TWO MEN AND A TRUCK®
"Movers Who Care®"

3555 Valley Drive
Pittsburgh, PA 15234
PA PUC A 00121505
www.twomenandatruck.com

412-881-1111
Fax: 412-835-6204

July 24, 2014

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

Re: *En Banc* Transportation Hearing
Docket No. : M-2014-2431451
August 28, 2014, 9:00AM

Dear Secretary Chiavetta,

Attached is a prepared statement for the above hearing. My husband and I will be attending. I look forward to testifying. If you have any questions regarding my testimony, please call me.

Very truly yours,

CANTERBURY INTERNATIONAL, INC., dba
TWO MEN AND A TRUCK

Dorothy Coll

Dorothy Coll
President

Prepared Statement for Dorothy Coll

En Banc Transportation Hearing
Docket No. : M-2014-2431451
August 28, 2014, 9:00AM

Elimination of the need standard:

I wish to testify regarding my company's experience with the "Need Standard." The current household goods moving regulations in the Commonwealth of Pennsylvania tend to favor existing moving companies over consumers, limit competition, and prevent the free market from working in the industry.

In 2004, my husband and I purchased a TWO MEN AND A TRUCK franchise to be located in Allegheny County. We applied to the PUC for authority, and we were protested by 11 other moving companies. Our protesters hired two attorneys to represent them and share legal fees. We hired an attorney and went before an Administrative Trial Judge for the PUC.

After four days of hearings spread over a four month period, the Administrative Law Judge denied our application on the basis that we did not show adequate "need." The hearing transcript is over 1,000 pages long, and the briefs are over 200 pages. We then purchased an existing authority for $30,000, and opened our doors. This year, nine years later, we will have gross sales of over 3.5 million dollars. Not bad for a company that was not needed by the public!

After paying legal fees of $100,000, we purchased an authority or $30,000 that limited us to work only in Allegheny County. After two years, we filed again for more rights in surrounding counties and all points PA. Four companies protested, and we prepared to go to court again. Eventually, we settled with the protesters by promising to not file another service expansion application for three years if we settled for "all points PA." The protesters then dropped their opposition. In any other industry, this would be collusion! Four years later, in January of 2012, we again petitioned for rights in all the surrounding counties of Allegheny and were protested by eight companies. And we were back in a court room. This time we were granted authority in four for the five counties that we petitioned. Again, we were denied on the basis of not showing need in Washington County.

The process of showing need is also illogical and absurd. The major legal case that's referenced in applications establishes having a "representative" number of witnesses as an indication of "need." The company asking for authority can show need by bringing witnesses that say they are considering moving and want to use the company applying for the authority. The more the merrier! These are friends, relatives and other business owners who agree to take a day off work to testify. Now who would start a moving company to service a dozen people! Yet this is the precedent. At our first hearing, we naively, submitted statistics on population and demographics to show that there was work for a moving company. We even benchmarked Allegheny County's population with similar size cities. We were told that that did not define need! Existing companies merely need to testify that they are already serving the petitioned territories.

The need standard is a long, arduous, and expensive process that serves to eliminate competition and protect those already in the industry. It does generate a good income for attorneys, and it uses resources that the PUC could use for better consumer protection. The PUC was obviously wrong in our case. This summer, we are proud to have over 80 employees on our payroll!

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

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