

BEFORE THE PENNSYLVANIA PUBLIC UTILITIES COMMISSION
IN RE APPLICATION OF MOVING BY CURRY, LLC, FOR AUTHORITY TO OPERATE
AS A MOTOR COMMON CARRIER OF HOUSEHOLD GOODS IN-USE

A-2022-3036613; A-8925710

PETITION FOR RECONSIDERATION FROM STAFF ACTION

Applicant, Moving By Cury, LLC, by and through undersigned counsel, hereby petitions for reconsideration of the denial of its application for operating authority by the Bureau of Technical Utility Services and states as follows:

1. Applicant filed an application for authority as a motor common carrier of household goods in-use on or about November 4, 2022. The Application is attached as **Exhibit A**.
2. The Commission issued a notice of the staff determination denying the Application on November 9, 2022, attached as **Exhibit B**.
3. The denial letter's stated reason for denial is failure to provide adequate evidence showing the required two years of experience working with a licensed household goods carrier, or the equivalent, as required by 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-1-).¹
4. As set forth in Applicant's Application, Applicant possesses far more than the required experience. Applicant's family has been in the business of providing load and unload (labor only) moving services for almost thirty-five years, and Applicant has personally been involved with this business for over fifteen years. Applicant has participated in over 2000 moves. The application details the moving tasks performed by his company, including packing and moving of specialty and delicate items of household property. Applicant

¹ The letter initially stated "falsification to provide adequate evidence..." as the denial reason, but this was a typographical error subsequently corrected by BTUS staff.

therefore has experience in all salient aspects of the moving business except driving moving trucks.

5. Furthermore, Applicant and his fiancée both possess college degrees and career backgrounds such that they should not have difficulty understanding and complying with the PUC's regulations. Both Applicant (a real estate agent) and his fiancée (a registered dietician) are familiar with operating in heavily-regulated businesses. This, combined with Applicant's long-term track record of success in the industry, demonstrates fitness to operate a moving company in a safe, legal, and ethical manner.
6. 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-1-) expressly allows an applicant to demonstrate the necessary experience through equivalency. The BTUS's apparent interpretation of the regulation effectively nullifies the equivalency provision. Indeed, it is hard to imagine what, beyond the experience possessed by Applicant, would be equivalent experience to having worked for a license moving company without having actually done so.
7. This Commission has repeatedly found applicants with extensive experience operating labor only moving operations such as Applicant's to be sufficient to demonstrate the equivalent experience required by 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-1-). *See Application of Exceptional Movers LLC*, Dkt. Nos. A-2021-3029208 and A-8919919 (Order Entered June 16, 2022) (seven years of labor-only experience); and *Application of Reliable Movers LLC*, Dkt. No. A-2019-3013695 (Order Entered July 16, 2020) (two years of labor-only experience)².

² Reliable Movers' application was also approved by the Commission on appeal from a determination of the BTUS despite the presence of minimal assets, a criminal record, and no relevant business experience other than having worked as a load-unload contractor through MovingHelper.com for a total of 52 jobs totaling just under \$15,000. Applicant here possesses far more experience, both in the industry and in the general world of business.

8. Applicant's burden is to prove that it possesses the requisite technical and financial fitness and propensity to operate safely and legally. Final Rulemaking Amending 52 Pa. Code Chapters 3, 5, 23, 31, 32, and 41; Household Goods in Use Carriers and Property Carriers, Docket No. L-2013-2376902 (Order entered June 19, 2014), 2014 WL 2876694 (Pa. P.U.C.); *Application of Kris Eckerl t/d/b/a Michael's Moving and Storage*, Docket No. A-2014-2429336 (Order entered November 19, 2015). In the Final Rulemaking Order, the Commission noted that "each application will be considered on its own merits," and explained that the ultimate goal is to "ensure that only those applicants who are familiar with the industry would be eligible to operate." *Id.*
9. 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-1-) does not specify exactly what duties a person with experience working for a licensed household goods carrier must have performed to gain the requisite experience. By a strict reading of the regulation, a moving laborer would qualify despite not having experience in managing customer relationships, employees, or compliance with the Commission's regulations. BTUS regularly approves such applications. Applicant has this experience, and far more experience in the industry than many movers who would be approved as a matter of course. Granting authority to Applicant is therefore congruent with the policy considerations set forth in the Final Rulemaking Order.

WHEREFORE, Applicant respectfully requests that the PUC reconsider the BTUS's denial of its Application for authority to operate as a motor common carrier of household goods in-use.

Respectfully submitted,

Dated: November 17, 2022

/s/Andrew J. Horowitz, Esquire
Andrew J. Horowitz, Esquire
Pa. ID 311949
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MAXWELL & HIPPEL LLP
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Counsel for Applicant Moving By Cury, LLC

VERIFICATION

I, Jarred Cury, hereby state that the facts above set forth are true and correct 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).

Dated: 11-16-22


JARRED CURY

EXHIBIT A

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)

Moving By Cury, LLC

- 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 6991438
(See checklist and indicate type of business entity registered)

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 goods in use between points in Pennsylvania.

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.

Jarred Cury
(Print Name)

Jarred Cury (Signature) 11-04-22 (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.

Moving By Cury, LLC			
Legal Name of Applicant			
Trade Name, if any			
515 W Hamilton St, Ste 502	Allentown	PA	18101
Street Address (principal place of business)	City or Municipality	State	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.

Jarred Cury (Owner)

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

We have no affiliation with any other carrier.

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-).

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.

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:
- Your hiring standards for drivers;
 - Your system for conducting criminal background checks;
 - Your driver training program;
 - Your system for conducting driver license checks;
 - Your policies regarding alcohol and drug use by your drivers.

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>
2022	Toyota	Tundra	5	5TFJC5EC2NX001449	950 miles
2007	Lincoln	Town Car	5	1LNHM81W67Y601137	61,150 miles

See attached

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

See attached

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

We have discussed and verified our ability to obtain insurance and pay the required insurance premiums with our commercial insurance agent. We will be obtaining Bodily Injury and Property Damage Insurance (Auto), Cargo Insurance, General Liability Insurance and Workers Comp Insurance with all the required limits set forth by the PUC.

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 x NO

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.

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.

Jarrod Cury
(Signature)

Jarrod Cury, Owner
(Name and Title, printed or typed)

11-04-22
(Date)

Statement of Financial Position (Balance Sheet)
As of (date) 11/04/022
(Must be less than 6 months old)

ASSETS

Current Assets		
Cash	\$52,000	
Other Current Assets (specify)	\$0	
Total Current Assets		\$52,000
Tangible Assets		
Motor Vehicle Equipment	\$72,000	
Property (buildings, land, etc.)	\$0	\$0
Office Equipment	\$3,000	\$75,000
TOTAL ASSETS		\$127,000

LIABILITIES

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

Attached responses for “Motor Common Carrier or Motor Contract Carrier of Household Goods in Use” Application...

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-).

I am the Owner of *Moving By Cury, LLC* and we have been in business for over two years alone as an LLC. Prior to establishing this LLC my father before me previously owned and operated *Moving By Cury*. My ownership and experience with *Moving By Cury* combines to a total of over 15 years in the moving industry. We do not transport any household goods or property for customers ourselves; rather we provide the moving services and the customers provide their own vehicles. The majority of our work is labor-only services consisting of loading a truck, unloading a truck, packing, unpacking services and in-house moves. Our family has worked for almost 35 years now in providing the Lehigh Valley Area with exceptional, experienced and unmatched moving skills. My father, late mother, brothers, sister and I have worked countless years to earn us the reputation we have been awarded. Our evidence 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- falls within the equivalent guidelines.

The company is experienced in every phase of the moving industry and relocation process including:

- Ability to load furniture effectively on a truck to ensure safety of items and maximize efficiency of trucks volume and space.
- Ability to load and unload bulk item furniture in an effective and safe manner.
- Ability to safely pack glass items, fragile or breakable custom items, paintings, pictures, kitchen, dining room items and clothing in wardrobe boxes.
- Ability to prepare and move custom pieces for move such as piano’s, gun safes, pool tables, grandfather clocks and curio cabinets, etc.
- Ability to disassemble and reassemble all types of furniture such as bed sets, dresser mirrors, couches, china hutches and all other types of household furniture.
- Ability to utilize all types of moving equipment such as straps, moving blankets, 2-wheel dollies, 4-wheel dollies, tool equipment and all other moving lifting devices.

52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-I-) explicitly states that you can also meet the requirement of evidence of minimum of two-years experience with a licensed household goods carrier with “the equivalent” moving experience which we do fall under from our tenure with our “moving services” performed for well over the two-year requirement. I’ll elaborate in the following paragraphs my experience and evidence to support my qualifications for authority under the PUC.

As I mentioned, I personally have over 15 years experience in the moving industry practicing the above skills. My two brothers who are now a part of our “moving services” and will continue if and with the blessing of the PUC for our authority as a household goods provider combine for over 20 years experience between the both of them. Majority of the current companies out there don’t currently have this combined experience with their entire staff. We have been immersed in the moving business since we were young men and I myself have guided several crews with loading, unloading, packing and

unpacking customers' households. We've specialized and been called in for many in-house moves. We've been called in to unload or load major tractor trailer loads being hauled across the country like Allied Van Line rigs and ABF tractor trailers. I've managed and/or completed over 2,000 moves since I got into this moving industry. I've also managed and/or completed close to 500 packing or unpacking jobs since I've been in the business. I've been able to keep and maintain lasting relationships with my customers and show our quality and experience in every facet of this business. There is not a job too small or too big for us or a circumstance we can not handle including but not limited to appliances, pool tables, pianos, gun safes, etc.

I am a graduate of The Pennsylvania State University where I studied Business and Tourism Management. I am also a licensed Pennsylvania Realtor. My fiance is also a graduate of The Pennsylvania State University and she obtained her Master's Degree at Cox College. She is a licensed Registered Dietician and owns her own business. She will be the one assisting me with the day-to-day operations of the business. She is very familiar with the scheduling, bookkeeping, technology programs and the rest of the office and clerical work needed to run as a household goods provider. We're both certainly very familiar with abiding by licensing regulations, continuing education and ethics training to keep our licenses active which is why we will have no issues keeping up with all the compliance and/or mandatory regulations the PUC and other moving industry requirements needed.

I believe my experience alone displays the background of one of the more active and tenured moving professionals in the area and the added dimension of my family strengthens our case. Our customers rave about us and since opening *Moving By Cury, LLC* we've not had to once open up a claim with our insurance provider. The majority of our business and if not all of our business is based on repeat and or referral business which speaks to our experience and professionalism. As a business owner my reputation is everything and being honest, professional, safe and providing unmatched customer service is instilled in our employees from day one. They understand that the customer is always right and we will do whatever we can to provide them with an experience that can't be matched. This is why I believe we are always called back or referred. I am committed to abiding by all state and federal regulations.

We instill safety and training for all of our employees when they start and the majority of the workers we have come with experience to begin with. We always exercise caution with moving items on the truck, in the house and making sure there is no damage ever done to a customer's furniture. We make sure we have all of our equipment up to date and that we're able to operate safely and efficiently to give the customers the best price and experience. I believe that by instilling all of the qualities and techniques in our employees that we're able to give the customers the best result. I'm an Owner/Operator for a reason and that is because I believe in showing my employees that I'm not afraid to do the hard work. They are learning from an experienced professional and I'm able to make sure they are doing the work right on the job because I'm present. I believe this is overlooked too many times because most of the owners, although experienced, are not out on the job sites with their men. That's how I learned first hand from my father and I believe in that form of service the same way. Our crew will have an Owner/Operator present and provide more of a complete service to the public. I believe I have outlined my experience under 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-I-) and it displays evidence of "the equivalent experience" determined for PUC authority. We kindly ask that the PUC grant operating authority as a "Motor Common Carrier of Household Goods in Use" in Pennsylvania to *Moving By Cury, LLC* and allow us to service the public with the best experience and professionalism as we have for many years.

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.

Describe your facilities, and include a description of your physical location, including office machines that will be utilized, and the facility to house vehicles.

Our work facility is made up of our home office and our work facility lot to store and park our commercial vehicles and equipment. The home office and work facility lot details are noted below.

- The home office is made up of two business rooms with access for our customers.
- The home office will have a restroom and parking available to our customers.
- The home office will store some of our business supplies like tools, boxes, tape, straps, etc.
- The home office will house equipment such as computers, scanners, paper credit card processors etc.
- The work facility lot consists of a gated, video surveillance and secured space.
- The work facility lot consists of space for our employees to park their vehicles.
- The work facility lot consists of access for our customers to view where our trucks are stored.

As a carrier of household goods in use, applicant should include a description of storage facilities, if applicable.

- N/A. We DO NOT currently offer our customers any type of household goods storage.

Please include an explanation of your plan to maintain records required by the PUC, as well as normal business records.

- Our home office will house and maintain records required by the PUC, as well as any other normal business records. The records will be locked and secured in our home office to ensure customer privacy and confidentiality.
- We have ordered proprietary technology to store our clients information and this will include but not be limited to any receipts, estimates, moving log requests, and other 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.

- Our customers' calls are answered promptly and swiftly. We have someone in the home office who will receive and communicate with potential customers. If our home office secretary is busy or on another call we have a call center as backup that will allow customers calls to be answered just as efficiently.
- Our home office secretary or call center will then take notes on our customers requests and begin to book an in person estimate to go over job details. We will confirm address and contact details to secure a time and date to meet.

- On our scheduled estimate we will take pictures and notes to give an accurate and detailed estimate. We will address any customer concerns on the estimate, as well.
- Finally, once a customer decides to move forward and we schedule appropriately we are in continuous communication with our employees from the date the customer is scheduled to the day they arrive to complete the job. We communicate via a work phone for any job related details.

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:

6 Employees

- 2 Truck Driver (and Movers) employees who have experience and a clean driving record.
- 3 Mover/Labor only employees who have experience and are fully trained with household goods moving experience.
- 1 Office employee who will handle calls, scheduling, paperwork and some estimates.

I believe the number of drivers and movers I intend to use or hire for our business will be appropriate for the size of the territory we will be servicing because we're only looking to operate or have 1 Box Truck to start and stick to what got us here which is our "Labor Only Services" including unloads/loads of trucks, packing and unpacking and in-house moving, etc. We plan to mainly service just the Lehigh Valley Area.

a. Your hiring standards for drivers;

- Must pass a Criminal Background Check and provide us with 2 References
- Must have at least 2 years experience driving trucks
- Must have a clean MVR Report
- Must possess ability to problem solve and work through problems
- Must demonstrate ability to engage with customers and have exceptional customer service

b. Your system for conducting criminal background checks;

- A Background Check will be conducted at the federal, state and county level for our applicants.
- A Background Check will require visits from our staff to local county courthouses to verify records.
- Background Checks are a very integral and vital step to ensure our standard operating procedures.

c. Your driver training program;

- Our drivers will undergo driver training videos and they will have to possess knowledge and competence by passing each program before entering the job field.
- Our drivers will also be locally trained and have to undergo field tests with our staff to show they're capable of performing the job safely and effectively. They will also undergo yearly training to ensure safety and compliance on the road.

d. Your system for conducting driver license checks;

- Driver License Checks will be conducted via our MVR Reports run for all potential new drivers. If and once they are approved by our staff they may be subject to random MVR Checks and any other requirements from our insurance carrier.

e. Your policies regarding alcohol and drug use by your drivers.

- Alcohol and Drug Use is strictly prohibited for all of our employees on the job or during normal business hours. We have a Zero-Tolerance Policy in effect for our employees when it comes to this rule.
- All Drivers will have to be cleared by their Dispatcher and/or Manager before leaving the work facility. No Driver's are allowed out on the road until that clearance is passed.

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.

- 1 Commercial Box Truck to transport all moving customers' household goods.
- 1 Pickup Truck to accommodate transportation for any Mover's who don't fit in the Box Truck.
- 1 Car to accommodate any scheduled estimates or customer needs. We will use Car and Pickup Truck for transporting employees to a labor only job, packing/unpacking jobs and in-house moves.

The 3 Vehicles we will use to start our business locally will be sufficient to service the territory we're in for the time being. As we grow our customer base and hire employees we will purchase or lease another Box Truck. We are always looking for other ways to best service our customers' needs and provide the best quality of service. Please find attached vehicles we've already obtained for the business to date.

7. Describe your vehicle safety program. Please include the following in your explanation:

a. Your periodic vehicle maintenance plan

- Our periodic vehicle maintenance plan will consist of checking the vehicle(s) 3 times per day; first we will check the vehicle before the crew is dispatched to job, secondly our driver will conduct an assessment midday or after lunch and lastly when the job is completed for the day and before the driver leaves for the day.
- We will conduct a monthly maintenance check from a licensed and certified auto-mechanic which we have in close proximity to our work facility where trucks will be stored.
- We will abide by and follow best vehicle maintenance plan practices as required.

b. Your system for ensuring your vehicles will continuously comply with applicable Pennsylvania

vehicle equipment standards (67 Pa. Code, Chapter 175).

- We will conduct routine vehicle inspections outlined by a detailed checklist from our licensed and certified auto-mechanic.
- We will comply with and ensure all of our vehicles are continuously in line with all applicable Pennsylvania vehicle equipment standards (67 Pa. Code, Chapter 175).

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.

- “Statement of Financial Position” completed in Section 10. We believe we have sufficient funds to ensure our transportation business can provide reliable service to the public in a safe manner for multiple reasons. To start, we have no liabilities because we can pay for a newer Box Truck with cash or if we decide to go with a Box Truck Lease for the first year we will use about half of the cash assets. In that time we will have made some revenue from the business that we should in theory be in the positive. All assets of the business are owned outright with no payments including the warranties and insurances for the year so there are currently no liabilities. I believe we are in a much better financial position to start our first year with PUC Authority than many other new moving businesses starting out.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS
401 NORTH STREET, ROOM 206
P.O. BOX 8722
HARRISBURG, PA 17105-8722
WWW.CORPORATIONS.PA.GOV

Norris McLaughlin & Marcus, P.A.
515 W. Hamilton Street Suite 502
Allentown PA 18101

Moving by Cury, LLC

The Bureau of Corporations and Charitable Organizations is happy to send your filed document. The Bureau is here to serve you and we would like to thank you for doing business in Pennsylvania.

Thank you for registering with the Department of State to do business in Pennsylvania. Like many other businesses, you may have employees, sell taxable products, or provide a taxable service to consumers in Pennsylvania. Please visit www.pa100.state.pa.us to register for Business Taxes with the PA Department of Revenue & Labor and Industry or visit www.Business.pa.gov to find answers to most common registration questions.

If you have any questions pertaining to the Bureau, please visit our website at www.dos.pa.gov/BusinessCharities Or you may contact us by telephone at (717)787-1057. Information regarding business and UCC filings can be found on our searchable database at www.corporations.pa.gov/Search/CorpSearch .

Entity number : 6991438

Dec 2

Entity# : 6991438
Date Filed : 12/23/2019
Effective Date : 01/01/2020
Pennsylvania Department of State

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF CORPORATIONS AND CHARITABLE ORGANIZATIONS**

Return document by mail to:

Jarred Cury
Name

515 W Hamilton St Ste 502
Address

Allentown PA 18101
City State Zip Code

Return document by email to: ccecala@norris-law.com

Certificate of Organization
Domestic Limited Liability Company
DSCB:15-8821 (rev. 2/2017)



TFA191224TC0371

Read all instructions prior to completing. This form may be :

Fee: \$125 I qualify for a veteran/reservist-owned small business fee exemption (see instructions)

In compliance with the requirements of 15 Pa.C.S. § 8821 (relating to certificate of organization), the undersigned desiring to organize a limited liability company, hereby certifies that:

1. The name of the limited liability company is: Moving by Cury, LLC
(designator is required, e.g., "company," "limited" or "limited liability company" or any abbreviation thereof)

2. Complete part (a) or (b) – not both:

(a) The address of this limited liability company's registered office in this Commonwealth is:
(post office box alone is not acceptable)

<u>c/o 515 W. Hamilton Street, Suite 502</u>	<u>Allentown</u>	<u>PA</u>	<u>18101</u>	<u>Lehigh</u>
Number and Street	City	State	Zip	County

(b) The name of this limited liability company's commercial registered office provider and county of venue is:

v/o:

Name of Commercial Registered Office Provider County

3. The name of each organizer is (all organizers must sign on page 2):

Alyssa M. Hicks, Esquire

4. Effective date of Certificate of Organization (check, and if appropriate complete, one of the following):

The Certificate of Organization shall be effective upon filing in the Department of State.

The Certificate of Organization shall be effective on: 01/01/2020 at _____
Date (MM/DD/YYYY) Hour (if any)

PA DEPT. OF STATE
DEC 23 2019

DSCB:15-8821-2

5. **Restricted professional companies only.**

Check the box if the limited liability company is organized to render a restricted professional service and check the type of restricted professional service(s).

The company is a restricted professional company organized to render the following restricted professional service(s):

- Chiropractic
- Dentistry
- Law
- Medicine and surgery
- Optometry
- Osteopathic medicine and surgery
- Podiatric medicine
- Public accounting
- Psychology
- Veterinary medicine

6. **Benefit companies only.**

Check the box immediately below if the limited liability company is organized as a benefit company:

This limited liability company shall have the purpose of creating general public benefit.

Optional specific public benefit purpose. Check the box immediately below if the benefit company is organized to have one or more specific public benefits and supply the specific public benefit(s). See instructions for examples of specific public benefit.

This limited liability company shall have the purpose of creating the enumerated specific public benefit(s):

7. For additional provisions of the certificate, if any, attach 8½ x 11 sheet(s).

IN TESTIMONY WHEREOF, the organizer(s) has (have) executed this Certificate of Organization this

23rd day of December, 2019.



Signature

Signature

Signature

EXHIBIT B



COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA PUBLIC UTILITY COMMISSION

COMMONWEALTH KEYSTONE BUILDING

400 NORTH STREET

HARRISBURG, PENNSYLVANIA 17120

<http://www.puc.pa.gov>

(Corrected)

Click or tap to enter a date.

A-8925710
A-2022-3036608

MOVING BY CURY LLC
515 W HAMILTON STREET SUITE 502
ALLENTOWN PA 18101

Re: Application of Moving By Cury LLC for Household Good in Use authority, 729 N 17th Street, Allentown, Lehigh County, Pennsylvania 18104.

To whom it may concern:

The purpose of this Letter is to advise you that your application for Household Goods In Use authority at Docket No. A-2022-3036608 has been **DENIED** by the Pennsylvania Public Utility Commission (Commission). The Commission has determined that a Certificate of Public Convenience shall not be granted for the following reason(s):

- **Failure to Demonstrate the Required Fitness.** Under 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-I-) you are required to demonstrate that you, the applicant, have the required knowledge, fitness, and financial ability to operate as a certificated motor carrier in the Commonwealth of Pennsylvania. You failed to provide adequate evidence that shows you have the required two years of experience working with a licensed household goods carrier, or the equivalent.

For this reason(s), your application is **DENIED** and **DISMISSED**.

APPEAL RIGHTS

If you disagree with this determination, you may send a Petition for Reconsideration from Staff Action (Petition) to: Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Such a Petition is a written statement asking the Commission to change its determination.

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.

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

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).

(SIGN AND DATE)

If you believe that you have received this letter in error, please contact the Compliance Office of the Motor Carrier Services in the Bureau of Technical Utility Services at 717-787-3834 within ten (10) days of the date of this letter.

Very truly yours,

Rosemary Chiavetta
Secretary