CAPTION SHEET CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00
2. BUREAU: TAS
3. SECTION(S):
4. PUBLIC MEETING DATE: 00/00/00
5. APPROVED BY:
   DIRECTOR:
   SUPERVISOR:
6. PERSON IN CHARGE: FACKLER
7. DATE FILED: 11/01/04
8. DOCKET NO: A-00109698C0401
9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: SNODDY, BILL CONSTRUCTION CO

COMP/APP COUNTY: UTILITY CODE: 700412

ALLEGATION OR SUBJECT

TAS COMPLAINT VS. BILLY SNOODY CONSTRUCTION CO. FOR VARIOUS VIOLATIONS.

DOCUMENT FOLDER
DOCKETED
DEC 29 2004

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

SECRETARY'S BUREAU
2004 DEC -1 PM 2:38

PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF TRANSPORTATION AND SAFETY	:	
V.	:	DOCKET NO. A-00109698C0401
BILL SNODDY CONSTRUCTION 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 Bill Snoddy Construction Co., respondent, maintains its principal place of business at Old Route 119, North, P.O. Box 945, Uniontown, Pennsylvania 15401.

2. That respondent was issued a certificate of public convenience by this Commission on May 24, 1991, at Docket No. A-00109698.

3. That respondent, on June 10, 2004, at approximately 5:17 p.m., at I-79, South Fayette Township, Allegheny County, Pennsylvania, permitted a certain 1998 Peterbilt truck bearing Pennsylvania License No. AE42386, Vehicle Identification No. 1NPALU0WN474440, to be operated. At that time, Enforcement Officer Paul Caliari found said vehicle to be transporting 2B stone from Cool Spring Stone Supply, P.O. Box 1328, Uniontown, Pennsylvania to Limestone Products, Miller Run Road, Bridgeville, Pennsylvania, for compensation.

4. That the vehicle described in Paragraph 3 of this Complaint was inspected by Enforcement Officer Paul Caliari, a duly authorized officer of this Commission, on the date and at the place specified in Paragraph 3 and the following violation was disclosed.

(a) Failed to have a copy of a lease or certificate carried on the vehicle during the period of the contract, lease or other arrangement.

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DEC 29 2004

5. That respondent, by failing to carry a copy of a lease or a certificate on the vehicle, violated 52 Pa Code §31.32(c)(2)(vii). The penalty is $50.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Bill Snoddy Construction Co., the sum of fifty dollars ($50.00) 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: 10-1-04

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 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 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 set forth above.

F. 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 30, 2004
Docket Number: A-00109698C0401

BILL SNODDY CONSTRUCTION CO.
OLD ROUTE 119, NORTH, P.O. BOX 945
UNIONTOWN PA 15401

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
BILL SNODDY CONSTRUCTION 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

James J. McNulty
Secretary

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DEC 29 2004

JIH

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

DATE: 1/13/2005
RECEIPT NO: 183265

BILL SNODDY CONSTRUCTION CO.
OLD ROUTE 119, P.O. BOX 945
UNIONTOWN PA 15401

PUC VS. BILL SNODDY CONSTRUCTION CO.

Fine for the violation of Pa Public Utility Law

Docket Number A-00109698C0401..... $50.00

REVENUE ACCOUNT: 001420-017000-101

CHECK NUMBER: OC 251102420
CHECK AMOUNT: $50.00

Stephen Reed
(for Department of Revenue)

DOCKETED
JAN 31 2005

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