

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: TAS	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE: KWIATKOWSKI	:	7. DATE FILED: 02/21/06
8. DOCKET NO: A-00116497C0601	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: WALK, GARY C., JR.

COMP/APP COUNTY:

UTILITY CODE: 704152

ALLEGATION OR SUBJECT

TAS COMPLAINT AGAINST GARY C. WALK, JR. T/A WALKS MOVING FOR VARIOUS VIOLATIONS.

DOCUMENT
FOLDER

DOCKETED

FEB 24 2006

ORIGINAL

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

2006 FEB 21 PM 2:49
PA P.U.C.
SECRETARY'S BUREAU

RECEIVED

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION AND SAFETY

DOCKET NO. A-00116497C-0601

v.

GARY C. WALK, JR. T/A WALKS MOVING

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 Gary C. Walk, Jr. t/a Walks Moving, respondent, maintains a principal place of business at 5812 Avondale Ave., Altoona, PA. 16601.
2. That respondent was issued a Certificate of Public Convenience by this Commission on April 5, 2000, at Application Docket No. A-00116497, F.2, to transport property, excluding household goods in use. That on January 10, 2000, respondent applied for authority to transport household goods in use, but withdrew the application on April 24, 2000.
3. That respondent, on October 3, 2005, did move household goods for complainant Richard MacDonald from his prior residence at 361 Teal Dr., Hollidaysburg, Pennsylvania to his new residence at 1612 Timberline Dr., Altoona, Pennsylvania for one-hundred and seventy-five dollars (\$175) compensation. At the time of this move, respondent did not have authority granted by this Commission to transport household goods in use.
4. That respondent, in performing the act described in Paragraph 3 of this complaint, violated the Public Utility Code, 66 Pa. C.S. §1102(a)(i), in that it provided service of a different nature than that approved in its certificate of public convenience. Penalty is \$250.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Gary C. Walk, Jr. t/a Walks Moving the sum of two-hundred and fifty dollars (\$250) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

DOCUMENT FOLDER

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

DOCKETED

FEB 24 2006

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: 2-17-06

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 out come. 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.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the **Commonwealth of Pennsylvania** and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

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 a Secretarial Letter imposing a penalty.

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 fine set forth above.

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

DOCUMENT
FOLDER

Date of Service: February 24, 2006
Docket Number: A-00116497C0601

GARY C. WALK, JR.
T/A WALKS MOVING
5812 AVONDALE AVENUE
ALTOONA PA 16601

DOCKETED

FEB 24 2006

Pennsylvania Public Utility Commission Bureau of Transportation and Safety

v.

GARY C. WALK, JR. T/A WALKS MOVING

Dear Sir/Madam:

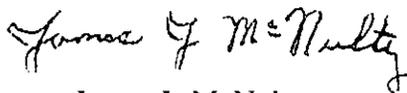
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

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
Secretary

ane