

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: FACKLER : 7. DATE FILED: 05/11/07
8. DOCKET NO: A-00096502C0701 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: WELESKI TRANSFER, INC.

COMP/APP COUNTY:

UTILITY CODE: 864340

ALLEGATION OR SUBJECT

TAS COMPLAINT VS. WELESKI TRANSFER, INC. FOR VARIOUS VIOLATIONS.

DOCUMENT
FOLDER

DOCKETED
JUN 13 2007

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

Date of Service: JUNE 13, 2007
Docket Number: A-00096502C0701

WELESKI TRANSFER, INC.
140 WEST FOURTH AVENUE
TARENTUM PA 15084

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
WELESKI TRANSFER, INC.

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.

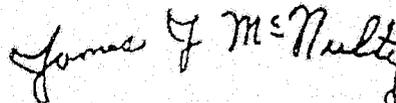
Pursuant to this delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff has filed the attached complaint against you.

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,

DOCUMENT
FOLDER



James J. McNulty
Secretary

DOCKETED
JUN 13 2007

jth

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED JUN 11 11:16

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

ORIGINAL

v.

DOCKET NO. A-00096502CD 701

WELESKI TRANSFER, 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 Weleski Transfer, Inc., respondent, maintains its principal place of business at 140 W. Fourth Avenue, Tarentum, PA 15084.
2. That respondent was issued a certificate of public convenience by this Commission on July 15, 1971, at Application Docket No. A-00096502.
3. That respondent, on December 28, 2006, at approximately 10:50 a.m., on SR 56, Lower Yoder Township, Cambria County, Pennsylvania, permitted a certain 1991 International truck bearing Indiana License No. 121646, Vehicle Identification No. 1HTSDZ7P8MH317717, to operate.
4. That the vehicle described in Paragraph 3 of this complaint was inspected by Enforcement Officer Brian Mehus, a duly authorized officer of this Commission, on the date and at the place specified in Paragraph 3 and the following violations were disclosed:
 - (a) Vehicle markings missing (name, address and PaPUC No. not displayed on right side of vehicle).
 - (b) Failed to carry a lease agreement on board vehicle.

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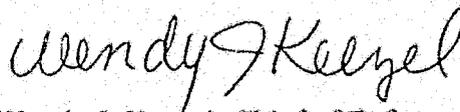
JUN 13 2007

5. That respondent, by failing to have its name, address and certificate number displayed on both sides of its vehicle, violated 52 Pa. Code §31.33(a) and 66 Pa. C.S. §501(c). The penalty is \$50.00.

6. That respondent, by failing to carry a lease agreement in the leased vehicle, violated 52 Pa. Code §31.32(c)(2)(vii). The penalty is \$50.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Weleski Transfer, Inc., the sum of one hundred dollars (\$100.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

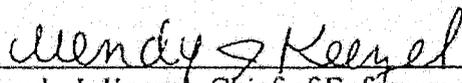


Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, 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: 5-9-07



Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement Division
Bureau of Transportation and Safety

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 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 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) 787-1227.

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

DATE: 7/9/2007
RECEIPT NO: 183932

WELESKI TRANSFER, INC.
140 W. 4TH AVENUE, P O. BOX 428
TARENTUM PA 15084-0428

PUC VS. WELESKI TRANSFER, INC.

Fine for the violation of Pa Public Utility Law

Docket Number A-00096502C0701..... \$100.00

REVENUE ACCOUNT: 001420-017000-101

CHECK NUMBER: 081864
CHECK AMOUNT: \$100.00

Michael Sobolesky
(for Department of Revenue)

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FOLDER

DOCKETED
JUL 10 2007

RJP