

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: DEITRICH	:	7. DATE FILED: 01/21/04
8. DOCKET NO: A-00109621C0401	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: INDEPENDENT EQUIPMENT TRANSFER

COMP/APP COUNTY:

UTILITY CODE: 700390

ALLEGATION OR SUBJECT

FAILED TO MAINTAIN EVIDENCE OF BODILY INJURY AND PROPERTY DAMAGE LIABILITY INSURANCE.

DOCUMENT
FOLDER

DOCKETED
JAN 22 2004

ORIGINAL

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF TRANSPORTATION
AND SAFETY

v.

Independent Equipment Transfer

DOCKET NO. A-00109621C0401

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 Independent Equipment Transfer, respondent, maintains a principal place of business at P. O. Box 275, Presto, PA 15142.
2. That respondent was issued a Certificate of Public Convenience by this Commission on May 13, 1991, at Application Docket No. A-00109621.
3. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance on file with this Commission.
4. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa. C.S. §512, 52 Pa. Code §32.2(c), and 52 Pa. Code §32.11(a), §32.12(a) or §32.13(a).

WHEREFORE, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00109621, for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

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

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FRULL
SECRETARY'S BUREAU

04 JAN 21 AM 11:25

RECEIVED

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FOLDER

DOCKETED

JAN 22 2001

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: 11/13/04 _____ Wendy J. Keezel
Wendy J. Keezel

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). 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 of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Pursuant to 66 Pa. C.S. §3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, Contract Carrier Permit, or Brokerage license, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. **ACORD CERTIFICATES OF INSURANCE ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.**

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 that the Commission enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

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 penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Insurance/Filing Unit at (717) 783-5933.

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

IN REPLY PLEASE REFER
TO OUR FILE
A-00109621C0401

Date of Service: January 22, 2004

INDEPENDENT EQUIPMENT TRANSFER
PO BOX 275
PRESTO PA 15142

PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY
v.
INDEPENDENT EQUIPMENT TRANSFER

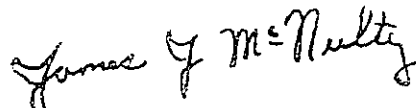
Dear Sir/Madam:

This is to advise that the attached complaint has been filed against you by the Prosecutory Staff of the Bureau of Transportation and Safety.

Detailed instructions on how to proceed are contained in the **NOTICE TO PLEAD**. You are advised to read them carefully.

If you have any questions, contact the complainant at the telephone number shown on the complaint.

Very truly yours,


James J. McNulty
Secretary

Attachment

KSB

DOCUMENT
FOLDER

DOCKETED
JAN 22 2004

Alea North America Company
55 Capital Boulevard
Rocky Hill, CT 06067

Tel 860-258-6585
Fax 860-258-6543
Email maryann.dean@aleagroup.com

VIA FACSIMILE 717-787-5961

ORIGINAL

Alea

February 10, 2004

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Independent Equipment Transfer
File #: A-00109621C0401
Policy #: CPP2026089

DOCUMENT
FOLDER

Dear Sir or Madam,

Attached, per your request is a completed Form E and Form H for the above captioned insured. We will follow up with the originals in triplicate, however we ask that you accept this fax as verification that we are insuring them. We are providing coverage from 10/01/03-10/01/04. If you have any questions or concerns, please feel free to contact me.

Sincerely,

Maryann B. Dean

Maryann B. Dean, AIS
Compliance Operations Administrator

Dear Sir or Madam,

Attached are the originals in triplicate. If you need anything further, please feel free to contact me.

Maryann B. Dean
3/10/04

RECEIVED
04 MAR 15 AM 10:25
PUBLIC SECRETARY'S BUREAU

RJP

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FORM H
UNIFORM MOTOR CARRIER CARGO
CERTIFICATE OF INSURANCE
 (EXECUTED IN TRIPLICATE)

Filed with Pennsylvania Public Utility Commission (NAME OF COMMISSION) (hereinafter called Commission)

This is to certify, that the Alea North America Insurance Company (NAME OF COMPANY)

(hereinafter called Company) of 55 Capital Boulevard, Rocky Hill, CT 06067 (HOME OFFICE ADDRESS OF COMPANY)

has issued to Independent Equipment Transfer Co., Inc. (NAME OF MOTOR CARRIER)

of 5020 Thom's Run Road, Oakdale, PA 15071 (ADDRESS OF MOTOR CARRIER)

a policy or policies of insurance effective from 10/01/03 - 10/01/04 12:01 A. M., standard time at the address of the insured stated in said policy or policies and continuing until canceled as provided herein, which, by attachment of the Uniform Motor Carrier Cargo Insurance Endorsement, has or have been amended to provide cargo insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein may not be canceled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at 55 Capital Boulevard Rocky Hill CT 06067 this 10th day of

February 2004

Insurance Company File No. CPP2026089 00 (POLICY NUMBER)

(AUTHORIZED COMPANY REPRESENTATIVE)

MC 2443a (Ed. 9-99) UNIFORM INFORMATION SERVICES, INC.

DOCKETED
 APR 13 2004

DOCUMENT
FOLDER

Form E
**UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATE OF INSURANCE**
(Executed in Triplicate)

Filed with Pennsylvania Public Utility Commission (hereinafter called Commission)
(Name of Commission)

This is to certify, that the Alea North America Insurance Company
(Name of Company)

(hereinafter called Company) of 55 Capital Boulevard, Rocky Hill, CT 06067
(Home Office Address of Company)

has issued to Independent Equipment Transfer Co., Inc. of 5020 Thom's Run Road, Oakdale, PA 15071
(Name of Motor Carrier) (Address of Motor Carrier)

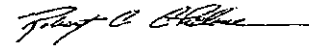
a policy or policies of insurance effective from 10/01/03-10/01/04 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which, by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at 55 Capital Boulevard Rocky Hill CT 06067
(Street Address) (City) (State) (Zip Code)

this 10th day of February 2004



Insurance Company File No. CPP2026089 (policy number)

Authorized Company Representative

DOCKETED
APR 13 2004

**DOCUMENT
FOLDER**