

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Application of TC Moving LLC for approval to :
transport, as a common carrier, by motor :
vehicle, household goods in use, : A-2023-3044717
between points in Pennsylvania. :

INITIAL DECISION

Before
Eranda Vero
Administrative Law Judge

INTRODUCTION

This Initial Decision approves the Application of TC Moving LLC for approval to transport household goods in use between points in Pennsylvania upon finding that the Applicant successfully carried the burden of proving, by a preponderance of the evidence, that it is technically and financially fit to provide said service.

HISTORY OF THE PROCEEDING

On November 27, 2023, TC Moving LLC (Applicant) filed an Application with the Pennsylvania Public Utility Commission (Commission) for approval to transport as a common carrier, by motor vehicle, household goods in use, between points in Pennsylvania. The Commission caused notice of this Application to be published in the January 6, 2024, *Pennsylvania Bulletin* at 54 Pa.B. 82 (Jan. 6, 2024), specifying a deadline of January 22, 2024, for filing protests.

On January 18, 2024, Adam Meyer Moving & Storage Co. filed a Protest to the Application.

By Hearing Notice dated February 20, 2024, the Commission scheduled a telephonic hearing on this matter for April 18, 2024, at 10:00 a.m., and assigned the case to me.

A Prehearing Order was issued on March 6, 2024, advising the parties of the date and time of the scheduled hearing, informing them of the procedures applicable to the proceeding, and directing the submission of documents prior to the hearing.

The hearing convened as scheduled on April 18, 2024. Tariq Curtis appeared as the owner of the Applicant. William H.R. Casey, Esq. appeared representing the Protestant, Adam Meyer Moving & Storage Co. At the hearing, the parties were able to clarify the status of the Applicant as a limited liability company. I explained to Mr. Curtis the need for the Applicant to be represented by an attorney in formal proceedings before this Commission. Tr. 10. The evidentiary hearing was continued in order to provide the Applicant with sufficient time to obtain legal representation.

By Further Call-in Telephonic Hearing Notice dated May 10, 2024, the Commission scheduled a telephonic hearing on this matter for July 18, 2024, at 10:00 a.m.

A second Prehearing Order was issued on June 27, 2024, advising the parties of the date and time of the scheduled hearing, informing them of the procedures applicable to the proceeding, and directing the submission of documents prior to the hearing.

The further hearing convened as scheduled on July 18, 2024. Jeffrey Fleischaker, Esq. appeared representing the Applicant and presented the testimony of Tariq Curtis, who is the sole member of the Applicant limited liability company. The Applicant sponsored one exhibit, Exhibit A-1, which was admitted into the record in this matter. William H.R. Casey, Esq. appeared representing the Protestant, Adam Meyer Moving & Storage Co., and presented the testimony of Rodney Pursell, who testified as the President of the Protestant.

During the further hearing, I requested that the Applicant submit another document as a late filed exhibit. The Applicant did so immediately after the hearing concluded. I informed the Protestant that the deadline for filing written objections to the late-filed exhibit was July 27, 2024. The Protestant did not file any objections to the admission of the late-filed exhibit.

No objections having been filed, the Applicant's late-filed exhibit will be marked as Exhibit A-2 and will be admitted into the record in this matter.

The record in this matter closed upon receipt of my copy of the hearing transcript on August 12, 2024.

FINDINGS OF FACT

1. The Applicant is TC Moving LLC, a limited liability company created in 2018. Tr. 28-29.
2. The Protestant is Adam Mayor Moving and Storage Co., which holds a Certificate of Public Convenience under Docket No. A-933367. Tr. 69.

3. The Applicant is owned entirely by Tariq Curtis, who resides at 1411 Main Street, Apartment C, Bath, Pennsylvania, 18014. Tr. 27-28.

4. TC Moving LLC currently provides only labor services to people who are in the process of moving between different locations. Tr. 29, 32-33.

5. Working for the Applicant, Mr. Curtis takes all the furniture and household goods out of the home and packs them into a truck or a storage unit. Tr. 29.

6. Mr. Curtis travels to the new location separately from the vehicle transporting the household goods and, once he has reached the destination, he unloads the truck and moves the household goods into the new location. Tr. 29.

7. Mr. Curtis was offering his labor services to moving customers at least two years before creating TC Moving LLC. Tr. 28-29.

8. Since the day of its creation, TC Moving LLC has provided no transportation services to its customers. Tr. 32.

9. TC Moving LLC obtains jobs through its registration in websites such as Moving Help, Hire Helper and Facebook. Tr. 30-31.

10. When TC Moving LLC obtains a job through the Moving Help or Hire Helper websites, the price for the job is already set by the websites and is non-negotiable. Tr. 31-32.

11. Moving Help and Hire Help websites maintain the contracts and provide the insurance for the jobs performed by TC Moving LLC. Tr. 31-32.

12. When TC Moving LLC solicits jobs through Facebook, it negotiates the contract by itself and maintains its own insurance. Tr. 32.

13. For all the jobs obtained through Moving Help, Hire Helper and Facebook, the Applicant has direct contact with the customer and fulfills their wishes and their goals for the loading, unloading and placing of furniture. Tr. 33.

14. The Applicant has received excellent reviews for its labor services in Hire Helper, Moving Help and Facebook. Tr. 55.

15. The Applicant has received five stars from 151 reviews in Hire Helper website alone. Tr. 55.

16. In November 2023, the Applicant purchased a box truck with the goal of expanding its business by offering full service to its clients, including transportation. Tr. 33-34.

17. The Applicant's box truck is 17 feet in length, with a gross weight of 14,050 pounds. Tr. 48, 66.

18. If a vehicle's gross weight is over 10,001 pounds, the U.S. Department of Transportation (U.S. DOT) requires the driver to undergo a physical evaluation every two years. Tr. 62; Exhibit A-2.

19. In order to operate the Applicant's truck, Mr. Curtis took the US DOT physical and passed it. Tr. 66, Exhibit A-2.

20. Since purchasing the box truck in November of 2023, the Applicant has not undertaken any moves between points in Pennsylvania. Tr. 34.

21. Since November of 2023, the Applicant has undertaken four interstate moves, from Pennsylvania to New Jersey. Tr. 34-35.
22. For the four interstate moves, the Applicant was hired through Facebook. Tr. 35.
23. There have been no customer complaints or concerns regarding the quality of the work that the Applicant provided during the four interstate moves. Tr. 36.
24. Only Mr. Curtis is allowed to drive the Applicant's box truck. Tr. 39.
25. None of the Applicant's employees are allowed to drive the box truck. Tr. 39.
26. When not in use, the box truck is parked in a secured location in the driveway of Mr. Curtis' home. Tr. 39.
27. Mr. Curtis' relative owns the entire 1411 Main Street building where Mr. Curtis' residence is located. Tr. 49-50.
28. Since purchasing the box truck in November of 2023, the Applicant has had no security incidents with the truck at the 1411 Main Street address. Tr. 39-40.
29. Since purchasing the box truck in November of 2023, the Applicant has performed one oil change to maintain the truck. Tr. 41.
30. Apart from Mr. Curtis, the Applicant also employes three 1099 contractors who are not insured under its general business policy. Tr. 38.

31. Mr. Curtis conducts background checks on the Applicant's employees using the Hire Helper website. Tr. 51.
32. Mr. Curtis pays \$20 to the Hire Helper website for each background check. Tr. 56.
33. TC Moving LLC has a bank account separate from Mr. Tariq's personal account(s) in which the Applicant maintains only company funds in the amount of \$ 2,900. Tr. 42-43.
34. The Applicant uses its bank account to cover its day-to-day expenses like gas, maintenance, and wages. Tr. 43-44.
35. The office for the Applicant is located in Mr. Curtis' residence at 1411 Main Street, Apartment C, Bath, Pennsylvania, 18014. Tr. 43-44.
36. The Applicant pays no rent for the office. Tr. 44.
37. The Applicant fully owns the box truck without loans or financing. Tr. 34.
38. The box truck is insured for \$1 million. Tr. 36.
39. The Applicant has a general business insurance policy up to \$1 million. Tr. 36.

DISCUSSION

TC Moving LLC seeks Commission approval of its Application, as evidenced by issuance of a Certificate of Public Convenience. As stated in Section 1101 of the Public Utility Code:

Upon the application of any proposed public utility and the approval of such application by the [C]ommission evidenced by its certificate of public convenience first had and obtained, it shall be lawful for any such proposed public utility to begin to offer, render, furnish or supply within this Commonwealth.

66 Pa.C.S. § 1101.

An Order of the Commission granting an application must be based upon substantial evidence. *Dutchland Tours, Inc. v. Pa. Pub. Util. Comm'n*, 337 A.2d 922 (Pa. Cmwlth. 1975). The term “substantial evidence” has been defined by the Pennsylvania courts as such relevant evidence as a reasonable mind might accept as adequate to support a conclusion. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk & W. Ry. v. Pa. Pub. Util. Comm'n*, 413 A.2d 1037 (Pa. 1980).

The legal standards for approval of a motor carrier application are set forth in the Public Utility Code and Commission regulations. Section 1103(a) of the Public Utility Code states as follows:

A certificate of public convenience shall be granted by order of the [C]ommission, only if the [C]ommission shall find or determine that the granting of such certificate is necessary or proper for the service, accommodation, convenience, or safety of the public. The [C]ommission, in

granting such certificate, may impose such conditions as it may deem to be just and reasonable.

66 Pa.C.S. § 1103(a).

The Commission has promulgated the following evidentiary criteria in 52 Pa. Code § 41.14:

§ 41.14. Evidentiary criteria used to decide motor common carrier applications--statement of policy.

An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service. In addition, authority may be withheld if the record demonstrates that the applicant lacks a propensity to operate safely and legally. In evaluating whether a motor carrier applicant can satisfy these fitness standards, the Commission will ordinarily examine the following factors, when applicable:

(1) Whether an applicant has sufficient capital, equipment, facilities and other resources necessary to serve the territory requested.

(2) Whether an applicant and its employees have sufficient technical expertise and experience to serve the territory requested.

(3) Whether an applicant has or is able to secure sufficient and continuous insurance coverage for all vehicles to be used or useful in the provision of service to the public.

(4) Whether the applicant has an appropriate plan to comply with the Commission's driver and vehicle safety regulations and service standards in Chapter 29 (relating to motor carriers of passengers).

(5) An applicant's record, if any, of compliance with 66 Pa.C.S. (relating to Public Utility Code), this title and the Commission's orders.

(6) Whether an applicant or its drivers have been convicted of a felony or crime of moral turpitude and remains subject to supervision by a court or correctional institution.

52 Pa. Code § 41.14.

Applicant must show by a preponderance of evidence that he has the requisite technical and financial ability to provide the proposed service; however, he need not show inadequacy of existing service. *Morgan Drive Away, Inc. v. Pa. Pub. Util. Comm'n*, 512 A.2d 1359 (Pa. Cmwlth. 1986); *Seaboard Tank Lines, Inc. v. Pa. Pub. Util. Comm'n*, 502 A.2d 762 (Pa. Cmwlth. 1985).

Regarding technical fitness, an applicant must have the technical capacity to meet the need for the proposed service in a satisfactory fashion. An applicant must possess sufficient staff and facilities or operating skills to make the proposed service feasible, profitable, and a distinct service to the public. In order to prove that it possesses the requisite financial fitness, the applicant should possess the financial ability to give reliable and respectable service to the public. Applicant should own or should have sufficient financial resources to obtain the equipment needed to perform the proposed service. *Re Perry Hassman*, 55 Pa.P.U.C. 661 (1982).

Applicant has the burden to put forth evidence establishing a *prima facie* case as to technical and financial fitness for the proposed service. 66 Pa.C.S. §332(a). If Applicant establishes a *prima facie* case, the burden of going forward, but not the ultimate burden of proof, shifts to the Protestant to rebut the *prima facie* case with evidence which is at least co-equal. If Applicant's evidence is rebutted to the legally required extent, the burden of going forward shifts back to the Applicant, which must rebut the adverse party's evidence by a preponderance of the evidence. *Poorbaugh v.*

West Penn Power Co., Docket No. C-00934745 (Opinion and Order Dec. 9, 1994) (*Poorbaugh*).

After an applicant for motor carrier authority has met its burden of proving fitness, the next consideration is whether the record demonstrates a lack of propensity on the part of the applicant to operate safely and legally. This finding must be based upon the totality of a record which demonstrates conclusively that an applicant will not operate safely or legally. The applicant has no affirmative duty to prove that it will operate safely and legally. *See Application of Mahmoud Awad*, Docket No. A-00119891 (Final Order entered Jan. 3, 2005).

It is within these parameters that a decision on a motor common carrier application case must be decided. Using these criteria, I find, for the reasons set forth herein, that Applicant has successfully met his burden of proving that it is technically and financially fit to operate a commercial transport of household goods in use service between all points in Pennsylvania. Thus, the Application herein will be granted.

Technical Fitness

In support of technical fitness, the Applicant's witness Mr. Curtis testified that he is the sole member of TC Moving LLC, which was created in 2018. Tr. 28-19. Mr. Curtis was offering labor services to movers at least two years before creating TC Moving LLC. Tr. 28-29. TC Moving LLC currently provides only labor services to people who are in the process of moving. Tr. 29, 32-33. During his testimony, Mr. Curtis explained that TC Moving LLC has never provided transportation services to its customers. Tr. 32. Explaining the process further, he testified that while working for the Applicant, he loads and unloads storage vehicles or storage units from his customers' houses. Tr. 29. He takes all the furniture and household goods out of the home and packs them into a truck or a storage unit. Tr. 29. He often follows his customers or their

moving trucks separately and unloads the furniture from their vehicles into the customers' new locations. Tr. 30.

Mr. Curtis further testified that TC Moving LLC currently obtains jobs through its registration in websites such as Moving Help, Hire Helper and Facebook. Tr. 30-31. When the Applicant obtains a job through the Moving Help or Hire Helper websites, the price for the job is already set by the websites and is non-negotiable. Tr. 31-32. These two websites maintain the contracts and provide the insurance for the jobs performed by TC Moving LLC. Tr. 31-32. However, when TC Moving LLC solicits jobs through Facebook, it negotiates the contract by itself and maintains its own insurance. Tr. 32. For all the jobs obtained through Moving Help, Hire Helper and Facebook, the Applicant has direct contact with the customers and fulfills their wishes and their goals for the loading, unloading and placing of furniture. Tr. 33.

Next, Mr. Curtis testified that the Applicant has received excellent reviews for its labor services in Hire Helper, Moving Help and Facebook. Tr. 55. According to Mr. Curtis, the Applicant has received five stars from 151 reviews in the Hire Helper website alone. Tr. 55.

In November 2023, the Applicant purchased a box truck with the goal of expanding its business by offering full service to its clients, including transportation. Tr. 33-34. Mr. Curtis described the box truck as being 17 feet long, with a gross weight of 14,050 pounds. Tr. 48, 66. He explained that if a vehicle's gross vehicle weight is over 10,001 pounds, that driver needs a physical test, and a physical card issued by the U.S. Department of Transportation (US DOT) every two years. Tr. 62, Exhibit A-2. In order to operate the Applicant's truck, Mr. Curtis took the US DOT physical and passed it. Tr. 66, Exhibit A-2. Mr. Curtis clarified that he is the only one allowed to drive the Applicant's the box truck. Tr. 39.

Since owning the box truck, the Applicant has not undertaken any moves between points in Pennsylvania. Tr. 34. However, Mr. Curtis testified that the Applicant has undertaken four interstate moves, from Pennsylvania to New Jersey. Tr. 34-35. For the four interstate moves, the Applicant was hired through Facebook. Tr. 35. There have been no customer complaints or concerns regarding the quality of the work that the Applicant provided during the four interstate moves. Tr. 36.

Mr. Curtis testified that when the truck is not in use, it is parked in a secure location in the driveway of Mr. Curtis' home. Tr. 39. Upon cross examination, he further clarified that although his home is located in a multi-family building, he has permission to park the truck there since the entire building is owned by his mother-in-law. Tr. 49-50. Since purchasing the box truck in November of 2023, the Applicant has had no security incidents involving its truck at the 1411 Main Street address. Tr. 27, 39-40, 67

Mr. Curtis testified that he conducts background checks on the Applicant's employees using the Hire Helper website. Tr. 51. He pays \$20 for each background check. Tr. 56. At the time of the hearing, the Applicant employed three 1099 contractors (not including Mr. Curtis), who were not insured under its general business policy. Tr. 38. In addition, the Applicant does not pay workers compensation insurance for the Applicant's employees and/or contractors. Tr. 51. Mr. Curtis is responsible for training the Applicant's employees and contractors. Tr. 52. He testified that the Applicant keeps its business records including invoices and client communications in designated file cabinets in its office as well as digitally in a computer. Tr. 45.

Since purchasing the box truck in November of 2023, the Applicant has performed one oil change by way of maintenance of the truck. Tr. 41. Mr. Curtis testified that, should TC Moving LLC's Application be approved by the Commission, the Applicant is committed to performing regular maintenance and service inspections of the vehicle. Tr. 41-42.

At the hearing, the Protestant challenged the Applicant's technical ability to provide the services requested. In particular, the President of the Protestant Adam Meyer Moving and Storage, Rodney Pursell, argued that the Application should be denied because Mr. Curtis does not possess a minimum of two-years' experience with a licensed carrier of household goods, as required by Commission regulation at 52 Pa. Code § 3.381(c)(1)(iii)(A)(II)(I). To this challenge, Mr. Curtis responded that, although he does not have two years of experience working for a licensed mover, he possesses the equivalent of that experience. Tr. 50. He explained that he is self-trained in the moving business through his eight years of experience performing the labor part of the household goods in use transportation. Tr. 50-52.

Section 3.381(c)(1) of the Public Utility Code reads in pertinent part,

(iii) Failure to file protests. If no protest is filed with the Commission on or before the date specified in the Pennsylvania Bulletin or if all protests have been withdrawn at or prior to the hearing, the Commission may take either of the following actions:

(A) Consider the application without holding an oral hearing if it deems the facts are sufficient as in the application or as determined from additional information as the Commission may require of the applicant. An application processed under this section, without oral hearing, will be determined on the basis of verified statements submitted by the applicant and other interested parties.

....

(II) The applicant's verified statement shall be in paragraph form and shall contain the following information, as applicable:

....

(-1-) A statement that the applicant has a minimum of 2 years of experience with a licensed household goods carrier *or the equivalent*. This requirement shall be applicable to all applications for household goods, whether protested or not.

52 Pa. Code § 3.381(c)(1)(iii)(A)(II)(I) (*emphasis added*). The language of the regulation specifically allows an application to satisfy the experience requirement through a showing of the equivalent to “a minimum of 2 years of experience with a licensed household goods carrier.”

Upon careful consideration of the evidence collected in this proceeding, I find that the Applicant has successfully shown that it has sufficient experience to equal a minimum of two years of experience working with a licensed household goods carrier. For eight years Mr. Curtis has provided the labor part of the household goods in use carrier service. For six of those years, he provided the labor service under the Applicant. In addition, since November of 2023, the Applicant has provided the complete services of a household goods in use carrier in interstate moves. In his testimony, Mr. Curtis successfully proved by a preponderance of the evidence that the Applicant has the technical ability and knowledge to provide the services requested. He testified credibly that the Applicant has experience hiring employees or contractors, conducting background checks, handling payroll, training, advertising, obtaining insurance, communicating with customers, maintaining records and vehicles. In fact, the record shows that the Applicant has been as close to providing service as a household goods in use carrier as is possible without violating the law, and has done so for many years.

Financial Fitness

The Commission’s regulation at 52 Pa. Code § 41.14 provides the criteria that must be met by Applicants seeking motor common carrier authority to establish

financial fitness. As stated therein, Applicants must demonstrate that they have “sufficient capital, equipment, facilities and other resources necessary to serve the territory requested.” 52 Pa. Code § 41.14(1). In *Application of Raymond P. Sutherland*, Docket No. A-00122346 (Opinion and Order entered June 5, 2007) (*Application of Sutherland*), the Commission considered what was meant by the term sufficient capital in the context of 52 Pa. Code § 41.14(1). In so doing, the Commission observed that there was no regulatory definition and no statute or decisional law providing any specific monetary or other standards necessary to meet the sufficient capital requirement. Accordingly, the Commission concluded that the determination of financial fitness was within its discretion, on a case-by-case basis, with the primary concern being the adequacy of service to the public.

To demonstrate the Applicant’s financial fitness, Mr. Curtis testified that TC Moving LLC has a bank account, separate from Mr. Curtis’ personal account(s), in which the Applicant maintains only company funds in the amount of \$ 2,900. According to Mr. Curtis, this amount is sufficient to meet the Applicant’s daily expenses. Tr. 42-43. The Applicant uses its bank account to cover its day-to-day expense like gas, maintenance, and wages. Tr. 43-44. Mr. Curtis also believes that the business has enough money to provide for service and maintenance of the vehicle at its current balance. Tr. 44. He testified that the Applicant intends to consistently maintain a minimum balance in the account such that will allow it to meet its daily, weekly and monthly needs of the business. Tr. 44-45.

Additionally, Mr. Curtis explained that the Applicant fully owns the box truck without any loans or financing. Tr. 34. The box truck is insured for \$1 million. Tr. 36. The Applicant also has a general business insurance policy up to \$1 million. Tr. 36. Lastly, the Applicant incurs no rent expenses for its office or parking because the Applicant’s business address and office is located in Mr. Curtis’ home.

Given this evidence, I conclude that the Applicant has the financial fitness to carry out its proposed business. The Applicant has demonstrated that it has sufficient capital, equipment, facilities and other resources necessary to serve the territory requested, in accordance with the provisions of 52 Pa. Code §§ 41.14(1), 41.14(3).

Propensity to Operate Safely and Legally

As mentioned above, an application may be denied if the record demonstrates that the applicant lacks a propensity to operate safely and legally. Even if an Applicant has the technical and financial capability to provide the proposed service, the Commission may withhold authority to operate if it concludes that the Applicant lacks the propensity to operate safely and legally. The policy statement at 52 Pa.Code §§ 41.14(5) and (6) addresses the propensity of the Applicant to operate safely and legally by stating that the Commission will consider the applicant's record of compliance with the Public Utility Code, Commission regulations and Commission orders and whether the Applicant or its drivers have been convicted of a crime of moral turpitude or a felony and remains under the supervision of a court or correctional institution.

In the present case, the Applicant has no record of compliance with the Public Utility Code beyond the application process. In addition, there is no evidence that either the Applicant or Mr. Curtis has been convicted of a felony or crime of moral turpitude and remains subject to supervision by a court or correctional institution. On the contrary, the record shows that Mr. Curtis has complied meticulously with the requirements of the law for interstate and intrastate household goods in use carriers. In addition, the record contains no evidence that would raise questions with regard to the Applicant's ability to provide service in a safe manner to its customers. Its customers' reviews alone speak very positively in that regard.

Upon consideration of the totality of the record, I conclude that there is no basis upon which to conclude that Applicant will not operate safely and legally and therefore, this evidentiary criterion in 52 Pa. Code § 41.14 has been satisfied.

CONCLUSION

I find, for the reasons set forth herein, that the Applicant has met its burden of proof regarding technical and financial fitness. I do not find that the record created in this case demonstrates that the Applicant will not operate safely and legally.

Thus, I conclude, that the Application should be granted and a certificate of public convenience issued. Therefore, upon compliance with the provisions in the Ordering Paragraphs below, TC Moving LLC should commence the authorized service without further delay.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties and subject matter in this proceeding. 66 Pa.C.S. §§1101, 1103.
2. An applicant seeking motor common carrier authority has the burden of demonstrating that it possesses the technical and financial ability to provide the proposed service 66 Pa.C.S. §332(a), 52 Pa. Code §41.14; *Morgan Drive Away, Inc. v. Pa. Pub. Util. Comm'n*, 512 A.2d 1359 (Pa. Cmwlth. 1986); *Seaboard Tank Lines, Inc. v. Pa. Pub. Util. Comm'n*, 502 A.2d 762 (Pa. Cmwlth. 1985).
3. Applicant has sustained its burden of proving that he possesses the technical and financial ability to provide the proposed service. 66 Pa.C.S. §332(a): 52 Pa. Code §41.14.

4. Applicant has no affirmative duty to prove that he will operate safely and legally; instead, this finding must be based upon the totality of the record.

Application of Mahmoud Awad, Docket No. A-00119891 (Final Order entered Jan. 3, 2005).

5. The evidence of record, taken as a whole, does not demonstrate that the Applicant lacks a propensity to operate safely and legally. 52 Pa. Code §41.14.

6. Since Applicant has sustained its burden of proof, the Application should be approved and a certificate of public convenience issued to include the requested operating rights. 66 Pa.C.S. §1103(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Applicant's late-filed Exhibit A-2 is admitted into the record in this case.

2. That the Application of TC Moving LLC at Docket No. A-2023-3044717 is approved.

3. That the Protest filed by Adam Meyer Moving & Storage Co. is dismissed.

