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May 17, 2005

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Via Hand Delivery

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Bldg., 2nd Floor  
400 North Street  
Harrisburg, PA 17120

DOCUMENT  
FOLDER

Re: Pennsylvania Public Utility Commission v. Wayne Storage Company  
Docket No. A-00108351-~~00404~~

Dear Secretary McNulty:

Enclosed for filing please find an original and three copies of a Petition for Reinstatement of Certificate for Good Cause.

Copies are being served on all parties of record.

Very truly yours,

*J P Melia*  
James P. Melia

JPM/cem  
Enclosures

cc: James Minder (w/Enclosure)

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SECRETARY'S BUREAU

RJP

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission

v.

Wayne Storage Company

Docket No. A-00108351C0401

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PETITION FOR REINSTATEMENT OF  
CERTIFICATE FOR GOOD CAUSE

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DOCKETED

JUN 15 2005

AND NOW COMES, Wayne Storage Company ("Petitioner"), by its counsel Kirkpatrick & Lockhart Nicholson Graham LLP, and herein files its Petition for Reinstatement of Certificate for Good Cause. Petitioner files this Petition in accordance with the provisions of 52 Pa. Code § 5.401(a) and 1 Pa. Code § 35.17. Petitioner further states as follows:

1. Petitioner is a moving and storage company which has been doing business for approximately 20 years with service rights in Chester County.
2. Petitioner was originally the subject of a complaint at Docket No. A-00108351C0401 for failure to maintain evidence of bodily injury and property damage liability insurance on file with the Public Utility Commission ("Commission"). The complaint was served on Petitioner on November 12, 2004.
3. Petitioner failed to file an Answer to the Complaint. At a public meeting held February 3, 2005, the Commission sustained the Complaint, assessed a fine of \$100 and canceled Petitioner's certificate.

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4. Petitioner is filing a Petition for Reinstatement of Certificate for Good Cause. Petitioner admits that it was formally served with the Complaint but, for various administrative reasons, the Complaint was not properly identified and forwarded to counsel for preparation of an Answer.

5. Petitioner has provided service under its Certificate for a period of 20 years to the areas encompassed within its certificated service territory. During this time, Petitioner has been the subject of very few shipper complaints and its records do not contain any instances of violations of Commission regulations for which it was fined or cited. Petitioner believes it has been operating as a reliable service provider during the time it has possessed its Certificate. This constitutes a response to the first of the five factors contained within the Order revoking the Certificate.

6. Respondent has met all outstanding obligations to the Commission including assessments, insurance filings and penalties. Attached herein is a check in the amount of \$100 for payment of the fine assessed against Petitioner by the Commission in its February 7, 2005 Order. Additionally, Petitioner avers that evidence of insurance, specifically Forms E and H, are currently on file with the Commission but have not been formally entered into Petitioner's file because of the revocation of its Certificate. This constitutes a response to the second factor contained in the Commission's revocation Order.

7. Petitioner avers that its Petition for Reinstatement was made in as timely a fashion as possible. Petitioner was made aware of the revocation of its certificate through notification from its insurance company that said evidence of insurance would

not be accepted by the Commission. This constitutes a response to the third factor contained in the Commission's revocation order.

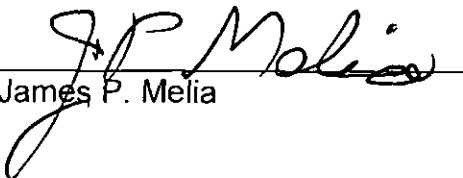
8. Petitioner's rationale for the violation resulting in the cancellation of the Certificate is internal administrative inefficiencies which resulted in Petitioner not being made aware of the issuance of the Complaint. Petitioner has since made necessary changes internally so that this situation does not recur. This constitutes a response to factors four and five stated in the Commission's Order.

9. Petitioner requests reinstatement of its Certificate for Good Cause even though the request is belated. Petitioner believes that the cause of the violation was administrative inefficiency within its own operations which it has since taken actions to correct.

WHEREFORE, for all of the foregoing reasons, Petitioner respectfully requests that its Petition for Reinstatement of Certificate for Good Cause be granted.

Respectfully submitted,

Kirkpatrick & Lockhart Nicholson Graham LLP  
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James P. Melia

Counsel for Wayne Storage  
Company, Inc.

Dated: May 18, 2005

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :

v. :

Wayne Storage Company, Inc. :

Docket Nos. A-00108351,  
A-00108351C0401

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AFFIDAVIT

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I, Christopher Swanson, being duly sworn according to law, depose and say that I am Vice President/Co-Owner of Wayne Storage Company, Inc.; that I am authorized to and do make this affidavit for it; and that the facts set forth in the foregoing Petition are true and correct to the best of my knowledge, information, and belief, and I expect the said company to be able to prove the same at any hearing hereof.



Christopher Swanson  
Vice President/Co-Owner  
Wayne Storage Company, Inc.

Sworn and subscribed before me  
this 12th day of May, 2005.

Rhonda Patton  
Notary Public

NOTARIAL SEAL  
RHONDA PATTON, Notary Public  
West Goshen Township, Chester County  
My Commission Expires May 27, 2007

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CHECK

DATE: May 26, 2005

SUBJECT: A-00108351

TO: Office of Special Assistants

FROM: James J. McNulty, Secretary *KB*

**DOCUMENT  
FOLDER**

Wayne Storage Company

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Attached is a copy of a Petition to Reinstate Certificate of Public Convenience of Wayne Storage Company, filed in connection with the above docketed proceeding.

This matter is assigned to your Office for appropriate action.

Attachment

cc: TAS-Director

KSB

**DOCKETED**

JUN 15 2005