BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :

BUREAU OF INVESTIGATION AND ENFORCEMENT :

 :

 V. : DOCKET NO. C-2020-3022120

 :

MIRACLE MOVERS OF PITTSBURGH LLC :

1536 CASTLE HAYNE ROAD BOX 13 :

WILMINGTON NORTH CAROLINA 28401 :

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 Miracle Movers of Pittsburgh, LLC, respondent, maintains its principal place of business at 2626 Strathmore Lane, Bethel Park, Pennsylvania, 15102 and has a mailing address of 1536 Castle Hayne Road, Box 13, Wilmington, North Carolina, 28401.
2. That respondent was issued a certificate of public convenience authorizing transportation of household goods by this Commission on October 29, 2019 at PUC utility code no. 8922412.
3. That an informal complaint was received at the Commission alleging violations occurred as a result of a move contracted by the respondent for a move from Tarentum, Allegheny County, Pa to Natrona Heights, Chester County, Pa., that occurred on July 10, 2020.
4. That on September 24, 2020, PUC Pittsburgh District Officer Ryan Balestra spoke with the complainant and he confirmed the incident as described in his complaint against respondent. Officer Balestra contacted Miracle Movers of Pittsburgh, LLC, Respondent and spoke with owner Andrew Zeffiro regarding the complaint. As a result of Officer Balestra’s investigation, the following violations were found:
5. Respondent failed to acknowledge and respond to reports of damage to property.
6. Respondent provided a final charge that was higher than the estimate by more than 10% or $25, whichever is greater, and requires a quarterly underestimate report to be filed with this Commission within 30 days into the following quarter. No underestimate report was filed.
7. That Respondent, by failing to acknowledge and act promptly upon written or oral communication with respect to insurance claims, violated 52 PA Code §32.16(2). The penalty is $250.00.
8. That Respondent, by failing to file with this Commission a quarterly underestimate report listing moves wherein charges exceed the estimate by more than 10% or $25, whichever is greater, and providing an explanation of the reasons for the variances, violated 52 Pa. Code §31.124. The penalty is $100.00 for this violation.

WHEREFORE, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Miracle Movers of Pittsburgh, LLC, the sum of three hundred and fifty dollars ($350.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

 Respectfully submitted, 

 Kimberly M. Johnston, Acting Chief

 Motor Carrier Enforcement

 Bureau of Investigation and Enforcement

 P.O. Box 3265

 Harrisburg, PA  17105‑3265

VERIFICATION

I, Kimberly M. Johnston, 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: 12/21/2020 

 Kimberly M. Johnston, Acting Chief

 Motor Carrier Enforcement

 Bureau of Investigation and Enforcement

**NOTICE**

 A. 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

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:

 Michael L. Swindler, Deputy Chief Prosecutor

 Pennsylvania Public Utility Commission

 Bureau of Investigation and Enforcement

 400 North Street

 Harrisburg, PA 17120

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

 B. 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.

 C. 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

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.

 D. 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.

 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 optional fine set forth above.

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