BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

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BUREAU OF INVESTIGATION AND ENFORCEMENT :

 :

 V. : DOCKET NO. C-2021-3024861

 :

BEKINS A-1 MOVERS INC :

TA ACE MOVNG & STORAGE :

125 STEWART ROAD :

WILKES-BARRE PA 18706 :

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 Bekins A-1 Movers, Inc., t/a Ace Moving & Storage, Respondent, maintains its principal place of business at 125 Stewart Road, Wilkes-Barre, Pennsylvania, 18706.

2. That Respondent was issued a certificate of public convenience authorizing transportation of household goods by this Commission on February 12, 2009 at Application Docket Number A-00108519.

3. That an informal complaint was filed at the Commission regarding a move contracted by the that occurred from March 11 to March 12, 2021.

4. That PUC Motor Carrier Supervisor Alan Taylor and Officer Travis Griffith met with Joseph Kon, Assistant General Manager, on March 2, 2021 at Respondent’s branch office that performed the move, 4 Cave Hill Drive, Carlisle, Pennsylvania, 17013. Mr. Kon provided the paperwork on file at Respondent’s office pertaining to the move at that time. When the amount charged for the move was compared to Respondent’s tariff on file, the tariff amounts were not used as required by Commission regulations to calculate the total cost.

 5. That Respondent, by failing to adhere to the tariff rates and charging an amount lower than the amount computed by the required tariff amounts, is in violation of 66 Pa. C.S. §1303. The penalty is $100.

 WHEREFORE, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Bekins A-1 Movers, Inc., t/a Ace Moving & Storage, the sum of one hundred dollars ($100) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

 Respectfully submitted,

 

 Andrew Turriziani, Chief

 Motor Carrier Enforcement

 Bureau of Investigation and Enforcement

VERIFICATION

I, Andrew Turriziani, 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: 04/26/2021 

 Andrew Turriziani, Chief

 Motor Carrier Enforcement

 Bureau of Investigation and Enforcement**NOTICE**

1. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code §1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original shall be mailed to:

Rosemary Chiavetta, Secretary

Pennsylvania Public Utility Commission

400 North Street, 2nd Floor

Harrisburg, Pennsylvania 17120

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

Bureau of Investigation and Enforcement

Pennsylvania Public Utility Commission

400 North Street

Harrisburg, Pennsylvania 17120

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

1. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.
2. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.
3. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.
4. Alternative formats of this material are available for persons with disabilities by contacting the Commission’s ADA Coordinator at 717-787-8714.