BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :

BUREAU OF INVESTIGATION AND ENFORCEMENT :

 :

 V. : DOCKET NO. C-2020-3015038

 :

610 HAULING LLC T/A COLLEGE HUNKS HAULING JUNK :

308 WESTTOWN ROAD :

WEST CHESTER PA 19382 :

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That 610 Hauling, LLC t/a College Hunks Hauling Junk, Respondent, maintains its principal place of business at 308 Westtown Road, West Chester, Pennsylvania, 19382.
2. That Respondent was issued a certificate of public convenience authorizing transportation of household goods by this Commission on December 28, 2015, at Public Utility No. 8915269.
3. That an informal complaint was filed at the Commission regarding a move contracted by the Respondent between points within Philadelphia, Philadelphia County, on November 1, 2019, alleging violations of the PUC regulations had occurred during the move.
4. That PUC Motor Carrier Enforcement Officer Rey Pierluisse met with Mike Ort, owner, to investigate the complaint. Mr. Ort provided Officer Pierluisse with the files that were requested for that move. Officer Pierluisse also inspected the employees’ files at that time. Three employees did not have the required criminal history report. 52 Pa. Code §31.134 states:

*….A household goods carrier may not permit a person to provide moving services in a shipper’s dwelling until it has obtained and reviewed a criminal history record from the Pennsylvania State Police and from every other state in which the person resided for the last 12 months….*

1. That Respondent, by permitting a driver to operate before obtaining and reviewing a criminal history report, violated 52 Pa. Code §31.134. The penalty for this violation is $250 per violation. The total fine is $750.

 WHEREFORE, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine 610 Hauling, LLC t/a College Hunks Hauling Junk the sum of seven hundred and fifty dollars ($750) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

 Respectfully submitted,

 

 David W. Loucks, Chief

 Motor Carrier Enforcement

 Bureau of Investigation and Enforcement

 P.O. Box 3265

 Harrisburg, PA  17105‑3265

VERIFICATION

I, David W. Loucks, 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 that the Bureau will be able to prove 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: 02/19/2020 

 David W. Loucks, Chief

 Motor Carrier Enforcement

 Bureau of Investigation and Enforcement

**NOTICE**

1. You must file an Answer within twenty (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 Cover Letter for this Complaint and Notice, 52 Pa. Code §1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original **shall be mailed to:**

Rosemary Chiavetta, Secretary

Pennsylvania Public Utility Commission

400 North Street, 2nd Floor

Harrisburg, Pennsylvania 17120

 **Additionally, a copy should either be mailed to:**

Michael L. Swindler, Deputy Chief Prosecutor

Bureau of Investigation and Enforcement

Pennsylvania Public Utility Commission

400 North Street, 3rd Floor

Harrisburg, Pennsylvania 17120

 Or, e-mailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

1. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.
2. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the **Commonwealth of Pennsylvania** and should be forwarded to:

Rosemary Chiavetta, Secretary

Pennsylvania Public Utility Commission

400 North Street, 2nd Floor

Harrisburg, Pennsylvania 17120

1. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.
2. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.
3. 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 optional fine set forth above.
4. Alternative formats of this material are available for persons with disabilities by contacting the Commission’s ADA Coordinator at 717-787-8714.