. H. Blackwell, Borough Secretary of the Borough of Towanda, whose address is Towanda, Bradford County, Pennsylvania; that at the time of mailing said copy of the application she paid the full postage thereon; and that there are regular mail communications between Reading, Pennsylvania and Towanda, Bradford County, Pennsylvania.

Christine E. Hain

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

Grace M. Miller
Notary Public

My commission expires January 23, 1953

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PENNSYLVANIA PUBLIC UTILITY
COMMISSION

A. 78109

Application of Northern
Pennsylvania Power Company
for approval of the transfer
by sale to John F. Kizer of
its steam heat distribution
system in the Borough of
Norwanda, Bradford County.

PROOF OF PUBLICATION
AND
PROOF OF SERVICE

HAROLD J. RYAN
412 Washington Street
Reading, Pennsylvania
Attorney for Applicant

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D.B.K.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S OFFICE
PUBLIC UTILITIES DIVISION

HEARING

A. 78109

Application of Northern Pennsylvania Power Company for approval of the transfer by sale to John F. Kizer of its steam heat distribution system, in the Borough of Towanda, Bradford County.

COMMONWEALTH OF PENNSYLVANIA)
)
) SS.
COUNTY OF BRADFORD)

Frederick W. Gardner, being duly sworn according to law, deposes and says that he is upwards of twenty-one years of age; that he is employed by Northern Pennsylvania Power Company; that the notice attached to this affidavit was published once during the weeks of December 3 and December 10, 1951, in The Daily Review, a newspaper having a general circulation in the Borough of Towanda, Bradford County, Pennsylvania; and that on December 10th, 1951, he personally mailed a copy of said notice by first class mail, postage prepaid, to the persons whose names and addresses are shown below, being all the steam heat customers of Northern Pennsylvania Power Company who will be affected by the proposed sale, and served a copy of said notice upon the municipal authorities of the said Borough of Towanda, being the only municipality in which the steam heat distribution system proposed to be transferred is located, there being no individual, partnership or corporation furnishing a similar service in the same territory:

<u>Name</u>	<u>Address</u>
Meth. Episcopal Church	c/o Thad Myers 201 Chestnut St.
Mrs. S. Jennings Kizer	107 Main St.
Dr. P. H. Schwartz	111 Main St.
Clara Gooding	12 State St.
Mrs. Louise McGraney	8 State St.
J. B. Felton Est.	c/o Mrs. Louise McGraney 8 State St.
Miss Mary Abell	201 Main St.
Mrs. Herman Kordalski	203 Main St.
Bern Furniture Co.	207 Main St.
Russell B. Pratt	209 Main St.
Edith Hauber	213 Main St.

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<u>Name</u>	<u>Address</u>
Camphuis & Lawrence Trustees	8 Mercur Block
Dr. S. W. Cook	19 Park St.
Borough of Towanda	c/o Joseph Blackwell Park St.
Franklin Hose Co.	c/o Joseph Blackwell Park St.
First Presbyterian Church	c/o John Bigelow R.D.6, Towanda, Pa.
A. & P. Tea Co.	Pine St.
Harden Electric Shop	319 Main St.
Odd Fellows Hall Ass'n.	c/o Howard Bailey 110 Bridge St.
Jesse Marks	321 Main St.
Davidson Bros.	323 Main St.
C. M. Fairchild	401 Main St.
Romeyn Culver	403 Main St.
Sattler Shoe Store	407 Main St.
Barney Loewus	409 Main St.
Western Auto Store	c/o William Lefferts 411 Main St.
W. J. Ruggles	413 Main St.
Samuel Epstein	415 Main St.
Sears Roebuck & Co.	419 Main St.
L. Marks Estate	419 Main St.
Rockwell & Wolfe	c/o Bernard C. Wolfe 1st National Bank
Edward Hoffman	501 Main St.
Mrs. M. M. Griffiths	1854 Keys Cresent East Walnut Hills Cincinnati, Ohio
Atlantic Refining Co.	P. O. Box 450 Wilkes-Barre, Pa.
Byrd King	11 Bridge St.
Claverack Elec Co-op, Inc.	507 Main St.
Jack K. Spentzas	505 Main St.

26

Name

Address

Penna. Liquor Control Board
Store 0802

c/o Charles Drawbaugh
Glaster Bldg.
Harrisburg, Pa.

Amy E. Place

513 Main St.

E. Hale Coddling

26 Bethune St.
New York, N.Y.

Charles T. Schultz

517 Main St.

James P. Daly

517 $\frac{1}{2}$ Main St.

Vincent Matti

517 Main St.

Lawrence Rubert

523 Main St.

Comerford Publix Thea.

Mears Bldg.
Washington & Spruce Sts.
Scranton, Pa.

P. J. Brennan

607 Main St.

E. I. DuPont DeNemours

627 Main St.

Towanda Frozen Food & Locker Co.

715 Main St.

Meredith Motor Sales

723 S. Main St.

Susan M. Henderson

721 Main St.

Towanda Fruit Co.

727 Main St.

Bradford County Jail

c/o Bradford County Commissioners
Main St.
Towanda, Pa.

Mrs. E. A. Thompson

103 $\frac{1}{2}$ Pine St.

T. J. Finn

108 Pine St.

W. P. Wilson

106 Pine St.

Mrs. K. D. McCraney

104 Pine St.

Mary K. Curran Est.

c/o Lou Gerould
2160 SW 17th St.
Miami 45, Florida

Widmann & Teah, Inc.

322-324 Main St.

Masonic Hall Ass'n.

c/o S. T. Remsnyder
198 Grant St.
Towanda, Pa.

H. C. Passage Shoe Co.

318 $\frac{1}{2}$ Main St.

First National Bank

312-314 Main St.

Daniel A. Lane

c/o Ed. Jennings
521 Main St.

Dr. Wilson Smith

201 Main St.

76

<u>Name</u>	<u>Address</u>
Elmer H. King	302 Main St.
Mrs. Edith Bailey	304 $\frac{1}{2}$ Main St.
Naiad & Linta Hose Co.	c/o Russell Hagadorn 216 Main St.
The David Wilmot Hotel	218-220 Main St.
B. J. Kirwan	Main St.
Theodore Chicarilli	212 Main St.
Mary Pyne	208 Main St.
Dr. W. A. Redding	206 Main St.
Dr. T. B. Johnson, 3rd.	108 Main St.
Towanda Public Library	c/o L. A. Merrill 203 $\frac{1}{2}$ Main St.
Towanda Chemical Works of Hygrade Sylvania Corp.	718 S. Main St.
Mrs. William Bolan Est.	708 S. Main St.
W. R. O'Rourke	612 Main St.
Towanda Furniture Co.	602 Main St.
Robert Coon	c/o Mrs. R. J. Coon 600 Main St.
Amerigo Mangialardo	600 Main St.
Doey's Hotel	c/o Dorothy McCleary 526 Main St.
Olga Breecher Maltz	524 Main St.
Eagles Club	520 Main St.
D. D. Rhodes	518 Main St.
Wooster's Electric Store	510 Main St.
T. Tama	504 Main St.
Sena's Modern Cleaners	502 Main St.
W. H. Seigel	502 Main St.
George Mavromatis	101 Bridge St.
King & King	Bridge St.
Citizens National Bank	424 $\frac{1}{2}$ Main St.
Chaffee, Evans & Chaffee	420 $\frac{1}{2}$ Main St.
Eastern Star Chapter 76	c/o Mrs. William Elliott 724 Second St.
J. J. Newberry Co.	414-416 Main St.

<u>Name</u>	<u>Address</u>
W. T. Grant Co.	412 Main St.
D. Z. Dennis	404 Main St.
Henry Dunn & Edward Hoffman	317 Main St.
John J. Moore	402 Main St.
Hila Williams Est.	c/o Att'y. William O'Connor 400 Main St.
Hatch Electric	400 Main St.

Frederick W. Gardner

Sworn to and subscribed before me
this *11th* day of December, 1951.

John M. Rowlett

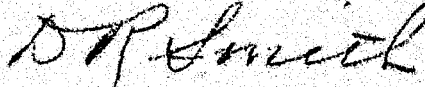
Notary Public

My commission expires *Jan 4, 1953*

NOTICE IS HEREBY GIVEN that application has been made to the Pennsylvania Public Utility Commission, under the provisions of the Public Utility Law, by Northern Pennsylvania Power Company for an order evidencing the Commission's approval of the transfer by sale to John F. Kizer of its steam heat distribution system, in the Borough of Towanda, Bradford County.
(A. 78109)

A public hearing upon this application will be held in the Courthouse at Towanda, on Friday, December 21, 1951, at 10:00 a.m., where and when all persons in interest may appear and be heard, if they so desire.

NORTHERN PENNSYLVANIA POWER COMPANY



By D. R. SMITH
President

HAROLD J. RYAN, Esq.,
412 Washington Street,
Reading, Pennsylvania,
Attorney

Commonwealth of Pennsylvania }
Bradford County } ss:

Personally appeared before me this 11th day of
December, A. D. 1951, T. J. Finn, who being
duly sworn, doth depose and say that he is the Business Manager of the
DAILY REVIEW, a daily newspaper of general circulation established in
1879, published in the Borough of Towanda, county aforesaid, and that the
notice hereto attached is exactly as was printed in said paper once a week for
6 consecutive weeks prior to this date, viz: 6 Dec. 11, 1951

The affiant is not interested in the subject matter of the notice or ad-
vertising, and that all of the allegations of the statement as to the time, place,
and character of publication are true.

T. J. Finn
Sworn and subscribed before me this 11th

day of December A. D. 1951

Jennie M Baker
Notary Public.

My Commission Expires January 24, 1953

Legal Notice

NOTICE IS HEREBY GIVEN that application has been made to the Pennsylvania Public Utility Commission, under the provisions of the Public Utility Law, by Northern Pennsylvania Power Company for an order evidencing the Commission's approval of the transfer by sale to John F. Kizer of its steam heat distribution system in the Borough of Towanda, Bradford County, PA. (8149).

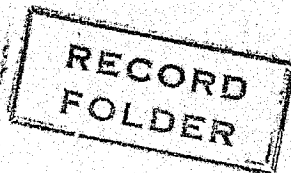
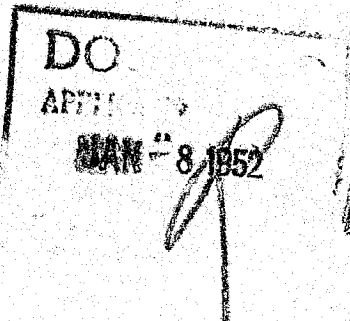
A public hearing upon this application will be held in the Court House at Towanda, on Friday, December 21, 1951, at 10:00 a. m., where and when all persons in interest may appear and be heard, if they so desire.

NORTHERN PENNSYLVANIA POWER COMPANY

By D. R. SMITH,
President

HAROLD J. RYAN, Esq.,
412 Washington Street,
Reading, Pennsylvania.
Attorney

646611c



January 4, 1952

File No. 8-8 (9)

A. 78109

Application of Northern Pennsylvania Power Company for approval of the transfer by sale to John F. Kizer of its steam heat distribution system, in the Borough of Towanda, Bradford County.

Received

J. A. Walter, Secretary,
Pennsylvania Public Utility Commission,
Harrisburg, Pennsylvania.

JAN 5 1952
Secretary's Office
PUBLIC UTILITY COMMISSION

Dear Sir:

I have looked over the transcript of testimony taken at the hearing held at Towanda, Pennsylvania, on December 21, 1951, in connection with the above matter and A. 78110 with which it was consolidated, and I respectfully request the following corrections be made in the testimony:

<u>Page</u>	<u>Line</u>	
4	17	Change "served" to "serves"
4	18	Change "serves" to "served"
8	5	Delete the word "small"
12	11	Change "consent" to "consenting"
19	1	Delete the words "to Northern Pennsylvania" and insert following "cost" the words "when first devoted to public use"
19	2	Delete the words "Power Company"
21	14	Change "1100" to "110"
27	7	Delete the words "eleven hundred" and insert in lieu thereof the words "one hundred and ten"

As contemplated by Rule 45, I have served a copy of this request on all other counsel appearing in the case and you will find enclosed a proof of such service.

RECORDED
FOLDER

Very truly yours,

Harold J. Ryan

O. K.
H. M. H.
FILE

HJR:M

Encl.

CC: J. Roy Lilley, Esq.
Hon. C. M. Culver and
Romeyn F. Culver, Esq.