



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

December 2, 2019

VIA ELECTRONIC FILING

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

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Calypso Moving, LLC
Docket No. C-2019-3013404
I&E Motion for Default Judgment

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's (I&E) Motion for Default Judgment in the above-referenced proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Chris M. Andreoli".

Christopher M. Andreoli
Prosecutor
Bureau of Investigation & Enforcement
PA Attorney I.D. No. 85676
(717) 705-4366
chandreoli@pa.gov

CMA/ac
Enclosures

cc: As per Certificate of Service

5. The Notice also advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order imposing the penalty set forth in the Complaint.

6. Respondent did not pay the administrative penalty of \$5,000 that was sought in the Complaint for Respondent's violation of the Public Utility Code by operating as a common carrier and /or contract carrier by motor vehicle without a certificate of public convenience, permit, or license issued by the Commission when it agreed to transport a resident's household property between points with the Commonwealth for compensation.

7. Respondent did not file an Answer to the Complaint.

8. Pursuant to Section 5.61(c) of the Commission's regulations, a Respondent who fails to file an Answer to a Complaint within the 20-day response period may be deemed in default, and the relevant facts stated in the Complaint may be deemed admitted. 52 Pa. Code § 5.61(c).

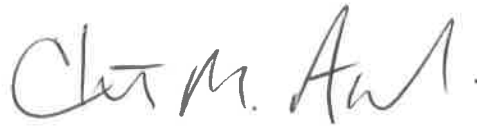
9. The Commonwealth Court has upheld the Commission's authority to sustain complaints that are not answered within twenty days. *See Fusaro v. Pa. Pub. Util. Comm'n*, 382 A.2d 794, 797 (Pa. Cmwlth. 1978).

10. I&E respectfully requests that the Commission enter a Default Order against Respondent that:

- a. Directs Respondent to pay the requested administrative penalty of \$5,000, within thirty (30) days of the entry date of the Commission's Order;

- b. Refers the matter to the Pennsylvania Office of Attorney General for collection of the total set forth in subparagraph (a), above, if Respondent fails to pay that total within thirty (30) days of the entry date of the Commission's Order.

Respectfully submitted,



Christopher M. Andreoli
Prosecutor
PA Attorney I.D. No. 85676

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 705-4366
chandreoli@pa.gov

Date: December 2, 2019

Exhibit I&E-1

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement,
Complainant

v.

Calypso Moving, LLC
Respondent

Docket No. C-2019-3013404

NOTICE

- A. **You must file an Answer within 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 Letter. See 52 Pa. Code §1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

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

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Christopher M. Andreoli, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Or, emailed to Mr. Andreoli at: chandreoli@pa.gov

- B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the requested relief.

- C. You may elect not to contest this Complaint by paying the civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania", with the docket number indicated, and mailed to:

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

- D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the requested relief set forth in this Complaint.
- 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 penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.
- F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.
- G. Alternative formats of this material are available for persons with disabilities by contacting the Commissioner's ADA Coordinator at (717) 787-8714.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission, :
Bureau of Investigation and Enforcement, :
Complainant :

v. :

Calypso Moving, LLC :
Respondent :

Docket No. C-2019-3013404

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing **Formal Complaint** on October 8, 2019, in the manner and upon the persons listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by party):

Served via Certified Mail

Calypso Moving, LLC
229 South First Street
West Newton, PA 15089



Christopher M. Andreoli
Prosecutor
Bureau of Investigation & Enforcement
PA Attorney I.D. No. 85676

Exhibit I&E-2

Corporations ▾ Search Business Entities (corpsearch.aspx)

Search UCC Transactions (uccsearch.aspx) Forms ▾

Contact Corporations (<http://www.dos.pa.gov/BusinessCharities/Pages/default.aspx>)

Register (../Account/Register_account) Login (../Account/ValidateUser)

Search entity / **Select entity** / Order documents

Select Business Entity

Search Results for term *Calypso Moving* type: *Starting with*

Show ▾ entries

Filter Records ▾

Business Entity Name	Name Type	Address	Entity Number	Entity Type	Status	Citizenship
Calypso Moving LLC	Current Name	529 Pritts Distillery Road Champion Fayette PA 15622	6709386	Limited Liability Company	Active	Domestic

Showing 1 to 1 of 1 entries

Previous Next

Please click on an entity name or number for viewing details

[<< Back to Search](#)

Exhibit I&E-3



[FAQs >](#)

[Track Another Package +](#)

Tracking Number: 9171969009350214392578

[Remove X](#)

Your item was delivered to an individual at the address at 10:13 am on October 11, 2019 in WEST NEWTON, PA 15089.

 **Delivered**

October 11, 2019 at 10:13 am
Delivered, Left with Individual
WEST NEWTON, PA 15089

[Get Updates](#) ▾

[Feedback](#)

Text & Email Updates ▾

Return Receipt Electronic ▾

Tracking History ▴

October 11, 2019, 10:13 am
Delivered, Left with Individual
WEST NEWTON, PA 15089

Your item was delivered to an individual at the address at 10:13 am on October 11, 2019 in WEST NEWTON, PA 15089.

Exhibit I&E-3
Page 2 of 3

October 11, 2019, 8:36 am

Out for Delivery
WEST NEWTON, PA 15089

October 11, 2019, 7:34 am

Arrived at Unit
WEST NEWTON, PA 15089

October 10, 2019, 8:15 pm

Departed USPS Regional Facility
PITTSBURGH PA DISTRIBUTION CENTER

October 10, 2019, 2:57 pm

Arrived at USPS Regional Destination Facility
PITTSBURGH PA DISTRIBUTION CENTER

October 10, 2019

In Transit to Next Facility

October 9, 2019, 10:06 pm

Departed USPS Regional Origin Facility
HARRISBURG PA DISTRIBUTION CENTER

October 9, 2019, 9:34 pm

Arrived at USPS Regional Origin Facility
HARRISBURG PA DISTRIBUTION CENTER

October 9, 2019, 8:19 pm

Accepted at USPS Origin Facility
HARRISBURG, PA 17120

October 9, 2019

Pre-Shipment Info Sent to USPS, USPS Awaiting Item

Feedback

Exhibit I&E-3
Page 3 of 3

Product Information



See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

Feedback

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement,
Complainant

v.


Calypso Moving, LLC,
Respondent

Docket No. C-2019-3013404

VERIFICATION

I, David W. Loucks, Chief of Enforcement, Bureau of Investigation and Enforcement, Motor Carrier Enforcement, 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 the Bureau of Investigation and Enforcement will 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: November 22, 2019



David W. Loucks
Chief of Motor Carrier Enforcement
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

