

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

MALT BEVERAGE DISTRIBUTORS	:	No. 648 MAL 2015
ASSOCIATION, GABLER'S BEVERAGE	:	
DISTRIBUTOR, INC. AND PKD, INC.,	:	
	:	Petition for Allowance of Appeal from
Petitioners	:	the Order of the Commonwealth Court
	:	
	:	
v.	:	
	:	
	:	
PENNSYLVANIA LIQUOR CONTROL	:	
BOARD,	:	
	:	
Respondent	:	
	:	
	:	
OHIO SPRINGS, INC. AND SHEETZ,	:	
	:	
Intervenors	:	

ORDER

PER CURIAM

AND NOW, this 16th day of February, 2016, the Petition for Permission to Substitute Answer to Petition for Allowance of Appeal of Intervener is **GRANTED**. Furthermore, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by petitioner, are:

- (1) Can a single store sell both gasoline and beer without violating the Liquor Code?
- (2) Section 404 of the Liquor Code, 47 P.S. §4-404, prohibits the transfer of a liquor license to a "location" where "the sale of liquid fuels or oil is conducted"; what is a location?

- (3) Section 468(a)(3) of the Liquor Code, 47 P.S. §4-468(a)(3), prohibits the transfer of a liquor license to “any place or property upon which is located as a business the sale of liquid fuels and oil”; what is a place or property?

Mr. Justice Eakin did not participate in the consideration or decision of this matter.