

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: KEYSER	:	7. DATE FILED: 12/12/02
8. DOCKET NO: A-00111789C0201	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU

RESPONDENT/APPLICANT: ECK MILLER TRANSPORTATION CORP.

COMP/APP COUNTY: UTILITY CODE: 701043

ALLEGATION OR SUBJECT

TAS COMPLAINT VS. ECK MILLER TRANSPORTATION CORP. FOR OUTSTANDING ASSESSMENT OF \$73.

DOCUMENT
 FOLDER
DOCKETED
 DEC 17 2002

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

2002 DEC 12 AM 11:59

PA. PUC
SECRETARY'S BUREAU

DOCKET NO. A-00111789C02 O\

v.

Eck Miller Transportation Corp.

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 Eck Miller Transportation Corp., respondent, maintains its principal place of business at 2827 West State Road 66, Rockport, IN 47635.
2. That respondent was issued a certificate of public convenience by this Commission on April 25, 1995, at Docket No. A-00111789.
3. That, on August 17, 2001, respondent was sent an initial assessment of \$73. Respondent failed to pay this assessment; therefore, a balance was due in the amount of \$73.
4. That respondent has an outstanding assessment of \$73.
5. That respondent failed to file objections to the assessment, pursuant to 66 Pa. C.S. §510(c).
6. That respondent, by failing to pay the assessment, violated the Public Utility Code at 66 Pa. C.S. §510(c).

WHEREFORE, unless respondent pays the overdue assessment in full within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience issued to respondent, (2) directs the Pennsylvania Department of Transportation to revoke the motor vehicle registration(s) issued to respondent, (3) notifies the Pennsylvania Department of Revenue that respondent's Certificate of Public Convenience has been revoked, (4) notifies respondent's insurance carrier that respondent's Certificate of Public Convenience has been revoked and (5) imposes an additional fine on the respondent.

DOCUMENT
FOLDER

Respectfully submitted,

Michael E. Hoffman
Michael E. Hoffman, Director
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

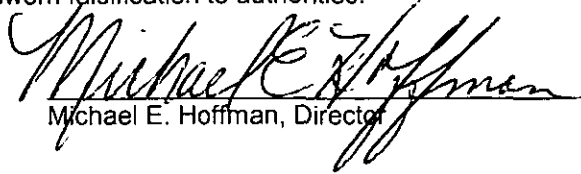
DOCKETED
DEC 17 2002

VERIFICATION

I, Michael E. Hoffman, 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:

12/9/02


Michael E. Hoffman, Director

NOTICE

A. You must file an answer within twenty 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). 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 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 days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa. C.S. §3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by paying your outstanding assessment within twenty (20) days. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Administrative Services, Attention Steve Reed
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue a Secretarial Letter imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

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 penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Bureau of Audits at (717) 783-6190.

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

Date of Service: DECEMBER 18, 2002
Docket Number: A-00111789C0201

ECK MILLER TRANSPORTATION CORP.
2827 WEST STATE ROAD 66
ROCKPORT IN 47635

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
ECK MILLER TRANSPORTATION CORP.

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,

DOCUMENT
FOLDER DOCKETED
DEC 17 2002
James J. McNulty
Secretary

jih

2. Article Number



7106 4575 1293 1582 6057

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

A-00111789C0201
FC
Eck Miller
Transportation Corp.

C. Signature

Agent
 Addressee

X

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

Yes
 No

REQUEST FOR HAND DELIVERY BY OFFICER

DOCUMENT FOLDER

COMPLETED BY REQUESTER:

T & S USE ONLY:

Requester's Name DAWN IMES
Respondent ECK MILLER TRANSPORRTATION CORP
Street 2827 WEST STATE ROAD 66
City ROCKPORT
County
State & Zip Code IN 47635
PUC Docket No. A-00111789C0201

Date
Assignment No.
Phone No. of Respondent
Enforcement Officer
District

RECEIVED

JAN 02 2003

PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

HAND DELIVERY OF DOCUMENT REQUESTED

[X] UNDELIVERED MAIL

Please deliver the attached documents, have the respondent sign and date the bottom of this form, provide any helpful information in the comment section below and return to requester.

NOTE: If at all possible, the correct business mailing address of respondent would be appreciated.

Type of Document COMPLAINT (PLEASE ATTACH ADDRESS CHANGE FORM)

[] RETURNED CHECKS

- 1) Check # in the amount of \$ was returned.
2) Check # in the amount of \$ was returned.

Please obtain a certified check or money order to replace attached check which will be returned when proper payment is received.

Officer's Comments:

DOCKETED

JAN 02 2003

SRB

Respondent's Signature:

Date:

Officer's Signature:

Date:

COMMONWEALTH OF PENNSYLVANIA

DATE: January 22, 2003

TO: Bureau of Transportation & Safety

FROM: James J. McNulty, Secretary

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

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

A-00028367C0201 - William T. Simmons
A-00067250C0202 - Matlack, Inc.
A-00083699C0201 - Silver Line, Inc.
A-00086646C0201 - Leon D. Emanuel
A-00090110C0202 - O. H. Nicolas Trans. & Stor.
A-00091912C0201 - Holt Cargo Systems, Inc.
A-00094528C0201 - Fife Moving & Storage Co.
A-00099926C0201 - Cawley Bros. Van Lines, Inc.
A-00101707C0201 - Dubois News Distributors, Inc.
A-00102614C0201 - Lynch Bus Leasing Service, Inc.
A-00103722C0201 - Robert G. Williams
A-00103906c0202 - Smith Truck Service, Inc.
A-00104585C0201 - D & M Express, Inc.
A-00104751C0203 - Gajda Trucking Company
A-00106367C0201 - Jajes J. Lenosky
A-00106638C0201 - Professional Courier International
A-00106750C0201 - Central Pa Transportation, Inc.
A-00106769C0202 - Triangle Messenger Service, Inc.
A-00106951C0201 - Edge Transportation Company
A-00107491C0201 - Choo-Choo Trolley Corp.
A-00107680C0201 - Tranter Moving & Storage, Inc.
A-00108188C0201 - Boncosky Transportation, Inc.
A-00108906C0201 - Jim Mansell Trucking, Inc.
A-00109195c0201 - M-B Transportation, Inc.
A-00109245C0202 - Diamond Courier Service, Inc.
A-00109726C0202 - Executive Transportation Company
A-00110079C0202 - Daymark Group, Inc.
A-00110244C0201 - H. F. Hunt Trucking, Inc.
A-00110459C0201 - C & C Dailey, Inc.
A-00110526C0202 - U.S.A. Limo Service, Inc.
A-00110593C0202 - Adkins Transfer, Inc.
A-00110969C0201 - Ayers Towing Serivice, Inc.
A-00111064C0201 - Teresa L. Nacey

A-00111180C0202 - United Delivery Systems, Inc.
A-00111586C0202 - Dupont Motor Lines, Inc.
A-00111789C0201 - Eck Miller Transportation Corp.
A-00111987C0201 - Advanced Distribution System Inc.
A-00112109C0201 - Dana Transport Systems, Inc.
A-00112397C0202 - Stivason and Sons Trucking, Inc.
A-00112530C0201 - Charlotte F. Niemeyer
A-00112847C0201 - Hermann Leasing Co. of Pa., Inc.
A-00113050C0202 - Premier Delivery Service, Inc.
A-00113203C0201 - Evylin G. Jacoby
A-00113219C0201 - Wilson T. Lambert Jr., Inc.
A-00113257C0201 - S.M.C. Transportation, Inc.
A-00113854C0201 - Michael A. Walker
A-00114127C0201 - Customized Integrated System Logi
A-00114521C0201 - Danis Transportation, Inc.
A-00114701C0201 - LLT, Inc.
A-00115775c0201 - Charles M. Everwine Sr.
A-00116816C0202 - Lightning Express Transport, Inc.

JEP

DOCKETED
JAN 22 2003

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