


PENNSYLVANIA PUBLIC UTILITY COMMISSION

Uniform Cover and Calendar Sheet

14

1. REPORT DATE: October 31, 2000	2. BUREAU AGENDA NO. OCT-2000-TSV-0011*
3. BUREAU: Transportation and Safety	
4. SECTION(S): MCS&E	5. PUBLIC MEETING DATE: October 25, 2000
6. APPROVED BY: Director: Mahan 7-2496 Supervisor: Zeigler 3-5946	 NOV 7 2000
7. PERSONS IN CHARGE: Beard 7-2616	
8. DOCKET NO.: A-00103923C0002	

9. (a) **CAPTION** (abbreviate if more than 4 lines)(b) **Short summary of history & facts, documents & briefs**(c) **Recommendation**

DOCUMENT FOLDER

(a) Pennsylvania Public Utility Commission v. Superior Moving & Storage, Inc. (Philadelphia, Philadelphia County)

(b) On July 7, 2000, the Bureau of Transportation and Safety instituted a complaint against Superior Moving & Storage, Inc. The complaint specified that, if the respondent failed to answer the complaint within twenty (20) days from the date on which it was served, then, the Bureau would be empowered to request this Commission to enter an order imposing a fine. The complaint was served on respondent on July 10, 2000; and, more than thirty (30) days later, no response has been received from respondent.

(c) The Bureau of Transportation and Safety requests that this Commission adopt an order directing that the instant complaint be sustained, that respondent be fined a total of one thousand one hundred dollars (\$1,100.00), that respondent be directed to refund the sum of one hundred thirty-seven dollars and fifty cents (\$137.50) to the shipper and that respondent cease and desist from further violations.

10. **MOTION BY:** Commissioner Chm. Quain

Commissioner Brownell - Yes

Commissioner Fitzpatrick - Yes

SECONDED: Commissioner Bloom

Commissioner

SRB

CONTENT OF MOTION: Staff recommendation adopted.



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

IN REPLY PLEASE
REFER TO OUR FILE

October 26, 2000

A-00103923C0002

SUPERIOR MOVING & STORAGE INC
C/O MRS. MARIA BRENFLECK
P O BOX 17795
PHILADELPHIA PA 19135-0795

Pennsylvania Public Utility Commission
v.
Superior Moving & Storage, Inc.
c/o Mrs. Maria Brenfleck

DOCKETED
NOV 1 2000

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on October 25, 2000 has adopted an Order in the above entitled proceeding.

An Order has been enclosed for your records.

Very truly yours,

James J. McNulty
James J. McNulty
Secretary

DOCUMENT
FOLDER

law
encls
cert. mail

SRB

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held October 25, 2000

Commissioners Present:

John M. Quain, Chairman
Robert K. Bloom, Vice-Chairman
Nora Mead Brownell
Terrance J. Fitzpatrick

DOCKETED
NOV 1 2000

Pennsylvania Public Utility Commission

A-00103923C0002

v.

Superior Moving & Storage, Inc.
C/o Mrs. Maria Brenfleck
P.O. Box 17795
Philadelphia, PA 19135-0795

ORDER DOCUMENT
FOLDER

BY THE COMMISSION:

On July 7, 2000, the Bureau of Transportation and Safety instituted a complaint against Superior Moving & Storage, Inc., respondent, alleging:

"That respondent, on April 26, 2000, transported household goods for Ms. Susan Kramer between points in Plymouth Meeting, Montgomery County, Pennsylvania for \$700.00 compensation. The correct charge for the move is \$562.50, resulting in an approximate overcharge of \$137.50.

"That on April 28, 2000, at approximately 8:30 a.m., respondent's vehicle and four of its employees arrived at 3154-B Grant Avenue, Philadelphia, Philadelphia County, Pennsylvania, to transport the household goods of Ms. Shirley Carson for compensation from that location to 2307 Afton Street, Philadelphia, Philadelphia County, Pennsylvania. Ms. Carson and respondent had agreed upon the move the previous month. However, shortly after respondent's movers arrived, they discontinued the move and left in respondent's vehicle. The movers did not return and the move was not completed. Additionally, Ms. Carson was not provided with a written estimate for the move.

"That respondent, by failing to maintain safe, adequate, efficient and reasonable service and facilities for the proper safety of its patrons and public, violated 66 Pa. C.S. §1501. The penalty is \$500.00.

"That respondent, by failing to use and complete the proper form for estimates of charges titled "Estimated Cost of Services", violated 52 Pa. Code §31.122(2). The penalty is \$100.00.

SRB

"That respondent, by charging a greater rate than that specified in the tariff on file with this Commission, violated 66 Pa. C.S. §1303. The penalty is \$500.00.

"That, pursuant to 66 Pa. C.S. §1312(a), this Commission has the power and authority to require carriers to refund the amount of any excess rates paid by any person. Consequently, we will order such a refund to be paid, in addition to the imposition of a fine."

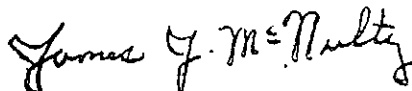
Respondent was duly notified that, if an answer was not filed within twenty (20) days of receipt of the complaint, the penalty would be imposed.

The complaint and notice were served on respondent on July 10, 2000; and, more than thirty (30) days later, no response has been received from respondent.

THEREFORE, IT IS ORDERED:

1. That the allegations in the complaint are admitted.
2. That the complaint is sustained.
3. That respondent, within twenty (20) days from the date of service of this order, pay a fine of one thousand one hundred dollars (\$1,100.00) by certified check or money order payable to the Pennsylvania Public Utility Commission at P.O. Box 3265, Harrisburg, PA 17105-3265, as provided in the Public Utility Code, 66 Pa. C.S. §§3301 and 3315.
4. Respondent is hereby directed to refund the sum of one hundred thirty-seven dollars and fifty cents (\$137.50) to Ms. Susan Kramer, 666 West Germantown Avenue, Plymouth Meeting, Pennsylvania 19462 within twenty (20) days from the date on which this order is entered. Respondent must attain an affidavit, executed by Ms. Susan Kramer, stating that such a refund has been paid. This affidavit must be filed with the Secretary of this Commission at the time the fine is paid. Upon payment of the fine and receipt by this Commission of the required affidavit, the record in this proceeding shall be "CLOSED".
5. That respondent cease and desist from further violation of the Public Utility Code, 66 Pa. C.S. §§101, et seq., and the Regulations of this Commission, 52 Pa. Code §§1.1, et seq.

BY THE COMMISSION,



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: October 25, 2000

ORDER ENTERED: **OCT 26 2000**