

LAW OFFICES  
**WICK, STREIFF, MEYER, O'BOYLE & SZELIGO, P.C.**

1450 TWO CHATHAM CENTER  
112 WASHINGTON PLACE  
PITTSBURGH, PA 15219-3455  
412-765-1600

CHARLES J. STREIFF  
DAVID M. O'BOYLE  
VINCENT P. SZELIGO

FACSIMILE  
412-261-3783  
E-MAIL  
wsmos@wsmoslaw.com

HENRY M. WICK, JR.  
(1921 - 2007)  
CARL F. MEYER  
(1929 - 2009)

April 14, 2014

Re: Application of 1-800-PACK-RAT, LLC  
Docket No. A-2013-2398393  
Our File 6894

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

Dear Secretary Chiavetta:

We represent Applicant, 1-800-PACK-RAT, LLC, in connection with the above captioned household goods in use application, which requests operating rights to provide service between points in Pennsylvania. After further consideration, our client has decided not to prosecute the application. Accordingly, we are enclosing a Petition for Leave to Withdraw Application. As indicated in the Petition, I have contacted all of the Protestants or their counsel in this proceeding, and none of the Protestants have any objection to our client withdrawing the application.

The Initial Hearing in this case is scheduled for April 30, 2014, and we request that the Initial Hearing be cancelled.

As indicated in the Certificate of Service attached to the Petition, a copy of the Petition has been served upon all parties of record in this proceeding.

RECEIVED  
2014 APR 16 AM 10:25  
PA.P.U.C.  
SECRETARY'S BUREAU

WICK, STREIFF, MEYER, O'BOYLE & SZELIGO, P.C.

Rosemary Chiavetta, Secretary

April 14, 2014

Page 2

Please acknowledge receipt and filing by date-stamping the enclosed duplicate copy of this transmittal letter and return it to the undersigned in the self-addressed, stamped envelope which is provided. Thank you for your cooperation and assistance in this matter.

Very truly yours,

WICK, STREIFF, MEYER,  
O'BOYLE & SZELIGO, P.C.



David M. O'Boyle

DOB/rms

Enclosures

cc: Honorable Mark A. Hoyer, ALJ (w/encl.)

William A. Gray, Esq. (w/encl.)

William H. R. Casey, Esq. (w/encl.)

Mr. Robert A. Shively (w/encl.)

Starck Van Lines, Inc. (w/encl.)

Mr. R. Jack McKernan (w/encl.)

1-800-PACK-RAT, LLC (w/encl.)

Before The  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

---

DOCKET NO. A-2013-2398393

1-800-PACK-RAT, LLC

---

RECEIVED  
2014 APR 16 AM 10:25  
PA.P.U.C.  
SECRETARY'S BUREAU

PETITION FOR LEAVE TO WITHDRAW APPLICATION

AND NOW, comes 1-800-PACK-RAT, LLC (“Applicant”), by and through its counsel, and, pursuant to the Commission’s regulations at 52 Pa. Code §5.94(a), files this Petition For Leave To Withdraw Application and, in support thereof, states as follows:

1. On or about November 26, 2013, Applicant, pro se, filed an application for the right to transport household goods in use, between points in Pennsylvania (“Application”).
2. Notice of the Application was published in the Pennsylvania Bulletin on January 25, 2014.
3. Protests in opposition to the application were due on February 10, 2014, and protests were filed on behalf of 18 carriers, whose names are set forth in Exhibit “A” attached hereto and incorporated herein.
4. By letter dated February 25, 2014, the undersigned counsel filed with the Pennsylvania Public Utility Commission (“Commission”) a Notice of Appearance on behalf of Applicant in this proceeding.
5. By notice dated March 11, 2014, the Commission assigned Administrative Law Judge

Mark A. Hoyer to preside over this proceeding and scheduled the Initial Hearing for April 30, 2014.

6. Administrative Law Judge Mark A. Hoyer issued a Prehearing Order, dated March 12, 2014.

7. After further consideration and consultation with counsel, Applicant has decided not to proceed with prosecution of the Application for various reasons including, but not limited to, the following:

A. There would be considerable amount of time and expense involved in securing the testimony from supporting public witnesses for Applicant to meet its burden of proof to obtain a grant of authority to provide service between all points in Pennsylvania, and Applicant is not in a position to proceed with presentation of its evidence at the Initial Hearing on April 30, 2014.

B. There would most likely be at least several days of hearing required to present Applicant's case-in-chief and also several days of hearing for the testimony of the 18 protestants to be introduced at the oral hearings, and this would involve a considerable amount of time and expense for Applicant, which expense Applicant is not interested in incurring at this time.

8. Applicant's counsel has contacted the protestants or their counsel in this proceeding, and none of the protestants have any objection to the withdrawal of Applicant's Application.

9. Applicant submits that granting this Petition is in the public interest since the Commission has no interest in requiring Applicant to continue prosecuting this Application when Applicant has indicated that it has no desire to continue to proceed with the Application in view of all the circumstances.

10. Applicant submits that approval of this Petition will benefit the public in that it will terminate the contested proceeding and save the parties and the Commission the costs and time in prosecuting this matter to conclusion.

11. Applicant requests that the Initial Hearing be cancelled, and that the Commission's file on this Application case be marked closed.

12. Applicant requests that it be granted permission to withdraw its Application without prejudice so that Applicant will retain the right to file an application at any time in the future requesting authority to provide service in transporting household goods in use in all or any portion of the application territory.

WHEREFORE, Applicant, 1-800-PACK-RAT, LLC, submits that good cause exists to grant this Petition for Leave to Withdraw Application and, accordingly, Applicant respectfully requests that the Commission grants this Petition.

Respectfully submitted,

WICK, STREIFF, MEYER,  
O'BOYLE & SZELIGO, P.C.

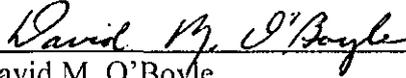
  
\_\_\_\_\_  
David M. O'Boyle  
1450 Two Chatham Center  
112 Washington Place  
Pittsburgh, PA 15219-3455  
Phone: (412) 765-1600  
Fax: (412) 261-3783  
Email: [doboyle@wsmoslaw.com](mailto:doboyle@wsmoslaw.com)

EXHIBIT "A"

List of Protestants

1. South Hills Movers, Inc.
2. Weleski Transfer, Inc.
3. Lytle's Transfer & Storage, Inc.
4. Hoy Transfer, Inc.
5. Adam Meyer, Inc.
6. Advance Transportation Co., Inc.
7. Clemmer Moving & Storage, Inc.
8. Hughes Relocation Services, Inc.
9. Fischer-Hughes of Allentown, Inc.
10. Frick Transfer, Inc.
11. Glose Moving & Storage Inc. d/b/a O'Brien's Moving & Storage, Inc.
12. Charles Groff & Sons Inc.
13. Keller Moving & Storage, Inc.
14. Reads Van Service, Inc.
15. Jack Trier, Inc.
16. McNaughton Bros., Inc.
17. Starck Van Lines Inc.
18. Keystone Relocation LLC

RECEIVED  
2014 APR 16 AM 10:26  
PA.P.U.C.  
SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

The undersigned, hereby certifies that the foregoing Petition For Leave To Withdraw Application was served this date, by U.S. mail, postage prepaid, upon the following parties of record:

William A. Gray, Esquire  
Vuono & Gray, LLC  
310 Grant Street, Suite 2310  
Pittsburgh, PA 15219-2383

William H. R. Casey, Esquire  
99 East Court Street  
Doylestown, PA 18901

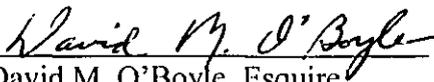
Mr. Robert A. Shively  
McNaughton Bros., Inc.  
140 Old Route 119 Highway South  
P.O. Box 57  
Indiana, PA 15701

Starck Van Lines, Inc.  
12 Starck Drive  
Burgettstown, PA 15021

Mr. R. Jack McKernan  
Keystone Relocation, LLC  
2929 Steward Drive  
Suite 103  
Williamsport, PA 17701

RECEIVED  
2014 APR 16 AM 10:26  
PA.P.U.C.  
SECRETARY'S BUREAU

Date: April 14, 2014

  
David M. O'Boyle, Esquire  
Counsel for Applicant,  
1-800-PACK-RAT, LLC

LAW OFFICES  
WICK, STREIFF, MEYER, O'BOYLE & SZELIGO, P.C.

1450 TWO CHATHAM CENTER  
PITTSBURGH, PA 15219-3455

neopost<sup>®</sup>

04/14/2014

US POSTAGE

FIRST-CLASS MAIL

\$00.69<sup>00</sup>



ZIP 15219  
041L10227828

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