



COMMONWEALTH OF PENNSYLVANIA

PENNSYLVANIA PUBLIC UTILITY COMMISSION

COMMONWEALTH KEYSTONE BUILDING

400 NORTH STREET

HARRISBURG, PENNSYLVANIA 17120

<http://www.puc.pa.gov>

March 12, 2024

Docket No. A-2024-3047005

**BROWNS MOVING AND STORAGE LLC
7929 STEUBENVILLE PIKE
IMPERIAL PA 15126**

Re: Application of Browns Moving and Storage, LLC, 7929 Steubenville Pike, Imperial, Allegheny County, PA 15126. 412-339-0912

To Whom It May Concern:

On February 21, 2024, the application of Browns Moving and Storage, LLC, was accepted by the Commission; however, multiple issues must be addressed before publication to the Pennsylvania Bulletin may proceed. Please review page three of this correspondence for additional information and respond appropriately.

Please forward the information to the Secretary of the Commission **within ten (10) working days** from the date of this letter. **Currently, the only acceptable means of filing your response is through the Commission's e-file system. Information on how to efile is available at the following link: <https://www.puc.pa.gov/>**

Your answers should be verified per 52 Pa Code § 1.36. Accordingly, you must provide the following statement with your responses:

I, _____, 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 to be able to prove the same at a 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).

The blank should be filled in with the name of the appropriate company representative, and the signature of that representative should follow the statement.

Please submit your response to the address cited in this letter's header. Faxes, emails, and other forms of filing are unacceptable.

Sincerely,

A handwritten signature in black ink that reads 'Rosemary Chiavetta'.

Rosemary Chiavetta, Secretary

Enclosure

cc: Josh Kwiatkowski

Docket No. A-2024-3047005
BROWNS MOVING AND STORAGE, LLC
Data Request

1. You were previously asked to provide **evidence** of minimum of two-years' experience with a licensed household goods carrier as required by 52 Pa. Code §3.381(c)(1)(iii)(A)(II)(-1-). You opted to submit this evidence in the form of a letter from your previous employer; however, the letter submitted failed to include the entirety of the information that was requested.

As previously explained, the letter is expected to meet the following minimum criteria:

- The letter is to be composed on the qualifying previous employer's letterhead.
- The letter is required to indicate the full scope of the applicant's previous employment.
- The letter is required to include a complete description of the applicant's periods of employment.
- The letter is required to include a complete description of the applicant's work responsibilities.

Finally, this letter should be signed and certified by a company executive in accordance with 18 Pa.C.S. § 4904 relating to unsworn falsification to the authorities. (sample text below)

I, _____, 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 to be able to prove the same at a 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).

2. **Your second response to Question #5 of the applicant's verified statements remains inadequate.** It is required that you describe your hiring and employment policies fully. You are expected to provide a PLAN that satisfies the requirements of 52 Pa Code which can be vetted for acceptability.

What you submitted was an additional statement which indicated only your intent to meet State and Federal requirements while providing no evidence to this Commission that your understanding of those requirements was correct.

The purpose of the verified statement questions is to determine your ability to provide safe, efficient, and reasonable transportation. It is in your best interest to provide accurate, complete, and timely responses. Failure to do so is sufficient grounds to justify the denial of your application because YOU have failed to provide sufficient evidence of your fitness to operate. Be advised that additional corrections may not always be requested; therefore, prior to submitting your responses, your consultation with an attorney or financial expert familiar with Commission regulated Motor Carrier related proceedings is highly encouraged.

Please review the requirements of the following chapters of 52 Pa Code and provide a revised compliant plan for drivers that fully demonstrates compliance with the below cited statutes.

- 52 Pa Code § 37.204, 49 CFR 391.25 - Driver history. (schedule)
- 52 Pa Code § 31.134 - Criminal history. (schedule)

Please be advised that this information will not be requested again and that failure to submit fully responsive/compliant answers will constitute sufficient grounds for the denial of your application for authority.

The purpose of the verified statement questions is to determine your ability to provide safe, efficient, and reasonable transportation. It is in your best interest to provide accurate, complete, and timely responses. Failure to do so is sufficient grounds to justify the denial of your application because YOU have failed to provide sufficient evidence of your fitness to operate. Be advised that additional corrections may not always be requested; therefore, prior to submitting your responses, your consultation with an attorney or financial expert familiar with Commission regulated Motor Carrier related proceedings is highly encouraged.