

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. REPORT DATE: December 1, 2006	2. BUREAU AGENDA NO. JAN-2007-TSV-0001*
3. BUREAU: Transportation & Safety	
4. SECTION(S): MCS&E Division Compliance Section	5. PUBLIC MEETING DATE: January 11, 1007
6. APPROVED BY: Director: Hoffman (3-3846) <i>[Signature]</i> Mgr/Spvr: Minder (7-1168) <i>[Signature]</i> Legal Review:	<i>[Signature]</i> A-00113687 C0601
7. PERSONS IN CHARGE: Rinehart 7-5513 <i>[Signature]</i>	9. EFFECTIVE DATE OF FILING: N/A
8. DOCKET NO.: A-00113687, et al (See Attached List)	

**DOCUMENT
FOLDER**

10. (a) CAPTION (abbreviate if more than 4 lines)
 (b) Short summary of history & facts, documents & briefs
 (c) Recommendation

(a) Eight (8) Commission Orders adjudicating Bureau of Transportation and Safety instituted Complaints alleging failure to maintain proof of bodily injury and property damage liability insurance and/or cargo insurance on file with the Commission.

(b) The Bureau of Transportation and Safety notified Respondents that on Answer to the Complaint must be filed within twenty (20) days of the date of service of the Complaint in accordance with 52 Pa. Code § 5.61. Respondents were advised that failure to file an Answer, or to have their insurer file evidence of insurance, would result in a recommendation to the Commission that the Respondents' Certificate be canceled. The Respondents listed on the attachment have failed to file an Answer, and have not filed evidence of insurance.

(c) The Bureau of Transportation and Safety recommends that the Commission adopt the Orders directing that the Complaints be sustained, that the Certificates be canceled, and that some be fined.

DOCKETED
JAN 23 2007

C.S #643887

11. **MOTION BY:** Commissioner Chm. Holland
SECONDED: Commissioner Cawley

Commissioner Pizzingrilli - Yes
 Commissioner Fitzpatrick - Yes
 Commissioner

CONTENT OF MOTION: Staff recommendation adopted.



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

IN REPLY PLEASE
REFER TO OUR FILE

January 18, 2007

A-00113687C0601
A-00113687F0003

DANIEL J DELLICH JR
T/A DANIEL J DELLICH JR TRUCKING
524 HARRISVILLE ROAD
BOYERS PA 16020

DOCUMENT
FOLDER

PENNSYLVANIA PUBLIC UTILITY COMMISSION

V.

DANIEL J DELLICH JR
T/A DANIEL J DELLICH JR TRUCKING
524 HARRISVILLE ROAD
BOYERS PA 16020

To Whom It May Concern:

This is to advise you that the Commission in Public Meeting on **January 11, 2007** adopted an Order in the above entitled proceeding.

An Order has been enclosed for your records.

Very truly yours,

James J. McNulty
Secretary

Rpb
Encls
Cert. Mail

THE DEPARTMENT OF REVENUE
BUREAU OF AUDIT PROGRAMS
SALES AND USE TAXES
STRAWBERRY SQUARE 10TH FLOOR
HARRISBURG PA 17128-1061

PROGRESSIVE NORTHERN INSURANCE CO
PO BOX 94739
CLEVELAND OH 44101

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held January 11, 2007

Commissioners Present:

Wendell F. Holland, Chairman
James H. Cawley, Vice Chairman
Kim Pizzingrilli
Terrance J. Fitzpatrick

DOCUMENT
FOLDER

Pennsylvania Public Utility Commission

v.

Daniel J. Dellich, Jr.
t/a Daniel J. Dellich, Jr. Trucking
524 Harrisville Road
Boyers, PA 16020

A-00113687C0601

A-00113687, F3

DOCKETED
JAN 30 2007

ORDER

BY THE COMMISSION:

On October 19, 2006, the Bureau of Transportation and Safety instituted a Complaint against Daniel J. Dellich, Jr., t/a Daniel J. Dellich, Jr. Trucking, Respondent, for failure to maintain evidence of bodily injury and property damage liability insurance on file with this Commission, a violation of the Public Utility Code at 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).

In accordance with 52 Pa. Code §5.61, the Bureau of Transportation and Safety notified the Respondent that, unless its insurer files evidence of insurance with this Commission, Respondent must file an Answer to the Complaint within twenty (20) days of the date of service. The Notice further specified that, if Respondent failed to answer the Complaint within twenty

(20) days, the Bureau of Transportation and Safety would request the Commission issue an Order which cancels Respondent's Certificate of Public Convenience.

The Complaint was served on Respondent on October 23, 2006. To date, more than twenty (20) days later, Respondent has failed to file an Answer to the Complaint and has failed to have its insurer file evidence of insurance with this Commission.

THEREFORE, IT IS ORDERED:

1. That the allegations in the Complaint are deemed to be admitted.
2. That the Complaint is hereby sustained.
3. That the Certificate of Public Convenience issued to Respondent at A-00113687, F3, is hereby cancelled.
4. That Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa. C.S. §§101, et seq. and the regulations of the Commission, 52 Pa. Code §§1.1, et seq. In view of the cancellation of Respondent's Certificate of Public Convenience, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.
5. That should Respondent wish to again begin transportation operations in the Commonwealth of Pennsylvania, Respondent must file a new application for authority in order to obtain a Certificate of Public Convenience. The Respondent must pay all outstanding assessments and fines before this Commission will act on an application for authority. Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.
6. That this Commission will request Pennsylvania Department of Transportation to put an administrative hold on Respondent's vehicle registrations. Respondent will **NOT** be able to register any new vehicles or renew any existing vehicle registrations until all past due assessments are paid, all past due fines are paid, all insurance filings are up to date, and it holds an active Certificate of Public Convenience issued by this Commission.

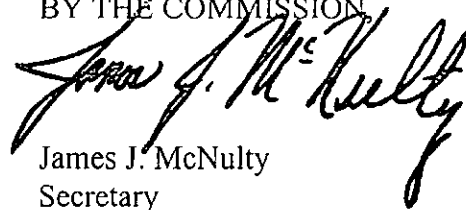
This Cancellation Order will also be served on:

The Department of Revenue
Bureau of Audit Programs
Sales and Use Taxes
Tenth Floor, Strawberry Square
Harrisburg, PA 17128-1061

and on Respondent's insurance carrier:

Progressive Northern Insurance Co.
P.O. Box 94739
Cleveland, OH 44101

BY THE COMMISSION



James J. McNulty
Secretary

(SEAL)

ORDER ADOPTED: January 11, 2007

ORDER ENTERED: **JAN 18 2007**