

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held September 9, 1993

Commissioners Present:

David W. Rolka, Chairman
Joseph Rhodes, Jr., Vice-Chairman
John M. Quain
Lisa Crutchfield
John Hanger

DOCUMENT
FOLDER

Pennsylvania Public Utility Commission
v.
Ace Moving and Storage Corporation

A-00108519C9303
A-00108519, Fs. 1 and 2

ORDER TO SHOW CAUSE

BY THE COMMISSION:

This Commission, upon its own motion, as the duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate motor carriers within the Commonwealth, institutes an Order to Show Cause against Ace Moving and Storage Corporation, and represents as follows:

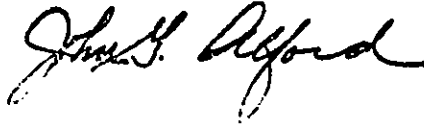
1. That Ace Moving and Storage Corporation, respondent, maintains its principal place of business at 1313 Wyoming Avenue, Exeter, Luzerne County, Pennsylvania 18643.
2. That respondent was issued a certificate of public convenience by this Commission on January 3, 1990 at Application Docket No. A-00108519, F. 1 and F. 2.
3. That, on October 22, 1992, this Commission instituted a complaint upon our own motion at A-00108519C9204 against respondent alleging that it violated 66 Pa. C.S. §1102(a)(1)(i). The complaint was entered on October 30, 1992 and was served on respondent on November 17, 1992.
4. That no timely answer was received relative to the complaint; therefore, this Commission adopted an order on March 11, 1993 which sustained the complaint and ordered respondent to pay a penalty of two hundred fifty dollars (\$250.00) by certified check or money order within twenty (20) days after service of the order, as provided in the Public Utility Code, 66 Pa. C.S. §§3301 and 3315. The order was entered on March 24, 1993 and was served on respondent on March 25, 1993.
5. That respondent, in failing to pay the penalty within the specified time period, violated the Public Utility Code, 66 Pa. C.S. §501(c) by failing to observe, obey and comply with a Commission order, and the terms and conditions thereof, entered on March 24, 1993 at A-00108519C9204.

THEREFORE, IT IS ORDERED:

1. That Ace Moving and Storage Corporation show cause why its certificate of public convenience at Application Docket No. A-00108519, Fs. 1 and 2 should not be revoked or suspended or why other appropriate action should not be ordered as authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.
2. That respondent has twenty (20) days from the date on which this order is served to file with the Secretary of the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, an answer, in writing, under oath, which, as required by the Rules of Administrative Practice and Procedure, 52 Pa. Code §5.61, either affirms or specifically denies the allegations in this order.
3. That, if respondent fails to file an answer or other responsive pleading within twenty (20) days, respondent will be deemed to have admitted all the allegations in this order in accordance with the Rules of Administrative Practice and Procedure, 52 Pa. Code §5.61. In that event, this Commission may, without hearing, enter an order which either revokes or suspends any certificate held by respondent, or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.
4. That, if respondent files an answer which admits the allegations in this order or which fails to specifically deny the allegations in this order, this Commission will enter an order which either revokes or suspends any certificate held by respondent, or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §§101 et seq.
5. That, if respondent files a timely answer which specifically denies the allegations in this order or which raises material questions of law or fact, this matter shall be referred to an Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, the respondent is found to have committed any of the alleged violations, the Administrative Law Judge may render a decision which either revokes or

suspends any certificate held by respondent, or which imposes a fine or other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. §§101, et seq.

BY THE COMMISSION,



John G. Alford
Secretary

(SEAL)

ORDER ADOPTED: September 9, 1993

ORDER ENTERED: SEP 20 1993