

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held May 18, 2023

Commissioners Present:

Gladys Brown Dutrieuille, Chairman
Stephen M. DeFrank, Vice Chairman
Ralph V. Yanora
Kathryn L. Zerfuss
John F. Coleman, Jr.

Cancellation of Certificates of Public Convenience for
Motor Carriers; Failure to Maintain Evidence of
Insurance

M-2023-3040348

TENTATIVE ORDER

BY THE COMMISSION:

Pursuant to Section 512 of the Public Utility Code (Code), 66 Pa. C.S. § 512, the Pennsylvania Public Utility Commission (Commission) is authorized to prescribe appropriate insurance requirements for motor carriers. Section 512 of the Code provides, in relevant part:

The commission may, as to motor carriers, prescribe, by regulation or order, such requirements as it may deem necessary for the protection of persons or property of their patrons and the public, including the filing of surety bonds, the carrying of insurance, or the qualifications and conditions under which such carriers may act as self-insurers with respect to such matters. All motor carriers of passengers...shall cover each and every vehicle, transporting such passengers, with a public liability insurance policy or a surety bond issued by an insurance carrier, or a bonding company authorized to do business in this Commonwealth, in such amounts as the commission may prescribe....

66 Pa. C.S. § 512.

Consistent with this broad statutory charge, the Commission has promulgated regulations governing motor carrier insurance requirements at Chapter 32 of title 52 Pa. Code.¹ Those

¹ 52 Pa. Code §§ 32.11-32.16.

regulations provide, *inter alia*, that a motor carrier may not operate, and a certificate of public convenience will not be issued or remain in force, until there has been filed with and approved by the Commission a certificate of insurance by an insurer authorized to do business in Pennsylvania for the payment of claims resulting from the operation, maintenance, or use of a motor vehicle in the carrier's authorized service. See 52 Pa. Code §§ 32.11, 32.12. The certificate of insurance, commonly known as a Form E, is in a form prescribed and approved by the Commission and provides protection for bodily injury, death, or property damage. 52 Pa. Code §32.2(a). Additionally, the Commission regulations require that certain carriers maintain evidence of cargo insurance via a certificate of insurance commonly known as a Form H. Further, the Commission's regulations require that evidence of insurance be maintained at all times with the Commission to ensure the protection of the public:

(h) *Compliance.* Failure to maintain evidence of insurance on file with the Commission in accordance with this chapter shall cause the immediate suspension of the rights and privileges conferred by a certificate of public convenience or permit held by the motor carrier. The Commission may establish rules under which suspended rights and privileges may be temporarily reinstated pending compliance with this chapter.

52 Pa. Code §32.2(h).

The Commission has been notified that the motor carriers listed in Appendix A, attached hereto, no longer have acceptable evidence of insurance on file with the Commission. As such, the Commission sent all carriers a letter notifying them that their operating authority was suspended. Since the date of the suspensions, these motor carriers have failed to cure the deficiency and maintain acceptable evidence of insurance with the Commission, notwithstanding notification by the Commission of the suspension and the necessity to provide acceptable evidence of insurance.

Under these circumstances, we tentatively conclude that the motor carriers listed in Appendix A are not in compliance with the insurance requirements of 66 Pa. C.S. § 512 and our regulations at 52 Pa. Code Chapter 32. As such, it is appropriate to initiate the process to cancel their certificates of public convenience as being in the public interest; **THEREFORE,**

IT IS ORDERED:

1. That cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is hereby *tentatively* approved as being in the public interest.

2. That the Secretary's Bureau shall publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.

3. That the Secretary shall serve a copy of this Tentative Order upon all motor carriers listed in Appendix A.

4. That the Secretary shall file this Tentative Order at each motor carrier's assigned docket number.

5. That to the extent that any of the motor carriers listed on Appendix A challenge cancellation of their Certificates of Public Convenience, they must file comments within thirty (30) days after publication of this Tentative Order in the *Pennsylvania Bulletin*. Comments shall be sent to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120.

6. That, alternatively, acceptable evidence of insurance may be filed with the Commission on behalf of the motor carriers listed in Appendix A, within thirty (30) days after publication of this order in the *Pennsylvania Bulletin*.

Motor carriers listed in Appendix A who desire to continue operations should immediately contact their insurance agents to secure compliance with Commission insurance requirements. It is the motor carrier's responsibility to ensure compliance.

Motor carriers can verify their insurance status at our Web Site at

<https://www.puc.pa.gov/search/utility-authority-search/>.

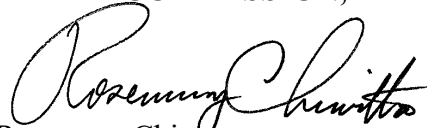
Additionally, motor carriers may call our insurance hotline at (717)-787-1227 for more information.

7. That, absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely filing of acceptable evidence of insurance, the Bureau of Technical Utility Services shall prepare a Secretarial Letter for issuance by the Secretary's Bureau canceling the carrier's applicable Certificate of Public Convenience. The Secretarial Letter shall direct the Department of Transportation to suspend the carrier's vehicle registration(s) consistent with 75 Pa. C.S. §1375.

8. That, upon issuance of the Secretarial Letter described in Ordering Paragraph No. 7 above, the applicable Certificate of Public Convenience of each non-compliant carrier shall be cancelled.

9. That the Secretary serve a copy of the Secretarial Letter upon the Commission's Bureau of Investigation and Enforcement, Bureau of Technical Utility Services, Bureau of Administration, the Pennsylvania Department of Revenue – Bureau of Corporation Taxes, and the Pennsylvania Department of Transportation.

BY THE COMMISSION,



Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: May 18, 2023

ORDER ENTERED: May 18, 2023

APPENDIX A

Carriers Without Acceptable Evidence of Insurance

Utility Code	Utility Name	Suspended Authorities	Insurance Type not on file
6222171	COMFORT RIDES CORPORATION	Paratransit	Liability
6324739	CROWN TRANSPORTATION LLC	Taxi	Liability
6325199	NOMAD RIDESHARE LLC	TNC (Transportation Network Company)	Liability
640220	J J SERAFIN INC	Paratransit, Limousine	Liability
640585	JAVY ENTERPRISES, INC.	Limousine	Liability
6412627	SHIRLEY A RICE	Paratransit	Liability
6413984	RELIABLE TRANSIT INC	Paratransit	Liability
641412	CLETUS & NANCY RESSLER LLC	Paratransit	Liability
641846	BUCKS CAB CO LLC	Limousine	Liability
6419037	DONALD HENRY BIGGER JR	Paratransit	Liability
6419420	RABBIT HOLLOW TRANSPORTATION LLC	Paratransit	Liability
6419498	NICHOLAS MAHLON HILTON	Limousine	Liability
6419895	BISCONTI FARMS INC	GP11-15	Liability
6420386	AMBASSADOR 35 LIMOUSINE INC	Limousine	Liability
6420646	BONNIE LYNN GORDON	Paratransit	Liability
6420755	ALL THE WAY TRANSPORTATION LLC	Paratransit, Limousine	Liability
6421583	LMC LIMOUSINE & TRANSPORTATION SERVICES INC	Limousine	Liability
6421674	JAMES L GINGERY	Paratransit	Liability
6422303	SIP AND PLAY TOURS LLC	Paratransit, Airport, GP11-15, GP16+	Liability
6422716	ROYALTY TRANSPORTATION SERVICES LLC	Paratransit	Liability
6422853	PRIME TRANSPORT SERVICES LLC	Paratransit	Liability
6422946	MDT - AIRPORT TRANSFER LLC	Airport Transfer	Liability
6423704	BEELINE TRANSPORTATION LLC	Paratransit	Liability
6424688	AMERICAN CHRISTIAN TRANSPORTATION LLC	Paratransit	Liability
6425076	GIFT OF HELPS LLC	Paratransit	Liability
6425440	US MEDICAL TRANSPORTATION LLC	Paratransit	Liability

6425533	CHAMPION MARKETING CORP	Paratransit	Liability
647995	F & S TRANSPORTATION, INC.	GP16+	Liability
700522	JEFFREY T TEETS	Truck	Liability / Cargo
703640	E. MARTIN TRUCKING, LLC	Truck	Liability / Cargo
704152	GARY C WALK JR	Household Goods Carrier, Truck	Liability
704502	NUSS INC	Truck	Liability
704954	D & S EXPRESS, INC.	Truck	Liability
706508	ZIEGLER, DANIEL JAMES	Truck	Cargo only
707739	R.D.S. MOVERS, INC.	Household Goods Carrier	Cargo only
708239	RONALD S KEENER GRAIN LLC	Truck	Cargo only
708630	WRAY CORNELL	Truck	Liability / Cargo
791660	LIBERTY TRANSPORTATION, INC.	Truck	Liability / Cargo
8911115	LAUREL CREEK TRANSPORT INC	Truck	Liability / Cargo
8911303	R C MOORE INC	Truck	Cargo only
8913367	VALLEY MANUFACTURED HOME TRANSPORT LLC	Truck	Cargo only
8913541	CAMCO MANUFACTURING INC	Truck	Liability / Cargo
8913738	KEVIN & MICHAEL YOST CO-PARTNERS T/A YOST EXCAVATING & HAULING	Truck	Cargo only
8913740	WILMER R DREIBELBIS JR	Truck	Liability / Cargo
891405	R.J. O'NEILL TRUCKING INC.	Truck	Liability
8915110	ELITE TRUCKING SERVICES LLC	Truck	Liability / Cargo
8915222	BLESS CARRIERS LLC	Truck	Liability / Cargo
8915646	UMBRIAC TRUCKING LLC	Truck	Liability
8915680	BOZ GENERAL HAULING INC	Truck	Liability
8916112	REV HOOPES TRUCKING LLC	Truck	Liability / Cargo
8917404	GEREKE TRUCKING LLC	Truck	Cargo only
8917458	JDF Concrete Services LLC	Truck	Liability
8917856	CADE ROX LLC	Truck	Liability / Cargo
8917878	FARD ENTERPRISES LLC	Truck	Liability / Cargo
8918199	DAVID KACHMARSKI	Truck	Liability
8918350	VELEZ TRANSPORT LLC	Truck	Cargo only
8918707	MR THUNDERS TRANSPORT LLC	Truck	Liability / Cargo
8918729	KACEYS MATERIAL HANDLING LLC	Truck	Liability / Cargo
8919154	NAT-GAS TRUCKING INC	Truck	Liability

8919264	TEUTONIC TRANSPORTATION LLC	Truck	Liability / Cargo
8919310	NICKSON HOME SERVICES LLC	Truck	Liability / Cargo
8919618	CHRISTOPHER M RAY T/A CM & EJ TRANSPORT	Truck	Liability / Cargo
8919824	BERKS LOGISTICS LLC	Truck	Liability / Cargo
8920071	BIERLY TRUCKING & EXCAVATING LLC	Truck	Liability
8920074	UPPER ECHELON TRUCKING LLC	Truck	Liability / Cargo
8920241	TIGHT LINE SERVICES LLC	Truck	Liability
8920251	MOTI LOGISTICS LLC	Truck	Liability / Cargo
8920287	METHENY TRUCKING LLC	Truck	Liability / Cargo
8920288	MASHA MOBILE MOVING AND STORAGE LLC	Truck	Cargo only
8920529	SUPER MOVER BROS LLC	Household Goods Carrier, Truck	Liability / Cargo
8920937	AGLER TRUCKING LLC	Truck	Liability / Cargo
8921006	RELADYNE TRANSPORTATION LLC	Truck	Liability
8921205	NEW HARVEST TRANSPORTATION INCORPORATED	Truck	Liability
8921489	5 WORLDS SERVICES CORPORATION	Truck	Cargo only
8921552	RATO LLC	Truck	Liability / Cargo
8921821	LOCUST STREET HOLSTEINS LLC	Truck	Liability / Cargo
8921969	CMB TRANSPORT LIMITED LIABILITY COMPANY	Truck	Cargo only
8921994	MAS LEASING LLC	Truck	Cargo only
8922442	SKYLINE TRANSPORT FLEET LLC	Truck	Cargo only
8922503	JASON MICHAEL SHREK	Truck	Liability / Cargo
8922694	M&H TRANSPORTATION SOLUTIONS LLC	Truck	Liability / Cargo
8922720	MAAD TRUCKING LLC	Truck	Liability / Cargo
8922780	SHUNPIKE ENTERPRISE LLC	Truck	Liability
8922899	EARTHBORNE SERVICES LLC	Truck	Liability / Cargo
8922930	MK TRUCKING LLC	Truck	Liability / Cargo
8922955	W MILLER & SONS TRUCKING LLC	Truck	Liability
8923108	PEQUEA MOBILE HOME SALVAGE LLC	Truck	Cargo only
8923155	MAJ FREIGHTHAULERS LLC	Truck	Liability / Cargo

8923199	OLD PLAINS TRADING CO LLC	Truck	Liability / Cargo
8923286	KELLEHER TRUCKING LLC	Truck	Liability / Cargo
8923290	S&I TRUCKING INC	Truck	Liability
8923310	PAUL LEVAN	Truck	Liability / Cargo
8923523	VALLEY RENTAL & SALES INC	Truck	Cargo only
8923600	MCKEAN TRUCKING LLC	Truck	Cargo only
8923717	RAK TRUCKING LLC	Truck	Liability / Cargo
8923723	FORWARD TRANSPORT CONNECTION LLC	Truck	Liability / Cargo
8923745	S X S LOGISTICS LLC	Truck	Liability / Cargo
8923765	RAPID ASSET RECOVERY LLC	Truck	Liability
8923828	PELTZER TRANSPORT LLC	Truck	Liability / Cargo
8923939	EG EXPRESS LLC	Truck	Liability / Cargo
8924065	J & J AUTO BODY AND TRUCK REPAIR INC	Truck	Liability / Cargo
8924102	AMERICA I-95 INC	Truck	Liability
8924169	CHRISTOPHER R MAUST	Truck	Liability / Cargo
8924178	C FOX TRUCKING LLC	Truck	Liability / Cargo
8924243	LNR 5 STAR TRUCKING ENTERPRISE LLC	Truck	Liability / Cargo
8924248	MOVERS TO GO INC	Household Goods Carrier	Cargo only
8924346	HASHAMY TRANSPORT LLC	Truck	Liability / Cargo
8924369	MEETINGHOUSE MOVERS LLC	Household Goods Carrier	Cargo only
8924515	J COPE TRUCKING LLC	Truck	Liability / Cargo
8924659	SHADDAI EXPRESS LLC	Truck	Liability / Cargo
8924687	ROUX TRANSPORT LLC	Truck	Liability / Cargo
8924797	CROSS ARROWS TRUCKING LLC	Truck	Cargo only
8924844	C&J TRANSPORTATION LLC	Truck	Cargo only
8924864	RODETIME HAULERS LLC	Truck	Liability / Cargo
8924931	BOAS TRANSPORT LLC	Truck	Liability / Cargo
8924996	SOLDATI TRANSPORT & LOGISTICS LLC	Truck	Liability / Cargo
8925028	NEW BEGINNING'S MOVING & HAULING LLC	Household Goods Carrier	Liability
8925034	1680 LOGISTICS LLC	Truck	Liability
8925038	DON SHERBINE	Truck	Liability / Cargo
8925097	T & D MILLER EXPRESS LLC	Truck	Liability / Cargo
8925108	BSS TRUCKING LLC	Truck	Liability / Cargo
8925118	TGR WAREHOUSING LLC	Truck	Liability
8925160	AS HAULING AND TRUCKING LLC	Truck	Liability / Cargo

8925171	R L TOMS TRANSPORT LLC	Truck	Liability / Cargo
8925186	EDTGS LOGISTICS LLC	Truck	Liability / Cargo
8925204	EBENEZER FREIGHT INC	Truck	Cargo only
8925221	GMT LOGISTICS LLC	Truck	Liability / Cargo
8925333	RWM HOLDINGS INC	Truck	Liability / Cargo
8925382	AGOSTO TRANSPORTATION LLC	Truck	Liability / Cargo
8925408	HASSLER TRANSPORT LLC	Truck	Liability / Cargo
8925413	PREMIER MOVERS LLC	Truck	Cargo only
8925469	MONO-PTAT CARRIERS LLC	Truck	Liability / Cargo
8925554	REZK TRUCKING LLC	Truck	Liability / Cargo
8925563	MLB TRUCKING LLC	Truck	Liability / Cargo
8925590	FM & Son Transport LLC	Truck	Liability / Cargo
8925674	BIG MAN 1 TRANSPORT LLC	Truck	Liability / Cargo
8925686	CROGHAN TRUCKING LLC	Truck	Liability / Cargo
8925732	TWISTED TRUCKING LLC	Truck	Liability / Cargo
8925760	HTP FREIGHT LLC	Truck	Liability
8925858	JASON S DERR	Truck	Cargo only
8925865	FRAZIER & WALTON TRANSPORTATION LLC	Truck	Liability / Cargo
8925921	SNOW DOG TRANSPORTS LLC	Truck	Liability / Cargo
8925926	MJOLNIR TRUCKING LLC	Truck	Cargo only