

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: KEYSER | : | 7. DATE FILED: 12/30/03 |
| 8. DOCKET NO: A-00111138C0301 | : | 9. EFFECTIVE DATE: 00/00/00 |

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: FOREMAN, KENNETH G.

COMP/APP COUNTY:

UTILITY CODE: 700813

ALLEGATION OR SUBJECT

COMPLAINT AGAINST KENNETH G FOREMAN T/A K FOREMAN TRUCKING FOR REQUEST TO RE-VOKE ITS CERTIFICATE OF PUBLIC CONVENIENCE AT A-00111138.

DOCUMENT
FOLDER

DOCKETED
DEC 30 2003

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION AND SAFETY

v.

DOCKET NO. A-00111138C0301
A-00111138

Kenneth G. Foreman
t/a K. Foreman Trucking

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 Kenneth G. Foreman, t/a K. Foreman Trucking, respondent, maintains his principal place of business at Box 175, R. D. 2, Route 40, Newfield, NJ 08344.
2. That respondent was issued a certificate of public convenience by this Commission on June 6, 1994, at Application Docket No. A-00111138.
3. That respondent abandoned or discontinued service without having first submitted a letter to this Commission containing a statement that the service is no longer being rendered. Respondent has not reported intrastate revenue for the years 2001, 2002 and 2003.
4. That respondent, by failing to submit a letter to this Commission containing a statement that the service is no longer being rendered, violated 52 Pa. Code §3.381(a)(5) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa. C.S. §1501.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's **Certificate of Public Convenience at A-00111138.**

RECEIVED
03 DEC 30 AM 10:22
PA. P.U.C.
SECRETARY'S BUREAU

Respectfully submitted,

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.

DOCKETED
DEC 30 2003

Date: 12/19/03

Wendy J. Keezel, Chief of Enforcement

DOCUMENT
FOLDER

NOTICE

A. You must file an answer within twenty 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 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 days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. 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, which may include the revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at 717-787-1168.

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

Date of Service: DECEMBER 31, 2003
Docket Number: A-00111138C0301

DOCUMENT
FOLDER

KENNETH G FOREMAN T/A K FOREMAN TRUCKING
BOX 175, R D 2, ROUTE 40
NEWFIELD NJ 08344

DOCKETED
DEC 30 2003

Pennsylvania Public Utility Commission Bureau of Transportation and Safety

v.

KENNETH G FOREMAN T/A K FOREMAN TRUCKING

Dear Sir/Madam:

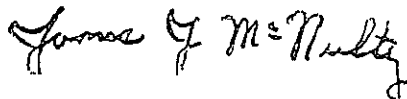
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

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

dbs