

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Public Meeting held SEPTEMBER 1, 1988

Commissioners Present:

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

Pennsylvania Public Utility Commission

A-00106890C881

v.

LARRY J. SAUPP AND FRANK SAUPP ,COPTS
TA SAUPP'S EXCAVATING

ORDER TO SHOW CAUSE

**DOCUMENT
FOLDER**

BY THE COMMISSION:

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

1. That LARRY J. SAUPP AND FRANK SAUPP ,COPTS, respondent, maintains a principal place of business at P.O. BOX 142, SMITHMILL, PA 16680.
2. That at all times relevant to this complaint, respondent held a Certificate of Public Convenience issued by this Commission at Application Docket No. A-00106890.
3. That pursuant to Section 512 of the Public Utility Code, 66 Pa. C.S. §512, and 52 Pa. Code Chapter 32; respondent is required to maintain evidence of current insurance on file with this Commission.
4. That respondent has failed to maintain evidence of Bodily Injury and Property Damage Liability Insurance in violation of the Public Utility Code and regulations cited in Paragraph 3 of this order to show cause; THEREFORE,

IT IS ORDERED:

1. That respondent show cause why the Certificate of Public Convenience at Application Docket No. A-00106890 should not be revoked for failure to maintain evidence of current insurance on file with this Commission.

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 cause its insurer to file proper evidence of current insurance in accordance with 52 Pa. Code §32.

4. That if respondent fails to file an answer or other responsive pleading, and if proper evidence of current insurance is not received from respondent's insurer, within twenty (20) days from the date on which this order is served, respondent will be deemed to have admitted all the allegations 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 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, 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, 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: SEPTEMBER 1, 1988

ORDER ENTERED: SEP 06 1988