



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

IN REPLY PLEASE
REFER TO OUR FILE

December 22, 2020

Via Electronic Filing

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

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Sugarcreek Towing and Recovery, LLC.
Docket No. C-2019-3015168
Letter Enclosing Exhibits for Telephonic Hearing

Dear Secretary Chiavetta:

Enclosed for electronic filing are the exhibits that the Bureau of Investigation and Enforcement (“I&E”) presented at the telephonic hearing held on Tuesday, December 22, 2020 at 10:00 a.m., for the above-referenced matter.

The exhibits are as follows:

1. Form H certification of Sugarcreek Towing and Recovery, LLC.’s cargo insurance.
2. Form K cancellation of Sugarcreek Towing and Recovery, LLC.’s cargo insurance.
3. Notice of Suspension of PUC Operating Authority for Sugarcreek Towing and Recovery, LLC.
4. Form E certification of Sugarcreek Towing and Recovery, LLC.’s liability insurance.
5. Form K cancellation of Sugarcreek Towing and Recovery, LLC.’s liability insurance.
6. Notice of Suspension of PUC Operating Authority for Sugarcreek Towing and Recovery, LLC.

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.

Very truly yours,

A handwritten signature in black ink that reads "Matthew C. Fallings". The signature is written in a cursive style with a large, sweeping flourish at the end.

Matthew C. Fallings
Prosecutor
PA Attorney ID No. 326896

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-6150
mfallings@pa.gov

MCF/jfm
Enclosures

cc: Hon. Dennis Buckley, Office of Administrative Law Judge (*via email only*)
Per Certificate of Service

8916766

Form H
Uniform Motor Carrier Cargo
Certificate of Insurance
(Electronic Filing)

Filed with Pennsylvania Public Utility Commission (hereinafter called Commission)
(Name of Commission)

This is to certify that the National Liability & Fire Insurance NAIC# -
(Name of Company)

(herein after called Company) of 1314 Douglas Street, Omaha, NE, 68102
(Home Address of Company)

has issued to SUGARCREEK TOWING & RECOVERY LLC
(Name of Motor Carrier)

of 165 LOWRY DRIVE, FRANKLIN, PA, 16323
(Address of Motor Carrier)

A policy or policies of insurance effective from 12/20/2018 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which, by attachment of the Uniform Motor Carrier Cargo Insurance Endorsement has or have been amended to provide cargo insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Commission has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Commission a duplicate original of said policy or policies and all endorsements thereon.

This certificate and the endorsement described herein, may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effective by the Company or the insured giving thirty (30) days' notice in writing to the State Commission, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Commission.

Countersigned at PO Box 1027 GREENSBURG PA 15601 this 12th day of
(STREET ADDRESS) (CITY) (STATE) (ZIP CODE)

Dec 20 18

Insurance Company File No. 73TRS096354
(Policy Number)

Robert Tuscano
(Authorized Company Representative)

A-8916766

M-5448 (01/2010)

N37372

FORM K
UNIFORM NOTICE OF CANCELLATION OF
MOTOR CARRIER INSURANCE POLICIES

(EXECUTED IN TRIPLICATE)

Check Type Cancelled:

BI & PD

Cargo

Filed with PENNSYLVANIA PUBLIC UTILITIES COMMISSION (hereinafter called Commission)
(Name of Commission)

This is to advise that under the terms of a policy or policies issued to:

SUGAR CREEK TOWING & RECOVERY LLC
(NAME OF MOTOR CARRIER)

of 165 LOWRY DR FRANKLIN, PA 16323
(ADDRESS OF MOTOR CARRIER)

by National Liability & Fire Insurance Company
(NAME OF COMPANY)

of 1314 Douglas Street, Suite 1400, Omaha, NE 68102-1944
(ADDRESS OF COMPANY)

said policy or policies, including any and all endorsements forming a part thereof or certificates issued in connection

therewith, is (are) hereby canceled effective as of the 20 day of December 2019 12:01

A.M., standard time at the address of the Insured as stated in said policy or policies provided such date is not less than

thirty (30) days after the actual receipt of this notice by the Commission.



(SIGNATURE OF INSURER)

Insurance Company File No. 73TRS096354
(POLICY NUMBER)



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

IN REPLY PLEASE
 REFER TO OUR FILE

December 17, 2019

A-2014-2459215

SUGARCREEK TOWING & RECOVERY LLC
 165 LOWRY DRIVE
 FRANKLIN, PA 16323

NOTICE OF SUSPENSION OF PUC Truck OPERATING AUTHORITY
Effective 12/20/2019
For expiration/cancellation of
Cargo

As of 12/20/2019, your PUC operating authority is **SUSPENDED** due to your failure to maintain evidence of insurance on file with this Commission. **You may not operate while under suspension.** Operating while under suspension is subject to prosecution, which may result in cancellation of your authority.

Your insurer must file appropriate evidence of insurance with the Commission. Appropriate evidence of insurance is a FORM E for bodily injury and property damage liability insurance, a FORM H for cargo liability insurance, or a Surety Bond. These forms must be filed with the PUC by the Insurance Company or Agent, **not by you.** Incomplete forms, incorrect forms and fax transmittals will NOT be accepted. The Commission does permit electronic filing of these forms.


If this Commission does not receive acceptable evidence of insurance within ten (10) days of the suspension date, a Complaint will be instituted against you for failure to comply with this Commission's insurance requirements. The Complaint may result in the cancellation of your PUC operating authority.

If your insurer timely files appropriate evidence of insurance, you will receive Notice from the PUC authorizing you to resume operations. **You may not resume operations until you receive this Notice from the Commission.**

Please notify the Commission if you are no longer in business.

If you believe that you have received this Notice of Suspension in error or if you have any questions regarding the suspension of your authority, please contact the Motor Carrier Services and Enforcement Division in the Bureau of Investigation and Enforcement at 717-787-1227.

Very truly yours,


 Rosemary Chiavetta
 Secretary

pc: Bureau of Investigation and Enforcement - Safety Office
 Bureau of Technical Utility Services - Compliance Office, Insurance Section

DEC 12 2018

8916766

Form E
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATION OF INSURANCE
(Electronic Filing)

Filed with Pennsylvania Public Utility Commission (herein after called Agency)
(Name of Agency)

This is to certify that the National Liability & Fire Insurance NAIC# -
(Name of Company)
(herein after called Company) of 1314 Douglas Street, Omaha, NE, 68102
(Address of Company)

SUGARCREEK TOWING & RECOVERY LLC of 165 LOWRY DRIVE, FRANKLIN, PA, 16323
has issued to (Name of Motor Carrier) (Address of Motor Carrier)

A policy or policies of insurance effective from 12/20/2018 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Agency has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Agency a duplicate original of said policy or policies and all endorsements thereon. This certificate and the endorsement described herein may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effective by the Company or the insured giving thirty (30) days' notice in writing to the State Agency, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Agency.

Countersigned at PO Box 1027, GREENSBURG, PA, 15601 This 12th day of Dec 20 18
(Address) (Day) (Month) (Year)

Insurance Company File No. 73TRS096354 Robert Tuscano
(Policy No) (Authorized Company Representative)

Liability Limit : 1,000,000.00

A-8916766

M-5448 (01/2010)

N37372

FORM K
UNIFORM NOTICE OF CANCELLATION OF
MOTOR CARRIER INSURANCE POLICIES

(EXECUTED IN TRIPLICATE)

Check Type Cancelled:

BI & PD

Cargo

Filed with PENNSYLVANIA PUBLIC UTILITIES COMMISSION (hereinafter called Commission)
(Name of Commission)

This is to advise that under the terms of a policy or policies issued to:

SUGAR CREEK TOWING & RECOVERY LLC

(NAME OF MOTOR CARRIER)

of 165 LOWRY DR FRANKLIN, PA 16323

(ADDRESS OF MOTOR CARRIER)

by National Liability & Fire Insurance Company

(NAME OF COMPANY)

of 1314 Douglas Street, Suite 1400, Omaha, NE 68102-1944

(ADDRESS OF COMPANY)

said policy or policies, including any and all endorsements forming a part thereof or certificates issued in connection

therewith, is (are) hereby canceled effective as of the 20 day of December 2019 12:01

A.M., standard time at the address of the Insured as stated in said policy or policies provided such date is not less than

thirty (30) days after the actual receipt of this notice by the Commission.

(SIGNATURE OF INSURER)

Insurance Company File No. 73TRS096354

(POLICY NUMBER)



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

IN REPLY PLEASE
 REFER TO OUR FILE

December 17, 2019

A-2014-2459215

SUGARCREEK TOWING & RECOVERY LLC
 165 LOWRY DRIVE
 FRANKLIN, PA 16323

NOTICE OF SUSPENSION OF PUC Truck OPERATING AUTHORITY
Effective 12/20/2019
For expiration/cancellation of
Liability

As of 12/20/2019, your PUC operating authority is **SUSPENDED** due to your failure to maintain evidence of insurance on file with this Commission. **You may not operate while under suspension.** Operating while under suspension is subject to prosecution, which may result in cancellation of your authority.

Your insurer must file appropriate evidence of insurance with the Commission. Appropriate evidence of insurance is a FORM E for bodily injury and property damage liability insurance, a FORM H for cargo liability insurance, or a Surety Bond. These forms must be filed with the PUC by the Insurance Company or Agent, **not by you.** Incomplete forms, incorrect forms and fax transmittals will NOT be accepted. The Commission does permit electronic filing of these forms.


If this Commission does not receive acceptable evidence of insurance within ten (10) days of the suspension date, a Complaint will be instituted against you for failure to comply with this Commission's insurance requirements. The Complaint may result in the cancellation of your PUC operating authority.

If your insurer timely files appropriate evidence of insurance, you will receive Notice from the PUC authorizing you to resume operations. **You may not resume operations until you receive this Notice from the Commission.**

Please notify the Commission if you are no longer in business.

If you believe that you have received this Notice of Suspension in error or if you have any questions regarding the suspension of your authority, please contact the Motor Carrier Services and Enforcement Division in the Bureau of Investigation and Enforcement at 717-787-1227.

Very truly yours,


 Rosemary Chiavetta
 Secretary

pc: Bureau of Investigation and Enforcement - Safety Office
 Bureau of Technical Utility Services - Compliance Office, Insurance Section

**BEFORE THE
PENNSYLVANIA PUBLIC UTILIT COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. C-2019-3015168
	:	
Sugarcreek Towing and Recovery, LLC.	:	

CERTIFICATE OF SERVICE

I hereby certify that I am serving the foregoing Certificate of Service dated December 22, 2020, in the manner and upon the persons listed below:

Service Via Electronic Mail Only

Kristopher Lowry
Sugarcreek Towing and Recovery, LLC.
165 Lowry Drive
Franklin, PA 16323
Email: sugarcreektowing@gmail.com



Matthew C. Fallings
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 326896