

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/	:	
2. BUREAU: TAS	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE: YIENGST	:	7. DATE FILED: 05/11/99
8. DOCKET NO: C-00992463	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: PITTSBURGH CHARTIERS YOUGHIOGHENY R.R.

COMP/APP COUNTY:

UTILITY CODE: 999999

ALLEGATION OR SUBJECT

COMPLAINT AGAINST PITTSBURGH CHARTIERS YOUGHIOGHENY R.R. FOR VARIOUS VIOLATIONS.

EEF

DOCKETED
MAY 19 1999

**DOCUMENT
FOLDER**

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

053284

99 MAY 11 AM 10:25

RECEIVED
SECRETARY'S BUREAU

V.

DOCKET NO. C-00992463

Pittsburgh Chartiers Youghiogheny R.R.

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Pittsburgh Chartiers Youghiogheny R.R., respondent, maintains its principal place of business at 208 Island Avenue, McKees Rocks, Pennsylvania 15136-3307.
2. That respondent was issued a certificate of public convenience by this Commission on January 1, 1915, at Docket No. A-19150351.
3. That, on July 23, 1998, respondent was sent an initial assessment of \$1,137.00. Respondent failed to pay this assessment; therefore, a balance was due in the amount of \$1,137.00.
4. That respondent has an outstanding assessment of \$1,137.00.
5. That respondent failed to file objections to the assessment, pursuant to 66 Pa. C.S.A. §510(c).
6. That respondent, by failing to pay the assessment, is in violation of the Public Utility Code at 66 Pa. C.S.A. §510(c).

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WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission cancel the certificate of public convenience issued to respondent, direct the Pennsylvania Department of Transportation to revoke the motor vehicle registration(s) issued to respondent, notify the Pennsylvania Department of Revenue that respondent's certificate of public convenience has been revoked and notify respondent's insurance carrier that respondent's certificate of public convenience has been revoked.

Respectfully submitted,

George T. Mahan, Director
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, George T. Mahan, 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: _____

George T. Mahan, Director

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). 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 (3) 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 enter an order imposing the penalty set forth in the complaint.

C. You may elect not to contest this complaint by paying your outstanding assessment within twenty (20) days. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Bureau of Audits, Attention Steve Reed
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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 the Commission to enter an order imposing the penalty set forth in the complaint.

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 penalty set forth in this complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Bureau of Audits at (717) 783-6190.

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

Date of Service: MAY 19, 1999

C-00992463

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
PITTSBURGH CHARTIERS YOUGHIOGHENY R.R.

PITTSBURGH CHARTIERS YOUGHIOGHENY RR
208 ISLAND AVE
MCKEES ROCKS PA 15136-3307

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.

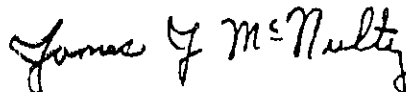
Pursuant to this delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff has filed the attached complaint against you.

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) 783-5945.

Very truly yours,



James J. McNulty
Secretary

EEF

DOCKETED
MAY 19 1999

KLK

**DOCUMENT
FOLDER**

COMMONWEALTH OF PENNSYLVANIA

DATE: JUNE 14, 1999

SUBJECT: C-00992463

TO: Bureau of Transportation and Safety
Attention: Wendy Keezel

FROM: James J. McNulty, Secretary

DOCKETED
JUN 17 1999

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FOLDER

PA P.U.C. vs PITTSBURGH CHARTIERS YOUGHIOGHENY RR

Will you please have an enforcement officer deliver the attached returned certified mail.

Attachment

pc: Office of Administrative Law Judge

KLK

BTL

COMMONWEALTH OF PENNSYLVANIA

DATE: JUNE 15, 1999

SUBJECT: C-00992463

TO: Bureau of Transportation and Safety-Technical Review

FROM: *JJM* James J. McNulty, Secretary

Bureau of Transportation and Safety

vs

PITTSBURGH CHARTIERS YOUGHIOGHENY R.R.

Under date of June 14, 1999, we notified you that no answer or fine was paid in the proceeding docketed at C-0092463. The memo should have been at C-00992463.

Will you please change your records accordingly.

JJY

DOCKETED
JUN 15 1999

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FOLDER

BTL