

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

Public Meeting held January 18, 2024

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-2024-3045178

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/>.

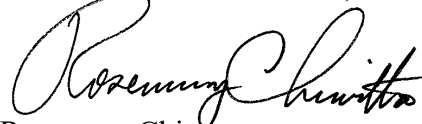
Additionally, motor carriers may call our insurance hotline at (717)-787-1227 for more information.

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: January 18, 2024

ORDER ENTERED: January 18, 2024

APPENDIX A

Carriers Without Acceptable Evidence of Insurance

Utility Code	Utility Name	Suspended Authorities	Insurance Type not on file
6221492	KENSINGTON CAPITAL GROUP LLC	Paratransit	Liability
6318662	CANYON COUNTRY ELITE TRANSPORTATION SERVICES INC	GP11-15	Liability
633450	DEMETRIOS J HERRON	Limousine	Liability
6410812	R & R TRANSIT INC	Paratransit	Liability
6414067	ROVER COMMUNITY TRANSPORTATION INC	Paratransit	Liability
641429	STAR LIMOUSINE, LLC	Limousine	Liability
641464	NAZARETH AMBULANCE CORPS	Paratransit	Liability
641562	CITY LIMO-TAXI, INC.	Limousine	Liability
641646	TAYLOR, STEPHEN & SONBERGER, JAMES	Limousine	Liability
6418791	YES LIMOUSINE LLC	Limousine, GP11-15, GP16+	Liability
6420076	G & B's TOUR LLC	GP16+	Liability
6420133	Med Connect Inc	Paratransit	Liability
6420709	HEARTLAND MEDICAL TRANSPORTATION INC	Paratransit	Liability
6421582	HARVEY VAN SERVICE LLC	Paratransit	Liability
6421583	LMC LIMOUSINE & TRANSPORTATION SERVICES INC	Limousine	Liability
6422120	NILE TRANSPORTATION LLC	Paratransit	Liability
6422424	LIMOMAN416 LLC	Limousine	Liability
6422524	BUCKS MEDICAL TRANSPORTATION INC	Paratransit	Liability
6422866	ROGERS TRANSPORTATION LLC	GP16+	Liability
6423078	GOLDEN YEARS TRANSPORTATION LLC	Paratransit	Liability
6424915	EXPEDITED RESPONSE TRANSPORTATION COMPANY	Paratransit	Liability
6425344	TRANSIT-PA LLC	Paratransit	Liability

6425667	SNOW WHITE TOURS AND TRAVEL LLC	Group and Party 16 or Greater	Liability
648050	WERTZ MOTOR COACHES, INC.	Scheduled Route, GP16+	Liability
700253	LJF, INC.	Truck	Liability
700911	U.S. BULK TRANSPORT, INC.	Truck	Liability, Cargo
704614	STEVEN L KREAMER	Truck	Liability, Cargo
704758	C & S LAWN AND LANDSCAPE INC	Truck	Cargo
706399	ERNEST D ROSS JR	Truck	Liability
706851	RONALD LEE CLAAR	Truck	Cargo
707240	WOODY'S TRANSPORT LLC	Truck	Cargo
707286	HAWK TRANSPORT & COURIER SERVICE, LLC	Truck	Liability
707398	FLEMING AND SON'S TRUCKING LLC	Truck	Liability
707642	KEL & KI HOME DELIVERIES, LLC	Truck	Liability
707737	KLAPEC EXPRESS, INC.	Truck	Liability, Cargo
707758	WESLEY D CLAAR	Truck	Cargo
708868	LARRY E DIVEN	Truck	Liability, Cargo
725921	ROBERT B CELLITTI MOVING & STORAGE INC	HHG, Truck	Liability, Cargo
827140	RAPID TRANSIT CO.	Truck	Liability, Cargo
837600	SAUERS, WARREN C., CO., INC.	Truck	Liability, Cargo
839970	ROBERT P SCOTT PROFESSIONAL MOVING VAN SERVICE CO INC	Truck	Liability
840690	DANIEL SENSENIG	Truck	Liability
8910977	UNION PETROLEUM COMPANY	Truck	Liability, Cargo
8911301	FEATHER BROS TRANSPORT LLC	Truck	Cargo
8911412	BARTHEL TRUCKING LLC	Truck	Liability, Cargo
8912534	G & G AUTO WRECKING CO INC	Truck	Liability, Cargo

8913147	R N MOYER HAULING LLC	Truck	Liability
8914206	MICHAEL L HITZ	Truck	Cargo
8915270	HARVEST EXPRESS INC	Truck	Cargo
8916149	NITTANY TRANSPORT INC	Truck	Liability, Cargo
8916184	HR TRUCKING, LLC	Truck	Cargo
891636	TIPTON TRUCKING CO.	Truck	Liability
8916433	MICHAEL J KAY	Truck	Liability, Cargo
8916667	WG LOGISTICS LLC	Truck	Liability
8916730	BENNER TRUCKING LLC	Truck	Cargo
8917047	LEHIGH GORGE TRANSPORT LLC	Truck	Liability
8917058	CROSSVALLEY TRANSPORT LLC	Truck	Cargo
8917493	TYLER TRANSPORT SOLUTIONS LLC	Truck	Liability
8917635	MIZU CONTRACTING LLC	Truck	Liability
8917870	QUANDEL INCRETE SYSTEMS INC	Truck	Liability
8917914	PCS BULK TRANSPORT LLC	Truck	Liability, Cargo
8918153	JOSE A MARRERO	Truck	Liability, Cargo
8918567	CNT TRANSPORT LLC	Truck	Liability, Cargo
8918596	J PHILLIPS EXCAVATING & HAULING LLC	Truck	Liability
8918719	LIMITED BREAK LLC	Truck	Liability
8918858	RITTER TRANSPORT LLC	Truck	Liability, Cargo
8919159	AM TRUCK ENTERPRISES LLC	Truck	Liability, Cargo
8919768	NIGHT SHIFT TRUCKING LLC	Truck	Liability, Cargo
8920199	ROSANELLI TRUCKING LLC	Truck	Liability, Cargo
8920283	PRIORITY MANAGEMENT & ASSOCIATES INC	Truck	Cargo

8920498	LAPP TRANSPORT LLC	Truck	Liability
8920705	N STANLEY PAVING INC	Truck	Liability
8921026	ROCKING SWAN TRANSPORTATION LLC	Truck	Liability, Cargo
8921173	BULLDOG TRUCKING LLC	Truck	Liability, Cargo
8921323	ROBERT WOOD TRUCKING LIMITED LIABILITY COMPANY	Truck	Cargo
8921408	BOOM BANG DONE TRUCKING LLC	Truck	Liability
8921558	RAZA NATIONAL INC	Truck	Liability, Cargo
8922018	WAYFORTH TRANSPORTATION LLC	Household Goods Carrier	Liability
8922106	BURKHOLDER TRANSPORT LLC	Truck	Liability, Cargo
8922186	QUANDEL CONCRETE INC	Truck	Cargo
8922736	MARK T BOYLE 570 LLC	Truck	Liability, Cargo
8922759	HAWBAKER FARMS LLC	Truck	Liability, Cargo
8922828	NIGHT OWL XPRESS LLC	Truck	Liability, Cargo
8922838	GUERS TOPSOIL AND MULCH PRODUCTS LLC	Truck	Cargo
8922849	FINE LINE TRANSPORT LLC	Truck	Liability, Cargo
8922984	SACRED TRANSPORTATION LLC	Truck	Liability, Cargo
8923036	DADS TRANSPORT LLC	Truck	Liability, Cargo
8923160	MANIGAULT MOVEMENT LLC	Truck	Liability, Cargo
8923177	INTEGRITY1 TRANSPORT LLC	Truck	Liability, Cargo
8923345	UNDERDOG TRUCKING LLC	Truck	Liability, Cargo
8923414	WEST NESHANNOCK ENTERPRISES LLC	Truck	Liability, Cargo
8923498	SALINA TRUCKING INC	Truck	Liability, Cargo
8923548	BRUMFIELD TRUCKING LLC	Truck	Cargo
8923568	CLARK BURGESS TRUCKING LLC	Truck	Liability, Cargo

8923575	M-K RECYCLING LLC	Truck	Liability
8923599	LEITZEL LOGISTICS COMPANY	Truck	Liability, Cargo
8923779	SAPKOS TRUCKING LLC	Truck	Liability, Cargo
8924391	DENNIS RITCHEY	Truck	Liability, Cargo
8924397	DAVID CUMMINGS	Truck	Liability
8924409	ADL CONTRACTING LLC	Truck	Liability
8924523	LAMPARTER PROPERTIES LLC	Truck	Liability, Cargo
8924553	JTL TRANSPORT LLC	Truck	Liability, Cargo
8924684	ARTICEXPRESS INC	Truck	Liability, Cargo
8924911	MEE TRUCKING LLC	Truck	Liability, Cargo
8925323	JAMES NISSLEY TRUCKING LLC	Truck	Liability
8925503	CARDINAL GRACE LLC	Truck	Liability, Cargo
8925513	PINKYS HEAVY TRUCK & AUTO REPAIR INC	Truck	Liability, Cargo
8925534	TIMOTHY R FORKAL	Truck	Liability, Cargo
8925542	KEIRA'S TRUCKING LLC	Truck	Liability, Cargo
8925570	IVAN WENGER	Truck	Liability, Cargo
8925616	WIN LLC	Truck	Cargo
8925658	HALL & SHEPHERD TRUCKING LLC	Truck	Liability, Cargo
8925675	J MILLS TRUCKING LLC	Truck	Liability, Cargo
8925719	SCHUMACHER ENTERPRISES L.L.C	Truck	Liability, Cargo
8926004	NORTH COUNTRY UNLIMITED INC	Truck	Liability
8926055	H & K FAMILY TRANSPORT LLC	Truck	Liability, Cargo
8926078	PENSAK TRANS & LOGISTICS LLC	Truck	Liability, Cargo
8926079	KELLY LOGISTICS LLC	Truck	Cargo

8926113	QUICK MOVES ASSEMBLY LLC	Truck	Liability, Cargo
8926150	KINGY'S TRUCKING LLC	Truck	Liability, Cargo
8926175	ENJ MATERIALS LLC	Truck	Liability, Cargo
8926235	KYSA TRUCKING LLC	Truck	Liability, Cargo
8926272	MCSHARON LOGISTICS LLC	Truck	Liability
8926285	IVOIRE EXPRESS LLC	Truck	Liability, Cargo
8926309	PODEX EXPRESS LLC	Truck	Liability
8926318	FYT ENTERPRISES INC	Truck	Liability, Cargo
8926353	ALLSTAR NETWORK SERVICES LLC	Truck	Liability, Cargo
8926483	LETXIEL LOGISTICS LLC	Truck	Liability, Cargo
8926697	MORRELL LOGISTICS LLC DBA UP& UP TRUCKING	Truck	Liability, Cargo