

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

V. :

DOCKET NO. C-2024-3033910

APOLLO MOVING & STORAGE COMPANY :
OF NEW CASTLE, PA :
1512 LEBANON CHURCH ROAD :
PITTSBURGH, PA 15236 :

COMPLAINT

The Pennsylvania Public Utility Commission (“PUC” or “Commission”) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That APOLLO MOVING & STORAGE COMPANY OF NEW CASTLE PA, Respondent, maintains its principal place of business 1512 Lebanon Church Road, Pittsburgh, PA 15236.
2. That Respondent was issued a certificate of public convenience by this Commission on June 3, 1970, at Docket No. A--00095719, to transport property and household goods.
3. That on December 22, 2023, an informal complaint was filed with the Commission alleging violations of the PUC regulations by the Respondent.
4. That on January 9, 2024, PUC Enforcement Officer Rosenberger accompanied by Enforcement Officer Richard Woodward, conducted a review of files related to the complaint. Several violations of PUC regulations were found:
 - a. That Respondent failed to obtain and review a criminal history for the driver of the commercial vehicle used to transport household goods.
 - b. That Respondent failed to obtain and review a criminal history for the loaders of the commercial vehicle used in the household goods move.
 - c. Respondent failed to create and maintain a driver qualification for the driver of the commercial motor vehicle used to transport the household good move.
 - d. That Respondent failed to conduct an initial check of the driver of the commercial motor vehicle used to transport household goods.

- e. That Respondent failed to conduct an annual review of the driver of the commercial motor vehicle used to transport household goods.
- f. That Respondent failed to have a medical certificate for the driver of the commercial vehicle used to transport household goods.
- g. That Respondent failed to create a vehicle maintenance file for the commercial vehicle used to transport household goods.

5. That Respondent, by failing to obtain and review a criminal history for the driver of the commercial motor vehicle has violated 52 PA Code §31.134(a). The penalty for this violation is \$250.

6. That Respondent has failed to obtain and review criminal history for the loader(s) of the commercial motor vehicle has violated 52 PA Code §31.134(a). The penalty for this violation is \$250.

7. That Respondent failed to conduct, create and maintain a driver qualification file has violated 52 PA Code §37.204(3). The penalty for this violation is \$100.

8. That Respondent failed to obtain a medical certificate of the driver of the vehicle, has violated 52 §37.204(3). The penalty for this violation is \$100.

9. That Respondent failed to create a maintenance file for the vehicle, has violated 52 §37.207(7). The penalty for this violation is \$100.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission hold the Respondent, Apollo Moving & Storage of New Castle PA, for the illegal activity described in this Complaint and assessing a penalty of one thousand dollars (\$800) and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,



Brian B. Mehus, Chief
Bureau of Investigation and Enforcement
Motor Carrier Enforcement Division
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, Brian B. Mehus, 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 that the Bureau will be able to prove same at any 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.



Date: 3 December 2024

Brian B. Mehus, Chief
Bureau of Investigation and Enforcement
Motor Carrier Enforcement

NOTICE

- A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code §1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original **shall be mailed to:**

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

Or you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
400 North Street 2nd Floor
Harrisburg, PA 17120

Or, e-mailed to: RA-PCCmplntResp@pa.gov

- B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.
- C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the **Commonwealth of Pennsylvania** and should be forwarded to:
- Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120
- D. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceedings shall be closed.
- E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.
- F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.