



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

IN REPLY PLEASE
REFER TO OUR FILE

May 13, 2014

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

Re: Pennsylvania Public Utility Commission, Bureau of Investigation
and Enforcement v. Northern Lehigh Ambulance Service, Inc.
Docket No. C-2012-2332938

Dear Secretary Chiavetta:

Enclosed for filing is an original copy of a **Petition for Leave to Withdraw the Bureau of Investigation and Enforcement's Complaint** in the above-referenced case. Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

Heidi L. Wushinske
Prosecutor

Enclosure

cc: As per certificate of service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Pennsylvania Public Utility Commission, :
Bureau of Investigation and Enforcement :

v. :

C-2012-2332938

Northern Lehigh Ambulance Service, :
Inc. :

PETITION FOR LEAVE TO WITHDRAW
THE BUREAU OF INVESTIGATION AND ENFORCEMENT'S COMPLAINT

AND NOW comes the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by and through its prosecutor, Heidi L. Wushinske, and files this Petition for Leave to Withdraw the Complaint in the above-captioned proceeding, pursuant to Section 5.94(a) of the Commission's regulations, 52 Pa. Code § 5.94(a). In support thereof, I&E states as follows:

1. On November 16, 2012, I&E filed a complaint against Northern Lehigh Ambulance Service, Inc. (Respondent) alleging that Respondent failed to maintain evidence of liability insurance on file with the Commission, in violation of 66 Pa. C.S. § 512, and 52 Pa. Code § 32.2(c) and § 32.11(a), § 32.12(a), or § 32.13(a).
2. I&E requested that Respondent pay a civil penalty in the amount of \$500.
3. After this case was scheduled for hearing, counsel for I&E was presented with evidence showing that Respondent was no longer operating in this Commonwealth and that its authority had been cancelled. (*See* Secretarial Letters attached as Attachments A and B).

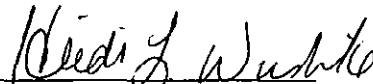
4. Given that Respondent is no longer operating in this Commonwealth, no longer owns Northern Lehigh Ambulance Service, Inc., and that its authority has been cancelled, I&E petitions to withdraw its complaint, without prejudice.

5. The above-captioned case is scheduled for an initial hearing before Administrative Law Judge (ALJ) Cynthia W. Fordham on June 5, 2014, at 10:00 a.m. in Philadelphia, PA.

6. I&E respectfully requests that ALJ Fordham cancel the initial hearing in light of the fact that I&E desires to withdraw its complaint.

WHEREFORE, for the foregoing reasons, I&E respectfully requests that the Complaint in this proceeding be withdrawn, the Initial Hearing scheduled for June 5, 2014, be cancelled, and the matter marked closed.

Respectfully submitted,


Heidi L. Wushinske
Prosecutor
Attorney I.D. No. 93792

Public Utility Commission, Bureau of
Investigation and Enforcement

P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 214-9594

DATED: May 13, 2014

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ATTACHMENT A

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

IN REPLY PLEASE
REFER TO OUR FILE

April 16, 2014

C-2014-2401948
A-00122424

NORTHERN LEHIGH AMBULANCE SERVICE INC
PO BOX 148
SLATINGTON PA 18080

Re: **Pennsylvania Public Utility Commission, Bureau of Investigation & Enforcement v. Northern Lehigh Ambulance Service, Inc.**

Respondent:

On **January 28, 2014**, the Bureau of Investigation and Enforcement instituted a Complaint against **Northern Lehigh Ambulance Service, Inc.**, Respondent, for failure to maintain evidence of bodily injury and property damage liability insurance on file with this Commission, a violation of the Public Utility Code at 66 Pa C.S. §512, 52 Pa. Code §32.2(c), and 52 Pa. Code §32.11(a), §32.12(a) or §32.13(a).

In accordance with 52 Pa. Code §5.61, the Bureau of Investigation and Enforcement notified the Respondent that, unless the insurer files evidence of insurance with this Commission, and Respondent pays the proposed fine, an Answer to the Complaint must be filed within twenty (20) days of the date of service. The Notice further specified that, if Respondent failed to answer the Complaint within twenty (20) days, the Bureau of *Investigation and Enforcement would request that the Commission cancel Respondent's Certificate of Public Convenience.*

The Complaint was served on respondent, **Northern Lehigh Ambulance Service, Inc.**, by Certified Mail and delivered on **February 4, 2014**. To date, more than twenty (20) days later, respondent has failed to file an Answer to the Complaint and has failed to pay the fine and have its insurer file evidence of insurance with this Commission.

Therefore, the allegations in the Complaint are deemed to be admitted. The Complaint is hereby sustained and the **Certificate of Public Convenience**, issued to respondent at **A-00122424** is *hereby cancelled*.

Respondent is assessed a fine of \$500 for failure to maintain evidence of insurance on file with this Commission as required at 52 Pa. Code §32, as well as a fine in the amount of \$100 for failing to file an answer to the Complaint as required by 52 Pa. Code §5.61, for a total fine of \$600. Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

Furthermore, this Commission will request the Pennsylvania Department of Transportation to put an *administrative hold on Respondent's vehicle registrations*. Respondent will **NOT** be able to register any new vehicles or renew any existing vehicle registrations until all past due assessments are paid, all past due fines are paid, all insurance filings are up to date, and it holds an active Certificate of Public Convenience issued by this Commission.

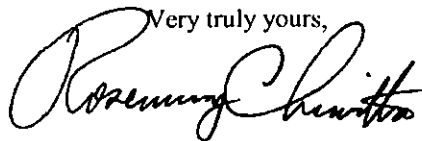
This Secretarial Cancellation Letter will also be served on:

The Department of Revenue
Bureau of Audit Programs
Sales and Use Taxes
Tenth Floor, Strawberry Square
Harrisburg, PA 17128-1061

Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa. C.S. §§1.1 et seq. and the regulations of the Commission, 52 Pa. Code §§1.1 et seq. In view of the **cancellation of respondent's Certificate of Public Convenience**, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

Should Respondent wish to again begin transportation operations in the Commonwealth of Pennsylvania, Respondent must file a new application. Respondent must pay all outstanding assessments and fines before this Commission will act on an application. Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

If you disagree with this determination you may appeal to the Commission, pursuant to 52 Pa. Code §5.44 or, if you believe that you have received this letter in error, you must write a letter stating the reasons you believe this letter is in error and requesting that it be rescinded within thirty (30) days of the date of this letter. The letter shall be sent to Secretary, PA Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

Very truly yours,


Rosemary Chiavetta,
Secretary

Cc: Secretary's Bureau – File
PA Dept of Transportation
PA Department of Revenue

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ATTACHMENT B

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

IN REPLY PLEASE
REFER TO OUR FILE

April 30, 2014

C-2014-2401948
A-00122424

KEITH HARTMAN
PO BOX 148
SLATINGTON PA 18080

RE: NORTHERN LEHIGH AMBULANCE SERVICE, INC.

Dear Mr. Hartman:

By Secretarial Letter dated April 16, 2014, the Commission cancelled the authority of Northern Lehigh Ambulance Service, Inc. at Case Docket No. C-2014-2401948 and assessed a fine of \$600.00 for failure to file permanent proof of insurance.

This Commission has the power to rescind a Secretarial Letter in light of newly discovered evidence or a change of circumstances which justify reconsideration. It has come to our attention that the Applicant's authority was cancelled by a Public Meeting Supplemental Order on June 13, 2013, at Case Docket No. A-00122424, with this Commission. **THEREFORE, THE APPLICANT'S AUTHORITY REMAINS CANCELLED; HOWEVER, THE \$600.00 FINE IS HEREBY RESCINDED.**

Very truly yours,

Rosemary Chiavetta
Secretary

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document, Petition for Leave to Withdraw the Bureau of Investigation and Enforcement's Complaint, upon the persons listed and in the manner indicated below, which service satisfies the requirement of 52 Pa.Code § 1.54 (relating to service by a participant):

Service by First Class Mail and Electronic Mail:

The Honorable Cynthia W. Fordham
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
801 Market Street
Philadelphia, PA 19107
cfordham@pa.gov

Keith Hartman
Northern Lehigh Ambulance Service, Inc.
118 Cherry Street
Slatington, PA 18080-3001
keith.hartman1976@gmail.com



Heidi L. Wushinske
Prosecutor
Attorney I.D. No. 93792

Public Utility Commission, Bureau of
Investigation and Enforcement

P.O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 214-9594

Dated: May 13, 2014

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