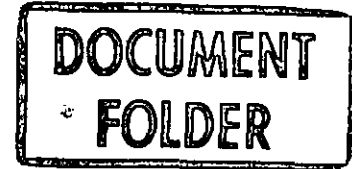


PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held May 26, 1988

Commissioners Present:

Bill Shane, Chairman
William H. Smith, Vice-Chairman
Linda C. Taliaferro
Joseph Rhodes, Jr., abstaining
Frank Fischl



Pennsylvania Public Utility Commission

A-00093048C881

v.

Harold E. Trego, Inc.
Box 204
Lionville, PA 19353

ORDER TO SHOW CAUSE

BY THE COMMISSION:

This Commission, as the duly constituted agency of the Commonwealth of Pennsylvania, empowered to regulate common carriers within this Commonwealth, represents as follows:

1. That Harold E. Trego, Inc., respondent, maintains its principal place of business at Box 204, Lionville, PA 19353.
2. Respondent holds a certificate of public convenience issued by this Commission at Application Docket No. A-00093048.
3. Respondent is required by the Public Utility Code, 66 Pa. C.S. §504, and by the regulations of the Commission, 52 Pa. Code §29.42, or §31.9, to file an Annual Report with the Commission for each calendar year. The Annual Report must be filed with the Commission no later than March 31 of succeeding calendar year, unless an extension of time for filing has been granted by the Commission.
4. Respondent is required by the Public Utility Code, 66 Pa. C.S. §510(b), and by the regulations of the Commission, 52 Pa. Code §29.43 or §31.10, to file with the Commission on or before March 31 of each year, an Assessment Report, consisting of a statement, under oath, showing its gross intrastate operating revenues for the preceding calendar year.
5. As of the date of this order to show cause, which is after March 31, 1988, respondent has not filed either its Annual Report for 1987 or its Assessment Report for 1987 revenues.

6. By failing to file its Assessment Report for 1987, respondent is in violation of 52 Pa. Code §29.42(d) or §31.9(f).

7. By failing to file its Assessment Report for 1987 revenues, respondent is in violation of 66 Pa. C.S. §510(b), and 52 Pa. Code §29.43 or §31.10; THEREFORE;

IT IS ORDERED:

1. That respondent show cause why the certificate of public convenience at Application Docket No. A-00093048 should not be revoked for failure to file respondent's Annual Report for 1987 and Assessment Report for 1987 revenues.

2. That respondent has twenty (20) days from the date on which this order is served to file with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17120, an answer, in writing, under oath, which, as required by the Rules of Administrative Practice and Procedure, 52 Pa. Code §5.64, either affirms or specifically denies the allegations in this order.

3. That in lieu of an answer to this order, respondent may file both its Annual Report for 1987 and its Assessment Report for 1987 revenues within the time specified for filing an answer to this order. If the respondent so files both its Annual and Assessment Reports for 1987, the time for filing the Annual Report will be extended to the date upon which an answer is due, thereby mitigating the fine set forth in 52 Pa. Code §29.42(d), or §31.9(f), and this Order will be discharged without further proceedings.

4. That if respondent fails to file an answer or other responsive pleading, and if respondent also fails to file either its Annual Report for 1987 or its Assessment Report for 1987 revenues within twenty (20) days, respondent will be deemed to have admitted all the allegations in this Order, in accordance with the Rules of Administrative Practice and Procedure, 52 Pa. Code §5.64. In that event, this Commission may, without hearing, enter an appropriate order which either revokes or suspends the certificate of public convenience held by respondent, and which imposes a fine or any other appropriate penalty or forfeiture as authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

5. That if respondent files an answer which admits the allegations contained in this order, and fails to file either its Annual Report for 1987 or its Assessment Report for 1987 revenues, this Commission will enter an order which either revokes or suspends the certificate of public convenience held by respondent and which imposes a fine or any other appropriate penalty or forfeiture as authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

6. That if the respondent files a timely answer which specifically denies the allegations in this order, or which raises material questions of law or fact, and fails to file either its Annual Report for 1987 or its Assessment Report for 1987 revenues, this matter shall be referred to an Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, the respondent is found to have committed any of the violations alleged in this order, the Administrative Law Judge may render a decision which either revokes or suspends the certificate of public convenience held by respondent, and which imposes a fine or any other appropriate penalty authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

BY THE COMMISSION,



Jerry Rich
Secretary

(SEAL)

ORDER ADOPTED: May 26, 1988

ORDER ENTERED: June 13, 1988