



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

May 23, 2013

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. Canterbury International, Inc. t/d/b/a Two Men
and a Truck
Docket No. C-2013-2329975

Dear Secretary Chiavetta:

Enclosed for filing please find an original copy of the First Amended Complaint of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission in the above-captioned proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

A handwritten signature in cursive script, reading "Steph M. Wimer".

Stephanie M. Wimer
Prosecutor
PA Attorney ID No. 207522

Counsel for the Bureau of
Investigation and Enforcement

Enclosures

cc: As per Certificate of Service

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N-O-T-I-C-E

A. You must file an Answer within 20 days of the date of service of this Amended Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Amended Complaint and Notice. *See* 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense and must include the docket number of this Amended Complaint. Your Answer must be verified and the original sent to:

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

Additionally, you must serve a copy on:

Stephanie Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

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B. If you fail to answer this Amended Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty set forth in the Complaint.

C. **You may elect not to contest this Amended Complaint by paying the civil penalty within 20 days.** Your check or money order for the civil penalty should be payable to the "Commonwealth of Pennsylvania" and should include the docket number, C-2013-2329975, on the check or money order. **The payment should be mailed to Stephanie Wimer** at the address listed above in Paragraph (A).

D. If you file an Answer which either admits or fails to deny the allegations of the Amended Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Amended Complaint.

E. If you file an Answer which contests the Amended 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 the Amended Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. *See* 52 Pa. Code §§ 1.21-1.22.

G. Alternative formats of this material are available for persons with disabilities by contacting the Pennsylvania Public Utility Commission at 717-787-5620.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. C-2013-2329975
	:	
Canterbury International, Inc. t/d/b/a	:	
Two Men and A Truck	:	

FIRST AMENDED COMPLAINT

NOW COMES the Pennsylvania Public Utility Commission's ("Commission"), Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this First Amended Complaint against Canterbury International, Inc. t/d/b/a Two Men and a Truck ("Respondent"), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Amended Complaint, I&E respectfully represents the following:

Parties and Jurisdiction

1. The Pennsylvania Public Utility Commission, with a mailing address of P.O. Box 3265, Harrisburg, PA 17105-3265, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, *et seq.*
2. Complainant is the Commission's Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities pursuant to 66 Pa.C.S. § 308.2(a)(11).
3. Complainant is represented by:

Stephanie M. Wimer
Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
717.772.8839
stwimer@pa.gov

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4. Respondent is Canterbury International, Inc. t/d/b/a Two Men and a Truck and maintains its principal place of business at 3555 Valley Drive, Pittsburgh, PA 15234, Attention: Raymond J. Coll, Vice President.
5. Respondent is a "public utility" as that term is defined at 66 Pa.C.S. §102, as it is engaged in transporting property as a common carrier in the Commonwealth of Pennsylvania for compensation.
6. The Commission issued Respondent a certificate of public convenience on or about May 3, 2005, at A-00121505, for trucking authority and on or about February 12, 2009, at A-00121505, for authority as a household goods carrier.
7. On August 14, 2012, Respondent provided a household goods in use move for Ms. Bernice Bowles, from 1634 Mill Street, Pittsburgh, PA 15221, to 424 Collins Street, Pittsburgh, PA 15206. The place of origin and the destination are approximately 3.3 miles apart.
8. The original estimate for the move was \$609 and the total cost for the move was \$802.72, which exceeded the estimate.
9. After the move, Ms. Bowles submitted a claim over the telephone for damaged property regarding a chaise sofa and a marble top table. Respondent immediately denied the claim over the phone without completing a damage claim form, and refused to pay the claim under the minimum required insurance of \$0.60 per pound per article.
10. On November 30, 2012, Enforcement Supervisor Cynthia A. Hawthorne and Enforcement Officer Ryan M. Balestra, who are duly authorized officers of the Commission, met with Respondent. During this meeting, Respondent provided the following documents: (1) the Home Moving sheet; (2) the Estimated Cost of Services; (3) the Revision to Estimate; (4) the Home Moving On-Site Estimate of Charges; (5) the Information for Shipper; and (6) the Release of Liability forms.
11. The Information for Shippers sheet was signed and dated on August 12, 2012 by the shipper. All other signed forms were dated August 14, 2012.
12. Other than the Information for Shippers sheet, Ms. Bowles was not provided any papers to sign until August 14, 2012, after the move was completed.

Violations

13. That Respondent, by failing to provide a certification that the shipper accepts or rejects the minimum coverage limits for loss or damage, violated Section

31.122(a)(5) of the Commission's regulations, 52 Pa. Code §31.122(a)(5). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$100.

14. That Respondent, by failing to obtain the signature of the carrier representative and the shipper, including the date and time the estimate was provided, violated Section 31.122(a)(8) of the Commission's regulations, 52 Pa. Code §31.122(a)(8). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$100.

15. That Respondent, by failing to file a quarterly report of the underestimate with the Commission violated Section 31.124 of the Commission's regulations, 52 Pa. Code §31.124. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$100.

16. That Respondent, by failing to file a written, itemized inventory to identify every carton and every unpackaged item shipped, including the identification number corresponding to the inventory placed on each article, violated Section 31.133(a)-(d) and (f), 52 Pa. Code §31.133(a)-(d) and (f). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$100.

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement of Pennsylvania Public Utility Commission respectfully requests that Respondent be ordered to pay a total of Four Hundred Dollars (\$400.00) for the activity described in this complaint, and that the Commission order such other remedy as it deems to be appropriate.

Respectfully submitted,



Stephanie M. Wimer
Prosecutor

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

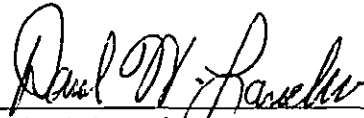
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VERIFICATION

I, David W. Loucks, Chief of Enforcement, Motor Carrier Services & Enforcement Division, 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 the Bureau will 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: May 23, 2013



David W. Loucks
Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Investigation and Enforcement
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

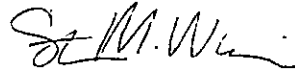
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CERTIFICATE OF SERVICE

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

Notification by First Class Mail:

Raymond J. Coll
Canterbury International, Inc.
t/d/b/a Two Men and a Truck
3555 Valley Drive
Pittsburgh, PA 15234



Stephanie M. Wimer
Prosecutor
PA Attorney ID No. 207522

Pennsylvania Public Utility Commission
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Dated: May 23, 2013

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