



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

IN REPLY PLEASE  
REFER TO OUR FILE

May 27, 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. Three Kings Transportation, LLC; C-2012-  
2324875

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**

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

v. :

C-2012-2324875

Three Kings Transportation, LLC :

**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 September 19, 2012, I&E filed a complaint against Three Kings Transportation, LLC (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. The complaint was returned as undeliverable and was reserved on November 1, 2012.
4. Respondent filed an answer to the complaint on January 21, 2013.

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5. After this case was scheduled for hearing, counsel for I&E was informed that Respondent's failure to file a timely Form E was due to a switch in insurance companies and Respondent's insurance coverage never lapsed.
6. Respondent represents that it is now working with a reputable insurance broker and desires to work with the Commission to maintain compliance.
7. Given that this is a first time offense, there was no lapse in insurance, and all necessary information is currently on file with the Commission, I&E petitions to withdraw its complaint, without prejudice
8. The above-captioned case is scheduled for an initial hearing before Administrative Law Judge (ALJ) Marta Guhl on June 4, 2014, at 10:00 a.m. in Philadelphia, PA.
9. I&E respectfully requests that ALJ Guhl 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 4, 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 27, 2014

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## CERTIFICATE OF SERVICE

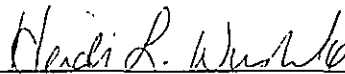
I hereby certify that I am this day serving the foregoing document, Petition for Leave to Withdraw the Bureau of Investigation and Enforcement's Complaint, upon the persons listed and in the manner indicated below, which service satisfies the requirement of 52 Pa.Code § 1.54 (relating to service by a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

Service by First Class Mail and Electronic Mail:

The Honorable Marta Guhl  
Pennsylvania Public Utility Commission  
Office of Administrative Law Judge  
801 Market Street  
Philadelphia, PA 19107  
mguhl@pa.gov

David P. Temple, Esq.  
Counsel for Three Kings Transportation, LLC  
Gallagher, Malloy & Georges, P.C.  
1760 Market Street  
11th Floor  
Philadelphia, PA 19103  
215-963-1555  
dtemple@gallagher-law.com

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

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Investigation and Enforcement

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Dated: May 27, 2014