



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

March 4, 2024

Via Electronic Filing

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

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
The People's Champ Moving & Delivery Service, LLC
Docket No. C-2023-3044414
I&E Motion for Default Judgment

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion for Default Judgment in the above-referenced proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Colby B. Widdowson', is written over a light blue circular stamp.

Colby B. Widdowson
Prosecutor
Bureau of Investigation & Enforcement
PA Attorney ID No. 326185
(717) 787-2139
cwiddowson@pa.gov

CW/ac
Enclosures

cc: Administrative Law Judge Steven Haas (*via email* – sthaas@pa.gov)
Michael L. Swindler, Deputy Chief Prosecutor (*via email* – mwindler@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-3044414
	:	
The People’s Champ Moving & Delivery	:	
Service LLC,	:	
Respondent	:	

NOTICE TO PLEAD

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) has filed a Motion for Default Judgment in the above-captioned matter, pursuant to the Commission’s regulations at 52 Pa. Code § 5.103. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with 52 Pa. Code § 5.61.

Your Answer must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:

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

Additionally, you must serve a copy on the undersigned prosecutor.



Colby B. Widdowson
Prosecutor
PA Attorney ID No. 326185

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 787-2139
cwiddowson@pa.gov

Dated: March 4, 2024

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
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	:	
The People’s Champ Moving & Delivery	:	
Service LLC,	:	
Respondent	:	

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorney, and files this Motion for Default Judgment against The People’s Champ Moving & Delivery Service LLC (“Respondent”) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E commenced this action on November 27, 2023, by filing a Formal Complaint.
2. The Complaint alleged that Respondent violated Section 3310(a) and (b) of the Public Utility Code, 66 Pa.C.S. §§ 3310(a)-(b), by operating as a common carrier and/or contract carrier by motor vehicle without a certificate of public convenience, permit, or license issued by the Commission when it agreed to transport household goods between points within the Commonwealth for compensation.
3. On November 27, 2023, the Complaint was served by electronic mail to Respondent at info@ThePeoplesChampmids.com.

4. Respondent possesses United States Department of Transportation (“DOT”) number 3556531.

5. The DOT operates a website at: <https://safer.fmcsa.dot.gov/CompanySnapshot.aspx>. The purpose of this website is to provide “a concise electronic record of a company’s identification, size, commodity information, and safety record, including the safety rating (if any), a roadside out-of-service inspection summary, and crash information.”

6. According to the DOT website, Respondent has a business address of 139 Throckmorton Street, #2, Freehold, New Jersey, 07728 and a mailing address of 35 Lockwood Avenue, Freehold, New Jersey, 07728. A true and correct copy of a search for Respondent’s DOT number on the DOT website is attached as **I&E Exhibit 1**.

7. On November 28, 2023, the Complaint was served via First-Class Mail and Certified Mail, Return Receipt Requested, to the following addresses:

- a. 139 Throckmorton Street, #2, Freehold, New Jersey, 07728; and
- b. 35 Lockwood Avenue, Freehold, New Jersey, 07728.

8. Attached to the Complaint was a Notice advising Respondent that it must file an Answer within twenty (20) days of service of the Complaint.

9. The Notice also advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order imposing the penalty set forth in the Complaint.

10. The twenty (20) days to file an Answer to the Complaint expired on December 17, 2023.

11. The Certified mailings sent to the above addresses, on November 28, 2023, were not delivered and were not returned. It is assumed these mailings were lost in transit.

12. The First-Class mailing sent, on November 28, 2023, to 139 Throckmorton Street, #2, Freehold, New Jersey, 07728 was returned as undeliverable.

13. The First-Class mailing sent, on November 28, 2023, to 35 Lockwood Avenue, Freehold, New Jersey, 07728 was not returned and is presumed to have been delivered.

14. On January 4, 2024, the Complaint was re-served via First-Class Mail and Certified Mail, Return Receipt Requested, to the following addresses:

- a. 139 Throckmorton Street, #2, Freehold, New Jersey, 07728; and
- b. 35 Lockwood Avenue, Freehold, New Jersey, 07728.

15. The First-Class and Certified mailings sent, on January 4, 2024, to 139 Throckmorton Street, #2, Freehold, New Jersey, 07728 were returned as undeliverable.

16. The Certified mailing sent, on January 4, 2024, to 35 Lockwood Avenue, Freehold, New Jersey, 07728, used tracking number 9171 9690 0935 0276 6791 50 and was returned as “unclaimed.”

17. The First Class mailing sent, on January 4, 2024, to 35 Lockwood Avenue, Freehold, New Jersey, 07728 was not returned and is presumed to have been delivered.

18. On February 13, 2024, a Telephonic Prehearing Conference was held and Respondent failed to appear.

19. Respondent was afforded another twenty (20) days after the Telephonic Prehearing Conference to file an Answer.

20. As of the date of this filing, Respondent has failed to file an Answer to the Complaint.

21. Pursuant to Section 5.61(c) of the Commission's regulations, a Respondent who fails to file an Answer to a Complaint within the 20-day response period may be deemed in default, and the relevant facts stated in the Complaint may be deemed admitted. 52 Pa. Code § 5.61(c).

22. The Commonwealth Court has upheld the Commission's authority to sustain complaints that are not answered within twenty days. *See Fusaro v. Pa. Pub. Util. Comm'n*, 382 A.2d 794, 797 (Pa. Cmwlth. 1978).

23. Section 3310(b) of the Public Utility Code states that any person or corporation that operates as a common carrier or contract carrier by motor vehicle (as defined in 66 Pa.C.S. §§ 102 and 2501(b)) without a certificate of public convenience, permit, or license issued by the Commission authorizing such service performed, in violation of Section 3310(a), 66 Pa.C.S. § 3310(a), "shall be ordered to pay an administrative penalty as prescribed in subsection (c)." 66 Pa.C.S. § 3310(b) (emphasis added).

24. Section 3310(c) of the Public Utility Code requires that "[t]he amount of the administrative penalty under subsection (b) shall be \$5,000 for a first violation and \$10,000 for a second or subsequent violation." 66 Pa.C.S. § 3310(c) (emphasis added).

25. I&E respectfully requests that the Commission enter a Default Order against Respondent that:

- a. Deems Respondent to be in default, and finds the relevant facts stated in the Complaint to be deemed admitted;
- b. Orders Respondent be assessed the statutorily mandated administrative penalty of Five Thousand Dollars (\$5,000); and
- c. Should Respondent fail to pay the statutorily mandated administrative penalty of Five Thousand Dollars (\$5,000) upon Order of the Commission, orders this matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,



Colby B. Widdowson
Prosecutor
PA Attorney ID No. 326185

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 787-2139
cwiddowson@pa.gov

Date: March 4, 2024

I&E
Exhibit 1

https://li-public.fmcsa.dot.gov/LIVIEW/pkg_carrquery.prc_getdetail

U.S. Department of Transportation
Federal Motor Carrier Safety Administration
Licensing and Insurance Public

Choose Menu Option

Details

US DOT:	3556531	Docket Number:	MC01192980	
Legal Name:	THE PEOPLE'S CHAMP MOVING & DELIVERY SERVICE LLC			
Doing-Business-As Name:				
Business Address	Business Telephone and Fax	Mail Address	Mail Telephone and Fax	Undeliverable Mail
139 THROCKMORTON ST # 2 FREEHOLD NJ 07728	(732) 612-0060	35 LOCKWOOD AVE FREEHOLD NJ 07728-1814	(732) 612-0060	NO
Authority Type	Authority Status		Application Pending	
Common	NONE		NO	
Contract	NONE		NO	
Broker	NONE		NO	
Property	Passenger	Household Goods	Private	Enterprise
YES	NO	NO	NO	NO
Insurance Type	Insurance Required		Insurance on File	
BIPD	\$750,000		\$0	
Cargo	NO		NO	
Bond	NO		NO	

BOC-3: YES
Blanket Company: [#1 A BOC-3 FILING INC](#)
[Web Site Content and BOC-3 Information Clarification](#)

[Active/Pending Insurance](#) [Rejected Insurance](#) [Insurance History](#) [Authority History](#) [Pending Application](#) [Revocation](#)

February 13, 2024

FMCSA Home | DOT Home | Feedback | Privacy Policy | USA.gov | Freedom of Information Act (FOIA) | Accessibility | OIG Hotline | Web Policies and Important Links | Plug-ins | Related Sites | Help
 Federal Motor Carrier Safety Administration
 1200 New Jersey Avenue SE, Washington, DC 20590 - 1-800-832-5660 - TTY: 1-800-877-8339 - Field Office Contacts

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	:	
The People's Champ Moving & Delivery	:	
Service LLC,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing Motion for Default Judgment, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served via First Class Mail

The People's Champ Moving & Delivery Service LLC
Attn: Joshua Mitchell
35 Lockwood Avenue
Freehold, NJ 07728



Colby B. Widdowson
Prosecutor
PA Attorney ID No. 326185

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
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Dated: March 4, 2024