



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

IN REPLY PLEASE  
REFER TO OUR FILE

May 10, 2024

A-2024-3046983  
A-8926929

**DISMISSAL NOTICE**

JC EXCAVATING & HAULING LLC  
407 ANTES FORT FRONT ST  
JERSEY SHORE, PA 17740

To Whom It May Concern:

More than sixty (60) days ago, you received a Commission Order/Secretarial Letter stating that the Pennsylvania Public Utility Commission approved your application for property authority, conditioned upon your compliance with specific requirements within sixty (60) days. To date, you have not complied with one or more of the following requirements:

- X **Failed to have your insurance company/agent file evidence of bodily injury and property damage liability insurance (Form E) with this Commission**
- X **Failed to have your insurance company/agent file evidence of cargo liability insurance (Form H) with this Commission**

Failed to have your insurance company/agent file a surety bond

Failed to file a tariff establishing just and reasonable rates

Failed to file a description of the vehicle(s) to be used in service which included the make, model, year, vehicle identification number and mileage

**DISPOSITION – DISMISSAL**

Since this Commission has not received all of the requirements listed in your Order/Letter within sixty (60) days, **YOUR APPLICATION IS HEREBY DISMISSED** for non-compliance. **YOU MAY NOT OPERATE.** A CERTIFICATE WILL NOT BE ISSUED.

**APPEAL RIGHTS**

If you disagree with this determination, you may send a Petition for Reconsideration.

**ALL Parties to proceedings pending before the Commission must open and use an e-filing account through the Commission's website, OR you may submit your filing by overnight delivery. If a filing contains confidential or proprietary material, the filing is required to be submitted by overnight delivery.**

Please mail to: Secretary, Pennsylvania Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Such a Petition is a written statement asking the Commission to change its determination.

The Petition must be filed with the Commission within twenty (20) days of the date of this letter. If no timely request for reconsideration is made, this action will be deemed to be the final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request, (2) the case docket number(s) (they are provided for you at the top right hand corner of this letter), (3) the name of the person on whose behalf the petition is made, (4) copies of relevant documentation, and (5) a verification with original signature. See 52 Pa. Code §§-1.31 and 5.44. Below is a sample Verification:

#### VERIFICATION

I, (YOUR NAME GOES HERE), hereby state that the facts above set forth are true and correct (or 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).

(Applicant is not now engaged in intrastate transportation of property or passengers for compensation in this Commonwealth except as authorized by the Pennsylvania Public Utility Commission certificate or permit, and will not engage in the transportation for which approval is herein sought, unless and until the transportation is authorized by your Honorable Commission.)

(SIGN AND DATE)

#### **CONCLUSION**

If you believe that you have received this letter in error, please contact the Compliance Office of the Motor Carrier Services and Enforcement Division in the Bureau of Technical Utility Services at 717-787-1227 within ten (10) days of the date of this letter.

Very truly yours,



Rosemary Chiavetta  
Secretary

pc: Secretary's Bureau - File  
Bureau of Investigation and Enforcement – Safety Office  
Bureau of Technical Utility Services – Compliance Office, Insurance Section