



HERK'S TRUCKING INC.



DOCKETED

P.O. BOX 615
MOSCOW, PA. 18444

ORIGINAL

AUG 09 1999 068086

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RECEIVED JULY 30, 1999
SECRETARY'S BUREAU.

DOCUMENT FOLDER

Mr. McNulty,

I would like to have a hearing on the alleged violation C00992632, due to several facts I found out after this happened. The major fact that Mark Ives was driving this load without my knowledge. The last load in which Mark Ives pulled for this company was on May 29, 1999. He delivered on June 1, 1999. Our policy, for each driver is to call in when empty, he did not. When I finally reached him he told me he was laying blocks for an ex-employer.

Mark Ives' truck nor trailer was registered to Herk's Trucking Inc.

I contacted Litts & Sons Stone Inc. after the officer called me. Mr. Litts stated that the stone was bought in New York State. He also stated that he has documents to prove his purchase.

Please advise me if I can appeal this fine of five hundred dollars (\$500) under these conditions.

7-30-99

Louise A Edwards

Thank You,
Harold Schenk
Harold Schenk
Herks' Trucking Inc.

Notarial Seal
Louise A. Edwards, Notary Public
Covington Twp., Lackawanna County
My Commission Expires Feb. 4, 2000
Member, Pennsylvania Association

EEF

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570-842-3321



FAX; 717-842-3358



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

IN REPLY PLEASE
REFER TO OUR FILE

November 5, 1999

DOCUMENT
FOLDER

Mr. James J. McNulty, Secretary
Pa. Public Utility Commission
P.O. Box 3265
Room G-05, North Office Building
Harrisburg, PA 17105-3265

DOCKETED
NOV 16 1999

RE: Pa. Public Utility Commission, Bureau of Transportation
and Safety v. Herks Trucking, Inc.
Docket No. C-00992632

Dear Secretary McNulty:

In July of this year the Bureau initiated a complaint against Herks Trucking, Inc. On August 2, 1999, the Respondent filed an Answer to the Bureau's complaint. In its Answer the Respondent disclaimed any involvement with the move complained of.

After the complaint was assigned to the Bureau's Legal Division for prosecution, I requested that the matter be referred to our Scranton District Office for further investigation. On October 25, 1999, I received the requested report which established that the Respondent was not the for-hire carrier.

In consideration of the fact that Herks Trucking, Inc. was not the for-hire for the move complained of, the Bureau will withdraw prosecution of the captioned complaint. Please sent a Secretarial letter to all parties of record which indicated that the complaint has been withdrawn and that the record is closed.

Very truly yours,

R. K. Smith, Jr.
Assistant Counsel

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NOV 07 1999

PUBLIC UTILITY COM.
SECRETARY'S BUREAU