

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: TAS	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE: BINGAMAN	:	7. DATE FILED: 06/06/05
8. DOCKET NO: A-00098529C0501	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: DAVIS, IRA S., STORAGE CO. INC.

COMP/APP COUNTY:

UTILITY CODE: 735580

ALLEGATION OR SUBJECT

TAS COMPLAINT VS. IRA DAVIS STORAGE CO., INC., T/A A-APOLLO TRANSFER, INC.
FOR VARIOUS VIOLATIONS.

DOCUMENT
FOLDER
DOCKETED
JUN 10 2005

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

Date of Service: JUNE 13, 2005
Docket Number: A-00098529C0501

IRA DAVIS STORAGE CO., INC.
T/A A-APOLLO TRANSFER, INC.
3939 GERMANTOWN AVENUE
PHILADELPHIA PA 19140

Pennsylvania Public Utility Commission Bureau of Transportation and Safety

v.

IRA DAVIS STORAGE CO., INC. T/A A-APOLLO TRANSFER, INC.

Dear Sir/Madam:

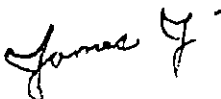
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

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

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SECRETARY'S BUREAU

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION AND SAFETY

DOCKETED
JUN 10 2005

DOCKET NO. A-00098529C 0501

v.

IRA DAVIS STORAGE CO., INC., T/A
A-APOLLO TRANSFER, INC.

COMPLAINT

DOCUMENT
FOLDER

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 Ira Davis Storage Co., Inc., t/a A-Apollo Transfer, Inc., respondent, maintains a principal place of business at 3939 Germantown Avenue, Philadelphia, Pennsylvania 19140.
2. That respondent was issued a Certificate of Public Convenience by this Commission on July 2, 1974 at Application Docket No. A-00098529. Said Certificate was canceled by this Commission on February 26, 2001. On the dates of the violations alleged in this complaint, respondent did not hold a Certificate of Public Convenience issued by this Commission.
3. That respondent, on October 12, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Naomi Ellis for \$510.25 compensation from 2100 South 58th Street, Apartment 263, Philadelphia, Pennsylvania to 2000 South 58th Street, Apartment 208, Philadelphia, Pennsylvania.
4. That respondent, on October 16, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Marie Stanton for \$670 compensation from 271 South 15th Street, Apartment 1104, Philadelphia, Pennsylvania to 4301 Ridge Avenue, Apartment 318, Philadelphia, Pennsylvania.
5. That respondent, on October 18, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Cindy Koavansky for \$314 compensation from 4 Township Line Road, Elkins Park, Montgomery County, Pennsylvania to 1503 Blackberry Court, Perkasie, Bucks County, Pennsylvania.
6. That respondent, on October 20, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Adrianna Simond for \$510.25 compensation from 830 Wheeler Way, Langhorne, Bucks County, Pennsylvania to 121 Forrest Creek Court, Langhorne, Bucks County, Pennsylvania.
7. That respondent, on October 25, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Theresa Krupinski for \$353.25 compensation from 345 East County Line Road, Apartment I-11, Hatboro, Montgomery County, Pennsylvania to 1290 Almshouse Road, Apartment 312, Doylestown, Bucks County, Pennsylvania.

8. That respondent, on October 28, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Mary Fitzpatrick for \$1,400 compensation from 46 Blue Bonnett Road, Langhorne, Bucks County, Pennsylvania to respondent's storage facilities at 3939 Germantown Avenue, Philadelphia, Pennsylvania and on October 29, 2004 from respondent's storage facilities at 3939 Germantown Avenue, Philadelphia, Pennsylvania to 1636 Rockcrest Drive, Jamison, Bucks County, Pennsylvania.

9. That respondent, on October 29, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Christine Geyer for \$538.50 compensation from 4511 Walnut Street, Apartment 401, Philadelphia, Pennsylvania to 18 West Cheltenham Avenue, Apartment 403, Philadelphia, Pennsylvania.

10. That respondent, on October 29, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Lowanda Hebert for \$235 compensation from 229 West Upsal Street, Apartment 816, Philadelphia, Pennsylvania to 7118 Cresheim Road, Philadelphia, Pennsylvania.

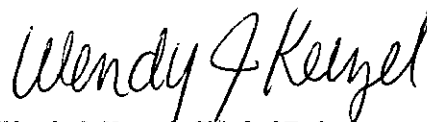
11. That respondent, on October 30, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Norman Myers for \$467.50 compensation from 1640 Oakwood Drive, Apartment W313, Narberth, Montgomery County, Pennsylvania to 17th and Callohill Street, Apartment 1810, Philadelphia, Pennsylvania.

12. That respondent, on November 2, 2004, by the use of a certain motor vehicle and further verified by bill of lading, transported the household goods of Chris Ortwein for \$314 compensation from 226 North Lincoln Avenue, Newtown, Bucks County, Pennsylvania to 235 Durham Road, Newtown, Bucks County, Pennsylvania.

13. That respondent, by performing the acts described in Paragraphs 3 through 12 of this complaint, violated the Public Utility Code 66 Pa. C.S. §1101, in that respondent transported household goods for compensation between points in the Commonwealth of Pennsylvania while not then holding a Certificate of Public Convenience issued by this Commission. The penalty is \$10,000. Future violations may result in possible criminal prosecution with penalties up to \$10,000 and one (1) year in prison.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Ira Davis Storage Co., Inc., t/a A-Apollo Transfer, Inc. the sum of ten thousand dollars (\$10,000) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,



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

VERIFICATION

I, Wendy J. Keezel, 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 to be able to prove the 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: 6-3-05

Wendy J. Keezel
Wendy J. Keezel

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. In such case, the Bureau of Transportation and Safety will request that the Commission direct the Department of Transportation, pursuant to the Vehicle Code, 75 Pa. C.S. §1375, to suspend the registration of any vehicle(s) involved in the alleged violations.

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 **Commonwealth of Pennsylvania** and should be forwarded to:

James J. McNulty, Secretary
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 receipt of your payment, the complaint proceeding shall be closed. In such case, to prevent the suspension of your vehicle registration(s), you must file an application for authority with the Secretary of the Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. If no application is received within the twenty (20) day time period, the Bureau of Transportation will proceed with the request for suspension of your vehicle registration(s). Your response should be directed to the Technical Review Division, Bureau of Transportation and Safety, P.O. Box 3265, Harrisburg, Pennsylvania 17105-3265.

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) 787-1168.

2. Article Number



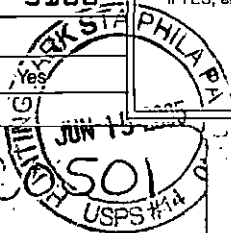
7160 3901 9843 0007 5108

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee)

1. Article Addressed to:

A-000985290501
FC
Ira Davis Storage
Co, Inc.



COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) <i>Ira Davis</i>	B. Date of Delivery
C. Signature <i>Ira Davis</i>	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

RJP

DATE: September 21, 2005

TO: Bureau of Transportation & Safety

FROM: James J. McNulty, Secretary *KB*

Answers or fines were due to be filed or paid on the following cases.

To this date, no answers have been received on the following:

A-00049926C0507	Yellow Cab Co. of Pittsburgh
A-00085271C0501	Penza, A., Inc.
A-00087686C0501	Meadville Moving & Storage, Inc.
A-00095824C0501	Cole, Robert, Trucking, Inc.
A-00098496C0502	Greater Johnstown Yellow Cab
A-00098529C0501	Davis, Ira S. Storage Co., Inc.
A-00099886C0501	Kissel, Patrick A.
A-00100411C0501	Jadon Trucking, Inc.
A-00100664C0502	Model Management Services, Inc.
A-00101371C0501	Danella Transportation
A-00104762C0501	Transcor, Inc.
A-00105377C0501	Delaware Valley Express, Inc.
A-00105619C0501	Campo's Express & Leasing, Inc.
A-00106301C0501	Courteous Rental, Inc.

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