

# DOCKET # C-2019-3014087

Hearing Date: June 4, 2020

- Ex 1 Certificate
- Ex 2 1/14/20 Denial Letter
- Ex 3 12/28/18 Cease and Desist Letter
- Ex 4 Non-traffic citation
- Ex 5 Summary Trial Notice
- Ex 6 Docket of Non-traffic Citation
- Ex 7 8/24/19 Work Order
- Ex 8 U-Haul Equipment Contract
- Ex 9 Response to Formal Complaint



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION



ELITE MOVING COMPANY LLC.

DOCKET NO C-2019-3014087

I, Rosemary Chiavetta, Secretary of the Pennsylvania Public Utility Commission, do hereby certify that ELITE MOVING COMPANY, LLC of 229 Bonita Drive, Greensburg, PA 15601 has not been issued a CERTIFICATE OF PUBLIC CONVENIENCE to operate as a motor carrier of household goods between points within the Commonwealth Of Pennsylvania for compensation

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the Pennsylvania Public Utility Commission, this 3rd day of MARCH 2020.

  
\_\_\_\_\_  
Rosemary Chiavetta, Secretary



C-2019-3014087  
6/4/20  
**Exhibit-1**



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
400 NORTH ST, HARRISBURG, PA 17120

IN REPLY  
PLEASE REFER  
TO OUR FILE

January 14, 2020

A- 8922122  
A-2019-3013333

**ELITE MOVING COMPANY LLC**  
**229 BONITA DR**  
**GREENSBURG PA 15601**

RE: A-2019-3013333 - Application of Elite Moving Company, LLC, for the right to begin to transport, as a household goods carrier.

To Whom It May Concern:

The purpose of this Letter is to advise you that your Application, Docket No. 2019-3013333 has been **DENIED** by the Pennsylvania Public Utility Commission (Commission). The Commission has determined that a Certificate of Public Convenience **WILL NOT BE GRANTED** for the following reason(s):

- **Failure to reply to a Commission data request:** On December 9, 2019, the applicant was requested to furnish clarification to the applicant's claim to have sufficient experience to satisfy the requirements of 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-l-). This was the second such request; the first had been issued on October 8, 2019 and had received in inadequate response in reply. To date, more than 30 days after the second request, the applicant has failed to comply.

For this reason(s), your application is again **DENIED** and **DISMISSED**. If you disagree with this decision, you may request that the Commission reconsider this matter under 52 Pa. Code §5.44. A petition for reconsideration must be filed with the Commission within twenty (20) days of the date of this Letter. If no timely request for reconsideration is made, this action will be deemed to be the final action of the Commission.

Very truly yours,

Rosemary Chiavetta  
Secretary

C-2019-3014087  
6/4/20

**Exhibit-2**



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

I&E Exhibit 3  
Page 1 of 1

IN REPLY PLEASE  
REFER TO OUR FILE

BP8 3006718

December 28, 2018

ELITE MOVING LLC  
229 BONITA DRIVE  
GREENSBURG PA 15601

Information received by this Commission indicates your company is conducting household goods moves between points within the Commonwealth of Pennsylvania for compensation. Since you do not hold a certificate of public convenience issued by this Commission authorizing you to provide such service, you have violated the provisions of the Public Utility Code at 66 Pa. C.S. §1101.

On December 27, 2018, you spoke with PUC Motor Carrier Enforcement Supervisor Cynthia Hawthorne on the phone. At that time, she advised you how to apply for PUC operating authority and to not perform any other moves until such time as you obtain a certificate of authority.

You are hereby directed to cease and desist from further violations of the Public Utility Code at 66 Pa. C.S. §§101, et. seq. and the regulations of this Commission, 52 Pa. Code §§1.1, et. seq. Continued operations, as described above, will subject you to a \$1,000 penalty per violation. Future violations can result in possible criminal prosecution with penalties up to \$10,000 and one year in prison.

All advertisements and websites, including Facebook, Craigslist, and Yelp, promoting the transportation of household goods, must be removed.

Feel free to contact me at the number below if you have any questions.

Sincerely,

Cathy E. Royer, Compliance Specialist  
Motor Carrier Investigation & Enforcement  
717-783-3847

cc: PUC Motor Carrier Enforcement Supervisor Cynthia Hawthorne

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6/4/20

**Exhibit-3**

		COMMONWEALTH OF PENNSYLVANIA		CITATION NO.	
NON-TRAFFIC CITATION		R2665449-3			
1. Magisterial District Number <i>03-3-03</i>		2. District Number		3. Social Security Number	
4. Address of Magisterial District Office <i>721 Gulf Lab Rd Cheswick, PA 15024</i>					6. State <input type="checkbox"/> PA
7. Defendant's Name - First, Middle, Last <i>Elite Moving, LLC, Allen Serrick &amp; Tiffany Konop</i>					
8. Defendant's Address (Street City State Zip Code) <i>239 Bonito Dr Greensburg PA 15601</i>					
9. Race/Ethnicity <input type="checkbox"/> White (W) <input type="checkbox"/> Black (B) <input type="checkbox"/> Native American (I) <input type="checkbox"/> Asian (A) <input type="checkbox"/> Hispanic (H) <input type="checkbox"/> Unknown (U)		10. Sex <input type="checkbox"/> Male (M) <input type="checkbox"/> Female (F)		11. Resident Status <input type="checkbox"/> Resident (R) <input type="checkbox"/> Non-Resident (N) <input type="checkbox"/> Unknown (U)	
14. JUVENILE <input type="checkbox"/> Yes <input type="checkbox"/> No		15. Patient's Name		16. Date Issued	
18. Charge <input type="checkbox"/> Disorderly Conduct <input type="checkbox"/> Criminal Trespass <input type="checkbox"/> Theft of Services <input type="checkbox"/> Criminal Mischief <input type="checkbox"/> Harassment <input type="checkbox"/> Public Drunkenness <input type="checkbox"/> Scattered Rubbish <input type="checkbox"/> Retail Theft <input type="checkbox"/> Purchase, Consumption, Possession or Transportation of Liquor or Malt or Brewed Beverages <input checked="" type="checkbox"/> <i>Failure to hold Certificate of Public Convenience</i>					
20. Nature of Offense <i>Defendant did hold himself out as a carrier to transport house-hold goods in use for compensation without holding a Certificate of Public Convenience.</i>					
21. Pa. Code <i>3310(a)</i>					
22. SECTION 24. ALN. SEC. <i>3310(a)</i>					
26. FINE <b>\$ 40.25</b>					
28. COSTS					
27. JUDGE <b>\$ 40.25</b>					
29. TOTAL DUE					
31. Date <i>8/24/19</i>		32. Time <i>1pm</i>		33. Court <i>3rd</i>	
34. City/Town		35. County		36. Zone	
<i>1415 Freeport Rd</i>		<i>Allegheny</i>		<i>02</i>	
40. Defendant's Signature - Acknowledges Receipt of Citation <b>X</b>					
43. I verify that the facts set forth in this citation are true to the best of my knowledge, information and belief. This verification is made subject to the penalties of Section 4004 of the Criminal Code (18 Pa.C.S. § 4904) relating to witness fabrication to authorities. I certify this filing complies with the LPS Case Records Public Access Policy.					
OFFICER'S SIGNATURE		BADGE NUMBER		ORI NUMBER	
<i>Cynthia Hawthorne</i>		<i>Cynthia Hawthorne PUC 100</i>		<i>PA 0223900</i>	
44. Station Address <i>245 William Pitt Way Pittsburgh, PA 15238 412-427-9310</i>					
51. Victim's Name		52. Date of Birth (MM/DD/YY)		53. Sex	
54. Victim's Address (Street City/Town Zip Code)		56. Phone Number			
57. Confidential Information Section					
59. Remarks/Disposition List					
R2665449-3					

AOPG 407-95 (Rev. 04/2018)

MAGISTERIAL DISTRICT JUDGE

+  1A  1B

C-2019-3014087  
6/4/20  
**Exhibit-4**

+

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF ALLEGHENY



### Summary Trial Notice

Mag. Dist. No:	MDJ-05-3-03
MDJ Name:	Honorable David J. Sosovicka
Address:	721 Gulf Lab Road Cheswick, PA 15024
Telephone:	724-274-4800

Commonwealth of Pennsylvania  
v.  
Elite Moving Co LLC

Cynthia A Hawthorne  
Motor Carrier Enforc, PUC  
PA PUC  
245 William Pitt Way  
Pittsburgh, PA 15238

Docket No: MJ-05303-NT-0000303-2019  
Case Filed: 8/30/2019  
Comp/Cit #: R 2665449-3

Officer's Role: Arresting Officer

<b>Charge(s)</b>
66 § 3310 (Lead) Unauthorized Operation/Carriers & Brokers

A Summary Trial has been scheduled for the above captioned case to be held on/at:

Date: Thursday, October 3, 2019	Place: Magisterial District Court 05-3-03, Cheswick 721 Gulf Lab Road Cheswick, PA 15024 724-274-4800
Time: 9:45 AM	

This court has received your plea of NOT GUILTY to the above summary violation(s). The sum of \$50.00 has been accepted as collateral for your appearance at trial.

You have the right to be represented by an attorney. You have the right to have any witnesses present. It is your responsibility to notify your attorney and/or witnesses of this trial date/time.

Failure to appear for your trial shall constitute consent to trial in your absence and if you are found guilty, the collateral deposited shall be forfeited and applied toward the fines, costs, and restitution. You shall have the right to appeal within 30 days for a trial de novo.

If you have any questions, please call the above office immediately.  
Should you fail to appear for your summary trial, a warrant may be issued for your arrest.

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**Exhibit-5**

September 10, 2019

Date

Magisterial District Judge David J. Sosovicka



If you are disabled and require a reasonable accommodation to gain access to the Magisterial District Court and its services, please contact the Magisterial District Court at the above address or telephone number. We are unable to provide transportation. You can make case payments online through Pennsylvania's Unified Judicial System web portal. Visit the portal at <http://ujportal.pacourts.us> to make a payment.



## Magisterial District Judge 05-3-03

### DOCKET

Docket Number: MJ-05303-NT-0000303-2019

### Non-Traffic Docket



Commonwealth of Pennsylvania  
v.  
Elite Moving Co LLC

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#### CASE INFORMATION

<u>Judge Assigned:</u>	Magisterial District Judge David J. Sosovicka	<u>Issue Date:</u>	
<u>OTN:</u>		<u>File Date:</u>	08/30/2019
<u>Arresting Agency:</u>	Motor Carrier Enforc, PUC	<u>Arrest Date:</u>	
<u>Citation #:</u>	R 2665449-3	<u>Disposition:</u>	Guilty Plea
<u>County:</u>	Allegheny	<u>Disposition Date:</u>	10/03/2019
<u>Township:</u>	Harmar Township	<u>Case Status:</u>	Closed

#### STATUS INFORMATION

<u>Case Status</u>	<u>Status Date</u>	<u>Processing Status</u>
Closed	10/04/2019	Completed
	10/03/2019	Case Balance Due
	10/03/2019	Case Disposed/Penalty Imposed
	10/03/2019	Awaiting Sentencing
	09/10/2019	Awaiting Summary Trial
	08/30/2019	Awaiting Plea

#### CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>	<u>Start Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule Status</u>
Summary Trial	10/03/2019	9:45 am		Magisterial District Judge David J. Sosovicka	Scheduled

#### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Participant Name</u>
Defendant	Elite Moving Co LLC
Arresting Officer	Hawthorne, Cynthia A

#### CHARGES

<u># Charge</u>	<u>Grade</u>	<u>Description</u>	<u>Offense Dt.</u>	<u>Disposition</u>
1 66 § 3310	S	Unauthorized Operation/Carriers & Brokers	08/24/2019	Guilty Plea

#### DISPOSITION / SENTENCING DETAILS

<u>Case Disposition</u>	<u>Disposition Date</u>	<u>Was Defendant Present?</u>
Guilty Plea	10/03/2019	Yes

<u>Offense Seq./Description</u>	<u>Offense Disposition</u>
1 Unauthorized Operation/Carriers & Brokers	Guilty Plea

Printed: 11/25/2019 7:54 pm

MDJS 1200

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assumes any liability for inaccurate or delayed data, errors or omissions on these docket sheets. Docket sheet information should not be used in place of a criminal history background check, which can only be provided by the Pennsylvania State Police. Employers who do not comply with the provisions of the Criminal History Record Information Act (18 Pa.C.S. Section 9101 et seq.) may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

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**Exhibit-6**

## Magisterial District Judge 05-3-03

### DOCKET

Docket Number: MJ-05303-NT-0000303-2019

### Non-Traffic Docket



Commonwealth of Pennsylvania  
v.  
Elite Moving Co LLC

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#### DOCKET ENTRY INFORMATION

Filed Date	Entry	Filer	Applies To
10/03/2019	Subpoena Issued via Hand Delivery Successfully Served	Magisterial District Court 05-3-03	Restricted Participant
10/03/2019	Guilty Plea	Magisterial District Judge David J. Sosovicka	Elite Moving Co LLC, Defendant
09/23/2019	Subpoena Issued via Hand Delivery	Magisterial District Court 05-3-03	Restricted Participant
09/09/2019	Summons Cancelled	Magisterial District Court 05-3-03	Elite Moving Co LLC, Defendant
09/09/2019	Not Guilty Plea Entered	Elite Moving Co LLC	Elite Moving Co LLC, Defendant
08/30/2019	Summons Issued	Magisterial District Court 05-3-03	Elite Moving Co LLC, Defendant
08/30/2019	Non-Traffic Citation Filed	Magisterial District Court 05-3-03	Elite Moving Co LLC, Defendant
08/30/2019	First Class Summons Issued	Magisterial District Court 05-3-03	Elite Moving Co LLC, Defendant

#### PAYMENT PLAN SUMMARY

Payment Plan No.	Payment Plan Freq.	Next Due Date	Active	Next Due Amt.	Overdue Amt.
05303-2019-P0001310	Single Payment		Yes	\$0.00	\$0.00
<b>Responsible Participant</b> Elite Moving Co LLC					
<b>Payment Plan History:</b>					
Payment Dt.	Applied Dt.	Transaction Type	Payor	Participant Role	Amount
09/09/2019	09/09/2019	Payment	Carter, Tiffany E.	Remitter	\$50.00
10/04/2019	10/04/2019	Payment	Konop, Tiffany	Remitter	\$191.25

#### CASE FINANCIAL INFORMATION

Case Balance:	\$0.00	Next Payment Amt:			
Last Payment Amt:					
	Assessment Amt	Adjustment Amt	Non-Monetary Payment Amt	Payment Amt	Balance
Public Utilities Commission	\$150.00	\$0.00	\$0.00	(\$150.00)	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$9.00	\$0.00	\$0.00	(\$9.00)	\$0.00
County Court Cost (Act 204 of 1976)	\$33.00	\$0.00	\$0.00	(\$33.00)	\$0.00
JCPS	\$21.25	\$0.00	\$0.00	(\$21.25)	\$0.00
Judicial Computer Project	\$8.00	\$0.00	\$0.00	(\$8.00)	\$0.00
OAG - JCP	\$2.50	\$0.00	\$0.00	(\$2.50)	\$0.00
State Court Costs (Act 204 of 1976)	\$9.00	\$0.00	\$0.00	(\$9.00)	\$0.00
ATJ	\$6.00	\$0.00	\$0.00	(\$6.00)	\$0.00
CJES	\$2.50	\$0.00	\$0.00	(\$2.50)	\$0.00

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DATE: 8/24/19

ELITE MOVING WORK ORDER – SHORT FORM – NOT NEGOTIABLE

<b>LOADING ADDRESS</b> [Street Address] 1415 Freeport Rd [City, ST ZIP Code] Cheswick 15024		Client Name and Phone number: Stephen Casley	
<b>DELIVERY/UNLOADING ADDRESS</b> [Street Address] 500 American Way [City, ST ZIP Code] Wexford 15090		Elite Movers Names:	
<b>EXTRA STOPS</b> [Street Address] [City, ST ZIP Code]			
Rates: \$ 90 /HR 3 HR MINIMUM \$ 90 DRIVE TIME \$ 100 + \$1.50/mile TRUCK FEE + ANY MILEAGE FEES		Additional Info/ Charges:	

GENERAL INFORMATION

2:00

SPECIAL CARE / ADDITIONAL INFORMATION

**Commodity Description**  
 Commodities requiring special or additional care or attention in handling or stowing must be so marked and packaged as to ensure safe transportation with ordinary care.

**Time Record:** If payment is not remitted by customer at time of service completion, Elite Moving Company, LLC will charge card held on file for full service payment.

Arrival Time: \_\_\_\_\_ am / pm      Customer Initial: \_\_\_\_\_

Finish Time: \_\_\_\_\_ am / pm      Customer Initial: \_\_\_\_\_

Client Signature/Date \_\_\_\_\_

Payment type (cash or card only) we do charge 4% to use a card for payment.

LABOR: \_\_\_\_\_      DRIVE TIME: \_\_\_\_\_

TRUCK: \_\_\_\_\_      ADDITIONAL: \_\_\_\_\_

MILEAGE: \_\_\_\_\_      TOTAL: \_\_\_\_\_

Elite Moving Company Signature/Date \_\_\_\_\_

Elite Moving Company, LLC will not be held responsible for any household good consisting of particle board. Received, subject to individually determined rates or contracts that have been agreed upon in writing between the client and Elite Moving Company, if applicable, otherwise to the rates, classifications, and rules that have been established by the carrier and are available to the client, on request, and to all applicable state and federal regulations.

Carrier acknowledges receipt of packages and required placards. Property described above is received in good order, except as noted.

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**Exhibit-7**

**Elite Moving Company, LLC**

Disclosure

Customer Name \_\_\_\_\_

We strive every day to move each customer's belongings with the utmost care and attention to detail, so that no damage is done to a customer's belongings and property. However, there are occasions where the very nature of an item being moved is such that the act of moving the item may damage it. Other times, physical conditions such as narrow stairs, doors or hallways may limit our ability to remove or place an item safely without damaging the property itself or the items. The bottom line is that sometimes factors totally beyond our control prevent us from avoiding some damage. This disclosure identifies those items and conditions that pose particular problems and limit our ability to accept responsibility should damage occur.

**PARTICLEBOARD:** In effort to reduce costs, furniture manufacturers have been using a man-made wood product as the core for many pieces of furniture. Generically known as "particleboard", or "pressed wood", this type of wood can be found in furniture of any quality, finish or cost. Particleboard furniture is not designed to be moved once it has been assembled and placed in the home. Typical damage that can happen from the simple lifting and carrying of this furniture includes, but is not limited to broken joints, broken shelf connections and broken leg or foot insert areas. Many particleboard pieces cannot be safely disassembled or reassembled. Our goal is to move these pieces as safely as possible; however, we will not be responsible for damages that are the result of normal handling and the inherent nature of the particle board

**PLASMA TELEVISION SETS/MONITORS:** Increasing in popularity is plasma televisions and monitors. These units are extremely fragile and sensitive to movement. They must always be kept upright. Repairs are highly expensive. The only safe way to move these pieces is in a custom-built crate. A trained and experienced, professional third-party service company builds a proper crate. The cost for the crate is your responsibility and is in addition to your other charges. Should you decide not to have your units crated, we will not be liable for any damages to these items should a claim be reported during or after the moving services have been performed.

**RESIDENTIAL DAMAGE:** Occasionally, our movers are presented with a situation where they cannot safely move a piece of furniture going out of the residences, coming into the residences or within the residence itself without incurring a large chance of damage to the item or to the residence. Our foreman makes the final decision whether he or she can safely move the piece of furniture without damaging the residence or furniture. The foreman may ask a customer if they want to take a chance and try to move a piece when probability of damage is high. If you, as the customer, agree that an attempt to move the item be made even with the potential of damage to the residence, or the item, you agree that we will not be liable for any damage. Attempted situation will be listed on work order form before customer signs work order. **ANY AND ALL DAMAGE TO BE SUBMITTED FOR AN INSURANCE CLAIM WILL ONLY BE SUBMITTED ONCE PAYMENT HAS BEEN REMITTED FOR MOVING SERVICES. FINAL BILL MUST BE SATISFIED BEFORE CLAIM CAN BE FILED.** Failure of payment can possibly lead to charges and or court fines/fees which will be paid by customer.

I HAVE BEEN SUPPLIED AND READ THIS DISCLOSURE AND UNDERSTAND HOW IT APPLIES TO THE SPECIFICS OF MY MOVE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

# U-HAUL® Equipment Contract



Contract No: 27435055  
Saturday, August 24, 2019 12:22 PM

Equipment:  
TT 3268E  
  
(724) 516-8404  
DL xxx3646, PA 1122  
snoopyluv.wk@gmail.com

Roadside Assistance:  
Visit [uhaul.com/help](http://uhaul.com/help)

Dispatched From: 861076  
Safe-Protection: (YES)

Customer Name:  
Timothy Burkart  
303 Mountain View Drive  
LUFFS DALE, PA 15679

Renting Location:  
U-HAUL MOVING & STORAGE OF LOWER BURRELL - (861076)  
100 BURRELL PLAZA  
LOWER BURRELL, PA 15068  
(724) 472-4567

Rental Out Date/Time: 8/24/2019 12:22 PM      Rental Due Date/Time: 8/24/2019 9:00 PM

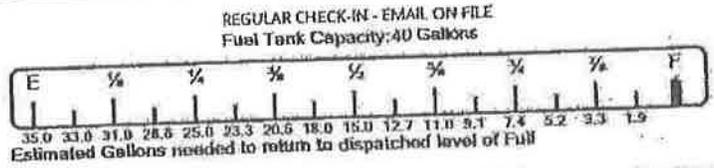
If you return after store hours please verify your equipment return on your mobile device by going to [uhaul.com/share](http://uhaul.com/share). Or you can choose to have a U-Haul Representative verify it for you the next business day. There is a \$20.00 convenience fee for this option.

Failure to return the equipment by the Rental Due time may result in additional charges.

Equipment	MI Out	MI Rate	MI Charge	Coverage	Rental Rate	Rental Charge	Estimated Charges
TT3268E AE47598-AZ	83007.6	\$0.99 x 50.00	\$49.50	Safe Move: \$14.00	\$39.95	\$39.95	\$103.45

Part Code	Description	Item Cost	Quantity	Line Cost
49D24	15" Mover's Stretch Plastic Wr	\$16.95	1.00	\$16.95



Sales Subtotal: \$16.95  
Tax: \$1.02  
Total Sales: \$17.97

Estimated Environmental Fee: \$1.00  
Estimated Rental Subtotal: \$104.45  
Estimated Rental Tax: \$8.36  
PA Motor Vehicle Surcharge: \$2.00  
Estimated Rental Charges: \$134.81

Estimated Rental Charges: \$132.78

Credit Card Authorization Amount: \$14.81  
Credit Card Payment: \$17.97  
Net Paid Today: \$17.97

Card Types: Account: Type: Ref No.: Approved:  
 Visa XXXX-XXXX-XXXX-7462 PREALTH 923614575638 253854  
 Visa XXXX-XXXX-XXXX-7462 PAYMENT 923614575685 294933

The bank has placed a HOLD for \$14.81 on your account. This hold may appear on your statement. U-Haul will not charge/credit your card until you return the equipment and your rental charges are calculated. If the actual rental charges exceed the held amount, or if your rental is extended, U-Haul may charge the original amount and authorize a second amount for the estimated balance.

Entry Method: Manual/Manual      Application Label:      Merchant ID: 4445013134437  
 Visa      Visa      4445013134437

- I agree to verify my truck's fuel level is Full before leaving the premises. I will return the vehicle with the same amount of fuel as when dispatched and/or agree to pay a \$4.25 per gallon convenience fee for the estimated fuel I do not replace. If returned with less than 1/4 tank, I agree to also pay a \$30.00 service fee. U-Haul does not reimburse if this truck is returned with more fuel than what is printed on the receipt gauge. U-Haul pays for oil (save receipts).
- U-Haul provides the Customer with minimum limits of protection required by that state or province where arises any claim, suit or cause of action. This provided protection is in excess or secondary to any insurance coverage(s) of the Customer. Customer assumes Sole Responsibility for any and all liability that exceeds the applicable minimum limits of protection for that state or province.
- An automobile liability insurance policy or a qualified self-insurance arrangement provides the authorized driver with the minimum limits required by the automobile financial responsibility or compulsory insurance law of the jurisdiction in which the accident occurs.
- I understand that this equipment must be returned to the same U-Haul location where it was rented. I understand that the minimum rental charge for equipment returned to a different location is twice the amount of the current One Way rate from this U-Haul location to the actual drop-off location.
- I understand that the equipment rented is water resistant and not water proof.
- I acknowledge that I have received the appropriate User Instructions and acknowledge my responsibility to fully read and understand these User Instructions before operating the equipment.
- I understand that I will receive an email link to review the rental process and the U-Haul Store employees to feedback to U-Haul any compliments, concerns, or requests that I have about my rental.
- I understand that I can also contact U-Haul Customer Service at [uhaul.com/contact/email.aspx](http://uhaul.com/contact/email.aspx)
- Watch for overhead objects and lock-up the cargo box. I understand that a collision with an overhead object and theft of my cargo are just two specific exclusions not covered by Collision Damage Waiver (CDW), Safemove, or Safetow protection.
- I agree that distracted driving is dangerous and that driving while distracted is likely to lead to an accident/crash causing serious injury or death. I agree not to use a hand held mobile phone (other than for an emergency call) and not to text while driving any U-Haul truck or towing any U-Haul Trailer, Tow Dolly or Auto Transport. My agreement not to do so is material to U-Haul's decision to enter into this Agreement. My failure to comply is material breach of this Agreement.
- The following shall be admissible as evidence of negligence and breach of contract in any lawsuit or arbitration: 1) that the driver of the U-Haul truck, or vehicle towing any U-Haul Trailer, Tow Dolly or Auto Transport was texting while driving; 2) that the driver of the U-Haul truck, or vehicle towing any U-Haul Trailer, Tow Dolly or Auto Transport, was using any mobile phone (other than bands free or for an emergency call) while driving.
- I agree to submit all legal claims in accordance with the U-Haul Arbitration Agreement, incorporated by reference, and available at [uhaul.com/arbitration](http://uhaul.com/arbitration) or from my local U-Haul representative.
- I acknowledge that I have received and agree to the terms and conditions of this Rental Contract and the Rental Contract Addendum.
- I acknowledge that I was sent a text/email to the phone number or email address provided at the time of the rental, which provides me the opportunity to acknowledge equipment condition, cleanliness, mileage and fuel at the time of the rental. I understand that if I do not provide a response, I am accepting the condition as represented in the text/email. I further acknowledge that I may be responsible for any and all damage, cleaning, mileage and fuel charges as determined by U-Haul upon return of the equipment.

Michelle Lockard

X \_\_\_\_\_  
 Timothy Burkart  
 Questions or need help? Call me.  
 (724) 472-4567

U-Haul Signature - (Michelle Lockard)

C-2019-3014087  
 6/4/20  
**Exhibit-8**

### U-HAUL® TRUCK USER INSTRUCTIONS ROADSIDE ASSISTANCE

Get Help at [uhaul.com/help](http://uhaul.com/help)  
or call 1-800-GO-U-HAUL  
24 HOURS - 7 DAYS A WEEK

#### SAFETY ALERT SYMBOL

This safety alert symbol  precedes all the safety messages in these instructions. Safety messages alert you to possible hazards and instruct you on how to avoid or reduce the risk of injury.

#### WARNING

READ and FOLLOW all of these instructions and safety messages before operating the truck. DEATH, DISMEMBERMENT or SERIOUS INJURY to you, your passengers, and others on the road may result if you do not follow these instructions. Make sure all drivers read and understand all these instructions.

#### PARKING, BACKING AND LOADING

**ALWAYS SET THE PARKING BRAKE** when parking. Fully set the parking brake and then move the shift selector fully into park. ALWAYS TURN ENGINE OFF before exiting cab. When facing downhill, turn the wheels toward the curb. When facing uphill, turn the wheels away from curb.

**GET HELP BEFORE YOU BACK UP.** There are blind spots behind any vehicle. DO NOT rely on mirrors alone. Hire the helper stand where he can be seen directly, or in your mirror, while he guides you. He should not be in the path of the truck. If no help can be found, walk around the rear of the truck and MAKE SURE there are no children, pedestrians or obstructions behind you.

**DO NOT HOLD THE RAMP** or have the ramp interlock while the truck is BACKING UP or in motion.

**NEVER overload the truck.** Do not exceed the gross vehicle weight rating (GVWR) and the gross axle weight rating (GAWR), which are posted on a label inside the driver's door opening.

**NEVER load cargo on the outside of the truck.**

**DO NOT transport hazardous materials, corrosives, explosives or flammables.**

**NEVER leave CHILDREN or KEYS unattended in the truck.**

#### DISTURBANCES AND EMERGENCY SITUATIONS

A "disturbance" is improper handling, over-steering or other deviation of the truck from its intended path, due to one or more causes (improper loading, steering inputs, excessive speed, crosswinds, passing vehicles, rough roads, the truck, unbrake away or whipping, etc.).

If a DISTURBANCE OCCURS, DO NOT steer or brake. Let off the gas pedal to slow down. Steering or braking during a disturbance can cause a loss of control or crash.

If a WHEEL GOES OFF THE PAVED ROADWAY, DO NOT steer sharply and DO NOT brake. Let off the gas pedal and slow down below 20 mph. Then steer gradually back onto the roadway. Proceed with caution entering traffic.

#### BLOW DOWN

**AVOID CRASHES** by slowing down. Reduce your speed from what you would normally drive your car under similar road conditions.

**DRIVE DEFENSIVELY** - anticipate stops, brake early, and never follow closely.

**BEFORE** going downhill, slow down and shift the transmission into a lower gear, let off the gas pedal and allow the engine to help you control your speed. DO NOT HIDE BRAKES on downgrades.

Slow down for curves, adverse weather, hazardous road conditions, road construction and crosswinds.

#### WHILE ON THE ROAD

Use the checklist at the end of these instructions before towing and while on the road.

**ALWAYS** wear your seat belt. Be sure children are properly restrained.

Rear-facing infant seats should never be placed in the front seat of a truck equipped with a passenger-side air bag. A child may be seriously injured if an activated air bag strikes the child restraint.

**DO NOT** drive when you are fatigued, sleepy or distracted. Avoid driving at night.

**NEVER** use a cell phone when driving. If you need to use a cell phone, find a safe place to exit the roadway.

**NEVER** drive under the influence of alcohol or any substance that might impair your vision, judgment or ability to control the vehicle.

**NEVER** allow passengers to ride in the cargo area or on the truck exterior. Passengers risk injury due to shifting cargo, repulsion and lack of collision protection.

**EXHAUST FUMES ARE LETHAL.** DO NOT operate the engine in a confined area where exhaust fumes could enter through doors or windows. DO NOT sleep in the truck with the engine running.

#### OVERHEAD CLEARANCE

**U-HAUL TRUCKS ARE TALLER THAN PASSENGER CARS.** If you don't know the overhead clearance, get out of the truck and make certain that you are clear of any obstruction. DO NOT GUESS.

Watch out for drive-through restaurants and motel overhangs, service-station canopies, bridges, balconies, roof eaves, porch awnings, electrical wires and tree limbs. Many overhead obstructions are not posted for clearance.

#### LOADING

##### LOAD HEAVY ITEMS FIRST

Load the heaviest items first, in front and on the floor. Load lightest items last, on the top and to the rear. Pack all items closely and firmly. Secure partial loads with rope, as close to the front of the cargo area as possible. NEVER load cargo on the outside of the truck. Be sure the cargo door is closed and latched securely.

##### DO NOT OVERLOAD

Every U-Haul truck has a maximum (fully loaded) gross weight label on the driver's side door post. NEVER load the truck so that it exceeds the listed GVWR and GAWR. If in doubt, check the weight on a commercial or state scale. (See the Yellow Pages under "Scales, Public"). To check GVWR and GAWR weigh the truck with full fuel tank, all occupants, all cargo and trailer tongue weight if towing.

#### TRAILERS

Most U-Haul trucks are fully equipped to tow a trailer. If you plan to tow a U-Haul trailer, you will be provided with the appropriate equipment and instructions. Read the U-Haul Trailer User Instructions thoroughly. Follow the instructions on how to properly load and operate your truck/trailer combination.

If you plan to tow your own trailer, check with a U-Haul representative to determine the maximum trailer weight you can tow. Make sure your trailer is properly loaded, that the coupler and safety chains are attached and that the trailer lights are working properly. See your trailer owner's manual for more information.

#### HAZARDOUS MATERIALS

**DO NOT** transport hazardous materials, corrosives, explosives or flammables such as gasoline or paint thinner. A container that is almost empty is just as dangerous as a full one. Flammables may explode or ignite through spontaneous combustion from vehicle movement.

Empty and air out the tanks on lawn mowers, camping stoves and lanterns before loading.

Propane tanks must be secured standing upright, with the fuel hose disconnected, valve closed and checked for leaks before transporting.

**NEVER** fill a portable fuel container IN or ON the truck. Set tanks on the ground to fill to avoid static electricity and prevent sparks.

Securely close and properly package household cleaning products.

#### LOADING RAMPS

U-Haul designed the loading ramp to help you load and unload the truck. **MAXIMIZE** the loading ramp is completely stored and latched before you put the truck in motion. Follow ramp operating instructions on the decal in the cargo area of the truck.

#### FOOTWEAR

When loading or driving a U-Haul truck wear fully enclosed shoes with slip-resistant soles, such as tennis shoes or work shoes. Flip-flops and sandals do not provide protection from falling objects or sharp edges of your cargo. You are also more likely to slip and fall when wearing flip-flops or sandals.

#### WET FLOORS

If the floor of the cargo box, the loading ramp, or any step surface becomes contaminated (wet, oily, other), remove all contaminants from that surface. You may slip and fall when walking on a contaminated surface.

#### DRIVING

##### GET FAMILIAR WITH CONTROLS FIRST

Before driving, familiarize yourself with the driver controls and accessories. Be sure you understand how to operate the transmission shift and parking brake controls before starting engine. Locate the switches for lights, wipers, climate controls, etc. Adjust mirrors as needed.

##### STOPPING AND FOLLOWING DISTANCE

U-Haul trucks are heavier than passenger cars, especially when loaded. This means it will take you longer to stop.

**▲ Allow at least 4 seconds between you and the vehicle in front of you.** Start counting when the back of the vehicle in front of you passes a fixed object, such as a line or crack on the road. If the front of your vehicle reaches the object before the end of the 4 seconds, increase your distance.

**▲ If you are driving in adverse weather, such as rain, snow, or fog, use at least a 4-second gap.**

**IF A DISTURBANCE OCCURS:**

**▲ Let off the gas pedal. NEVER speed up to try to control a disturbance.**

**▲ DO NOT apply your brakes.**

**▲ HOLD THE STEERING WHEEL** in a straight-ahead position. **DO NOT** try to control the disturbance by turning the steering wheel.

**AFTER A DISTURBANCE HAS STOPPED:**

**▲ Pull a safe distance off the roadway and stop.** Get all occupants out of the vehicle and away from the roadway.

**▲ Check the cargo** to make sure the load has not shifted. Make sure the truck is loaded evenly in front and not overloaded.

**▲ Check that all the tires are properly inflated** and that all lug nuts are tight.

**▲ If loading a trailer, make sure it is properly loaded.** Trailers must be loaded heavier in the front half to prevent trailer sway or WHIPPING. See the U-Haul Trailer Use Instructions for more information.

If the disturbance persists, contact the nearest U-Haul representative and have them inspect or recheck the truck.

**PASSING**

**▲ Your truck is heavier and longer than a passenger vehicle and will require more time and distance to pass. DO NOT pass on hills or curves.**

**HILLS**

**Shift into lower gears** to prevent the truck from jacking up on engine lugging when traveling up hills. This will improve gas mileage and reduce engine overheating.

**▲ DO NOT** ride the brake pedal while going downhill. Prolonged use of your brakes results in overheating and possible loss of braking. When you need to slow down, apply the brake pedal and slow down below the indicated speed. Then let completely off the brake pedal. Repeat this braking cycle as needed.

**ROAD SHOULDERS**

If a wheel goes off the paved roadway:

**▲ DO NOT** turn the steering wheel sharply.

**▲ DO NOT** apply your brakes.

**▲ Let off the gas pedal and slow down below 25 mph.** Then steer gradually back on the roadway. Proceed with caution entering traffic.

**SHARP CORNERS**

Avoid turning too sharp on corners. In gas stations or parking lots, because the truck is longer the truck may and will track inside the turn and may encroach a vehicle or object. Drive slightly past the corner before turning or turn wider than you would with a car to avoid this. Or simply plan ahead and avoid sharp turns where you can.

**STEEP DRIVEWAYS**

When driving on steep *driveways* or angled incline transitions, the rear bumper may drag or get stuck, particularly after loading. The parking brake also may not hold on excessively steep inclines. Avoid driving or parking on steep inclines, park in an alternate location.

**IF TRUCK GETS STUCK**

If truck becomes stuck in snow, mud, silt, other; do not attempt to get it out by spinning wheels or revving engine—this may damage the truck and you will be held responsible. Get help at [uhaul.com/help](http://uhaul.com/help) or call the Roadside Assistance number under BREAKDOWNS below, and U-Haul will assist you.

**SERVICING TRUCK**

**FUELING**

**▲ Shut off engine before refueling.** Extinguish all smoking materials and open flames. Remove fuel-tank cap slowly to vent any pressure inside the tank.

**▲ Avoid spilling fuel.** Hot engine exhaust can ignite flammable vapors, causing a fire or explosion.

**▲ Be sure to use correct fuel, refer to labeling on truck.**

**TIRE PRESSURE**

Set all tires to the proper pressure. Find the recommended COLD pressure on the tire labels located on the truck. Tire pressures go up during driving. **DO NOT** let off this extra pressure.

**ENGINE OIL**

You should check engine oil at each fuel stop. Use only the grade of oil that is listed on the decal in the engine compartment. Keep the engine oil level between the ADD and FULL marks. Save receipts for reimbursement when you return your truck.

If your truck is equipped with a lift engine hood, pull it open only from the front handle.

**COOLANT**

**▲ NEVER** loosen the radiator cap when engine is HOT. Doing so can cause HOT coolant to spray out under pressure. Check radiator level only when engine is COLD.

**BREAKDOWNS**

Immediately park your truck in a safe place, completely off the roadway. Turn on your emergency flashers. Get all occupants out of the vehicle and away from the roadway.

Assemble and place the emergency warning triangles on the roadway, as traffic permits. Assembly and placement instructions are shown behind passenger seat, or on the back of the passenger-side mirror.

If you must continue on the roadway to reach a safe place off the road, turn on your emergency flashers and proceed with caution.

If necessary, drive on a flat tire to reach a safe place completely off the roadway. Drive slowly.

If the truck's mechanical problem is minor and it can be safely driven, proceed to the nearest U-Haul location, get help at [uhaul.com/help](http://uhaul.com/help) or call Roadside Assistance at 1-800-GO-UHAUL.

If the mechanical problem is major or if the truck is inoperable or cannot be driven safely, get help at [uhaul.com/help](http://uhaul.com/help) or call Roadside Assistance at 1-800-GO-UHAUL. Be prepared to give your exact location and a callback telephone number. Have your contract with you when you call. They will have a U-Haul representative contact you and do whatever is necessary.

**ACCIDENTS**

In case of an accident, get everyone out of the vehicle and completely off the roadway. Call an ambulance if anyone is injured. Notify the police as soon as possible and then report the accident at [uhaul.com/help](http://uhaul.com/help) or call Roadside Assistance at 1-800-GO-UHAUL.

**DRIVING CHECKLIST (USE AT EACH STOP)**

**BEFORE DRIVING**

- Fasten safety restraints.
- Properly adjust mirrors.
- Get familiar with controls.

**BACKING AND LOADING**

- Before backing, check behind the truck for pedestrians and obstacles.
- Secure load in cargo area.
- Cargo door closed and latched securely.

**ON THE ROAD**

- Slow down to avoid crashes.
- Anticipate stops. Brake early.
- Be alert and drive defensively.
- Stop for rest when you get tired.

**AT STOPS**

- Firmly set parking brake.
- Shift transmission firmly into park and turn engine off.
- Check connections if towing a trailer.
- Check tire condition.
- Check that all lights are working.
- Remove keys and lock the truck.

**REMEMBER - CRASHES ARE CAUSED BY**

- Driver error or inattention.
- Excessive speed.
- Following too closely.

**YOU SHOULD ALWAYS**

- **LOAD THE TRUCK HEAVIER IN FRONT.**
- **REDUCE YOUR NORMAL DRIVING SPEED.**
- **WEAR YOUR SEAT BELT.**

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BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
JURISDICTION

Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement Complaint  
Plaintiff,  
vs.  
Elite Moving Company, LLC,  
Defendant

Docket No. C-2019-3014087

RESPONSE OF FORMAL COMPLAINT

I, Tiffany Konop, have read over all the information listed in the formal complaint from the Defendant. We, my husband and I, started this company as a small local moving company. It was my fault for not researching more on opening a moving company to the fullest. I thought that we had complied with everything that the state of Pennsylvania requires for opening a small business. I was unaware at the time that Pennsylvania regulates moving companies under the PUC. We did go to court over the violation listed in the formal complaint. I went in front of Judge David J. Sosovicka located at 721 Gulf Lab Road Cheswick PA 15024. Our hearing was held October 3<sup>rd</sup>, 2019 in which I received a fine and paid that day. I did advise the Judge during our hearing that day that we had filed an application with the Pennsylvania Public Utility Commission and was awaiting further information about approval. At our hearing was Cynthia Hawthorne, badge number- PUC100. The Judge asked and double checked that we now have everything in order to fix our error and I advised of the PUC application in process.

We have now done exactly what is required and waiting for approval through the PUC. Currently we are assigned a PUC DOCKET NUMBER A-2019-3013333. The application is listed on the Pennsylvania Bulletin until December 2<sup>nd</sup> 2019. We are complying in every manor that the state of Pennsylvania is requiring and awaiting approval.

Wherefore, we do ask that the fine that is stated be dismissed or lowered due to the facts we are currently awaiting the PUC approval and have done what is needed to comply with regulations. With opening this company we were unaware of all the regulations due to my own personal negligence of

RESPONSE OF FORMAL COMPLAINT - 1

1 research. Not having the PUC approval was absolutely an error on our behalf and was not in any way  
2 malicious to operate without certification. Elite Moving Company, LLC is a small local moving company  
3 that we want to be able to keep as a small, local moving only, company and have something to pass onto  
4 our children one day and be proud of. We do not want to have any part of our company that is not  
5 compliant, and we will continue to work hard and even harder to assure that is the case moving forward.

6  
7 Respectfully submitted,

8 Tiffany Konop

9 Elite Moving Company, LLC

10  
11 Date: November 25, 2019.