

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

Public Meeting held September 21, 2023

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Ralph V. Yanora
Kathryn L. Zerfuss
John F. Coleman, Jr.

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

M-2023-3042039

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 cancelation 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 cancelation 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/>.

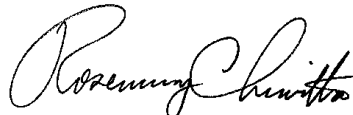
Additionally, motor carriers may call our insurance hotline at (717)-787-1227 for more information.

7. That, absent the timely filing of comments challenging the cancelation 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: September 21, 2023

ORDER ENTERED: September 21, 2023

APPENDIX A

Carriers Without Acceptable Evidence of Insurance

Utility Code	Utility Name	Suspended Authorities	Insurance Type not on file
6220610	DPD TRANSPORT LLC	Contract Carrier of Passengers	Liability
6315202	LANCASTER CITY CABS LLC	Taxi	Liability
6317546	EXPRESS TAXI LLC	Taxi	Liability
6318662	CANYON COUNTRY ELITE TRANSPORTATION SERVICES INC	GP16+	Liability
6323802	PREMIER RIDER SERVICE LLC	TNC	Liability
6324980	REJUVENATE CONCIERGE CO	Contract Carrier of Passengers	Liability
640495	SULLENBERGER, JAMES R.	Paratransit	Liability
640624	MAIN LINE EXPRESS, INC.	Airport Transfer	Liability
640683	PESSOGNELLI, INC.	Limousine	Liability
6410933	VAUXCO LIMOUSINES LLC	Limousine and GP11-15	Liability
6413230	STAT MEDICAL TRANSPORT PARATRANSIT LLC	Paratransit	Liability
641348	A TO Z LIMOUSINE SERVICE, INC.	Limousine	Liability
6415393	TROPIANO BUS COMPANY LLC	GP16+	Liability
6416237	WHEELS TAKE YOU THERE TRANSPORTATION SERVICE LLC	Paratransit and GP11-15	Liability
641720	JOSEPH M KILMER JR	Paratransit	Liability
6419489	RHYTHM AMBULANCE INC	Paratransit	Liability
6419965	JOSEPH MARTIN	Paratransit	Liability
6421612	PITTSBURGH TROLLEY WORKS LLC	GP16+	Liability
6422077	METROPOLIS PASSENGER LOGISTICS LLC	Limousine and GP11-15	Liability
6422634	PATHLINKS GLOBAL LLC	Paratransit	Liability
6424355	FIRST EXPRESSCARE TRANSPORTATION LLC	Paratransit	Liability
6424720	SEYDOU DAO	Paratransit	Liability
6424782	CARE WITH LOVE HOME HEALTH AGENCY LLC	Paratransit	Liability
6424910	JARABACOA TRANSPORTATION LLC	Paratransit	Liability
6424923	APLUS NEMT SERVICES LLC	Paratransit	Liability
6425061	ALANTRA ENTERPRISES LLC	Limousine	Liability
6425347	WHOLENESS HOME HEALTH LIMITED LIABILITY COMPANY	Paratransit	Liability
6425389	DOMINION COACH LLC	GP16+	Liability
6425666	GREEN TRANSPORTATION SERVICE LLC	Paratransit	Liability
6426282	INTERSTATE BUS LLC	GP16+	Liability

646005	R J RHODES TRANSIT INC	GP16+	Liability
701803	MCQUOWN BUSINESS SERVICES, INC.	Truck	Cargo
701856	ANTHONY W. MARTIN	Truck	Liability
703744	YRC INC	Truck	Liability
703949	HAROLD E. GRAVES	Truck	Liability
704368	HOUSTON SPECIALIZED CARRIERS INC	Truck	Liability
704642	PAUL D PATRICK JR	Truck	Liability / Cargo
704668	DONALD R TRUAX III	Truck	Liability
706271	EDWARDS DISTRIBUTN SERVICES,INC	Truck	Liability
707854	RITTENBAUGH, INC.	Truck	Liability
707981	MENKINS HAULING, INC., W.J.	Truck	Liability
708007	RALPH P CALLELA JR T/A CALLELA TRUCKING	Truck	Liability
714580	BLOUGH, DAVID E.	Truck	Liability
732880	CRESCO LINES, INC.	Truck	Liability / Cargo
738490	DIBIASE, R.L.TRUCKING, INC.	Truck	Liability
766540	HECLA MACHINERY & EQUIP. CO.	Truck	Liability
813280	NEW PENN MOTOR EXPRESS, LLC.	Truck	Liability
840640	SELL, WAYNE W., CORP.	Truck	Liability
890685	ERVIN K ECKERT	Truck	Liability / Cargo
890706	PETRO-CHEMICAL TRANSPORT, LLC	Truck	Liability
8911120	ALAN SMALLWOOD EXCAVATING LLC	Truck	Cargo
8911199	DILULLO TRANSPORT INC	Truck	Liability / Cargo
8911701	JAMES E MANBECK	Truck	Liability / Cargo
8913083	WHEELER TRUCKING LLC	Truck	Liability / Cargo
8914013	STURDEVANT TRUCKING INC	Truck	Liability
891550	SHRECENGOST, JOSEPH ALLAN	Truck	Cargo
8915800	BLUE EAGLE LOGISTICS INC	Truck	Liability / Cargo
8915844	ROBERT RAY ANDERSON TRUCKING LLC	Truck	Liability / Cargo
8915874	KOLLER REDI MIX INC	Truck	Cargo
8916174	KEYSTONE TRANSPORT SERVICES LLC	Truck	Liability / Cargo
8916659	KEHL TRANSPORT LLC	Truck	Cargo
8916762	HENDERSON LOGISTICS LLC	Truck	Liability / Cargo
8917177	TAJ TRUCKING CO	Truck	Liability / Cargo
8917267	BACKDRAFT EXCAVATING LLC	Truck	Liability
8917506	FEATHER TRUCKING LLC	Truck	Liability
8917554	EASTERN FREIGHT SYSTEMS LLC	Truck	Liability / Cargo
8917750	MARK D CLAPSADLE	Truck	Cargo
8918060	TIMOTHY HULINGS	Truck	Liability / Cargo
8918405	BOYD TONER TRUCKING LLC	Truck	Liability / Cargo
8918592	MAGIA LOGISTICS LLC	Truck	Liability / Cargo
8918670	M MACE TRUCKING LLC	Truck	Liability / Cargo

8918899	BXI LLC	Truck	Liability
8919115	TURBOS TRANSPORT AND RECOVERY INC	Truck	Liability / Cargo
8919376	ROSEMARY MARTIN	Truck	Liability / Cargo
8919428	BISHOP TRUCKING LLC	Truck	Cargo
8919680	N&NSTANT LLC	Truck	Cargo
8919820	EDWARD R SCHUMACHER	Truck	Liability / Cargo
8919995	281 TRANSPORT LLC	Truck	Liability
8920225	ALS HAULING & TRANSPORT LLC	Truck	Liability / Cargo
8921098	MVP TRANSPORT CORP	Truck	Liability / Cargo
8921144	HONEY TRUCKING INC	Truck	Liability / Cargo
8921464	JONEZIN TRANSPORT LLC	Truck	Liability / Cargo
8921993	M.AMDITIS TRUCKING LLC	Truck	Liability
8922105	LAPP'S LOADER SERVICE LLC	Truck	Cargo
8922250	ASH TRANSFER LLC	Truck	Liability / Cargo
8922308	AMERICAN EXPEDITING LOGISTICS LLC	Truck	Liability
8922335	DALE E MARTIN	Truck	Liability / Cargo
8922428	JONATHAN R HOWARD	Truck	Liability
8922514	STEADFAST TRANSPORT LLC	Truck	Liability / Cargo
8922582	SCHUYLKILL EXCAVATING LLC	Truck	Liability
8922902	RED LAND EXPRESS INC	Truck	Cargo
8922903	BARNES BOYS TRUCKING LLC	Truck	Liability / Cargo
8922977	EMRICK TRUCKING LLC	Truck	Liability
8922984	SACRED TRANSPORTATION LLC	Truck	Liability / Cargo
8923100	BKN TRANSPORT LLC	Truck	Liability
8923132	BROWN DOG EXPRESS LLC	Truck	Liability / Cargo
8923191	CHISOLM'S TRUCKING LLC	Truck	Liability / Cargo
8923193	DKM LOGISTICS INC	Truck	Liability
8923255	FLINTS TRUCKING LLC	Truck	Liability / Cargo
8923372	MCBC MEDICAL DELIVERY SERVICES LLC	Truck	Liability
8923376	A&A PROFESSIONAL MOVERS LLC	Truck	Cargo
8923603	JAMSON P LLC	Truck	Liability / Cargo
8923678	LOAD RUNNERZ LLC	Truck	Liability / Cargo
8923847	BARNHILL TRANSPORTATION LLC	Truck	Liability / Cargo
8923899	068 TRUCKING LLC	Truck	Liability
8923914	GILLZ LOGISTICS LLC	Truck	Liability
8923978	DURANS EXPRESS LLC	Truck	Liability
8924095	BANGSLY LLC	Truck	Liability / Cargo
8924141	RONALD WEITKAMP	Truck	Liability / Cargo
8924221	CYANLINK LOGISTICS LLC	Truck	Liability / Cargo
8924230	JONS TRANSPORT LLC	Truck	Liability / Cargo

8924306	CRIVERA LLC	Truck	Liability / Cargo
8924416	JUSTINO INTERNATIONAL LLC	Truck	Cargo
8924468	EARTH TRUCKING LLC	Truck	Liability / Cargo
8924483	COBRE TRANSPORTATION LLC	Truck	Liability
8924550	WESTRAY BROTHERS TRUCKING LLC	Truck	Liability / Cargo
8924651	K & T SEAHORSES TRUCKING LLC	Paratransit	Liability
8924761	365 TRUCKING LLC	Truck	Liability / Cargo
8924803	LONG HAUL SPECIALTY TRANSPORT INC	Truck	Liability / Cargo
8924821	ROBLES TOWING CORP	Truck	Liability / Cargo
8924938	ROSANO TRUCKING LLC	Truck	Liability / Cargo
8924958	NIGHT PROWLER TRUCKING LLC	Truck	Liability / Cargo
8924978	KUMM & GO ENTERPRISE LLC	Truck	Cargo
8925339	TEC LOGISTICS LLC	Truck	Liability / Cargo
8925416	COMMON SENSE SHIPPING LLC	Truck	Liability / Cargo
8925466	CURT ROC TRANSPORT LLC	Truck	Liability / Cargo
8925480	TIME TRUCKING CORP	Truck	Liability / Cargo
8925489	JIM'S AUTOMOTIVE SPECIALTIES LLC	Truck	Liability / Cargo
8925495	SHAWNY BOY TRUCKING LLC	Truck	Cargo
8925603	MOSTOLLER TRANSPORTATION LLC	Truck	Liability
8925623	WILD HOGS TRUCKING LLC	Truck	Liability / Cargo
8925720	TRANSATLANTIC CONSTRUCTION INC	Truck	Cargo
8925733	ON SITE SHED HAULING LLC	Truck	Liability / Cargo
8925748	LONGVUE TRANSPORTATION LLC	Truck	Liability / Cargo
8925807	LARRIUZ LOGISTICS LLC	Truck	Liability / Cargo
8925848	HARD LANE DISPATCH LLC	Truck	Liability / Cargo
8925850	DUB'S ROADSIDE LLC	Truck	Liability
8925969	A & A TRANSPORT SERVICES LLC	Truck	Liability / Cargo
8925980	BDH HEATING FUEL & FARM DELIVERY SERVICES LLC	Truck	Cargo
8926029	MSX LOGISTICS LLC	Truck	Liability / Cargo
8926051	5BS TRANSPORTING LLC	Truck	Liability
8926085	ON OFF LLC	Truck	Liability / Cargo
8926160	RHL FREIGHT INC	Truck	Liability / Cargo
8926187	GREEN LOGISTICAL PARTNERS LLC	Truck	Cargo