



July 23, 2014

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

RE: Docket No. C-2014-2428696

Dear Secretary Chiavetta,

In response to the complaint issued on July 10, 2014 alleging that Brittany Trucking Company, Inc. has failed to maintain evidence of Liability Insurance on file with the commission we deny the allegation. Attached and listed below is our proof of insurance and evidence of notification:

- 1) On March 24, 2014 our Insurance Company Philadelphia Indemnity Insurance Company (Philadelphia) filed Form E (Exhibit #1) indicating that insurance policy effective 03-27-2014 has been issued. Policy Number PHPK1150065. Said form was filed in the name of Reed Oil Company, Inc. .
- 2) When we received the notice of complaint we contacted our Insurance Broker who in turn notified our insurance company of the complaint. Philadelphia immediately filed a new Form E (Exhibit #2) indicating coverage effective from 03/27/14 with Policy Number PHPK1150065.
- 3) A copy of a letter from our Insurance Broker (Exhibit 3) indicating that the filings were made in a timely manner and a name correction was made when we became aware of the error.

Based on the information provided, we are asking that the fine be waived as insurance was in place and the notification issue was not a result of an error on the part of Brittany Trucking Company, Inc.

Should you have any questions please contact me.

Sincerely

A handwritten signature in blue ink, appearing to read "Michael G Tappe", is written over the word "Sincerely".

Michael G Tappe

REED OIL COMPANY 21st Century Energy Group

511 Montgomery Avenue, New Castle, PA 16102
Phone: (724) 658-6692 Toll Free: (800) 922-5454 Fax: (724) 658-4332

Form E
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATE OF INSURANCE
(Executed In Triplicate)

Filed with Pennsylvania Public Utility Commission (hereinafter called Commission)

This is to certify, that the Philadelphia Indemnity Insurance Co (Name of Commission)

(hereinafter called Company) of One Bala Plaza, Ste 100, Bala Cynwyd, Pa 19004 (Name of Company)

has issued to Reed Oil Company Inc (Home Office Address of Company) of 511 Montgomery Ave., New Castle, Pa 16102 (Address of Motor Carrier)

a policy or policies of insurance effective from 3-27-2014 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which, by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at Bala Cynwyd, Pa 19004 (Street Address) (City) Manasa D. Chery (State) (Zip Code)
this 24th day of March 20 14

Insurance Company File No. PHPK1150065 (Policy Number) _____ (Authorized Company Representative)

MC 1633a (Ed. 8-99) UNIFORM INFORMATION SERVICES, INC. IRB 35398

Exhibit # 1

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
ACCEPTANCE REPORT

USER ID: PHILINDINSCO
TRANSMISSION NUMBER: WEB15770
TRANSMITTED ON: 03/24/2014 16:33:30
COMPANY NAME: PHILADELPHIA INDEMNITY INSURANCE COMPANY
SUBMITTED BY: PHILADELPHIA INDEMNITY INSURANCE COMPANY (12810-00)

Docket	Form/Type	Policy Number	Effective Date	Action
MC-422618	BMC-91X/BIPD	PHUB453561	03/27/2014	ACCEPTED

Values in FMCSA Licensing & Insurance Database:

Legal Name: BRITTANY TRUCKING CO., INC.
Address: 511 MONTGOMERY AVENUE
NEW CASTLE PA US 16102

91X Coverage(Type/Max/Underlying): Excess / \$4,000,000 / \$1,000,000

Docket	Form/Type	Policy Number	Effective Date	Action
MC-422618	BMC-91X/BIPD	PHPK1150065	03/27/2014	ACCEPTED

Values in FMCSA Licensing & Insurance Database:

Legal Name: BRITTANY TRUCKING CO., INC.
Address: 511 MONTGOMERY AVENUE
NEW CASTLE PA US 16102

91X Coverage(Type/Max/Underlying): Primary / \$1,000,000 / \$0

Docket	Form/Type	Policy Number	Effective Date	Action
MC-422618	BMC-34/CARGO	PHPK1150065	03/27/2014	ACCEPTED

Values in FMCSA Licensing & Insurance Database:

Legal Name: BRITTANY TRUCKING CO., INC.
Address: 511 MONTGOMERY AVENUE
NEW CASTLE PA US 16102

91X Coverage(Type/Max/Underlying):

Total: 3

Exhibit #1



Motor Carrier Information Exchange

National Online Registries

[Create Filing](#)
 [Search Filings](#)
 [Reports](#)
 [My Profile](#)
 [User Manual](#)
 [Log Out](#)

Total Filings Found: 2

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Search Results

#	Carrier Info	Filing Details	Certificate	Status	Actions
1436098	Name BRITTANY TRUCKING CO INC Address 511 MONTGOMERY AVE, STE 101 NEW CASTLE PA 16102 State MC ID A#00118529 USDOT FHWA Notes to State	Form Form H Underlying Liability Reinstate NO Effective 03/27/14 Submit 05/19/14	State Pennsylvania Policy PHPK1150065 Insurer Philadelphia Indemnity Insurance Company	Status Accepted Last Action Date 05/20/14 Effective Date 03/27/14 Submit Date 05/19/14	Create Form K

Notes from State

1470364	Name BRITTANY TRUCKING CO INC Address 511 MONTGOMERY AVE, STE 101 NEW CASTLE PA 16102 State MC ID A-00118529 USDOT FHWA Notes to State	Form Form E Underlying Liability 4,000,000.00 1,000,000.00 Reinstate NO Effective 03/27/14 Submit 07/15/14	State Pennsylvania Policy PHPK1150065 Insurer Philadelphia Indemnity Insurance Company	Status No Action Last Action Date 03/27/14 Submit Date 07/15/14	
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Notes from State

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[Return to Search Filing](#)

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Exhibit # 2

July 16, 2014

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

RE: Brittany Trucking Company, Inc.
(Reed Oil Co., Inc)
Docet No. C-2014-2428696
PUC # A00118529

Dear Rosemary:

In response to your letter to the captioned dated 7-10-14, I am enclosing the Filing that was made by Philadelphia Insurance Company effective 3-27-14.

The filing was done on 3-27-14 and overnighted to the PUC.

It looks like the filing was done in the name of Reed Oil Co., Inc., so the insurance company is doing a corrected filing in the name of Brittany Trucking Company, Inc. which will be forwarded to the PUC asap.

Please review and let me know if you have any questions.

Sincerely,

Karen McLaughlin
Enclosures

Exhibit #3



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

IN REPLY PLEASE
REFER TO OUR FILE

C-2014-2428696

Date of Service: July 10, 2014

BRITTANY TRUCKING COMPANY INC
511 MONTGOMERY AVENUE SUITE 101
NEW CASTLE PA 16102

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF INVESTIGATION & ENFORCEMENT

v.

BRITTANY TRUCKING COMPANY INC

Dear Sir/Madam:

Please be advised that the attached complaint has been filed against you by the Bureau of Investigation & Enforcement.

Detailed instructions on how to proceed are contained in the NOTICE section, and you are advised to read everything carefully or consult with your attorney.

Very truly yours,

Rosemary Chiavetta
Secretary

Attachments

jf

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

V. :

DOCKET NO. C-2014-2428696

BRITTANY TRUCKING COMPANY INC :
511 MONTGOMERY AVENUE SUITE 101 :
NEW CASTLE PA 16102 :

COPY

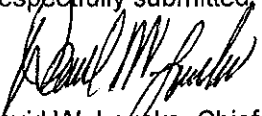
COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to BRITTANY TRUCKING COMPANY, INC., (respondent) is under suspension effective May 15, 2014 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 511 MONTGOMERY AVENUE, SUITE 101, NEW CASTLE, PA 16102.
3. That respondent was issued a Certificate of Public Convenience by this Commission on January 18, 2002, at A-00118529.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 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).

WHEREFORE, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00118529 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.


Respectfully submitted,


David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: 7-8-14



David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

- A. **You must file an Answer within 20 days of the date of service of this Complaint.** The date of service is the mailing date as indicated at the top of the Secretarial Letter. See 52 Pa. Code §1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

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

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Wayne T. Scott, First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Scott at: RA-PCCmpIntResp@pa.gov

- B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.
- C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. ACORD CERTIFICATES OF INSURANCE and FAXED FORM Es and Hs ARE **UNACCEPTABLE AS EVIDENCE OF INSURANCE.**

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the **Commonwealth of Pennsylvania** and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

- D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.
- E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.
- F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code §1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.