

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: TAS	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE: KWIATKOWSKI	:	7. DATE FILED: 04/19/06
8. DOCKET NO: C-20066238	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: ABC MOVING SERVICE

COMP/APP COUNTY:

UTILITY CODE: 999999

ALLEGATION OR SUBJECT

TAS COMPLAINT VS. ABC MOVING SERVICE FOR VARIOUS VIOLATIONS.

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PA P.U.C.
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

v.

DOCKET NO. C-20060238

ABC MOVING SERVICE

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 ABC Moving Service, respondent, operates its business from 401 South Main St., Phillipsburg, New Jersey, 08865.

2. That by placing a business card on display offering local service at the Bridgeview Apartments located at 701 Harrison St., Allentown, Pennsylvania 18103, in the Fall of 2005, respondent held itself out to provide household goods in use moving services, for compensation within the state of Pennsylvania, while not holding proper authority.

3. That respondent, in performing the act described in Paragraph 3 of this complaint, violated the Public Utility Code, 66 Pa. C.S. §1101, in that respondent held itself out to transport household goods in use for compensation, between points in the Commonwealth of Pennsylvania while not holding a certificate of public convenience issued by this Commission. The penalty is \$1,000.00 per violation. Future violations may result

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in possible criminal prosecution with penalties up to \$10,000.00 and one year in prison.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine ABC Moving Service the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Wendy J. Keezel

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, 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: 4-17-06

Wendy J. Keezel
Wendy J. Keezel

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). An answer is a written explanation of circumstances wished to be considered in determining the out come. 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 issue a Secretarial Letter imposing a penalty.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

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 optional fine.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 783-5945.

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

Date of Service: APRIL 21, 2006
Docket Number: C-20066238

ABC MOVING SERVICE
401 SOUTH MAIN STREET
PHILLIPSBURG NJ 08865

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
ABC MOVING SERVICE

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) 787-1168.

Very truly yours,

James J. McNulty

James J. McNulty
Secretary

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