BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :

BUREAU OF INVESTIGATION AND ENFORCEMENT :

:

V. : DOCKET NO. C-2022-3030149

:

V I P TRUCKING INC :

825 WHEATFIELD LN :

LEBANON PA 17042 :

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 hereby represents as follows:

1. That V I P Trucking Inc, Respondent, maintains its principal place of business at 825 Wheatfield Lane, Lebanon, Pennsylvania, 17042.
2. That Respondent was issued a certificate of public convenience authorizing transportation of household goods by this Commission on April 21, 2004, at Pa. PUC utility code 632401.
3. That an informal complaint was filed at the Commission alleging violations of the PUC regulations have occurred during a move performed by the Respondent.
4. That on December 15, 2021, PUC Enforcement Officers Travis Griffith and Timothy Troxell met with owner John Brandt, Jr., and John Brandt III at 555 East Walnut Street, Lebanon, Pa. 17042 to investigate the complaint regarding a move from Lebanon, Lebanon County, Pa. to Hershey, Dauphin County, Pa. on August 17, 2021. Officers requested all moving and employee forms at that time, but Respondent was unable to provide all completed moving and employee forms.
5. That the information for shippers’ form was not provided 48 hours before the move.
6. That the estimated cost of services form complying with Commission regulations was not provided to shipper within 48 hours before the move.
7. That Respondent required full payment prior to unloading the household goods even though the total charges exceeded the estimate by more than ten (10) percent. Commission regulations require payment of the estimated amount plus ten (10) percent and allowing fifteen (15) days for payment of the balance.
8. That Respondent provided a final charge that was higher than the estimate by more than ten (10) percent or $25.00., whichever is greater, and requires a quarterly underestimate report to be filed with this Commission within 30 days into the following quarter.
9. That Respondent permitted ten (10) employees to provide moving services without first obtaining and reviewing a criminal history report.
10. That Respondent, by failing to provide the information to shippers 48 hours in advance of a move, violated 52 Pa. Code §31.121(c). The penalty for this violation is $250.00.
11. That Respondent, by failing to provide an estimated cost of services, violated 52 Pa. Code §31.122(a). The penalty for this violation is $250.00.
12. That Respondent, by failing to require payment of the estimated amount plus ten (10) percent above the estimate on the day of delivery and allow fifteen (15) days to pay the balance, violated Public Utility Code, 52 Pa. Code §31.123. The penalty for this violation is $1,000.00.
13. That Respondent, by failing to file with this Commission a quarterly underestimate report listing moves wherein charges exceed the estimate by more than ten (10) percent or $25.00, 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.
14. That Respondent, by permitting persons to provide moving services before obtaining and reviewing a criminal history report, violated 52 Pa. Code §31.134. The penalty for this violation is $250.00 per violation. The total fine is $2,500.00.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine V I P Trucking, Inc. the sum of four thousand, one hundred dollars ($4,100.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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Andrew Turriziani, Chief of Enforcement  
Bureau of Investigation and Enforcement

Motor Carrier Enforcement Division

400 North Street, 2nd Floor

Harrisburg, PA  17105‑3265

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.

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Date: \_January 27, 2022\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Andrew Turriziani, Chief of Enforcement  
Bureau of Investigation and Enforcement

Motor Carrier 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

Pennsylvania Public Utility Commission

Bureau of Investigation and Enforcement

400 North Street

Harrisburg, PA 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. 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

Harrisburg, PA  17120

1. 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.
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.