



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

IN REPLY PLEASE
REFER TO OUR FILE

September 13, 2012

Rosemary Chiavetta, Secretary
PA 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-2012-229031

Dear Secretary Chiavetta:

Enclosed, please find the Bureau of Investigation and Enforcement's Answer to the above New Matter. It is verified, pursuant to 52 Pa. Code §1.36, and a Certificate of Service is attached, pursuant to 52 Pa. Code §1.57 and §1.58.

Respectfully submitted,

Heidi L. Wushinske
Prosecutor

Enclosure

cc: Certificate of Service

SECRETARY'S BUREAU
PA PUC

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission :
Bureau of Investigation and Enforcement :
: **Docket No. C-2012-2249031**
v. :
: **The Yellow Cab Company of Pittsburgh** :

**REPLY TO THE NEW MATTER OF THE YELLOW CAB COMPANY OF
PITTSBURGH**

AND NOW comes the Pennsylvania Public Utility Commission's ("Commission") Bureau of Investigation and Enforcement ("I&E") and files this Reply to the New Matter of the Yellow Cab Company of Pittsburgh ("Yellow Cab" or "Respondent"), pursuant to 52 Pa. Code § 5.63. In support thereof, I&E avers as follows:

7. Denied. Respondent, John Hooker, reported that after he was denied service at the Amtrak Station in Pittsburgh on the morning of June 22, 2011, he had to take a city bus to his house, get his personal vehicle, and return to the Amtrak station to pick up his wife and their bags.

8. Denied. Charles Jones, the driver in question, listed three trips on his trip sheet for June 22, 2011. All three trips were from downtown Pittsburgh to the airport.

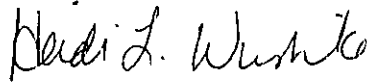
9. Admitted in part; denied in part. It is admitted that the Commission has filed 34 formal complaints against Yellow Cab for refusal of service in the past 2 ½ years and that not all of these complaints have proceeded through the hearing process. I&E asserts that there are many reasons for a complaint being settled or withdrawn, such as unavailability of customer witnesses and the Commission's policy to promote settlements. I&E lacks sufficient knowledge to admit or deny Yellow Cab's assertion that it made over 3,621,965 trips in the past 2 ½ years.

10. Denied. Yellow Cab's paragraph 10 represents opinion and does not set forth any material facts. I&E disagrees with the opinions set forth in paragraph 10.

11. I&E lacks sufficient knowledge to admit or deny Yellow Cab's motivations regarding its system of verbal counseling and warnings for refusal of service. To the extent a response is required, this allegation is denied. It is denied that Yellow Cab's

system of verbal counseling and warnings regarding refusal of service insures that its lease drivers comply with PUIC regulations.

Respectfully submitted,



Heidi L. Wushinske
Prosecutor
Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission

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Harrisburg, PA 17105-3265

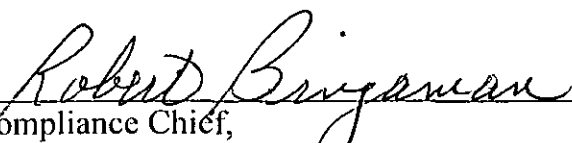
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VERIFICATION

I, Robert Bingaman, Compliance Chief for the Motor Carrier 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.

Date: 9/12/12


Compliance Chief,
Motor Carrier Services and Enforcement Division
Bureau of Transportation and Safety

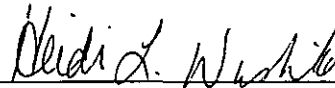
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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document 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 addressed as follows:

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



Heidi L. Wushinske
Prosecutor
Attorney ID #93972
(Counsel for Pennsylvania Public Utility
Commission)

P.O. Box 3265
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(717) 787-5000

Dated: September 13, 2012

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