



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

IN REPLY PLEASE
REFER TO OUR FILE
C-2012-2249031

August 3, 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. The Yellow Cab Company of Pittsburgh
Docket No. C-2012-2249031

Dear Secretary Chiavetta:

Enclosed for filing, please find an original and three (3) copies of an Amended
Complaint by the Bureau of Investigation and Enforcement against The Yellow Cab
Company of Pittsburgh in the above-captioned matter.

Copies have been served on the parties in accordance with the Certificate of
Service.

Very truly yours,

Stephanie M. Wimer
Prosecutor

Enclosures

cc: Certificate of Service

SECRETARY'S BUREAU
AUG 3 2012

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NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Amended 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). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. 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 Amended Complaint. 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, Pennsylvania 17105-3265

Or may be sent by overnight delivery to:
400 North Street, 2nd Floor
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

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

B. If you fail to answer this amended complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

C. You may elect not to contest this amended complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the **Commonwealth of Pennsylvania** and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the proceeding shall be closed.

D. If you file an Answer, which admits or fails to deny the allegations of the Amended Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an Answer which contests the Amended Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
INVESTIGATION AND ENFORCEMENT

V.

YELLOW CAB CO. OF PITTSBURGH
1825 LIVERPOOL STREET
PITTSBURGH, PA 15233

DOCKET NO. C-2012-2249031

FIRST AMENDED 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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That, Yellow Cab Co. of Pittsburgh, Respondent maintains a principal place of business at 1101 Beaver Avenue, Pittsburgh, PA 15233.

2. That, Respondent was issued a Certificate of Public Convenience by this Commission on December 21, 1964, at application Docket No. A-00049926.

3. That, on August 1, 2011, Enforcement Officer Christopher Urey, a duly authorized officer of this Commission conducted a follow up interview with John Hooker (Respondent) in reference to a complaint that Yellow Cab Co. of Pittsburgh Cab 520 refused to render trip service on demand on June 22, 2011 at about 0645 hours from the Amtrak Station in downtown Pittsburg to his residence at 1034 Macon Ave., Pittsburgh, PA.

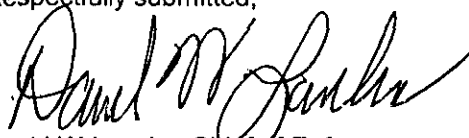
4. That, on August 17, 2011, Enforcement Officer Christopher Urey, conducted a follow up interview of the taxi cab #520 driver Charles Jones, who advised he did refuse to render service to Mr. John Hooker and that the log sheet was not completed properly.

5. During 2010 and 2011, respondent was issued approximately sixty four (64) complaints against it; twenty eight (28) were for similar violations of the Commission rules and regulations. In addition, there are fifteen additional complaints in first half of 2012 of which six are for similar violations as reflected in paragraph #3.

6. That respondent, by failing to furnish trip service on demand, violated 52 Pa. Code §29.313(a), and by failing to furnish and maintain adequate, efficient and reasonable service, violated the Public Utility Code, 66 Pa. C.S. §1501. Due to respondent's history, the penalty is \$1,000.

WHEREFORE, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine Yellow Cab Co. of Pittsburgh, the sum of one thousand dollars (\$1,000) for the illegal activity described in this amended complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,



David W Loucks, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA. 17105-3265

PA BUREAU OF INVESTIGATION
SECRETARY'S BUREAU

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VERIFICATION

I, David W. Loucks, Chief of Enforcement for the Motor Carrier Services Division of the Bureau of Investigation and Enforcement, 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.



David W. Loucks, Chief of Enforcement
Motor Carrier Services Division
Bureau of Investigation and Enforcement

Date: 8/3/2012

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SECRETARY'S BUREAU

CERTIFICATE OF SERVICE

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

Notification by First Class Mail:

Ray F. Middleman, Esquire
Malone Middleman, P.C.
Northridge Office Plaza
117 VIP Drive, Suite 310
Wexford, PA 15090



Stephanie M. Wimer
Prosecutor
Attorney ID No. 207522

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Dated: August 3, 2012

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