



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

January 14, 2020

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.
Mickey Jadallah d/b/a ABC Moving Service, LLC
Docket No. C-2019-3013129
(I&E Motion for Default Judgment)

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's **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,

Christopher M. Andreoli
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 85676
(717) 772-8582
chandreoli@pa.gov

CMA/ac
Enclosures

cc: As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2019-3013129
	:	
Mickey Jadallah d/b/a	:	
ABC Moving Service, LLC,	:	
Respondent	:	

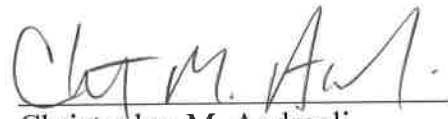
NOTICE TO PLEAD

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) has filed a Motion for Default Judgment in the above-captioned matter, pursuant to the Commission’s regulations at 52 Pa. Code § 5.103. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with 52 Pa. Code § 5.61.

Your Answer must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:

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

Additionally, you must serve a copy on the undersigned prosecutor.


Christopher M. Andreoli
Prosecutor
PA Attorney ID No. 85676

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 772-8582
chandreoli@pa.gov

Dated: January 14, 2020

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

v.

Mickey Jadallah d/b/a
ABC Moving Service, LLC,
Respondent

Docket No. C-2019-3013129

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E"), by its prosecuting attorneys, and files this Motion for Default Judgment against Mickey Jadallah d/b/a ABC Moving Service, LLC ("Respondent"), pursuant to Section 5.103 of the Commission's regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E commenced this action on September 24, 2019 by filing a Complaint alleging that Respondent violated the Public Utility Code when it transported household property between points within the Commonwealth for compensation without a certificate of public convenience, permit, or license issued by the Commission.
2. On September 25, 2019, the Complaint was attempted to be served by certified mail to Respondent at 2438 South 5th Street, Rear, Allentown, PA 18103. See Attachment I&E-1.
3. The Complaint was unable to be served upon Respondent at 2438 South 5th Street, Rear, Allentown, PA 18103.
4. On October 29, 2019, the Complaint was attempted to be re-served by certified mail to Respondent at 5350 Russell Court, Whitehall, PA 18052. See Attachment I&E-2.
5. The Complaint was unable to be served upon Respondent at 5350 Russell Court, Whitehall, PA 18052.

6. Attached to the Complaint was a Notice advising Respondent that it must either pay the requested administrative penalty within twenty (20) days or file an Answer within twenty (20) days.

7. 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.

8. 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 within the Commonwealth for compensation.

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

10. Since Respondent did not file an Answer to the Complaint, out of an abundance of caution, I&E published the Complaint in the *Pennsylvania Bulletin* on November 23, 2019 pursuant to the Commission's regulation at 52 Pa. Code § 1.53(e) (related to alternative service). See 49 Pa. Bull. 7061 (November 23, 2019).

11. Attached to the Complaint, which was published in the *Pennsylvania Bulletin*, was a Notice advising Respondent that it must file an Answer within twenty (20) days.

12. Respondent did not file an Answer to the Complaint, which was published in the *Pennsylvania Bulletin* on November 23, 2019.

13. 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).

14. 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).

15. 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; and
- 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 ID No. 85676

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 772-8582
chandreoli@pa.gov

Date: January 14, 2020

Attachment I&E-1

FIRST-CLASS MAIL

Hasler

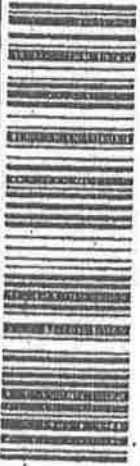
09/25/2019

US POSTAGE \$006.70

ZIP 17120
011D12604116



CERTIFIED MAIL



9171 9690 0935 0215 9435 57



Commonwealth of Pennsylvania
P.O. Box 3265
Harrisburg, PA 17105-3265



C&A

Return Service Requested

RECEIVED

2019 OCT 24 PM 1:57

PA PUC
SECRETARY'S BUREAU

BIE vs. Mickey Jadallah
d/b/a ABC Moving Service, LLC.

C-2019-3013129

Handwritten signature



RETURN TO SENDER

- UNDELIVERABLE AS ADDRESSED
- ATTEMPTED NOT KNOWN
- INSUFFICIENT ADDRESS
- NO MAIL RECEPTACLE
- TEMPORARILY AWAY
- NO SUCH NUMBER
- NO SUCH STREET
- IN DISPUTE
- BOX CLOSED
- MLHA - UNABLE TO FORWARD
- REFUSED
- VACANT
- ILLEGIBLE
- UNCLAIMED



[FAQs >](#)

Track Another Package +

Tracking Number: 9171969009350215943557

[Remove X](#)

Your item has been delivered to the original sender at 9:32 am on October 21, 2019 in HARRISBURG, PA 17107.

Delivered

October 21, 2019 at 9:32 am
Delivered, To Original Sender
HARRISBURG, PA 17107

[Feedback](#)

Return Receipt Electronic



Tracking History



October 21, 2019, 9:32 am
Delivered, To Original Sender
HARRISBURG, PA 17107

Your item has been delivered to the original sender at 9:32 am on October 21, 2019 in HARRISBURG, PA 17107.

October 18, 2019, 8:27 am
Available for Pickup
HARRISBURG, PA 17107

October 18, 2019, 5:24 am
Arrived at Unit
HARRISBURG, PA 17107

October 2, 2019, 9:57 am
Addressee Unknown
ALLENTOWN, PA 18109

September 30, 2019, 9:19 am
Addressee Unknown
ALLENTOWN, PA 18103

September 27, 2019, 9:06 am
Addressee Unknown
ALLENTOWN, PA 18103

September 27, 2019, 5:18 am
Departed USPS Regional Facility
LEHIGH VALLEY PA DISTRIBUTION CENTER

September 26, 2019, 11:12 am
Arrived at USPS Regional Facility
LEHIGH VALLEY PA DISTRIBUTION CENTER

September 25, 2019, 8:16 pm
Arrived at USPS Regional Facility
HARRISBURG PA DISTRIBUTION CENTER

September 25, 2019, 7:01 pm
Accepted at USPS Origin Facility
HARRISBURG, PA 17120

September 25, 2019
Pre-Shipment Info Sent to USPS, USPS Awaiting Item

Feedback

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

Attachment I&E-2



Commonwealth of PA
P.O. Box 3265
Harrisburg, PA 17105-3265

Return Service Requested

Attachment I&E-2
Page 1 of 4

RECEIVED
2019 DEC 26 PM 1:35
PA 17102
COMMUNICATIONS SECTION

FIRST CLASS

CERTIFIED MAIL



9171 9690 0935 0215 9438 23

Hasler
10/29/2019
US POSTAGE \$006.10
ZIP 17120
011D12604116

BIE V. HICKEY JADALLAH D/B/A ABC MOVING SERVICE LLC
C-2019-3013129

MOVED
NO ADDRESS
LEFT

Handwritten signature

MICKEY JADALLAH
D/B/A ABC MOVING SERVICE LLC
5350 RUSSELL CT.
WHITEHALL PA 18052

152-7E
UNABLE TO FORWARD FOR REVIEW
N
E0012/17/19
152-7E
909**

BC: 18052216399 . DU2099N351125 - 01.499
[Barcode]

USPS Tracking®

[FAQs >](#)

Track Another Package +

Tracking Number: 9171969009350215943823

[Remove X](#)

Your item has been delivered and is available at a PO Box at 8:01 am on December 26, 2019 in HARRISBURG, PA 17105.

Delivered

December 26, 2019 at 8:01 am
Delivered, PO Box
HARRISBURG, PA 17105

[Get Updates v](#)

[Feedback](#)

Text & Email Updates 

Tracking History 

December 26, 2019, 8:01 am

Delivered, PO Box
HARRISBURG, PA 17105

Your item has been delivered and is available at a PO Box at 8:01 am on December 26, 2019 in HARRISBURG, PA 17105.

December 24, 2019, 8:06 am

Available for Pickup
HARRISBURG, PA 17106

December 24, 2019, 5:07 am

Arrived at Unit
HARRISBURG, PA 17107

December 23, 2019

In Transit to Next Facility

December 22, 2019, 1:14 pm

Arrived at USPS Regional Facility
HARRISBURG PA DISTRIBUTION CENTER

December 21, 2019, 10:14 pm

Departed USPS Regional Facility
LEHIGH VALLEY PA DISTRIBUTION CENTER

December 20, 2019, 11:09 am

Arrived at USPS Regional Facility
LEHIGH VALLEY PA DISTRIBUTION CENTER

December 17, 2019, 8:15 pm

Departed USPS Regional Facility
PITTSBURGH PA DISTRIBUTION CENTER

December 17, 2019, 7:56 am

Arrived at USPS Regional Facility
PITTSBURGH PA DISTRIBUTION CENTER

Feedback

Product Information



See Less ^

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FAQs

Feedback

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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

v.


Mickey Jadallah d/b/a
ABC Moving Service, LLC,
Respondent

Docket No. C-2019-3013129

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: January 14, 2020



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

**BEFORE THE
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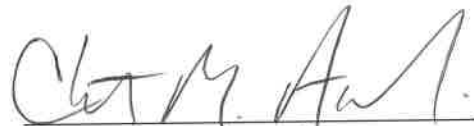
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Motion for Default Judgment, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served via First Class Mail:

Mickey Jadallah d/b/a ABC Moving Service, LLC
2438 South 5th Street, Rear
Allentown, PA 18103

Mickey Jadallah d/b/a ABC Moving Service, LLC
5350 Russell Court
Whitehall, PA 18052



Christopher M. Andreoli
Prosecutor
PA Attorney ID No. 85676

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
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(717) 772-8582
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Dated: January 14, 2020