

OBERMAYER



Andrew J. Horowitz

Direct Dial: (412) 288-2461
andrew.horowitz@obermayer.com
www.obermayer.com

Obermayer Rebmann Maxwell & Hippel LLP

BNY Mellon Center, Suite 5240
500 Grant Street
Pittsburgh, PA 15219-2502
P (412) 566-1500
F (412) 281-1530

January 9, 2020

Via Federal Express

Rosemary Chiavetta, Secretary
Commonwealth of Pennsylvania
Public Utilities Commission
400 North Street
Harrisburg, PA 17120

RECEIVED

JAN 9 2020

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RE: A-2019-3015019 – Application of Berger’s Moving & Storage, Inc., for the transfer of rights held by Rabel Brothers Moving & Storage Co., Inc.

Dear Ms. Chiavetta:

This letter is in response to your letter of December 20, 2019 requesting additional data regarding the above application. This response is verified as set forth below.

A. Further Response to Question No. 9 of Applicant’s Application

Applicant understands that Transferor currently holds rights to be a common carrier of household goods in use and property other than household goods in use between points in the Commonwealth of Pennsylvania. Applicant seeks to acquire all such rights.

B. Financial Fitness

The Secretary’s December 20, 2019 letter expressed concern that the financial statement of Berger’s Moving & Storage, Inc. demonstrated that the holdings of that entity are only \$100. Applicant understands the Secretary’s concern and agrees that more detail is warranted. Applicants Brian and Sandra Berger (husband and wife) presently own three related business entities, whose updated financial statements are attached:

	Current Assets	Total Assets	Current Liabilities	Long-Term Liabilities	Owners' Equity
Berger's Moving & Storage, Inc.	\$ 1,500.00	\$ 1,500.00	\$ -	\$ -	\$ 1,500.00
Furnish ABC, Inc.	\$ 128,905.00	\$ 202,270.00	\$ 92,953.00	\$ -	\$ 109,317.00
1330 Berger Holdings, LLC	\$ 820.00	\$ 1,000,820.00	\$ 47,120.00	\$ 999,320.00	\$ 1,500.00
Total	\$ 131,225.00	\$ 1,204,590.00	\$ 140,073.00	\$ 999,320.00	\$ 112,317.00

Furnish ABC, Inc. is Applicants' long-standing furniture business. 1330 Berger Holdings, LLC is the entity that was set up to own the commercial real estate in which Applicants' businesses are housed.¹

Berger's Moving & Storage, Inc. is presently not heavily capitalized because it does not presently have operating authority from the PUC and is therefore in a nascent state. Applicants plan is to fund its start-up costs using the current assets of Furnish ABC once the transfer of authority is complete and the moving business launches. It should also be noted that the moving business is intended to dovetail with the furniture business as it is intended to utilize the same vehicles and employees as the furniture business's furniture delivery crews. Indeed, Transferor operated his business in the same manner, having a furniture store and a moving company at the same location using the same vehicles and employees.

C. Supplement to Response to Question No. 7 of Verified Statement of Applicants:

While not requested by the Secretary's letter, Applicants wish to supplement their response to list the following two box truck vehicles, which are owned by Furnish ABC, Inc., but will also be utilized by Berger's Moving & Storage, Inc. One of these vehicles was acquired by Applicants subsequent to the date of their original application:

- 2005 International 4000 Box Truck - VIN 1HTMMAAM45H164571, seats two, approximate mileage: 233,549
- 2020 Isuzu NRR Box Truck - VIN JALE5W164L7300812, seats two, approximate mileage: 452

Please do not hesitate to contact me if you need any further information.

Very truly yours,



Andrew J. Horowitz, Esquire

CC: Brian and Sandra Berger

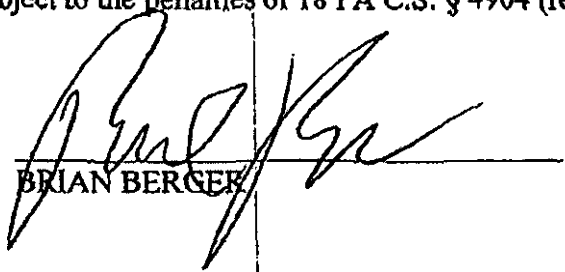
Enclosures

¹ This real estate also includes rental spaces that are leased to tenants.
4820-1845-0864

VERIFICATION OF APPLICANTS

I, Brian Berger, 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 a 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 falsifications to authorities).

Dated: 1-9-20


BRIAN BERGER

RECEIVED

JAN 9 2020

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BERGER'S MOVING + STORAGE, INC.

Statement of Financial Position (Balance Sheet)

As of (date) 12/31/19

ASSETS

Current Assets

Cash	<u>315</u>	
Accounts Receivable	_____	
Notes Receivable	_____	
Other Current Assets (specify) <u>SHAREHOLDER LOAN</u>	<u>1185</u>	
Total Current Assets		<u>1500</u>

Tangible Assets

Motor Vehicle Equipment	_____	
Less: Accumulated Depreciation	_____	= _____
-	_____	
Building and Structures	_____	
Less: Accumulated Depreciation	- _____	= _____
Office Equipment	_____	
Less: Accumulated Depreciation	- _____	= _____

Land

Investments and Funds (specify) _____

Intangible Assets _____

Other Assets (advances and idle equipment - specify) _____

TOTAL ASSETS 1500

LIABILITIES

Current Liabilities (Due within one year of date)

Accounts Payable	_____	
Notes Payable	_____	
Equipment Obligations	_____	
Other Liabilities (Attach schedule)	_____	
Total Current Liabilities		<u>0</u>

Long Term Liabilities (Due after one year of date)

Accounts Payable	_____	
Notes Payable	_____	
Equipment Obligations	_____	
Other Liabilities (Attach Schedule)	_____	
Total Long-Term Liabilities		<u>0</u>

TOTAL LIABILITIES 0

NET WORTH (Partnerships and individuals, only) _____

OWNER'S EQUITY (Corporations only)

Capital Stock		<u>1500</u>
Additional Paid-in Capital	_____	
Retained Earnings	_____	
Less: Treasury Stock	- _____	= _____
Total Owner's Equity		<u>1500</u>

TOTAL LIABILITIES & OWNER'S EQUITY 1500

FURNISH ABC, Inc.

Statement of Financial Position (Balance Sheet)

As of (date) 12/31/19

ASSETS

Current Assets

Cash	<u>27363</u>	
Accounts Receivable	<u> </u>	
Notes Receivable	<u> </u>	
Other Current Assets (specify)	<u>101542</u>	
Total Current Assets		<u>128905</u>

Tangible Assets

Motor Vehicle Equipment	<u>120299</u>	
Less: Accumulated Depreciation	<u> </u>	= <u>73000</u>
Building and Structures	<u>23331</u>	
Less: Accumulated Depreciation	<u> </u>	= <u> </u>
Office Equipment	<u>11312</u>	
Less: Accumulated Depreciation	<u> </u>	= <u> </u>
Land	<u>10947</u>	= <u>265</u>

Investments and Funds (specify)

Intangible Assets

Other Assets (advances and idle equipment - specify)

TOTAL ASSETS 207270

LIABILITIES

Current Liabilities (Due within one year of date)

Accounts Payable	<u> </u>	
Notes Payable	<u>60000</u>	
Equipment Obligations	<u> </u>	
Other Liabilities (Attach schedule) <u>SHAREHOLDER LOAN</u>	<u>32953</u>	
Total Current Liabilities		<u>92953</u>

Long Term Liabilities (Due after one year of date)

Accounts Payable	<u> </u>	
Notes Payable	<u> </u>	
Equipment Obligations	<u> </u>	
Other Liabilities (Attach Schedule)	<u> </u>	
Total Long-Term Liabilities		<u> </u>

TOTAL LIABILITIES 92953

NET WORTH (Partnerships and individuals, only)

OWNER'S EQUITY (Corporations only)

Capital Stock	<u> </u>	
Additional Paid-in Capital	<u>10750</u>	
Retained Earnings	<u>98567</u>	
Less: Treasury Stock	<u> </u>	= <u>98567</u>
Total Owner's Equity		<u>109317</u>

TOTAL LIABILITIES & OWNER'S EQUITY 207270

1330 BERGER HOLDINGS, LLC

Statement of Financial Position (Balance Sheet)

As of (date) 12/31/19

ASSETS

Current Assets			
Cash		<u>870</u>	
Accounts Receivable			
Notes Receivable			
Other Current Assets (specify)			
Total Current Assets			<u>870</u>
Tangible Assets			
Motor Vehicle Equipment			
Less: Accumulated Depreciation			
-			=
Building and Structures		<u>1,000,000</u>	
Less: Accumulated Depreciation			
-			=
Office Equipment			
Less: Accumulated Depreciation			
-			=
Land			
Investments and Funds (specify)			
Intangible Assets			
Other Assets (advances and idle equipment – specify)			
TOTAL ASSETS			<u>1,000,870</u>

LIABILITIES

Current Liabilities (Due within one year of date)			
Accounts Payable			
Notes Payable			
Equipment Obligations			
Other Liabilities (Attach schedule) <u>SHAREHOLDER LOAN</u>		<u>47,120</u>	
Total Current Liabilities			<u>47,120</u>
Long Term Liabilities (Due after one year of date)			
Accounts Payable			
Notes Payable		<u>952,200</u>	
Equipment Obligations			
Other Liabilities (Attach Schedule)			
Total Long-Term Liabilities			<u>952,200</u>
TOTAL LIABILITIES			<u>999,320</u>

NET WORTH (Partnerships and individuals, only)

OWNER'S EQUITY (Corporations only)

Capital Stock			<u>1,500</u>
Additional Paid-in Capital			
Retained Earnings			
Less: Treasury Stock			
Total Owner's Equity			<u>1,500</u>

TOTAL LIABILITIES & OWNER'S EQUITY

1,000,870

RECEIVED

JAN 9 2020

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ORIGIN ID: BTPA (412) 288-2452
ANDREW J. HOROWITZ, ESQ.
OBERMAYER REBMANN MAXWELL ETAL
500 GRANT STREET
BNY MELLON CENTER, STE. 5240
PITTSBURGH, PA 15219
UNITED STATES US

SHIP DATE: 09JAN20
ACTWGT: 1.00 LB
CAD: 105750208/NET4160

BILL SENDER

TO ROSEMARY CHIAVETTA, SECRETARY
CMLTH. OF PA PUBLIC UTILITIES COMSN
400 NORTH ST

567,02DF8205A2

HARRISBURG PA 17120

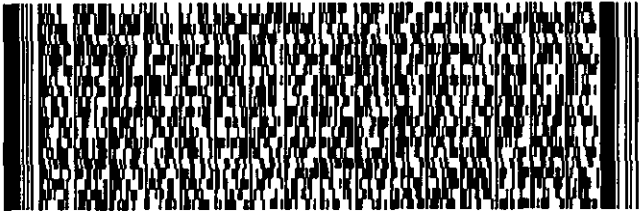
(412) 338-2773

REF: 066035-0001

INV.

DEPT:

PO:

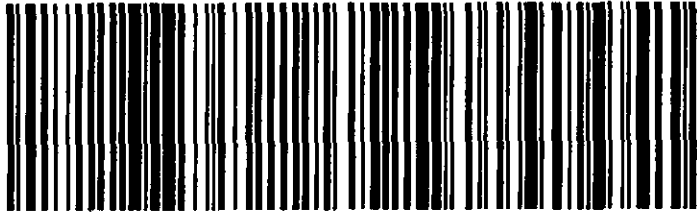


FRI - 10 JAN 10:30A
PRIORITY OVERNIGHT

TRK# 7774 3795 2695
0201

XH MDTA

17120
PA-US MDT



After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our ServiceGuide. Written claims must be filed within strict time limits, see current FedEx Service Guide.