

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of Northeastern Movers, Inc	:	
for approval to transport household goods	:	A-2024-3046642
in use between points in Pennsylvania.	:	

**INTERIM ORDER CANCELLING HEARING AND SETTING DEADLINE FOR  
PROTESTANTS TO FILE RESPONSIVE PLEADINGS TO APPLICANTS MOTIONS  
FOR SUMMARY JUDGMENT**

Northeastern Movers, Inc (Applicant) filed an Application for approval to transport household goods in use between points in Pennsylvania (Application) dated February 20, 2024.

On March 11, 2024, a Protest was filed by Matheson Transfer Co., (Matheson).

On March 19, 2024, a Protest was filed by Cadden Bros. Moving and Storage (Cadden).

On March 25, 2025, a prehearing order was entered. The prehearing order provided, in part, that the telephone hearing would be held on Monday, April 29, 2024, beginning at 10:00 a.m., and provided instructions regarding how to participate in the hearing, and how to request a continuance of the hearing. The prehearing order also included the following provision:

**REPRESENTATION.** If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro*

*hac vice*.<sup>1</sup> And, unless you are an attorney, you may not represent someone else.

Protestants are identified in their protests as Matheson Transfer Co., and Cadden Bros. Moving and Storage. The signature line for the Protest of Cadden Bros. references Cadden Bros. Moving & Storage Inc., indicating that this Protestant is a corporation. There are no individual or business references on the face of the Protest filed by Matheson Transfer Co., other than the use of “Co.” typically used to reference “Company”. Although it appears that Cadden Bros. Moving & Storage Inc. is a corporation, it is unclear on the face of the Matheson Protest as to whether Matheson is an individual operating under the name Matheson Transfer Co., or if Matheson is a partnership, corporation, trust, association, or governmental agency or subdivision.

As set forth in the prehearing order entered on March 25, 2024, although individuals may represent themselves in Commission proceedings, all others, including partnerships, corporations, trusts, associations, or governmental agencies or subdivisions, as Applicants or Protestants, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*.<sup>2</sup>

On April 12, 2024, an Interim Order was entered requiring Cadden Bros. Moving & Storage to cause an attorney licensed to practice law in the Commonwealth of Pennsylvania to enter an appearance on behalf of Cadden Bros. Moving & Storage, prior to the evidentiary hearing in this proceeding on April 29, 2024. In addition, in the event that Matheson Transfer Co., is not operating as an individual or is organized or operating as a partnership, corporation, trust, association, or governmental agency or subdivision, Matheson Transfer Co., was ordered to cause an attorney licensed to practice law in the Commonwealth of Pennsylvania to enter an appearance on behalf of Matheson Transfer Co., prior to the evidentiary hearing in this proceeding on April 29, 2024.

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<sup>1</sup> 52 Pa. Code §§ 1.21 & 1.22.

<sup>2</sup> 52 Pa. Code §§ 1.21 & 1.22.

On April 19, 2024, Applicant filed Applicant's Motion For Summary Judgment On Protest Of Matheson Transfer Co., and Applicant's Motion For Summary Judgment On Protest Of Cadden Bros. Moving & Storage, Inc (Motions). The Motions included Certificates Of Service certifying that the Motions were served by First Class Mail on the Protestants on April 19, 2024. The undersigned presiding officer was not listed on the Certificates Of Service and was not served with a copy of the Motions. In addition, the Motions did not include a Notice to Plead directed to the Protestants.

52 Pa. Code § 5.102 provides, in pertinent part, as follows:

(a) *Generally.* After the pleadings are closed, but within a time so that the hearing is not delayed, a party may move for judgment on the pleadings or summary judgment. A motion must contain a notice which states that an answer or other responsive pleading shall be filed within 20 days of service of the motion.

(b) *Answers.* An answer to a motion for judgment on the pleadings or summary judgment, including an opposing affidavit or verification to a motion for summary judgment, may be filed within 20 days of the date of service of the motion. The answer to a motion for summary judgment may be supplemented by depositions, answers to interrogatories or further affidavits and admissions.

(c) *Motion for summary judgment.* A motion for summary judgment must be based on the pleadings and depositions, answers to interrogatories, admissions and supporting affidavits. Documents not already filed with the Commission shall be filed with the motion.

Here, the Motions did not include the 20 day notices, required by 52 Pa. Code § 5.102, to provide the Protestants with the 20 day period to file an answer or other responsive pleading. Given that the evidentiary hearing is scheduled for Monday, April 29, 2024, there is not sufficient time to permit Protestants to file their answer or other responsive pleading prior to the hearing. Accordingly, the evidentiary hearing will need to be rescheduled.

Under the circumstances, the following order will be entered.

THEREFORE

IT IS ORDERED:

1. That Cadden Bros. Moving & Storage shall cause an attorney licensed to practice law in the Commonwealth of Pennsylvania to enter an appearance on behalf of Cadden Bros. Moving & Storage, in accordance with 52 Pa.Code §§ 1.21-1.25, on or before May 24, 2024.

2. That counsel for Cadden Bros. Moving & Storage shall file a Notice of Appearance with the Commission Secretary and serve upon the undersigned presiding officer, counsel for Applicant, and the Protestants a copy of the Notice of Appearance on or before May 24, 2024.

3. That Matheson Transfer Co., shall file and serve upon the undersigned presiding officer and all Parties, a status report setting forth whether it is operating as an individual or is organized or operating as a partnership, corporation, trust, association, or governmental agency or subdivision, on or before May 24, 2024.

4. In the event that Matheson Transfer Co., is organized or operating as a partnership, corporation, trust, association, or governmental agency or subdivision, it shall cause an attorney licensed to practice law in the Commonwealth of Pennsylvania to enter an appearance on behalf of Matheson Transfer Co., in accordance with 52 Pa.Code §§ 1.21-1.25, on or before May 24, 2024.

5. That counsel for Matheson Transfer Co., if any, shall file a Notice of Appearance with the Commission Secretary and serve upon the undersigned presiding officer,

counsel for Applicant, and the Protestants a copy of the Notice of Appearance on or before May 24, 2024.

6. That the Parties shall comply with the terms of the Prehearing Order entered on March 25, 2024.

7. That the evidentiary hearing scheduled for April 29, 2024, is cancelled.

Date: April 23, 2024

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/s/  
Jeffrey A. Watson  
Administrative Law Judge

**A-2024-3046642 -APPLICATION OF NORTHEASTERN MOVERS INC FOR APPROVAL TO TRANSPORT HOUSEHOLD GOODS IN USE BETWEEN POINTS IN PENNSYLVANIA**

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