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| PUC logo | COMMONWEALTH OF PENNSYLVANIAPENNSYLVANIA PUBLIC UTILITY COMMISSIONP.O. BOX 3265, HARRISBURG, PA 17105-3265 | **IN REPLY PLEASE REFER TO OUR FILE** |

##### July 22, 2016

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##### A- 8917379

##### A-2015-2469123

EARTHWORX AND SALES LLC

250 SHADOW OAKS LANE

WAYNESBURG PA 15370

#####  Re: Application of Earthworx and Sales, LLC, 250 Shadow Oaks Lane, Waynesburg, Greene County, PA 15370 (724) 998-3478.

To whom it may concern:

 By Secretarial Letter dated June 16, 2015, the Commission dismissed the application of Earthworx and Sales, LLC at Case Docket No. A-2015-2469123, for failure to file acceptable Form E, evidence of bodily injury property damage liability insurance.

            This Commission has the power to rescind a Secretarial letter in light of newly discovered evidence or a change of circumstances which justify reconsideration. It has come to our attention that the insurance carrier believed that the Form E was to be provided for the insurance carrier to complete and return to the Commission. The Commission Staff has determined that the applicant should not be held responsible for the lack of competence on the insurance carrier’s part, and the applicant will be granted an additional opportunity to comply. Therefore, the June 16, 2015 dismissal of the application is hereby rescinded.

**A certificate of public convenience will be issued UPON THE FILING OF AN ACCEPTABLE FORM E, AS EVIDENCE OF BODILY INJURY AND PROPERTY DAMAGE LIABILITY INSURANCE. FAILURE TO FILE THE ABOVE REQUIRED EVIDENCE OF INSURANCE AND/OR COMPLY WITH ANY OTHER PROVISION OF THIS LETTER WITHIN THIRTY (30) DAYS** **OF THE DATE OF THIS LETTER SHALL RESULT IN THE DISMISSAL OF THE APPLICATION AND REQUIRE THE FILING OF A NEW APPLICATION AND FILING FEE. TAKE NOTE – IT IS NOT THE RESPONSIBILITY OF THE COMMISSION TO SUPPLY A BLANK FORM E FOR THE INSURANCE CARRIER TO COMPLETE AND RETURN TO THE COMMISSION**

 Upon the filing of an acceptable Form E, evidence of bodily injury property damage liability insurance, **(in the exact name of the applicant as it appears on this letter – Earthworx and Sales, LLC; also advise your insurance carrier to place the following numbers at the top of your insurance form:  A-8917379 and A-2015-2469123),** and upon compliance with any other provision of this letter, a certificate of public convenience will be issued authorizing the following service :

***To transport, as a common carrier, property, excluding household goods in use, between points in Pennsylvania.***

 If you have not previously submitted a copy of a current satisfactory safety rating from the U.S. Department of Transportation or another state with safety regulations comparable to Pennsylvania, you must demonstrate safety fitness by completing a Safety Fitness Review which will be scheduled by a PUC enforcement officer within 180 days of the date your certificate of public convenience is issued/entered. Failure to submit to the Safety Fitness Review will result in the cancellation of your certificate. An overview of the safety regulations for carriers of people, property, and household goods between points in Pennsylvania can be found on the PUC’s Website: <http://www.puc.state.pa.us/general/onlineforms.aspx>, then select: Filing&Resources - Online Forms – Motor Carrier Forms, Safety Fitness Compliance.

 The applicant is hereby advised of its obligation to familiarize itself with the requirements of 52 Pa. Code as applicable to the operation of a common carrier as authorized by this Secretarial Letter. Applicant is further advised that failure to comply with all applicable requirements may subject the carrier to penalties, including fines, suspension of operating rights or cancellation of its authority. Title 52 of the Pennsylvania Code is available online at [www.pacode.com](http://www.pacode.com).

 Any PUC motor carrier who needs to submit a change of address to the Public Utility Commission, can obtain the Change of Address form from the PUC Website:  <http://www.puc.state.pa.us/general/onlineforms.aspx>, then select: Filing&Resources - Online Forms – Motor Carrier Forms.

 Very truly yours,

 Rosemary Chiavetta

 Secretary

Contact: Insurance (717-787-1227)

 Safety (717-772-2254)