

DOCUMENT
FOLDER

William J Wampler

109 E Main Street
Sikesville PA 17862
Phone 717 891 5070

ORIGINAL

March 12, 2003

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

RECEIVED

MAR 13 2003

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Reference #A-00118130C0301

Dear Secretary:

In response to the above complaint against me for no insurance for the PUC issued to me, I hope the following explanation will clear up this situation.

On August 2, 2002, I was riding my 4 wheeler near Hazen. I was making a left-hand turn and had put out my hand and made the proper hand signal for a left turn. The woman in the Cadillac behind me thought I was waving her around; and as I made the turn, she broadsided me.

I was taken to the Brookville Emergency Room and then lifeflighted to Pittsburgh with a broken collar bone, broken rib, broken leg, and some part of one of the vehicles punctured my left foot near the ankle causing torn ligaments and severed nerves.

I was several days in the hospital in Pittsburgh, then taken to DuBois Hospital for therapy, then home confined to the couch in the living room. When I was informed that I would be several months recovering, I called my insurance broker and cancelled my insurance. I have since received the Notice of Suspensions and considered the matter closed.

I am still not able to work. The bones are healed and the skin is healed on my foot (which they thought I was going to have to have plastic surgery on), but the doctor says the outside is healed but not the inside. I am not allowed on my foot for more than three hours at a time, and I use a cane for balance. I am still doing outpatient therapy.

DOCKETED

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As you can deduce, I have not driven my truck; nor has anyone else since August 2, 2002. Whatever documents you would like to verify these statements, please do not hesitate to call me at the above number. I have an answering machine if I'm not home, and I will gladly return your call.

Sincerely,

William J Wampler

William J Wampler

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

IN REPLY PLEASE REFER
TO OUR FILE
A-00118130C0301

Date of Service: FEBRUARY 27, 2003

WILLIAM WAMPLER
109 EAST MAIN STREET
SYKESVILLE PA 15865

PENNSYLVANIA PUBLIC UTILITY COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

v.

WILLIAM WAMPLER

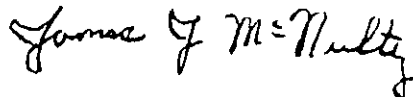
Dear Sir/Madam:

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

dbb

COPY

RECEIVED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

2003 FEB 14 PM 12:46

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF TRANSPORTATION
AND SAFETY

PA. P.U.C.
SECRETARY'S BUREAU

v.

DOCKET NO. A-00118130C0301
F. 2

WILLIAM WAMPLER

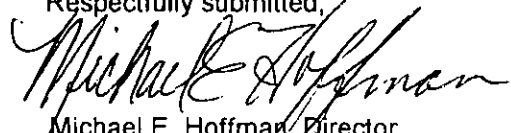
COMPLAINT

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 William Wampler, respondent, maintains a principal place of business at 109 East Main Street, Sykesville, PA 15865.
2. That respondent was issued a Certificate of Public Convenience by this Commission on February 1, 2002, at Application Docket No. A-00118130, F. 2.
3. That respondent has failed to maintain evidence of cargo insurance and bodily injury and property damage liability 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 days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue a Secretarial Letter which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00118130, F. 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,

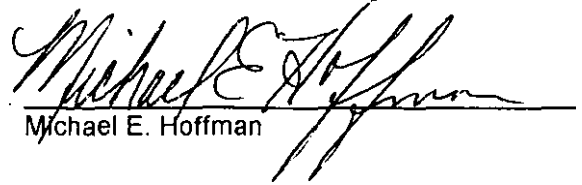


Michael E. Hoffman, Director
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, 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: 2/13/03


Michael E. Hoffman

NOTICE

A. You must file an answer within twenty 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). 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 days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter 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 Certificate of Public Convenience, Contract Carrier Permit, 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 days of the date of service of this Complaint. The proof of insurance must be filed with the Secretary of the Commission at the address set forth in Paragraph A. Upon receipt of the evidence of insurance from your insurer, the complaint proceeding shall be closed. **ACORD CERTIFICATES OF INSURANCE 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 enter an order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate 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 Insurance/Filing Unit at (717) 783-5933.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA. 17105-3265
AUGUST 26, 2002

IN REPLY PLEASE
REFER TO OUR FILE
A-00118130

WAMPLER, WILLIAM
109 EAST MAIN STREET
SYKESVILLE PA 15865

NOTICE OF SUSPENSION OF PUC OPERATING RIGHTS

EFFECTIVE AUGUST 28, 2002

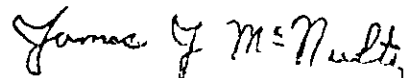
FOR EXPIRATION OR CANCELLATION OF
CARGO LIABILITY INSURANCE

This is to notify you that as of the above effective date, the authority granted to you by the Pennsylvania Public Utility Commission is hereby suspended as more thoroughly described on the attached sheet.

Please be advised that you may not operate until we have received evidence of renewed insurance coverage.

Upon receipt and acceptance of the required certificate of Insurance, you will receive written notification that the suspension is lifted and that you may resume operations.

Very truly yours,



James J. McNulty
Secretary

cc: Enforcement Division

Certified Mail

NOTICE OF SUSPENSION

Your certificate of public convenience, contract carrier permit, or brokerage license is suspended because of your failure to renew expired or canceled insurance or surety. YOU MAY NOT OPERATE WITHOUT INSURANCE COVERAGE. Operation without the appropriate evidence of insurance is subject to prosecution.

If this Commission has not received and accepted appropriate evidence of insurance or surety from an insurer authorized to do business in Pennsylvania within twenty (20) days of the suspension date, a complaint will be instituted against you for failure to comply with Commission's insurance requirements. Such a complaint may result in the cancellation of your certificate of public convenience, contract carrier permit or brokerage license.

The appropriate evidence of insurance is a completed FORM E for Bodily Injury and Property Damage Liability Insurance or a FORM H for Cargo Insurance, or a Surety Bond. These forms are to be sent to the Commission by the Insurance Company, not the agent and must be issued in the exact name appearing on your P.U.C. certificate, permit or brokerage license. Incomplete or incorrect forms will NOT be accepted by the P.U.C.

ACCORD Certificates of Insurance are NOT acceptable as temporary or permanent proof of insurance.

Pending the Commission's receipt of appropriate evidence of insurance, you may submit any one of the as temporary evidence of insurance:

1. A copy of your insurance identification card (for vehicles registered in Pennsylvania only);
2. A copy of the declaration page of your insurance policy;
3. A copy of a valid binder of insurance;
4. A copy of a valid application to the PA Assigned Risk Plan.

In the interest of time, any of the above materials may be transmitted by FAX machine (717-787-5961); however, FAX transmittals will only be accepted as temporary proof of insurance. The Commission must still receive an acceptable, original Form E; Form H; or surety (bond) from your insurance company.

The submission of evidence of insurance in any of the foregoing forms will allow you to temporarily continue or resume operations. However, this does not relieve you of the responsibility to file the appropriate evidence of insurance as outlined above. A complaint will be instituted if an acceptable evidence of insurance is not received within the stated time period.

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA. 17105-3265
SEPTEMBER 09, 2002

IN REPLY PLEASE
REFER TO OUR FILE
A-00118130

WAMPLER, WILLIAM
109 EAST MAIN STREET
SYKESVILLE PA 15865

NOTICE OF SUSPENSION OF PUC OPERATING RIGHTS

EFFECTIVE SEPTEMBER 11, 2002

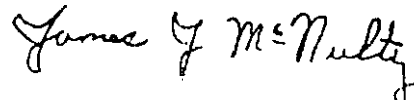
FOR EXPIRATION OR CANCELLATION OF
BODILY INJURY AND PROPERTY DAMAGE LIABILITY INSURANCE

This is to notify you that as of the above effective date, the authority granted to you by the Pennsylvania Public Utility Commission is hereby suspended as more thoroughly described on the attached sheet.

Please be advised that you may not operate until we have received evidence of renewed insurance coverage.

Upon receipt and acceptance of the required certificate of Insurance, you will receive written notification that the suspension is lifted and that you may resume operations.

Very truly yours,



James J. McNulty
Secretary

cc: Enforcement Division

Certified Mail

NOTICE OF SUSPENSION

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If this Commission has not received and accepted appropriate evidence of insurance or surety from an insurer authorized to do business in Pennsylvania within twenty (20) days of the suspension date, a complaint will be instituted against you for failure to comply with Commission's insurance requirements. Such a complaint may result in the cancellation of your certificate of public convenience, contract carrier permit or brokerage license.

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