

CAPTION SHEET

COMPLAINT 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: RUDY	:	7. DATE FILED: 09/10/02
8. DOCKET NO: A-00109827C0202	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BUREAU OF TRANSPORTATION & SAFETY

RESPONDENT/APPLICANT: ENGLES TRUCKING SERVICES INC

COMP/APP COUNTY: UTILITY CODE: 700445

ALLEGATION OR SUBJECT

TAS COMPLAINT AGAINST ENGLES TRUCKING SERVICE FOR VARIOUS VIOLATIONS.

DOCUMENT
FOLDER

7033-100
09/10/02

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF TRANSPORTATION
AND SAFETY

V.

DOCKET NO. A-00109827C0202

ENGLES TRUCKING 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:

SECRETARY'S OFFICE
2002 SEP 10 11:31 AM
BUREAU OF TRANSPORTATION AND SAFETY

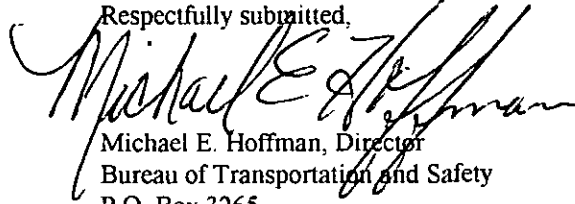
1. That Engles Trucking Service, respondent, maintains its principal place of business at 803 Atlantic Avenue, Franklin, Pennsylvania 16323.
2. That respondent was issued a certificate of public convenience by this Commission on October 28, 1991, at docket number A-00109827.
3. That respondent's operating rights were suspended on March 13, 2002 for failure to maintain evidence of insurance on file with this Commission. The suspension was lifted April 24, 2002.
4. That respondent, on April 2, 2002, at approximately 1:10 p.m., at I-79, South Fayette, Allegheny County, Pennsylvania, permitted a certain 2000 Peterbilt truck bearing Pennsylvania License No. AE83311, Vehicle Identification No. 1XPFD9X5YN503627, to be operated. At that time, Enforcement Officer Paul Cailiari found said vehicle to be transporting machine parts for resale for compensation from Joy Mining Machinery, 325 Buffalo Street, Franklin, Pennsylvania to Joy Mining Machinery, 2101 West Pike Street, Houston, Pennsylvania.
5. That respondent, by operating its vehicle while under suspension for failing to maintain evidence of insurance on each of its vehicles used in providing service authorized by this Commission, violated 66 Pa. C.S. §501(c) in that it failed to observe, obey and comply with a Commission regulation or order, and the terms and conditions thereof. Penalty is \$1,000.00 and cancellation of the certificate of public convenience.

DOCUMENT
FOLDER

DOCKETED
SEP 16 2002

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Engles Trucking Service the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this complaint and request that the Commission revoke respondent's certificate of public convenience at Docket Nos. A-00109827 and A-00109827F0001, Am-A.

Respectfully submitted,



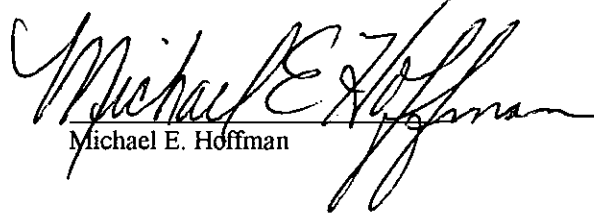
Michael E. Hoffman, Director
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, 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:

9/9/02



Michael E. Hoffman

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. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

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 a Secretarial Letter imposing a penalty (see B).

D. 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 in C, above.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Technical Unit at (717) 783-5945.

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

Date of Service: SEPTEMBER 16, 2002
Docket Number: A-00109827C0202

ENGLES TRUCKING SERVICE INC
803 ATLANTIC AVE
FRANKLIN PA 16323

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
ENGLES TRUCKING SERVICE INC

Dear Sir/Madam:

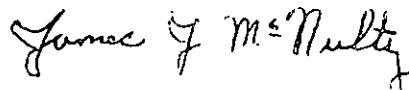
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

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 16 2002



ENGLES
TRUCKING SERVICES, INC.

ORIGINAL

SEPTEMBER 19, 2002

Pennsylvania Public Utilities Commission
P.O. Box 3265
Harrisburg, Pa 17105-3265

RECEIVED

DOCKETED

SEP 19 2002

James J. McNulty, Secretary

SEP 26 2002

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Docket Number A-00109827C0202

DOCUMENT FOLDER

Dear Mr. McNulty,

I am writing to acknowledge the letter I received today regarding the above Docket Number. I received a letter in the mail dated April 25, 2002, that the PUC had yet to receive a copy of my Cargo Insurance. I at that time contacted my insurance agent and had them immediately send a copy to PUC. I then received a letter dated on April 24, 2002 (notice the dates) stating a lift of suspension. I will include copies of both letters. So it is clear that at the time my driver was stopped on April 2, 2002, I was not aware that PUC did not have a copy of my Cargo Insurance.

I am not denying these allegations, but I am simply stating that I was not aware of this matter at the time my driver was stopped, and that once it was brought to my attention, I quickly took care of it.

SRB

Sincerely,

Heather Daigle

Heather Daigle

Engles Trucking Services, Inc.

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

IN REPLY PLEASE REFER
TO OUR FILE
A-00109827C0201

RECEIVED

Date of Service: April 25, 2002

SEP 19 2002

ENGLES TRUCKING SERVICE, INC.
803 ATLANTIC AVENUE
FRANKLIN PA 16323

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

v.

ENGLES TRUCKING SERVICE, INC.

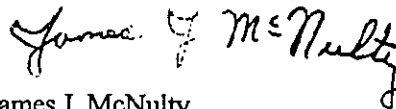
Dear Sir/Madam:

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

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COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA. 17105-3265
APRIL 24, 2002

IN REPLY PLEASE
REFER TO OUR FILE
A-00109827

ENGLES TRUCKING SERVICES INC
803 ATLANTIC AVE.,
FRANKLIN PA 16323

NOTICE TO LIFT SUSPENSION

This is to notify you that we have received proof of insurance coverage. Therefore, you may disregard the Notice of Suspension previously issued.

Very truly yours,
Insurance Unit
Financial Responsibility Section
Bureau of Transportation and Safety