



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120
<http://www.puc.pa.gov>

IN REPLY PLEASE
REFER TO OUR FILE

September 30, 2022

A-8925552
A-2022-3035241

KELVIN D FERGUSON & SONS
100 HAFNER AVENUE
PITTSBURGH PA 15223

Dear Applicant:

On September 14, 2022, the Commission received the Application of **Kelvin D. Ferguson & Sons**. Upon initial review, the Application has been determined to be deficient for the following reason(s):

- 1) **Your Attorney did not submit a cover letter with the Application when it was filed with the Commission. Please provide a cover letter.**
- 2) **According to the Department of State, Corporation Bureau, you are registered as a Limited Liability Company. The name on your Application needs to be corrected to reflect the legal name of your Company.**
- 3) **Question #10 of the Application asks what type of commodities do you intend to transport other than your own. You stated, “furniture, household items, moving company”. What items are considered furniture and household items? Are they used items or new items or both? Where are these commodities being transported to and from? Please explain in detail.**
- 4) **You also state in your Application that you are a moving company. You state on your websites and on Facebook that you are a “top moving company in the city, reasonable prices, black owned and have been in GOOD business for over 15 years.” On another website a customer posted, “Kelvin and now his son, Djuan, have been providing hauling, trash removal, and moving services for my family and my wife's family for close to 20 years. I have used Kelvin in the last five years to clean out three family properties and to conduct two whole-house moves. Then the last move this past September was two, 55-foot and one, 20-foot truck on a 170-mile move”. Where are these commodities being transported to and from? Please explain these moves in detail.**
- 5) **Since you do not have authority to operate Intrastate, and never had the authority to operate, you are hereby directed to terminate any websites, Facebook, etc., now that advertises your business. You may not hold yourself out for hire, and you may not operate for compensation in PA.**



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- 6) **You state in Question #10 of the Application that the type of commodities you intend to transport furniture, household items, moving company. If you intend to transport household goods in use as a moving company, you need to file another application, Application for Motor Common Carrier of Household Goods in Use.**

Pursuant to 52 Pa. Code §1.4, you are required to correct these deficiencies. Failure to do so within ten (10) days of the date of this letter will result in the Application being dismissed; and, the \$100.00 application fee **will not** be refunded. You must then file a new application.

Please return your items to the attention of the Secretary's Bureau, as follows:

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.

In addition, your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

I, _____, 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 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).

The blank should be filled in with the name of the appropriate company representative, and the signature of that representative should follow the statement.

Should you have any questions pertaining to your application, please contact Elizabeth L. Plantz, Compliance Specialist, Motor Carrier Services Division, Bureau of Technical Utility Services, at eplantz@pa.gov.

Sincerely,

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

Rosemary Chiavetta
Secretary