



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

IN REPLY PLEASE
REFER TO OUR FILE

July 1, 2015

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

Re: Pennsylvania Public Utility Commission, Bureau of Investigation
and Enforcement v. Lambert Worldwide Services, LLC
Docket No. C-2014-2445808

Dear Secretary Chiavetta:

Enclosed for electronic filing is the Motion for Default Judgment of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission in the above-captioned matter.

Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Myers", is written over a light blue grid background.

Kourtney L. Myers
Prosecutor
PA Attorney ID No. 316494

Enclosure

cc: As per certificate of service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

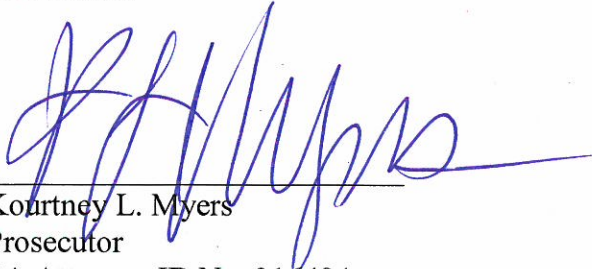
Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	Docket No. C-2014-2445808
v.	:	
	:	
Lambert Worldwide Services, LLC,	:	
Respondent	:	

NOTICE TO PLEAD

Pursuant to 52 Pa. Code § 5.103, the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission) has filed a Motion for Default Judgment in the above-captioned matter. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with Commission procedural regulations at 52 Pa. Code § 5.61.

Your Answer must be verified and the original sent to:
Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Additionally, you must serve a copy on:
Michael L. Swindler
Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105


Kourtney L. Myers
Prosecutor
PA Attorney ID No. 316494

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 705-4366

Dated: July 1, 2015

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	Docket No. C-2014-2445808
v.	:	
	:	
Lambert Worldwide Services, LLC,	:	
Respondent	:	

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Pennsylvania Public Utility Commission’s (Commission) Bureau of Investigation and Enforcement (I&E), by its prosecuting attorneys, and files this Motion for Default Judgment against Lambert Worldwide Services, LLC (Respondent) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

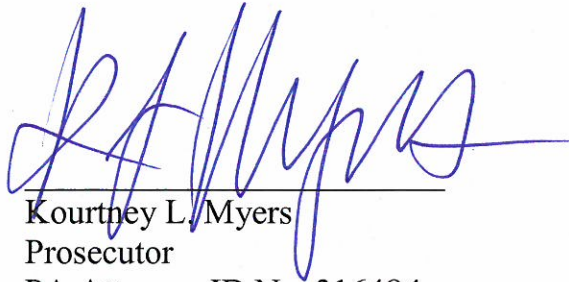
1. I&E commenced this action on October 2, 2014 by filing a Complaint.
2. On October 3, 2014, the Complaint was served by certified mail to Respondent at P.O. Box 18889, Philadelphia, PA 19119.
3. This is the last known mailing address that Respondent provided to the Commission.
4. On December 1, 2014, the Complaint was returned to the Commission by the United States Post Office and was marked as “Return to Sender; Unclaimed; Unable to Forward.”
5. On December 16, 2014, the Complaint was re-served to Respondent at P.O. Box 18889, Philadelphia, PA 19119.
6. While there is no record that this Complaint was returned to the Commission, I&E was unable to obtain certification that Respondent received the Complaint.

7. Pursuant to the Commission's procedural regulations at 52 Pa. Code §1.53(e), the Complaint was published in the Pennsylvania Bulletin on January 24, 2015. *See* 45 Pa. Bull. 480 (January 24, 2015).
8. Included with the Complaint was a Notice advising Respondent that it must file an Answer within twenty (20) days.
9. The Notice also advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order imposing the penalty set forth in the Complaint.
10. Respondent did not file an Answer to the Complaint.
11. In the Complaint, I&E alleges that Respondent failed to pay its assessment for the 2013-2014 fiscal year in the amount of \$105. I&E asserts that Respondent violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c), for failing to pay its assessment within thirty (30) days of receiving the assessment invoice.
12. For relief, I&E requests that Respondent pay its outstanding assessment balance and a civil penalty of 15% of the outstanding balance, or \$16. If payment of the outstanding assessment and civil penalty is not made, then I&E requests that the Commission cancel Respondent's Certificate of Public Convenience.
13. Subsequent to the filing of I&E's Complaint, on February 3, 2015, the Commission received payment from Respondent in the amount of \$105, which satisfies its outstanding assessment balance for the 2013-2014 fiscal year.
14. Also subsequent to the filing of I&E's Complaint, on May 21, 2015, the Commission cancelled Respondent's Certificate of Public Convenience at A-2011-2221819 by Secretarial Letter at Docket No. C-2013-2389775.
15. Respondent has not paid the civil penalty that was requested in the Complaint regarding its failure to timely pay its assessment for the 2013-2014 fiscal year.
16. As mentioned above, Respondent did not file an Answer to the Complaint. Pursuant to Section 5.61(c) of the Commission's regulations, a Respondent who fails to file an Answer to a Complaint within the 20-day response period may be deemed in default, and the relevant facts stated in the Complaint may be deemed admitted. 52 Pa. Code §5.61(c).
17. The Commonwealth Court has upheld the Commission's authority to sustain complaints that are not answered within twenty days. *See Fusaro v. Pa. PUC*, 382 A.2d 794, 797 (Pa. Cmwlth. 1978).

18. Therefore, I&E respectfully requests that the Commission enter a Default Order against Respondent that:

- a. Directs Respondent to pay the requested civil penalty of \$16 within thirty (30) days of the entry date of the Commission's Order.

Respectfully submitted,



Kourtney L. Myers
Prosecutor
PA Attorney ID No. 316494

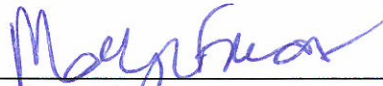
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 705-4366
komyers@pa.gov

Date: July 1, 2015

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, 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 the Bureau will 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: July 1, 2015



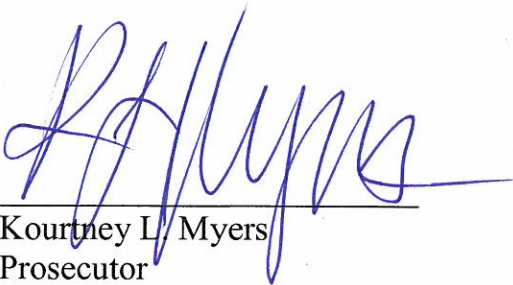
Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a party).

Service by First Class Mail:

Robert Lambert, President
Lambert Worldwide Services, LLC
P.O. Box 18889
Philadelphia, PA 19119-0889



Kourtney L. Myers
Prosecutor
PA Attorney ID No. 316494

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 705-4366

Dated: July 1, 2015