

November 21, 2013

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

RE: Pennsylvania Public Utility Commission vs
Wheat Services, Inc. A-6411161
DOCKET: C-2013-2384420

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NOV 22 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Dear Secretary Chiavetta:

My name is Jack Lippart, owner of Wheat Services, Inc., which is a paratransit service located in Delaware County. I am writing to contest the "VEHICLE INSPECTION BUREAU COMPLAINT FORM" identified under DOCKET: C-2013-2384420 filed by Officer J. Ballard #31.

The contest is based upon:

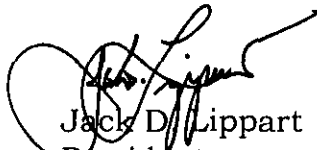
1. During the normal course of business by performing a driver motor vehicle license status check up, Wheat Services, Inc. discovered on July 22, 2013 that an employee (Treavor Clonts) performing the responsibilities of driver was under suspension by the Pennsylvania Department of Motor Vehicle. (Attachment A)
2. Upon becoming aware of the suspension, the driver was immediately removed from the position of driver and reassigned to a non-driving position. (Attachment B)
3. The employee was notified of the suspension and advised that he was to either correct the suspension or remain in the non-driving position.
4. The employee provided documentation on July 23, 2013 that he corrected the reason for suspension and his driving privileges were being restored. (Attachment C)
5. The employee provided documentation on July 24, 2013 that his privileges were restored. (Attachment D)
6. Within less than 72 hours, the employee had his driving privileges restored.

7. During the annual inspection, conducted on August 16, 2013 Ofcr. J. Ballard and Wheat Company Supervisor Robert Barth, full compliance for records was completed in a timely, respectful and cooperative manner.
8. The discovery made by Ofcr. J. Ballard of the driver (Treavor Clonts) being under suspension came one month after my Company became aware of the suspension and full driving privileges restored.

It is because of the pro-active manner and measures exercised by my Company that I contest the fine imposed. Please accept my sincerest request that the positive efforts and results related to this matter afford the opportunity to have the fine revoked.

Thank you for your consideration.

Sincerely yours,



Jack D. Lippart
President

CC: Wayne T. Scott, Prosecutor PA PUC
David W. Loucks, Chief MCE PA PUC
J. Ballard, Officer #31 MCE
File

[WHEAT - PUC - TREVOR CLONTS - CONTEST FINE 11.21.2013]

ATTACHMENT A

Robert J. Barth

From: "Loretta M. Bruce" <lmbruce@carmanngroup.net>
To: <RBarth@wheatservices.com>
Sent: Monday, July 22, 2013 2:57 PM
Subject: MVR: Trevor Clonts
Bob,

We ran the Motor Vehicle Record's for all drivers for the upcoming auto policy renewal. However, there is one driver that requires your attention. The above captioned driver has an expired/suspended driver's license. Please review with your employee and remove the employee from driving company vehicles or personal vehicle on company business.

Kindly advise if you have any questions regarding this matter.

Sincerely,

Loretta M. Bruce
Commercial Account Manager
The Carman Corporation
940 W Sproul Road Ste 103
Springfield, PA 19064
Phone: 610-328-7555 ext 27
Fax: 610-328-7557

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SECRETARY'S BUREAU

11/18/2013

Jack Lippart

ATTACHMENT B

From: Robert J. Barth [RBarth@wheatservices.com]
Sent: Monday, November 18, 2013 9:22 AM
To: Jack Lippart
Subject: PUC COMPLAINT FOR TREVOR CLONTS
Attachments: TREVOR CLONTS MVR 06-21-13.pdf; TREVOR CLONTS MVR FILE.PDF

Jack,

I have attached the file I presented to th PUC officer (Joseph Ballard) for the inspection that was done in the month of August 2013. When he went into his search he went into the MVR system on the state's computer and Trevor Clonts came back as having a suspended license.

We had been notified by Loretta Bruce on July 22,2013 that Trevor Clonts MVR came back as being suspended. This was on July 22, 2013. We immediately took Trevor off the road as a driver and made him an aide until he could clear his record. Trevor went to the DMV and they presented him with paperwork that show his case was closed on 3/16/2012.

I gave that paperwork to the officer but he did not use it but used what was on the MVR system in the state's system.

I have attached all copies of the paper work.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Magisterial District Judge 32-1-32

DOCKET

Docket Number: MJ-32132-TR-0001589-2010

Traffic Docket



Commonwealth of Pennsylvania

v.

Trevor J Clonts

Page 1 of 2

CASE INFORMATION

<u>Judge Assigned:</u>	Andrea B. Puppio	<u>Issue Date:</u>	09/12/2010
<u>OTN:</u>		<u>File Date:</u>	09/20/2010
<u>Arresting Agency:</u>	Morton Police Dept	<u>Arrest Date:</u>	
<u>Citation #:</u>	B7728277-4	<u>Disposition:</u>	Guilty Plea
<u>County:</u>	Delaware	<u>Disposition Date:</u>	03/16/2012
<u>Township:</u>	Morton Borough	<u>Case Status:</u>	Closed

STATUS INFORMATION

<u>Case Status</u>	<u>Status Date</u>	<u>Processing Status</u>
Closed	03/16/2012	Completed
	03/16/2012	Completed
	03/16/2012	Case Disposed/Penalty Imposed
	03/16/2012	Awaiting Sentencing
	03/16/2012	Case Balance Due
	09/20/2010	Awaiting Plea

DEFENDANT INFORMATION

<u>Name:</u>	Clonts, Trevor J	<u>Sex:</u>	Male
<u>Date of Birth:</u>	02/26/1984	<u>Race:</u>	
<u>Address(es):</u>			
<u>Other</u>			
Norwood, PA 19074			

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CASE PARTICIPANTS

<u>Participant Type</u>	<u>Participant Name</u>
Defendant	Clonts, Trevor J
Arresting Officer	Dunn, George R

CHARGES

<u># Charge</u>	<u>Grade</u>	<u>Description</u>	<u>Offense Dt.</u>	<u>Disposition</u>
1 75 § 3111 §§ A	S	Obedience to Traffic-Control Devices	09/12/2010	Guilty Plea

DISPOSITION / SENTENCING DETAILS

<u>Case Disposition</u>	<u>Disposition Date</u>	<u>Was Defendant Present?</u>
Guilty Plea	03/16/2012	Yes
<u>Offense Seq./Description</u>	<u>Offense Disposition</u>	
1 Obedience to Traffic-Control Devices	Guilty Plea	

Magisterial District Judge 32-1-32

DOCKET

Docket Number: MJ-32132-TR-0001589-2010

Traffic Docket



Commonwealth of Pennsylvania

v.

Trevor J Clonts

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DOCKET ENTRY INFORMATION

Filed Date	Entry	Filer	Applies To
03/16/2012	Guilty Plea	Andrea B. Puppio	Trevor J Clonts, Defendant
10/27/2010	Certified Summons Rejected	Magisterial District Court 32-1-32	Trevor J Clonts, Defendant
10/08/2010	Summons Issued	Magisterial District Court 32-1-32	Trevor J Clonts, Defendant
10/08/2010	Certified Summons Issued	Magisterial District Court 32-1-32	Trevor J Clonts, Defendant
09/20/2010	Traffic Citation Filed	Magisterial District Court 32-1-32	Trevor J Clonts, Defendant

CASE FINANCIAL INFORMATION

Case Balance: \$ 0.00 Next Payment Amt:
 Last Payment Amt: Next Payment Due Dt:

Assessment Type	Assessment Amt	Adjustment Amt	Non-Monetary Payment Amt	Payment Amt	Balance
Emergency Medical Services (Act 45 of 1985)	\$10.00	\$0.00	\$0.00	(\$10.00)	\$0.00
Title 75, Motor Vehicle (Motor License Fund)	\$25.00	\$0.00	\$0.00	(\$25.00)	\$0.00
CAT/MCARE/General Fund	\$30.00	\$0.00	\$0.00	(\$30.00)	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$7.65	\$0.00	\$0.00	(\$7.65)	\$0.00
County Court Cost (Act 204 of 1976)	\$19.20	\$0.00	\$0.00	(\$19.20)	\$0.00
Judicial Computer Project	\$8.00	\$0.00	\$0.00	(\$8.00)	\$0.00
State Court Costs (Act 204 of 1976)	\$7.65	\$0.00	\$0.00	(\$7.65)	\$0.00
ATJ	\$2.00	\$0.00	\$0.00	(\$2.00)	\$0.00
Postage - Case	\$5.54	\$0.00	\$0.00	(\$5.54)	\$0.00
Miscellaneous Issuances	\$15.50	\$0.00	\$0.00	(\$15.50)	\$0.00
Server Fee	\$27.50	\$0.00	\$0.00	(\$27.50)	\$0.00
Constable Education Training Act (Act 44 of 1991)	\$5.00	\$0.00	\$0.00	(\$5.00)	\$0.00

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Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assumes any liability for inaccurate or delayed data, errors or omissions on these docket sheets. Docket sheet information should not be used in place of a criminal history background check, which can only be provided by the Pennsylvania State Police. Employers who do not comply with the provisions of the Criminal History Record Information Act (18 Pa.C.S. Section 9101 et seq.) may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF DELAWARE



DL-38 Receipt of Response

Mag. Dist. No:	MDJ-32-1-32
MDJ Name:	Honorable Andrea B. Puppio
Address:	56 Powell Road Springfield, PA 19064
Telephone:	610-543-2366

Trevor J Clonts
42 W. Winona Ave.
Norwood, PA 19074

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Commonwealth of Pennsylvania
v.
Trevor J Clonts

Docket No: MJ-32132-TR-0001589-2010
Issued Dt: 03/16/2012

RECEIPT OF RESPONSE TO CITATION/SUMMONS

DATE OF RESPONSE
03/16/2012

CITATION NO. B7728277-4	DATE OF VIOLATION 09/12/2010	LOCATION OF VIOLATION WOODLAND/SCHOOL	CHARGE, SECTION AND SUBSECTION VIOLATED 75 § 3111 §§ A	
DRIVERS LICENSE NUMBER 27389107	CDL <input type="checkbox"/>	STATE PA	DATE OF BIRTH 02/26/1984	
LAST NAME Clonts	FIRST NAME Trevor	MI J	SEX Male	
STREET ADDRESS 42 W. Winona Ave.				
CITY Norwood	STATE PA	ZIP CODE 19074		
REGISTRATION NO. HCR9313	STATE PA	REG. YEAR 2010	MAKE Nissan	VEHICLE TYPE
OFFENSE OCCURED WHILE DRIVING/TRANSPORTING <input type="checkbox"/> HAZARDOUS MATERIALS <input type="checkbox"/> COMMERCIAL VEHICLE				

July 23, 2013
Date

Andrea Puppio

Magisterial District Judge Andrea B. Puppio



This RECEIPT DOES NOT AUTHORIZE YOU TO DRIVE. If you are currently under suspension you are not permitted to drive until you are notified by PennDOT or the state in which you are licensed, that your driving privilege has been restored. In addition, if you respond to the citation/summons on or after the effective date of your suspension, you will be required to pay a restoration fee.

NOTE: Please be aware that payment of fines and costs for motor vehicle violation is a plea of guilty and may result in additional action by PennDOT, or the state in which you are licensed. Depending on the type of violation, points may be assigned or an additional suspension may be imposed. If you are an out of state resident, all convictions will be reported to your home state. If you do not know the status of your PA driving privilege or require further assistance, please contact one of the numbers listed during the hours of 7:00 a.m. until 9:00 p.m.

In-state 1-800-932-4600
Out-of-state 717-391-6190

TDD In-state 1-800-228-0676
TDD Out-state 717-391-6191

Electronically Transmitted: 03/16/2012 2:25:52 pm

For information on driver's license restoration requirements, visit www.dmv.state.pa.us. You can make case payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <http://ujportal.pacourts.us> to make a payment.

ATTACHMENT D-1



pennsylvania
DEPARTMENT OF TRANSPORTATION

**PENNSYLVANIA DEPARTMENT OF TRANSPORTATION
BUREAU OF DRIVER LICENSING**

FULL DRIVER RECORD
JUL 24 2013

DRIVER:
TREVOR J CLONTS
400 GORSUCH ST
FOLSOM , PA 19033

DRIVER'S LICENSE NO: 27389107
DATE OF BIRTH: FEB 26 1984
SEX: MALE
RECORD TYPE: REG LIC/ID

DRIVER LICENSE (DL)

LICENSE CLASS: C
LICENSE ISSUE DATE: FEB 16 2010
LICENSE EXPIRES: FEB 27 2014
ORIG ISSUE DATE: MAY 23 2002
MED RESTRICTIONS: NONE
LEARNER PERMITS:
LICENSE STATUS: VALID
CDL MED SELF CERT:

COMMERCIAL DRIVER LICENSE (CDL)

CDL LICENSE CLASS:
CDL LICENSE ISSUED:
CDL LICENSE EXPIRES:
CDL ENDORSEMENTS: NONE
CDL RESTRICTIONS: NONE
CDL LEARNER PERMITS:
CDL LICENSE STATUS:
CDL LIC DOWNGRADED:
SB ENDORSEMENT:

OCCUPATIONAL LIMITED LICENSE (OLL)

OLL LICENSE CLASS:
OLL LICENSE ISSUED:
OLL LICENSE EXPIRES:
OLL LICENSE STATUS:

PROBATIONARY LICENSE (PL)

PL LICENSE CLASS:
PL LICENSE ORIG ISS:
PL LICENSE ISSUED:
PL LICENSE EXPIRES:
PL LICENSE STATUS:

MEDICAL CERTIFICATE (MC)

MC STATUS:
MC RESTRICTIONS: NONE
MC ISSUED:
MC EXPIRES:

MEDICAL EXAMINER (ME)

ME NAME:
ME TELEPHONE:
ME REGISTRY NO:
ME LICENSE NO:
ME SPECIALITY CODE:
ME LICENSING JURISDICTION
CODE:

SKILL PERFORMANCE EVALUATION (SPE)

SPE EFFECTIVE:
SPE EXPIRES:

WAVIER/EXEMPT (W/E)

W/E EFFECTIVE:
W/E EXPIRES:

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

REPORT OF VIOLATIONS AND DEPARTMENTAL ACTIONS

VIOLATION DATE: FEB 07 2003
VIOLATION: VEHICLE CODE: 3323B
DESCRIPTION: STOP SIGN VIOLATION
CONVICTION DATE: MAR 04 2003
ACTION: ASSIGNED POINTS

VIOLATION DATE: OCT 29 2002
VIOLATION: VEHICLE CODE: 1533A
DESCRIPTION: FAILURE TO RESPOND
ACTION: SUSPENSION EFFECTIVE APR 30 2003
OFFICIAL NOTICE MAILED APR 09 2003

VIOLATION DATE: MAY 03 2003
VIOLATION: CRIMES CODE: 6308
DESCRIPTION: UNDERAGE ALCOHOL OFFENSE
CONVICTION DATE: OCT 17 2003
ACTION: SUSPENSION FOR 90 DAY(S) EFFECTIVE NOV 19 2003
OFFICIAL NOTICE MAILED NOV 19 2003

VIOLATION DATE: OCT 29 2002
VIOLATION: VEHICLE CODE: 1533D
DESCRIPTION: FAIL TO RESPOND
ACTION: SUSPENSION EFFECTIVE MAR 18 2004
OFFICIAL NOTICE MAILED MAR 18 2004

VIOLATION DATE: AUG 17 2004
VIOLATION: VEHICLE CODE: 1543A
DESCRIPTION: DRIVING WHILE SUSP/REVOKE
CONVICTION DATE: AUG 31 2004
ACTION: SUSPENSION FOR 1 YEAR(S) EFFECTIVE SEP 09 2004
OFFICIAL NOTICE MAILED SEP 09 2004

ACTION: RESTORATION OF OPERATING PRIVILEGES DEC 15 2005

VIOLATION DATE: MAY 05 2007
VIOLATION: VEHICLE CODE: 1533A
DESCRIPTION: FAILURE TO RESPOND
UNDERLYING OFFENSE: 3362 , EXCEEDING MAXIMUM SPEED

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT D-3

COMM VEHICLE: NO HAZMAT: NO CDL HOLDER: NO
ACTION: SUSPENSION EFFECTIVE JUL 30 2007
OFFICIAL NOTICE MAILED JUL 09 2007

VIOLATION DATE: JUL 13 2007
VIOLATION: VEHICLE CODE: 1533A
DESCRIPTION: FAILURE TO RESPOND
UNDERLYING OFFENSE: 3362 , EXCEEDING MAXIMUM SPEED

COMM VEHICLE: NO HAZMAT: NO CDL HOLDER: NO
ACTION: SUSPENSION EFFECTIVE SEP 04 2007
OFFICIAL NOTICE MAILED SEP 04 2007

VIOLATION DATE: MAY 05 2007
VIOLATION: VEHICLE CODE: 3362
DESCRIPTION: EXCEEDING MAXIMUM SPEED
077 MPH IN A 055 MPH ZONE

COMM VEHICLE: NO HAZMAT: NO CDL HOLDER: NO
CONVICTION DATE: JUL 24 2008
ACTION: SUSPENSION FOR 20 DAY(S) EFFECTIVE AUG 01 2008
OFFICIAL NOTICE MAILED AUG 01 2008

ACTION: RESTORATION OF OPERATING PRIVILEGES MAR 28 2009

VIOLATION DATE: SEP 12 2010
VIOLATION: VEHICLE CODE: 1533A
DESCRIPTION: FAILURE TO RESPOND
UNDERLYING OFFENSE: 3111 , TRAFFIC-CNTROL VIOL

COMM VEHICLE: NO HAZMAT: NO CDL HOLDER: NO
ACTION: SUSPENSION EFFECTIVE NOV 15 2010
OFFICIAL NOTICE MAILED OCT 25 2010

COURT INFO: 32132 CITATION NO: B77282774
PHONE NO: (610)543-2366

ACTION: RESTORATION OF OPERATING PRIVILEGES JUL 23 2013

REPORT OF MEDICALS AND DEPARTMENTAL ACTIONS

NO MEDICALS OR DEPARTMENTAL ACTIONS DURING THIS REPORTING PERIOD

REPORT OF ACCIDENTS AND DEPARTMENTAL ACTIONS

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ATTACHMENT D.4

NO ACCIDENTS DURING THIS REPORTING PERIOD

*** END OF RECORD ***

WID #: 132052600037912
PROCESSED: 07/24/2013 1:58 PM

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Wheat Services, Inc.
P. O. Box 5
Prospect Park, PA 19076

UNITED STATES POSTAL SERVICE®


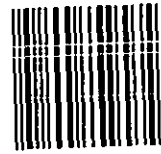
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NOV 22, 13
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From Wheat Services, Inc.
P. O. Box 5
Prospect Park, PA 19076

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

Label 228, January 2008