

Law Offices

# VUONO & GRAY, LLC

*John A. Vuono  
William A. Gray  
Mark T. Vuono\*  
Dennis J. Kusturiss  
Christine M. Dolfi  
Louise R. Schrage  
Susan C. Indrisano+  
\*Also Admitted in Florida  
+Also Admitted in Maryland*

2310 Grant Building

Pittsburgh, PA 15219-2383

*Richard R. Wilson  
of Counsel*

*Telephone  
412-471-1800*

*Facsimile  
412-471-4477*

January 23, 2006

Re: Joseph Sparacino Movers, Inc.  
Docket No. A-00108084, F. 1, Am-A  
Our File 5164-1

Ms. Jenni Fackler  
Transportation Application Specialist  
Bureau of Transportation & Safety  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**BY FACSIMILE (717-787-5961)**  
**ORIGINAL TO FOLLOW**

RECEIVED  
BUREAU OF TRANSPORTATION & SAFETY  
JAN 25 AM 9:21

Dear Ms. Fackler:

I received your letter today involving the publication notice that will appear in the Pennsylvania Bulletin in connection with the above application. I believe that the publication notice is erroneous in that part of the authority being transferred has been omitted. The authority being transferred was attached to the application. There are four grants of household goods authority involved and only one of those grants of authority were included in the publication notice. Specifically, the paragraphs of authority involving household goods in use in the transferor's authority at A-00104113 are paragraph nos. 5, 6, 7 and 8. The only authority that was published is the authority at paragraph no. 5. Please have the publication notice corrected to include all of these grants of household goods in use authority.

Very truly yours,

VUONO & GRAY, LLC

William A. Gray

sb/43715

cc: Joseph Sparacino Movers, Inc.

PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

JAN 28 2006

Published in Pennsylvania Bulletin

BUREAU OF TRANSPORTATION AND SAFETY  
COMMON CARRIER

January 06

A-00108084

F. 1, Am-A

Application of Joseph Sparacino Movers, Inc., a corporation of the Commonwealth of Pennsylvania, for the amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, households goods in use, from points in the city of Scranton, Lackawanna County, to other points in Pennsylvania and vice versa: SO AS TO PERMIT the transportation of household goods in use: (1) from points in the city of Scranton, Lackawanna County, and within an airline distance of three (3) statute miles of the limits of the said city to other points in Pennsylvania, and vice versa; (2) between points in the city of Pottsville, Schuylkill County, and within ten (10) miles by the usually traveled highways of the limits of said city and from points in said area to other points in Pennsylvania and vice versa, with right No. 2 subject to the following conditions: a) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 29 between the borough of Tamaqua and the city of Hazleton; provided however, that the right is granted to pick up in Tamaqua, and b) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 209 between the boroughs of Nesquehoning and Tamaqua, provided however, that the right is granted to pick up in Tamaqua; and (3) from points in the borough of Ashland, Schuylkill County, and within twenty-five (25) miles by the usually traveled highways of the limits of said borough to points in Pennsylvania, and vice versa; which is to be a transfer of the rights authorized under the certificate issued at A-00104113 to Sparacino Brothers, Inc., subject to the same limitations and conditions.

Jaf/jf

01/10/06

Application received: 11/14/05

Application docketed: 01/10/06

FEB 21 2006

Protests due



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

IN REPLY PLEASE  
REFER TO OUR FILE

Friday, February 3, 2006

WILLIAM A GRAY ESQUIRE  
2310 GRANT BUILDING  
PITTSBURGH PA 15219

In re: Application of Joseph Sparacino Movers, Inc.

**THIS APPLICATION HAS BEEN ASSIGNED PUC DOCKET  
NUMBER A-00108084 F. 1 (Corrected) PLEASE USE THIS  
NUMBER WHEN CONTACTING THE PUC.**

To Whom It May Concern:

The application cited above has been captioned as attached and will be published in the Pennsylvania Bulletin of February 11, 2006. The application will be submitted for review provided no protests are filed on or before March 6, 2006.

If protests are filed, the Commission encourages discussion between applicants and protestants to resolve possible conflicts. Upon receipt of a protest, it is appropriate for applicants and protestants to contact each other to open a dialogue.

If protests are not withdrawn within 21 days of the protest due date as indicated above, the application will be assigned to the Office of Administrative Law Judge. Parties might be given the opportunity to participate in a voluntary mediation process.

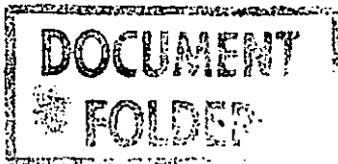
Should all efforts to resolve protests fail, the application will be assigned to an Administrative Law Judge for hearing. Parties to the application proceeding will be advised concerning the process set for their case.

Questions concerning publication and protests may be directed to the Transportation Application Specialist below by telephoning direct 717-705-0624.

Very truly yours,

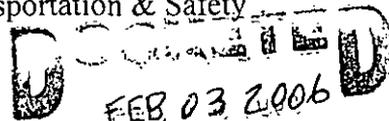
*Jenni Fackler*  
Jenni Fackler

Transportation Application Specialist  
Bureau of Transportation & Safety



Enclosure

cc: JOSEPH SPARACINO MOVERS INC  
#6 SOUTH KEYSER AVENUE  
TAYLOR PA 18517



*JF*

A-00108084, F. 1, Am-A (Corrected) JOSEPH SPARACINO MOVERS, INC., (#6 South Keyser Avenue, Taylor, Lackawanna County, PA 18517), a corporation of the Commonwealth of Pennsylvania, for the amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, households goods in use, from points in the city of Scranton, Lackawanna County, to other points in Pennsylvania and vice versa: SO AS TO PERMIT the transportation of household goods in use: (1) from points in the city of Scranton, Lackawanna County, and within an airline distance of three (3) statute miles of the limits of the said city to other points in Pennsylvania, and vice versa; (2) between points in the city of Pottsville, Schuylkill County, and within ten (10) miles by the usually traveled highways of the limits of said city and from points in said area to other points in Pennsylvania and vice versa, with right No. 2 subject to the following conditions: a) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 29 between the borough of Tamaqua and the city of Hazleton; provided however, that the right is granted to pick up in Tamaqua, and b) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 209 between the boroughs of Nesquehoning and Tamaqua, provided however, that the right is granted to pick up in Tamaqua; and (3) from points in the borough of Ashland, Schuylkill County, and within twenty-five (25) miles by the usually traveled highways of the limits of said borough to points in Pennsylvania, and vice versa; which is to be a transfer of the rights authorized under the certificate issued at A-00104113 to Sparacino Brothers, Inc., subject to the same limitations and conditions. Attorney: William A. Gray, Esquire, 2310 Grant Building, Pittsburgh, PA 15219.

Law Offices

# VUONO & GRAY, LLC

John A. Vuono  
William A. Gray  
Mark T. Vuono\*  
Dennis J. Kusturiss  
Christine M. Dolfi  
Louise R. Schrage  
Susan C. Indrisano+  
\*Also Admitted in Florida  
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2310 Grant Building

Pittsburgh, PA 15219-2383

Richard R. Wilson  
of Counsel

Telephone  
412-471-1800

Facsimile  
412-471-4477

February 8, 2006

Re: Joseph Sparacino Movers, Inc.  
Docket No. A-00108084, F. 1, Am-A  
Our File 5164-1

Ms. Jenni Fackler  
Transportation Application Specialist  
Bureau of Transportation & Safety  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Dear Ms. Fackler:

We hereby acknowledge receipt of your letter dated February 3, 2006, which we received today. Your letter enclosed a corrected publication notice which will be published in the Pennsylvania Bulletin on February 11, 2006. We want to call to your attention an omission in the corrected publication notice, which may or may not have been intentional. Specifically, paragraph 7 of the Transferor's authority authorizes the following service:

To transport, as a class D carrier, household goods and office furnishings, pianos, commercial and industrial equipment, fixtures and furnishings, in use, between points in the borough of Ashland, Schuylkill County, and within twenty-five (25) miles by the usually traveled highways of the limits of said borough.

The corrected publication notice included the other three grants of household goods authority. It is my understanding from talking to James Minder, Compliance Supervisor, that the above authority of the Transferor was intentionally omitted from the publication notice because the Bureau of Transportation and Safety deems it unnecessary to have authority reading "between points in" a territory where, as here, there is a separate grant of authority authorizing service from that territory to all points in Pennsylvania, and vice versa.

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BUREAU OF TRANSPORTATION & SAFETY  
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Page Two  
February 8, 2006

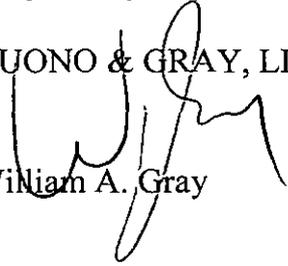
We believe that it would have been more appropriate to publish the application with the above paragraph included in the publication notice and then indicate in the Order approving the application that this paragraph of authority has been omitted from the grant of authority because of a change in Commission policy whereby it is no longer necessary to have authority reading "between points in" a territory where you have a separate grant of authority authorizing service from points in the territory to all points in Pennsylvania, and vice versa.

We hereby request that the Commission's Order in this case include some sort of an explanation involving the omission of the above authority so that there is no question at some later date as to whether the applicant can provide service "between points in" the described territory.

If you have any questions concerning this matter, please call me.

Very truly yours,

VUONO & GRAY, LLC



William A. Gray

pZ/44086

cc: Mr. James Minder (PUC)  
Joseph Sparacino Movers, Inc.

SERVICE OF NOTICE OF MOTOR CARRIER APPLICATIONS

Published in Pennsylvania Bulletin FEB 11 2006

**CORRECTED CAPTION AND INSERT**

BUREAU OF TRANSPORTATION AND SAFETY  
COMMON CARRIER  
January 06

A-00108084  
F. 1, Am-A

Application of Joseph Sparacino Movers, Inc., a corporation of the Commonwealth of Pennsylvania, for the amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, households goods in use, from points in the city of Scranton, Lackawanna County, to other points in Pennsylvania and vice versa: SO AS TO PERMIT the transportation of household goods in use: (1) from points in the city of Scranton, Lackawanna County, and within an airline distance of three (3) statute miles of the limits of the said city to other points in Pennsylvania, and vice versa; (2) between points in the city of Pottsville, Schuylkill County, and within ten (10) miles by the usually traveled highways of the limits of said city and from points in said area to other points in Pennsylvania and vice versa, with right No. 2 subject to the following conditions: a) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 29 between the borough of Tamaqua and the city of Hazleton; provided however, that the right is granted to pick up in Tamaqua, and b) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 209 between the boroughs of Nesquehoning and Tamaqua, provided however, that the right is granted to pick up in Tamaqua; and (3) from points in the borough of Ashland, Schuylkill County, and within twenty-five (25) miles by the usually traveled highways of the limits of said borough to points in Pennsylvania, and vice versa; which is to be a transfer of the rights authorized under the certificate issued at A-00104113 to Sparacino Brothers, Inc., subject to the same limitations and conditions.

Jaf/jf

01/10/06

(Corrected 01/26/06)

Application received: 11/14/05

Application docketed: 01/10/06

**MAR 06 2006**

Protests due \_\_\_\_\_

**Gino L. Andreuzzi**  
**Attorney At Law**

85 Drasher Rd., STE II  
Drums, PA 18222  
Telephone (570) 788-5373  
FAX No. (570) 788-3535  
MEMBER OF PA, FL, & CA BARS  
February 16, 2006

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105

RECEIVED  
BUREAU OF  
TRANSFORMATION & SAFETY  
2006 FEB 17 PM 1:16

**RE: Protest Against The Application Of Joseph Sparacino Movers, Inc.**  
**Application No. A-00108084, F.1, Am-A (Corrected)**

Dear Secretary:

Please file the enclosed protest by LaBuda Trucking, Inc., my client, against the application of Joseph Sparacino Movers, Inc. presently before the Commission. Also accept this as an entry of appearance and authorization to notify me of further proceedings I this matter.

Please clock and return the copy provided, together with the copy of the enclosed certificate of service.

Kindest regards,



Gino L. Andreuzzi, Esq.  
GLA/lga  
Enc.  
Service list.  
CC: Client

RECEIVED  
FEB 17 2006

**DOCKETED**  
FEB 21 2006

RECEIVED  
PA P.U.C.  
SECRETARY'S BUREAU  
2006 FEB 17 AM 9:01

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION FEB 17 AM 9:01

PA P.U.C.  
SECRETARY'S BUREAU

IN RE: APPLICATION OF  
JOSEPH SPARACINO MOVERS, INC.  
AS A CONTRACT CARRIER,  
HOUSEHOLD GOODS IN USE,  
BETWEEN POINTS IN THE  
COMMONWEALTH OF PENNSYLVANIA

A-00108084, F.1, Am-A (Corrected)

PROTEST

AND NOW COMES LABUDA TRUCKING, INC., a mover and carrier of common household goods in the area of Hazleton, Pennsylvania, a copy of said authorization attached hereto and made a part hereof by and through its counsel, Gino L. Andreuzzi, Esquire, undersigned, and files protest to the application of the above as follows:

1. The Protestant is LABUDA TRUCKING, INC., 227 W. Carleton Avenue, Hazleton, PA 18201 —Phone Number 570-454-7636. Protestant has rights to move household goods in use between points of the Commonwealth from Hazleton, Pennsylvania with a radius of ten (10) miles.

2. The Protestant also has operating rights in Carbon, Luzerne and Schuylkill Counties, Pennsylvania. A copy of the Protestant's authority is attached hereto and made a part hereof by reference. The certificate number is A-97824.

3. The Application of Joseph Sparacino Movers, Inc requests permission from the Commonwealth to transport household goods in use, limited to transporting pianos to be points in the Commonwealth of Pennsylvania. The Applicant's number is A-00108084, F.1, Am-A (Corrected).

4. The Applicant's proposed operating rights will infringe upon the right of the Protestant. The Protestant's area of business is already saturated, and there is no need for additional granting of rights of the Applicant, or an amendment to his existing certificate of public convenience, which would approve the operation of motor vehicles as common carriers for the transportation of household goods as described under the application, for any such competing services. The Protestant is now operating in a shrinking market and will suffer adverse financial impact.

5. Restriction or amendment of the application would require excluding the Applicant from operating in the Protestant's area of authority.

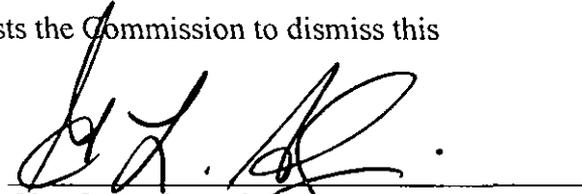
6. The Protestant has standing to contest this matter since Protestant's area of business is encompassed by the Applicant's area of proposed business.

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BUREAU OF  
SAFETY  
TRANSPORTATION &  
2006 FEB 17 PM 1:16

7. The protest is to the application in any request for any temporary authority or in its request for any permanent authority, or both.

8. The Protestant wishes to be allowed to participate in the proceeding as a party Intervener.

WHEREFORE, the Protestant requests the Commission to dismiss this application.



Gino L. Andreuzzi, Esq.  
Attorney for LaBUDA TRUCKING, INC.  
85 Drasher Rd., Ste H  
Drums, PA 18222  
Sup. Ct. Id no. 23140  
570-788-5373

**SCOPE OF CARRIER'S OPERATING AUTHORITY**

**Certificate No. A – 97824**

**From the Protestor's Operating Authority:**

**Item 5. To transport, as a Class D carrier, household goods in use from points in the borough of Freeland, Luzerne County and within ten (10) miles by the usually traveled highways of the limits of said borough to other points in Pennsylvania, and vice versa.**

**Item 9. To transport, as a Class D carrier, household goods and office furniture, in use between points in the county of Schuylkill.**

**Item 10. To transport, as a Class D carrier, household goods and office furniture, in use, from points in the county of Schuylkill to other points in Pennsylvania, and vice versa.**

**Item 11. To transport as a Class D carrier, excavated materials and road and building construction materials such as are usually transported in dump trucks, between points not to exceed a distance of 25 miles from point of origin to point of destination in the county of Schuylkill.**

**Item 13. To transport, as a Class D carrier, household goods and office furnishings and store fixtures in use between points in the city of Hazleton, Luzerne County, and within ten (10) miles by the usually traveled highways of the limits of said city.**

**Item 14. To transport, as a Class D carrier, household goods and office furnishings and store fixtures in use from points in the city of Hazleton, Luzerne County, and within ten (10) miles by the usually traveled highways of the limits of said city to points in Pennsylvania, and vice versa.**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**IN RE: APPLICATION OF  
JOSEPH SPARACINO MOVERS, INC.  
AS A CONTRACT CARRIER,  
HOUSEHOLD GOODS IN USE,  
BETWEEN POINTS IN THE  
COMMONWEALTH OF PENNSYLVANIA**

A-00108084, F.1, Am-A (Corrected)

**CERTIFICATE OF SERVICE**

I hereby certify that I did serve upon the following a true and correct copy of the foregoing protest of LABUDA TRUCKING, INC. by ordinary first class U.S. mail on February 16, 2006.

The applicant:

Joseph Sparacino Movers, Inc.  
6 South Keyser Avenue  
Taylor, PA 18517

Counsel for the applicant:

William A. Gray, Esquire  
2310 Grant Building  
Pittsburgh, PA 15219



Gino L. Andreuzzi, Esq.  
Attorney for LABUDA TRUCKING, INC.  
85 Drasher Rd., Ste. II  
Drums, PA 18222  
Sup. Ct. Id no. 23140  
570-788-5373

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2006 FEB 17 AM 9:01  
PA P.U.C.  
SECRETARY'S BUREAU

**Gino L. Andreuzzi**  
Attorney At Law

85 Drasher Rd., STE II  
Drums, PA 18222  
Telephone (570) 788-5373  
FAX No. (570) 788-3535  
MEMBER OF PA, FL, & CA BARS  
February 18, 2006

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105

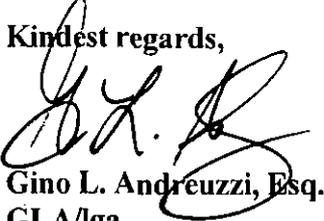
RE: Protest Against The Application Of Joseph Sparacino Movers, Inc.  
Application No. A-00108084, F.1, Am-A (Corrected)

Dear Secretary:

Please file the enclosed amendment to the protest filed by LaBuda Trucking, Inc., my client, against the application of Joseph Sparacino Movers, Inc. presently before the Commission.

Please clock and return the copy provided, together with the copy of the enclosed certificate of service.

Kindest regards,

  
Gino L. Andreuzzi, Esq.  
GLA/lga  
Enc.  
Service list.  
CC: Client



**DOCKETED**  
FEB 21 2006

PA P.U.C.  
SECRETARY'S B.

2006 FEB 21 AM 9:20

RECEIVED

RECEIVED  
TRANSPORTATION SAFETY  
2006 FEB 21 PM 1:55

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**IN RE: APPLICATION OF  
JOSEPH SPARACINO MOVERS, INC.  
AS A CONTRACT CARRIER,  
HOUSEHOLD GOODS IN USE,  
BETWEEN POINTS IN THE  
COMMONWEALTH OF PENNSYLVANIA**

A-00108084, F.1, Am-A (Corrected)

**AMENDMENT TO PROTEST**

AND NOW COMES LABUDA TRUCKING, INC., a mover and carrier of common household goods in the area of Hazleton, Pennsylvania, by and through its counsel, Gino L. Andreuzzi, Esquire, undersigned, and files the following amendment to its protest to the application of the above, as follows:

Paragraph 3 of the protest shall be amended to read as follows:

3. The Application of Joseph Sparacino Movers, Inc requests permission from the Commonwealth to transport household goods in use, as more fully set forth in its application, a copy of which is attached hereto and made a part hereof by reference as exhibit A. The Applicant's number is A-00108084, F.1, Am-A (Corrected).

WHEREFORE, the Protestant requests the Commission to dismiss this application.

  
\_\_\_\_\_  
Gino L. Andreuzzi, Esq.  
Attorney for LaBUDA TRUCKING, INC.  
85 Drasher Rd., Ste II  
Drums, PA 18222  
Sup. Ct. Id no. 23140  
570-788-5373

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2006 FEB 21 AM 9:20  
PA PUBLIC UTILITY  
SECRETARY'S BUREAU

Exhibit A to amended protest of Labuda Trucking, Inc. to the application of Joseph Sparachino Movers, Inc. Application No. A-00108084

**A-00108084, F. 1, Am-A (Corrected). Joseph Sparacino Movers, Inc.** (6 South Keyser Avenue, Taylor, Lackawanna County, PA 18517), a corporation of the Commonwealth, for the amendment to its common carrier certificate, which grants the right, inter alia, to transport,

by motor vehicle, household goods in use, from points in the City of Scranton, Lackawanna County, to other points in Pennsylvania and vice versa; *So As To Permit* the transportation of household goods in use: (1) from points in the City of Scranton, Lackawanna County, and within an airline distance of 3 statute miles of the limits of the said city to other points in Pennsylvania, and vice versa; (2) between points in the City of Pottsville, Schuylkill County, and within 10 miles by the usually traveled highways of the limits of said city and from points in said area to other points in Pennsylvania and vice versa, with right No. 2 subject to the following conditions: a) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 29 between the Borough of Tamaqua and the City of Hazleton; provided however, that the right is granted to pick up in Tamaqua, and b) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 209 between the Boroughs of Nesquehoning and Tamaqua, provided however, that the right is granted to pick up in Tamaqua; and (3) from points in the Borough of Ashland, Schuylkill County, and within 25 miles by the usually traveled highways of the limits of said borough to points in Pennsylvania, and vice versa; which is to be a transfer of the rights authorized under the certificate issued at A-00104113 to Sparacino Brothers, Inc., subject to the same limitations and conditions. *Attorney: William A. Gray, Esquire, 2310 Grant Building, Pittsburgh, PA 15219.*

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**IN RE: APPLICATION OF  
JOSEPH SPARACINO MOVERS, INC.  
AS A CONTRACT CARRIER,  
HOUSEHOLD GOODS IN USE,  
BETWEEN POINTS IN THE  
COMMONWEALTH OF PENNSYLVANIA**

A-00108084, F.1, Am-A (Corrected)

**CERTIFICATE OF SERVICE**

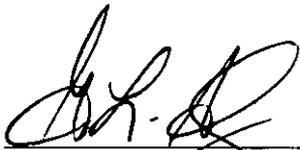
I hereby certify that I did serve upon the following a true and correct copy of the foregoing amendment to the protest of LABUDA TRUCKING, INC. by ordinary first class U.S. mail on February 18, 2006.

**The applicant:**

Joseph Sparacino Movers, Inc.  
6 South Keyser Avenue  
Taylor, PA 18517

**Counsel for the applicant:**

William A. Gray, Esquire  
2310 Grant Building  
Pittsburgh, PA 15219



---

Gino L. Andreuzzi, Esq.  
Attorney for LABUDA TRUCKING, INC.  
85 Drasher Rd., Ste. II  
Drums, PA 18222  
Sup. Ct. Id no. 23140  
570-788-5373

**RECEIVED**  
2006 FEB 21 AM 9:20  
PA P.U.C.  
SECRETARY'S BUREAU

# RILEY AND FANELLI, P.C.

A T T O R N E Y S

The Necho Allen  
No. 1 Mahantongo Street  
Pottsville, Pennsylvania 17901  
(570) 622- 2455  
FAX (570) 622-5336

ffanelli@rileyandfanelli.com

FREDERICK J. FANELLI

March 1, 2006

**RECEIVED**

MAR 1 2006

Office of the Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

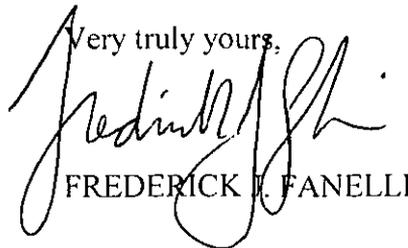
IN RE: **Application Docket No. A-00108084**

Dear Sir/Madam:

Enclosed please find for filing an original and two (2) copies of the Protest on Behalf of Pottsville Moving and Storage Co., Inc., with respect to the above-captioned Application of Joseph Sparacino Movers, Inc. Kindly file the original and return a filed copy to me in the enclosed envelope.

Thank you for your prompt attention to this matter. If you have any questions, please feel free to contact my office.

Very truly yours,

  
FREDERICK J. FANELLI

FJF:jac  
Enclosures  
cc: Pottsville Moving & Storage Co., Inc.

**DOCKETED**  
MAR 0 2006

RECEIVED  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU  
2006 MAR -3 PM 1:40

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BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: : Application No. A-00108084  
: :  
Joseph Sparacino Movers, Inc. : :  
: :  
: : Folder 1, Am-A

RECEIVED  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU  
2006 MAR -3 PM 1:40

PROTEST ON BEHALF OF POTTSVILLE  
MOVING AND STORAGE CO., INC.

1. The name and address of the Protestant is:

Pottsville Moving and Storage Co., Inc.  
Water and Prospect Streets  
Pottsville, PA 17901  
(570) 622-3323

RECEIVED

MAR 1 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

2. The name and address of the Protestant's counsel is:

Frederick J. Fanelli, Esquire  
Riley and Fanelli, P.C.  
The Necho Allen  
No. 1 Mahantongo Street  
Pottsville, PA 17901

3. Protestant operates under Docket No. A-00100606, and folders and amendments thereto.

4. Protestant presently holds authority set forth in **Exhibit "A"**.

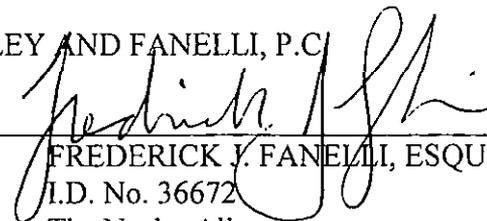
5. Protestant avers that it holds operating rights, which conflict with the recent application of Joseph Sparacino Movers, Inc.

WHEREFORE, Protestant, Pottsville Moving and Storage Co., Inc., respectfully requests that this Application be dismissed.

Respectfully submitted,

RILEY AND FANELLI, P.C.

By:



FREDERICK J. FANELLI, ESQUIRE

I.D. No. 36672

The Necho Allen

No. 1 Mahantongo Street

Pottsville, PA 17901

(570) 622-2455

[ffanelli@rileyandfanelli.com](mailto:ffanelli@rileyandfanelli.com)

COUNSEL FOR PROTESTANT

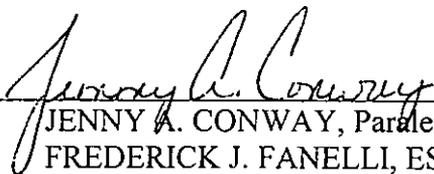
BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

IN RE: : Application No. A-00108084  
: :  
Joseph Sparacino Movers, Inc. : :  
: :  
: Folder 1, Am-A

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Protest was served upon the following individual at his respective address by depositing same in the United States mail, postage pre-paid, at Pottsville, Pennsylvania:

William A. Gray, Esquire  
2310 Grant Building  
Pittsburgh, PA 15219

  
\_\_\_\_\_  
JENNY A. CONWAY, Paralegal to:  
FREDERICK J. FANELLI, ESQUIRE

Date: March 1, 2006

RECEIVED

MAR 1 2006

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

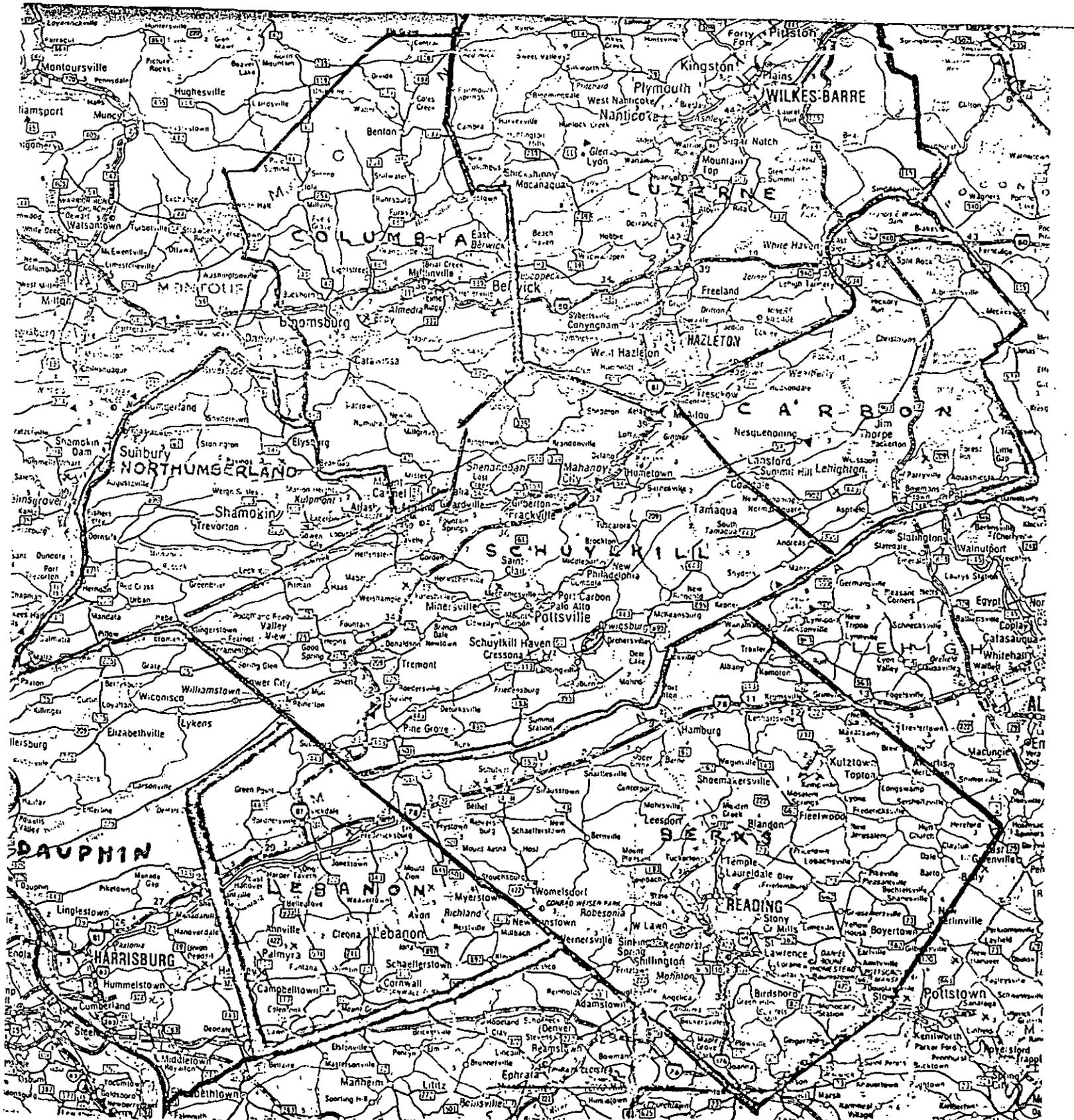


EXHIBIT "A"

Law Offices

# VUONO & GRAY, LLC

John A. Vuono  
William A. Gray  
Mark T. Vuono\*  
Dennis J. Kusturiss  
Christine M. Dolfi  
Louise R. Schrage  
Susan C. Indrisano+  
\*Also Admitted in Florida  
+Also Admitted in Maryland

2310 Grant Building

Pittsburgh, PA 15219-2383

March 22, 2006

Richard R. Wilson  
of Counsel

Telephone  
412-471-1800

Facsimile  
412-471-4477

Re: Joseph Sparacino Movers, Inc.  
Docket No. A-00108084, F. 1, Am-A  
Our File 5164-1

Mr. James J. McNulty  
Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**ORIGINAL**

**DOCUMENT  
FOLDER**

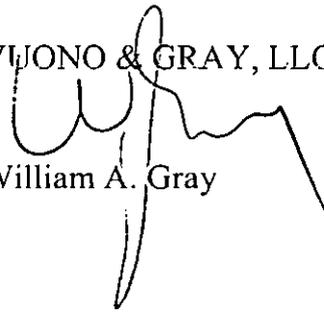
Dear Mr. McNulty:

We represent the applicant in connection with the above transfer application. Protests to this application were filed by LaBuda Trucking, Inc. and Pottsville Moving and Storage Co., Inc. Since the Commission will not permit amendments to transfer applications, there is no need to delay the scheduling of a hearing in this case while the parties try to resolve possible conflicts. There is also no need for mediation in this case. We therefore request that the hearing be scheduled as soon as possible in Scranton.

Very truly yours,

VUONO & GRAY, LLC

William A. Gray



**DOCKETED**  
APR 06 2006

ms/44989

cc: Frederick J. Fanelli, Esq.  
Gino L. Andreuzzi, Esq.  
Joseph Sparacino Movers, Inc.

PA P.U.C.  
SECRETARY'S BUREAU

2006 MAR 24 AM 9:28

RECEIVED

34

**RILEY AND FANELLI, P.C.**

A T T O R N E Y S  
The Necho Allen  
No. 1 Mahantongo Street  
Pottsville, Pennsylvania 17901  
(570) 622- 2455  
FAX (570) 622-5336

aday@rileyandfanelli.com

March 23, 2006

RECEIVED  
ARLEN R. DAY, II  
2006 MAR 27 11:03 AM  
PUBLIC SAFETY

Office of the Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**RE: Pottsville Moving and Storage Co., Inc.  
Application Docket No. A-00108084**

Dear Sir/Madam:

Enclosed please find Pottsville Moving and Storage Co., Inc.'s authority to which its protest is predicated upon. This protest was filed with your office on or about March 2, 2006. I would ask that you incorporate the authority paperwork with the protest filed in your office.

If you should have any questions pertaining to this, please feel free to call me at your convenience.

Very truly yours,



ARLEN R. DAY, II

ARD/mgk  
Enclosure  
cc: William A. Gray, Esquire

RECEIVED  
2006 MAR 27 AM 10:36  
PA P.U.C.  
SECRETARY'S BUREAU

80

SCOPE OF CARRIER'S OPERATING AUTHORITYITEM 5

A-100606

Rates and provisions named in this tariff, or as amended, are limited in their application on Pennsylvania Intrastate Commerce to the extent of the operating rights set forth below. Unless specifically provided, the provisions are to be interpreted in the same manner as the Commission interprets the certificate from which the following is quoted.

1. To transport, as a Class D carrier, household goods, office furniture and equipment, in use, and heavy objects (such as steam boilers, machinery, dynamos, transformers, safes, road construction equipment) between points in Schuylkill County.
2. To transport, as a Class D carrier, household goods, office furniture and equipment, in use, from points in Schuylkill County to other points in Pennsylvania, and vice versa.
3. To transport, as a Class D carrier, property seized by Federal prohibition officials in Schuylkill and Berks Counties, to and from the City of Pottsville, Schuylkill County.
4. To transport, as a Class D carrier, stock and fixtures of stores, where sold in bulk, between points in Schuylkill County, and the City and County of Philadelphia.
5. To transport, as a Class D carrier, property from the applicant's warehouse and railroad freight stations in the City of Pottsville, Schuylkill County, to other points within sixty (60) miles, by the usually traveled highways of the limits of said city, provided, that no right, power or privilege is granted to transport property to the City of Wilkes-Barre.
6. To transport, as a Class B carrier, property between points in the City of Pottsville, Schuylkill County.
7. To transport, as a Class D carrier, freight from points in the County of Schuylkill to the applicant's warehouse for the purpose of being stored therein.

Abbreviations and reference marks are explained on last page of tariff.

I N T E R

O F F I C E

# MEMO

March 29, 2006

**Subject:** Protested Motor Carrier Applications

**To:** Veronica A. Smith  
Chief Administrative Law Judge

**From:** Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division

The following application(s) were advertised in the Pennsylvania Bulletin of **02/11/06** to be disposed of without hearing provided that no protests were filed on or before **03/06/06**.

Since protests have been filed for approval of the application and the period of twenty-one (21) days for the filing of restrictive amendments has expired, it is necessary that the application be set for hearing.

<u>Docket #</u>	<u>Carrier</u>
-----------------	----------------

A-00108084, F. 1, Am-A	Joseph Sparacino Movers, Inc.
------------------------	-------------------------------

A-00122407	Brandon Dickey & Dwayne Sanner t/a A+ Mountain Movers
------------	--

cc: Document Folder  
Bruce Bigelow  
James Minder



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
June 20, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: A-00108084F0001AMA

(See Attached List)

DOCUMENT  
FOLDER

**Application of Joseph Sparacino Movers, Inc.,  
a Corporation of the Commonwealth of Pennsylvania**

For the amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, household goods in use, from points in the City of Scranton, Lackawanna County, to other points in Pennsylvania and vice versa: SO AS TO PERMIT the transportation of household goods in use: (1) from points in the City of Scranton, Lackawanna County, and within an airline distance of three (3) statute miles of the limits of the said city to other points in Pennsylvania, and vice versa; (2) between points in the City of Pottsville, Schuylkill County, and within ten (10) miles by the usually traveled highways of the limits of said city and from points in said area to other points in Pennsylvania and vice versa, with right No. 2 subject to the following conditions: (a) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 29 between the Borough of Tamaqua and the City of Hazleton; provided however, that the right is granted to pick up in Tamaqua, and (b) that no right, power or privilege is granted to pick up household goods, in use, from points on Highway Route 209 between the Boroughs of Nesquehoning and Tamaqua, provided however, that the right is granted to pick up in Tamaqua; and (3) from points in the Borough of Ashland, Schuylkill County, and within twenty-five (25) miles by the usually traveled highways of the limits of said borough to points in Pennsylvania and vice versa; which is to be a transfer of the rights authorized under the certificate issued at A-00104113 to Sparacino Brothers, Inc., subject to the same limitations and conditions

**HEARING NOTICE**

This is to inform you that a hearing on the above-captioned case will be held as follows:

Type: Initial Hearing  
Date: Thursday, August 24, 2006  
Time: 10:00 AM

Location: Room 318  
Scranton State Office Building  
100 Lackawanna Avenue  
Scranton, PA 18503

Presiding: Administrative Law Judge Ember S. Jandebaur  
Room 317 Scranton State Office Building  
100 Lackawanna Avenue  
Scranton, PA 18503  
Telephone: (570) 963-4818  
Fax: (570) 963-3310

*Attention: You may lose the case if you do not come to this hearing and present facts on the issues raised.*

If you intend to file exhibits, 2 copies of all hearing exhibits to be presented into evidence must be submitted to the reporter. An additional copy must be furnished to the Presiding Officer. A copy must also be provided to each party of record.

Individuals representing themselves do not need to be represented by an attorney. All others (corporation, partnership, association, trust or governmental agency or subdivision) must be represented by an attorney. An attorney representing you should file a Notice of Appearance before the scheduled hearing date.

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: (717) 787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988

pc: Judge Jandebaur  
Elizabeth L. Plantz, Scheduling Officer  
T&S – Motor Carrier  
Consumer Advocate  
Beth Plantz  
Docket Section  
Calendar File

A-00108084F0001AMA APPLICATION OF JOSEPH SPARACINO MOVERS, INC.,  
A CORPORATION OF THE COMMONWEALTH OF PENNSYLVANIA

JOSEPH SPARACINO MOVERS INC  
NO 6 SOUTH KEYSER AVENUE  
TAYLOR PA 18517

WILLIAM A GRAY ESQUIRE  
VUONO & GRAY LLC  
2310 GRANT BUILDING  
PITTSBURGH PA 15219-2383

DAVID SPARACINO  
SPARACINO BROTHERS INC  
1449 MEYLERT AVENUE  
SCRANTON PA 18509

FREDERICK J FANELLI ESQUIRE  
RILEY AND FANELLI PC  
THE NECHO ALLEN  
NO 1 MAHANTONGO STREET  
POTTSVILLE PA 17901

GINO L ANDREUZZI ESQUIRE  
85 DRASHER ROAD  
SUITE II  
DRUMS PA 18222



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
P.O. BOX 3265, HARRISBURG, PA 17105-3265  
July 24, 2006

IN REPLY PLEASE  
REFER TO OUR FILE

In Re: A-00108084F0001AMA

(See letter dated 6/20/06)

Application of Joseph Sparacino Movers, Inc.,  
a Corporation of the Commonwealth of Pennsylvania

CANCELLATION NOTICE

This is to inform you of the following cancellation:

Type: Initial Hearing  
Date: Thursday, August 24, 2006  
Time: 10:00 AM  
Presiding: Administrative Law Judge Ember S. Jandebeur

DOCUMENT  
FOLDER

Please mark your records accordingly.

pc: Judge Jandebeur  
Elizabeth L. Plantz, Scheduling Officer  
T&S - Motor Carrier  
Consumer Advocate  
Beth Plantz  
Docket Section  
Calendar File

DOCKETED  
MAR 05 2007

A-00108084F0001AMA APPLICATION OF JOSEPH SPARACINO MOVERS, INC.,  
A CORPORATION OF THE COMMONWEALTH OF PENNSYLVANIA

JOSEPH SPARACINO MOVERS INC  
NO 6 SOUTH KEYSER AVENUE  
TAYLOR PA 18517

WILLIAM A GRAY ESQUIRE  
VUONO & GRAY LLC  
2310 GRANT BUILDING  
PITTSBURGH PA 15219-2383

DAVID SPARACINO  
SPARACINO BROTHERS INC  
1449 MEYLERT AVENUE  
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SUITE II  
DRUMS PA 18222