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January 10, 2019

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

VIA HAND DELIVERY

**RE: PA PUC, Bureau of Investigation & Enforcement v. Ultimate Fluid Control, LLC, t/a
Ultimate Fluid Control, Docket Nos. C-2018-3000299, A-2017-2588763, A-8919588**


Dear Secretary Chiavetta:

Enclosed for filing with the Pennsylvania Public Utility Commission (“PUC” or “Commission”) is a letter and supporting documents of Ultimate Fluid Control, LLC (“UFC”), which constitutes a Petition for Reconsideration from Staff Action of the July 10, 2018 Secretarial Letter in Docket No. C-2018-3000299. As explained in the Petition, UFC did not receive any mail correspondence from the PUC regarding this matter until January 4, 2019 due to a change in mailing address.

Please do not hesitate to contact me with any questions regarding this matter. Thank you.

Sincerely,

McNEES WALLACE & NURICK LLC

By 
Kenneth R. Stark
Counsel to Ultimate Fluid Control, LLC

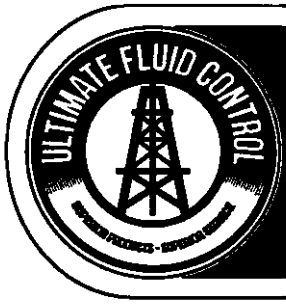
Enclosures

cc: Rodney Bender and Robert Bingaman, Technical Utility Services, PUC (via email)
Barbara A. Darkes, McNees Wallace & Nurick LLC (via email)
Michael J. Beamish, President, Ultimate Fluid Control, LLC (via email)

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2019 JAN 10 PM 2:03
PA PUC
SECRETARY'S BUREAU
HARRISBURG, PA

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Ultimate Fluid Control

1187 Audubon Drive
Clarks Summit, PA 18411
Office: (570) 335-8097
Fax: (570) 319-6378

January 9, 2019

To the Pennsylvania PUC and PUC Bureau of Technical Utility Services:

I am writing on behalf of Ultimate Fluid Control, LLC, (PUC License # A-8919588, Docket # A-2017-2588763). On January 4, 2019, I received a letter in the mail from the Pennsylvania PUC notifying me that Ultimate Fluid Control has a balance due of \$500 for a fine that was issued on July 10, 2018 (Docket # C-2018-3000299). This was the first mail correspondence I had received from PA PUC regarding this or any other matter. I called the number listed on the letter for an explanation of the fine in an attempt to resolve the matter. The person at the Bureau of Technical Utility Services (TUS) explained to me that the PA PUC was notified of a cancellation of motor carrier insurance for Ultimate Fluid Control, LLC with an effective date of 2-21-18, and that no additional information was received by PUC indicating that the insurance policy was picked up by another carrier. TUS informed me that a letter requesting proof of insurance, and a subsequent letter informing Ultimate Fluid Control, LLC of a hearing was sent to 9 Skyline Drive Suite #2, South Abington, PA 18411 and that the letters were returned to the PUC as undeliverable. Therefore, Ultimate Fluid Control's PUC authority was revoked with an effective date of 7-10-18. I informed the person at TUS that Ultimate Fluid Control had not operated out of the Skyline Drive office since July of 2017, and assured TUS that insurance has always been in place on all vehicles operated by Ultimate Fluid Control, and the only reason for a change of insurance carriers was due to financing of new vehicles. I also informed TUS that I personally filled out a change of address card at the US Post Office in Chinchilla, PA. I assured the TUS staff person that, had I received any notification regarding this matter, then I would have immediately complied with any requests, as I have done with emails sent to me by PUC staff in the past.

Ultimate Fluid Control is a company that values compliance and doing the right thing, always! I can understand paying a small fine for failing to notify the PA PUC of an address change. But, for Ultimate Fluid Control to lose operating authority, pay a \$500 fine, pay a \$350 application fee, and pay to have all of its truck re-lettered with a new PUC # is an excessive penalty and not fair because I did not know about the revocation of the license and penalty until January 4, 2019. Furthermore, Ultimate Fluid Control has had insurance the whole time. Any lapse or delay in operating authority would be devastating to a small trucking company like Ultimate Fluid Control, would severely damage contractual relationships we have with our customers, and would have very bad implications on all 18 of our employees.

I would like the PA PUC to examine the evidence that shows that Ultimate Fluid Control has always been diligent in seeking to comply with PUC operating requirements for motor carrier insurance. I do understand that the address and phone number listed on the PUC Application for Ultimate Fluid

Control is no longer valid, as our company has moved. However, I have received several other emails from the PUC notifying me with compliance questions. These emails were received and proper steps were taken to ensure compliance. Therefore, I thought the PUC was primarily communicating to me by email. I do not understand why the PUC did not email me regarding any concerns with our insurance, notification of a hearing, notification of a fine and revoking of PUC authority, after mailed letters were returned undeliverable to the PUC. My mobile phone number was listed in my email signature, but I never received a phone call from the PUC regarding these compliance issues.

I would like to respectfully ask that the PA PUC rescind its order terminating the operating authority of Ultimate Fluid Control and reinstate Ultimate Fluid Control's license. I am amenable to paying a small financial penalty for failing to properly notify the PUC of a change in business address.

Ultimate Fluid Control uses the following address for all mailings and business-related matters:

1187 Audubon Drive
Clarks Summit, PA 18411
(570) 335-8097 Phone
(570) 319-6378 Fax
mbeamish@ultimatefluid.com email

Our trucks are garaged at:
2290 SR 167
Hop Bottom, PA
18824
(570) 289-0984

Thank you for your consideration on this important matter. I am attaching proof of insurance to this letter and my UCR Registration.

I verify that the facts above are true and correct to the best of my knowledge, information, and belief.

Respectfully,


Michael J. Beamish

President
Ultimate Fluid Control, LLC

Enclosures: Certificate of Proof of Insurance of Ultimate Fluid Control, LLC and UCR Registration

**Form E
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATE OF INSURANCE**

DOT# NONE

Filed with the PENNSYLVANIA PUBLIC UTILITIES COMMISSION (hereinafter called Commission) of PO BOX 3265, HARRISBURG, PA 17105

This is to certify, that the United Financial Cas Co (hereinafter called Company) of PO BOX 94739, CLEVELAND, OH 44101 has issued to ULTIMATE FLUID CONTROL LLC, ULTIMATE FLUID CONTROL of 1187 AUDUBON DRIVE, CLARKS SUMMIT, PA 18411 a policy or policies of insurance effective from 01/07/2019 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which, by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days notice in writing to the State Commission, such thirty (30) days notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at 6300 WILSON MILLS, MAYFIELD VILLAGE, OH 44143

this 7th day of January, 2019

Insurance Company File No. CA 06526466
(Policy Number)



(Authorized Company Representative)

MC1633a(08/99)

IR835398



2019 UCR Registration is VALID!



Confirmation # 000-0095-0745
Generated 01/08/2019 18:42:33 local
Registered on: 01/08/2019 18:42:17 local

Year: 2019

Paid: UCR Fee: \$368.00
Convenience Fee: \$10.68
Total: \$378.68

Bracket: 6 to 20 vehicles

USDOT#: 2967192

Legal Name: ULTIMATE FLUID CONTROL LLC

Base State: Pennsylvania

Principal: 1187 AUDUBON DRIVE
CLARKS SUMMIT, US_PA 18411
US

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2019 JAN 10 PM 2:03
PA, LLC
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