



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

December 18, 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. Herbert B. Smith & Agee Copart t/a Samuel W.  
Smith Moving & Storage  
Docket No. C-2012-2314291

Dear Secretary Chiavetta:

The Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission) would like to withdraw the Motion for Default Judgment (Motion) that was filed on November 21, 2012, against Herbert B. Smith & Agee Copart t/a Samuel W. Smith Moving & Storage (Respondent).

In the Motion, I&E asserted that Respondent failed to answer I&E's Amended Complaint and pay its outstanding assessment balance. I&E subsequently learned that on October 18, 2012, Respondent filed an answer to the Amended Complaint. I&E was unaware of this answer until recently because Respondent failed to serve I&E with a copy.

Given that Respondent answered the Amended Complaint, I&E withdraws its Motion for Default Judgment.

Sincerely,

Stephanie M. Wimer  
Prosecutor  
Attorney ID No. 207522

Counsel for the Bureau of  
Investigation and Enforcement

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cc: Herbert B. Smith