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PION, NERONE, GIRMAN, WINSLOW & SMITH, P.C.
2404 Park Drive, Suite 404
Harrisburg, PA 17110
Phone: 717-737-5833
Fax: 717-737-5553

Attorneys for Respondent:
KLLM, Inc.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
Bureau of Investigation and Enforcement : Docket No. C-2019-3015053
 :
v. :
 :
KLLM, Inc. :

RESPONDENT’S ANSWER TO THE COMPLAINT

Respondent, KLLM, Inc., by and through its counsel, Pion, Nerone, Girman, Winslow & Smith, P.C., hereby submits the following Answer to the Complaint and, in support thereof, states as follows:

1. Respondent admits that, as of the date of the filing of the Complaint, Respondent had not filed its Uniform Motor Carrier Cargo Certificate of Insurance (Form H) with the Public Utilities Commission. Since the filing of the Complaint – and, more specifically, on or about January 8, 2020 – Respondent caused its insurer to file the required Form H with the Commission. A copy of the Form H, along with evidence of filing, is attached hereto as Exhibit “A.” Moreover, Respondent has forwarded payment of the proposed penalty, in the amount of \$500.00, to the Commission (see Exhibit “B”).
2. Admitted.
3. Admitted.

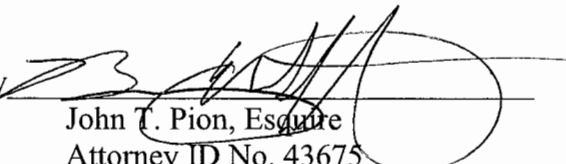
4. Respondent admits that, as of the date of the filing of the Complaint, Respondent had not filed its Uniform Motor Carrier Cargo Certificate of Insurance (Form H) with the Commission. Since the filing of the Complaint – and, more specifically, on or about January 8, 2020 – Respondent caused its insurer to file the required Form H with the Commission. A copy of the Form H, along with evidence of filing, is attached hereto as Exhibit “A.” Moreover, Respondent has forwarded payment of the proposed penalty, in the amount of \$500.00, to the Commission (see Exhibit “B”).

5. Respondent admits that, as of the date of the filing of the Complaint, Respondent had not filed its Uniform Motor Carrier Cargo Certificate of Insurance (Form H) with the Commission. Since the filing of the Complaint – and, more specifically, on or about January 8, 2020 – Respondent caused its insurer to file the required Form H with the Commission. A copy of the Form H, along with evidence of filing, is attached hereto as Exhibit “A.” Moreover, Respondent has forwarded payment of the proposed penalty, in the amount of \$500.00, to the Commission (see Exhibit “B”).

WHEREFORE, Respondent, KLLM, Inc., respectfully requests that the Commission, given the filing of Respondent’s Form H and payment of the proposed \$500.00 penalty, dismiss the present action.

**PION, NERONE, GIRMAN, WINSLOW
& SMITH, P.C.**

Date: January 14, 2020

By 
John T. Pion, Esquire
Attorney ID No. 43675
Bradley N. Sprout, Esquire
Attorney ID No. 203182

**Counsel for Respondent
KLLM, Inc.**

VERIFICATION

I, Sandee Sportsman, am an authorized representative of KLLM, Inc.,

and I am authorized to make this verification on its behalf. I have reviewed the foregoing document, which has been drafted with the assistance of counsel. The factual statements therein are correct to the best of my knowledge, information or belief, though the language is that of counsel. This statement and verification are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities, which provides that, if I make knowingly false statements, I may be subject to criminal penalties.

Sandee Sportsman

Brad Sprout

From: Sandee Sportsman <ssportsman@ffex.net>
Sent: Tuesday, January 14, 2020 11:12 AM
To: Brad Sprout
Subject: FW: Insurance filing '1030667 accepted by Pennsylvania

Sandee Sportsman
Director of Claims and Litigation, AIC, AIS
FFE Transportation Services, Inc.
(p): (214)-819-7736
(m): (972)-821-9912
<http://www.ffex.net>



From: Kyle Weinstein [mailto:kyle.weinstein@aon.com]
Sent: Tuesday, January 14, 2020 9:57 AM
To: Tonya Grubbs <tgrubbs@klm.com>; Sandee Sportsman <ssportsman@ffex.net>
Cc: Gwen Styers <gwen.styers@aon.com>
Subject: [EXTERNAL] FW: Insurance filing '1030667 accepted by Pennsylvania

Tonya,

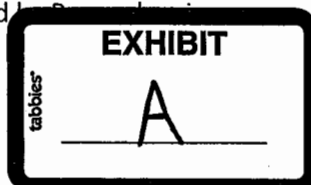
Please see email correspondence below for confirmation of the PA Form H filing. Please let us know if there is anything else we can do.

Thanks!

Kyle J. Weinstein, ARM, AINS | Senior Account Specialist – Transportation & Logistics Practice
Commercial Solutions
Aon
4801 Main Street, Suite 350, Kansas City, MO 64112
t +1.816.698.4603 | m +1.816.501.6065
kyle.weinstein@aon.com
License #16924204

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From: Owen, Tammy <towen@berkleymarine.com>
Sent: Monday, January 13, 2020 1:55 PM
To: Kyle Weinstein <kyle.weinstein@aon.com>
Cc: Choate, Ryan <rchoate@berkleymarine.com>; Berryman, Kelly <KBerryman@berkleymarine.com>
Subject: FW: Insurance filing '1030667 accepted by Pennsylvania



Hi Kyle,

I am forwarding the original email of acceptance on the PA Form H filing. If you need anything further, please let us know.

Thank you,

Tammy L Owen

Berkley Fire & Marine Underwriters | a Berkley Company
Assistant Underwriter
Corporate Woods - 10851 Mastin Boulevard, Suite 200
Overland Park, KS 66210

913-401-0869 Direct
844-898-0118 Extension 1080869 - Toll Free
towen@berkleymarine.com



Berkley Fire & Marine Underwriters on behalf of Berkley National Insurance Company • Berkley Regional Insurance Company • StarNet Insurance Company. Refer to the policy for the applicable insurer, each of which has sole financial responsibility for its own products and services.

From: Pieper, Christina
Sent: Wednesday, January 08, 2020 8:58 AM
To: Berryman, Kelly <KBerryman@berkleymarine.com>
Cc: Choate, Ryan <rchoate@berkleymarine.com>
Subject: Insurance filing '1030667 accepted by Pennsylvania

Hey Guys this has been accepted and I created an instance and dropped the acceptance into it, then closed it out.

Let me know if you need anything else on this

*Thank You! ☺
Christina Pieper
BFM Service Center
Phone 513-826-4872*

From: nor@nicusa.com <nor@nicusa.com>
Sent: Wednesday, January 08, 2020 9:54 AM
To: Pieper, Christina <cpieper@berkleymarine.com>
Subject: Insurance filing '1030667 accepted by Pennsylvania [EXTERNAL]

** CAUTION: External message



Insurance Policy Accepted

The Insurance Policy **1030667** (Form: *Form H*) you filed to Pennsylvania has been accepted.

[View filing details...](#)

If you have questions about this email:

Contact the state agency to resolve filing questions. Filing questions include issues related to filing status, filing procedure or correctness of a filing. *Only state agencies can answer questions about filings.*

Contact MCInfo to resolve technical questions about the MCInfo system. Technical questions include issues related to how MCInfo works and how to use MCInfo. These questions may be answered in your *user or administrator manual*.

Please, first refer to your manual, then if needed, contact National Online Registries customer support at mcinfosupport@egov.com.

ATTENTION: Please do not reply to this e-mail. This message is system-generated replies to this e-mail are blocked by the system. Instead, use the customer support email address listed above.

You are receiving this message because this email address was used to sign up for an account at the Motor Carrier Information Exchange at mcinfo.org. If you believe you

have received it in error, you can ignore it or contact our customer support team at mcinfo.org/MCInfo/support.

CONFIDENTIALITY NOTICE: This e-mail and the transmitted documents contain private, privileged and confidential information belonging to the sender. The information therein is solely for the use of the addressee. If your receipt of this transmission has occurred as the result of an error, please immediately notify us so we can arrange for the return of the documents. In such circumstances, you are advised that you may not disclose, copy, distribute or take any other action in reliance on the information transmitted.

Form H
Uniform Motor Carrier Cargo
Certificate of Insurance
(Electronic Filing)

Filed with Pennsylvania Public Utility Commission (hereinafter called Commission)
(Name of Commission)

This is to certify that the Berkley National Insurance Company NAIC# 38911
(Name of Company)

(herein after called Company) of 222 W. Las Colinas Blvd., Suite 1300, Irving, TX, 75039
(Home Address of Company)

has issued to KLLM Inc.
(Name of Motor Carrier)

of 135 Riverview Drive, Jackson, MS, 39128
(Address of Motor Carrier)

A policy or policies of insurance effective from 10/01/2019 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 Cargo Insurance Endorsement has or have been amended to provide cargo 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 effective 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 425 Martingale, Suite 1520 Schaumburg IL 60173 this 08th day of
(STREET ADDRESS) (CITY) (STATE) (ZIP CODE)

Jan 2020

Insurance Company File No. 1030667
(Policy Number)

Richard S. Beasley
(Authorized Company Representative)



Shipment Receipt

Transaction Date: 13 Jan 2020

Tracking Number:

1Z39X4280190724137

1 Address Information

Ship To: PA Public Utility Commission Rosemary Chivetta, Secretary 400 North Street HARRISBURG PA 171200200 Telephone:972-821-9912	Ship From: KLLM INC Evelyn Wells 135 RIVERVIEW DR RICHLAND MS 39218 Telephone:6019334932 email:ewells@kllm.com	Return Address: KLLM INC Evelyn Wells 135 RIVERVIEW DR RICHLAND MS 39218 Telephone:6019334932 email:ewells@kllm.com
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2 Package Information

	Weight	Dimensions / Packaging	Declared Value	Reference Numbers
1.	Letter (Letter billable)	UPS Letter		Reference # 1 - Claims

3 UPS Shipping Service and Shipping Options

Service:	UPS Next Day Air
Guaranteed By:	10:30 AM Tuesday, Jan 14, 2020
Shipping Fees Subtotal:	45.28 USD
Transportation	42.02 USD
Fuel Surcharge	3.26 USD

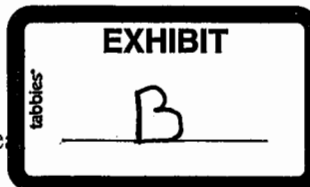
4 Payment Information

Bill Shipping Charges to: Shipper's Account 39X428

Shipping Charges:	45.28 USD
Subtotal Shipping Charges:	45.28 USD
Total Charged:	45.28 USD

Note: This document is not an invoice. Your final invoice may vary from the displayed reference rates.

* For delivery and guarantee information, see the UPS Service Guide ({}). To speak to a customer service representative, call 1-800-PICK-UPS for domes services and 1-800-782-7892 for international services.



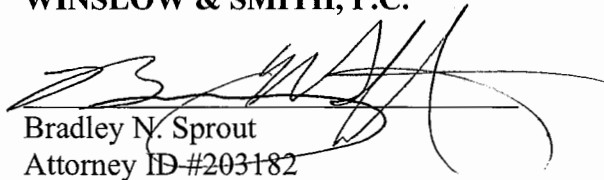
CERTIFICATION

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,

**PION, NERONE, GIRMAN,
WINSLOW & SMITH, P.C.**

Date: January 14, 2020



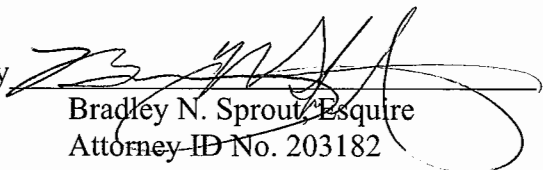
Bradley N. Sprout
Attorney ID #203182

CERTIFICATE OF SERVICE

I, Bradley N. Sprout, Esquire, hereby certify that a true and correct copy of **Respondent's Answer to the Complaint** was served upon the below individual via email on January 14, 2020, as follows:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120
Email: RA-PPCmplntResp@pa.gov

**PION, NERONE, GIRMAN, WINSLOW
& SMITH, P.C.**

By 
Bradley N. Sprout, Esquire
Attorney ID No. 203182

**Counsel for Respondent
KLLM, Inc.**