

LAW OFFICES

WICK, STREIFF, MEYER, O'BOYLE & SZELIGO, P.C.

1450 TWO CHATHAM CENTER
PITTSBURGH, PA 15219-3427

(412) 765-1600

FACSIMILE
(412) 261-3783

E-MAIL
wsmos@wsmoslaw.com

October 18, 2005

HENRY M. WICK, JR.
CHARLES J. STREIFF
CARL F. MEYER
DAVID M. O'BOYLE
VINCENT P. SZELIGO
BRENDAN R. DELANEY

RECEIVED
2005 OCT 21 AM 9:00
PA P.U.C. BUREAU
SECRETARY'S BUREAU

Re: Pennsylvania Public Utility Commission,
Bureau of Transportation and Safety v. Metro Moving and Storage, Inc.
Docket No. A-00113363C0501
Our File 6040.001

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
PO Box 3265
Harrisburg, PA 17105-3265

ORIGINAL

DOCUMENT
FOLDER

Dear Mr. McNulty:

Please be advised that I represent Respondent Metro Moving and Storage, Inc. in connection with the above captioned proceeding. I request that my appearance as counsel be entered on behalf of Respondent and that my name and address be added to the Commission's Service List for this case as follows:

David M. O'Boyle, Esquire
Wick, Streiff, Meyer, O'Boyle & Szeligo, P.C.
1450 Two Chatham Center
Pittsburgh, PA 15219

If any additional information is needed concerning this matter, please contact me.

Very truly yours,

WICK, STREIFF, MEYER,
O'BOYLE & SZELIGO, P.C.

David M. O'Boyle
David M. O'Boyle

DOCKETED
OCT 27 2005

DOB/lk
cc: Honorable Michael A. Nemeck, ALJ
R. K. Smith, Esquire
Metro Moving and Storage, Inc.

RJP

14

MEMORANDUM

COMMONWEALTH OF PENNSYLVANIA
PA Public Utility Commission

DATE: October 19, 2005

SUBJECT: Pennsylvania Public Utility Commission,
Bureau of Transportation and Safety v.
Metro Moving and Storage, Inc.
Docket No. A-00113363C0501

DOCUMENT
FOLDER

TO: James J. McNulty, Secretary
PA Public Utility Commission

FROM: ALJ Michael A. Nemeč *MAN/ALC*
Office of Administrative Law Judge, Pittsburgh

Please file the enclosed letter in the file for the captioned matter. Thank you.

MAN:seo

Enclosure

cc: Elizabeth L. Plantz (w/encl)

DOCKETED
OCT 28 2005

PA P.U.C.
SECRETARY'S BUREAU

2005 OCT 21 AM 9:03

RECEIVED

RJP



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
October 20, 2005

IN REPLY PLEASE
REFER TO OUR FILE

In Re: **A-00113363C0501**

(See letter dated 9/15/05)

Pennsylvania Public Utility Commission
Bureau of Transportation and Safety
v.
Metro Moving and Storage, Inc.
Various Violations

HEARING CANCELLATION/RESCHEDULE NOTICE

This is to inform you that the Initial Hearing on the above-captioned case previously scheduled for Tuesday, October 25, 2005 has been canceled.

The hearing has been rescheduled as follows:

Type: Initial Hearing
Date: Thursday, January 5, 2006
Time: 10:00 AM
Location: 11th Floor Hearing Room
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, Pennsylvania
Presiding: Administrative Law Judge Michael A. Nemec
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: 412.565.3550
Fax: 412.565.5692

RJP

DOCKETED
OCT 24 2005

DOCUMENT
FOLDER

If you are a person with a disability, and you wish to attend the hearing, we may be able to make arrangements for your special needs. Please call the scheduling office at the Public Utility Commission at least (2) two business days prior to your hearing:

- Scheduling Office: (717) 787-1399.
- AT&T Relay Service number for persons who are deaf or hearing-impaired: 1-800-654-5988.

pc: Judge Nemec
Elizabeth L. Plantz, Scheduling Officer
T&S - Motor Carrier
Beth Plantz
Docket Section
Calendar File

A-00113363C0501 PENNSYLVANIA PUBLIC UTILITY COMMISSION BUREAU OF
TRANSPORTATION AND SAFETY V. METRO MOVING AND STORAGE, INC.

METRO MOVING AND STORAGE INC
700 GRANT AVENUE
DUQUESNE PA 15110

DAVID M O'BOYLE ESQUIRE
WICK STREIFF MEYER O'BOYLE & SZELIGO PC
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219

R K SMITH JR ESQUIRE
PA PUBLIC UTILITY COMMISSION
LAW BUREAU
PO BOX 3265
HARRISBURG PA 17105-3265

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	A-00113363C0501	Prehearing Held:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
Case Name:	Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Metro Moving and Storage, Inc.	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Pittsburgh	Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	October 25, 2005	Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Michael A. Nemeo	Hearing Concluded:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	Further Hearing Needed:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:	1	
		RECORD CLOSED:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<p style="font-size: small;">DATE:</p> <p style="font-size: small;">DATE:</p> <p><i>At the request of counsel for Respondent, the initial hearing was rescheduled for 01/05/2006</i></p>	

OCT 25 2005
 RAVENHILL - 1100 COMMONWEALTH
 CENTER, PITTSBURGH, PA 15201

Done

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
	DOCUMENT FOLDER	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	RJP
Telephone:	E-mail Address:	Fax Number:
	City State Zip	
Telephone:	E-mail Address:	Fax Number:
	City State Zip	

Check this box if additional parties or attendees appear on back of form.

10/21/05 *elf*

Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

Name and Telephone Number	Address			Who are you representing?
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
Office of Administrative Law Judge
P.O. BOX 3265, HARRISBURG, PA 17105-3265
December 30, 2005

IN REPLY PLEASE
REFER TO OUR FILE

In Re: A-00113363C0501

(See letter dated 10/20/05)

Pennsylvania Public Utility Commission
Bureau of Transportation and Safety
v.
Metro Moving and Storage, Inc.

CANCELLATION NOTICE

This is to inform you of the following cancellation due to a pending Settlement Agreement:

Type: Initial Hearing
Date: Thursday, January 5, 2006
Time: 10:00 AM
Presiding: Administrative Law Judge Michael A. Nemec

Please mark your records accordingly.

**DOCUMENT
FOLDER**

pc: Judge Nemec
Elizabeth L. Plantz, Scheduling Officer
T&S - Motor Carrier
Beth Plantz
Docket Section
Calendar File

DOCKETED
JAN 18 2006

R -

A-00113363C0501 PENNSYLVANIA PUBLIC UTILITY COMMISSION BUREAU OF
TRANSPORTATION AND SAFETY V. METRO MOVING AND STORAGE, INC.

METRO MOVING AND STORAGE INC
700 GRANT AVENUE
DUQUESNE PA 15110

DAVID M O'BOYLE ESQUIRE
WICK STREIFF MEYER O'BOYLE & SZELIGO PC
1450 TWO CHATHAM CENTER
PITTSBURGH PA 15219

R K SMITH JR ESQUIRE
PA PUBLIC UTILITY COMMISSION
LAW BUREAU
PO BOX 3265
HARRISBURG PA 17105-3265



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

IN REPLY PLEASE
REFER TO OUR FILE

December 30, 2005

David M. O'Boyle, Esquire
Wick, Streiff, Meyer, O'Boyle & Szeligo, P.C.
1450 Two Chatham Center
Pittsburgh, PA 15219-3427

DOCUMENT
FOLDER

Re: Pennsylvania Public Utility Commission
Bureau of Transportation and Safety v.
Metro Moving & Storage, Inc.
Docket No. A-00113363C0501

Dear Mr. O'Boyle:

Enclosed is a Settlement Agreement for your signature. Also attached to the Settlement Agreement is your client's new Estimated Cost of Services Form and the May 28, 2004 towing services bill.

After signing the document, please send it to Administrative Law Judge Michael A. Nemec at 1103 Pittsburgh State Office Bldg., 300 Liberty Ave., Pittsburgh, PA 15222.

If you have any questions, please call me at 717-787-5262.

Very truly yours,

R. K. Smith, Jr.
Assistant Counsel

Enclosures

cc: ✓ Honorable Michael A. Nemec
Denise Cohen, Regional Manager
OALJ Scheduling Staff

20

RECEIVED

JAN 09 2006

Pittsburgh Office of A.L.J.
Public Utility Commission

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION, BUREAU OF :
TRANSPORTATION AND SAFETY :

Docket No.
A-00113363C0501

v. :

METRO MOVING & STORAGE, INC. :

REC
DOCUMENT
FOLDER

SETTLEMENT AGREEMENT

THIS AGREEMENT is by and between the Commission's Law Bureau, through Assistant Counsel R. K. Smith, Jr., and David M. O'Boyle, Esquire, counsel for Metro Moving & Storage, Inc., Respondent in the captioned proceeding. In pursuance of this Agreement, the Respondent and the Law Bureau stipulate as follows:

1. That Respondent was issued a certificate of public convenience on February 14, 1997, at Application Docket no. A-00113363.

2. Pursuant to its enforcement responsibilities, the Commission's Bureau of Transportation and Safety performed a Household Mover Audit at Respondent's facilities on September 8, 2004. The Bureau reviewed Respondent's records pertaining to fifteen different moves performed by Respondent from January 26,

2004 through September 4, 2004. As a result of this Household Mover Audit, the Bureau subsequently initiated the captioned complaint against Respondent. The Bureau's complaint contained allegations that Respondent failed to furnish a proper "Estimated Cost of Services" form to fifteen different shippers. The Bureau also alleged that on one occasion Respondent failed to charge in accordance with its tariff by charging a shipper \$330.00 for the move instead of the correct charge of \$588.00. The Bureau requested a civil penalty of \$4,000.00 for the unauthorized activity described in the complaint. Respondent filed an Answer to the Bureau's complaint.

3. In recognition of the cost of further litigation and the merits of their respective positions, the parties have entered into negotiations with one another and have agreed to settle the complaint with the terms and conditions set forth herein.

4. Respondent admits that it violated 66 Pa. C.S. Section 1303 on one occasion by charging lesser rate than that specified in its tariff on file with the Commission. Respondent admits further that on fifteen occasions it violated 52 Pa. Code Section 31.122(2) when it failed to use and complete the proper form for estimates of charges titled "Estimated Cost of Services".

5. The parties agree that the Respondent shall pay a civil penalty in the amount of eight hundred seventy dollars (\$875.00)

for the violations admitted to in the captioned complaint proceeding. The parties submit that the moderated fine agreed between the parties is in the public interest for the following reasons. One, since receiving its certificate of public convenience from the Commission in 1997, Respondent's compliance record has been good. Two, the Commission Enforcement Officers that performed the Household Mover Audit assured the Law Bureau that Respondent's representatives cooperated fully during the Household Mover Audit. Three, on or about October 31, 2005, the Respondent remedied the "Estimated Cost of Services" violations by implementing a new and separate form which fully complies with 52 Pa. Code Section 31.122(2). A copy of Respondent's "Estimated Cost of Services" form is appended to this Settlement Agreement as an attachment. Four, in regard to the undercharge allegation set forth in Paragraph 12(b) of the complaint, Respondent quoted the lawful tariff rate of \$330.00 to the shipper for the move scheduled to take place on Friday May 28, 2004. Respondent could not perform the move on May 28, 2004 because its vehicle "blew its engine". When the move was finally performed on Sunday, May 30, 2004, Respondent did not charge the shipper the higher weekend rate because the shipper was not at fault for the move not being performed on May 28, 2004. A copy of Respondent's May 28, 2004 \$300.00 towing bill is appended to this Settlement Agreement as an attachment.

Date: 12/30/05

R. K. Smith, Jr.

R. K. Smith, Jr., Assistant Counsel

Date: 1-6-06

David M. O'Boyle

David M. O'Boyle, Esquire

For Metro Moving & Storage, Inc.

Estimated Cost of Services

This is only an Estimate not a Contract for Transportation
SHIPPER - PLEASE READ!

Metro Moving & Storage · 700 Grant Avenue · Duquesne, PA 15110

Name of shipper _____ Date _____
 Address of shipper _____ Phone No. _____
 Shipment moving from _____ Zip code _____
 Shipper's destination contact _____ IP _____ Phone No. _____
 Packing Date _____ Loading Date _____ Delivery Date or
 Requested _____ Requested _____ period of time requested _____

IMPORTANT NOTICE: This estimate covers only the articles and services listed. It is not a guarantee that the actual charges will not exceed the amount of the estimate. Common carriers are required by law to collect transportation and other incidental charges computed on the basis of rates shown in their lawfully published tariffs, regardless of prior rate quotations or estimates made by the carrier or its agents. Charges for additional services will be added to the transportation charges.

ESTIMATED COST OF SERVICES (Based on tariff)) **ESTIMATE CHARGES**

Shipments of distances over 40 miles are estimated on weight and mileage.
 Transportation: Est. wt _____ lbs. _____ mi. @ \$ _____ per 100 lbs.

Transportation of shipments for distances of 40 miles or less are based on man and vehicle hours.
 Estimated man and Vehicle hours: Number of hours _____ @ per hour _____ **ESTIMATED CHARGES \$ _____**

Valuation Charge: (for liability on part of carrier in excess of that assumed when its lowest rates are charged)
 Carrier liability is 20¢ per pound. If additional insurance coverage is required on shipments over 40 miles the rate per cwt will be increased based on carrier's published tariff.

Additional insurance coverage may be obtained by shipper purchasing transit insurance.
 1. SHIPPER ACCEPTS RELEASED VALUE OF 20¢ PER POUND PER ARTICLE YES NO

2. SHIPPER REQUESTS VALUATION OF \$ _____

PACKING, UNPACKING AND CONTAINERS (SEE BELOW) _____ \$ _____
 SPECIAL SERVICING OF APPLIANCES _____ \$ _____

LABOR _____ MEN FOR _____ HRS @ _____ (PER MAN PER HOUR) _____ \$ _____

OTHER SERVICES _____ (EXPLAIN) _____ \$ _____

Storage in Transit (For each 30 days or fraction thereof) _____ Lbs @ _____ Rate per 100 lbs. \$ _____
 Storage in Transit Valuation Charge _____ Lbs @ _____ Rate per 100 lbs. \$ _____
 Warehouse Handling (one time charge) _____ Lbs @ _____ Rate per 100 lbs. \$ _____
 Pick-up or Delivery for Storage in Transit _____ Lbs @ _____ Rate per 100 lbs. \$ _____

IMPORTANT NOTICE: If the total tariff charges for the listed articles and services exceed this estimate by more than ten percent then, upon your request, the carrier must relinquish possession of your shipment upon delivery in advance of the payment of the total amount of tariff charges shown on the bill of lading or freight bill. You are still obligated to pay the balance of the total charges within 15 days.

Maximum amount to be paid on delivery of your C.O.D. shipment in cash, certified check or money order is total estimated cost plus 10% or \$25.00 whichever is greater.

TOTAL ESTIMATED COST \$ _____

PACKING (INCLUDES MATERIAL, PACKING AND UNPACKING)
ESTIMATED COST OF CONTAINERS, & PACKING & UNPACKING SERVICES

	ESTIMATED NUMBER	CHARGE PER EACH	TOTAL
BARREL, dsh-past, drum, cistern			
BOXES, not over 3 cubic feet			
over 3 not over 4 cubic feet			
CARTONS: Less than 1 1/2 cubic feet			
1 1/2 cubic feet			
3 cubic feet			
4 1/2 cubic feet			
6 cubic feet			
8 1/2 cubic feet			
Wardrobe Carton			
City Mattress Carton			
Mattress Carton (Not exceeding 34" x 75")			
Mattress Carton (Exceeding 34" x 75")			
Mattress Cover (plastic or paper)			
CRATES AND CONTAINERS: (Specially designed for mirrors, paintings, glass or marble tops and similar fragile articles)			
Cross measurement of crate or container			
TOTAL ESTIMATED COST			

REMARKS: _____

NOTICE: On shipments over 40 miles cubic measurements shall be applied in accordance with the Table of Measurements and Weights, Min. Rail Docket No. 2, Order of Comm., March 22, 1965. Articles not to be shipped should be indicated by a "check mark" in the column provided on the table of measurements.

Dravosburg
Truck, Auto & Marine Repair
 Route 837
 Dravosburg, Pennsylvania 15034
 (412) 466-7946

NAME Thomas Boyd		DATE OF ORDER 5/28/04
ADDRESS Ch Metro Moving / Storage 700 Grant St		OLD MILEAGE
CITY DUQUESNE	PHONE 412-469-4238	LEAD NO. PA YBG 2362
CUSTOMER'S ORDER NUMBER	ORDER WITH IN BY	
YEAR, MAKE AND MODEL 93 UD TK	SERIAL NUMBER JNALG08J3RGN70102	SPEEDOMETER
	TITLE NUMBER	

QTY	PART NO. AND DESCRIPTION	AMOUNT	DESCRIPTION OF WORK	AMOUNT
			PA STATE INSPT.	
			STICKER	
			EMMISSION INSPT.	
			<i>Towing SERVICE</i>	
			<i>paid cash</i>	
			ANY PART ON THIS VEHICLE MAY BE DEFECTIVE BY NEXT INSPECTION	
			\$300.00	TOTAL LABOR
				TOTAL PARTS
				ACCESSORIES
				FAB. OIL & GREASE
				OUTSIDE REPAIRS
				TAX
				TOTAL 300.00
			SIGNATURE <i>Thomas Boyd</i>	

A SERVICE CHARGE OF 1 1/2% PER MONTH, 18% APR WILL BE ADDED TO ALL OVER-DUE ACCOUNTS. THEY ALSO WILL BE LIABLE FOR ALL LEGAL AND/OR COLLECTION FEES.

Thank You

OALJ Hearing Report

Please Check Those Blocks Which Apply

Docket No.:	A-00113363C0501		YES	NO
Case Name:	Pennsylvania Public Utility Commission, Bureau of Transportation & Safety v. Metro Moving and Storage, Inc.	Prehearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Location:	Pittsburgh	Hearing Held:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	January 5, 2006	Testimony Taken:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ALJ:	Michael A. Nemeč	Transcript Due:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Firm:	Commonwealth Reporting	Hearing Concluded:	<input type="checkbox"/>	<input type="checkbox"/>
<div style="border: 2px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="font-size: 24px; margin: 0;">RECEIVED</p> <p style="margin: 0;">JAN - 6 2006</p> <p style="margin: 0; font-size: 12px;">PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU</p> </div>		Further Hearing Needed:	<input type="checkbox"/>	<input type="checkbox"/>
		Estimated Add'l Days:		
		RECORD CLOSED:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Briefs to be Filed:	<input type="checkbox"/>	<input type="checkbox"/>
		DATE:		
		Bench Decision:	<input type="checkbox"/>	<input type="checkbox"/>
		REMARKS:	<i>Hearing cancelled pending execution of settlement.</i>	

PLEASE PRINT CLEARLY - Incomplete Information may result in delay of processing.

Name and Telephone Number	Address	Who are you representing?
	<div style="border: 2px solid black; padding: 10px; width: 80%; margin: auto;"> <p style="font-size: 24px; margin: 0;">DOCUMENT</p> <p style="font-size: 24px; margin: 0;">FOLDER</p> </div>	
Telephone:	E-mail Address:	Fax Number:
	<div style="border: 1px solid black; padding: 5px; width: 80%; margin: auto;"> <p style="margin: 0;">City State Zip</p> </div>	
Telephone:	E-mail Address:	Fax Number:
	<div style="border: 1px solid black; padding: 5px; width: 80%; margin: auto;"> <p style="margin: 0;">City State Zip</p> </div>	
Telephone:	E-mail Address:	Fax Number:
	<div style="border: 1px solid black; padding: 5px; width: 80%; margin: auto;"> <p style="margin: 0;">City State Zip</p> </div>	

Check this box if additional parties or attendees appear on back of form.

1/5/06 elp

Reporter's Signature

Note: Completion of this form does not constitute an entry of appearance, see 52 Pa. Code §§1.24 and 1.25.

Name and Telephone Number	Address			Who are you representing?
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:
	City	State	Zip	
Telephone:	E-mail Address:			Fax Number:

LAW OFFICES
WICK, STREIFF, MEYER, O'BOYLE & SZELIGO, P.C.

1450 TWO CHATHAM CENTER

PITTSBURGH, PA 15219-3427

(412) 765-1600

FACSIMILE
(412) 261-3783

E-MAIL
wsmos@wsmoslaw.com

January 6, 2006

HENRY M. WICK, JR.
CHARLES J. STREIFF
CARL F. MEYER
DAVID M. O'BOYLE
VINCENT P. SZELIGO
BRENDAN R. DELANEY

RE: Pennsylvania Public Utility Commission
Bureau of Transportation Safety v.
Metro Moving & Storage, Inc.
Docket No. A-00113363C0501
Our File 6040.001

DOCUMENT
FOLDER

Honorable Michael A. Nemeec, ALJ
Pennsylvania Public Utility Commission
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

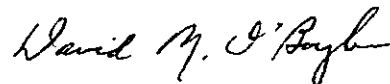
Dear Judge Nemeec:

We represent Respondent, Metro Moving & Storage, Inc., in connection with the above-captioned Complaint proceeding. The parties have entered into a settlement which will eliminate the time and expense of attending a hearing. Enclosed is the signed Settlement Agreement which has been prepared by R. K. Smith, Jr., Esquire, and which indicates that Respondent has agreed to pay a civil penalty in the amount of \$875 to resolve this matter. It should be pointed out that the settlement amount was calculated based upon Respondent paying \$50 for each of the 15 violations for not utilizing the proper Estimated Costs of Services form. The settlement amount also includes \$125 for the violation involving the undercharge, which consisted of Respondent charging its weekday rate for a move that occurred on a weekend due to equipment failure on the weekday when the move was initially scheduled.

If this Settlement Agreement is administratively acceptable, we understand that an Order will be issued approving the settlement and ordering that Respondent pay the penalty within 30 days of the date that the Order is entered. If there are any questions concerning this matter, please advise me and Mr. Smith.

Very truly yours,

WICK, STREIFF, MEYER,
O'BOYLE & SZELIGO, P.C.



David M. O'Boyle

DOB/bas
Enclosure

cc: R. K. Smith, Jr., Esq. (w/ encl.)
Metro Moving & Storage, Inc. (w/ encl.)

RECEIVED
JAN 09 2006

Pittsburgh Office of A.L.J.
Public Utility Commission

MEMORANDUM

COMMONWEALTH OF PENNSYLVANIA
PA Public Utility Commission

DATE: January 11, 2006

SUBJECT: PA Public Utility Commission, Bureau of Transportation and Safety v.
Metro Moving & Storage, Inc.
Docket No. A-00113363C0501

TO: James J. McNulty, Secretary
PA Public Utility Commission

FROM: ALJ Michael A. Nemeč *MAN/psb*
Office of Administrative Law Judge, Pittsburgh

DOCUMENT
FOLDER

Please find for filing in the above case the following documents:

1. A one-page piece of original correspondence dated December 30, 2005.
2. A one-page piece of original correspondence dated January 6, 2006.
3. An original and one copy of a six-page Settlement Agreement.

Thank you.

MAN:seo

Enclosures (3)

RECEIVED
2006 JAN 13 AM 8:50
PA P.U.C.
SECRETARY'S BUREAU

MP