



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

IN REPLY PLEASE  
REFER TO OUR FILE

November 15, 2010

DOCUMENT  
FOLDER

NEW BERN TRANSPORT CORPORATION  
1 PEPSI WAY  
SOMERS NY 10589-2201

In Re: Pennsylvania Public Utility Commission  
v.  
New Bern Transport Corporation  
Docket No.: C-2010-2169560  
A-00114468

To Whom It May Concern:

On May 6, 2010, the Bureau of Transportation and Safety instituted a Complaint against New Bern Transport Corporation, Respondent, alleging failure to maintain evidence of Liability Insurance on file with this Commission, a violation of the Public Utility Code at 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).

In accordance with 52 Pa. Code §5.61, the Bureau of Transportation and Safety notified the Respondent that, unless its insurer files evidence of insurance with this Commission and Respondent pays the proposed fine, Respondent must file an Answer to the Complaint within twenty (20) days of the date of service. The Notice further specified that, if Respondent failed to answer the Complaint within twenty (20) days, the Bureau of Transportation and Safety would request the Commission issue an Order that imposes a penalty, which could include a fine, cancellation, or any other remedy.

The Complaint was served on the Respondent on May 10, 2010. To date, more than twenty (20) days later, Respondent has failed to file an Answer to the Complaint. On May 13, 2010, the Respondent's insurer filed evidence of insurance effective on February 26, 2010; however, Respondent has failed to pay the fine.

Therefore, the allegations in the Complaint are admitted and the Complaint is sustained.

Respondent shall pay a fine of five hundred dollars (\$500.00) for failure to maintain evidence of insurance on file with this Commission, 52 Pa. Code §32 within twenty (20) days from the date of this letter. Payment must be by certified check or money order, payable to the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, as provided in the Public Utility Code, 66 Pa. C.S. §§3301 and 3315.

Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa. C.S. §§101, et seq. and the regulations of the Commission, 52 Pa. Code §§1.1, et seq.

Very truly yours,

Rosemary Chiavetta  
Secretary