

LAW OFFICE  
**ANTANAVAGE**  
**FARBIARZ**  
PLLC  
64 N FOURTH STREET  
HAMBURG, PA 19526

RUSSELL E. FARBIARZ \*\*A  
ALEXA S. ANTANAVAGE \*\*  
—  
OF COUNSEL  
A. JOSEPH ANTANAVAGE\*

\* ADMITTED TO PRACTICE LAW IN PA  
\* ADMITTED TO PRACTICE LAW IN NJ  
\* ADMITTED TO PRACTICE LAW IN NY

TELEPHONE  
610-562-2000  
FAX  
610-562-8889

[www.antanavagefarbiarz.com](http://www.antanavagefarbiarz.com)

June 30, 2022

Secretary  
Pennsylvania Public Utility Commission  
480 North Street, Second Floor  
Harrisburg, PA 17120

Via e-file

Re: Application for Certificate of Public Convenience

Dear Sir or Madam:

Please find attached a completed Application for Contract Carrier of Household Goods in Use and Verified Statement of Applicant filed this day on behalf of my client Lausch's Moving Company and Robert W. Spohn, Jr., its organizing member. Please contact me should you have any questions or need additional information.

Very Truly Yours,



Russell E. Farbiarz, Esq.

REF/MS

Secretary  
Pennsylvania Public Utility Commission  
400 North Street, Second Floor  
Harrisburg, PA 17120  
717.787.3834  
[www.puc.pa.gov](http://www.puc.pa.gov)

## Application for Motor Common Carrier or Motor Contract Carrier of Household Goods in Use.

THIS APPLICATION IS REQUIRED TO REQUEST A CERTIFICATE OF PUBLIC CONVENIENCE (FOR COMMON CARRIERS) OR PERMIT (FOR CONTRACT CARRIERS) TO OPERATE AS A COMMERCIAL CARRIER OF HOUSEHOLD GOODS IN USE.

1. **Legal Name of Applicant** (Individual, Partnership or Corporation)

Lausch's Moving Company

- If you are an individual who has not formed any type of corporate entity, you should enter your name **as it will appear on your insurance documents**.
- If you are filing for a partnership, but **not a limited liability partnership**, the names of all partners must be entered on this line. Those names should be entered **as they will appear on your insurance documents**. This includes husbands and wives filing jointly.
- If you are filing for a corporate entity (corporation, limited liability company, or limited liability partnership), **even if you are the sole shareholder member**, you must enter the name **exactly as it appears on the registration papers from the Corporation Bureau of the Pennsylvania Department of State**.

2. **Trade Name** (Attach a copy of fictitious name registration if applicable)

\_\_\_\_\_

This is any name which you will be operating under which differs from the **LEGAL NAME OF APPLICANT**. A **TRADE NAME** is considered a **FICTITIOUS NAME** if the identity of the applicant cannot be readily determined. *EXAMPLE: John Doe is the applicant and wants to use the name "Johnboy Trucking" as his trade name. People cannot readily determine that John Doe is the actual operator; therefore, the name is fictitious and must be registered as such. Trade names such as "John Doe Trucking" or "J. Doe Trucking" are not considered fictitious and would not have to be registered.*

3. **Do you currently hold PUC Authority?**  NO **Previous Authority?**  NO

If YES, at PUC No. A- \_\_\_\_\_

4. **Are you a business entity registered with the PA Dept. of State?**  NO

If NO, you must register (see checklist on how to register)

If YES, provide your PA Corporation Bureau Entity ID Number 7488228

(See checklist and indicate type of business entity registered)

5. **If either a Corporation or Limited Liability Company, please list members (LLC) or shareholders and officers (Corporation).**

Robert Winfield Spohn, Jr., owner

6. **Mailing Address**

360 E. Wyomissing Avenue, Unit J  
Street Address

Mohnton, PA 19540-1523  
City, State and Zip Code

Berks  
County

(610) 750-5534  
Telephone Number

robert@lauschsmovingco.com  
E-Mail Address

*This is the e-mail address to which the Commission will send all official documents issued by the Commission until further notice.*

7. **Physical Address** (if different from Mailing Address. Do not use a PO Box.)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State and Zip Code

\_\_\_\_\_  
County

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
E-Mail Address

The address entered here should reflect the actual location of the business. This is the address the Commission needs in order to dispatch Enforcement Officers to inspect equipment. If left blank, it will be assumed that the **PHYSICAL ADDRESS** is the same as the **MAILING ADDRESS**

8. **Attorney** (if applicable)

Russell E. Farbiarz, Esquire  
Attorney's Name & Telephone Number for this Filing

610-562-2000

64 North 4th Street, Hamburg, PA 19526  
Attorney's Address

rfarbiarz@afalawfirm.com  
E-mail Address

An attorney's name should only be entered if an attorney is filing the application for a client and the application is being sent under the attorney's cover letter.

9. **Does applicant have a USDOT Number?**

     No                        x   Yes, at No. 3883274

**10. Describe the service area proposed by this application.**

(Use the space below or attach additional sheet if space provided is not sufficient).

To transport household good in use between points in Pennsylvania

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*Examples:*

- *To transport household goods in use between points in Pennsylvania.*
- *To transport household goods in use from points in Centre County to points in Pennsylvania, and vice versa.*

**11. Certification:**

Applicant certifies that it is not now engaged in unauthorized intrastate transportation for compensation between points in Pennsylvania and will not engage in said transportation unless and until authorization is received from the Pennsylvania Public Utility Commission.

Applicant further certifies that it understands the requirements of the Pennsylvania Public Utility Commission, especially as they relate to safety and insurance and that it may be subject to civil penalties, suspension or cancellation of the Certificate for failure to comply with Commission requirements.

Applicant further certifies that it understands that it is subject to an annual assessment based upon its reported gross Pennsylvania intrastate revenues; said assessment to help defray expenses incurred in regulating Motor Common Carriers of Household Goods in Use; and acknowledges that failure to report revenue and pay its annual assessment may result in civil penalties, suspension or cancellation of the certificate.

## Verification of Application

I/We hereby state that the statement(s) made in this application is/are true and correct to the best of my/our knowledge and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Robert Winfield Spohn, Jr.  
(Print Name)

  
(Signature)

6/29/2022  
(Date)

The verification of the application must be completed by the applicant appearing on Line 1 of the application by the named individual, all partners if a partnership, a member (if a limited liability company), or by the President or Secretary (if a corporation).

## VERIFIED STATEMENT OF APPLICANT

THE FOLLOWING INFORMATION IS REQUIRED BY THE COMMISSION TO DETERMINE THE APPLICANT'S FITNESS TO OPERATE. STATEMENTS SHOULD BE TYPED OR PRINTED. ILLEGIBLE STATEMENTS WILL DELAY YOUR APPLICATION.

Lausch's Moving Company

Legal Name of Applicant

Trade Name, if any

360 E. Wyomissing Avenue, Unit J

Street Address (principal place of business)

Mohnton

City or Municipality

PA

State

19540-1523

Zip Code

The Verified Statement of the Applicant factual details about your proposed transportation service. Your Verified Statement must answer all of the items listed below and on the following pages. Provide as much information as possible to prevent delay in processing your application. If you need more space to provide your answer, please attach additional pages identifying the appropriate item number.

1. Identify the person making the Verified Statement on behalf of the applicant. If an employee/officer of applicant is making the statement, give name, title, business address and telephone number.

Robert Winfield Spohn, Jr, owner and organizing member

360 E. Wyomissing Avenue, Unit J

Mohnton, PA 19540

610-750-5534.

2. List the applicant's affiliation (owner, manager, controls) with any other carrier, with the description of affiliation.

None

3. Please provide evidence of minimum of two-years' experience with a licensed household goods carrier or the equivalent as required by 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-I).

Please see attached.

4. Describe your facilities, record maintenance plan and your communication network. Please include a description of your physical location, to including office machines that will be utilized, and the facility to house vehicles. As a carrier of household goods in use, applicant should include a description of storage facilities, if applicable. Please include an explanation of your plan to maintain records required by the PUC, as well as normal business records. In regard to your communication network, please explain how you will receive customer requests for transportation, how you will dispatch the vehicles to fulfill the request, and how you will maintain continuous communication with your drivers.

Please see attached.

5. Please state the number of drivers you intend to use or hire in your business and explain why that number of drivers is appropriate for the size of the territory you will be serving. In addition, please explain:
  - a. Your hiring standards for drivers;
  - b. Your system for conducting criminal background checks;
  - c. Your driver training program;
  - d. Your system for conducting driver license checks;
  - e. Your policies regarding alcohol and drug use by your drivers.

Please see attached.

6. Please state the number of vehicles you plan to use in your business and why that number is appropriate to provide reasonable and efficient service to the territory you will be serving. If you have already obtained vehicles for your business, please list them in the chart below.

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>SEATING CAPACITY*</u>	<u>VEHICLE ID #</u>	<u>MILEAGE</u>

Please see attached.

7. Describe your vehicle safety program. Please include the following in your explanation:
  - a. Your periodic vehicle maintenance plan
  - b. Your system for ensuring your vehicles will continuously comply with applicable Pennsylvania vehicle equipment standards (67 Pa. Code, Chapter 175).

Please see attached.

8. Please explain what steps you have taken to determine if you can obtain insurance and pay the required insurance premiums.

Please see attached

9. State whether the applicant has been convicted of a misdemeanor or felony. If applicant is partnership, limited liability partnership, corporation, or limited liability company this question applies to all members, officers, and/or shareholders. If "YES", explain.

YES     NO

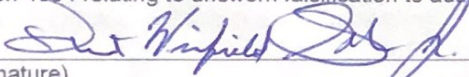
I pled guilty to a misdemeanor in 2006, please see attached for explanation.

10. Financial Data. Complete the "Statement of Financial Position", which follows this page. Please feel free to also provide additional information explaining why you believe you have sufficient funds to ensure your transportation business can provide reliable service to the public in a safe manner.

Please see attached.

### Verification of Statement

The undersigned deposes and says that he/she is authorized to and does make this verification and that the facts set forth therein are true and correct to the best of his/her knowledge, information, and belief. The undersigned understands that false statements herein are made subject to penalties of 18 Pa. C. S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
(Signature)  
ROBERT WINFIELD SPOHN JR - OWNER  
\_\_\_\_\_  
(Name and Title, printed or typed)

6/29/2022  
\_\_\_\_\_  
(Date)



Statement of Financial Position (Balance Sheet)  
 As of (date) June 15, 2022  
 (Must be less than 6 months old)

ASSETS

Current Assets		
Cash	\$20,000.00	
Other Current Assets (specify)		
Total Current Assets		\$20,000.00
Tangible Assets		
Motor Vehicle Equipment	\$110,000.00	
Property (buildings, land, etc.)		
Office Equipment (and shipping supplies)	\$12,000.00	\$122,000.00
TOTAL ASSETS		\$142,000.00

LIABILITIES

Current Liabilities (Due within one year of date)		
Loans		
Credit cards/revolving credit		
Other Liabilities (Attach schedule)		
Total Current Liabilities		\$0
Long Term Liabilities (Due after one year of date)		
Mortgage		
Long term commercial loan		
Other Liabilities (Attach Schedule)	\$125,000.00	
Total Long-Term Liabilities		\$125,000.00
TOTAL LIABILITIES		\$125,000.00

**Verified Statement of Applicant (supplemental page)**

3. I have nine years of experience working with carriers of household goods. From 2005 to 2006, I worked at Rent-A-Center in Pottstown, Pennsylvania as a driver and mover. As a driver and mover, I moved customers' rentals and purchases from the store to their homes and from their homes to the store. I had frequent dealing with the customers.

From 2006 to 2011, I served as the Customer Accounts Manager at Aaron's Sales and Lease in Bethlehem and Reading, Pennsylvania. As a customer accounts manager, I assisted with the delivery and pickup of household goods, collected moneys due, managed accounts and supervised several employees.

Additionally, I owned and operated a restaurant in 2020 where I managed multiple employees.

4. The facilities for Lausch's Moving Company consist of a 1,100 square foot leased one-level warehouse space and an adjacent paved parking lot. An office area is maintained in the space which consists of a computer, conventional landline telephone and printer. I, along with each of my employees, have a cellular phone that allows us to maintain constant communication with one another.

We do not provide storage facilities for household goods.

We maintain records utilizing locked and secured paper files as well as encrypted and protected electronic files through the software program Moveitpro. The program tracks payroll, customer orders, revenue, vehicle records, and cargo records. We also internally track customer orders, vehicle records, cargo records, and employee/driver files. Additionally, we utilize an accountant for taxes and financial record keeping and a human resources company to maintain employee records.

When not in use, the vehicles are stored in a large paved and well-lit parking area adjacent to the office.

Customer orders are placed through phone or email requests to the company. Said requests are received by me or one of my employees in the office and scheduled utilizing computer software. Drivers and movers are assigned to fulfill the requests upon receipt. Additionally, a daily morning meeting will be held with the drivers and movers in which we discuss their assignments for the day, specific customer requests as well as the expectations and timeline for completion. I maintain constant contact with my employees utilizing their cellular

phones and they have been trained to check-in with me and/or someone at the office at various points throughout their workday, including when they complete loading goods into the truck, when they reach their destination, when they unload the goods and at the conclusion of any project. Additionally, the employees can reach me by phone, text or email any time there is a question or issue.

5. I intend to utilize five drivers, including two full-time and three part-time drivers/movers. This allows for two crews to operate every day. Two crews per day is sufficient to handle the number of requests that originate from my customers who reside in and around Berks County, a county with a population of approximately 429,000 people. Should customer volume increase, I have the ability to increase the hours of my part-time employees as well as hire additional professionals.

a. Hiring standards for driver's include a valid driver's license, a pleasant demeanor, strong work ethic, and experience with driving 26 foot trucks. Additionally, Paragon Consulting, the human resources firm that I hired conducts criminal background checks and driver license checks.

b. We have a contract with Paragon Consulting, a human resources company to conduct criminal investigations and background checks into potential employees. The company utilizes state criminal record checks as well as software to complete the checks. The background checks are then reviewed by me to ensure that there are no serious criminal charges. These checks will also be performed periodically after employ.

c. We have an onboarding and training program which consists of showing new hires training videos regarding proper procedures, mentoring and training on customer interactions and use of the computer and software. Additionally, I am available to provide driver training to any driver that needs or requests it in the large parking lot adjacent to the office.

d. Driver license checks are conducted by the human resources company I have contracted. They place requests with the individual state Departments of Motor Vehicles in the states where the potential employee has lived to conduct said checks. Information received is then reviewed by me to compare against what the potential employee has reported and to ensure there are no serious safety or other infractions. These checks will also be conducted periodically throughout their employ to ensure drivers maintain a clean driving record.

e. We have a no tolerance policy on drugs and alcohol. A daily morning meeting is held to ensure that all employees are alert before they begin their duties. At any time if there is any evidence of impairment or use of drugs or alcohol that employee will be sent home and not permitted to work. Disciplinary action, including potential termination will then be pursued. Should a driver receive a DUI or other serious alcohol or drug related motor vehicle violation during their personal time while utilizing a personal vehicle, they will no longer be permitted to drive for Lausch's Moving Company.

New employees will be subject to a drug test.

6. I currently am in the process of purchasing the below two trucks as part of my purchase of the business.

YEAR	MAKE	MODEL	SEATING CAPACITY	VIN NO.	MILEAGE
2005	Freightliner	Straight	3 in cab	1FVACWCT85H478944	250,000
2005	International	Straight	3 in cab	1HTMMAAL35H106393	250,000

Additionally, I have a contract with Penske Truck Rental to lease trucks on an ongoing, but as needed basis. I am able to increase or decrease the number of trucks I utilize in my lease agreement with Penske as necessary to fulfill my customer obligations.

7. I ensure that all of the trucks pass periodic safety checks and get frequent service. The trucks I am about to purchase are inspected per Commonwealth standards by a mechanic and are inspected daily by the drivers before they are used for the day.

Additionally, the leased trucks are subject to a comprehensive safety protocol through Penske which includes mandatory safety checks, Commonwealth inspections and frequent service checks and oil changes.

Before each shift, drivers are required to conduct a safety check on the vehicles by doing a walk-around inspection. Any problems are reported to me so they can be immediately investigated and/or repaired.

8. We have already obtained and began paying the premiums for insurance. A commercial auto policy has been obtained through Progressive Insurance for the purchased trucks. Payments are made quarterly. The Penske lease includes an insurance policy on the leased vehicles.

Additionally, general liability insurance and worker's compensation insurance policies have been obtained.

We are also in the process of obtaining a cargo insurance policy.

9. I, Robert W. Spohn, Jr., pled guilty to a first degree misdemeanor charge of firearms not to be carried without a license in 2006 (18 Pa.C.S.A. §6106 §§A2) in Berks County, Pennsylvania. I successfully completed community service and a short probation term. The case has been closed.

10. I have sufficient funds to purchase and operate this business. Please see attached statement of financial position of the business. Lausch's Moving Company has no liabilities with the exception of a pending three-year note to purchase the business.

### **Liability Schedule**

#### **Long Term Liability**

3-year note\* in the amount of \$125,000.00

\*said note is in relation to an asset purchase agreement regarding purchase of the business and has not yet been formally executed as of the date of this filing