

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: TAS	:	
3. SECTION(S):	:	4. PUBLIC MEETING DATE:
5. APPROVED BY:	:	00/00/00
DIRECTOR:	:	
SUPERVISOR:	:	
6. PERSON IN CHARGE: KWIATKOWSKI	:	7. DATE FILED: 09/20/07
8. DOCKET NO: A-00111047C0701	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: RILEY, JOSEPH P. & SONS MVG CO INC

COMP/APP COUNTY: UTILITY CODE: 700793

ALLEGATION OR SUBJECT

TAS COMPLAINT AGAINST JOSEPH P RILEY & SONS MOVING CO INC. FOR VARIOUS VIOLATIONS.

**DOCKETED**  
SEP 21 2007

**DOCUMENT  
FOLDER**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
BUREAU OF TRANSPORTATION AND SAFETY

V.

DOCKET NO. A-00111047C 0701

JOSEPH P. RILEY & SONS MOVING CO., INC.  
T/A RILEY & SONS MOVING CO.

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 Joseph P. Riley & Sons Moving Co., Inc., t/a Riley & Sons Moving Co., respondent, maintains a principal place of business at 8701 Torresdale Ave., Unit 2, Building 2, Philadelphia, PA 19136.
2. That respondent was issued a Certificate of Public Convenience by this Commission on April 19, 1994, at Application Docket No. A-00111047.
3. That respondent, on February 28, 2007, did conduct a household goods in use move between points in Philadelphia, Philadelphia County, PA 19114, and points in King of Prussia, Montgomery County, PA 19406. During said move, respondent failed to apply the correct hourly rate of \$130.00 for the period of 7:15 a.m. until 8:00 a.m., which resulted in an undercharge for the move. Respondent also failed to provide the shipper the "Information for Shipper" form at least 48 hours prior to the move and failed to prepare an inventory list.
4. That respondent, by charging a lower rate than that specified in the tariff on file with this Commission, violated 66 Pa. C.S. § 1303. The penalty is \$250.
5. That respondent, by failing to provide the Information for Shippers at least 48 hours prior to the move, violated 52 Pa. Code § 31.121(c). The penalty is \$250.
6. That respondent, by failing to provide an inventory list, violated 52 Pa. Code § 31.133(b). The penalty is \$100.

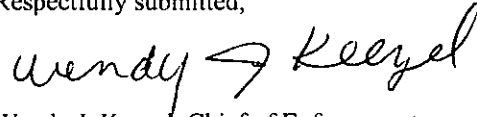
DOCKETED  
SEP 21 2007

DOCUMENT  
FOLDER

RECEIVED  
2007 SEP 20 PM 2:36  
M.P.U.C.  
SECRETARY'S BUREAU

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Joseph P. Riley & Sons Moving Co., Inc., t/a Riley & Sons Moving Co., the sum of six-hundred (\$600.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

A handwritten signature in cursive script that reads "Wendy J. Keezel". The signature is written in black ink and is positioned above the typed name and title.

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, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, 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: 9-19-07

Wendy J. Keezel  
Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement Division  
Bureau of Transportation and Safety

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 outcome. 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 **Commonwealth of Pennsylvania** and should be forwarded to:

James J. McNulty, Secretary  
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 an Order 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 set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

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

Date of Service: September 21, 2007  
Docket Number: A-00111047C0701

JOSEPH P RILEY & SONS MOVING CO INC  
T/A RILEY & SONS MOVING CO  
8701 TORRESDALE AVE UNIT 2 BLDG 2  
PHILADELPHIA PA 19136

Pennsylvania Public Utility Commission Bureau of Transportation and Safety  
v.  
JOSEPH P RILEY & SONS MOVING CO INC T/A RILEY & SONS MOVING CO

Dear Sir/Madam:

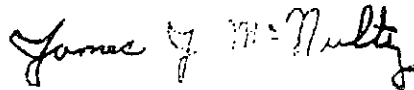
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

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  
Secretary

ddi

DOCUMENT  
FOLDER

DOCKETED  
SEP 21 2007



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

IN REPLY PLEASE  
REFER TO OUR FILE

2007.0097

December 14, 2007

**DOCUMENT  
FOLDER**

**Via Hand Delivery**

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
400 North Street  
Harrisburg, PA 17105-3265

Re: PUC v. Joseph P. Riley & Sons Moving Co., Inc. t/a Riley & Sons Moving Co.; Docket No. A-00111047C0701

Dear Secretary McNulty:

Pursuant to 52 Pa. Code § 5.94, the Bureau of Transportation is withdrawing its complaint against Joseph P. Riley & Sons Moving Co., Inc. t/a Riley & Sons Moving Co. at Docket No. A-00111047C0701. BTS requests this case be marked closed in twenty days from the date of this letter if no objection is filed.

Sincerely,

Elizabeth H. Barnes  
Counsel for Bureau of Transportation and Safety

cc: Wendy J. Keezel, Chief of Enforcement BTS  
Eric Rohrbaugh, Deputy Chief Counsel  
Lisa Hale, Riley & Sons Moving Co., Inc.

RJP

RECEIVED  
2007 DEC 14 PM 2:50  
PA PUC  
SECRETARY'S BUREAU

BN 960

L969