

Rosemary Chiavetta, Secretary Pennsylvania Public Utility Commission Commonwealth  
Keystone Building  
400 North Street  
Harrisburg, Pennsylvania 17120

DATE OF DEPOSIT

September 3, 2024

SEP 7 2024

**RE: Application of Samuel W Smith Moving and Hauling LLC**  
**A-8927299**  
**A-2024-3050191**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I, Herbert Smith Jr, 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).

**Question #2**

In your response to the Commission's request for more information you failed to answer Question #4 of Verified Statement of Applicant. Please describe your facilities, record maintenance plan and your communication network. Please include a description of your physical location, including office machines that will be utilized, and the facility to house vehicles. As a carrier of household goods in use, applicant should include a description of storage facilities, if applicable. Please include an explanation of your plan to maintain records required by the PUC, as well as normal business records. In regard to your communication network, please explain how you will receive customer requests for transportation, how you will dispatch the vehicles to fulfill the request, and how you will maintain continuous communication with your drivers.

**Answer**

We operate out of an In-house office.

Our office machines communication network consist of a landline with a company number 2157435562, as well as an independent fax line. Also a computer and cellular phone.

Our trucks are housed in a secured, gated yard equipped with a security system, and surveillance cameras.

We house all files locally, In-house, in a secured area in our facility, in a file cabinet.

Some records have been maintained manually in our physical location. However we are currently in the process of updating our system to electronical also. As we restructure since the passing of Herbert Smith Sr.

**Question #3**

- a. Your system for conducting criminal background checks.
  - i. How will criminal background checks be conducted?

**Answer**

We will continue to obtain and review criminal history records from the Pennsylvania State Police, additionally from every other state in which our employees have resided for the last 12 months.

ii. How often will the criminal background checks be conducted?

**Answer**

All criminal background checks will be conducted by the Pennsylvania State Police every 2 years from the date of the last criminal history check.

iii. What if any findings in a criminal background check would disqualify a prospective employee?

**Answer**

Anytime an employee is convicted of a felony or a misdemeanor under the laws of the Commonwealth or under the laws of another jurisdiction, to the extent said conviction affects the employee's ability to provide service safely and legally.

iv. How will you maintain records (record retention) of the criminal background checks performed?

**Answer**

A copy of all employee criminal history background check files will be maintained locally for at least 3 years.

b. Your driver training program. In your response to the Commission's previous data request, you failed to identify any driver training program for prospective drivers. Please state your driver training program.

**Answer**

Annually we take all drivers out for a sixty minute road capability test, checking for driver tactics, as well geographical knowledge. All new hires are required to be either CDL certified or have passed a driver safety training within the last 6 months.

c. Your system for conducting driver license checks. Please review Title 52 Pa Code §37.204, 49 CFR §391.25

i. How often will driver license/history checks be conducted?

**Answer**

All new employees drivers license are checked prior to be hired as a driver. All current employee driver licenses will be checked at least once every 12 months.

ii. How will you maintain records (record retention) of the driver license/history checks performed?

**Answer**

A copy of the employee's motor vehicle record will be maintained in the driver's qualification file. As well as the name of the person who performed the review of the driving record, and the date of the review also.

**Question #4**

Question #6 of the application asks you to state the number of vehicles you plan to use in your business and why that number is appropriate to provide reasonable and efficient service to the territory you will be serving.

**Answer**

Currently, we will be using two trucks. With plans to upscale as our restructuring continues and business grows.

a. Are you planning on only using the two vehicles listed, and if so why is that number appropriate for the territory you will be serving.

**Answer**

Since Covid, work has decreased. Employment and work opportunities have been down. Our plans are to expand, as work opportunities grow.

**Question #5**

5.) In your answer to the Commission's previous request for additional information you were asked to describe your vehicle safety program. You stated that vehicles would be serviced at Scrappy Automotive in Langhorne, PA, but failed to identify anything beyond that.

a. Please provide your periodic vehicle maintenance plan. What type of maintenance will be performed on vehicles? What type of schedule will said maintenance be performed? Will there be any pre/post trip inspections?

**Answer**

All trucks are State Inspected annually as required. Preventative maintenance occurs three times a year and or whenever required. Maintenance such as brakes, tires, lights and oil change servicing. Pre/post trip inspections are done daily with each use. Our trucks are maintained by Scrappy Automotive in Langhorn,PA exclusively.

b. Your system for ensuring your vehicles will continuously comply with applicable Pennsylvania vehicle equipment standards (67 Pa. Code, Chapter 175).

**Answer**

We stay current with state regulations and continuously inspect pre and post trip. We stay current with state inspection as necessary. We stay current with valid insurance as well.

**Question#6**

6.) Please provide a DATED Statement of Financial Position (Balance Sheet) that reflects only the current assets and liabilities held by the LLC.

**SAMUEL W SMITH MOVING AND HAULING LLC**  
**BALANCE SHEET    SEPT 1, 2024**

ACCOUNT	ACCOUNT CODE	TOTAL (\$)
<b>ASSETS</b>		<b>300,000</b>
Current Assets		20,000
Fixed Assets		
<b>TOTAL ASSETS</b>		<b>320,000</b>
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<b>LIABILITIES</b>		<b>2842.</b>
Current Liabilities		1,200
Long term Liabilities		
<b>TOTAL LIABILITIES</b>		<b>4042.</b>
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Total		320,000
<b>TOTAL ASSETS &amp; LIABILITIES</b>		<b>4042</b>

*Herbert B Smith Jr*  
215 303 6774

Smith  
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19124

Retail



17120

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PA PUBLIC UTILITY COMMISSION  
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