



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

January 23, 2023

A-8925552
A-2022-3036486

ELIZABETH M TARASI ESQ
510 THIRD AVE 2ND FLOOR
PITTSBURGH PA 15219

RE: Application of Kelvin D Ferguson & Sons

To Whom It May Concern:

On November 2, 2022, the application of Kelvin D Ferguson & Sons LLC, at A-2022-3036486, as a motor carrier was accepted for filing and docketed with the Public Utility Commission. In order for the Commission to proceed with the application, additional information is required.

Please forward the information to the Secretary of the Commission at the following address **within ten (10) working days** from the date of this letter.

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, Pennsylvania 17120

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.

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.

Failure to comply with this request within 10 working days from the date of this letter will result in the denial of the application.

Please direct any questions to David Canzoneri, Bureau of Technical Utility Services at (717) 346-9738. Faxed or emailed filings are **not** accepted.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rosemary Chiavetta".

Rosemary Chiavetta
Secretary

Enclosure

Docket No. A-2022-3036486
Kelvin D Ferguson & Sons LLC

Request for Information

Business Search

As of 01/23/2023 we have processed all business filings received in our office through 11/18/2022.

Business Search Info:

Results: 2

Filing Information	Initial Filing Date	Status	Entity Type	Formed In	Address
Kelvin D Ferguson & Sons LLC (5566174)	01/19/2023	Active	Fictitious Name	PENNSYLVANIA	DJUAN FERGUSON 232 HAZEL RD, PITTSBURGH, PA 15235-3852
Kelvin D. Ferguson & Sons (6998564)	01/13/2020	Active	Domestic Limited Liability Company	PENNSYLVANIA	4121 WILLOW AVENUE, PITTSBURGH, PA 15234

- 1.) The picture above was taken from the Pennsylvania Department of State's Corporations Bureau website. As you can see Kelvin D Ferguson & Sons LLC is registered only as a fictitious name. In order for the Commission to continue with the application process, Kelvin D Ferguson & Sons LLC needs to be registered as an LLC. Please contact the PA Dept of State to correct this error.
- 2.) Upon reviewal of the application, it would appear that the applicant has applied for the wrong authority. The application provided was for a Broker of Household Goods in Use. Such authority only gives the applicant the ability to act as a middleman, and arrange household goods transportation between an individual needing a moving company, and a licensed household goods carrier. **It does not allow for the applicant to make any household goods in use moves themselves.** Based upon the information provided it would appear that the applicant intends to offer Household Goods in Use service themselves. Please clarify if the applicant intends to offer Household Goods in Use service, and if so then the applicant will need to also file an application for Household Goods in Use authority (which can be found on the Commission's website). If the applicant does not plan on offering Household Goods in Use service, and merely wishes to act as a Broker, then the applicant will need to file a new Broker of Household Goods in Use application (which can be found on the Commission's website), which omits any mention of offering moving services themselves.

- 3.) It has been noted that the applicant also applied for Property rights, if they still intend to transport property, excluding household goods in use, then they will need to reapply. Be aware that moves from warehouses and office furniture moves are not covered under the PA Household Goods authority. Please note that Kelvin D Ferguson & Sons LLC, would also need to be registered as an LLC, before that application would be processed.

- 4.) Please be aware that the applicant does not currently have authority granted to him by the Pennsylvania Public Utility Commission with which to operate, and as such can not hold itself out for hire. So, if the applicant is currently operating or holding itself out for hire, it is to immediately refrain from doing so until such time as certificated by this Commission.