

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

V. :

DOCKET NO. C-2023-3036766

T & B TRUCKING LLC :
326 EAST FRANKLIN STREET :
WAYNESBORO, PA 15320 :

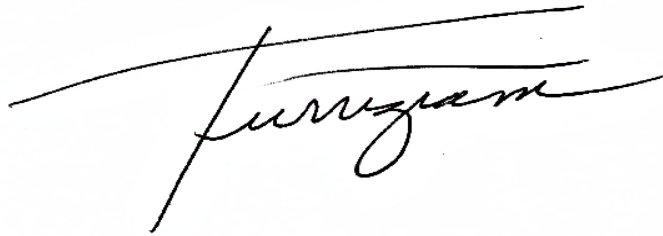
COMPLAINT

The Pennsylvania Public Utility Commission (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 T & B TRUCKING LLC, Respondent, maintains a mailing address of 13919 N May Avenue 204, Oklahoma City, OK 73134 and physical place of business at 326 East Franklin Street, Waynesboro, PA 15320.
2. On October 28, 2022, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code no. 8925684 at A-2022-3036369.
3. On November 28, 2022, Officer Mia Fuller attempted to contact T & B Trucking and recorded a voicemail requesting the Respondent return the call.
4. On December 5, 2022, Officer Fuller and PUC Supervisor James Murray visited the physical address and contacted a gentleman who said he would be in contact with Officer Fuller or Supervisor Murray soon.
5. On December 28, 2022, a first class and certified letter was sent from the Western Regional Office to the mailing address of the Respondent requesting contact PA PUC Enforcement Officer Mia Fuller within 10 days. The certified letter was delivered on January 3, 2023. Further attempts were made to contact the Respondent by phone and email to complete the Safety Fitness Review as a requirement of the certificate of authority granted. No response has been received.
6. That Respondent, by failing to achieve a satisfactory evaluation on a safety fitness review, violated 66 Pa §501(c) and, for failure to maintain adequate, efficient, and safe service and facilities, violated 66 Pa. §1501. The penalty for this violation is cancellation of the certificate held by Respondent with this Commission at utility code 8925684.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to T & B Trucking, LLC at PUC utility code number 8925684.

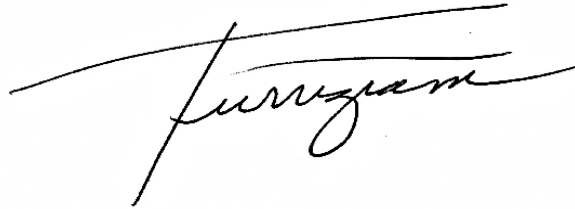
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Turriziani", with a long horizontal stroke extending to the left.

Andrew Turriziani, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
100 Lackawanna Avenue Room 320
Scranton, PA 18503

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 the 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.

A handwritten signature in black ink, appearing to read "Turriziani", written in a cursive style.

Date: 2023

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

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
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. 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.
- D. 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.
- E. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.

