

SCHUBERT ♦ GALLAGHER



TYLER ♦ MULCAHEY

121 SOUTH BROAD STREET, 20TH FLOOR
PHILADELPHIA, PA 19107-4533

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Richard T. Mulcahey, Jr.
Also Member of New York Bar
Direct Dial No.: (215) 587-0107
e-mail: rmulcahey@sgtmlaw.com

RECEIVED
2015 MAR 19 AM 10:39
PA.P.U.C. BUREAU
SECRETARY'S BUREAU

March 17, 2015

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Application of James E. Fretz & Sons, LLC

Dear Ms. Chiavetta:

Please be advised that this office represents the above captioned common carrier. Accordingly, I enclose herewith an Application for Motor Common Carrier of Property together with our check in the amount of \$100.00 covering the filing fee.

Kindly acknowledge receipt of the enclosures by time-stamping the enclosed copy of this letter and returning to me in the self-addressed, stamped envelope provided.

Respectfully submitted,

Richard T. Mulcahey, Jr.

RTMJR/mac
Enclosure

cc: James E. Fretz & Sons, LLC

Secretary
Pennsylvania Public Utility Commission
400 North Street, Second Floor
Harrisburg, PA 17120
(717) 772-7777
www.puc.pa.gov

RECEIVED
Revised 12/13
2015 MAR 19 AM 10:39
PA P.U.C. BUREAU
SECRETARY'S BUREAU

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)

James E. Fretz & Sons, 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)

James E. Fretz Transfer (Registration Pending)

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- N/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 4325836

(see checklist and indicate type of business entity registered)

Pennsylvania Limited Liability Company

5. **Physical Address** (do not use post office box)

821
812 McClintock Avenue

Street Address

PA
Belle Vernon, PA 15012

City, State and Zip Code

PA
724-929-6969 6869

Telephone Number

Fayette

County

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.

6. **Mailing Address** (if different from Physical Address)

Same

Street Address

City, State and Zip Code

This is the address to which the Commission will send all official documents issued by the Commission. If left blank, it will be assumed that the **MAILING ADDRESS** is the same as the **PHYSICAL ADDRESS**.

7. **Attorney** (if applicable)

Richard T. Mulcahey, Jr. (215) 587-0107

Attorney's Name & Telephone Number for this Filing

121 South Broad St., 20th Floor, Philadelphia, PA 19102-4533

Attorney's 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.

8. **Do you hold interstate operating authority?**

No

Yes, at No. _____

9. **What type of commodities do you intend to transport?**

General property and commodities (not household goods)

10. **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

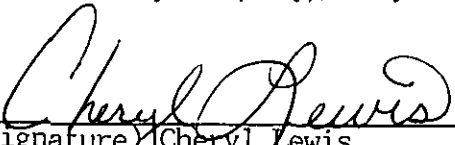
I/We hereby state that the statement(s) made in this application is/are true and correct to the best of my/our knowledge and belief.

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.

James E. Fretz & Sons, LLC
(Print Name)

  2/23/15 *
(Signature) James E. Fretz, Jr. Donald B. Fretz, (Date)
Member Member

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).

*  3/9/15
(Signature) Cheryl Lewis (Date)
Member

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

In Re: Application of James E. Fretz & Sons, LLC t/a James E. Fretz Transfer

The following individuals are Members of Applicant, a Pennsylvania Limited Liability Company:

Name and Address:	Percentage Interest:
James E. Fretz, Jr., Member 909 McClintock Avenue Belle Vernon, PA 15012	33-1/3%
Donald B. Fretz, Member 814 Fayette Avenue Belle Vernon, PA 15012	33-1/3%
Cheryl Lewis, Member 820 McClintock Avenue Belle Vernon, PA 15012	33-1/3%

**PENNSYLVANIA DEPARTMENT OF STATE
CORPORATION BUREAU**

Application for Registration of Fictitious Name

54 Pa.C.S. § 311

Name		
Richard T. Mulcahey, Jr., Esquire		
Address		
121 South Broad Street, 20 th Floor		
City	State	Zip Code
Philadelphia, PA		19107-4533

Document will be returned to the name and address you enter to the left.



Fee: \$70

In compliance with the requirements of 54 Pa.C.S. § 311 (relating to registration), the undersigned entity(ies) desiring to register a fictitious name under 54 Pa.C.S. Ch. 3 (relating to fictitious names), hereby state(s) that:

1. The fictitious name is: James E. Fretz Transfer

2. A brief statement of the character or nature of the business or other activity to be carried on under or through the fictitious name is: transportation of property.
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3. The address, including number and street, if any, of the principal place of business (P.O. Box alone is not acceptable):				
821 McClintock Avenue	Belle Vernon	PA	15012	Fayette
Number and street	City	State	Zip	County

4. The name and address, including number and street, if any, of each individual interested in the business is:			
Name	Number and Street	City	State
N/A			

5. Each entity, other than an individual, interested in such business is (are):

James E. Fretz & Sons, LLC	limited liability company	Pennsylvania
Name	Form of Organization	Organizing Jurisdiction

821 McClintock Avenue, Belle Vernon, PA 15012

Principal Office Address

PA Registered Office, if any

Name	Form of Organization	Organizing Jurisdiction
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Principal Office Address

PA Registered Office, if any

6. The applicant is familiar with the provisions of 54 Pa.C.S. § 332 (relating to effect of registration) and understands that filing under the Fictitious Names Act does not create any exclusive or other right in the fictitious name.

7. Optional): The name(s) of the agent(s), if any, any one of whom is authorized to execute amendments to, withdrawals from or cancellation of this registration in behalf of all then existing parties to the registration, is (are):

N/A

IN TESTIMONY WHEREOF, the undersigned have caused this Application for Registration of Fictitious Name to be executed this

10th day of March, 2015.

Individual Signature

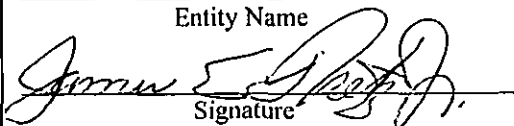
Individual Signature

Individual Signature

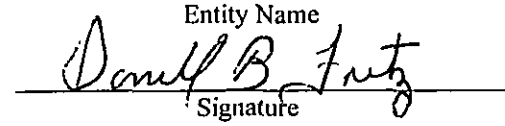
Individual Signature

James E. Fretz, LLC

Entity Name


Signature

Entity Name

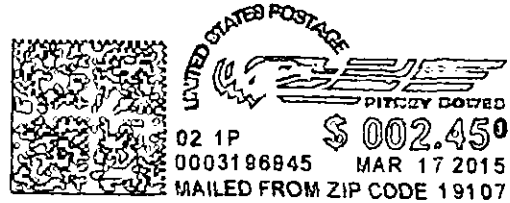

Signature

James E. Fretz, Jr., Member

Title

Donald B Fretz, Member

Title



LAW OFFICES

SCHUBERT ♦ GALLAGHER

121 SOUTH BROAD STREET, 20TH FLOOR



TYLER ♦ MULCAHEY

PHILADELPHIA, PA 19107-4533

TO:

Rosemary Chiavetta, Secretary
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