

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

V. :

DOCKET NO. C-2022-3034244

PICCOLO'S FRIENDLY MOVERS LLC :
420 STERLING DRIVE :
RED LION, PA 17356 :

COMPLAINT

The Pennsylvania Public Utility Commission ("PUC" or "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 PICCOLO'S FRIENDLY MOVERS, LLC, Respondent, maintains its principal place of business at 420 Sterling Drive, Red Lion, PA 17356
2. That Respondent was issued a certificate by this Commission to transport household goods on August 4, 2020, at Application Docket No A-2020-3019789.
3. On August 8, 2022, an informal complaint was filed with the Commission alleging violations of the PUC regulations by the Respondent, having occurred during a household goods move from Mt. Wolf to York, PA that took place on June 30, 2022.
4. On August 30, 2022, Supervisor Troxell met with Respondent's principal, Jeff Piccolo and explained the case and requested documents related to the move to demonstrate regulation compliance with household goods moves. The Respondent had provided the first names of six (6) individuals conducting the move on the client contract. Documents requested from Mr. Piccolo were information for shippers, inventory, bill of lading, criminal history report, tariff, estimate cost of service and an underestimate report. Mr. Piccolo was unable to produce any of these documents.
5. That the Information for Shippers was not provided 48 hours before the move as set forth in 52 PA Code §31.121(c). The penalty for this violation is \$250.00
7. That Respondent, by failing to have an inventory of articles, violated 52 PA Code §31.133(b). The penalty for this violation is \$100.00.
8. That Respondent, by failing to provide a bill of lading, violated 52 PA Code §31.132(b). The penalty for this violation is \$250.00.
9. That Respondent, by permitting six (6) Individuals to provide moving services without first obtaining and reviewing a criminal history report, violated 52 PA Code §31.134(a)(b). The penalty for this violation is \$250.00 per violation. The total fine is \$1,500.00.

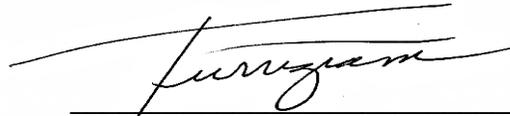
10. That Respondent, by failing to provide an estimate cost of services, has violated 52 PA Code §31.122(a). The penalty for this violation is \$250.00.

11. That Respondent, by failing to provide an underestimate report, has violated 52 PA Code §31.124(a)(b). The penalty for this violation is \$100.00.

12. 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, 52 PA Code §31.27. The penalty for this violation is \$250.00.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Piccolo's Friendly Movers LLC, the sum of twenty-seven hundred dollars (\$2700.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

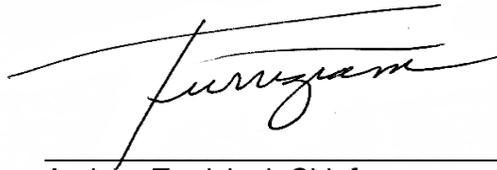
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Andrew Turriziani, Chief
Bureau of Investigation and Enforcement
Motor Carrier Enforcement Division
400 North Street
Harrisburg, PA 17120

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: 15 September 2022

A handwritten signature in black ink, appearing to read "Turriziani", written over a horizontal line.

Andrew Turriziani, Chief
Bureau of Investigation and Enforcement
Motor Carrier Enforcement

NOTICE

- A. 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, PA 17120

Or you may eFile your Answer using the Commission's website at 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:

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street 2nd Floor
Harrisburg, PA 17120

Or, e-mailed to:

RA-PCCmplntResp@pa.gov

- B. 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.
- C. 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
- D. 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.
- E. 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.
- F. 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.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.