



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

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

March 17, 2022

***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.  
Takeout Inc.  
Docket No. C-2021-3028417  
**Petition for Leave to Withdraw Complaint**

Dear Secretary Chiavetta,

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Petition for Leave to Withdraw the Complaint in the above-captioned case pursuant to 52 Pa. Code § 5.94. A party may object to the petition within 10 days of service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris M. Andreoli', written in a cursive style.

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

CMA/ac  
Enclosures

cc: Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2021-3028417
	:	
Takeout Inc.,	:	
Respondent	:	

**PETITION FOR LEAVE TO WITHDRAW COMPLAINT**

NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorneys, and files this Petition for Leave to Withdraw the Complaint against Takeout Inc. (“Respondent”) pursuant to 52 Pa. Code § 5.94. In support thereof, I&E respectfully represents as follows:

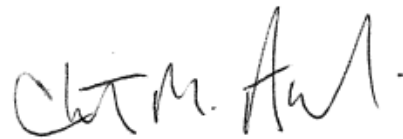
1. I&E commenced this action on September 3, 2021, by filing a Complaint.
2. I&E alleged that Takeout Inc. failed to satisfy its 2019-2020 and 2020-2021 Fiscal Year Assessments in that it did not pay the amount due within thirty (30) days of receipt of the invoice, which is a violation of Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c). I&E’s Complaint requested that Respondent pay the outstanding assessment balance of \$6,374 and a total civil penalty of \$1,000 for the above-described violations.
3. Subsequently, Takeout Inc. contacted I&E and stated that its reported revenue is exempt for assessment purposes under the agricultural exemption.

4. On February 18, 2022, Takeout Inc. provided an explanation along with revised Assessment Reports for 2018 and 2019 showing exemption 3, which is the agricultural exemption.

5. Fiscal Office has agreed to accept these Amended Assessment Reports, which include the claimed exemption.

6. Given that Takeout Inc. originally filed their 2018 and 2019 Assessment Reports with the exempted amounts listed but the claimed exemption was missing, given that the revised 2018 and 2019 Assessment Reports provided the exemption reason, and given that the Fiscal Office is willing to accept the revised 2018 and 2019 Assessment Reports with the claimed exemption, I&E respectfully requests that the Commission grant the Petition to Withdraw the Complaint in the above-captioned matter.

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  
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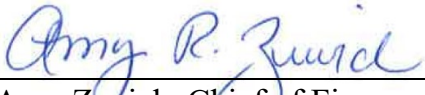
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Pennsylvania Public Utility Commission,	:	
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Complainant	:	
	:	
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Takeout Inc.,	:	
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**VERIFICATION**

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: March 17, 2022

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

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2021-3028417
	:	
Takeout Inc.,	:	
Respondent	:	

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of the foregoing Petition for Leave to Withdraw the Complaint, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

**Served via Electronic Mail:**

Takeout Inc.  
Attn: Felix A. Marrero  
4900 Mt. Vernon Road  
Temple, PA 19560  
Email: [fmar288141@aol.com](mailto:fmar288141@aol.com)



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Christopher M. Andreoli  
Prosecutor  
PA Attorney ID No. 85676

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Commonwealth Keystone Building  
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Dated: March 17, 2022