



**COMMONWEALTH OF PENNSYLVANIA**  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET  
HARRISBURG, PENNSYLVANIA 17120  
<http://www.puc.pa.gov>

May 29, 2024

A-8925990  
A-2023-3038480  
C-2024-3040707

### **CANCELLATION NOTICE**

WAYLON DEATRICK  
T/A JWM EXCAVATING AND SEAL COATING  
7 N 3<sup>RD</sup> STREET  
SUNBURY PA 17801

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
BUREAU OF INVESTIGATION & ENFORCEMENT**

**v.**

**Waylon Deatrick, t/a JWM Excavating and Seal Coating**

To Whom It May Concern:

On **January 30, 2024**, the Bureau of Investigation and Enforcement instituted a Complaint against Waylon Deatrick, t/a JWM Excavating and Seal Coating, Respondent, for failure to obtain a satisfactory safety fitness rating, a violation of 66 Pa. C.S. §501(c) and §504.

In accordance with 52 Pa. Code §5.61, the Bureau of Investigation and Enforcement notified the Respondent that, an Answer to the Complaint must be filed within twenty (20) days of the date of service. The Notice further specified that, if Respondent failed to answer the Complaint within twenty (20) days, the Bureau of Investigation and Enforcement would request that the Commission cancel Respondent's Certificate of Public Convenience.

The Complaint was mailed *via* certified mail on **February 5, 2024**. On **April 20, 2024**, the Complaint was published in the *Pennsylvania* Bulletin. To date, more than twenty (20) days later, Respondent has failed to file an Answer to the Complaint.

Therefore, the allegations in the Complaint are deemed to be admitted. The Complaint is hereby sustained and the **Certificate of Public Convenience**, issued to Respondent, Waylon Deatrick, t/a JWM Excavating and Seal Coating, at Application Docket No. **A-2023-3038480**, Utility Code **A-8925990** is **hereby CANCELLED**.

This Secretarial Cancellation Letter will also be served on:

The Department of Revenue  
Bureau of Audit Programs  
Sales and Use Taxes  
Tenth Floor, Strawberry Square  
Harrisburg, PA 17128-1061

Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa. C.S. §§1.1 et seq. and the regulations of the Commission, 52 Pa. Code §§1.1 et seq. In view of the **cancellation of respondent's Certificate of Public Convenience**, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

### APPEAL RIGHTS

If you disagree with this determination, you may send a Petition for Reconsideration from Staff Action (Petition) to: Secretary, PA Public Utility Commission, 400 North Street, Harrisburg, PA 17120. Such a Petition is a written statement asking the Commission to change its determination.

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

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. Follows 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).

(SIGN AND DATE)

If you believe that you have received this letter in error, please contact the Compliance Office of the Motor Carrier Division in the Bureau of Technical Utility Services at 717-787-3834 within ten (10) days of the date of this letter.

Very truly yours,



Rosemary Chiavetta,  
Secretary

pc: PA Dept of Transportation  
PA Department of Revenue