

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: KEMBEL : 7. DATE FILED: 10/04/04
8. DOCKET NO: A-00115371C0401 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: BUREAU OF TRANSPORTATION & SAFETY

RESPONDENT/APPLICANT: MAMBO MOVERS, INC.

COMP/APP COUNTY:

UTILITY CODE: 703443

ALLEGATION OR SUBJECT

FAILED TO MAINTAIN EVIDENCE CARGO INSURANCE.

DOCKETED

OCT 26 2004

DOCUMENT
FOLDER

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

2004 OCT -6 AM 2:26

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF TRANSPORTATION
AND SAFETY

SECRETARY'S BUREAU

V.

DOCKET NO. A-00115371 CD401
Fs. 1 & 2

MAMBO MOVERS, 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 Mambo Movers, Inc., respondent, maintains a principal place of business at 1440 Lombard Street, Philadelphia, PA 19146.
2. That respondent was issued a Certificates of Public Convenience by this Commission on April 13, 1999, and July 11, 2001, respectively, at Application Docket No. A-00115371, Fs. 1 & 2.
3. That respondent has failed to maintain evidence of cargo 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 an Order which (1) cancels the Certificates of Public Convenience held by respondent at Docket No. A-00115371, Fs. 1 & 2, 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

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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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:

10-1-04

Wendy J. Keezel

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 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 an Order 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 Certificates of Public Convenience, Contract Carrier Permits, 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 (20) days of the date of service of this Complaint. The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and Safety
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Upon receipt of the evidence of insurance from your insurer, the complaint shall be closed. **ACORD CERTIFICATES OF INSURANCE and FAXED FORM Es and Hs 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 issue an Order imposing a penalty, which may include the cancellation of your Certificates of Public Convenience. Should the Commission cancel your Certificates 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 Compliance Office at (717) 787-1168.

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

IN REPLY PLEASE REFER
TO OUR FILE
A-00115371C0401

Date of Service: October 26, 2004

MAMBO MOVERS INC
1440 LOMBARD STREET
PHILADELPHIA PA 19146

PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY
v.
MAMBO MOVERS INC

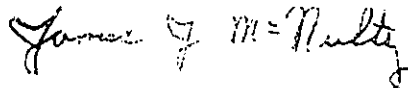
Dear Sir/Madam:

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
ddi

DOCKETED

OCT 26 2004

DOCUMENT
FOLDER