

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :  
 2. BUREAU: TAS :  
 3. SECTION(S): :  
 5. APPROVED BY: : 4. PUBLIC MEETING DATE:  
 DIRECTOR: : 00/00/00  
 SUPERVISOR: :  
 6. PERSON IN CHARGE: KEMBEL : 7. DATE FILED: 11/01/04  
 8. DOCKET NO: A-00108351C0401 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BUREAU OF TRANSPORTATION & SAFETY

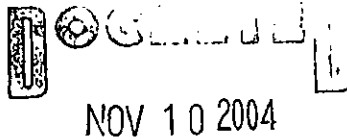
RESPONDENT/APPLICANT: WAYNE STORAGE CO.

COMP/APP COUNTY:

UTILITY CODE: 863335

ALLEGATION OR SUBJECT

FAILED TO MAINTAIN EVIDENCE OF BODILY INJURY & PROPERTY DAMAGE LIABILITY INS.


  
 NOV 10 2004



VERIFICATION

I, Wendy J. Keezel, 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 to be able to prove the 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: 10-28-04

Wendy J. Keezel  
Wendy J. Keezel

## NOTICE

A. You must file an answer within twenty (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 cover letter for this complaint and notice, 52 Pa. Code §1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your answer must be verified and the original and three copies sent to:

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

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa. C.S. §3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

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 within twenty (20) days of the date of service of this Complaint. The proof of insurance must be filed with the:

*Compliance Office, Bureau of Transportation and Safety*  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Upon receipt of the evidence of insurance from your insurer, the complaint shall be closed. **ACORD CERTIFICATES OF INSURANCE and FAXED FORM Es and Hs ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.**

D. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

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 optional penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

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

Date of Service: November 10, 2004  
Docket Number: A-00108351C0401

WAYNE STORAGE CO  
100 LAWRENCE DRIVE  
WEST CHESTER PA 19380

Pennsylvania Public Utility Commission Bureau of Transportation and Safety  
v.  
WAYNE STORAGE CO,

Dear Sir/Madam:

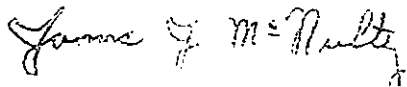
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

Pursuant to this delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff has filed the attached complaint against you.

Please refer to the Notice page at the conclusion of this complaint for detailed instructions on how to proceed. Alternative formats of this material are available for persons with disabilities.

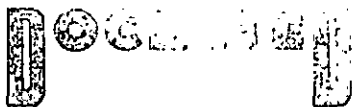
Any questions may be directed to the Technical Review Section of the Bureau of Transportation and Safety at (717) 787-1168.

Very truly yours,

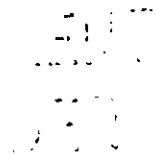


James J. McNulty  
Secretary

DDI



NOV 10 2004



2. Article Number



7160 3901 9843 0007 1094

3. Service Type CERTIFIED MAIL

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

A-00108351C0401

WAYNE Storage Co

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS FOLD AT NOTCHED LINE

A. Received by (Please Print Clearly)

R. Gavigila

B. Date of Delivery

11-12-04

C. Signature

X *R. Gavigila*

Agent  
 Addressee

D. Is delivery address different from item?  
If YES, enter delivery address below:

Yes  
 No

DATE: DECEMBER 10, 2004

TO: Bureau of Transportation & Safety

FROM: James J. McNulty, Secretary

Answers were due to be filed on the following cases.

To this date, no answers have been received on the following:

A-00086096C0401	PHILIP KITKO
A-00097961C0401	VINCENT SCALZO JR
A-00107028C0401	W.R. KRUG INC
A-00108351C0401	WAYNE STORAGE CO
A-00110502C0401	DETTINBURN TRANSPORT INC
A-00110912T0401	AGAPE' CAB CO
A-00111115C0401	WALTER H SLICK
A-00112009C0401	L.C.L. TRANSIT COMPANY
A-00112339C0401	BEST OF TIMES CHAUFFERED
A-00112585C0401	ALBERT R & DAVID M BROWN
A-00112657T0401	JENCO ASSOCIATES INC
A-00113528C0401	KENNETH A WASHINGTON
A-00113598C0401	ACME TRANSPORTATION INC
A-00113774C0401	DANIEL A HELLER
A-00113820C0401	MARK E KURUTZ
A-00114300C0401	JOSEPH R GAVALIS
A-00114321C0401	STACEY MCCLAIN
A-00115170C0401	A.H.S. INC
A-00115371C0401	MAMBO MOVERS INC
A-00115881C0401	L.J.T. TRUCKING INC
A-00116186C0401	DELUXE DELIVERY SERVICE INC

DOCUMENT  
FOLDER

**DOCKETED**  
JAN 04 2005

A-00116218C0401	THEODORE & TARAPCHAK E ZENIER
A-00117582C0401	KYLE H LAMPARTER
A-00118165C0402	JACOB AND DIXY GARBER, COPTS
A-00118312C0401	MORGAN TRANSPORT SERVICES INC
A-00118445C0401	S. CARR TRANSPORT INC
A-00119219C0401	GERALD L HOLTRY
A-00119278C0401	MARK SHONIS
A-00119279C0401	KNOUSE TRUCKING INC
A-00119310C0401	M.C. MIXELL TRUCKING LLC
A-00119505T0401	FOUNA CAB CO INC
A-00120016C0401	LEON C HULL
A-00120164C0401	FOX FREIGHT EXPRESS INC
A-00120170C0401	MICHAEL ALBERT
A-00120214C0401	ELMER C SUTTON JR
A-00120398C0401	RICHARD & POHIDA JOS DESTEFANO
A-00120614C0401	ANTHONY J CORSO

dbb