



GALLAGHER MALLOY & GEORGES

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
SUITE 1100

1760 MARKET STREET
PHILADELPHIA, PA 19103-4104

Web: <http://www.gallagher-law.com>

PHONE: 215-963-1555
FAX: 215-963-9104

JOHN J. GALLAGHER
MARTIN G. MALLOY
GEORGE WM. GEORGES
JAMES HICKEY
CRAIG THORLEY***

LARISA TENBERG*
JOAN D. GALLAGHER*
DAVID P. TEMPLE*
JOSEPH P. TURCHI*
DANIELLE DEROSA*
JENNIFER B. HEALEY**

*ALSO MEMBER NJ BAR
**ALSO MEMBER AZ BAR
***MEMBER OF DE, DC, UT BAR

September 29, 2011

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Rosemary Chiavetta, Secretary
Commonwealth Keystone Building
400 North Street
Harrisburg, PA. 17120

RECEIVED
2011 OCT -3 AM 10:32
PA.P.U.C.
SECRETARY'S BUREAU

RE: Tropiano Transportation Services, Inc.
Docket Number : A-00105799
C-2011-2231504

Dear Secretary Chiavetta:

Enclosed please find an original and three copies of Tropiano Transportation Services, Inc.'s Petition For Reinstatement that was originally filed on line. Kindly return a time stamped copy; I have enclosed an envelope for your convenience.

Thank you for your attention to this matter.

Very truly yours,

DAVID P. TEMPLE

DPT/mr
Enclosure

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION FA.P.U.C.
CLERK'S BUREAU

IN RE: Tropiano Transportation Services, Inc. : Docket No. A-00105977
C-2011-2231504

PETITION FOR REINSTATEMENT

Petitioner, Tropiano Transportation, Inc., by and through their attorney, David P. Temple, Esquire, hereby respectfully request that their certificate of public convenience under the above-docket numbers be reinstated for the following reasons:

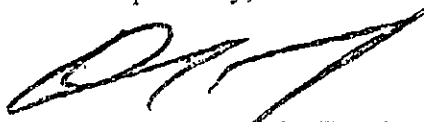
1. Petitioner is Tropiano Transportation Services, Inc. (hereinafter Tropiano) with principal place of business located at 1256 Welsh Road, North Wales, Pennsylvania 19454
2. Petitioner holds authority under the above docket number to provide limousine service in the Commonwealth of Pennsylvania since December 18, 1987
3. On March 31, 2011 the Bureau of Transportation and Safety instituted a complaint against Tropiano alleging failure pay an outstanding fine of \$250.00.
4. This \$250.00 fine arises from the failure to provide an annual vehicle list to the Commission
5. The vehicle list was a new regulation which Tropiano was unaware as it did not have to be provided in his over twenty years of service.

6. Tropiano has since provided the Commission with the required vehicle list.
7. Tropiano will provide a vehicle list annually on or before December 31 each year as now required by the Commission.
8. Tropiano believed that the \$250.00 fine would not be required because he had furnished the information required by the Commission.
9. Tropiano failed to respond to the complaint and an order was issued On July 5, 2011 cancelling the authority. A true and correct copy of the July 5, 2011 order is attached hereto as Exhibit A
10. Tropiano has several different authorities with the Commission and an excellent record of compliance.
11. Tropiano does not have the intent to avoid this fine or any other fine the Commission may feel warranted for failure to abide by their regulations.
12. Nicholas Tropiano is an industry leader and welcomes strong regulation by the Commission
13. The failure to pay this fine was as result of Tropiano's misunderstanding of the necessity of this fine.
14. Nicholas Tropiano has taken it upon himself to carefully review all future Commission correspondence, including but not limited to Secretarial letters and complaints to make sure he is in compliance with any requirements thereof.
15. Nicholas Tropiano has retained PUC counsel to assist him with any regulatory matters that need to be addressed further including issues contained within any future Secretarial letters or complaints.

16. Petitioner has no outstanding fines or assessments with the Commission
17. Petitioner has a good record of compliance with Commission regulations.
18. Petition asserts that reinstatement will benefit the public interest.

WHEREFORE, Petitioner Tropiano Transportation Services, Inc., by and through his attorney respectfully request reinstatement of their certificate of public convenience with any conditions the Commission deems necessary and appropriate.


Respectfully,

A handwritten signature in black ink, appearing to read 'D. Temple', written over the typed name below.

David P. Temple, Esquire
Attorney for Petitioner
Tropiano Transportation Services, Inc.

VERIFICATION

DAVID P. TEMPLE verifies that he is acquainted with the facts and information set forth in the foregoing pleadings are true and correct to his/her knowledge, information and belief; and that the foregoing Verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.



DAVID P. TEMPLE

DATE: 9-28-11

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held June 30, 2011

Commissioners Present:

Robert F. Powelson, Chairman
John F. Coleman, Jr., Vice Chairman
Tyrone J. Christy
Wayne E. Gardner
James H. Cawley

Pennsylvania Public Utility Commission
v.
Tropiano Transportation Services, Inc.
1256 Welsh Road
North Wales, PA 19454

A-00105977
C-2011-2231504

ORDER

BY THE COMMISSION:

On March 31, 2011, the Bureau of Transportation and Safety instituted a Complaint at C-2011-2231504 against Tropiano Transportation Service, Inc; Respondent, alleging failure to pay an outstanding fine of two hundred and fifty dollars (\$250.00) as required by a Commission Secretarial Letter issued on October 26, 2010 at C-2010-2169038. Failure to pay the fine is a violation of the Public Utility Code at 66 Pa. C.S. §501(c).

The Bureau of Transportation and Safety notified Respondent that it must file an Answer to the Complaint in accordance with 52 Pa. Code §5.61, within twenty days of the date of service. The Notice further specified that, if Respondent failed to answer the Complaint within twenty days, the Bureau of Transportation and Safety would request the Commission to issue an order cancelling Respondent's Certificate of Public Convenience, requesting the Pennsylvania Department of Transportation to place an administrative hold on Respondent's motor vehicle registrations, and notifying the Pennsylvania Department of Revenue and Respondent's insurance carrier that Respondent's Certificate is revoked.

The Complaint was sent by Certified Mail on March 31, 2011, and delivered on April 2, 2011. To date, Respondent has failed to file an Answer to the Complaint.

THEREFORE, IT IS ORDERED:

1. That the allegations in the Complaint are deemed to be admitted.
2. That the Complaint is hereby sustained.
3. That the Certificate of Public Convenience, issued to Respondent at A-00105977 is hereby cancelled.
4. That Respondent is assessed a fine in the amount of one hundred dollars (\$100.00) for failing to comply with the provisions of 66 Pa. C.S. §501 (c). Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Furthermore, the Commission will request that the Pennsylvania Department of Transportation put an administrative hold on Respondent's vehicle registrations. Respondent will not be able to register any new vehicles or renew any existing vehicle registrations until all past due assessments are paid, all past due fines are paid, all insurance filings are up to date, and it holds an active Certificate of Public Convenience issued by this Commission.

This Secretarial Cancellation Order will be served on:

The Department of Revenue
Bureau of Audit Programs
Sales and Use Taxes
Tenth Floor, Strawberry Square
Harrisburg, PA 17128-1061

and on Respondent's insurance carrier:

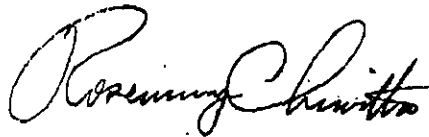
National Casualty Company
8877 North Gainey Center Drive
Scottsdale, AZ 85258

5. That Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa. C.S. §§101, et seq. and the regulations of the Commission, 52 Pa. Code §§1.1, et seq. In view of the cancellation of Respondent's Certificate of Public Convenience, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

6. That should Respondent wish to again begin transportation operations in the Commonwealth of Pennsylvania, Respondent must file a Petition for Reinstatement of its Certificate for good cause, in accordance with the provisions of 52 Pa. Code §5.41(a) and 1 Pa. Code §35.17. An original and three copies shall be filed within 15 days of receipt of this letter. The Petition shall be filed with the Secretary, PA Public Utility Commission,

P.O. Box 3265, Harrisburg, PA 17105-3265. A copy of the Petition must also be served on the Bureau of Transportation and Safety and all other parties to the proceeding. The Commission will either grant or deny the Petition. If the Petition is denied or a timely Petition is not filed, Respondent must file a new application for authority in order to obtain a Certificate of Public Convenience. The Commission will assess the following five factors in deciding whether to grant or deny a Petition for Reinstatement: (1) Respondent's violation history of Commission rules and regulations, (2) Respondent's outstanding obligations to the Commission, such as monetary penalties, assessments, and insurance filings, (3) the timeliness of Respondent's filing of the Petition from the date of cancellation of its Certificate, (4) Respondent's rationale given for the violation resulting in the cancellation of its Certificate, and (5) Respondent's solution to prevent future violations of Commission rules and regulations. Respondent's Petition for Reinstatement should address each of these five factors. Further, the Petition must be accompanied by an Affidavit or Verification stating: "that the facts above set forth are true and correct to the best of my knowledge, information and belief. 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" as set forth at 52 Pa. Code §1.36. The Verification must be signed and dated. Respondent must pay all outstanding assessments and fines before this Commission will act on a Petition for Reinstatement. Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265.

BY THE COMMISSION,

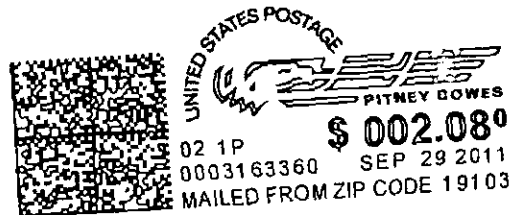


Rosemary Chiavetta
Secretary

(SEAL)

ORDER ADOPTED: June 30, 2011

ORDER ENTERED: July 5, 2011



FIRST CLASS MAIL

GALLAGHER MALLOY & GEORGES
A PROFESSIONAL CORPORATION
SUITE 1100
1760 MARKET STREET
PHILADELPHIA, PA 19103

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