



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

March 10, 2026

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Joseph C. Brostoski T/A Endless Mountain Landscaping
Docket No. C-2026-3060226
I&E Motion for Default Judgment (Assessment)

Dear Secretary Homsher:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion for Default Judgment in the above-referenced proceeding.

Copies have been served on the parties of record in accordance with the Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', is written over a light blue horizontal line.

Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

GR/ac
Enclosures

cc: Stephanie M. Wimer, Deputy Chief Prosecutor, I&E (via email – stwimer@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2026-3060226
	:	
Joseph C. Brostoski	:	
T/A Endless Mountain Landscaping,	:	
Respondent	:	

NOTICE TO PLEAD

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) has filed a Motion for Default Judgment in the above-captioned matter, pursuant to the Commission’s regulations at 52 Pa. Code § 5.103. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with 52 Pa. Code § 5.61.

Your Answer must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Additionally, you must serve a copy on the undersigned prosecutor.



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
grosul@pa.gov

Dated: March 10, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2026-3060226
	:	
Joseph C. Brostoski	:	
T/A Endless Mountain Landscaping,	:	
Respondent	:	

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorney, and files this Motion for Default Judgment against Joseph C. Brostoski T/A Endless Mountain Landscaping (“Respondent”) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E commenced this action on February 6, 2026, by filing a Complaint in this Assessment matter.
2. The Complaint alleged that Respondent, a public utility holding authority to transport property, excluding household goods in use, granted on or about April 12, 2012, at A-2012-2283959, failed to pay its assessment as required under 66 Pa.C.S. § 510(c).
3. On February 6, 2026, the Complaint was served by mail at the address provided by Respondent to the Commission, 9734 State Route 3001, Meshoppen, PA 18202.
4. The Complaint was delivered and signed for at the Respondent’s address. Attached as I&E Exhibit 1 is proof of receipt of I&E’s Complaint.
5. Attached to the Complaint was a Notice advising Respondent that it must file

an Answer within twenty (20) days of service of the Complaint.

6. The Notice also advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order sustaining its Complaint and imposing the penalty set forth in the Complaint.

7. The last day for Respondent to timely file an Answer to the Complaint was February 26, 2026.

8. Respondent did not file an Answer to the Complaint.

9. Respondent did not file a Request for an Extension of Time to file its Answer pursuant to Section 1.15(a) of the Commission's regulations, nor communicate with I&E about its need for an extension of time to file an Answer to the Complaint.

10. Respondent neither paid its outstanding assessment balance nor the civil penalty sought by I&E in the Complaint.

11. Pursuant to Section 5.61(c) of the Commission's regulations, a Respondent who fails to file an Answer to a Complaint within the 20-day response period may be deemed in default, and the relevant facts stated in the Complaint may be deemed admitted.
52 Pa. Code § 5.61(c).

12. The Commonwealth Court has upheld the Commission's authority to sustain complaints that are not answered within twenty days. *See Fusaro v. Pa. Pub. Util. Comm'n*, 382 A.2d 794, 797 (Pa. Cmwlth. 1978).

WHEREFORE, for all the foregoing reasons, I&E respectfully requests that the Commission enter a Default Order against Respondent that:

- a) Sustains the Complaint filed by I&E;

- b) Directs Joseph C. Brostoski T/A Endless Mountain Landscaping to pay a total of \$2,214, which consists of a civil penalty of \$1,800 and its outstanding assessment balance of \$414 within thirty (30) days of the entry date of the Commission's Order;
- c) Directs the Bureau of Technical Utility Services to cancel Respondent's Certificate of Public Convenience at A-2012-2292263 if Respondent fails to pay the total set forth in subparagraph (b), above, within thirty (30) days of the entry date of the Commission's Order;
- d) Directs the Bureau of Administration, Financial & Assessments Office, to refer the matter to the Pennsylvania Office of Attorney General for collection of the total set forth in subparagraph (b) above, if Joseph C. Brostoski T/A Endless Mountain Landscaping fails to pay that total within thirty (30) days of the entry date of the Commission's Order; and
- e) Directs the Bureau of Technical Utility Services to certify motor vehicle registrations to the Pennsylvania Department of Transportation for suspension or revocation.

Respectfully submitted,



Grant Rosul
Prosecutor
PA Attorney ID No. 318204


Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
grosul@pa.gov

Date: March 10, 2026

I&E Exhibit 1

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
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	:	
Joseph C. Brostoski	:	
T/A Endless Mountain Landscaping,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Motion for Default Judgment**, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served via First-Class Mail and Electronic Mail

Joseph C. Brostoski T/A Endless Mountain Landscaping
Attn: Joseph C. Brostoski
9734 State Route 3001
Meshoppen, PA 18202
jbrostoski@epix.net



Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

Dated: March 10, 2026