

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: RUDY	:	7. DATE FILED: 05/11/07
8. DOCKET NO: A-00103976C0701	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: FISCHER-HUGHES TRANSPORT, INC.

COMP/APP COUNTY: UTILITY CODE: 749290

ALLEGATION OR SUBJECT

TAS COMPLAINT VS. FISCHER-HUGHES TRANSPORT, INC. FOR VARIOUS VIOLATIONS.

DOCUMENT
FOLDER

DOCKETED
JUN 13 2007

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF TRANSPORTATION
AND SAFETY

v.

FISCHER-HUGHES TRANSPORT INC
450 N BROAD STREET
DOYLESTOWN PA 18901

DOCKET NO. A-00103976C 0701

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 Fischer-Hughes Transport, Inc., respondent, maintains its principal place of business at 450 N. Broad Street, Doylestown, PA 18901.

2. That respondent was issued a certificate of public convenience by this Commission on March 2, 1983, at Application Docket No. A-00103976.

3. On August 2, 2006, respondent provided an estimate of \$2,962.65 for Sophia Moskalenko for a move from Philadelphia, PA to Huntingdon Valley, PA, to be held on September 28-29, 2006. The actual price charged to Ms. Moskalenko was \$3,252.37. On the day of the move, the movers advised Ms. Moskalenko that the time allotted for the move would not be enough time because the freight elevator was too small. The estimate was based on the size of the elevator by respondent's sales representative. Complainant left the house to pick up her daughter at day care. When she returned she discovered unpacked cabinets in the kitchen and on the second floor. Respondent sent an apology and a refund check in the amount of \$580.00 to complainant to compensate her for the additional time charged and for unpacked items which were packed by the complainant.

4. That the respondent, in performing the act described in paragraph 3, did not use the proper form for Estimates Costs of Service and failed to provide the shipper with the Information for Shippers Statement prior to September 28, 2006.

5. That respondent, by failing to furnish the complainant with an "Information for Shippers" statement prior to the preparation of an order for service, violated 52 Pa. Code §31.121(a). Penalty is \$250.00.

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

OVERNIGHT DELIVERIES

2007 MAY 11 11:11 AM

05 05 07

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FOLDER

DOCKETED
JUN 13 2007

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Fischer-Hughes Transport, Inc., the sum of three hundred fifty dollars (\$350.00) 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

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, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, 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 that the Bureau will be able to prove 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: 5-9-07

Wendy J. Keezel

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement Division
Bureau of Transportation and Safety

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. The penalty could include *a fine, the suspension or revocation of your certificate of public convenience or other remedy.*

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 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.

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) 787-1227.

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

Date of Service: JUNE 13, 2007
Docket Number: A-00103976C0701

FISCHER-HUGHES TRANSPORT, INC.
450 NORTH BROAD STREET
DOYLESTOWN PA 18901

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
FISCHER-HUGHES TRANSPORT, 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.

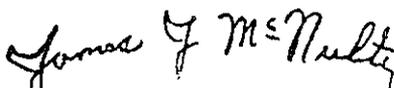
Pursuant to this delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff has filed the attached complaint against you.

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,

DOCUMENT
FOLDER


James J. McNulty
Secretary

DOCKETED
JUN 13 2007

jih

2. Article Number



7160 3901 9843 1962 2256

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

A-00103976C0701
FC
FISCHER-HUGHES TRANSPORT, INC.

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Mike Cosgrove

C. Signature

X *Mike Cosgrove*

Agent
 Addressee

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

Yes
 No

RP

PS

Domestic Return Receipt

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

DATE: 7/2/2007
RECEIPT NO: 183928

HUGHES RELOCATION SERVICES, INC.
6120A EASTON RD.
PIPERSVILLE PA 18947

PUC VS. HUGHES RELOCATION SERVICES, INC.

Fine for the violation of Pa Public Utility Law

Docket Number A-00103976C0701..... \$350.00

REVENUE ACCOUNT: 001420-017000-101

CHECK NUMBER: 048273
CHECK AMOUNT: \$350.00

Michael Sobolesky
(for Department of Revenue)

**DOCUMENT
FOLDER**

DOCKETED
JUL 03 2007

RJP