

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: WITHERS	:	7. DATE FILED: 02/09/06
8. DOCKET NO: A-00106172C0601	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: LIEBTAG, THOMAS X.

COMP/APP COUNTY:

UTILITY CODE: 791755

ALLEGATION OR SUBJECT

FAILED TO MAINTAIN EVIDENCE OF BODILY INJURY AND PROPERTY DAMAGE LIABILITY INSURANCE.

DOCUMENT
FOLDER

DOCKETED

FEB 15 2006

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF TRANSPORTATION
AND SAFETY

V.

DOCKET NO. A-00106172C 0601

THOMAS X. LIEBTAG
T/A LEE'S MOVING AND STORAGE

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 Thomas X. Liebtag t/a Lee's Moving and Storage, respondent, maintains a principal place of business at 1154 Jericho Road, Abington, PA 19001.
2. That respondent was issued a Certificate of Public Convenience by this Commission on January 6, 1986, at Application Docket No. A-00106172.
3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.
4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa. C.S. §512, 52 Pa. Code §32.2(c), and 52 Pa. Code §32.11(a), §32.12(a) or §32.13(a).

WHEREFORE, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00106172, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel

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

DOCUMENT
FOLDER

SECRETARY'S BUREAU
PA P.U.C.

2006 FEB -9 AM 9:29

RECEIVED

DOCKETED

FEB 15 2006

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: 2-7-06

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 outcome. 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 (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty (20) days of the date of service of this Complaint. The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation & Safety
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Upon receipt of the evidence of insurance from your insurer, the Complaint proceeding shall be closed. ACORD CERTIFICATES OF INSURANCE and FAXED FORM E's and H's **ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.**

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 that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience.

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.



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

IN REPLY PLEASE
REFER TO OUR FILE

A-00106172C0601

Date of Service: February 15, 2006

THOMAS X. LIEBTAG
T/A LEE'S MOVING AND STORAGE
1154 JERICO ROAD
ABINGTON PA 19001

DOCKETED
FEB 15 2006

**DOCUMENT
FOLDER**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY**

v.

THOMAS X. LIEBTAG T/A LEE'S MOVING AND STORAGE

Dear Sir/Madam:

This is to advise that the attached complaint has been filed against you by the Prosecutory Staff of the Bureau of Transportation and Safety.

Detailed instructions on how to proceed are contained in the **NOTICE TO PLEAD**. You are advised to read them carefully.

If you have any questions, contact the complainant at the telephone number shown on the complaint.

Very truly yours,

James J. McNulty
Secretary

Attachment

ane

2. Article Number



7160 3903 9843 0835 5028

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

Thomas X. Kiebtan
T/A Lees Moving & Storage
CFC
A-0010617200601

COMPLETE THIS SECTION ON DELIVERY

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

I N T E R
O F F I C E

MEMO

February 24, 2006

Subject: Request for Closure of Insurance Complaints.

To: Wanda Zeiders, Supervisor
Document Management
Secretary's Bureau

From: James Minder, Compliance Chief
Motor Carrier Services & Enforcement
Bureau of Transportation and Safety

Since the respondent(s) listed has/have satisfied the complaint by filing acceptable evidence of insurance, please mark the record "Closed" in the following complaint proceeding(s):

<u>Complaint Number</u>	<u>Name</u>
A-00110473C0601	Balkan Express, Inc.
A-00120015C0601	JLC Trucking, Inc.
A-00106172C0601	Lee's Moving and Storage (Thomas X. Liebttag)
A-00108106C0601	Murphy's Hauling Service, Inc.

DOCUMENT
FOLDER

DOCKETED
MAR 07 2006