



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE
C-2012-2312445

November 21, 2012

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Pennsylvania Public Utility Commission, Bureau of Investigation
and Enforcement v. Walter H. McKeon, Inc.
Docket No. C-2012-2312445

Dear Secretary Chiavetta:

Enclosed for filing is an original copy of the Motion for Default Judgment of the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission in the above-captioned matter. Copies have been served on the parties of record in accordance with the Certificate of Service.

Sincerely,

Stephanie M. Wimer
Prosecutor
Attorney I.D. No. 207522

Enclosure

cc: As per certificate of service

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement Complainant	:	
	:	
v.	:	Docket No. C-2012-2312445
	:	
	:	
Walter H. McKeon, Inc. Respondent	:	

NOTICE TO PLEAD

Pursuant to 52 Pa. Code §5.103, 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. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with Commission procedural regulations at 52 Pa. Code §5.61.

Your Answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Additionally, you must serve a copy on:

Wayne T. Scott
First Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105

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Stephanie M. Wimer
Prosecutor
Attorney I.D. 207522

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-5000

Dated: November 21, 2012

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement Complainant	:	
	:	
	:	
v.	:	Docket No. C-2012-2312445
	:	
	:	
Walter H. McKeon, Inc. Respondent	:	

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E"), by its counsel, and files this Motion for Default Judgment against Walter H. McKeon, Inc. ("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 July 3, 2012 by filing a Complaint and serving it by certified mail.
2. Commission records indicate that Respondent did not receive this Complaint and on August 29, 2012, this Complaint was re-served by certified mail.
3. Attached to the Complaint was a Notice advising Respondent that it must file an Answer within twenty (20) days of service of the Complaint.
4. The Notice also advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order imposing the penalty set forth in the Complaint.
5. On August 31, 2012, Respondent signed a receipt confirming that it received the Complaint. A true and correct copy of proof of delivery of the Complaint is attached as Exhibit 1.

6. The twenty (20) days to file an Answer to the Complaint expired on September 20, 2012.
7. To date, Respondent has not filed an Answer to the Complaint.
8. To date, Respondent has not paid its outstanding assessment balance that totals \$4,062, and the associated civil penalty of \$605, which were requested in the Complaint.
9. I&E respectfully requests that the Commission enter a Default Order against Respondent that:
 - a. Orders Respondent to pay its outstanding assessment and civil penalty;
 - b. Cancels Respondent's certificate of public convenience;
 - c. Notifies Respondent that a copy of this Order will be sent to the Pennsylvania Department of Transportation for the suspension or revocation of vehicle registrations that were used under Respondent's operating authority; and
 - d. Directs the Bureau of Administrative Services, Assessment Section to refer the matter to the Pennsylvania Office of Attorney General for collection of the unpaid assessments.

Respectfully submitted,



Stephanie Wimer
Prosecutor
Attorney ID # 207522
Bureau of Investigation and Enforcement

Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

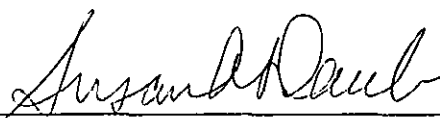
Date: November 21, 2012

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VERIFICATION

I, Susan A. Daub, Accountant, Bureau of Administrative Services, Assessment Section, 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 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: November 21, 2012



Susan A. Daub, Accountant
Assessment Section
Bureau of Administrative Services
PA. Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

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EXHIBIT 1

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My Online Services

Profile Print Guide

Systems	Reports	E-Services	Supplies
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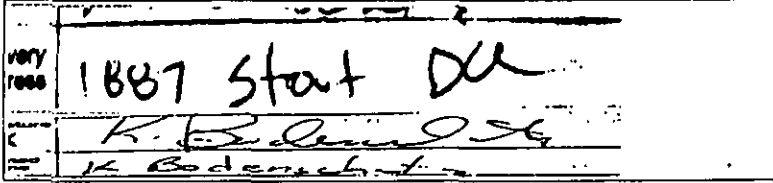
Home > E-Services > Status History

Status History ?

Tracking Number Information

Meter:	12601777	Mailing Date:	08/29/12 03:21 PM
Tracking Number:	9171869009350023917061	Sender:	
Current Status:	OK : Delivered	Recipient:	
Class of Mail	FC	Zip Code:	18974
Service:	ERR	City:	Warwick
Value	\$0.650	State:	PA

Proof of delivery



Status Details

Status Date	Status
Fri, 08/31/12, 11:50:00 AM	OK : Delivered
Fri, 08/31/12, 05:36:00 AM	

Note: Delivery status updates are processed throughout the day and posted upon receipt from the Postal Service.

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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true copy of the foregoing Motion for Default Judgment in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a party).

Service by First Class Mail:

Walter H. McKeon, President
Walter H. McKeon, Inc.
1887 Stout Drive
Warminster, PA 18974



Stephanie M. Wimer
Prosecutor
Attorney I.D. No. 207522

Counsel for the Bureau of
Investigation and Enforcement,
Pennsylvania Public Utility
Commission

P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 787-5000

Dated: November 21, 2012

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