

CAPTION SHEET

CASE MANAGEMENT SYSTEM

- 1. REPORT DATE: 00/00/00
- 2. BUREAU: TAS
- 3. SECTION(S):
- 5. APPROVED BY: DIRECTOR: SUPERVISOR:
- 6. PERSON IN CHARGE: RUDY
- 8. DOCKET NO: A-00099993C0601
- 4. PUBLIC MEETING DATE: 00/00/00
- 7. DATE FILED: 10/27/06
- 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: STUMPF, WILLIAM C.

COMP/APP COUNTY:

UTILITY CODE: 852700

ALLEGATION OR SUBJECT

TAS COMPLAINT AGAINST WILLIAM C. STUMPF T/A STUMPF MOVING & STORAGE CO. FOR VARIOUS VIOLATIONS.

DOCUMENT
FOLDER

DOCKETED

OCT 31 2006

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG PA 17105-3265

DOCUMENT
FOLDER

Date of Service: October 31, 2006
Docket Number: A-00099993C0601

WILLIAM C. STUMPF
T/A STUMPF MOVING & STORAGE CO.
199 PURITY ROAD
PITTSBURGH PA 15235

DOCKETED
OCT 31 2006

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
WILLIAM C. STUMPF T/A STUMPF MOVING & STORAGE CO.

Dear Sir/Madam:

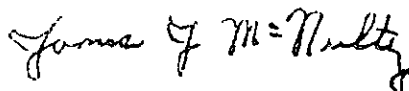
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

Pursuant to this delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff has filed the attached complaint against you.

Please refer to the Notice page at the conclusion of this complaint for detailed instructions on how to proceed. Alternative formats of this material are available for persons with disabilities.

Any questions may be directed to the Technical Review Section of the Bureau of Transportation and Safety at (717) 787-1168.

Very truly yours,



James J. McNulty
Secretary

ane

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED
2006 OCT 27 PM 4:05
PENNSYLVANIA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF TRANSPORTATION
AND SAFETY

V.

DOCKET NO. A-000999930601

WILLIAM C STUMPF T/A STUMPF MOVING &
STORAGE CO
199 PURITY ROAD
PITTSBURGH PA 15235

ORIGINAL

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That William C. Stumpf, t/a Stumpf Moving & Storage Co., respondent, maintains his principal place of business at 199 Purity Road, Pittsburgh, Pennsylvania 15235.
2. That respondent was issued a certificate of public convenience by this Commission on February 25, 1977, at Application Docket No. A-00099993.
3. That respondent, on July 27, and September 1, 2005, performed household goods moves for Bonnie Poole from 920 Saint James Street, Pittsburgh, PA to respondent's storage facility at 199 Purity Road, Pittsburgh, PA, and from respondent's storage facility to 321 Beaver Street, Sewickley, PA, respectively. During the aforementioned moves, damages occurred to Ms. Poole's furniture. Ms. Poole purchased additional insurance in the amount of \$240.00, which is documented on the Bill of Lading. The respondent never provided Ms. Poole with a copy of the insurance information. Ms. Poole filed a claim for damages and provided a detailed estimate of charges for the damages as respondent requested. Ms. Poole contracted with Grimes Interiors who provided her with a detailed estimate of \$4,113.08 dated October 19, 2005. Respondent insisted that their repairman, Bill Ireland, provide an estimate for the damages and make the repairs to the furniture. Due to conflicting schedules, the estimate did not take place until March 13, 2006. Respondent told Ms. Poole that they would be responsible for the difference in cost between their repairman and Mr. Ireland's estimate. Ms. Poole contacted the respondent by letters dated March 7, 22, and April 10, 2006, prior to seeking legal action. Respondent sent letters to Ms. Poole dated March 13, April 28, and June 10, 2006. A settlement of \$1,000.00 was made after Ms. Poole retained legal counsel. Respondent failed to act promptly upon written or oral communications with respect to Ms. Poole's insurance claim and did not attempt to effectuate a prompt, fair and equitable settlement of her claim.
4. That respondent, by failing to acknowledge and act promptly upon written or oral communications with respect to insurance claims, and by not attempting in good faith to effectuate prompt, fair and equitable settlement of claims in which the carrier's liability has become reasonably clear, violated 52 Pa. Code §32.16(2) and (6). Penalty is \$250.00.

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DOCKETED
OCT 31 2006

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine William C. Stumpf, t/a Stumpf Moving & Storage Co., the sum of two hundred fifty dollars (\$250.00) for the illegal activity described in this complaint, and order such other remedy as the Commission may deem appropriate.

Respectfully submitted,

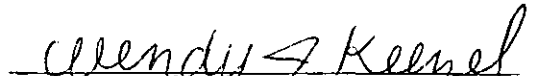


Wendy J. Keezel, Chief of Enforcement
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: 10-26-06



Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement Division
Bureau of Transportation and Safety

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code §1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the out come. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon payment of the fine by this Commission, the record in this proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

2. Article Number



7160 3901 9843 1291 5911

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

**WILLIAM C STUMPF
T/A STUMPF MOVING & STORAGE CO**

A-00099993C0601

FC

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X

Joe Stumpf

Agent
 Addressee

D. Is delivery address different from item 1? If YES, enter delivery address below:

Yes
 No

UR



Household Office • Pianos

November 14, 2006

James J. McNulty
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

RECEIVED
2006 NOV 20 AM 8:52
P.P.U.C.
SECRETARY'S BUREAU

199 Purity Road
Pittsburgh, PA 15235
(412) 241-2101
fax: (412) 244-0553

ORIGINAL

DOCUMENT FOLDER

Dear Mr. McNulty:

I am writing in regard to Docket Number A-00099993C0601. I have a dispute with the complaint found in number 3 and contest it as such. We did not sell Mr. & Mrs. Poole insurance, so they therefore did not have an insurance claim. They did purchase \$50,000 in valuation that had a \$500 deductible. Stumpf Moving & Storage did in fact attempt to have the Poole's furniture repaired as soon as we were notified of claim. The Poole's were not cooperative or available to have their furniture repaired. We made many attempts to have their furniture repaired. Our repairman, Mr. Ireland, can also attest to the fact that he himself made several attempts to repair the furniture. Mr. & Mrs. Poole would not let us repair their furniture. They got one estimate for repair that was way out of line and wanted us to pay them a cash settlement based on their estimate. We did in fact send them \$1,000 as a settlement in the end when it was apparent they were not looking for their furniture to be repaired. The \$1,000 was well above what it would have cost to repair their furniture and replace missing items.

Stumpf Moving & Storage did nothing illegal as the complaint suggests. We are a small family owned and operated business that strives to maintain our excellent reputation by keeping our customers satisfied. We have any claims to damaged furniture repaired by the finest repairman in the Pittsburgh area. We would not be in business for four generations if we did not strive for excellence in keeping our customer's satisfied. Again, we dispute the complaint that we did not attempt in good faith to effectuate prompt, fair and equitable settlement of claim. Also, I would like to reiterate that no insurance claim was filed because we do not sell insurance.

I am asking that the penalty imposed in the amount of \$250 be forgiven

Sincerely,

Elizabeth DeNardo Stumpf
Elizabeth DeNardo Stumpf

DOCKETED
NOV 27 2006

RJP

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DATE: April 19, 2007

ORIGINAL

SUBJECT: Complaint upon Commission Motion
Docket No. A-00099993C0601

TO: **Secretary's Office**
New Filing

FROM: Assistant Counsel R. K. Smith, Jr.
Law Bureau

R. K. Smith, Jr.

An Answer, which raises material issues of law or fact, has been filed to the following complaint initiated by the Bureau of Transportation and Safety, and should be referred to the OALJ. This case should be reassigned immediately to the Office of Administrative Law Judge for the scheduling of a prehearing conference and hearing.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Stumpf Moving & Storage - Docket No. A-00099993C0601 - Answer filed November 20, 2006 - Pittsburgh hearing location - Attorney Smith.

Thank you for your assistance with this matter and please contact me if you need further information.

cc: Scheduling Staff, OALJ Office
Technical Review, T&S

DOCKETED
APR 23 2007

SECRETARY'S BUREAU

2007 APR 20 AM 10: 21

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FOLDER


28

COMMONWEALTH OF PENNSYLVANIA

DATE: April 23, 2007

SUBJECT: A-00099993C0601

TO: Office of Administrative Law Judge

FROM:  James J. McNulty, Secretary

Bureau of Transportation & Safety
v.
William C. Stumpf t/a Stumpf Moving & Storage, Co.

DOCKETED
APR 23 2007

Per memo dated April 19, 2007, from Assistant Counsel R. K. Smith, Jr., Law Bureau, the above docketed proceeding is being reassigned to your Office for appropriate action.

IJP

jih

**DOCUMENT
FOLDER**

cc: Law Bureau
Technical Review, T&S



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
June 26, 2007

IN REPLY PLEASE
REFER TO OUR FILE

In Re: A-00099993C0601

(See Attached List)

Pennsylvania Public Utility Commission
Bureau of Transportation and Safety
v.
William C. Stumpf, t/a Stumpf Moving & Storage Company
Various Violations

HEARING NOTICE

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial Hearing
Date: Tuesday, August 14, 2007
Time: 1:00 PM
Location: 11th Floor Hearing Room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Presiding: Administrative Law Judge Fred R. Nene
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (412) 565-5692

DOCUMENT
FOLDER

DOCKETED
JUL 9 - 2007

RJP

RECEIVED

JUL 9 2007

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: (717) 787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired:
1-800-654-5988

pc: Judge Nene
Elizabeth L. Plantz, Scheduling Officer
T&S - Motor Carrier
Beth Plantz
Docket Section
Calendar File

A-00099993C0601 PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY V. WILLIAM C. STUMPF,
T/A STUMPF MOVING & STORAGE COMPANY

WILLIAM C STUMPF
T/A STUMPF MOVING & STORAGE COMPANY
100 PURITY ROAD
PITTSBURGH PA 15235

R K SMITH JR ESQUIRE
PA PUBLIC UTILITY COMMISSION
LAW BUREAU
PO BOX 3265
HARRISBURG PA 17105-3265