

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held March 10, 2022

Commissioners Present:

Gladys Brown Dutrieuille, Chairman
John F. Coleman, Jr., Vice Chairman
Ralph V. Yanora

Cancellation of Certificates of Public Convenience for
Motor Carriers; Failure to Maintain Evidence of
Insurance

M-2022-3031036

TENTATIVE ORDER

BY THE COMMISSION:

Pursuant to Section 512 of the Public Utility Code, 66 Pa. C.S. §512, the Commission is authorized to prescribe appropriate insurance requirements for motor carriers. Section 512 provides, in relevant part:

The commission may, as to motor carriers, prescribe, by regulation or order, such requirements as it may deem necessary for the protection of persons or property of their patrons and the public, including the filing of surety bonds, the carrying of insurance, or the qualifications and conditions under which such carriers may act as self-insurers with respect to such matters. All motor carriers of passengers...shall cover each and every vehicle, transporting such passengers, with a public liability insurance policy or a surety bond issued by an insurance carrier, or a bonding company authorized to do business in this Commonwealth, in such amounts as the commission may prescribe....

Consistent with this broad statutory charge, the Commission promulgated regulations governing motor carrier insurance requirements. 52 Pa. Code Chapter 32. Those regulations provide, *inter alia*, that a motor carrier may not operate, and a certificate of public convenience will not be issued or remain in force, until there has been filed with and approved by the Commission a certificate of insurance by an insurer authorized to do business in Pennsylvania for the payment of claims resulting from the operation, maintenance, or use of a motor vehicle in the carrier's authorized service. 52 Pa. Code §§32.11, 32.12. The certificate of insurance, commonly known

as a Form E, is in a form prescribed and approved by the Commission and provides protection for bodily injury, death, or property damage. 52 Pa. Code §32.2(a). Additionally, the Commission regulations require that certain carriers maintain evidence of cargo insurance via a certificate of insurance commonly known as a Form H. The Commission's regulations require that evidence of insurance be maintained at all times with the Commission to ensure the protection of the public:

(h) *Compliance.* Failure to maintain evidence of insurance on file with the Commission in accordance with this chapter shall cause the immediate suspension of the rights and privileges conferred by a certificate of public convenience or permit held by the motor carrier. The Commission may establish rules under which suspended rights and privileges may be temporarily reinstated pending compliance with this chapter.

52 Pa. Code §32.2(h).

The Commission has been notified that the motor carriers listed in Appendix A, attached hereto, no longer have acceptable evidence of insurance on file with the Commission. The Commission sent all carriers a letter notifying them that their operating authority was suspended. Since the date of the suspensions, these motor carriers have failed to provide acceptable evidence of insurance, notwithstanding notification by the Commission of the suspension and the necessity to provide acceptable evidence of insurance.

Under these circumstances, we tentatively conclude that the motor carriers listed in Appendix A are not in compliance with the insurance requirements of 66 Pa. C.S. § 512 and our regulations at 52 Pa. Code Chapter 32. As such, it is appropriate to initiate the process to cancel their certificates of public convenience as being in the public interest; **THEREFORE,**

IT IS ORDERED:

1. That cancellation of the Certificates of Public Convenience of each motor carrier listed in Appendix A is hereby *tentatively* approved as being in the public interest.
2. That the Secretary's Bureau should publish a copy of this Tentative Order in the *Pennsylvania Bulletin*.

3. That, to the extent they challenge cancellation of the Certificates of Public Convenience, all parties listed in Appendix A, must file comments within thirty (30) days after publication in the *Pennsylvania Bulletin*. To file comments, you must either efile them by opening and using an efilings account through the Commission's website at www.puc.pa.gov. In the alternative, you may file comments by sending them by overnight delivery to the Pennsylvania Public Utility Commission, Attn: Secretary Rosemary Chiavetta, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120. Retain the tracking information as proof of submission. Filings made by fax or email are not acceptable and will be rejected.

4. That, alternatively, acceptable evidence of insurance may be filed with the Commission on behalf of the motor carriers listed in Appendix A, within thirty (30) days after publication of this order in the *Pennsylvania Bulletin*.

Motor carriers listed in Appendix A who desire to continue operations should immediately contact their insurance agents to secure compliance with Commission insurance requirements. It is the motor carrier's responsibility to ensure compliance. Motor carriers can verify their insurance status at our Web Site at <https://www.puc.pa.gov/search/utility-authority-search/>.

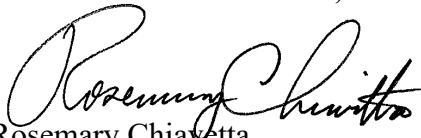
Additionally, motor carriers may call our insurance hotline at (717)-787-1227 for more information.

5. That, absent the timely filing of comments challenging the cancellation of the Certificate of Public Convenience or the timely filing of acceptable evidence of insurance, the Bureau of Technical Utility Services shall prepare a Secretarial Letter for issuance by the Secretary's Bureau canceling the carrier's applicable Certificate of Public Convenience. The Secretarial Letter shall direct the Department of Transportation to suspend the carrier's vehicle registration(s) consistent with 75 Pa. C.S. §1375.

6. That, upon issuance of the Secretarial Letter described in Ordering Paragraph No. 5 above, the applicable Certificate of Public Convenience of each non-compliant carrier shall be cancelled.

7. That the Secretary serve a copy of the Secretarial Letter upon the Commission's Bureau of Investigation and Enforcement, Bureau of Technical Utility Services, Bureau of Administration, the Pennsylvania Department of Revenue – Bureau of Corporation Taxes, and the Pennsylvania Department of Transportation.

BY THE COMMISSION,


Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: March 10, 2022

ORDER ENTERED: March 10, 2022

APPENDIX A

Carriers Without Acceptable Evidence of Insurance

Utility Code	Utility Name	Suspended Authorities	Insurance Type not on file
6222945	PRECIOUS CARGO TRANSPORTATION LLC	Paratransit	Liability
631028	CLARION COUNTY TAXI INC	Taxi and Truck	Liability
631838	GREENS TAXI INC	GP 11-15 and Taxi	Liability
6410546	DAPHNE A VANNOY & HAROLD E VANNOY JR HUSBAND & WIFE	Paratransit	Liability
6417773	REGIONAL MEDICAL TRANSPORTATION INC	Paratransit	Liability
6421747	HERE 4U TRANSPORT LLC	Paratransit	Liability
6422101	B A GROFF LLC	Paratransit	Liability
6422320	TOP HAT LUXURY SERVICE LLC	Paratransit	Liability
6422639	HERNANDEZ TRANSPORTATION LLC	Paratransit	Liability
6422875	FIRMINC TRANSIT LLC	Paratransit	Liability
6422946	MDT - AIRPORT TRANSFER LLC	Airport Transfer	Liability
6423094	EASTERN REGIONAL EMERGENCY MEDICAL SERVICES LLC	Paratransit	Liability
6423234	ZAHIA LLC	Paratransit	Liability
6423493	LOVE AND CARE TRANSPORTATION LLC	Paratransit	Liability
6423972	B2B INTERNATIONAL LLC	Limousine	Liability
6424573	FORTUNE BUS TRANS LLC	Group and Party 16 or Greater	Liability
648015	WERNER BUS LINES, INC.	Group and Party 16 or Greater	Liability
700911	U.S. BULK TRANSPORT, INC.	Truck	Cargo
700989	J F ENERGY CORPORATION INC	Truck	Liability
701503	CARBON EXPRESS, INC.	Truck	Cargo
702840	KERSHNER TRUCKING, INC.	Truck	Liability and Cargo
702883	DANIEL G KEHOE	Truck	Liability
704181	CME TRUCKING INC	Truck	Liability and Cargo
705574	DANIEL CLARK	Truck	Liability and Cargo
705745	PENNSYLVANIA DELIVERY SERVICES INC	Truck	Liability and Cargo
705981	STRINE, D.E., TRUCKING, INC.	Truck	Liability
706039	HINKLE TRANSPORT INC	Truck	Liability and Cargo
706452	DENNIS H. TAYLOR	Truck	Liability and Cargo
706564	DB HAULING LLC	Truck	Liability and Cargo
707759	DUTCH TRANSPORT LLC	Truck	Liability
707804	MILLER, JOSEPH D.	Truck	Liability
707817	CDS LOGISTICS MANAGEMENT, INC.	Truck	Cargo

707989	YOURWAY TRANSPORT INC	Truck	Liability and Cargo
708179	JAMES MAHON MOVING&TRUCKING, INC	Household Goods Carrier	Liability
708514	DANIEL P ECK	Truck	Liability
726010	CENTRAL PA TRANSPORTATION, INC.	Truck	Liability and Cargo
802120	W C MCQUAIDE INC	Truck	Liability
819130	PELTON TRUCKING COMPANY, INC.	Truck	Liability
819880	PERCHAK TRUCKING, INC.	Truck	Liability
847270	SMP, INC.	Truck	Liability and Cargo
861330	RICHARD T WAGNER TRKG CO INC	Truck	Liability and Cargo
8913738	KEVIN & MICHAEL YOST CO- PARTNERS T/A YOST EXCAVATING & HAULING	Truck	Cargo
8913871	RAYMOND M RENSHAW JR	Truck	Liability and Cargo
8913927	J & R FREIGHT INC	Truck	Liability and Cargo
8913992	ERIC M BARTO	Truck	Liability
8914009	MACK ZIMMERMAN TRUCKING LLC	Truck	Liability
8914717	K B SNOWPLOWING AND EXCAVATING LLC	Truck	Liability
8915205	KEEP IT MOVING LLC	Household Goods Carrier	Cargo
8915709	WRIGHT'S TRUCKING INC	Truck	Liability
8916146	A & Y VALLEY TRANSPORT LLC	Truck	Liability
8916623	JOHN ZELEZNIK	Truck	Liability and Cargo
8917327	LEHIGH TRUCKING LLC	Truck	Liability and Cargo
8918345	WEAVER PRECAST, INC.	Truck	Liability and Cargo
8919221	DEVIN YUSEF LATIMORE	Household Goods Carrier	Liability
8919237	MAVERICK RIGGING & HEAVY HAULING LLC	Truck	Cargo
8919316	MINICH TRUCKING LLC	Truck	Liability and Cargo
8919343	SIAN SERVICES INC	Truck	Cargo
8919479	DLM TRUCKING INC	Truck	Liability and Cargo
8919693	STACY WHITE	Truck	Liability and Cargo
8920256	AMERICAN NATURAL SUPPLY LLC	Truck	Liability
8920580	MONICA LAMPKIN	Truck	Liability and Cargo
8920749	SHAYNE MORROW	Truck	Liability and Cargo
8920816	GREAT DANE EXPRESS LLC	Truck	Cargo
8921034	ANR TRUCKING CORPORATION	Truck	Liability and Cargo
8921094	M&K LOGISTICS LLC	Truck	Cargo
8921264	P&A NEUDER & SONS TRUCKING LLC	Truck	Cargo
8921413	DAVID A WALTERS	Truck	Liability and Cargo

8921668	M&M TRUCKING OF JP SCOTT LLC	Truck	Liability
8921947	WEAVER TRANSIT INC	Truck	Cargo
8921997	CDM SALES LLC	Truck	Liability
8922267	JRD TRANSPORT LLC	Truck	Liability and Cargo
8922274	CHANGO KENNETH PEARCE	Truck	Liability and Cargo
8922371	DEAN SAXMAN	Truck	Liability
8922531	RSMT DELIVERY LLC	Truck	Liability and Cargo
8922793	ALLEGHENY COMMUNITY TRANSPORTATION LLC	Truck	Liability and Cargo
8922955	W MILLER & SONS TRUCKING LLC	Truck	Liability
8922961	C&H HAULING LLC	Truck	Liability and Cargo
8922983	DPC TRUCKING LLC	Truck	Liability and Cargo
8923014	JY TRANSPORT LLC	Truck	Liability and Cargo
8923108	PEQUEA MOBILE HOME SALVAGE LLC	Truck	Cargo
8923524	FINNEY HAULING SERVICES LLC	Truck	Liability and Cargo
8923687	ADRIAN HIGH QUALITY TRANSPORT LLC	Truck	Liability and Cargo
8923825	CESSNA HAULING AND EXCAVATING LLC	Truck	Liability and Cargo
8923848	MOVING THE EARTH LLC	Truck	Liability
8923992	AL SAI SJI TRANSPORT COMPANY	Truck	Liability and Cargo
8924066	AREBA EXPRESS LLC	Truck	Cargo
8924071	THAXTON WALKER LOGISTICS INC	Truck	Liability and Cargo
8924167	SPRAGUE ENTERPRISE LLC	Truck	Liability and Cargo
8924172	WELLS TRUCKING & LOGISTICS LLC	Truck	Liability and Cargo
8924278	PENNS WOODS TRANSPORT LLC	Truck	Liability
8924288	BROWN LOGISTICS LLC	Truck	Liability and Cargo
8924395	RUBY ENTERPRISE CORPORATION	Truck	Liability and Cargo
8924526	MAO TRANSPORTATION LLC	Truck	Liability and Cargo
8924576	GENERATIONS DAIRY LLC	Truck	Liability and Cargo
8924642	MAURICE BOWSER TRANSPORT LLC	Truck	Liability and Cargo
8924651	K & T SEAHORSES TRUCKING LLC	Truck	Liability and Cargo
8924701	JMP DELIVERY CARGO EXPRESS LLC	Truck	Cargo
8924757	DOUBLE ROCKIN R TRANSPORT LLC	Truck	Liability and Cargo
899706	ALAN L PENCE	Truck	Liability
899994	DONALD STRITE	Truck	Liability