

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: BEARD	:	7. DATE FILED: 11/06/03
8. DOCKET NO: A-00109827C0302	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: ENGLES TRUCKING SERVICES INC

COMP/APP COUNTY:

UTILITY CODE: 700445

ALLEGATION OR SUBJECT

TAS COMPLAINT VS. ENGLES TRUCKING SERVICES, INC. FOR VARIOUS VIOLATIONS.

DOCUMENT
FOLDER

DOCKETED
NOV 07 2003

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF TRANSPORTATION
AND SAFETY

V.

DOCKET NO. A-00109827
A-00109827

0302

Engles Trucking Services, Inc.

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 Engles Trucking Services, Inc., respondent, maintains its principal place of business at 803 Atlantic Ave., Franklin, Pa. 16323.
2. That respondent was issued a certificate of public convenience by this Commission on October 29, 1991, at Application Docket No. A-00109827, which was subsequently suspended by this Commission for insurance coverage lapse on March 13, 2003. On the date of the violation alleged in this complaint, respondent's certificate was under suspension and respondent was not permitted to operate.
3. That respondent, on August 7, 2003, at approximately 9:30 a.m., at I-79, South Fayette Township, Allegheny County, Pennsylvania, permitted a certain 1995 Freightliner truck, bearing Pennsylvania License No. AE77801, Vehicle Identification No. 2FU7DCYBOSA816057, to be operated. At that time, Enforcement Officer Paul Caliaro found said vehicle to be transporting freight for compensation from Franklin, Venango County, Pennsylvania to Houston, Washington County, Pennsylvania.
4. That respondent, in performing the act described in Paragraph 3 of this complaint, violated the 52 Pa. Code §§32.2 and 32.11, by transporting freight for compensation between points in the Commonwealth of Pennsylvania, while its certificate of public convenience was under suspension for failure to file evidence of insurance with 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. The penalty is \$1,000.00 and the revocation of respondent's certificate of public convenience.

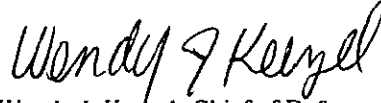
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WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Engles Trucking Services, Inc, the sum of one thousand dollars (\$1,000.00) for the illegal activity described in this complaint, revoke Engles Trucking Services, Inc. certificate of public convenience at Application Docket No. A-00109827 and order such other remedy as the Commission may deem to be appropriate.

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.

Date: 11-5-03


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. The penalty could include the 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.

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: NOVEMBER 10, 2003
Docket Number: A-00109827C0302

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

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
ENGLES TRUCKING SERVICES, 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
James J. McNulty
Secretary

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