

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00	:	
2. BUREAU: TAS	:	
3. SECTION(S):	:	
5. APPROVED BY:	:	4. PUBLIC MEETING DATE:
DIRECTOR:	:	00/00/00
SUPERVISOR:	:	
6. PERSON IN CHARGE: KEYSER	:	7. DATE FILED: 11/02/05
8. DOCKET NO: A-00085095C0501	:	9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF
RESPONDENT/APPLICANT: HOY TRANSFER, INC.
COMP/APP COUNTY: UTILITY CODE: 772780

ALLEGATION OR SUBJECT

ASSESSMENT COMPLAINT VS. HOY TRANSFER, INC. FOR AN OUTSTANDING ASSESSMENT OF \$2,057.00.

DOCUMENT
FOLDER

DOCKETED
NOV 02 2005

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

ORIGINAL

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

v.

DOCKET NO. A-00085095C OSDI

HOY TRANSFER, INC.

COMPLAINT

The Pennsylvania Public Utility Commission (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 Transportation and Safety and other Bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That the principal place of business of HOY TRANSFER, INC., respondent, is P.O. BOX 406 , STATE COLLEGE, PA 16801.
2. That respondent was issued a certificate of public convenience by this Commission on May 13, 1958, at Docket No. A-00085095.
3. That, on August 17, 2005, respondent was sent an initial assessment of \$2,057.00. Respondent failed to pay this assessment; therefore, a balance was due in the amount of \$2,057.00.
4. That respondent has an outstanding assessment of \$2,057.00.
5. That respondent failed to file objections to the assessment, pursuant to 66 Pa. C.S. §510(c).
6. That respondent, by failing to pay the assessment, violated the Public Utility Code at 66 Pa. C.S. §510(c).

WHEREFORE, unless respondent pays the overdue assessment in full within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which (1) cancels the Certificate of Public Convenience issued to respondent, (2) requests the Pennsylvania Department of Transportation to put an administrative hold on the respondent's motor vehicle registrations, (3) notifies the Pennsylvania Department of Revenue that respondent's Certificate of Public Convenience has been revoked, (4) notifies respondent's insurance carrier that respondent's Certificate of Public Convenience has been revoked and (5) imposes, when necessary, an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

SECRETARY'S BUREAU
PA P.U.C.

2005 NOV -2 AM 10:18

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VERIFICATION

I, Wendy J. Keezel, 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 to 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: 10-31-05

Wendy J. Keezel
Wendy J. Keezel, Chief of Enforcement

NOTICE

A. You must file an answer within twenty 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). 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 and three copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa. C.S. §3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by paying your outstanding assessment within twenty (20) days. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Administrative Services, Attention Steve Reed
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

D. If you file an answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue an Order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. 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 penalty set forth in Paragraph B.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Bureau of Administrative Services (717) 783-6190.

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

Date of Service: NOVEMBER 3, 2005
Docket Number: A-00085095C0501

HOY TRANSFER, INC.
P.O. BOX 406
STATE COLLEGE PA 16801

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
HOY TRANSFER, INC.

Dear Sir/Madam:

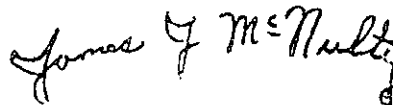
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

Pursuant to this delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff has filed the attached complaint against you.

Please refer to the Notice page at the conclusion of this complaint for detailed instructions on how to proceed. Alternative formats of this material are available for persons with disabilities.

Any questions may be directed to the Technical Review Section of the Bureau of Transportation and Safety at (717) 787-1168.

Very truly yours,



James J. McNulty
Secretary

DOCUMENT
FOLDER

DOCKETED
NOV 02 2005

JIH

2. Article Number



7160 3901 9843 0834 7740

3. Service Type **CERTIFIED MAIL**

4. Restricted Delivery? (Extra Fee) Yes

1. Article Addressed to:

A-00085095C0501
FC
Hoy Transfer, Inc.

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

ANDY JEFFERS

B. Date of Delivery

11-8

C. Signature

X *[Handwritten Signature]*

Agent
 Addressee

D. Is delivery address different from item 1?
if YES, enter delivery address below:

Yes
 No

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

DATE: November 10, 2005

SUBJECT: Closing of Records Listed Below

TO: James J. McNulty
Secretary

FROM: *Sheryl A. Keyser*
Sheryl A. Keyser, Clerical Supervisor
Bureau of Transportation and Safety

Please be advised that the Bureau of Transportation and Safety Prosecutory Staff hereby request that the below records be closed and docketed as such. Full payments of the Assessments and fines have been made.

Thank you for you cooperation in this matter.

A-00078888C0501 APPLE TRANSPORTATION CO.

A-00085095C0501 HOY TRANSFER, INC.

A-00089362C0501 JOHN H. MITCHELL, JR.

A-00097347C0501 H. G. GOLDIE, INC.

A-00105977C0501 TROPIANO TRANS SERVICE, INC.

A-00109630C0501 SUZANNE DIEHL STEWART

A-00111682C0501 E.D.W. TRUCKING, INC.

A-00113073C0501 MORGAN HAULING, INC.

A-00116387C0501 CRYSTAL LIMOUSINE, INC.

A-00116664C0501 ACTION EXPEDITING, INC.

DOCKETED
NOV 15 2005

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