

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	C-2024-3046422
	:	
Gracies Transportation Service, LLC	:	

**ORDER STAYING THIS MATTER UNTIL
SERVICE OF THE COMPLAINT IS PROPERLY EFFECTED**

On February 14, 2024, the Pennsylvania Public Utility Commission’s (Commission) Bureau of Investigation and Enforcement (I&E), filed a formal complaint (Complaint) against Gracies Transportation Service, LLC (Respondent). The Complaint alleged that the Respondent violated Section 510(b) of the Public Utility Code, 66 Pa.C.S. § 510(b), by failing to file completed assessment reports for the 2020, 2021, and 2022 calendar years. The Complaint also alleged that the Respondent violated Section 510(c) of the Public Utility Code, 66 Pa.C.S. § 510(c), by failing to satisfy its 2022-2023 and 2023-2024 Fiscal Year assessments in that it did not pay the amounts due within thirty (30) days of receipt of each Assessment Invoice.

On February 14, 2024, the Commission’s Secretary’s Bureau attempted to serve the Complaint by certified mail at P.O. Box 14728, Philadelphia, PA 19134, which is the last known mailing address that Respondent provided to the Commission.

On March 12, 2024, the Complaint was returned as undeliverable.

Also on March 12, 2024, I&E filed a Motion for Default Judgment against the Respondent pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103.

On March 20, 2024, the Secretary's Bureau attempted to reserve the Complaint on the Respondent by certified mail at 956 East Main Street, Collegeville, PA 19426.

By Motion Judge Assignment Notice dated April 30, 2024, I&E's Motion for Default Judgment was assigned to me.

In this case, the record contains no indication that a return receipt was received by the Commission. Further, the record contains no indication that a return receipt was requested as required by 52 Pa. Code § 1.53(c). Without proof that the Complaint was properly served on the Respondent, a decision on I&E's Motion for Default Judgment would be premature.

THEREFORE,

IT IS ORDERED:

1. That the matter of the Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Gracies Transportation Service, LLC, at Docket No. C-2024-3046422, is hereby stayed until it can be demonstrated that service of the Complaint upon the Respondent was properly effected.
2. That the Secretary's Bureau shall serve the Complaint upon the Respondent by registered or certified mail, return receipt requested, in accordance with 52 Pa. Code § 1.53(c).
3. That if the Secretary's Bureau is unable to serve the Respondent in accordance with Ordering Paragraph No. 2, the Secretary's Bureau may make service by publication in a newspaper of general circulation or the *Pennsylvania Bulletin* in accordance with 52 Pa. Code § 1.53(e).

Date: May 20, 2024

_____/s/
F. Joseph Brady
Administrative Law Judge

**C-2024-3046422 - BUREAU OF INVESTIGATION & ENFORCEMENT v. GRACIES
TRANSPORTATION SERVICE LLC**

GRANT ROSUL COUNSEL
PUBLIC UTILITY COMMISSON
400 NORTH STREET 3RD FLOOR
HARRISBURG PA 17120
717.783.5243
grosul@pa.gov
Accepts eService

LIZABETH CACERES MANAGING MEMBER
GRACIES TRANSPORTATION SERVICE LLC
PO BOX 14728
PHILADELPHIA PA 19134
Served by USPS First-Class Mail