



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

IN REPLY PLEASE  
REFER TO OUR FILE  
C-2011-2235323

November 30, 2012

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

Re: Pennsylvania Public Utility Commission, Bureau of Investigation  
and Enforcement v. TC Henry Transport LLC  
Docket No. C-2012-2296563

Dear Secretary Chiavetta:

Enclosed for filing is an original copy of a Motion for Continuance of the Bureau of Investigation and Enforcement in the above-referenced case. Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

Heidi L. Wushinske, Esq.  
Prosecutor

Enclosure

cc: As per certificate of service

RECEIVED  
2012 NOV 30 PM 2:19  
PA PUC  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :  
Bureau of Transportation and Safety :  
: C-2012-2296563  
v. :  
: :  
TC Henry Transport LLC :

**RECEIVED**  
**NOV 30 PM 2:22**  
**PA PUC BUREAU**  
**SECRETARY'S**

**MOTION FOR CONTINUANCE**  
**OF THE BUREAU OF INVESTIGATION AND ENFORCEMENT**

AND NOW comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by and through its attorney, Heidi L. Wushinske, and files this Motion for Continuance of the Initial Hearing in accordance with Section 1.15(b) of the Commission's regulations, 52 Pa. Code §1.15(b).

In support thereof, I&E states as follows:

1. The above-captioned *Formal Complaint* is scheduled for an Initial Hearing before Administrative Law Judge (ALJ) Mark A. Hoyer on Thursday, December 6, 2012, at 10:00 a.m. in Piatt Place in Pittsburgh.
2. On November 16, 2012, ALJ Hoyer issued a Prehearing Order, which directed the parties to speak regarding settlement of this case.
3. The parties have been engaged in discussions for the past two weeks.
4. I&E has requested and received additional documentation from Complainant's insurer. I&E has requested one additional piece of documentation from Respondent's insurer, which I&E believes will warrant the withdrawal of this Complaint.

5. I&E expects to receive this documentation shortly.
6. I&E requests a continuance of at least thirty days to comply with the objection period regarding withdrawals. 52 Pa. Code § 5.94.
7. This is the first extension sought by Complainant in this matter and is unopposed and supported by the Respondent.

WHEREFORE, the Bureau of Investigation and Enforcement requests that the hearing in this matter be briefly continued due to the likely withdrawal of this Complaint.

Respectfully Submitted,



Heidi L. Wushinske  
Attorney ID # 93792

P.O. Box 3265  
Harrisburg, PA 17105-3265  
Phone: 717-214-9594  
Fax: 717-783-3458  
Email: hwushinske@pa.gov

Dated: November 30, 2012

RECEIVED  
2012 NOV 30 PM 2:22  
PA PUC  
SECRETARY'S BUREAU

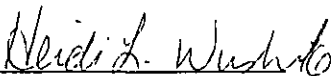
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, Motion for Continuance, upon the parties, listed below, in accordance with the requirements of 52 Pa.Code § 1.54 (relating to service by a party).

Service by First Class Mail:

The Honorable Mark A. Hoyer  
Administrative Law Judge  
Pennsylvania Public Utility Commission  
Office of Administrative Law Judge  
Piatt Place, Suite 220  
300 Fifth Avenue  
Pittsburgh, PA 15222  
mhoyer@pa.gov  
(Also via e-mail)

TC Henry Transport LLC  
757 Pine Flats Road  
Clymer, PA 15728

  
Heidi L. Wushinske  
Prosecutor  
Attorney ID # 93792

Counsel for the Bureau of  
Investigation and Enforcement of  
the Pennsylvania Public Utility  
Commission

P.O. Box 3265  
Harrisburg, PA 17105-3265  
Phone: 717-772-8839

Dated: November 30, 2012

RECEIVED  
2012 NOV 30 PM 2:22  
PA PUC  
SECRETARY'S BUREAU