



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

IN REPLY PLEASE
REFER TO OUR FILE

May 17, 2022

A-2022-3031169

DISMISSAL NOTICE

**E W WISE EXCAVATING LLC
1782 EGOLD ROAD
BEDFORD, PA 15522**

To Whom It May Concern:

More than sixty (60) days ago, you received a Commission Order/Secretarial Letter stating that the Pennsylvania Public Utility Commission approved your application for authority, conditioned upon your compliance with specific requirements within sixty (60) days. To date, you have not complied with one or more of the following requirements:

Failed to have your insurance company/agent file evidence of bodily injury and property damage liability insurance (Form E) with this Commission

Failed to have your insurance company/agent file evidence of cargo liability insurance (Form H) with this Commission

DISPOSITION – DISMISSAL

Since this Commission has not received all of the requirements listed in your Order/Letter within sixty (60) days, **YOUR APPLICATION IS HEREBY DISMISSED** for non-compliance. **YOU MAY NOT OPERATE.** A CERTIFICATE WILL NOT BE ISSUED.

APPEAL RIGHTS

If you disagree with this determination, you may send a Petition for Reconsideration.

ALL Parties to proceedings pending before the Commission must open and use an e-filing account through the Commission’s website, OR you may submit your filing by overnight delivery. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery.

Please mail to: Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Such a Petition is a written statement asking the Commission to change its determination.

The Petition must be filed with the Commission within twenty (20) days of the date of this letter. If no timely request for reconsideration is made, this action will be deemed to be the final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request, (2) the case docket number(s) (they are provided for you at the top right hand corner of this letter), (3) the name of the person on whose behalf the petition is made, (4) copies of relevant documentation, and (5) a verification with original signature. See 52 Pa. Code §§-1.31 and 5.44. Below is a sample Verification:

VERIFICATION



COMMONWEALTH OF PENNSYLVANIA
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I, (YOUR NAME GOES HERE), hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a 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).

(Applicant is not now engaged in intrastate transportation of property or passengers for compensation in this Commonwealth except as authorized by the Pennsylvania Public Utility Commission certificate or permit, and will not engage in the transportation for which approval is herein sought, unless and until the transportation is authorized by your Honorable Commission.)

(SIGN AND DATE)

CONCLUSION

If you believe that you have received this letter in error, please contact the Compliance Office of the Motor Carrier Services and Enforcement Division in the Bureau of Technical Utility Services at 717-787-1227 within ten (10) days of the date of this letter.

Very truly yours,

A handwritten signature in black ink that reads 'Rosemary Chiavetta'. The signature is written in a cursive, flowing style.

Rosemary Chiavetta
Secretary

pc: Secretary's Bureau - File
Bureau of Investigation and Enforcement – Safety Office
Bureau of Technical Utility Services – Compliance Office, Insurance Section