

NOTICE OF MOTOR CARRIER COMPLAINT

- 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 should 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 **mailed to:**

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
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 and Resources tab on the homepage. If your Answer exceeds 250 pages, you must also file a paper copy with the Secretary's Bureau.

In addition to filing your Answer with the Commission's Secretary, a copy should either be

Mailed to: Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, 3W
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 such 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 "Commonwealth of Pennsylvania"** and forwarded to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
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 proceeding 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 fine and/or other such remedy.
- F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge (ALJ) for hearing and decision. The ALJ 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.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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|---|---|---------------------------|
| PENNSYLVANIA PUBLIC UTILITY COMMISSION, | : | |
| BUREAU OF INVESTIGATION AND ENFORCEMENT | : | |
| | : | |
| v. | : | DOCKET NO. C-2025-3052101 |
| | : | |
| FLYING DUTCHMAN TRANSPORT LLC | : | |
| 125 BOULDER DRIVE | : | |
| DENVER, PA 17517 | : | |

MOTOR CARRIER COMPLAINT

The Pennsylvania Public Utility Commission (“Commission” or “PUC”) 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 – Motor Carrier Division hereby represents as follows:

1. That FLYING DUTCHMAN TRANSPORT LLC, Respondent, maintains a principal address at 125 Boulder Drive, Denver, PA 17517.
2. That on October 31, 2024, by Commission Secretarial letter, Respondent was issued a certificate of public convenience by this Commission authorizing transportation, as a common carrier, by motor vehicle, property, excluding household goods in use, between points in Pennsylvania at PUC utility code number 8927445, Docket No. A-2024-3051358.
3. That on October 9, 2024, Respondent emailed Officer Matthew Ohlinger about a Safety Fitness Review (“SFR”) that was scheduled for that day, stating that he had leased his vehicle to another company and no longer needed the SFR. Officer Ohlinger then phoned and during the conversation, Respondent relayed the intention to cancel his PUC authority. Officer Ohlinger informed the Respondent that a cancellation request form needed to be completed and returned to the PUC, also emailing the form to the Respondent. Officer Ohlinger emailed the Respondent several more times with the cancellation form attached. The cancellation form for the Respondent has not been received.
4. That Respondent, by failing to respond to and achieve a satisfactory SFR evaluation while certificated by this Commission as a common carrier, violated 66 Pa. Code §§501(c) & 504. The penalty for these violations is cancellation of the certificate held by Respondent with this Commission at utility code number 8927445.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission revoke the certificate of public convenience issued to FLYING DUTCHMAN TRANSPORT LLC, at PUC utility code number 8927445.

Respectfully submitted,



Brian B. Mehus, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street 2nd Floor
Harrisburg, PA 17105-3265

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 the 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: March 13, 2025



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