



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

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

September 11, 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.  
James R. Kimble t/a Girdie Kimble & Son Limousine Service  
Docket No. C-2020-  
**Formal Complaint**

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Complaint in the above referenced case on behalf of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission. 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,

A handwritten signature in black ink that reads "Chris M. Andreoli".

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

CMA/ac  
Enclosures

cc: Per Certificate of Service

## NOTICE

A. **You must file an Answer within 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 Letter. *See* 52 Pa. Code §1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:

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

Or, you may eFile your Answer using the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Christopher M. Andreoli, Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17210

Or, emailed to Mr. Andreoli at: [chandreoli@pa.gov](mailto:chandreoli@pa.gov)

B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the requested relief.

C. You may elect not to contest this Complaint by paying the past due assessment and civil penalty within 20 days. Send only a certified check or money order made payable to the "Commonwealth of Pennsylvania," with the docket number indicated, and mail to:

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

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the requested relief set forth in this Complaint.

E. 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 penalty set forth in the Complaint and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. C-2020-
	:	
James R. Kimble	:	
t/a Girdie Kimble & Son Limousine Service	:	

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**FORMAL COMPLAINT**

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NOW COMES the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), by its prosecuting attorneys, and files this Complaint against James R. Kimble t/a Girdie Kimble & Son Limousine Service (“Respondent”), pursuant to Section 701 of the Public Utility Code, 66 Pa.C.S. § 701. In support of its Complaint, I&E respectfully represents the following:

**Parties and Jurisdiction**

1. The Pennsylvania Public Utility Commission, with a mailing address of 400 North Street, Harrisburg, PA 17120, is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth pursuant to the Public Utility Code, 66 Pa.C.S. §§ 101, *et seq.*

2. Complainant is the Commission’s Bureau of Investigation and Enforcement and is the entity established by statute to prosecute complaints against public utilities

pursuant to 66 Pa.C.S. § 308.2(a)(11). *See also Implementation of Act 129 of 2008;*

*Organization of Bureaus and Offices*, Docket No. M-2008-2071852 (Order entered August 11, 2011) at 5 (transferring authority to prosecute assessment cases to I&E).

3. Complainant is represented by:

Christopher M. Andreoli  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120  
(717) 772-8582  
[chandreoli@pa.gov](mailto:chandreoli@pa.gov)

Kourtney L. Myers  
Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120  
(717) 705-4366  
[komyers@pa.gov](mailto:komyers@pa.gov)

Michael L. Swindler  
Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
400 North Street  
Harrisburg, PA 17120

4. Respondent is James R. Kimble t/a Girdie Kimble & Son Limousine Service and maintains its principal place of business at 1006 Duncan Avenue, Yeadon, PA 19050, Attention: James R. Kimble.

5. Respondent is a “public utility” as that term is defined at 66 Pa.C.S. § 102, as it is engaged in transporting passengers in the Commonwealth of Pennsylvania for compensation.

6. The Commission issued Respondent a Certificate of Public Convenience on or about May 2, 2000, at A-00115884, for limousine authority.

7. Section 501(a) of the Public Utility Code, 66 Pa.C.S. § 501(a), authorizes and obligates the Commission to execute and enforce the provisions of the Public Utility Code.

8. Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, authorizes the Commission to, *inter alia*, hear and determine complaints against public utilities for a violation of any law or regulation that the Commission has jurisdiction to administer.

9. Section 3301 of the Public Utility Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility, or any other person or corporation subject to the Commission's authority, for violation(s) of the Public Utility Code and/or Commission regulations. Section 3301(a)-(b) of the Public Utility Code, 66 Pa.C.S. § 3301(a)-(b), allows for the imposition of a separate civil penalty for each violation and each day's continuance of such violation(s).

10. Respondent, in transporting passengers as a common carrier for compensation, is subject to the power and authority of this Commission pursuant to Section 501(c) of the Public Utility Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations.

11. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this complaint and the actions of Respondent related thereto.

## **Factual Background**

### **PRIOR ASSESSMENT-RELATED COMPLAINT**

12. On June 28, 2019, I&E filed a Complaint against Respondent at Docket No. C-2019-3011251, alleging that Respondent violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c), by failing to satisfy its assessments for the July 1, 2015 to June 30, 2016 Fiscal Year (“2015-2016 Fiscal Year”) and the July 1, 2017 to June 30, 2018 Fiscal Year (“2017-2018 Fiscal Year”) totaling \$2,696. In addition to payment of the outstanding assessments, I&E sought payment of a civil penalty in the amount of \$500.

13. On December 5, 2019, I&E filed a Certificate of Satisfaction pursuant to 52 Pa. Code § 5.24, noting that Respondent satisfied its outstanding assessments for the 2015-2016 and 2017-2018 Fiscal Years and the civil penalty sought in I&E’s Complaint at Docket No. C-2019-3011251.

### **2018-2019 FISCAL YEAR**

14. On or about February 9, 2018, the Commission mailed to Respondent an assessment report for Respondent to report its gross intrastate operating revenues for the 2017 calendar year.

15. The assessment report was accompanied by instructions, which notified Respondent that the report was to be completed and returned to the Commission on or before April 2, 2018. A copy of the assessment report and instructions are attached as Exhibit 1.

16. Respondent failed to file an assessment report stating its 2017 calendar year revenues.

17. On or about September 20, 2018, the Commission mailed to Respondent, by first class mail, an assessment invoice for the July 1, 2018 to June 30, 2019 Fiscal Year

("2018-2019 Fiscal Year") that was based, in part, on Respondent's estimated revenues for the 2017 calendar year. Respondent's assessment was \$465. A copy of the assessment invoice is attached as Exhibit 2.

18. Accompanying the assessment invoice was a notice of assessment that informed Respondent that it was obligated to pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days. A copy of the notice of assessment is attached as Exhibit 3.

19. While there is no record that the assessment invoice and notice of assessment were returned in the mail to the Commission as being undeliverable, on or about November 29, 2018, the Commission re-mailed to Respondent, by certified mail, the assessment invoice and notice of assessment since Respondent did not pay the amount listed on the assessment invoice within thirty (30) days or file objections within fifteen (15) days.

20. The assessment invoice and notice of assessment were mailed to Respondent at 1006 Duncan Avenue, Yeadon, PA 19050, which is the mailing address that Respondent provided to the Commission for assessment purposes.

21. On December 1, 2018, Respondent provided an electronic signature to the United States Postal Service ("USPS") for the certified mailing, which indicated that it received the assessment invoice and notice of assessment for the 2018-2019 Fiscal Year. A copy of the USPS tracking history for the certified mailing is attached as Exhibit 4.

22. The Commission received no objections from Respondent to the assessment amount set forth in the 2018-2019 Fiscal Year Assessment Invoice.

23. On June 25, 2019, the Commission's Bureau of Administration ("ADM") sent Respondent a letter warning Respondent that if it did not pay its 2018-2019 Fiscal Year

Assessment within 20 days of receipt of the letter, then ADM would refer the matter to I&E for prosecution.

24. Respondent failed to pay the amount of the 2018-2019 Fiscal Year Assessment Invoice.

25. The total outstanding assessment balance for Respondent related to the 2018-2019 Fiscal Year is \$465.

## **Violations**

### **COUNT 1**

26. That Respondent failed to report its gross intrastate operating revenues for the 2017 calendar year in that it did not file an assessment report for that year. If proven, this is a violation of Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.<sup>1</sup> This civil penalty, consistent with past Commission decisions,<sup>2</sup> is based on Respondent's unacceptable history of compliance with the Public Utility Code and Commission's regulations,<sup>3</sup> the amount of Respondent's outstanding assessment balance

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<sup>1</sup> I&E anticipates that this level of penalty will provide a sufficient deterrent against future violations by Respondent.

<sup>2</sup> See *Pa. Pub. Util. Comm'n v. Juan Genet Enter., LLC t/a Safe Destinations*, Docket No. C-2014-2450660 (Order entered August 3, 2017); *Pa. Pub. Util. Comm'n v. Leo Movers & Storage, Inc.*, Docket No. C-2015-2494528 (Order entered August 3, 2017); *Pa. Pub. Util. Comm'n v. Hoffman Landscaping & Trucking, LLP*, Docket No. C-2015-2495061 (Order entered September 21, 2017); *Pa. Pub. Util. Comm'n v. Deer Haven, LLP*, Docket No. C-2015-2498095 (Order entered October 26, 2017); *Pa. Pub. Util. Comm'n v. Reach for the Stars Limousine Serv. Inc.*, Docket No. C-2015-2499276 (Order entered October 26, 2017).

<sup>3</sup> A review of the Commission's records for a period of three (3) years prior to the date of the filing of this Complaint demonstrates that Respondent has an unacceptable compliance history with the Commission as Respondent failed to timely pay its 2015-2016 and 2017-2018 Fiscal Year Assessments to the Commission. See *supra* ¶¶ 12-13.

related to the 2018-2019 Fiscal Year, and the need to deter future violations of the Public Utility Code and the Commission's regulations pursuant to 52 Pa. Code § 69.1201.<sup>4</sup>

## COUNT 2

27. That Respondent failed to satisfy its 2018-2019 Fiscal Year Assessment in that it did not pay the amount due within thirty (30) days of receipt of the invoice. If proven, this is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is 25% of the outstanding assessment balance or \$116.<sup>5</sup> This civil penalty, consistent with past Commission decisions,<sup>6</sup> is based on Respondent's unacceptable history of compliance with the Public Utility Code and Commission's regulations,<sup>7</sup> the amount of Respondent's outstanding assessment balance related to the 2018-2019 Fiscal Year, and the need to deter future violations of the Public Utility Code and the Commission's regulations pursuant to 52 Pa. Code § 69.1201.

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<sup>4</sup> The Commission promulgated a Policy Statement at 52 Pa. Code § 69.1201 as a guideline that sets forth ten factors that are to be considered when evaluating whether and to what extent a civil penalty for violating a Commission order, regulation, or statute is warranted. Among these factors are the compliance history of the regulated entity that committed the violation, the amount of the civil penalty necessary to deter future violations, and past Commission decisions in similar situations. 52 Pa. Code §§ 69.1201(c)(6), (8), and (9).

<sup>5</sup> I&E anticipates that this level of penalty will provide a sufficient deterrent against future violations by Respondent.

<sup>6</sup> See *supra* note 2.

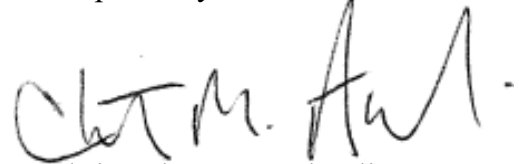
<sup>7</sup> See *supra* note 3.

**WHEREFORE**, for all the foregoing reasons, the Pennsylvania Public Utility

Commission's Bureau of Investigation and Enforcement respectfully requests that:

- (a) Respondent be ordered to pay a total of \$1,081, which consists of its outstanding assessment balance of \$465 and a total civil penalty of \$616 for the above described violations. Said payment should be made by certified check or money order, made payable to the "Commonwealth of Pennsylvania" with the docket number of this proceeding listed, and mailed to the Secretary's Bureau of the Commission;
- (b) Respondent be directed to file assessment reports on a going-forward basis; and
- (c) If payment of the assessment and civil penalty is not made, the Bureau of Investigation and Enforcement requests that:
  - (1) the Commission issue an Order to cancel the Certificate of Public Convenience issued to Respondent;
  - (2) this matter be referred to the Pennsylvania Office of Attorney General for appropriate action; and
  - (3) the Commission certify automobile registrations to the Pennsylvania Department of Transportation for suspension or revocation.

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](mailto:chandreoli@pa.gov)

Date: September 11, 2020

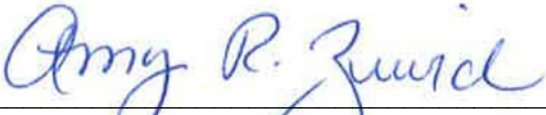
**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. C-2020-
	:	
James R. Kimble	:	
t/a Girdie Kimble & Son Limousine Service	:	

**VERIFICATION**

I, Amy Zuvich, Chief of Finance and Assessments, Bureau of Administration, Finance and Assessment Section, 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 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: September 11, 2020

  
\_\_\_\_\_  
Amy Zuvich, Chief of Finance and Assessments  
Finance and Assessment Section  
Bureau of Administration  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

# **EXHIBIT 1**

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### **INSTRUCTIONS FOR PREPARING 2017 ASSESSMENT REPORT FOR MOTOR CARRIERS**

You must report your gross intrastate operating revenue for calendar year 2017 on the 2017 Assessment Report, which is enclosed. You are required to sign, notarize, and file the 2017 Assessment Report with the Commission on or before April 2, 2018. Please use the self-addressed return envelope enclosed. **THE PUC WILL NOT GRANT AN EXTENSION OF TIME TO FILE THIS REPORT.**

**WHO MUST FILE:** All common carriers certificated by the Commission. Common Carriers include property carriers, passenger carriers, and household goods carriers. Carriers subject to the UCR Act must file this Report, even though qualified UCR operations of carriers registered under the UCR Act will not be assessed if this report is filed timely.

**WHAT YOU MUST FILE:** Assessment Report (Form AR-17-MC) must be completed in its entirety in order to be accepted as final. This includes signatures and notarization along with receipt in the Commission's Assessment Section on or before April 2, 2018. **This report form may not be modified.** Please be sure to include a valid telephone number for the contact person to answer questions, if necessary. The following are addresses for the Assessment Section of the PUC.

Mailing Address:

Regular Mail: Pa. Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA, 17105-3265

Express Mail: Pa. Public Utility Commission  
400 North Street Rm N-303  
Harrisburg, PA, 17120

**NAME AND ADDRESS:** Verify that the preprinted name and address are correct. If this is not correct, cross out and print the correct information. Please provide an email address and the current telephone number.

### **LINE-BY-LINE INSTRUCTIONS**

Line 1. *Pennsylvania Gross Intrastate Operating Revenue.*

Report Pennsylvania gross intrastate operating revenue here. This is earned gross revenue from your public utility operations within the boundaries of the Commonwealth of Pennsylvania, without deduction of expenses of any kind. Fuel surcharges must be included as revenue. Revenue must be reported in the appropriate column. For example, if all of your revenue was from the transportation of property, you must report all revenue in the 'property' column. If your revenue was from 2 or more types of common carriage, you must report the amount of revenue received from each type, in the appropriate column.

Revenue earned from service under the jurisdiction of the Philadelphia Parking Authority must be reported as exempt revenue.

Line 2. *Pennsylvania Exempt Intrastate Revenue Total.*

Report Exempt Intrastate Revenue here. You must itemize any exemptions on the "Exempt Intrastate Revenue" lines on the Report. Attach additional sheets of paper as needed for explanation of exemptions. The PUC may disallow your exemptions if you fail to itemize. Total all exempt revenue on Line 2.

Line 3. *Pennsylvania Net Intrastate Operating Revenue.*

Subtract Line 2 from Line 1. This revenue is used to calculate your assessment. If this report is not filed or filed late, your net revenue will be estimated. This estimate is binding.

### **UCR REGISTRATION INFORMATION**

You must check the appropriate box. If you are an interstate carrier and required to register under the UCR Program, you must check 'yes' and provide your U.S. DOT number. For the purposes of this report, INTERSTATE operating revenue refers to revenue earned from the transportation of property or persons between points of origin and destination, either or both of which are outside Pennsylvania.

Further information on the UCR Program may be found at [www.ucr.in.gov](http://www.ucr.in.gov)

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ASSESSMENT INQUIRIES: Assessment Section-(717) 265-7548  
UCR INQUIRIES: B. I. E.-(717) 783-3846

## EXEMPT REVENUE

The following is a description of Exempt Revenue you may deduct on Line 2, as provided by 66 Pa.C.S. §102:

1. **LEASE REVENUE** – You may deduct lease revenue. Lease revenue is revenue a certificated carrier (lessor) receives when it leases its equipment to another certificated carrier (lessee). The lessor carrier cannot retain any responsibility for the maintenance, supervision or control of the vehicle. The leasing arrangement must be in compliance with the Commission’s leasing regulations, which are found at 52 Pa. Code sections 29.101 (passenger carrier leasing) and 31.32 (property and household carrier leasing). The lessor must include in its assessment report the name(s) of the carrier(s) and the certificate of public convenience number to which it leases its equipment and the amount of revenue received from the carrier. Lessees cannot use rental/lease fees paid to the lessor to offset operating revenue and must report, for assessment purposes, all revenues earned under their certificate of public convenience.
2. **TRANSPORTATION OF K-12 SCHOOL CHILDREN** – You may deduct revenue you received from a kindergarten through 12<sup>th</sup> grade public, private or parochial school for the transportation of schoolchildren for school purposes or school sponsored extra-curricular activities, under a bona fide transportation contract with a public, private or parochial school.
3. **TRANSPORTATION OF AGRICULTURE PRODUCTS** – Farm owners and operators may deduct revenue from transporting their own agricultural products from, or farm supplies to, their farm. In addition, independent contractors or cooperative agricultural associations, transporting agricultural products or farm supplies exclusively for one or more farm owner(s) or operator(s), may deduct that revenue.
4. **WASTE, EXCAVATED AND ROAD CONSTRUCTION MATERIALS** – You may deduct revenue you received from transporting ashes (including anti-skid, flue dust and fly ash), rubbish and waste for disposal. The PUC also allows the exemption/deduction of any revenue you received for transporting excavated materials in dump trucks. The purpose of the excavation is to create a hole or cavity. Removing material of value for use elsewhere is NOT exempt. The PUC also allows the exemption/deduction of any revenue you received for transporting road construction materials if a dump truck is used, and the materials hauled are used solely in a private or public road project including driveways (but NOT parking lots), and the materials are hauled directly to road construction sites or stockpiles. Carriers may **not** claim a revenue exemption for waste, excavated and road construction material when those materials were transported in five-axle tractor-trailers.
5. **TRANSPORTATION OF YOUR OWN PROPERTY**- You may deduct revenue you received from transporting your own property to yourself or to those that buy directly from you.
6. **VOTING MACHINES** – You may deduct revenue you received from transporting voting machines to and from polling places on behalf of any political subdivision of the Commonwealth for use in any primary, general or special election.
7. **TRANSPORTATION OF WOOD PRODUCTS FROM WOODLOTS**- You may deduct revenue you received from transporting pulpwood, chemical wood, saw logs, wood chips, or veneer logs solely from woodlots. A woodlot is an area devoted to growing forest trees. Any revenue received from transportation performed from sources other than the woodlots is subject to assessment and may not be deducted.
8. **TRANSPORTATION OF WRECKED OR DISABLED VEHICLES** – You may deduct revenue you received from the transportation of wrecked or disabled motor vehicles from an accident, breakdown, or a place the vehicle was transported after the accident or breakdown, if it is subsequently transported for repair. Revenue from transportation of wrecked or disabled vehicles to or from auctions is NOT exempt.
9. **TRANSPORTATION OF STOLEN OR REPOSSESSED VEHICLES**- You may deduct revenue you received from the transportation of stolen or repossessed vehicles. Revenue from transportation of stolen or repossessed vehicles to or from auctions is NOT exempt.
10. **TRANSPORTATION OF INJURED, ILL OR DECEASED PERSONS** – You may deduct revenue you received from transporting an injured or ill person to a health care facility, when that transportation is performed in an ambulance or a medically equipped vehicle containing portable oxygen. A medical attendant must be in the vehicle in addition to the driver. A health care facility includes a hospital, clinic, dialysis center, nursing care institution, home health agency, infirmary, or behavioral service provider. A doctor’s office is NOT a health care facility. In addition, you may deduct revenue you received from transporting deceased persons.
11. **TRANSPORTATION UNDER CONTRACT WITH MUNICIPAL CORPORATIONS** - You may deduct revenue you received from passenger transportation performed under contract with a municipal corporation, provided that: (1) the municipal corporation actively regulates your rates, routes and services; and (2) the transportation is limited to municipal residents. This deduction does not apply to contracts with state agencies.

\* 1

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
PO BOX 3265  
HARRISBURG, PA 17105-3265

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**2017 ASSESSMENT REPORT-MOTOR CARRIERS**

This Report **MUST BE FILED** not later than **APRIL 2, 2018**. Failure to file may result in fines up to \$1,000 for each day a violation continues (66 Pa. C.S. § 3301).

TRADE OR CORPORATE NAME OF UTILITY: «UtilityName»	UTILITY CODE: «UtilityCode»
CONTACT NAME: «ContactName»	EMAIL: «Email»
ADDRESS 1: «Address1»	ADDRESS 2 (Floor, Suite, etc.): «Address2»
CITY, STATE, ZIP: «CityStateZip»	PHONE NO.: «Phone»

**OPERATING REVENUE FOR CALENDAR YEAR 2017 (January 1, 2017-December 31, 2017)**

(Enter **WHOLE** dollars only)

	PROPERTY	HOUSEHOLD GOODS	PASSENGER	
			Group and Party 16 or more	Passenger 15 and Under
<b>1. PA INTRASTATE OPERATING REVENUE</b>				
<b>PA EXEMPT INTRASTATE REVENUE</b>				
<b>A. #</b>				
<b>B. #</b>				
<b>C. #</b>				
<b>D. #</b>				
<b>2. TOTAL Exempt Revenue</b>				
<b>3. PA NET INTRASTATE OPERATING REVENUE (Subtract Line 2 from Line 1)</b>				

**UCR REGISTRATION INFORMATION**

2018 UCR Registered  YES  NO US DOT #: \_\_\_\_\_

**Internal Use Only**

A-1  C-1

«AddressType»

### AUTHORIZATION FOR RELEASE OF STATE TAX RECORDS

In accordance with Sections 505 and 506 of the Public Utility Code, as a means to verify the accuracy of financial information supplied to the Public Utility Commission, I hereby authorize the Pennsylvania Department of Revenue to release to the Public Utility Commission, any tax records filed or compiled with regard to the below-listed utility and/or individual.

\_\_\_\_\_  
Utility Name

\_\_\_\_\_  
Signature

Date \_\_\_\_\_

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Title

#### AFFIDAVIT

I affirm that the information reported herein is complete, true and correct.

\_\_\_\_\_  
(Signature of Individual or Officer)

\_\_\_\_\_  
(Date)

READABLE (PRINT OR TYPE) NAME OF INDIVIDUAL or OFFICER ABOVE:

TELEPHONE NO.:

Office ( ) \_\_\_\_\_

Other ( ) \_\_\_\_\_

Other ( ) \_\_\_\_\_

#### NOTARIZATION

(Required)

Subscribed and sworn to before me this

\_\_\_\_\_ day of \_\_\_\_\_ 2018

\_\_\_\_\_  
NOTARY SIGNATURE

\_\_\_\_\_  
OFFICIAL TITLE

OFFICIAL SEAL

\_\_\_\_\_  
(Date My Commission Expires)

# **EXHIBIT 2**



Commonwealth of Pennsylvania  
**Pennsylvania Public Utility Commission**

Harrisburg, PA 17105-3265

**GENERAL ASSESSMENTS INVOICE**

JAMES R KIMBLE  
1006 DUNCAN AVENUE  
YEADON PA 19050

- Read carefully Notice of Assessment
- Use return envelope provided
- Make check payable to:  
**Commonwealth of Pennsylvania**

Invoice Date	Invoice Number
9/20/2018	18-640733
Fiscal Year	
July 1, 2018 to June 30, 2019	

PUC Assessment	\$465.00
<b>PAY THIS AMOUNT WITHIN 30 DAYS</b>	<b>\$465.00</b>

TO RECEIVE PROPER CREDIT FOR YOUR PAYMENT, REMOVE THE BOTTOM PART OF THIS INVOICE AT THE PERFORATION AND RETURN WITH YOUR REMITTANCE

**MAIL PAYMENT TO:**  
PA DOR  
PO BOX 61380  
HARRISBURG, PA 17106-1380

FOLD AND CUT HERE

RETURN THIS PORTION WITH YOUR REMITTANCE

JAMES R KIMBLE  
1006 DUNCAN AVENUE  
YEADON PA 19050

Invoice Date	Invoice Number
9/20/2018	18-640733
Fiscal Year	
July 1, 2018 to June 30, 2019	

<b>PAY THIS AMOUNT WITHIN 30 DAYS</b>	<b>\$465.00</b>
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18000064073371 092018100000465002000000000030000000000 000000465009

# **EXHIBIT 3**

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17105-3265

NOTICE OF ASSESSMENT

EXPLANATION OF BILL FOR GENERAL ASSESSMENT  
FOR FISCAL YEAR JULY 1, 2018 TO JUNE 30, 2019

In Section 510 of the Public Utility Code, 66 Pa. C.S. §510, the Pennsylvania General Assembly has authorized the Pennsylvania Public Utility Commission to assess all public utilities a percentage of their gross intrastate operating revenues for the preceding calendar year. Under Section 510, each public utility is required, on or before March 31 of each year to file with the Commission a statement of the utility's gross intrastate operating revenues for the preceding calendar year. After receiving the utilities' statements of gross intrastate operating revenues, the Commission sends general assessment invoices to all public utilities to advise each utility of the amount of assessment that utility owes based upon that utility's activity (gross intrastate operating revenues) in the preceding year. The enclosed assessment is for your proportionate share of the estimated expenses of the Public Utility Commission for the Commission's Fiscal Year July 1, 2018 to June 30, 2019.

**YOU ARE REQUIRED TO PAY THIS BILL WITHIN THIRTY DAYS AFTER YOU RECEIVE IT.** Objections to the assessment must be made in writing within 15 days and shall set out in detail the grounds upon which you regard the assessment to be excessive, erroneous, unlawful, or invalid. Objections may be filed only by the person, partnership, or corporation assessed. Filing an objection, however, does not eliminate your obligation to pay the assessment while your objection is being considered. **FAILURE TO PAY THE ASSESSMENT WHEN PAYMENT IS DUE WILL SUBJECT YOU TO PENALTIES.**

Be sure that your personal check or money order is written out in the same amount as your assessment invoice, and make your remittance payable to, "Commonwealth of PA". **DO NOT SEND CASH.** If you have reason to correspond with the Commission regarding your assessment invoice, please make reference to your invoice number. A receipt for payment will not be issued. Please mail your payment with the return portion of your invoice in the enclosed self-addressed envelope. Please note that rounding of your assessment to the nearest dollar has occurred. Your assessment for the PUC, including the OCA and the OSBA where applicable, has been combined into one invoice; one payment for all applicable assessments is acceptable. **A TWENTY (\$20.00) FEE WILL BE CHARGED FOR ALL DISHONORED OR BAD CHECKS REMITTED AS PAYMENT OF ASSESSMENTS.**

Your assessment has been computed by multiplying your gross intrastate operating revenues for the calendar year 2017 by the assessment factor for the public utility group of which you are a member. Your gross intrastate operating revenues for 2017 have been taken from the Assessment Reports Form GAO-17, AR-17-RR or AR-17-MC which you have filed with the Commission, or have been estimated by the Commission if you failed to file a timely report. Gross operating revenue reported to the Commission on the Assessment Reports may have been revised by the Commission to accurately reflect assessable revenue. The assessment factors for the various public utility groups are set forth in Schedule B enclosed herewith.

The approved estimate of expenditures of the Commission for the period July 1, 2018 to June 30, 2019 payable as a General Assessment by the public utilities which the Commission regulates has been determined as follows:

Approved budget for the Commission for the Fiscal Year July 1, 2018 through June 30, 2019:	\$72,645,000
Deduct:	
Pipeline Operators per Act 127 of 2011	560,497
Various Fees Collected in FY 2017-18	261,812
UGWF Administration per Act 13 of 2012	425,750
Prior Year cost saving	6,500,000
UCR Collection for CY 2017	4,945,527
EGS/NGS fees per Act 155 of 2014	<u>7,222,556</u>
Total Deductions	<u>\$19,916,142</u>
General Assessment Total Amount	<b>\$52,728,858</b>

The way in which the total Public Utility Commission assessment of \$52,907,092 has been allocated to the various groups of public utilities as shown on Schedules A and B enclosed herewith.



Rosemary Chiavetta  
Secretary  
PA Public Utility Commission

**MAKE INQUIRIES TO:**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**FOR CERTIFIED AND EXPRESS CARRIERS**

Pennsylvania Public Utility Commission  
Bureau of Administrative Services/Assess  
400 North Street  
Harrisburg, PA 17120

**CONTACT INFORMATION:**

Assessment Section Information - Telephone 717-265-7548

Allocation of Expenses based on percent of prior year Public Utility Group workload  
Budget Fiscal Year 2018-19

**SCHEDULE A**

<b>Group</b>	<b>Total Expenditures per Utility Group Calendar Year 2017</b>	<b>Percentage Distribution</b>	<b>Estimated Expenditures Fiscal Year 2018- 2019 by Utility Group</b>
Electric	\$21,243,064	43.7501%	\$23,068,928
Gas	\$10,759,883	22.1600%	\$11,684,715
Pipeline	\$284,623	0.5862%	\$309,097
Steam Heat	\$342,752	0.7059%	\$372,213
Tele./Tele.	\$5,553,209	11.4368%	\$6,030,494
Water/Sewer	\$5,726,077	11.7928%	\$6,218,209
Transportation - Passenger	\$1,755,451	3.6153%	\$1,906,306
Transportation - Property	\$355,421	0.7320%	\$385,975
Transportation - Rail	\$2,535,046	5.2209%	\$2,752,921
<b>Total</b>	<b>\$48,555,526</b>	<b>100.00%</b>	<b>\$52,728,858</b>

**SCHEDULE B**

<b>Group</b>	<b>Estimated Expenditures Fiscal Year 2018- 2019 by Utility Group</b>	<b>Gross intrastate revenues by utility group Calendar Year 2017</b>	<b>General Assessment Factor by Utility Group (Col. (a) / by Col. (b))</b>
	(a)	(b)	(c)
Electric	\$23,068,928	\$7,682,001,780	0.003002983944
Gas	\$11,684,715	\$3,419,307,726	0.003417275056
Pipeline	\$309,097	\$45,222,778	0.006834984795
Steam Heat	\$372,213	\$91,219,298	0.004080419474
Tele./Tele.	\$6,030,494	\$1,918,144,584	0.003143920459
Water/Sewer	\$6,218,209	\$1,311,010,982	0.004743064006
Transportation - Passenger	\$1,906,306	\$425,728,559	0.004477749871
Transportation - Property	\$385,975	\$526,643,186	0.000732896599
Transportation - Rail	\$2,752,921	\$115,712,775	0.023790985913
<b>Total</b>	<b>\$52,728,858</b>	<b>\$15,534,991,668</b>	<b>0.003394199310</b>

**SUPPLEMENTAL SCHEDULE  
FEDERAL SHORTFALL RELATED TO GAS SAFETY APPLICABLE TO GAS PUBLIC UTILITIES  
ONLY**

	<b>Estimated Commission Federal Shortfall for Calendar Year 2017 and 6 Months of Calendar Year 2018</b>	<b>Actual Commission Federal Shortfall for Calendar Year 2017 and 6 Months of Calendar Year 2018</b>	<b>Estimated Commission Federal Shortfall for Calendar Year 2018 and 6 Months of Calendar Year 2019</b>
Gas	\$0	\$0	\$0
	<b>Net Estimated Commission Federal Shortfall for Fiscal Year 2018-19 Assessment</b>	<b>Reported Revenue for Gas Utility Group for Calendar Year 2017</b>	<b>Supplemental add- on Factor</b>
Gas	\$0	\$3,419,307,726	0.000000000000

# **EXHIBIT 4**

# USPS Tracking®

Track Another Package +

Tracking Number: 9171969009350215385647

Remove X

Your item was delivered to an individual at the address at 1:12 pm on December 1, 2018 in LANSDOWNE, PA 19050.

## Delivered

December 1, 2018 at 1:12 pm  
Delivered, Left with Individual  
LANSDOWNE, PA 19050

Get Updates 

Feedback

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**Text & Email Updates** 

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**Return Receipt Electronic** 

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**Tracking History** 

**December 1, 2018, 1:12 pm**

Delivered, Left with Individual  
LANSDOWNE, PA 19050

Your item was delivered to an individual at the address at 1:12 pm on December 1, 2018 in LANSDOWNE, PA 19050.

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**December 1, 2018, 9:47 am**

Out for Delivery  
LANSDOWNE, PA 19050

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**December 1, 2018, 7:51 am**

Arrived at Unit  
LANSDOWNE, PA 19050

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**November 30, 2018, 10:58 pm**  
Departed USPS Regional Facility  
PHILADELPHIA PA DISTRIBUTION CENTER

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**November 30, 2018, 10:59 am**  
Arrived at USPS Regional Facility  
PHILADELPHIA PA DISTRIBUTION CENTER

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**November 29, 2018, 6:17 pm**  
Arrived at USPS Regional Origin Facility  
HARRISBURG PA DISTRIBUTION CENTER

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**November 29, 2018, 5:02 pm**  
Accepted at USPS Origin Facility  
HARRISBURG, PA 17120

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**November 29, 2018**  
Pre-Shipment Info Sent to USPS, USPS Awaiting Item

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**Product Information**

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Feedback

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**FAQs**

