



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

IN REPLY PLEASE  
REFER TO OUR FILE

September 19, 2012

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

Re: C-2012-2249031

Re: Pennsylvania Public Utility Commission v. Yellow Cab Company of  
Pittsburgh

Answer to Request for Production of Documents

Dear Secretary Chiavetta:

Enclosed, please find the Bureau of Investigation and Enforcement's Answer to Combined Interrogatories and Request for Production of Documents. A Certificate of Service is attached, pursuant to 52 Pa. Code §1.57 and §1.58.

Respectfully submitted,

Heidi Wushinske, Prosecutor  
Bureau of Investigation and Enforcement

Enclosure

cc:

Robert Bingaman, Transportation Compliance Chief  
Technical Utility Services

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**BEFORE THE PENNSYLVANIA  
PUBLIC UTILITY COMMISSION**

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PA PUC  
SECRETARY'S BUREAU

Re: Pennsylvania Public Utility  
Commission v. Yellow Cab Company  
of Pittsburgh

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Docket No. C-2012-2249031  
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**ANSWER TO  
REQUEST FOR PRODUCTION OF DOCUMENTS**

AND NOW, comes the Bureau of Investigation and Enforcement (I&E), by and through its counsel, Heidi Wushinske, and files the within Answer as set forth below.

1. Please produce the entire investigation file of the Bureau of Investigation and Enforcement regarding this matter.

**RESPONSE:** Copies of I&E's entire investigation file regarding this complaint are attached to this Answer as attachment A.

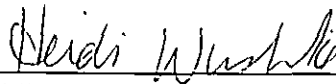
2. Please produce any and all notes, recordings, documents or any other written information secured or drafted by Enforcement Officer Christopher Urey regarding this matter.

**RESPONSE:** All of Officer Christopher Urey's notes, documents, and written information are a part of I&E's investigation file provided in attachment A. No recordings regarding this matter exist.

3. Please produce copies of the complaints referenced and relied upon by the Public Utility Commission in Paragraph 5 of its Complaint.

**RESPONSE:** Copies of all formal complaints referenced and relied upon in paragraph 5 of the complaint have already been served upon Yellow Cab and need not be provided pursuant to 52 Pa. Code § 5.361(c). Copies of informal complaints relied upon in paragraph 5 of the complaint are attached to this Answer as Attachment B.

Respectfully submitted,



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Heidi Wushinske, Prosecutor  
Bureau of Investigation and Enforcement

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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: September 19, 2012

Robert Bingaman  
Transportation Compliance Chief,  
Technical Utility Services

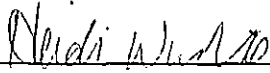
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# CERTIFICATE OF SERVICE

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

Ray F. Middleman, Esquire  
Attorney for Yellow Cab of Pittsburgh  
MALONE MIDDLEMAN, P.C.  
117 VIP Drive, Suite 310  
Wexford, PA 15090

Dated this Nineteenth Day of September 2012.



Heidi L. Wushinske, Prosecutor  
Bureau of Investigation and Enforcement

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A

# YELLOW CAB COMPANY OF PITTSBURGH

213972

NAME OF DRIVER CHARLES JONES		CAB NO. 520	DRIVER NO. 7230	DATE 06/22/2011	START TIME 5:57:00
BEGINNING METER 130772	ENDING METER 130932		METER TRIPS 2	END TIME	

This document is certified to be true and correct and is carried in lieu of a copy of a lease by and between the taxicab driver (leasee) and Yellow Cab Company of Pittsburgh (Certificate holder) which lease is kept in the corporate offices at 1101 Beaver Avenue, Pittsburgh, PA 15233. This vehicle is operated exclusively in the service of Yellow Cab Company of Pittsburgh. This certificate is in lieu of a lease copy pursuant of 52 PA. Code §29.101 (2) (ii).

Driver Signature: 

APPLE PRINTING (412) 276-7070

TIME	ODOMETER	ORIGIN	TIME	ODOMETER	DESTINATION	PASS.	\$ FARE
7:30 AM	747	SIXTH AV	8:00 AM	767	AIRPORT	1	37.40
1:30 PM	857	SIXTH AV	2:00 PM	877	AIRPORT	2	44.00
2:50 PM	895	GRAND ST	3:10 PM	915	AIRPORT	1	42.56

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# Vehicle Schedules Report

Printed On 8/12/2011

Printed For PITTSBURGH (6/19/2011 To 6/25/2011)

PITTSBURGH

Open Schedules as of: 6/19/2011 To 6/25/2011

Vehicle ID	Driver ID	Schedule ID	Last Name	First Name	Lease Amount	Start Date	Due Date	User ID
<b>YC1D</b>								
520	7225	80690	BURKE	JOHN	77.00	06/18/2011	06/19/2011	CSINGLETON
520	7230	81367	JONES	CHARLES	77.00	06/22/2011	06/22/2011	CSINGLETON
520	7230	81618	JONES	CHARLES	77.00	06/23/2011	06/24/2011	CSINGLETON
520	7230	81835	JONES	CHARLES	77.00	06/24/2011	06/24/2011	WSPARBANIE
520	7230	82127	JONES	CHARLES	77.00	06/25/2011	06/25/2011	WSPARBANIE
520	7225	82236	BURKE	JOHN	77.00	06/25/2011	06/26/2011	CSINGLETON
<b>YC1N</b>								
520	5308	80847	SNYDER	LOUIS	77.00	06/19/2011	06/20/2011	NANESIN
520	8331	81538	CHAPMAN	JOHN	77.00	06/22/2011	06/23/2011	HREID
520	7225	81769	BURKE	JOHN	77.00	06/23/2011	06/24/2011	HREID
520	7225	82043	BURKE	JOHN	77.00	06/24/2011	06/25/2011	HREID
<b>YC2A</b>								
520	9386	80946	KIRKLAND	GENE	128.25	06/20/2011	06/21/2011	CSINGLETON

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2249031**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

08/31/11

On 08/01/11 I contacted John Hooker and asked him to relay the details of his complaint against Yellow Cab Co of Pittsburgh to me. Mr. Hooker explained to me that he and his wife were at the Amtrak station in downtown Pittsburgh on 06/22/11 at about 6:45AM and needed to return to his home at 1034 Macon Ave in Pittsburgh. He told me that his main concern was that when he has attempted to get a cab that if he is not going to the Pittsburgh Airport he will not get a ride. Specifically cab 520 turned him down on the morning of 06/22. He stated that this has happened in the past and he is tired of Yellow Cab drivers only going to and from the airport. Mr. Hooker said that when he told the driver of cab 520 that he would make a complaint the driver said "you do that," and then he drove away. Mr. Hooker had to take a city bus to his home near Regent Square and then he got his personal vehicle and returned to the Amtrak station to pick up his wife and their bags. The round trip took about an hour and a half. Mr. Hooker stated the he made a complaint to Yellow Cab when he made his complaint to the Commission but has not heard from Yellow Cab. Mr. Hooker did not know the name of the driver for cab 520 but described him as a white male in his late fifties. I thanked Mr. Hooker for his information and told him I would speak to Yellow Cab about his complaint.

On 08/16/11 I met with Julie Armstrong of Yellow Cab Co of Pittsburgh. Ms. Armstrong provided me with the following information. On 06/22/11 cab 520 was driven by Charles Jones, PA DL 17 563 723, he has been with Yellow Cab since 1999. His phone number is 412-292-2544. She also provided me a trip sheet for cab 520 dated 06/22/11. We called Mr. Jones and left a message for him to call Ms. Armstrong or myself back. I asked Ms. Armstrong if she received a complaint from Mr. Hooker. She checked her email and did not find a complaint from Mr. Hooker. She stated that the complaints should be forwarded to her but that Jerry Campalongo might have the email or it might have been forwarded to someone else. I thanked Ms. Armstrong for the information and left Yellow Cab.

On 08/17/11 Mr. Jones called me. I explained to him that I was investigating a complaint and that it involved him. Mr. Jones said that he was pretty sure he remembered the event that I was looking in to. I told him that the event happened on 06/22 early in the morning. Mr. Jones stated that he was on his way to pick up a regular fare of his when another customer approached him at the Amtrak station. Mr. Jones told me that he did not take the fare as he was on his way to pick up his regular customer. On the trip sheet I received from Ms. Armstrong there is a trip at 7:30 AM going from downtown to the airport. I asked Mr. Jones where his regular

fare was going and he responded that the fare was going to the airport. All three trips on Mr. Jones trip sheet are from downtown to the airport. I explained to Mr. Jones that part of the complaint dealt with Yellow Cab drivers not wanting fares that did not go from downtown to the airport or vice versa and that his trip sheet for the day only had downtown to airport trips on it. Mr. Jones responded that he could see how that would look but that is just how that day worked out. He said that he takes all the trips he can as that is how he makes his money. I then asked Mr. Jones that if he was on his way to pick up a regular customer what was he doing at the Amtrak station. Mr. Jones said the he just did a fare from the Hyatt Place on the North side to the Amtrak station. I then asked him why that trip was not on his trip sheet. Mr. Jones responded that he might not have recorded that trip and that he "made a mistake." I asked Mr. Jones if he contacted Yellow Cab to let them know there was an available fare at the Amtrak station and he stated that he did not. Mr. Jones stated that "If I didn't have a fare I would've picked him up so fast," but he did not give me a reason why he did not notify Yellow Cab of the fare at Amtrak. I told Mr. Jones that it was a violation of the PUC regulations to not record all his trips he makes in the cab. Mr. Jones said that he knew he had to record all of his trips and that he just forgot that one trip that day. I thanked Mr. Jones for his information and ended the phone call.

On 08/19/11 I called Mr. Hooker back and told him of my findings at Yellow Cab. I asked Mr. Hooker if he had called Yellow Cab for a cab or if he just tried to hail a cab. Mr. Hooker told me that he called Yellow Cab from his cell phone 412-551-6670. Mr. Hooker asked me that if the driver had a fare then why did the driver ask him where he was going. I told Mr. Hooker that there was a clear violation on the driver's trip sheet and that I would include all the information he had given me in my report.

On 08/22/11 I emailed Julie Armstrong and asked if she could check to see the phone record for 412-551-6670. On 08/23/11 she responded that the last time that number called Yellow Cab was on 05/30/11 and the address of the pickup was 1034 Macon Ave (Mr. Hookers address).

On 08/31/11 I called Mr. Hooker and left a message on his voice mail. I explained that my investigation was complete and that if he had any questions or problems to call me.

On 08/31/11 Mr. Hooker called and left a message on my voice mail saying that he had his phone records and they show four calls from his cell phone to Yellow Cab on 06/22/11. He said that he could email me his phone bill to prove he made the calls.

On 09/06/11 I called Mr. Hooker and left him a message requesting that he email me his phone bill so that I could add it to this report. On 09/06/11 I contacted the WRO and requested that this case be returned to my

inbox in InfoMap so that I could update my EOR and upload Mr. Hooker's phone bill when I received it.

On 09/08/11 I received an email from Mr. Hooker with an attachment that was a page of his phone bill that showed four calls to Yellow Cab on 06/22/11.

On 09/27/11 I uploaded Mr. Hooker's phone bill to InfoMap and updated this EOR.

**From:** dcanzoneri@state.pa.us  
**Sent:** Wednesday, June 22, 2011 9:40 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: John Hooker

Street Address: 1034 Macon Ave

City: Pittsburgh, PA 15218

Daytime Phone: 412 551 6670

Your e-mail address: [john@hooker.tepper.cmu.edu](mailto:john@hooker.tepper.cmu.edu)

Date: 06/22/2011

Time : 6:45 am

Location of Incident : Liberty Ave, downtown Pittsburgh

Taxi(PUC) Number :

Medallion Number : 520

Taxi Company : Yellow

Driver Number :

Incident comments : On this and several other occasions, Yellow cab drivers have refused to transport me to a location other than the airport. This is a violation of § 29.313(a) Service standards and requirements, which states that "A driver of a call or demand vehicle shall, at all times when on duty and not engaged, furnish trip service on demand to an orderly person for lawful purposes." Drivers always ask where I am going. If I state a location other than the airport (or a location in that direction), they (a) explicitly refuse, (b) falsely state that they have been dispatched elsewhere, (c) drive away without speaking, or (d) simply ignore me. Yellow Cab is abusing its virtual monopoly in Pittsburgh. This is a long-standing problem and should be corrected.

Nature of Incident : Driver refused to transport passenger

**PUC MOTOR CARRIER ENFORCEMENT DIVISION  
OFFICER'S REPORT**

**INITIATING OFFICE - WRO**

**BP8 CASE # 2249031**

<b>District:</b> Pittsburgh	<b>Enforcement Officer:</b> Urey
<b>Assignment No.</b>	<b>Assisting Officer:</b>
<b>DOT No.</b>	<b>Utility Code:</b>
<b>Respondent:</b> Yellow Cab Co. of Pittsburgh	<b>Complainant:</b> PUC Transportation & Safety
<b>Address:</b> 1825 Liverpool St.	<b>Address:</b>
Pittsburgh, PA 15233	
<b>Phone No.</b> 412-321-8100	<b>Phone No.</b>
<b>PUC No.</b> 49926	<b>PUC No.</b>
<b>Email:</b>	<b>Email:</b>

**TYPE OF REPORT**

- COMPLAINT**
- MEMO OF RECORD** (Information regarding work assignment issued by district supervisor, or additional information from E.O. on VIR or MCSAP)
- OTHER** (Please describe):

**SUMMARY OF ASSIGNMENT**  
(Explain how assignment was initiated)

Read attached taxi complaint form. Contact complainant for further detail including origin/destination of the trip and rate of compensation. Visit carrier and identify driver and obtain the trip sheet. Speak with the driver regarding service complaint. Contact complainant at the close of your investigation. Complete within 30 days.

## Urey, Christopher

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From: Julie Armstrong [jarmstrong@pghtrans.com]  
Sent: Tuesday, August 23, 2011 12:03 PM  
To: Urey, Christopher  
Subject: RE:

Chris:

The last time 412-551-6670 phoned into Yellow Cab was 5-30-11 address 1034 Macon Ave 15218. Let me know if you need anything else.

Have A Great Day!!!

Julie

-----Original Message-----

From: Urey, Christopher [mailto:curey@pa.gov]  
Sent: Monday, August 22, 2011 9:28 AM  
To: Julie Armstrong  
Subject: RE:

Thanks, if you could check this phone number for me, 412-551-6670, it is the number the complantaint called from for a cab on 06/22 at about 6:45AM or a bit earlier. It is for the same case. The complainant stated to me that he called for a cab from that number and Mr. Jones told me that he was at the Amtrack station dropping off a fare when he spoke to the complainant. I'm curious to see if the complainant called for a cab and then if the job was entered into the system. If you have any questions let me know, 717-433-7877.

Christopher O. Urey  
Enforcement Officer  
Public Utility Commission  
Motor Carrier Services and Enforcement  
412-423-9310  
[curey@state.pa.gov](mailto:curey@state.pa.gov)<<mailto:curey@state.pa.gov>>

Notice: On \*\*Friday, July 29th\*\*, the commonwealth will be adding @pa.gov as the primary email domain for all state employees. For example:  
[curey@state.pa.us](mailto:curey@state.pa.us)<<mailto:jsmith@state.pa.us>> will now be [curey@pa.gov](mailto:curey@pa.gov)<<mailto:jsmith@pa.gov>>. The email addresses ending in @state.pa.us will continue to function so that emails will never be interrupted. We appreciate your cooperation as we take a small step to increase the usability and consistency of the commonwealth's online communications.

PRIVILEGED AND CONFIDENTIAL COMMUNICATION The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege.

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From: Julie Armstrong [jarmstrong@pghtrans.com]  
Sent: Friday, August 19, 2011 11:42 AM  
To: Urey, Christopher

Subject:

Chris:

I received your message. I can look into this on Monday for you. John, the communications person is not in today. Have a great weekend

Julie

This e-mail is intended only for use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any use, distribution or copying of this e-mail communication is strictly prohibited if you are not the addressee. If so, please notify us immediately by e-mail, and destroy the original. Thank you. --

This e-mail is intended only for use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any use, distribution or copying of this e-mail communication is strictly prohibited if you are not the addressee. If so, please notify us immediately by e-mail, and destroy the original. Thank you.

Rate Period (PD): DT=Daytime, NW=Nwknd  
 Feature: M2MC=EXPANDED M2M, VM=VOICE MAIL

Item	Day	Date	Time	Number Called	Call To	Min	Rate Code	Rate Pd	Feature	Airtime Charge	LD/Add'l Charge	Total Charge
1	WED	06/01/2011	4:36PM	970-244-9170	GRAND JCT CO	1	RM45	DT		0.00	0.00	0.00
2	WED	06/01/2011	4:37PM	970-244-9170	GRAND JCT CO	1	RM45	DT		0.00	0.00	0.00
3	WED	06/01/2011	5:11PM	970-244-9170	INCOMING CL	1	RM45	DT		0.00	0.00	0.00
4	WED	06/01/2011	5:12PM	970-244-9170	GRAND JCT CO	1	RM45	DT		0.00	0.00	0.00
5	WED	06/01/2011	6:12PM	435-837-5600	PRICE UT	4	RM45	DT		0.00	0.00	0.00
6	SUN	06/05/2011	2:50PM	207-344-2650	MAMMOTH WY	1	5KNW	NW		0.00	0.00	0.00
7	SUN	06/05/2011	7:17PM	412-551-6670	INCOMING CL	1	MME0	NW	M2MC	0.00	0.00	0.00
8	SUN	06/05/2011	9:10PM	866-439-7375	DOMESTIC CL	1	5KNW	NW		0.00	0.00	0.00
9	MON	06/06/2011	8:58AM	866-439-7375	DOMESTIC CL	6	RM45	DT		0.00	0.00	0.00
10	MON	06/06/2011	8:35PM	800-755-7414	DOMESTIC CL	4	RM45	DT		0.00	0.00	0.00
11	FRI	06/10/2011	9:27PM	307-733-2079	Jackson WY	2	5KNW	NW		0.00	0.00	0.00
12	FRI	06/10/2011	9:48PM	800-451-2900	TOLL FREE CL	4	5KNW	NW		0.00	0.00	0.00
13	TUE	06/14/2011	7:42PM	307-875-3681	GREENRIVE WY	2	RM45	DT		0.00	0.00	0.00
14	TUE	06/14/2011	7:46PM	307-875-9330	GREENRIVE WY	1	RM45	DT		0.00	0.00	0.00
15	TUE	06/14/2011	7:47PM	307-875-3500	GREENRIVE WY	1	RM45	DT		0.00	0.00	0.00
16	TUE	06/14/2011	7:51PM	307-875-2840	GREENRIVE WY	2	RM45	DT		0.00	0.00	0.00
17	TUE	06/14/2011	10:31PM	800-205-6343	DOMESTIC CL	4	5KNW	NW		0.00	0.00	0.00
18	WED	06/15/2011	8:29AM	800-205-6343	DOMESTIC CL	1	RM45	DT		0.00	0.00	0.00
19	FRI	06/17/2011	1:12PM	412-268-3697	PITTSBURG PA	4	RM45	DT		0.00	0.00	0.00
20	SUN	06/19/2011	3:18PM	217-531-9815	CHAMPNURB IL	34	5KNW	NW		0.00	0.00	0.00
21	SUN	06/19/2011	4:46PM	970-260-8091	GRAND JCT CO	2	MME0	NW	M2MC	0.00	0.00	0.00
22	WED	06/22/2011	6:05AM	412-321-8100	PITTSBURG PA	1	RM45	DT		0.00	0.00	0.00
23	WED	06/22/2011	6:25AM	412-321-8100	PITTSBURG PA	1	RM45	DT		0.00	0.00	0.00
24	WED	06/22/2011	6:46AM	412-321-8100	PITTSBURG PA	2	RM45	DT		0.00	0.00	0.00
25	WED	06/22/2011	6:47AM	412-321-8100	PITTSBURG PA	2	RM45	DT		0.00	0.00	0.00
26	WED	06/22/2011	6:50AM	412-281-9938	PITTSBURG PA	1	RM45	DT		0.00	0.00	0.00
27	WED	06/22/2011	6:50AM	414-442-2000	MILWAUKEE WI	2	RM45	DT		0.00	0.00	0.00
28	WED	06/22/2011	7:18AM	412-638-7732	PITTSBURG PA	1	MME0	DT	M2MC	0.00	0.00	0.00
29	WED	06/22/2011	7:47AM	774-838-8905	GREENSBUR PA	6	RM45	DT		0.00	0.00	0.00
30	WED	06/22/2011	4:51PM	308-334-3932	INCOMING CL	23	RM45	DT		0.00	0.00	0.00
31	THU	06/23/2011	12:22PM	412-551-6670	VMAIL CL	1	RM45	DT	VM	0.00	0.00	0.00
32	FRI	06/24/2011	12:20PM	412-638-7732	INCOMING CL	1	MME0	DT	M2MC	0.00	0.00	0.00
33	FRI	06/24/2011	12:27PM	800-421-2110	Toll Free CL	4	RM45	DT		0.00	0.00	0.00
34	FRI	06/24/2011	12:31PM	302-739-5719	NEWARK DE	7	RM45	DT		0.00	0.00	0.00
35	FRI	06/24/2011	7:56PM	412-441-9988	PITTSBURG PA	1	RM45	DT		0.00	0.00	0.00
36	FRI	06/24/2011	8:51PM	412-441-9988	PITTSBURG PA	1	RM45	DT		0.00	0.00	0.00
<b>Totals</b>						<b>132</b>				<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

**Data Detail** 412-551-6670

User Name : JOHN HOOKER

Rate Code: 89UB=89RYUNLCHILD, TM11=Pay Per Use Text/Instant Messaging

Rate Period (PD): AT=Anytime

Feature: GPRS=GPRS \$0.00 rate APN003, SMH=SMS per msg \$0.20 MQMT - PPU

Item	Day	Date	Time	To/From	Type	Msg/KB/Min	Rate Code	Rate Pd	Feature	In/Out	Total Charge
1	WED	06/15/2011	10:16AM	619-709-8468	MTM TEXT MESSAGE	1 Msg	TM11	AT	SMH	In	0.20
2	THU	06/16/2011	7:30PM	810-292-4904	MTM TEXT MESSAGE	1 Msg	TM11	AT	SMH	In	0.20
3	FRI	06/17/2011	2:37PM	417-805-4945	Text Message	1 Msg	TM11	AT	SMH	In	0.20
4	TUE	06/21/2011	2:06PM	323-236-6564	MTM TEXT MESSAGE	1 Msg	TM11	AT	SMH	In	0.20
5	THU	06/23/2011	12:22PM	657-703-4115	MTM TEXT MESSAGE	1 Msg	TM11	AT	SMH	In	0.20
6	SAT	06/25/2011	5:25PM	412-638-7732	MTM TEXT MESSAGE	1 Msg	TM11	AT	SMH	Out	0.20
7	SUN	06/26/2011	1:12PM	412-638-7732	MTM TEXT MESSAGE	1 Msg	TM11	AT	SMH	In	0.20
8	SUN	06/26/2011	2:57PM	412-638-7732	MTM TEXT MESSAGE	1 Msg	TM11	AT	SMH	In	0.20
9	SUN	06/26/2011	4:40PM	412-638-7732	MTM TEXT MESSAGE	1 Msg	TM11	AT	SMH	In	0.20
<b>Subtotal of Msg's</b>						<b>9 Msg</b>					<b>1.80</b>

B

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

2012 SEP 19 PM 2: 54

PENNSYLVANIA PUBLIC UTILITY COMMISSION,  
BUREAU OF INVESTIGATION AND ENFORCEMENT

PA PUC  
SECRETARY'S BUREAU

v.

Docket No. C-2011-2212501

THE YELLOW CAB COMPANY OF PITTSBURGH  
1825 LIVERPOOL ST  
PITTSBURGH PA 15233

A-00049926

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 hereby represents as follows:

1. That The Yellow Cab Company of Pittsburgh, Respondent, maintains its principal place of business at 1825 Liverpool Street, Pittsburgh, PA 15233.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 21, 1946, at A-00049926, for call or demand authority.
3. That, on November 25, 2010, Respondent's taxi driver No. 6440, Alehya Stieff, was in the process of transporting three passengers from 18<sup>th</sup> and Carson Street on the Southside of Pittsburgh, to Hazel Dell Street in Carrick. The vehicle smelled like smoke, the fare was covered up with a towel and the radio was playing so loud that the passengers could not hold a conversation among themselves. When the driver took a wrong turn to get to the requested destination, the passengers had to yell many times before they could get the attention of the driver. When the driver finally heard them, she asked them why they were yelling at her. She was asked to turn down the radio so that they could talk. She complied with the request. Halfway to the destination, the driver was going to make an incorrect turn. The passengers asked her to keep going straight, but the driver continued to turn onto the wrong road. The passengers then asked the driver to stop the meter so they weren't charged for going the wrong way. The driver said that they were yelling at her again and ordered the three passengers out of her cab. The following week, one of the passengers filed a complaint with this Commission. On December 6, 2010, Enforcement Officer Gary Double Jr., a duly authorized officer of this Commission's Pittsburgh District Office, commenced an investigation relative to the above allegations. Officer Double requested the November 25, 2010, log sheet for Alehya Stieff. Two log sheets were provided to Officer Double, one dated November 22, 2010, and the other dated December 4, 2010; no log sheet was provided for November 25. However, during Officer Double's interview with driver Alehya Stieff, she remembered the situation and admitted to ordering the passengers out of the vehicle. This is unreasonable service.
4. That the two log sheets provided to Officer Double relative to the above trip were not properly completed. The origin and destination columns did not contain a street name and address or, if unavailable, an identifiable landmark and the ending meter, meter trips, and end time information was omitted. Respondent was previously warned by correspondence dated October 29, 2010, to ensure that its drivers properly completed their log sheets.

5. That a review of Respondent's log sheets indicated that on seven out of the nine trips, Respondent charged a higher rate than its tariff on file with the Commission. Respondent's tariff indicates that the metered rate for the first 1/7 mile, or fraction thereof, is \$2.25 and each 1/7 mile, or fraction thereof, up to 20 miles, is \$.25. Each 1/7 mile, or fraction thereof, over 20 miles is \$.50. Respondent, on two out of the nine trips listed, charged a lower rate than its tariff on file with the Commission. Respondent's taxicab driver charged as follows:

Date	Passengers	Fare	Miles	Tariff	Overcharge	Undercharge
11/22/10	1	\$58.00	22.7	\$45.95	\$12.05	
	5	\$20.00	13.0	\$24.75		\$ 4.75
	2	\$23.65	19.0	\$35.25		\$11.60
	1	\$25.00	11.0	\$21.25	\$ 3.75	
	1	\$37.00	12.0	\$23.00	\$14.00	
12/4/10	2	\$60.00	22.0	\$43.50	\$16.50	
	2	\$20.00	8.0	\$16.00	\$ 4.00	
	5	\$17.12	8.0	\$16.00	\$ 1.12	
	1	\$44.84	20.0	\$37.00	\$ 7.84	

6. That Respondent, by failing to furnish and maintain adequate, efficient and reasonable service and facilities for the proper safety of its patrons and public, as described in Paragraph 3, violated 66 Pa. C.S. § 1501. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.

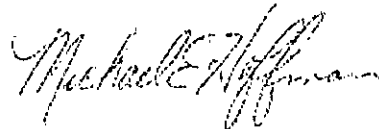
7. That Respondent, by failing to have complete log sheets, as described in Paragraph 4, violated 52 Pa. Code § 29.313(c)(4). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$50 each for a total of \$100.

8. That Respondent, by charging a higher rate than its tariff on file with this Commission, as described in Paragraph 5, violated 66 Pa. C.S. § 1303 and 52 Pa. Code § 29.314(b)(6) and § 29.316(a). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 each for a total of \$3,500.

9. That Respondent, by charging a lower rate than its tariff on file with this Commission, as described in Paragraph 5, violated 66 Pa. C.S. § 1303 and 52 Pa. Code § 29.314(b)(6) and § 29.316(a). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250 each for a total of \$500.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine The Yellow Taxicab Company of Pittsburgh, the proposed civil penalty of the sum of Four Thousand Six Hundred Dollars (\$4,600.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

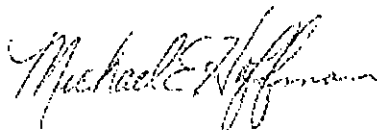


Michael E. Hoffman, Manager  
 Bureau of Investigation and Enforcement  
 P.O. Box 3265  
 Harrisburg, PA 17105-3265

**VERIFICATION**

I, Michael E. Hoffman, Manager, 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 believe and that I expect that 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.

\_\_\_\_\_ 11/10/11 \_\_\_\_\_  
Date



Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

## NOTICE

A. You must file an Answer within twenty (20) 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). 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 Complaint. Your Answer must be verified and the original **shall be mailed 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, 2<sup>nd</sup> 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 Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in the Complaint.

C. You may elect not to contest this 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 complaint proceeding shall be closed.

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

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 optional fine set forth in the Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227. Questions on how to respond to this Complaint may also be directed to the Compliance Office.

## Officer's Report

This report is in reference to BP8 case #2212501. The complainant in this case alleges that Yellow Cab driver #6440 provided poor service, ordered him out of the vehicle and smoked while he was in the cab.

This officer attempted to contact the complainant in reference to this case on multiple occasions. Messages were left for him to return my phone call on December 2<sup>nd</sup>, December 10<sup>th</sup> and January 10. On January 10<sup>th</sup>, I requested that the Western Regional Office send a letter to the complainant requesting he contact me in reference to the case. The letter was dated January 13<sup>th</sup>, 2011 and requested that he respond by January 21<sup>st</sup>, 2011. Failure to respond would result in the case being closed. As of the date of this report no contact from the complainant has been made.

The complainant, Jody Davin, alleges that driver #6440 of Yellow Cab was smoking a cigarette and playing the radio loudly. During the trip the driver failed to listen to the GPS and went the wrong way causing the fare to increase. When he asked the driver why she went the wrong way the driver began cursing and yelling back at him. The driver then ordered the complainant out of the cab at that location. Finally the complainant stated that the cab was un-sanitary, the fare prices were covered with a towel and the seats were covered with dirty blankets.

In reference to the allegations that the complainant made in the letter I responded to Yellow Cab on December 6<sup>th</sup> and met with then Safety Director Paul Caliari. Mr. Caliari advised that driver #6440 was Alehya Stieff. Ms. Stieff has a DOB of 3/6/70, she is usually a daily lease driver and she has a PA driver license of 25076243. I asked Mr. Caliari to call Ms. Stieff in to the office so I could speak with her about the allegations. Ms. Stieff responded and I interviewed her at about 1130 hrs that morning (approximately 20 minutes after Caliari asked her to respond). Ms. Stieff's appearance was clean, professional and she did not have a cigarette odor smell to her. I advised Ms. Stieff why I needed to speak with her and she agreed to answer my questions. Ms. Stieff stated that she does smoke in the cab, but never when customers are in the cab. She uses air fresheners and cleans her cab continually to ensure the cab does not have a dirty or foul smelling appearance to it. She does play the radio while she has customers in the cab and she will turn it up or down upon the

customers request. Ms. Stieff stated that she has never used the "f-word" or "f-bombed" a customer ever. She did remember that several weeks ago she told a drunken individual that was yelling and out of control to get out of her cab. She dropped the individual off at a gas station and called and told the dispatchers (Nancy she thought) about the incident.

At this time I asked to see Ms. Stieff's cab and I conducted a safety inspection of same. It was the same cab that Ms. Stieff was using on the date of the alleged incident. The cab appeared very clean with some small crumbs on the floor, but not to the extent that the cab appeared dirty or nasty. The interior of the cab smelled of air fresheners and Ms. Stieff showed me the can of Febreeze and the several air fresheners that she has hanging in the cab to keep the cab smelling clean and fresh. A clean "Terrible Towel" was prominently displayed on the dash of the cab and blankets were neatly spread on the front seats of the cab. Fare rates and meter were not covered or obstructed by anything. No violations were found inside or outside of the cab. Safety Manager Caliarì signed for Yellow Cab's copy of DVCR 410-1075 (attached to report).

On February 8, 2011 while investigating case number BP8:2221486, I found that the complainant in that case was the girl-friend of complainant Jody Davin. A time was set up to speak with Mr. Davin later in the evening. At approximately 1835 hours on February 8, 2011 I spoke with Mr. Davin in reference to this case. Mr. Davin advised that he did not receive the letter, but he did get all of my messages asking for him to contact me. He apologized and advised that he was busy with work and just let the complaint go.

Mr. Davin advised that the incident occurred in the early morning of Thanksgiving at around 0100 hours. He was with two friends, Eric and Justin Swartsmiller and they were outside of Mario's Bar on Carson Street on the south side attempting to get a cab. The destination was Hazel Dell Street in Carrick. They flagged a Yellow Cab minivan with an African-American female driver operating same. He verified that the driver's number was 6440, but he did not get the Cab number. The driver was smoking in the cab when she first picked them up. She eventually threw the cigarette out after a couple blocks. Mr. Davin advised that the front and middle seats along with the dash were covered with Steelers towels. The fare sticker advising what the flag

drop and increment charges are was completely covered up and unable to be located. The cab in general was not dirty, the towels were not dirty, but the cab appeared cluttered and smelled like smoke.

The driver had the music turned up in the cab so loud that he and his friends were unable to hold a normal conversation. When he asked the driver to turn it down he needed to raise his voice to get her attention. The driver did turn the music down, but must have taken note that he raised his voice at her. The driver was using a GPS system to navigate the trip and about half way there the driver was stopped in traffic to make a left hand turn. He advised her to keep going straight, but the driver refused to listen and she made the turn onto the wrong road. At this time Mr. Davin asked her to turn the meter off so they were not over charged for the driver's mistake. Upon asking her the second time to turn the meter off the driver stated "is that the second time you f---k-n yelled at me?" and then ordered all three of them out of the cab. His two friends ran out of the cab, but he stayed and tried to talk with the driver. He eventually gave up and the three were dropped off one block off of South 18<sup>th</sup> street. The street was side-street near an alley. Mr. Davin advised that he was drinking that evening but he was coherent enough to get the driver number. He disputes the driver's claim that he was drunk.

Mr. Davin advised that he did not have the Schwartzmiller's phone numbers as he just got a new cell phone, but he was able to provide their parents address on Hazel Dell St in Carrick for me to attempt to locate them.

Using Yellow Pages reverse look-ups I found that two addresses for Schwartzmillers that matched information that I had. The first was 2204 Hazel Dell St. in Carrick and the second was 126 Orchard Dr. in Pleasant Hills, PA. On February 11, 2011 I responded to these locations and left a business card with a note for them to call me.

On February 16, 2011, I spoke with Debra Schwartzmiller, the mom of Justin and Eric Schwartzmiller. Ms. Schwartzmiller advised that Eric is attending school in Florida and Justin lives with her on Orchard Drive in Pleasant Hills. She provided Eric's phone number and said she would have Justin call me when she speaks with him.

On February 17, 2011, at approximately 1603 hours I spoke with Eric Schwartsmiller by telephone. Same advised that he remembered the incident on Thanksgiving morning. They (Jody, Justin and Eric) got the cab at 18<sup>th</sup> and Carson Street and they were going to Hazel Dell St. He could not remember if the driver was smoking or not, but the music was turned up really loud. The driver was an African-American female. Mr. Davin asked her to turn down the music several times (six to seven times). Because the driver could not hear him he had to raise his voice to get her attention. The driver appeared upset over the radio and Mr. Davin raising his voice to get her attention. Half way up 18<sup>th</sup> street the driver turned onto a side street. When they finally got the driver's attention, the driver asked them if that was where they were going and Mr. Davin said "No. Are you trying to run the meter up on us?" The driver then responded with "is that the second time you yelled at me?" and then ordered all of them out of the cab. Mr. Schwartsmiller stated that in no way did Mr. Davin yell or raise his voice at the driver during this exchange. The only time he raised his voice was when the driver could not hear them ask to turn the radio down. The driver ordered them out at the intersection of Kimbol and Gamble Street. There was no gas station or commercial business anywhere in the vicinity or within sight. The area was not the worst, but did not appear to be the 100% best area to be ordered out of a cab either.

I attempted to contact Justin Schwartsmiller on several occasions after speaking with his mother. To date I have not spoken with Justin Schwartsmiller in regards to the incident on Thanksgiving morning.

My investigation revealed that the complainant's allegation that poor service was provided and the driver failed to transport the customers appears legitimate. The complainant's story was verified by Eric Schwartsmiller that they were ordered out of the cab by driver Alehya Stieff after Ms. Stieff yelled at Mr. Davin. Ms. Stieff had also failed to take the most direct route and a case for unreasonable service can possibly be made due to the radio playing so loud the driver was unable to hear the passengers' requests. The radio incident by the driver was the catalyst for the complaint. Had the radio not been so loud the driver would not have become agitated in the first place for believing the customers were yelling at her. The driver admitted to me that she smokes in her cab, but never when customers are with her. Mr. Davin stated that the cab smelled like smoke on the day of the incident and he observed the driver smoking while they were in the cab. Mr.

Schwarstmiller was unable to verify this as he did not remember if she was smoking or not. Mr. Davin advised that the cab was cluttered, but did not appear dirty or unsanitary other than the smoke smell. My inspection of the cab on December 6<sup>th</sup>, 2010 eleven days after the incident found the cab neat, sanitary and similar to the way that Mr. Davin described it, minus the smoke smell. The tariff information was visible during my inspection.

In regards to the trip and to the extent of my knowledge of the PUC regulations I found the following trip sheet violations:

**Trip sheet for date of complaint:**

29.313 (c)(4): Driver fails to provide exact points of origin and destinations (driver uses general locations such as Oakland and Sewickley).

29.313 (c)(7): Driver is potentially listing the odometer mileage instead of the beginning and ending meter numbers on the trip sheet.

**Trip sheet for date of inspection (12-6-10):**

29.313 (c)(4): Driver fails to provide exact points of origin and destinations (driver uses general locations such as Oakland and SS).

29.313 (c)(7): Driver is potentially listing the odometer mileage instead of the beginning and ending meter numbers on the trip sheet.

**Attachments info-mapped by WRO clerk:**

1. Stieff trip sheet for date of complaint.
2. Stieff trip sheet for date of 12/6/2010
3. DVCR #410-1075 conducted on 12/6/10

The complainant in this case, Jody Davin, was contacted on February 25, 2011, and advised that the investigation had been completed and would be forwarded to Harrisburg for review. Mr. Davin had no questions in reference to the case. He asked to be notified of the final outcome of the case and advised that he may be willing to testify if needed.

Gary Double Jr.

February 25, 2011

Badge #4

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :  
BUREAU OF TRANSPORTATION AND SAFETY :

V. :

C-2011-2211682

YELLOW CAB COMPANY OF PITTSBURGH :  
1101 BEAVER AVENUE :  
PITTSBURGH PA 15233 :  
A-00049926 :

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 Yellow Cab Company of Pittsburgh, respondent, maintains its 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 August 21, 1946, at Application Docket No. A-00049926 for call or demand authority.

3. That, on November 11, 2010, Tracey Shoemaker called respondent at approximately 3:30 a.m. from UPMC Mercy Hospital for transportation to 186 Plymouth Street, Pittsburgh, Pennsylvania. Ms. Shoemaker went outside of the emergency room to wait for the taxicab. At 3:42 she received a text message that taxicab No. 242 was dispatched to pick her up. Approximately twenty minutes later she called respondent at which time the dispatcher advised her that the taxicab was two blocks away. Ms. Shoemaker saw a Yellow Cab stopped at a red light; however, the taxicab went straight instead of turning to the entrance of the emergency room. Ten minutes later she called respondent again and was advised that taxicab No. 242 had turned the meter off and was no longer on the way. The dispatcher ordered a second cab which arrived at 4:20 a.m. and transported Ms. Shoemaker. On December 6, 2011, Enforcement Officer Christopher Urey spoke with Yellow Cab Co.'s safety manager, Paul Caliani. Mr. Caliani provided a copy of the trip sheet on the day in question. Officer Urey also spoke with driver, Lori Bridgette regarding the complaint. Ms. Bridgette stated that she recalled responding to a fare at the hospital when a group of guys flagged her down a block from the emergency room. Ms. Bridgette stated that she told them that she could not pick them up because she had a fare at the hospital. The group told her they were the fare from the hospital and had decided to walk to their hotel after waiting for a long time for the taxicab to arrive. A review of the driver's log sheet for the day in question did not include the trip Ms. Bridgette described. The log sheet was incomplete; the time the shift ended was blank, and the times of each trip, including the odometer or meter mileage was not included. Additionally, the dispatch record clearly stated that the fare was a female named Tracey; a group of four guys does not fit that description. The dispatch record for driver Bridgette on November 11, 2010 shows that Ms. Shoemaker placed her request at 3:34 a.m.; the trip was accepted by driver Bridgette at 3:42 a.m. The driver metered on at 4:04 a.m. and metered off at 4:07 a.m. The call was re-dispatched at 4:16 a.m. and accepted by another driver. Ms. Shoemaker was picked up at 4:20 a.m., a period of forty-six minutes later. This is unreasonable service.

4. That respondent, by failing to maintain safe, adequate, efficient and reasonable service and facilities for the proper safety of its patrons and public, violated 66 Pa. C. S. §1501. The Bureau of

Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$500.00.

5. That respondent, by failing to have a complete driver log sheet in its vehicle, violated 52 Pa. Code §29.313(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$50.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Company of Pittsburgh, the sum of five hundred fifty dollars (\$550.00) for the illegal activity described in this complaint and order other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, 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 that 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: \_\_\_\_\_

\_\_\_\_\_  
Michael E. Hoffman

## NOTICE

A. You must file an answer within twenty (20) 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). An answer is a written explanation of circumstances wished to be considered in determining the out come. 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 (3) copies sent to:

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

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

C. You may elect not to contest this 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 forwarded to the 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 complaint proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegation of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

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 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.

## Officer's Report

This report is in reference to BP8 case #2211682. The complainant in this case alleges that Yellow Cab #242 refused to provide cab service to her.

On December 2<sup>nd</sup>, 2010 I spoke with Tracey Shoemaker by telephone in reference to her complaint. Ms. Shoemaker advised that she did speak with Operations Manager Jerry Campolongo, but she is unsure what Yellow Cab did about the driver's actions. Ms. Shoemaker advised that on November 11th, 2010 she placed an order for Yellow Cab to pick her up at UPMC Mercy Hospital and transport her to 186 Plymouth Street in Pittsburgh, PA. Ms. Shoemaker waited outside at 0330 hours in the morning to make sure the driver did not miss her. At 0342 hours she received a text that cab #242 was dispatched to pick her up. After approximately twenty minutes she called Yellow Cab and the dispatcher advised that cab #242 was two blocks away. When Ms. Shoemaker looked she could see a Yellow Cab a couple blocks away stopped at a light but the cab went straight instead of turning to come to the ER entrance. Ms. Shoemaker advised she was at the ER entrance but was fully capable of seeing the main entrance in case the cab driver went there instead. No cab arrived and after ten minutes she called again. This time the dispatcher advised that cab #242 had turned the meter off for the trip and was no longer on the way to do the trip. The dispatcher made reference that the driver was a female. A second cab was ordered, arrived and transported her almost immediately. This driver was very professional and even assisted her in getting the PUC complaint number from the decal to make her complaint. Ms. Shoemaker advised that the trip with tip is usually a \$10 or \$11.00 trip.

Ms. Shoemaker advised that in reference to the other incident mentioned in the complaint, it happened about three months ago and she has very little information on it. She does not remember the date, location, fare or cab number. I advised her to contact me with the information when she gets this information and we can discuss it at that time.

On December 6<sup>th</sup>, 2010 I responded to Yellow Cab and spoke with Safety Manager Paul Caliari. Mr. Caliari advised that the driver in this incident is Lori Bridgette. Ms. Bridgette has a DOB of 1/14/61 and a PA driver's license of 21367013. She is usually a daily lease driver. Mr. Caliari also provided a copy of the trip

sheet for the day in question. Mr. Caliarì advised that he does not agree with this complainant as the customer received cab service with-in a half an hour. It shouldn't matter which cab provided the service.

At approximately 1135 hours on the same day I spoke with the driver Ms. Bridgette on the phone from Mr. Caliarì's office. Ms. Bridgette advised she usually works a 1900 to 0700 hour shift and the time frame of the complainant is with-in her work time. Ms. Bridgette advised that she has never failed to pick someone up, especially a hospital ER call. If a telephone number is available she will call it as well. She stated that she picks a lot of fares up at UPMC Mercy and when the customer is not waiting outside she will go into the ER and speak with the ER guard to find out who she is there for.

As Ms. Bridgette continued to speak she began re-calling that there was a time when she was responding to UPMC Mercy when a group of guys flagged her down a block from the ER. One of the individuals had appeared to have just been released from the ER. Ms. Bridgette pulled over to tell them she couldn't pick them up; she had a fare at the hospital. The group advised that they were the ones that called for a cab at the ER. They had waited for a while and then decided to walk to their hotel because the cab was taking too long. She believed she was picking up her fare and drove them to the Omni. She returned to Mercy immediately afterwards to ensure there was no other patient waiting. Upon speaking with the guard at the ER she was advised that she picked up the wrong fare, but another cab had responded to transport the customer.

I then responded to the office of Yellow Cab Supervisor John Oliverio to obtain dispatch records for Lori Bridgette on the date in question. The dispatch records show that Ms. Shoemaker placed her request for a cab at 0334 hours. Ms. Bridgette accepted the trip at Mercy Hospital at 0342 hours. She metered on 0404 hours and metered off at 0407 hours. The call was re-dispatched at 0416 hours, accepted by driver Brian Rayburg and completed at 0428 hours.

On December 10<sup>th</sup>, 2010 at approximately 1030 hours I spoke with driver Brian Rayburg. Mr. Rayburg is the cab driver that Yellow Cab dispatch records recorded as the driver who provided service to Ms. Shoemaker that evening. Mr. Rayburg advised that there was no way it was him. He shares a cab with driver

Kevin Spears and Spears is the late night driver. Sometimes Mr. Spears forgets to log onto the MDT under his information so the dispatch records would fall back onto his (Brian Rayburg's) driver number.

I then contacted driver Kevin Spears. Same advised that he does not remember the incident at all. The situation I described occurs frequently and it occurs more often in the evening as drivers sometimes fear that they are going to get stiffed on the fare or will have to drive to a bad part of town and chance getting robbed. He apologized for not being more helpful.

My investigation found that driver Ms. Bridgette failed to pick up Ms. Shoemaker at Mercy Hospital after accepting the trip. Ms. Shoemaker admits that she saw a cab two blocks away and driver Bridgette advised that the customers that flagged her stated they were the ones that called for a cab. Ms. Shoemaker advised and dispatch records confirm that the customer to be picked up was named Tracey and a group of four guys would not fit the description the complainant provided to the Yellow Cab call taker. Compliance review must determine if this the same as refusal of a trip assuming that the cab the complainant saw the day of the incident was actually driver Bridgette's cab. Review of the trip sheet for the day in question finds that if driver Bridgette did pick up a group of customers a block from the hospital, she failed to list it on the manifest as there are no trips listed fitting the trip she is describing.

Upon review of the trip sheet and to my knowledge of the PUC regulations I found the following trip sheet violations:

1. 29.313(c) (2): The time she commenced the shift and the time she ended the shift and ceased driving. No end time is stamped on the trip sheet.
2. 29.313 (c) (4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Bridgette uses general addresses on the trip sheet (i.e. Bethel Park and Carnegie) and fails to enter times for the trips. There is also no mention of the trip with four passengers for the day in question.

3. 29.313 (c) (7): It appears that the begin and end taxi meter readings that the driver has entered may possibly be the odometer readings instead. The ending meter states 257665 and on the last trip the odometer on the trip sheet reads 7661.

Compliance review should review this report and determine if any other violations are present or if a charge of unreasonable service is warranted. The complainant made her request at 0334 hours and was not picked up until 0420 hours, forty-six minutes later. A review of the Yellow Cab driver files at the Pittsburgh Office found no previous complaints or findings against driver Lori Bridgette.

On December 13, 2010 I notified Ms. Shoemaker of the completion of the investigation. Same advised that she would like to be notified by Harrisburg of the final results of the case.

**Attachments mailed to WRO clerk for info-mapping:**

1. Driver Bridgette's trip sheet for shift in question
2. Dispatch sheet for driver Bridgette in reference to trip in question
3. Dispatch sheet for driver Rayburg/Spears in reference to trip in question

Gary Double Jr.

December 13, 2010

Badge #4

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2210275

Parent Case Number

DocketNumber

Case Type No Document

Initiating Document Type Informal Complaint

Case Status Closed

Case Priority Low

Date Filed 11/16/2010

Utility Code 534175

Utility Name YELLOW CAB CO OF PITTS

Utility Type Taxi

Service Type

Applicant

Responsible Bureau TAS

Respondent Yellow Cab Co of Pittsburgh

Complainant Bur of Transportation & Safety

Allegation Richard and Johnette Wynkoop alledge that Yellow Cab is either not providing service at all, or not picking them up until hours after the initial request.

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description Richard and Johnette Wynkoop alledge that Yellow Cab is either not providing service at all, or not picking them up until hours after the initial request.

Case Comments IC ltr sent to complainants Wynkoop

Efiling Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 2

TAS 2210275 RICHARD & JEANETTE WYNKOOP.IC LTR.2210275.DOC

Case is not active in workflow | Case is locked for you to modify

## Officer's Report

This report is in reference to BP8 case #2210275. The complainant alleges that Yellow Cab has provided unreasonable service for him multiple days a month since September of 2010.

On December 2<sup>nd</sup>, 2010 I spoke with the complainant Richard Wynkoop about his complaint. Upon identifying myself he advised that I need to send him about ten more taxi complaint forms for new complaints. I asked Mr. Wynkoop to start from the beginning and I would handle all the complaints if possible. Mr. Wynkoop then advised that he moved into his current home in August of this year. He has poor vision and other health issues and is completely reliant on public transportation to get around. From the 1<sup>st</sup> to the 4<sup>th</sup> of each month and from the 21<sup>st</sup> to the 25<sup>th</sup> of each month beginning in September and each month since he has placed advanced orders for Yellow Cabs to transport him to the grocery store. He places the orders three to four days in advance and on the day of the order he calls every twenty minutes or so to ensure he remains on the list. The Yellow Cab dispatchers advise him that there are usually no cabs in his area and they can't make a cab pick him up. Mr. Wynkoop advised that he spends all day calling to ensure he is still on the list and sometimes they arrive three hours after the original order, sometimes they show up at 10:00 pm when the order was for 11:00 am and sometimes they never show up and he quits calling because he knows the grocery store is closed. He has looked into other modes of transport, but Access is for medical purposes only and they won't take him to the grocery store. He has called Classy Cab and Green's Taxi and both advised that his location is in Yellow Cab's authority area only and they can't assist him. Finally, no other services ie. Port Authority, the "T" and other bus services are in his area. The Wynkoops are solely dependent on Yellow Cab and they never show up when they need them. When they do show up and take him it's usually a two to three hour wait at the grocery store after he is done shopping for a return trip by Yellow Cab.

Mr. Wynkoop does not have specific dates and times, only that it consistently occurs from the 1<sup>st</sup> to the 4<sup>th</sup> and from the 21<sup>st</sup> to the 25<sup>th</sup> of each month when he needs to do his grocery shopping. The trip is always the same, pick up at his residence at 3825A Grant Street in South Park, PA 15129 and drop off at 5055 Library

Road Bethel Park, PA at the grocery store and return. At this time he has not kept any records, phone or computer, with exact dates and times for occurrences.

Mr. Wynkoop advised that he spoke with Operations Manager Jerry Campolongo a few months ago and Campolongo advised that he would do something to help him out, but the problem has yet to be fixed. Drivers have advised that Mr. Campolongo promises airport trips or pays them himself to do the runs. Mr. Wynkoop advised that he is dependent on Yellow Cab for transportation and he feels discriminated against because of their lack of care to transport him. Yellow Cab rarely has cars in his area and the dispatchers advised him that they can't make a cab respond to pick him up.

Mr. Wynkoop was advised to keep detailed info on future cab requests in case this type of service continues from Yellow Cab. I advised him that I would be speaking with Yellow Cab the following week and that I would notify him at the conclusion of my investigation.

On December 6<sup>th</sup>, 2010 I met with Yellow Cab Manager John Oliverio. Mr. Oliverio provided me with a computer printout of all the times the Wynkoops have called from their residence. The list provides dates, times and durations of calls. Beginning on September 22<sup>nd</sup> to December 4<sup>th</sup>, 2010 the Wynkoops have called Yellow Cab sixty-six times.

On December 6<sup>th</sup>, 2010 I spoke with CEO of Operations Jerry Campolongo. Mr. Campolongo advised that he knows these people and it's an unfortunate situation. They live way out on the edge of service, literally with-in 1.5 miles from the service boundary and there is very little call volume. There is little reason for the drivers to be in the area unless they have a drop off and can then take the trip. Mr. Campolongo advised that he spoke with Mr. Wynkoop and he is attempting to find a cab in good enough shape that they are going to take out of service. He advised Mr. Wynkoop that he usually gets \$450.00 or so at auction for the cabs, but he would sell one to the Wynkoops for \$200.00 and they could use their notary to obtain plates. His goal is to get them in a car that will last them at least a year or two.

When the Wynkoops call for service he usually selects a driver, gives them a \$100.00 credit and sends them out to drive the Wynkoops around. The driver usually has four hours wrapped up in the service as they go

a short distance to the bank, grocery store etc, and the driver waits around forever for them to complete their chores. The drivers usually get \$20 to \$30.00 dollars for their trouble and without giving a \$100.00 credit it's not worth the driver's trouble. Drivers also advise him that they are difficult customers as they need assistance from the door of their residence and whatever business they are going to and they are not the politest people at times. The Wynkoops treat the drivers like they are their servants.

Mr. Campolongo stated that he is trying to accommodate the Wynkoops because it's the right thing to do. He could just refuse to transport them and pay the fine every time the PUC fines them. He is implementing new systems in an attempt to curb the complaints. The closest vehicle dispatch system has been implemented in all but the 16 busiest zones of the service area. If a driver has a drop off in one of the slower zones and a call comes in it immediately advises the driver so the driver knows there is a fare near him. Yellow Cab has added almost 100 cabs to their fleet and they now operate with 325 cabs since the spring of 2010. These two operations have cost over \$800,000 to implement according to Mr. Campolongo and they were implemented in an attempt to provide better service.

Mr. Campolongo advised that Billy McNally is one of the drivers that he personally asks to service the Wynkoops. I spoke with Mr. McNally on the telephone on December 6<sup>th</sup>, 2010. Same advised that Mr. Campolongo has requested him to go out and pick them up two or three times now. The residence is a nightmare, very difficult to find and is a forty minute ride to get there. The trips they request are three to six blocks away from their home. Mr. McNally advised that he has only dealt with Mrs. Wynkoop, never Mr. Wynkoop. In his opinion Mrs. Wynkoop is a mixed bag. On the phone she orders him around, calls him on his personal cell phone and is not very pleasant. In person, however she is fine, very polite and never causes problems. He never questions her when providing her service, even when she made him wait an hour at the bank, because he doesn't want to stir or cause any more problems with the Wynkoops. He has suggested to her that they call at slower hours of the day typically between 1100 and 1300 hours. He usually gets the call to pick them up later in the afternoon.

On December 13, 2010 I contacted Mr. Wynkoop and advised him that my investigation was complete and I would be forwarding the report on to Harrisburg. Mr. Wynkoop requested that he receive notification of the final outcome. Mr. Wynkoop verified that Mr. Campolongo did offer to sell him a car, but he currently does not have the money to purchase it. The offer was made a couple months ago, but if a car ever comes up, he will find a way to buy it. Mr. Wynkoop also advised that since I contacted him they called Yellow Cab once for service. On Saturday December 4<sup>th</sup> Yellow Cab arrived with-in two hours and they were happier with that amount of time for service. They were unable to get return service from the grocery store and ended up paying a couple who had finished their shopping and were going past their home some money for gas. Mr. Wynkoop said they asked every one coming out of the store if they could have a ride until they were successful.

My investigation found that the Wynkoops have called Yellow Cab for service sixty-six times since September. Mr. Wynkoop could not advise which days he was successful in getting cab service and which days he was not. He did advise that they would call multiple`times each day so their request would stay active. Multiple calls were made almost every time they called including five calls on October 4<sup>th</sup>, November 13<sup>th</sup> and 15<sup>th</sup>, ten calls on November 3<sup>rd</sup> and nine calls on November 4<sup>th</sup> and 23<sup>rd</sup>. The duration time for each call varied with some lasting less than a minute and the longest occurring on September 22<sup>nd</sup> lasting over fifteen minutes. As I have stated in previous complaints involving Yellow Cab, Yellow Cab management does not feel it can require its drivers to take a trip because they are independent contractors. The service provided to the Wynkoops is an example of this as they are waiting hours and sometimes never receive a cab. Compliance review should determine if this is unreasonable service or refusal of service provided to the Wynkoops. Furthermore, it should also be decided if Yellow Cabs inability to provide service to patrons because drivers are independent contractors and can decide which trips they will take violates chapter 29.101(f)(2)(i): The leased vehicle shall be operated under the direct control and supervision of the certificate holder.

**Attachments info-mapped by WRO Clerk:**

1. Call log from Wynkoops home phone since September 2010 (6 pages)

Gary Double Jr.

December 13, 2010

Badge #4

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION, BUREAU OF  
TRANSPORTATION AND SAFETY

V.

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

A-00049926

DOCKET NO. C-2011-2208331

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 Yellow Cab Co. of Pittsburgh, Respondent, maintains a principal place of business at 1101 Beaver Avenue, Pittsburgh, Allegheny County, PA 15233.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 21, 1946, at application Docket No. A-00049926.
3. That Respondent, on November 2, 2010, at approximately 0800 hours, 0830 hours, and 0845 hours, received calls for service from a customer at Fairfax Apartments, 4614 5<sup>th</sup> Avenue, Pittsburgh, PA, for transportation to the Westin Hotel, Pittsburgh, PA. Although the customer had received confirmation by two text messages from Respondent stating that a cab was on the way (at approximately 0805 hours and 0833 hours), Respondent failed to pick up the customer who was waiting in the lobby for the cab to show.
4. That, on December 10, 2010, during an investigation into the above customer complaint, Enforcement Officer Gary Double, Jr., a duly authorized officer of this Commission, observed and obtained copies of Respondent's dispatch records and log sheets for November 2, 2010, of two involved cabs. Respondent's dispatch records verified that cab #409 was dispatched at 0816 hours and cab #221 was dispatched at 0845 hours. Both cab drivers listed the fares as a no show. The following violations were discovered on the log sheets:

a. Cab #409

1. The start time was 1330 hours, but a trip was listed beginning at 0735 hours and ending at 0840 hours: (dispatch records indicated driver was on duty at 0816 hours).
2. No end time of shift listed.
3. Origins and destinations did not list a street name and address or an identifiable landmark.

b. Cab #221

1. No begin time or end time listed for trip.
2. Origins and destinations did not list a street name and address or an identifiable landmark.

5. 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 66 Pa. C.S. §1501. The penalty is \$500.00.

6. That Respondent, by failing to have complete log sheets or manifests in the vehicles, violated 52 Pa. Code §29.313(c). The penalty is \$50.00 per vehicle for a total of \$100.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Co of Pittsburgh, the sum of six hundred dollars (\$600.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P.O. Box 3265  
Harrisburg, PA. 17105-3265

**VERIFICATION**

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, 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: \_\_\_\_\_

\_\_\_\_\_  
Michael E. Hoffman, Director  
Bureau of Transportation and Safety

## NOTICE

A. You must file an answer within twenty (20) 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). An answer is a written explanation of circumstances wished to be considered in determining the out come. 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 (3) copies sent to:

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

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

C. You may elect not to contest this 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 complaint proceeding shall be closed.

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

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 optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

## Officer's Report

This report is in reference to BP8 case #2208331. The complainant in this case alleges that Yellow Cab # 409 and 221 refused to provide cab service to him.

On November 19<sup>th</sup>, 2010 I contacted the complainant Cameron Copeland by telephone and spoke to him in regards to the complaint. Same advised that on November 2<sup>nd</sup>, 2010 at approximately 0802 hours he placed an order by telephone for Yellow Cab to pick him up at the Fairfax Apartments in the Oakland section of Pittsburgh, Allegheny County and dropped off at the Westin Hotel in Pittsburgh, Allegheny County, PA. He received a text message at 0806 hours that cab #409 was on the way to pick him up. He waited about three to four minutes and started heading down to the lobby. In the lobby he waited twenty-five minutes and called Yellow Cab at 0830 hours to check on his cab. Dispatch advised the cab arrived called him to tell him he had arrived and there was no answer so the cab left. Mr. Copeland advised that it was possible the cab got there within the three or four minutes, but the drivers usually call him when they arrive. If the cab did arrive the driver never called him as he did not have a missed call.

Mr. Copeland asked dispatch to assign another cab and at 0833 hours he received another text message saying that cab #221 was dispatched to pick him up. Mr. Copeland was in the hotel lobby the entire time and was watching for the cab and it never arrived. He waited approximately fifteen minutes and again called dispatch at 0847 hours. The dispatcher advised that there was nothing Yellow Cab could do for him as two cabs were dispatched, both drivers called him and he failed to respond to either of the drivers call outs. Mr. Copeland advised that at no time was he called by either Yellow Cab driver that day. He feels the drivers didn't want to do the short trip (approximately 3 mile trip from Oakland to downtown) and refused the trip.

On December 6<sup>th</sup>, 2010 I responded to Yellow Cab Safety Office and spoke with Paul Caliari. Mr. Caliari advised that the driver of cab #409 on November 2<sup>nd</sup>, 2010 was James David. He has a DOB of 1/31/52 and a PA driver's license of 16402126. He is usually a daily lease. The driver of cab #221 on November 2<sup>nd</sup> was Terry Harrison. He has a DOB of 3/3/71 and a PA driver's license of 22347301. He is usually a daily lease as well. Mr. Caliari provided phone numbers for me to contact both individuals.

On December 6<sup>th</sup>, 2010 I responded to the office of Manager John Oliverio. Mr. Oliverio provided print outs of the dispatches in question and was also able to provide computer printout locations of both cabs during the times in question. On both dispatch sheets "call out" was marked. This is a computer generated note to the dispatch stating that the driver used the MDT system in the cab to make a computer generated call out. With both Mr. Oliverio and Mr. Caliarì present I questioned how the call out system works. They advised that there is a button on the MDT which the drivers push once they arrived or as they are getting close to the customer to let them know they will arrive soon and to get ready. The call out will call the number the customer used to place the order and in this case was Mr. Copeland's cell number. Both advised that the MDT system will display to the driver if the call was completed or not, but at no time does the driver actually talk to the customer through this "call out" on the MDT. Mr. Oliverio advised that if the driver receives an invalid or no answer from the MDT "call-out" attempt then often times the drivers will assume that the customer is a "no-show" and go on to other fares. I asked Mr. Oliverio if the driver does a "call-out" on the way to the pick-up locations and receives a "no response" does he still go to the location to see if the customer is waiting? Mr. Oliverio felt that if there is no answer to the "call-out" then the driver would be free to code the call as a "no show" before arriving at the location. He felt for several reasons it would not be worth the driver's time, money or gas to continue driving to a location when the customer never answered the "call-out." The reasons included the customer may have jumped in another cab, may no longer desire transportation and didn't cancel or may have some other issue that no longer requires service. Mr. Oliverio believes if the customer fails to answer the "call-out" then the driver should have no requirement to follow through to the location as it is likely an unnecessary cost to their independent contractor/drivers when they could be transporting another fare instead of chasing non-existent customers.

On December 10<sup>th</sup>, 2010 at approximately 1046 hours I spoke with driver Terry Harrison (cab #221) on the phone. Mr. Harrison had no recollection of this specific complaint. Mr. Harrison advised that he uses the MDT "call-out" button because he doesn't want customers to get his cell phone number. If the call out is unanswered he will then use his cell phone to call the customer. If both are unsuccessful then he will call Yellow

Cab call takers, advise them of the situation and ask for approval for a “no-show”. Mr. Harrison verified that the MDT will give a valid or invalid response when a “call-out” is conducted verifying if the customer answered or not. He also advised that he still goes to the site just in case the customer is waiting outside and does not have the phone that they called from. The purpose for calling the customer is to advise them which cab they should get in as often times customers will place an order and when they walk out of the lobby they jump into any cab they see. Meanwhile, the cab that was assigned is wasting gas and time driving to the location to pick up a passenger that is no longer there. Mr. Harrison also stated that he always asks the call takers for “no-show” approval as Yellow Cab tracks quick meters and if a driver has too many they will question them on it.

On December 10<sup>th</sup> 2010 at approximately 1200 hours I spoke with driver James David (cab #409). Mr. David advised that he does remember the trip as he accepts very few orders in the course of his cab driving. In this case he used “call-out” twice and then called the customer using his cell phone. All three responses were invalid/unanswered so he coded it as a “no show”. He also advised that he did go to the actual apartment building as he stated that the Fairfax used to be one of Yellow Cab’s cab stands. At no time did the customer ever show up.

My investigation revealed that the complainant requested cab service and was advised that cab #409 and then cab #221 were dispatched to pick him up. At no time did either of these cabs provide cab service to him. Attached to this report are three pages of Mr. Copeland’s AT&T cell phone bill. Confidential information is blacked out. Page one (att. #3-1) shows Mr. Copeland is the customer with that specific phone number. Page two (att. # 3-2) is calls made on November 2<sup>nd</sup>, 2010. Three outgoing calls are marked as calls made to Yellow Cab. No incoming calls are noted from Yellow Cab, the MDT or the drivers. Mr. Copeland advised that missed calls are marked especially if messages are left and no calls on the page belong to the cab drivers. What is uncertain is if missed calls with no messages are left are recorded on the bill. Page three (att. #3-3) shows the two MDT text messages sent to Mr. Copeland that would display the cab numbers assigned to pick him up.

Also attached to this report are the two dispatch sheets concerning this complaint. Cab 409 (David) dispatch sheet (att. # 4) displays that a “call-out” was made at 0816:42 hours and a “no show” was posted twenty-five seconds later at 0817:07 hours. Cab 221 (Harrison) dispatch sheet (att. #5) shows that a “call-out” was made at 0845:17 hours and a “no show” was posted one minute thirty-two seconds later at 0846:49 hours. On both dispatch sheets Mr. Copeland’s cell number is posted and accurate assuring the MDT sent the call out to the correct phone number. Finally attached to this report is a cab locator sheet for both cabs. Cab #409 (att. # 6) was less than a block from the pick-up location when the “call-out” was placed. The fact the driver was less than a block away makes this officer believe the driver most likely did stop at the pick-up location, but I can’t verify this fact. Cab #221 (att. # 7) was on Forbes Ave approximately six blocks down and four blocks over from the pick-up location when the “call-out” was made. The fact that driver of cab #221 was in the vicinity but several blocks away make me believe that the driver never made it to the location before requesting a “no show”. Again I can’t confirm this as the driver of #221 waited 1.5 minutes after the “call-out” and before requesting a “no-show”. Depending on traffic, lights and congestion, same may have been able to get to the location and then do a “no show”. Compliance review should review the information provided and determine if the evidence is enough to warrant unreasonable service and failure to provide service or if this case is more consistent with lost cell phone calls and the complainant just never saw the cabs show up to provide the service. The discrepancies on the dispatch times and the cab locator sheets are due to different time stamp/computer programs.

Upon reviewing both driver’s trip sheets for the day in question and to the extent of my knowledge of the PUC regulations I found the following violations:

Driver David’s manifest:

1. 29.313(c) (2): The time he commenced the shift and the time he ended the shift and ceased driving. No end time is stamped on trip sheet
2. 29.313(c) (4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall

contain a street name and address or, if unavailable, an identifiable landmark. Driver general descriptions like Shadyside and Churchill instead of specific locations.

3. A possible violation of 29.313(c) (7): The meter readings at the beginning and end of each shift, if applicable. Compliance review should determine if the driver used odometer readings instead of meter readings on the trip sheet as required. The meter readings at the top and the odometer readings for each trip seem to coincide.

Driver Harrison's manifest:

1. 29.313(c) (4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Harrison only has one trip listed for the entire shift, uses general locations (Town) instead specific locations and has no begin or end time listed.
2. 29.313(c) (7): The meter readings at the beginning and end of each shift, if applicable. The meter trip number at the top is an exact match for the odometer reading for the trip.

On December 14, 2010 I contacted Mr. Copeland and advised him that I was finished with the complaint and would be forwarding it to Harrisburg for review. Mr. Copeland advised that he would like to be notified by Harrisburg of the final disposition of the case. Mr. Copeland also advised that he would be willing to testify if needed in this case.

**Attachments info-mapped by WRO clerk:**

1. Cab #409 trip sheet (David's)
2. Cab #221 trip sheet (Harrison's)
3. Complainants cell phone bill (3 pages)
4. Cab 409 dispatch sheet
5. Cab #221 dispatch sheet
6. Cab #409 cab locator sheet

7. Cab #221 cab locator sheet

Gary Double Jr.

December 14, 2010

Badge #4

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information  
Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2196504

Parent Case Number

DocketNumber

Case Type No Docketed

Initiating Document Type Informal Complaint

Case Status Closed

Case Priority Low

Date Filed 8/31/2010

Utility Code 639135

Utility Name YELLOW CAB CO OF PITTS

Utility Type Tax

Service Type Taxi

Applicant

Responsible Bureau TAS

Respondent Yellow Cab Co of Pittsburgh

Complainant Bur of Transportation & Safety

Allegation Kristyna Unght alleges that a taxi nearly hit her car in traffic.

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description Kristyna Unght alleges that a taxi nearly hit her car in traffic.

Case Comments Contact carrier and obtain s and company. notify comple

Efiling Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 1



TAS 2196504

Case is not active in workflow | Case is locked for you to modify

## **Officer's Report**

This report is in reference to BP8 case #2196504. It is a complaint against the driver of Yellow Cab #255. The complainant alleges that the driver operated the cab in a dangerous and discourteous manner.

On September 22<sup>nd</sup>, 2010 at approximately 1055 hours I attempted to contact the complainant by telephone. The complainant Ms. Wright (or Unght, complainants hand writing is hard to read) answered the phone and stated she was Kristyna. I started to identify myself as an employee of the Public Utility Commission and I was calling in reference to the complaint she filed on Yellow Cab. As soon as I mentioned Yellow Cab the phone was disconnected. I attempted calling back immediately and the phone was picked up and hung up immediately. I tried one more time with the same result.

On October 1<sup>st</sup>, 2010 Western Regional Office clerk Eric Kiefer mailed a certified letter to the address of the complainant asking her to contact PUC by October 8<sup>th</sup>, 2010 to discuss the case. Failure to contact PUC would result in dismissing the case with no further action against the company.

To date (October 26, 2010) I have not received contact from the complainant in regards to this complaint. There is no date on the complaint to determine which cab driver was involved in the incident. Since the complainant is not cooperating in this case this Officer feels this case can be closed no further action needed.

Compliance review should review this case and determine if any further action is necessary.

### **Attachments info-mapped by WRO Clerk:**

1. Certified letter to complainant
2. Certified letter receipt card

Gary Double Jr.

October 26, 2010

Badge #4

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2196344

Parent Case Number

DocketNumber

Case Type Not Indexed

Initiating Document Type Assignment

Case Status Closed

Case Priority

Date Filed 8/30/2010 4:08:11 PM

Utility Code 539135

Utility Name YELLOW CAB CO OF FLA

Utility Type Taxi

Service Type Taxi

Applicant

Responsible Bureau TAS

Respondent Yellow Cab

Complainant BUR OF TRANSPORTATION & SAFETY

Allegation : http://www.thekmiecs.com/misc/so-i-was-held-hostage-by-yellow-cab/ and http://consumerist.com/2010/08/cab-driver-locks-doors-holds-passenger-hostage-for-trying-to-pay-with-credit-card.html

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description

Case Comments

Please investigate. Contact carrier and attempt to obtain additional farew charged. Obtain state carrier. Notify complainant

Efiling Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 1



TAS 2196344

Case is not active in workflow | Case is locked for you to modify

## Officer's Report

This report is in reference to BP8 case #2196344. The complainant in the case wrote a blog on the internet stating that he was held hostage by the driver of Yellow Cab #159.

On 27 August 2010 Adam Kmiec of the Kmiec Ramblings wrote an article on his website, [www.thekmiecs.com](http://www.thekmiecs.com), under the article title "So I Was Held Hostage By Yellow Cab." A similar article detailing the same incident was also found on [www.consumerist.com](http://www.consumerist.com). These articles are printed out and attached to this report and should be read by the reviewers of this report. There are also several comments following the articles left by individuals not involved in the incident that compliance review may want to read as well. These comments, however, are not attached to this report, but can be viewed on the internet on the above sites. In the article, Mr. Kmiec claims that Yellow Cab driver #159 held him hostage in the cab for attempting pay the fare with a Discover Card. Mr. Kmiec goes on to say that the driver also assaulted him and attempted to take a bag with his personal belongings when the complainant attempted to go to the ATM machine and get money.

I made attempts on several occasions to contact the complainant Adam Kmiec. Mr. Kmiec failed to fill out his complete contact number on the complaint sheet. Using the internet I found that one of area codes for the state of Minnesota is (763). I attempted to call Mr. Kmiec using the exchange (763) however, upon calling this number there was no answer and after attempting over the course of several days the number became disconnected. I also e-mailed Mr. Kmiec asking same for him to call or e-mail so I could ascertain more details of the incident. After receiving no response from Mr. Kmiec I asked WRO clerk to send a certified letter to Mr. Kmiec. The letter, which is attached in info-map, is dated October 1<sup>st</sup>, 2010. The letter was returned as undeliverable to the Pittsburgh office after the Postal Service made multiple attempts to deliver it.

On September 24<sup>th</sup>, 2010 I responded to the office of Yellow Cab Safety Manager, Paul Caliari. Mr. Caliari, upon seeing my copy of the Kmiec Ramblings, stated "Where have I seen that before?" Opened his desk drawer and pulled the same article out. I then asked him if he had a statement to make. Same advised that Mr. Campolongo, the VP of Operations, attempted to contact Mr. Kmiec twice and there has been no response.

I then asked about the driver information for cab #159 that day. Robinson Ogunyemi was the driver for this incident. He has a DOB of 3/8/60 he began leasing on 6/11/2009 and at the time of the incident was a daily lease driver. Robinson Ogunyemi has a PA driver's license of 22602344. Mr. Caliarì gave me a copy of Mr. Ogunyemi's trip sheet for August 27<sup>th</sup>, 2010. Mr. Caliarì also advised that the Yellow Cab card readers do take Discover Card.

At this time while in Mr. Caliarì's office I spoke with Mr. Ogunyemi over the phone. The pickup was at the Pittsburgh International Airport and the alleged hostage situation occurred at the Sheraton Hotel at Station Square. Same advised that when he heard about the story it was surprising to him. The complainant gave a discover card to him for payment and when he ran the card the card reader displayed error. The driver ran the card twice with the same result. The complainant advised that he had no cash on him and no other credit cards. The driver asked if the complainant wanted to try the card in an ATM machine, the complainant said he did not want to. Mr. Ogunyemi told the complainant he was calling 911 at that time. When the police showed up they spoke with the complainant. After speaking with the complainant, the complainant walked over to the ATM machine, withdrew cash and gave it to the police. The Officer then handed the fare over to the driver. Mr. Ogunyemi stated that after he contacted the police both individuals stood outside the cab and waited for the police. Mr. Ogunyemi stated that at no point did he ever touch or grab the complainant, there were no hostilities throughout the entire incident and when the complainant spoke with the police about the incident he never mentioned an assault or the driver grabbing him. Furthermore, the police never questioned him about the incident at all. The officer handed him his fare and advised him that he could leave. Mr. Ogunyemi asked if there was an accusation of a criminal act on the part of the driver, wouldn't the cop have questioned him about it?

I then spoke with Julie Armstrong of Yellow Cab. Ms. Armstrong is in charge of the credit card readers and the technical issues surrounding them. Ms. Armstrong advised that if the card was refused due to insufficient funds then there would be a record of the transaction. In this case the reader displayed error and the system does not keep a record of error readings.

On September 24<sup>th</sup>, 2010 I responded to the Station Square Sheraton and spoke with Security Director of Station Square Christopher Murray. Upon explaining the situation to Mr. Murray, same advised that cameras are available to view of both Station Square and the Sheraton. To ease the search it would be helpful to get an exact location to view. Mr. Murray also advised that he would check with security desk personnel to see if any notes were written down on the day the complainant advised the incident occurred. Mr. Murray advised that the individual that would be able to show the videos to me was not working that day. We agreed that we would contact each other the following week and to set up a convenient time for all.

On Monday September 27<sup>th</sup>, 2010 I contacted driver Robinson Ogunyemi again. Same advised that he dropped the complainant off at the cab pick-up/drop-off spot under the canopy directly in front of the main entrance to the Sheraton. I then advised Mr. Ogunyemi that I was going to watch the video cameras for that day and if Mr. Ogunyemi had not been completely honest with me on the previous conversation, it would be wise to tell me now before I see the incident with my own eyes. Mr. Ogunyemi's response was excited as he was very happy I would be looking at the videos. He asked me to please look at the videos to see that he did nothing wrong! Mr. Ogunyemi's response was immediate, surprising to this officer and appeared to make him elated.

On Thursday September 30<sup>th</sup>, 2010 I spoke with Mr. Murray from Station Square. He advised that upon speaking with the individual in charge of the tapes, he found that all tapes are over-written after 20 days. Even if we had availability to look at them on the 24<sup>th</sup>, they still would have already been over-written. There was no mention of anything in the notes of any of the security personnel logs, front desk notes or at the door man station. Finally, he advised that an officer at Pittsburgh's Zone 3 station advised him that there were no reports or anything meriting a comment in reference to any incident that occurred at Station Square on August 27<sup>th</sup>, the day of the complaint. Mr. Murray advised that if the incident occurred near the Sheraton in Station Square it was not noteworthy enough to write up.

My investigation found this complaint seems more like a work of fiction than non-fiction. The complainant in this case has made no attempt to contact me or desire to discuss the incident. More over there are several comments in the blog that bring the validity of the complaint into question in my mind. First, he

leads the story off with “This isn’t a work of fiction. This isn’t a lie. This isn’t a stretch of the truth...” Mr. Kmiec went over-board to state he was telling the truth and that he was wronged. This in itself is not proof, but sends up flags. Second, he admits that he lied in the story to the driver concerning other forms of payment that he could have used. Third, Mr. Kmiec was the individual held hostage, but the driver was the individual who called 911 for police assistance, Mr. Kmiec tweeted during the incident. Finally, I feel the reviewers need to



review the web-site and take note of how Mr. Kmiec describes himself: Interactive marketer, innovator, boat rocker, continuous learner, movie lover, risk taker, dad and all around good guy. I’m always up for a spirited conversation. These are my thoughts and ramblings, not those of my employer.

The boat rocker comment makes this officer wonder if he wasn’t trying to stir things up for a good story.

Again, none of the above info from Mr. Kmiec’s story proves one side or the other; I feel they raise a question of doubt.

The most weighted part of this report, however, should be the driver’s response upon hearing that I would review the videos. Although it was unfortunate that I did not have a chance to view them, when I spoke to the driver, I still believed I would be seeing the incident on video. The driver made no hesitation when I gave him the opportunity to modify his story. Mr. Ogunyemi wanted me to view the tapes to vindicate himself and prove he did nothing wrong. Finally, the Sheraton Hotel at Station Square is a busy place with people always walking in and out and on the sidewalks outside. It is difficult to believe that an incident such as the one the complainant describes on his blog could have occurred without causing some type of commotion that would have resulted in hotel personnel taking notice or further investigation/questioning by the police.

Upon reviewing driver Ogunyemi’s trip sheet and to the extent of my knowledge of the regulations I found the following violations:

1. 29.313 (c) (4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Driver wrote Pgh for

the two trips he recorded on the trip sheet. Driver also verified that he transported the complainant; however no trip matched the complainant's trip (1000 hrs).

2. 29.313 (c) (7): The meter readings at the beginning and end of each shift, if applicable. Compliance review should determine if the meter number written by the cab driver is the odometer number and not the meters trip numbers.

Compliance review should review this report, the attachments and trip sheet and determine if any violations are merited. I also feel that if Compliance Review agrees that this complaint is more of a story and less than true then due to the public and potentially serious accusations made against the driver it may be prudent for a letter stating this be sent to Yellow Cab to be included in this driver's file. This story may never leave the files of the internet, leaving this driver open for social conviction or irreparable harm any time someone reads it. The complainant in this case was not notified at the conclusion of the investigation as he was unable to be reached during the course of this investigation. A review of the Yellow Cab driver files at the Pittsburgh Office found no previous complaints or findings against driver Ogunyemi.

**Attachments info-mapped by WRO Clerk:**

1. Trip sheet for cab #159 for date of incident
2. Letter to complainant
3. Complainant's on-line post on the Kmiec's Ramblings (2 pages)
4. Yellow Cab page stating they accept Discover Card
5. Article on the Consumerist by Chris Walters

Gary Double Jr.

December 13, 2010

Badge #4

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2191472

Parent Case Number

DocketNumber

Case Type Non Docketed

Initiating Document Type Assessor

Case Status Closed

Case Priority

Date Filed 8/2/2010 9:18:51 AM

Utility Code 375.35

Utility Name YELLOW CAB OF FLOR

Utility Type Taxi

Service Type Taxi

Applicant

Responsible Bureau TAS

Respondent Yellow Cab

Complainant BUR OF TRANSPORTATION & SAFETY

Allegation From the moment that the yellow cab driver Monet Montgomery,(cab # 145) arrived at my residence he had a very disrespectful attitude. As we proceeded onto Pioneer Ave.,we ran into traffic which made him very upset; he showed

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description

Case Comments

Please investigate. Review a form, contact driver and obt statement from Cab Compa complainant as needed for information. Notify complair

Efiling Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 2

TAS 2191472 PAMELA J HOGUE.2191472.IC LTR.DOC

Case is not active in workflow | Case is locked for you to modify

## Officer's Report

This report is in reference to BP8 case #2191472. The complainant in this case alleges that Yellow Cab driver of cab #145 held her against her will and forced her to pay with cash instead of a credit card.

In reference to this case I have attempted to contact the complainant on numerous occasions and in multiple ways since being assigned this case. The complainant has made no attempt to contact me. I placed two phone calls and e-mailed the complainant the week of August 4<sup>th</sup>. In my e-mail I advised the complainant that I need to speak with her about the case and I also advised that she needed to report the incident to the appropriate police department and file criminal charges. On August 23<sup>rd</sup>, I again attempted to call the complainant to discuss the case. Messages were left and I paged the complainant as well. Finally, on August 23<sup>rd</sup>, WRO Clerk Eric Kiefer sent a certified letter to the complainant requesting she contact me with-in ten business days and no later than September 7<sup>th</sup>, 2010.

On August 16<sup>th</sup>, 2010 I responded to Yellow Cab and spoke with Safety Manager Paul Caliari. I advised Mr. Caliari that a complaint was made against the driver of Cab #145, Monty Montgomery on July 27<sup>th</sup>, 2010. Mr. Caliari advised that cab #145 was empty on July 27<sup>th</sup>; however Monty Montgomery drove cab #415 that day. Mr. Caliari provided me with a copy of Mr. Montgomery's trip sheet for the day in question and the following information: Monty Montgomery, leasing from Yellow Cab since 12/17/09, DOB 7/8/70, PA drivers license 23600194. Mr. Caliari advised that Yellow Cab charges 3% for processing of the credit card and drivers are aware that they must take the credit card, same as cash. A copy of the PUC regulations is provided to all drivers in their orientation training.

Mr. Caliari also provided me with Monty Montgomery's contact number. I did not contact Mr. Montgomery at this time because I still had not spoken with the complainant in reference to her allegations. The allegations made by the complainant were criminal in nature and I wanted to determine if she was going to file charges against the cab driver prior to discussing details of the case with him.

On September 17<sup>th</sup>, after receiving no contact from the complainant I called and spoke with cab driver Monty Montgomery. Mr. Montgomery advised that he picked the complainant and the guy she was with up at

their house on Brookline Blvd in Pittsburgh, Allegheny County, PA. The cab ride was to a methadone clinic and return to the house on Brookline Blvd. The total fare was about \$13.00.

When they first got into the cab and advised where they were going he asked them how they were going to pay and they responded "cash." When they returned to the house the couple started to get out of the cab and the complainant said to her boyfriend "let's try to use the card, to see if it works". Mr. Montgomery advised that he was starting to get worried they may attempt to burn him because of the card comment and the fact they were both getting out and no one was providing payment. After the card comment, he stated "I thought you were paying cash?" At this time the complainant became belligerent and began cussing at him saying "You don't have to get like that with me, you won't f-----g get paid." The guy the complainant was with attempted to calm the complainant down and advised Mr. Montgomery that he was getting his cash for him. The guy walked over to the ATM that was literally right beside the house they were picked up at, withdrew the money and paid the driver. Mr. Montgomery said that the complainant stated "I'm f-----g reporting you" as she walked away.

Mr. Montgomery advised that he questioned how they would pay due to the overall behavior of the couple and from past experiences with individuals that he has taken to methadone clinics. He advised that he has been taken several times in the past and all he wanted to do was get paid so he could go find his next fare. At no time was either person locked into or kept in the cab, the entire incident (screaming and yelling) happened with the complainant standing outside of the cab. He never drove them to an ATM; their house was next door to a bank (PNC he thought) with an ATM. Finally, he advised them when he first thought that he was going to be taken, that he was calling 911. Mr. Montgomery stated he had no need to keep either of them in the cab as he knew where they lived, all he would have to do is report the theft and the couple would have been arrested.

My investigation found that the complainant in this case has not attempted to contact me concerning this case or to verify any statements made by her in her complaint. The complainant's written complaint seems odd at best and should be verified prior to allowing it to hold weight in this case. For example, how does the driver hold two people against their will in the back seat of a cab when there was never any indication of a weapon used and what type of significant other (the man in this case) would leave his girlfriend in a cab alone with a

cab driver that going by the complainants description appears very disturbed at the least. The fact the complainant failed to contact me in reference to this case makes me want to challenge the validity of this complaint.

Upon speaking with the cab driver in question, same advised there was an incident, but the incident was created solely by the complainant and after she was outside of the cab. At no point was she held against her will. His only concern the entire time was getting paid for the trip as he thought due to past experiences they were going to burn him.

To the extent of my knowledge of the PUC regulations I found that cab driver Monty Montgomery was in violation of:

1. 29.313(c) (4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Mr. Montgomery has general landmarks on the trip sheet not exact locations (i.e. N. Shore and Oakland). It also appears that he failed to put this trip in question on the sheet. Mr. Montgomery advised in his discussion with me that there were two passengers for this trip and there is no trip on his trip sheet that state he transported two passengers.
2. Possible violation of 29.313 (c) (7): The meter readings at the beginning and end of each shift, if applicable. Compliance review should determine if the meter number written by the cab driver is the odometer number instead of the meters trip numbers as required.

Compliance review should review this report to determine if any other violations are present. The complainant in this case was not contacted at the conclusion of the case as no contact was ever made to begin with.

**Documents attached by WRO Clerk:**

1. Trip sheet for cab #415 for time period of 7/27/10

Gary Double Jr.

September 20, 2010

Badge #4



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

ROBERT A. KELSESKY

v.

YELLOW CAB CO. OF PITTSBURGH

:  
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:  
:  
:  
:

C-2010-2190294

**INTERIM ORDER  
SETTING RESOLUTION CONFERENCE**

On or about July 26, 2010, Robert A. Kelsesky ("Complainant") filed a complaint against Yellow Cab Co. of Pittsburgh ("Respondent"), at the above-captioned docket number. On or about August 10, 2010, Respondent filed a letter in response to the complaint.

Based upon a review of the information contained in this material, I direct the parties to attempt to resolve this matter themselves. Respondent shall contact Complainant no later than August 30, 2010, to set a mutually convenient time, date and place for Respondent and Complainant to hold a conference about resolving the case. The conference must take place no later than September 13, 2010, unless this is not possible.

**Within ten (10) days following the conference, Respondent shall file a short report with Herbert R. Nurick ("Mediator"), setting forth:**

- (a) The time, date and place of the conference;
- (b) Who participated for each party;
- (c) A statement whether a full resolution, including withdrawal of complaint, was achieved, and, if not, whether the parties consent to have this case set for mediation by the mediation staff of the Commission; and
- (d) A statement of any issues which have been resolved, if a full resolution was not achieved.

The Commission encourages mediation if the parties cannot reach an agreement through the resolution conference. Mediation is an informal process in which the parties attempt to resolve the case with the help of a mediator. The mediator is a neutral staff member of the Commission who does not give advice, represent any party, evaluate or make a decision. Instead, the mediator assists the parties in their efforts to come to an agreement.

If the parties do not reach an agreement on their own, and do not consent to mediate, they are entitled to the hearing process. The hearing process usually includes the presentation of oral testimony and other evidence before a Commission administrative law judge, who will then consider the case and make a written decision to resolve it.

**If it is not possible to have the conference by the date set for that purpose, Respondent shall file a report with the Mediator, on or before ten (10) days following the conference due date, giving the reason(s) why the due date could not be met.**

**In either situation, Respondent must file a report with the Mediator by the applicable due date set forth above.**

If you have any questions, you should contact the Mediator. His address and phone number are:

Herbert R. Nurick  
P. O. Box 3265  
Harrisburg, PA 17105-3265  
(717) 783-5428  
Email: [hnurick@state.pa.us](mailto:hnurick@state.pa.us)

Date: August 16, 2010

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VERONICA A. SMITH  
Chief Administrative Law Judge

**C-2010-2190294 ROBERT A. KELSESKY v. YELLOW CAB CO. OF PITTSBURGH**

ROBERT A KELSESKY  
3 BANGOR STREET  
REAR APARTMENT  
MOUNT WASHINGTON PA 15211  
**(412) 518-2460**

PAUL CALIARI SAFETY DIRECTOR  
YELLOW CAB CO OF PITTSBURGH  
1825 LIVERPOOL STREET  
PITTSBURGH PA 15233  
**(412) 323-4725**

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :  
BUREAU OF TRANSPORTATION AND SAFETY :

V. :

C-2010-2189510

YELLOW CAB COMPANY OF PITTSBURGH :  
1301 BEAVER AVENUE :  
PITTSBURGH PA 15233 :  
A-00049926 :

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 Yellow Cab Company of Pittsburgh, respondent, maintains its principal place of business at 1301 Beaver Avenue, Pittsburgh, PA 15233.
2. That respondent was issued a certificate of public convenience by this Commission on August 21, 1946, at Application Docket No. A-00049926 for call or demand authority.
3. That on July 15, 2010, at approximately 3:15 p.m., respondent's driver of taxicab No. 424 transported two passengers from Penn Avenue, Pittsburgh to the Pittsburgh International Airport. The passengers typically traveling to the airport two times a week for business and generally use Yellow Cab of Pittsburgh. Applicant's drivers typically travel through the Fort Pitt Tunnel to the expressway and then to the airport, however, on July 15, 2010, the driver of taxicab 424 took the Smithfield Street Bridge, to Station Square and stopped at a gas station to put gas in his taxicab, and then proceeded to the airport. The passengers inquired if the driver could fill his gas tank at the airport, and the driver responded if the passengers would like to push the taxicab if it ran out of gas. Due to the detour, the passengers came very close to missing their flight and were charged several more dollars for the trip. Enforcement Officer Gary Double, Jr. interviewed applicant's Safety Manager, Paul Caliarì, regarding the incident. Mr. Caliarì advised Officer Double that the driver of taxicab number 424 on July 15, 2010, was Harry Bialecki. Officer Double then spoke with Mr. Bialecki by telephone regarding the alleged incident; Mr. Bialecki did not recall the incident in question. During the course of the investigation, photographs of taxicab number 424 which located at a gas station at Station Square on the day of the incident were submitted. A review of the driver's trip sheet on July 15, 2010, revealed that the trip sheet was incomplete in that it did not include the times and places of origin and destination of each trip; the number of passengers and fare collected for each trip; and the end time.
4. That respondent, by failing to transport a passenger to their destination by the shortest practical route, violated 52 Pa. Code §29.313(b). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$100.00.
5. That respondent, by failing to have a complete driver log sheet or a trip sheet in its vehicle, violated 52 Pa. Code §29.313(c)(4) and (5). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$50.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Company of Pittsburgh, the sum of one hundred fifty dollars (\$150.00) for the illegal activity described in this complaint and order other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, 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 that 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: \_\_\_\_\_

\_\_\_\_\_  
Michael E. Hoffman

NOTICE

A. You must file an answer within twenty (20) 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). An answer is a written explanation of circumstances wished to be considered in determining the out come. 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 (3) copies sent to:

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

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

C. You may elect not to contest this 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 complaint proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegation of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

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 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.

## Officer's Report

This report is in reference to BP8 case #2189510. The complainant alleges that Yellow Cab #424 failed to take the most direct route which caused him to be over-charged for his trip.

On August 2<sup>nd</sup>, 2010 this EO spoke with the complainant Daniel Lau. Mr. Lau requested that he remain anonymous and that the PUC can use his business address of 501 Penn Ave, Pittsburgh, PA 15222 if they need to send mail to him. Mr. Lau advised that he uses Yellow Cab on a regular basis (2 times a week since March 2010) to transport him to the airport and back for business. Typically the Yellow Cab driver's do a good job and he has no issues, however on Thursday July 15<sup>th</sup>, 2010 the driver of cab #424 did not. Mr. Lau advised that he called Yellow Cab and placed an order to be picked up at his business office on Penn Ave in Pittsburgh, Allegheny County, PA at approximately 1500 hours. The destination was the Pittsburgh International Airport in Allegheny County, PA.

Mr. Lau advised that the most direct route to the airport would have been through the Fort Pitt Tunnel onto the expressway and out to the airport. The driver however took the Smithfield Street Bridge drove to Station Square and filled up his gas tank at the Exxon (Buy-n-Fly) gas station directly across from Station Square. Mr. Lau advised that he did not see a low fuel light on and when he asked if the driver could drop them off at the airport and then fill up, the driver asked Mr. Lau if he would like to push if the cab runs out of gas. Upon hearing the driver state this Mr. Lau was no longer interested in talking with the driver at all. Mr. Lau advised that the detour made his fare increase from the usual \$35.00 fare to \$38.00/\$39.00. Mr. Lau was not sure of the exact fare and he did not have a receipt. Because of the detour, Mr. Lau and the employee that was with him came close to missing their flight altogether. Mr. Lau advised he would try to get the contact information for the other employee and send it to me. The other employee left and the terms of departure were not pleasant, so Mr. Lau is unsure if the person will assist him or not with the complaint. Finally, Mr. Lau advised that while they were fueling up at the gas station he used his cell phone to take pictures. Mr. Lau advised he would attempt to e-mail them to me.

On August 16<sup>th</sup>, 2010 I responded to Yellow Cab and spoke with Safety Manager Paul Caliari. Mr. Caliari advised that the driver in this incident was Harry Bialecki. Mr. Bialecki began leasing on 6/15/88. He has a date of birth of 1/25/1963 and a PA driver's license of 20685821.

I then spoke with Mr. Bialecki over the phone from Mr. Caliari's office. Mr. Bialecki did not remember the incident in question, nor does he ever re-call telling a customer that they can push if they run out of gas. Mr. Bialecki also stated that there is a gas station at the airport so why would he go out of his way to gas up with a customer in the back?

On August 24<sup>th</sup>, 2010 I received an e-mail from Mr. Lau containing two photographs. The first photograph was a close-up of cab #424's PUC complaint sticker. In the background there is no parking signs and a brick wall that resembles the Exxon gas station at Station Square. The second photo was a broader shot of the gas station in general. These photos were printed and attached to this report.

My investigation found that the driver Bialecki failed to take the most direct route to the airport when transporting the complainant in violation of Title 52 chapter 29.313(b). This caused the cost of the complainant's trip to go up several dollars from what it typically is. This Officer using Yellow Cab's Fare Meter to estimate the cost of the trip found that the estimated cost should have been about \$37.86. The complainant is unable to precisely state how much he is over-charged as he did not keep a receipt and upon reviewing driver Bialecki's trip sheet for July 15<sup>th</sup>, the trip in question was not put on the trip sheet. Complainant stated he was over-charged \$3-4 dollars he thinks. Using Yahoo maps and running the most direct routes for the intended trip and the trip stopping for gas this officer found that stopping for gas took the driver approximately 1.9 miles out of the way and added an extra 10 minutes in time. Upon checking the Pittsburgh District file on Yellow Cab drivers Mr. Bialecki has had one previous complaint filed against him in April of 2008 under BP8:2053750. Mr. Bialecki was accused of being rude, driving bad and having an incomplete trip sheet.

Upon reviewing driver Bialecki's trip sheet and to the extent of my knowledge of the regulations I found the following violations:

1. 29.313(c) (4) - The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. (Driver states Moon as one location and no ending destination on the other).
2. 29.313(c) (5) - The number of passengers and the fare collected on each trip, indicating separately each fare collected from each passenger or party of passengers sharing the ride. (Driver's last trip not filled out completely).

Compliance Review should review this report and all attachments to determine if any other violations are present or appropriate.

**Attachments info-mapped by WRO clerk:**

1. Cab #424 trip sheet on July 15<sup>th</sup>, 2010
2. Yellow Cab Fare Meter estimate
3. Mr. Lau's close-up picture of cab 424's complaint sticker
4. Mr. Lau's picture of the Exxon (Buy-n-Fly) Gas Station
5. Yahoo map/directions outlining most direct route
6. Yahoo map outlining most direct route when stopping for gas at station square (2 pages)

I contacted Mr. Lau at the conclusion of the investigation and left him message advising him that same was complete and will be forwarded to Harrisburg for review. If he had any questions he could contact me. Mr. Lau stated during our first conversation that he would like to be notified by mail with the results.

Gary Double Jr.

August 26, 2010

Badge #4

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
BUREAU OF TRANSPORTATION AND SAFETY

V.

C-2010-2188842

YELLOW CAB COMPANY OF PITTSBURGH  
1101 BEAVER AVENUE  
PITTSBURGH PA 15233  
A-00049926

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 Yellow Cab Company of Pittsburgh, respondent, maintains its 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 August 21, 1946, at Application Docket No. A-00049926.
3. That on August 2, 2010, Enforcement Officer Gary Double, Jr., visited respondent's place of business and spoke with Safety Manager Paul Caliari regarding a complaint of discourteous service and driving in an unsafe manner on June 26, 2010, from 4231 Saline Street, Pittsburgh to the Pittsburgh International Airport in Allegheny County. The complainant alleged that the driver of taxicab number 443 did not offer her assistance with her luggage and received two personal cell phone calls and made one personal cell phone call while driving in heavy traffic on the expressway. Mr. Caliari identified the driver of taxicab number 443 on June 26, 2010, as Ali Abugalal. Mr. Caliari advised Officer Double that the drivers are instructed in pre-hire training that they are not to talk on the telephone unless it is an emergency and when they do, they are to pull off the road. Mr. Caliari stated that all driver's sign a policy during pre-hire training advising them of respondent's cell phone policy. Mr. Caliari continued that the respondent does not have a policy for assisting customers load their luggage in the trunk of the taxicab; however, it advises its drivers to provide the best customer service possible. On August 25, 2010, Officer Double spoke with driver Abugalal who did not remember the incident. A review of the driver's log sheet for June 26, 2010, had no trips reported from Saline Street to the Airport. The review revealed that the log sheet was incomplete in that it failed to contain a complete street name and address, and in the alternative an identifiable landmark; did not include an a.m. or p.m. designation on any trip; and the number of meter trips was not included. The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$50.00.
4. That respondent, by failing to have a complete driver log sheet or a trip sheet in its vehicle, violated 52 Pa. Code §29.313(c)(4), Pa. Code §29.313(c)(5) and 52 Pa. Code §29.313(c)(7). The penalty is \$50.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Company of Pittsburgh, the sum of fifty dollars (\$50.00) for the illegal activity described in this complaint and order other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P.O. Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, Michael E Hoffman, Director of the Bureau of Transportation and Safety, 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 that 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: \_\_\_\_\_

\_\_\_\_\_  
Michael E. Hoffman

## NOTICE

A. You must file an answer within twenty (20) 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). An answer is a written explanation of circumstances wished to be considered in determining the out come. 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 (3) copies sent to:

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

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

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the 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 complaint proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegation of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

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 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.

## Officer's Report

This report is in reference to BP8 case #2188842. The complainant alleges that a Yellow Cab of Pittsburgh driver provided discourteous service and drove in an unsafe manner when transporting her to the airport.

On July 28<sup>th</sup>, 2010 this EO spoke with the complainant, Ms. Linda Mora of 2347 Corona Rd. Waukegan, IL 60087. Ms. Mora advised that on Saturday June 26<sup>th</sup>, 2010 at approximately 0900 hours she placed an order for Yellow Cab to pick her up at 1500 hours. The pick-up was for two people at 4231 Saline St. Pittsburgh, PA 15217 in Allegheny County, PA. Their destination was the Pittsburgh International Airport in Allegheny County, PA.

Ms. Mora advised that approximately five minutes before the scheduled pick-up time the driver called and advised he was lost and needed directions. The driver arrived at approximately 1510 hours and upon arrival he parked in the middle of the street, blocking traffic in both directions. Ms. Mora and her companion, Stanley Shuman, went to the trunk area to place their luggage in and the cab and the driver didn't assist them, in fact they had to bang on the trunk to get the drivers attention to open the trunk. While in route to the airport and on the expressway the driver received two personal cell phone calls and made a third outgoing call to advise that he would be home late. Each call lasted several minutes each and made Ms. Mora uncomfortable because they were in heavy traffic at higher speeds and the driver's attention was not fully on driving. Ms. Mora advised that none of the calls appeared to be an emergency in nature. Ms. Mora advised that she did not say anything as the driver was already not paying attention to driving. She didn't want to distract him anymore by telling him she felt uncomfortable.

Ms. Mora provided Mr. Shuman's information so I could contact him. She also verified that it was cab #443 that transported them. She was unsure of the cost of the ride because Mr. Shuman paid the fare. Ms. Mora advised that she would like to see the cab company and the driver made aware of these service issues and if needed to retrain the driver. She advised that this hasn't been the first time Yellow Cab has had poor service for her and after two strikes she will never use them again.

On July 30<sup>th</sup>, 2010 this EO spoke with Stanley Shuman. Mr. Shuman advised that he paid approximately \$40.00 for the cab ride to the airport. He is unsure of the exact price and does not have a receipt. Mr. Shuman verified the entire account that Ms. Mora told the EO. Mr. Shuman believes that this needs to be brought to the attention of Yellow Cab and the driver, but he does not feel the driver should be fired.

On August 2<sup>nd</sup>, 2010 I responded to Yellow Cab and spoke with Safety Manager Paul Caliari. Mr. Caliari advised the driver of cab #443 on June 26<sup>th</sup> was Ali Abugalal. He has leased from Yellow Cab since 5/29/09. Mr. Abugalal has a DOB of 6/1/88 and a PA driver's license of 29176175. Mr. Caliari advised that drivers are instructed in pre-hire training not to talk on the phone unless it is an emergency and when they do they are to pull off the road so they can talk without driving. All drivers sign a policy during pre-hire training advising them of Yellow Cab's cell phone policy. Mr. Caliari advised there is no policy for assisting customers load their luggage in the trunk of the cab, however it is good customer service and they advise their drivers to provide the best customer service possible.

On August 25<sup>th</sup>, 2010 I spoke with Driver Abugalal over the phone. Mr. Abugalal advised that he does not remember the incident or any incident like it. Upon notifying him of what the complaint was about he stated he uses the phone. Who doesn't? He advised that he helps people load their luggage and he wouldn't block traffic by staying in the middle of the street. He also advised that if the customer felt uncomfortable with him driving while on the phone he wishes they would have said something to him. Mr. Abugalal for a few moments thought that the complaint was a prank by someone he knows. Upon advising him the complainant was a visitor from another state he advised they were probably just complaining and had too much time on their hands. Mr. Abugalal was very polite during the conversation and thanked me for advising him about the customers concerns. At the end of the call he apologized to me for wasting my time over what he believes is a very unimportant issue.

My investigation found that the two complainants felt uncomfortable do to the driver using his cell phone while driving on the expressway. The driver does not remember the trip, but he did state that he uses the phone while driving his cab. This Officer was unable to match a trip on the driver's trip sheet with the

complainants' trip. There were no trips reported that vaguely resembled the time, locations or fare price of the complainants' trip. Upon reviewing the driver's trip sheet and to the extent of this officer's knowledge of the PUC regulations I found the following trip sheet violation:

1. 29.313(c) (4) -The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Driver used vague locations such as South side and Squirrel Hill.

Compliance review should review this report and all attachments to determine if a charge of unreasonable service is warranted for the cell phone usage and to check for additional trip sheet/tariff violations. Upon checking the Pittsburgh District file on Yellow Cab drivers Mr. Abugalal has had no previous sustained complaints made against him.

On August 26, 2010 I contacted the complainants and left a message advising them that I had finished the investigations and was forwarding the paperwork to Harrisburg. Ms. Mora would like to be notified by Harrisburg with the final outcome of her complaint.

**Attachments info-mapped by WRO Clerk:**

1. Cab Driver Abugalal's trip sheet
2. Yellow Cab's cellular telephone policy

Gary Double Jr.

/2010

Badge #4

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2182792

Parent Case Number

DocketNumber

Case Type 40 - Booked

Initiating Document Type Assignment

Case Status closed

Case Priority

Date Filed 6/21/2010 8:32:59 AM

Utility Code 1539135

Utility Name YELLOW CAB CO OF PIT

Utility Type Taxi

Service Type Taxi

Applicant

Responsible Bureau TAS

Respondent Yellow Cab

Complainant BUR OF TRANSPORTATION & SAFETY

Allegation I called for a cab at 7:40pm. I talked to operator 17. As of 8:34pm. still no cab for me although I saw 5 cabs within 2 blocks of me within that time frame, 4 on Ft. Duquesne Blvd. at Stanwix and one at Penn and Sixth. There is no excuse not to

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description

Case Comments

Please investigate IC ltr to complainant Scott W

Efiling Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 2

TAS 2182792 SCOTT WATSON.2182792.IC LTR.DOC

Case is not active in workflow | Case is locked for you to modify

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2182792**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

10/13/10

On 09/08/10 I attempted to contact the complainant Scott Watson. I called 412-322-1428 and left a message for Mr. Watson to call me back. On 10/07/10 I called Mr. Watson's phone number and spoke with Mr. Watson about his complaint against Yellow Cab of Pittsburgh. Mr. Watson told me that on 06/19/10 he was at Liberty Ave & Stanwix St. and needed a cab to go to the Parkway Center Mall at 875 Greentree Rd in Greentree. He called Yellow Cab at approximately 7:40 PM. As of 8:34PM he did not have a cab pick him up at his location. At that time he called back and cancelled the request for a cab. Mr. Watson told me that he was upset that he was not picked up and that he saw other Yellow Cabs around the Gateway Center where he was at. Mr. Watson stated that after he did not receive his cab he returned to his home at 903 Moravian Way. Mr. Watson provided me with his cell phone number as 412-951-7471, as that was the number he called Yellow Cab from. I thanked Mr. Watson for his information and told him I would meet with Yellow Cab and look at their phone records and find out why he was not picked up.

On 10/08/10 I met with Paul Caliari, Safety Director, and John Oliverio, Communications Director, both from Yellow Cab of Pittsburgh. Mr. Oliverio was able to locate the calls from Mr. Watson's cell phone number. Yellow Cab's records show two calls on 06/19, one at 7:33PM and another at 8:34PM. The calls match the times that Mr. Watson said that he called Yellow Cab. Mr. Oliverio also provided me with a dispatch sheet for cab #516. The trip sheet shows a pickup location of 2 Gateway Center and a destination of Parkway Center. The meter for cab #516 was dropped at 7:42PM and turned off at 7:51PM. Mr. Oliverio told me that normally names for pickups are not used, only the address. Mr. Oliverio stated that possibly cab #516 picked up someone else at the Gateway Center, not Mr. Watson. It should be noted that the Gateway Center has various stores and eateries and has a high amount of pedestrian traffic during the day and early evening. I thanked Mr. Caliari and Mr. Oliverio for their information and the copies of paperwork that they provided me with.

On 10/13/10 I contacted Mr. Watson and informed him that I had spoken with Yellow Cab. I told Mr. Watson that I had phone records of his calls to Yellow Cab and that I had cab dispatch sheet showing that a cab was dispatched to 2 Gateway Center and it picked up a fare. I asked Mr. Watson that he thought it was possible that the cab driver picked up someone else and not him at the Gateway Center. Mr. Watson did not believe that to be the case as he stated that he did not see any Yellow Cabs at the Gateway Center. I asked Mr. Watson about the other streets mentioned in his complaint and if he was walking around the Gateway Center, if that

could be why the cab picked up the wrong person. Mr. Watson stated that all those streets are within eyesight of the Gateway Center and that he was not walking around the Gateway Center. I asked Mr. Watson if he had any other information for me and he replied that he did not. I informed Mr. Watson that I would write my report and include that he did not see any Yellow Cabs at the Gateway Center. I told Mr. Watson that if he had any questions or problems that he could contact me and I would assist him any way I could. I then ended my phone conversation with him.

Attachments:

1. Yellow Cab Phone Record
2. Yellow Cab Dispatch Sheet dated 06/19/10

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :  
BUREAU OF TRANSPORTATION AND SAFETY :

V. :

C-2010-2182791

YELLOW CAB COMPANY OF PITTSBURGH :  
1101 BEAVER AVENUE :  
PITTSBURGH PA 15233 :  
A-00049926 :

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 Yellow Cab Company of Pittsburgh, respondent, maintains its 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 August 21, 1946, at Application Docket No. A-00049926 for call or demand authority.
3. That on June 18, 2010, respondent's driver of taxicab number 205, Kalanga Muepu, picked up a fare at the Pittsburgh International Airport. The passenger requested to be taken to the U-Haul facility located at 5356 University Boulevard in Moon Township. The driver informed the passenger that she was not familiar with the address, but knew the general area. The passenger responded that once they got off the exit she would be able to direct the driver to University Boulevard. The driver took a different exit and when the passenger inquired if the driver knew this route, the driver become belligerent and called the passenger a racist. The driver continued screaming at the passenger that she was a racist and upon reaching the destination, the driver threw the fare out the driver's window. On September 20, 2010, Enforcement Officer Christopher Urey contacted respondent's safety manager, Paul Caliarì, regarding the complaint. Mr. Caliarì provided a trip sheet for taxicab 205 on June 18, 2010. The trip sheet did not show a trip from the Pittsburgh International Airport to Moon Township on June 18, 2010. The driver was interviewed by Officer Urey on September 24, 2010, at which time Ms. Muepu stated that she did not recall the incident, always records her trips, and would not throw money at a passenger. Upon further investigation, on October 21, 2010, Officer Urey contacted Dawn Romitz, Ground Transportation Coordinator for the Pittsburgh International Airport. Ms. Romitz provided Officer Urey with a record of taxicab number 205's activities at the Airport on June 18, 2010, which indicated that the taxi entered the holding lot at 1:08 p.m., left the holding lot at 2:22 p.m. and entered the Commercial Arrivals Roadway in order to get to the Commercial Arrivals curb. The taxicab left the Commercial Arrivals Roadway at 2:32 p.m. The departure time from the Commercial Arrivals Roadway is consistent with the time reported by the complainant. This is unreasonable service.
4. That respondent, by failing to maintain safe, adequate, efficient and reasonable service and facilities for the proper safety of its patrons and public, violated 66 Pa. C. S. §1501. The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$500.00.

5. That respondent, by failing to have a complete driver log sheet or a trip sheet in its vehicle, violated 52 Pa. Code §29.313(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$50.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Company of Pittsburgh, the sum of five hundred fifty dollars (\$550.00) for the illegal activity described in this complaint and order other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, 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 that 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: \_\_\_\_\_

\_\_\_\_\_  
Michael E. Hoffman

NOTICE

A. You must file an answer within twenty (20) 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). An answer is a written explanation of circumstances wished to be considered in determining the out come. 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 (3) copies sent to:

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

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

C. You may elect not to contest this 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 forwarded to the 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 complaint proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegation of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

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 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.

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2182791**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

09/24/10

On 09/15/10 I contacted the complainant and explained that I was investigating her complaint against Yellow Cab of Pittsburgh. The complaint is as follows, as taken from the complainant's emailed complaint to the Commission. The complainant took Yellow Cab # 205 from the Pittsburgh International Airport to a U-Haul facility at 5356 University Blvd in Moon Township. The cab driver told the complainant that she was not familiar with that address but knew the general area. The complainant responded that once they got off the exit to Moon Township she would tell the driver how to get to the address. During the ride the cab driver took a way that was unfamiliar to the complainant. When the complainant asked the cab driver about the route she was taking, the complainant states that the cab driver started calling the complainant a racist and if she (the driver) wasn't black that the complainant would not have asked about the route. The complainant stated that they continued to argue until they reached the destination. At that time the complainant exited the vehicle and gave the driver the fare. The driver was still calling the complainant a racist and crumpled the twenty dollar bill she was given and threw it out the driver's window back at the complainant and then speed off. After I introduced myself to the complainant I asked her if she remembered anything leading up to, or would cause the cab driver to call her a racist. The complainant told me that she did not talk to the driver after she got in the cab. She called the U-Haul facility for directions and when she tried to relay them to the driver that is when the driver "went off" on her. She asked the driver "I'm not familiar with this way are you sure this is the right way," that is when the driver got angry. I attempted to ask the complainant a few more questions but she became angry at me and told me that it happened over 2 months ago and I should've called her then if I wanted to know the details. I apologized for the delay and told her that I like to call the complainants personally in case they have additional information or would like to add anything to their complaint. The complainant responded that what is in her complaint is what happened. I asked the complainant if she called Yellow Cab about the driver. The complainant became angrier and told me she thinks she called Yellow Cab but got transferred around and eventually filled some form out and that was all she knew. I told the complainant that I would not take up more of her time, thanked her for her information, and ended my phone call with her.

On 09/20/10 I met with Paul Caliarì Safety Manager for Yellow Cab of Pittsburgh. Mr. Caliarì provided me with the following details. On 06/18/2010 cab # 205 was driven by Kalanga Muepu, DOB 04/20/1980, PA DL 28-268-057. She has been with Yellow Cab since October of 2008. We attempted to call Ms. Muepu at 412-773-3040 but received a voice mailbox for a different individual. Mr. Caliarì told me he would email the trip

sheet for cab # 205 as he was having problems accessing that information from his computer. Later that day I called the number that Mr. Caliarì provided me for Ms. Muepu. The individual who answered was not Ms. Muepu and stated that she kept getting calls for her. The individual stated that she had just recently bought this cell phone from a Cricket store. I ended the call and called Mr. Caliarì and informed him that 412-773-3040 was not Ms. Muepu's phone number any longer. Mr. Caliarì told he would get her new phone for me.

On 09/22/10 Mr. Caliarì emailed me the trip sheet for cab #205 and also a new number for Ms. Muepu. Looking at the trip sheet for cab #205 it does not show a trip that matches the description of the complainant's from the Pittsburgh Airport to Moon Township. The trip sheet is dated 06/17/10 and Ms. Muepu signs a 24hr lease so the trip sheet should be the correct one.

On 09/24/10 I called Ms. Muepu at 412-512-9218. I explained to Ms. Muepu that I was investigating a complaint against cab # 205 and that she was the driver of the cab when the complaint was made. Ms. Muepu had a strong accent but she spoke clearly and it was easy to understand what she said. I asked Ms. Muepu if she remembered anything unusual happening on 06/18. She replied she did not. I asked her if she has had trouble with any fare or had gotten into any arguments with a fare. Ms. Muepu replied that "fights no good" and that she does not fight with customers. I explained that the trip would have been from the Pittsburgh Airport to Moon Township and that the complaint centered on her fighting with the fare. Ms. Muepu told me that she has not fought or yelled at any customers and does not recall having any problems with any fares. I told her that the complaint also stated that when cab #205 arrived at the destination the fare got out and handed the driver a twenty and the driver crumpled it and threw it out the window back at the fare. Ms. Muepu stated that she is working for money and would never throw money back at a fare even if it was only a dollar and that would be "not respectful." She also stated if she ever did that she knows she could be fired for something like that. I asked if she recorded all her trips on the trip sheet as she is required by regulations to do and she replied that all her trips are written down. I asked why this trip was not on her trip sheet for the day in question and she stated once again that she writes all trips down. I asked one more time if she recalled any problems with fares or if what I had told here had "rung" any bells in her memory. She replied that she does not remember any problems and that she "does not want to fight with customers." I thanked her for her information and ended the phone call with her.

On 09/24/10 I called the complainant and left a voice mail for her. I told her that I had finished my investigation and that if she had any questions or more information that she could call me. I once again apologized for the time that has passed since she made her complaint and ended my message to the complainant.

It is this Officer's opinion it is very difficult to determine if any regulations were violated as I am unable to confirm any details in the complainant's complaint. The investigation has turned into a "he said, she said" between the complainant and the cab driver. The trip sheet for cab 205 does not show the trip as per the time and date that the complainant described. This could be due to the driver not recording the trip, which would be a violation of PUC Regulations. I am unable to get more information to determine if any other violations occurred as the complainant became unwilling to answer my questions and the driver of cab #205 does not recall any details of the time and date in question.

On 10/21/10 I contacted Dawn Romitz, Ground Transportation Coordinator for the Pittsburgh International Airport. All commercial vehicles that pick up passengers at the airport are required to have a transponder on the vehicle. This transponder allows the vehicle access to the Commercial Vehicle Holding lot and the Commercial Vehicle Roadway. It also records the times the vehicle enters and exits the various locations around the Pittsburgh International Airport so that the Airport can charge the carrier the proper fees. I asked Mrs. Romitz if she would check to see if Yellow Cab #205 was at the airport on 06/18/10. Mrs. Romitz provided me with the following information. Cab #205 entered the holding lot at 1:08 PM. At 2:22 PM it left the holding lot and entered the Commercial Arrivals Roadway in order to get to the Commercial Arrivals Curb. The vehicle left the Commercial Arrivals Roadway at 2:32PM. It would be a safe assumption that the taxi left with a fare at that time. The departure time from the Commercial Arrivals Roadway matches the time of the complainant's complaint. The times are consistent with cab #205's trip sheet for 06/18/10. The trip sheet shows that cab #205 dropped off a fare at the Pittsburgh International Airport at 1:05PM. Although there are no other trips after that it, it would be logical for the cab to proceed to the Commercial Holding lot in order to get a new fare. This is verified by the information provided to me by Mrs. Romitz that shows cab #205 entering the Commercial Holding lot at 1:08PM.. Mrs. Romitz emailed me copies of that information and I have included it in this report.

**Attachments:**

1. Yellow Cab #205 Trip Sheet Dated 06/17/2010

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2182240

Parent Case Number

DocketNumber

Case Type Motor Vehicle

Initiating Document Type Attachment

Case Status Closed

Case Priority

Date Filed 6/17/2010 10:59:01 AM

Utility Code

Utility Name YELLOW CAB CO OF FLA

Utility Type Taxi

Service Type Taxi

Applicant

Responsible Bureau TAS

Respondent Yellow Cab

Complainant BUR OF TRANSPORTATION & SAFETY

Allegation Cab #141. Driver voiced a major complaint with the door man that the trip was too short. She then voiced her complaint with us and became extremely rude, drove fast and wrecklessly to make her point.

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description

Case Comments Please investigate

Efiling Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 1



TAS 2182240

Case is not active in workflow | Case is locked for you to modify

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2182240**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

09/24/10

On 09/08/10 I contacted David Leese and asked Mr. Leese if he could relate to me the details of his complaint against Yellow Cab Co. of Pittsburgh to me. On 06/16/10 Mr. Leese traveled from the William Penn Omni Hotel to the David L. Lawrence Convention Center, both in downtown Pittsburgh. Mr. Leese and a business partner requested a cab from doorman of the William Penn Omni Hotel; the doorman directed them to Yellow Cab #141, which was next in line at the taxi stand at the hotel. When Mr. Leese and his partner entered the cab the doorman told the driver that they were heading to the David L. Lawrence Convention Center. When the cab driver found out they were going to the convention center Mr. Leese stated that she became very angry and started telling the doorman that she did not want short trips and that it was a waste of her time. The doorman did not return any comments to her and he returned to his post at the hotel doors. Mr. Leese told me that the driver complained about the short trip and drove very recklessly in order to prove her point about "wasting her time." Mr. Leese told me that the fare of the ride was about five dollars. Mr. Leese said that the reason he took the cab ride to the convention center was the he had a very large, awkward bag and that his partner had an injury that would have made it difficult for him to walk to the convention center. Mr. Leese called Yellow Cab to complain about the actions of the driver and when he contacted Yellow Cab of Pittsburgh he was transferred numerous times to other people and eventually directed to a voice mailbox where he left his complaint. Mr. Leese did not recall the name of the person who he left his complaint with. A few days later someone from Yellow Cab called and left a message on Mr. Leese's phone. The message said that a woman did not drive the cab Mr. Leese complained about and no further information was left and no name of the person returning Mr. Leese's call. Mr. Leese told me that it was clearly a woman who drove cab # 141 as she was wearing a "Sunday best" dress. Mr. Leese felt that the call from Yellow Cab was just to "get rid" of his complaint. Mr. Leese told me that he has been travelling for business for 25 years and this is the first time he has complained about a taxi to anyone. I thanked Mr. Leese for his information and told him that I would contact and speak with Yellow Cab and then inform him of the results of my investigation.

On 09/20/10 I met with Paul Caliarì Safety Manager for Yellow Cab Co. of Pittsburgh. Mr. Caliarì provided me with the following information. On 06/16/10 cab # 141 was driven by Violet Jetter, DOB 10/10/1974, PA DL 23-779-534. She has been with Yellow Cab since December of 2009. I attempted to contact Ms. Jetter at 412-657-7884 and left a message for her to call me back. Mr. Caliarì told me he would email me the trip sheet for cab 141 as his computer was running very slowly and he was having problems accessing the trip sheets

from his computer. I thanked Mr. Caliri for his information and left his office. Later that day I attempted to contact Ms. Jetter again. This time she answered the phone call and I explained who I was and that I was investigation a complaint against cab # 141 and on the day of the complaint that she was the driver. I asked Ms. Jetter if she remembered anything out of the ordinary happening on 06/16 or if she had any problems that day and she replied that she did not remember anything out of the ordinary for that day. I asked her if she remembered taking a fare from the Omni Hotel to the convention center and again she replied that she did not remember anything. I then gave her the details of the complaint and that if focused on the driver of cab # 141 being upset and complaining to the doorman and the fares about having to take a short trip. Ms. Jetter told me that she did not recall anything like that happening with any of her fares. She also stated that she does not swear and that she would not yell at a doorman. Ms. Jetter told me that while she does not like short trips she realizes that sometimes you get them and that it is part of driving a cab. I asked her if anyone from Yellow Cab had talked to her about this complaint as the complainant had contacted Yellow Cab and she replied that this was the first that she had heard about this complaint. I thanked Ms. Jetter for her information and ended the phone call.

On 09/22/10 Mr. Caliri emailed me the trip sheet for cab # 141 for 06/15/10. Looking at the trip sheet there are a few trips from the Omni Hotel but none listed as going to the convention center and also none at the approximate time of Mr. Leese's complaint. On 09/24/10 I called Mr. Caliri to verify that this was the correct trip sheet. Mr. Caliri told me that it is dated 06/15 because Ms. Jetter had a 24hr lease. I also verified that without knowing who Mr. Leese left his complaint with that there was no way of knowing who contacted him back from Yellow Cab. Mr. Caliri told me that it could have been any number of people depending on who Mr. Leese left his complaint with. I thanked Mr. Caliri for his information and ended the phone call.

On 09/22/10 I attempted to call Mr. Leese to inform him of the results of my investigation. I called 973-396-4550 and received a recording that said "the number you called is either not a working number or must be dialed with the proper area code plus seven digits." I attempted to dial the number again and received the same recording. That was the only number for Mr. Leese in his complaint and there is no email address for me to contact. As I have all the information I needed from Mr. Leese and Yellow Cab I am closing my investigation at this time.

Attachments:

1. Yellow Cab Trip Sheet for Cab #141 dated 06/15/10

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 251791

Parent Case Number

DocketNumber

Case Type No Docketed

Initiating Document Type Assignment

Case Status Closed

Case Priority

Date Filed 6/15/2010 9:48:51 AM

Utility Code 559135

Utility Name MELOWE SP CO OF PUI

Utility Type Taxi

Service Type Taxi

Applicant

Responsible Bureau TAS

Respondent Yellow Cab

Complainant BUR OF TRANSPORTATION & SAFETY

Allegation I called for a cab and asked the operator to have the driver call me when he arrived. After 25 mins I called back to see if a cab was dispatched. The operator said someone typed in an incorrect phone number for me, and she would send

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description

Case Comments

HE SAID/SHE SAID INCIDENT CLOSED.

Please investigate. Conduct interview driver obtain state

Efiling Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 1



TAS 2181791

Case is not active in workflow | Case is locked for you to modify

## Officer's Report

This report is in reference to BP8 case #2181791. It is a complaint of a Yellow Cab driver being discourteous to a passenger.

On June 17<sup>th</sup>, 2010 this EO contacted and spoke with the complainant Gale Jackson. Ms. Jackson advised that on June 10<sup>th</sup>, 2010 she called Yellow Cab to place an order for pick up at her home at 5714 Ellsworth Ave in Pittsburgh, Allegheny County, PA. The destination was the Highmark Building at 5<sup>th</sup> and Penn in Pittsburgh, Allegheny County, PA. Upon placing the order she requested the cab driver contact her as he got closer to her home and she provided her telephone number. Ms. Jackson waited about 25 to 30 minutes and then called Yellow Cab again. The dispatcher advised that the wrong telephone number was entered into the computer and she would send another cab out immediately.

Cab #489 arrived at approximately 1130 hours to pick her up and Ms. Jackson advised that the driver stated to her, I'm not coming back here a third time. She advised that the driver yelled and raised his voice at her claiming that she ruined his day, he was losing money and that she cost him a \$70.00 airport trip. Ms. Jackson advised the driver that dispatch had the wrong phone number, which created the problem and the driver claimed that they had the wrong number because she gave the wrong number. Ms. Jackson asked the driver why she would provide the wrong home telephone number to dispatch. After a while the driver apologized, claiming stress issues and how important an airport route was to him. Apparently, on that day he had been issued an airport route. Ms. Jackson advised that the trip cost about \$12.00 and she tipped the driver \$8.00. Ms. Jackson said there were no other concerns about the trip. Ms. Jackson does not want anything to happen to the driver, but she does want him to understand that he can't treat and talk to people like that.

On June 21<sup>st</sup>, 2010 this EO responded to the Yellow Cab terminal and spoke with Safety Director Paul Caliari. Same advised that the driver in this incident is Florenze Kress (male), with a DOB of 3/21/56. Mr. Kress has a PA driver's license number of 17500328. At the time of the incident Mr. Kress was a weekly lease driver and he first started driving for Yellow Cab on 6/12/87.

This EO then spoke with the driver, Mr. Kress, on the phone from Mr. Caliari's office. Mr. Kress remembers the incident well enough that he almost stated the exact pick-up spot and he did remember the exact drop-off. He was sent out to the location twice before that morning and he sat in front of the home and beeped his horn several times to notify the complainant that he had arrived. Mr. Kress said the complainant had medical issues and he helped her into and out of the vehicle. He advised that it was the complainant that went off about how the Yellow Cab dispatcher messed up the phone number. All he stated to her was that he was surprised that they sent him out to the location a third time. Mr. Kress actually thought Ms. Jackson's behavior was rude in reference to the complaining about the dispatcher. At one point he apologized to her about the dispatcher getting her number wrong and at no time did he complain about losing an airport trip. Mr. Kress advised that by nature he is a loud talker, so he can see that she thought he was yelling, but he helped her into and out of the car and he only talked to her for a small amount of time during the trip. 75% of the time she was talking and crying on the phone about her cancer/medical issues to someone else. Mr. Kress advised this EO that this complaint upsets him. He has been driving over 23 years and he always over does his work. He always cleans the cabs out and he helps people in and out of the cab all the time. It was obvious to this EO that Mr. Kress was concerned about the complaint; he even called back a few minutes later to further state that complainant was probably medicated during that trip. She was wobbly, slurred her words and seemed medicated. The complainant had even given him a real nice tip, which he doesn't understand why she would do that if she was so upset with her service.

This EO's investigation found that the case is a he said/she said case with no unbiased witnesses to interview. Both sides agree that the trip occurred, however the complainant states that the driver was rude and yelling at her. The driver states that he was overly helpful and that the complainant was medicated due to health/cancer issues. The driver does admit that he is a loud talker by nature and that the complainant may have taken that as him yelling at her, but in no way was he ever yelling at her. This EO reviewed the driver's trip sheet (marked as attachment #1 and #2) and circled the trip in question. Upon review of the trip sheet and to the extent of this EO's knowledge of the regulations, this EO found no trip sheet violations. This EO requests

Compliance Review section takes another look at the trip sheet and this report for violations and to determine if a case of unreasonable service or a discourteous driver violation is warranted.

At the conclusion of this investigation, this EO contacted the complainant and advised her that the investigation has been completed and a report will be sent to Harrisburg to be reviewed. During this conversation Ms. Jackson denied being on medication during the trip. She feels the driver is saying that because while she spoke to her husband that morning, she told him that she felt ill. She advised that she always tips the drivers well because they work hard and she hopes that this driver never acts like this toward a customer again. Attachments #1 and #2 were info-mapped by WRO Clerk. A check of the Yellow Cab District Office complaint file for driver Florenze Kress was done. No prior incidents were found for this driver.

**Attachments:**

1. Florenze Kress' trip sheet page #1
2. Florenze Kress' trip sheet page #2

Gary Double Jr.

June 23, 2010

Badge #4

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION, :  
BUREAU OF TRANSPORTATION AND SAFETY :

v. :

Docket No. C-2010-2180244

THE YELLOW CAB COMPANY OF PITTSBURGH :  
1101 BEAVER AVENUE :  
PITTSBURGH PA 15233 :

A-00049926

**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 Yellow Cab Company of Pittsburgh, Respondent, maintains its 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. Respondent also holds Certificates of Public Convenience at Application Docket No. A-00049926, F.2, F.3, F.5 and F.6.

3. That, on June 11, 2010, Enforcement Officer Gary Double, Jr., a duly authorized officer of this Commission's Pittsburgh District Office, investigated a complaint submitted to said office for refusal of service by Respondent. E.O. Double spoke with Complainant, Mr. Terry Griffith, who stated that, on May 28, 2010, he, along with four other people in his party, approached cab #331, the next taxicab waiting in line to transport passengers from the Pittsburgh International Airport, and attempted to obtain transportation service to the Microtel near the airport. Mr. Griffith informed the driver that they were going to the Microtel and upon arrival the hotel would pay the fare. The taxicab driver informed Mr. Griffith that he could not go to Microtel because he was not going to sit around there and wait for someone to come out and pay him. When Mr. Griffith questioned the taxicab driver further about taking the party to the Microtel, the cab driver stated that he would not take the party. The next taxicab in line could not take the party because of limited space, but a third taxicab pulled up promptly and transported the party to Microtel. Upon arrival, the driver was immediately paid by hotel personnel. Mr. Griffith further stated that he spoke with another couple at the hotel who stated that the same cab driver who refused service to Mr. Griffith's party also refused to transport them to the hotel.

4. That, on June 11, 2010, E.O. Double spoke with another member of Terry Griffith's party, one Greg Sickora. Mr. Sickora informed E.O. Double that the driver did not want to take them to the hotel. Mr. Sickora also stated that the cab driver tried to tell the other cab drivers to refuse service to this party of five and tell them to take the shuttle to the hotel.

5. That, on June 21, 2010, E.O. Double met with Paul Caliari, the Safety Director of The Yellow Cab Company of Pittsburgh. The driver of cab #331 on the night in question was Haider Alsahlani. During the meeting, Mr. Alsahlani was contacted by telephone. Mr. Alsahlani stated that he usually doesn't turn down any trips, but was unsure about the day in question. He further stated that turning down passengers usually occurs after 2300 hours when the departure curb gets crowded. Mr. Alsahlani is aware that he cannot refuse trips.

6. That, on June 21, 2010, upon reviewing the log sheets of Mr. Alsahlani, E.O. Double noticed that they were inadequately prepared and did not include the following information:

- (a) The only date on the log sheet was May 24, 2010 for the week. This does not suffice as a date for the week. It is permissible to use a running log sheet for the week, but it must clearly indicate the next date, start and end time.
- (b) The origin and destination places do not contain a street name and address or, if unavailable, an identifiable landmark.
- (c) The time the shift ended is missing on the second page.
- (d) The meter reading at the end of the shift is missing.

7. That Respondent, by failing to provide transportation, as indicated in Paragraph 3, violated 52 Pa. Code § 29.313(a) in that a driver of a call or demand vehicle shall, at all times when on duty and not engaged, furnish the trip service to an orderly person for lawful purposes. The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$500.

8. That Respondent, by failing to have complete, legible log sheets, violated 52 Pa. Code § 29.313(c). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$50.

WHEREFORE, the Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory Staff hereby requests that the Commission fine The Yellow Cab Company of Pittsburgh, the proposed civil penalty of the sum of Five Hundred Fifty Dollars (\$550.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

Michael E. Hoffman, Director  
Bureau of Transportation and Safety  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, Michael E. Hoffman, Director of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and believe and that I expect that 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

\_\_\_\_\_  
Michael E. Hoffman, Director  
Bureau of Transportation and Safety

## NOTICE

A. You must file an Answer within twenty (20) 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). 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 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, PA 17105-3265

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

C. You may elect not to contest this 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 Complaint proceeding shall be closed.

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

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 optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

## Officer's Report

This report is in reference to BP8 case #2180244. It is a complaint against Yellow Cab #331 and its driver for refusal to provide service.

On June 11<sup>th</sup>, 2010 at approximately 1410 hours this EO spoke with the complainant, Terry Griffith, on the telephone. Mr. Griffith advised that he and four family members were returning from a Florida trip late on May 28<sup>th</sup>, 2010. They arrived at Pittsburgh International Airport at approximately 2330 hours and attempted to obtain cab service to the Microtel near the Airport. Microtel has an airport parking service that allows fliers to use their hotel parking as long term parking for airport customers as long as they stay at least one night at the hotel. Microtel advised Mr. Griffith that when their plane arrives, obtain cab service to the hotel and the hotel will pay the cab driver for the trip. Upon arrival at PIA, Mr. Griffith advised that his party, 5 total with one piece of luggage each, walked up to cab #331 which was the next cab in line. They informed the driver they were going to the Microtel and upon arrival the hotel would pay for the trip. The driver replied "I can't go there." Mr. Griffith asked why and the driver replied "I'm not going to sit around there and wait for someone to come out and pay me." Mr. Griffith then commented that it's not that you can't, it's that you won't. The driver then stated "No, I won't take you".

The second cab in line then advised Mr. Griffith that cab #331 has no choice and has to take them. Mr. Griffith turned around to tell the driver of cab #331 this, but by this time the driver had secured another fare and was beginning to leave. The second cab driver was unable to transport them due to limited space and a car seat in the car, however a third cab pulled up immediately (this cab was the same type of cab that cab #331 was) and this driver promptly took them to the Microtel without issue. On the way the driver advised the group that they should file a complaint. The driver of cab #331 did not want to take them as it is a short trip. He also advised that the driver has done this at the airport before and several of the other drivers are fed up with it. Upon arrival at the hotel, the clerk came out immediately and paid the driver. Mr. Griffith advised that the fare was approximately \$10.00, the Microtel clerk paid the driver \$20.00 and Mr. Griffith gave a little tip as well. Cab #331 claim that he would wait to be paid was false in Mr. Griffith mind. At the hotel Mr. Griffith also spoke

with another couple that the same cab driver refused to transport to the hotel. They were upset over the incident as well. Mr. Griffith advised that he can't speak for the rest of the people, but he would definitely testify if needed.

Mr. Griffith advised that there was no airport attendant assisting passengers due to it being late in the evening. The driver of cab #331 was of middle-eastern descent with black hair and a beard. Mr. Griffith's complete address is 25 Dawn Drive, Indiana, PA 15701. His wife, Donna, was one of the five with the party. The others were Gayle and Greg Sickora of Latrobe, PA (724-539-7671) and Margaret Babco of Blairsville, PA (724-459-5192). This EO advised Mr. Griffith to have his wife Donna contact me if there was more to add to this complaint.

On June 11<sup>th</sup>, 2010 at approximately 1443 hours, this EO spoke with Greg Sickora. Mr. Sickora when asked about the trip stated "the jerk didn't want to take us". He then stated that while this was going on the cab driver tried to tell the other cabs to refuse them and tell the party to take the shuttle to the hotel. Mr. Sickora advised that he heard the driver complaining that Microtel doesn't pay and when they do pay, they pay by credit. Mr. Sickora advised that it was midnight and all they wanted was to get home and they didn't really need this type of service. He felt the driver was rude and he must have an issue with Microtel. Mr. Sickora advised he was on his way immediately upon arriving at the hotel so he was unsure how long it took for the driver of the cab to be paid. Mr. Sickora advised that he may testify if it goes to court. He is not real thrilled about taking off work, driving to Pittsburgh and paying for parking. Mr. Sickora was advised to have his wife call this EO if she had anything different to add.

On June 21<sup>st</sup>, 2010 this EO responded to the Yellow Cab terminal and spoke with Safety Director Paul Caliari. Mr. Caliari advised that the driver in this incident was Haider Alsahlani. The driver's date of birth is 1/1/71; he is a weekly lease driver and has driven for Yellow Cab since 9/5/2002. He has a PA driver's license of 25533681. Upon locating this driver's trip sheet it was found that Haider Alsahlani's trip sheet displays cab #331 and 436. Mr. Alsahlani changed cab's during that week due to some type of mechanical issues; however

Mr. Caliari asked the driver which cab he drove on the day in question. Mr. Alsahlani verified that he was driving cab #331 on the evening of 5/28/2010.

This EO spoke with Mr. Alsahlani over the phone, while I was in Mr. Caliari's office. Mr. Alsahlani advised he usually doesn't turn down any trips, but he is unsure about that day. He then stated that it wasn't him, but he sees people being turned down a lot when the airport curb employees are not there. This usually occurs after 2300 hours when the departure curb gets crowded and drivers will refuse a trip. Mr. Alsahlani advised that he is aware that he can't refuse trips.

This EO's investigation found that the trip originated at the Pittsburgh International Airport, Allegheny County, PA. The drop off was the Microtel Hotel on Chauvet Drive in Pittsburgh, PA approximately 8 miles from the airport. Upon speaking with all parties involved it seems apparent that the driver Mr. Alsahlani did refuse to transport Mr. Griffith's party on May 28<sup>th</sup>, 2010. Mr. Alsahlani's immediate statement upon speaking with this EO, that he usually doesn't turn trips down is revealing as well. Upon reviewing Mr. Alsahlani's trip sheet this EO found that Mr. Alsahlani fails to put accurate pick-up and drop-off locations for his fares. Multiple entries are simply general areas, such as N Hills, Cranberry, PA and E Hills. Furthermore, the second page of the trip sheet, which was used for the second cab Mr. Alsahlani used for the week, fails to have the ending meter reading and end time filled out on it. The trip sheets will be marked by this EO as #1 and #2 and info-mapped by the WRO clerk. A check of the Yellow Cab District Office complaint file for driver Haider Alsahlani was done. No prior incidents were found for this driver.

At the conclusion of the investigation, Mr. Griffith was notified and advised the report was complete and forwarded to Harrisburg.

**Violations:**

1. 29.313(a) : A driver of a call or demand vehicle shall, at all times when on duty and not engaged, furnish trip service on demand to an orderly person for lawful purposes

2. 29.313(c) (4): Driver trip sheet failing to have origin and destination information to include street name and address or an identifiable landmark (documents #1 and #2).
3. 29.313(c)(2): No end time for conclusion of shift for second page of trip sheet (document #2)
4. 29.313(c)(7): No final meter reading for 2<sup>nd</sup> page of trip sheet (document #2)

**Attachments info-mapped by clerk:**

1. Page 1 of Mr. Alsahlani's trip sheet
2. Page 2 of Mr. Alsahlani's trip sheet

Gary Double Jr.

June 23, 2010

Badge #4

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :  
COMMISSION, BUREAU OF :  
TRANSPORTATION AND SAFETY :

V. :

DOCKET NO. C-2010-2178291 .

YELLOW CAB CO OF PITTSBURGH :  
1825 LIVERPOOL STREET :  
PITTSBURGH PA 15233 :  
A-00049926 :

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 Yellow Cab Co. of Pittsburgh, respondent, maintains its principal place of business at 1825 Liverpool Street, Pittsburgh, Pennsylvania 15233.
2. That respondent was issued a certificate of public convenience by this Commission on August 21, 1946, at Application Docket No. A-00049926.
3. That, on May 24, 2010, a complaint was received by the Pittsburgh District Office. The complainant stated that on May 9, 2010, she requested transportation from her home located in Carnegie, Pennsylvania to an appointment in Pittsburgh on May 10, 2010. At 7:40 a.m. on May 10, 2010, a driver called to ask directions and complainant requested he pick her up 20 minutes later. The driver then contacted the dispatcher to re-dispatch the call so that the fare would not have to pay the \$5.00 wait time charge. The call was dispatched again, but no taxis accepted it and the call was eventually cancelled. Enforcement Officer Gary Double contacted respondent on June 21, 2010 to verify the information contained in the complaint. Officer Double also requested information regarding how many taxis were operating on the morning of May 10, 2010. Respondent's Safety Manager, Paul Calinari, advised that at the time of the incident, there were five taxis available, two of which were in complainant's zone. As a result of the investigation of this complaint by Enforcement Officer Gary Double, the following violation was disclosed:

- (a) Failed to furnish and maintain adequate, efficient and reasonable service.

4. That respondent, by failing to furnish and maintain adequate, efficient and reasonable service, violated 66 Pa. C.S. §1501. The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$500.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Company of Pittsburgh, the sum of five hundred dollars (\$500.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

#### VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, 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 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: \_\_\_\_\_

\_\_\_\_\_  
Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement Division  
Bureau of Transportation and Safety

## NOTICE

A. You must file an Answer within twenty (20) 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). 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 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, PA 17105-3265

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

C. You may elect not to contest this 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 complaint proceeding shall be closed.

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

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 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.

## Officer's Report

This report is in reference to BP8 case #2178291. It is a complaint of failure to provide service by Yellow Cab of Pittsburgh.

This EO attempted to contact the complainant in this case, Emma Caesar multiple times to verify and ask for additional information. On June 11<sup>th</sup> (1350 hours) and June 17<sup>th</sup> (1050 hours) messages were left for Ms. Caesar to contact this EO. This EO also called and got no response on June 23<sup>rd</sup>. Ms. Caesar however, did forward two very detailed letters with dates and times on them to the PUC for her complaint.

The specific details of Ms. Caesar's complaint are that she wrote a detailed letter to Jerry Campolongo, the Operations Manager of Pittsburgh Yellow Cab, dated April 28<sup>th</sup>, 2010. In the letter she states that on April 26<sup>th</sup> she attempted to order a cab by telephone for pick-up on May 10<sup>th</sup>, 2010. Yellow Cab call taker #17 advised her that it was too early to place an order for May 10<sup>th</sup>. Ms. Caesar wrote the letter to Mr. Campolongo, outlining exactly where she lives with exact directions as she advised there are many roads in her neighborhood with the address of Washington and she did not want the driver to be late. She advised that the medical appointment was very important to her and she did not want to have any issues arriving to it. Ms. Caesar stated that the pick-up spot is her home at 385 Washington Pike, Carnegie, PA 15106 and the destination is 1910 Cochran Rd. Pittsburgh, PA 15220. Finally, Ms. Caesar provided her telephone number (412-276-4569). Ms. Caesar was asking Mr. Campolongo for his prompt attention to ensure there were no issues.

Ms. Caesar's second letter was her complaint against Yellow Cab to the PUC after the fact. Ms. Caesar advised that on May 9<sup>th</sup>, 2010 she placed the cab order for the following day with call taker #20. The call taker must have taken her phone number down and advised that she (Ms. Caesar) would need to give the directions to the driver the next day. Pick-up time was to be at 0745 hours. At 0740 hours on May 10<sup>th</sup>, the driver called Ms. Caesar and advised her that he was near the Olive Garden on Green Tree Road and needed directions. Ms. Caesar provided same and stated the driver appeared to comprehend them. The driver did not arrive by 0810 hours and she again called Yellow Cab and spoke with call taker #12. The call taker stated that they were

working on her order and someone would be sent out immediately. At 0840 hours she again contacted Yellow Cab and call taker #12 advised that there were no cabs to send out to pick her up.

On June 21<sup>st</sup>, 2010 this EO responded to Yellow Cab and spoke with Safety Manager, Paul Caliarì. Mr. Caliarì advised that the driver of the cab that was originally assigned Ms. Caesar's trip was Allen Mosley, cab #355. Mr. Mosley was a weekly lease driver at the time of the incident. He had a DOB of 8/3/77 a PA driver's license of 26216571 and he has leased for Yellow Cab since December 2003.

Mr. Caliarì contacted Mr. John Olivierio, one of the Yellow Cab supervisors to obtain the dispatch record for Ms. Caesar's home phone on May 9<sup>th</sup> and 10<sup>th</sup>. Mr. Olivierio found no call record from Ms. Caesar's phone number on May 9<sup>th</sup>, but did have 2 calls for May 10<sup>th</sup>. This two page dispatch sheet is attached to the report and it shows that a call was taken at 0730 hours. The trip was accepted at 0737 hours by driver Mosley. At 0747 hours the meter was turned on and then turned off nine seconds later. The call was cancelled nineteen seconds later. At 0823 hours the same call was re-dispatched, but this time it was not accepted by any drivers. The call was cancelled at 0941 hours.

This EO then spoke with Operations Manager Jerry Campolongo on the telephone. Mr. Campolongo advised that he spoke with Ms. Caesar after being notified by the Better Business Bureau. Mr. Campolongo apologized for the incident and said the trip was over looked. He also advised that he never received the letter addressed to him dated April 28<sup>th</sup> by Ms. Caesar. It was received by someone at Yellow Cab, but it never made it to his desk. Mr. Campolongo advised that the call was dispatched to the Suburban South Yellow Cabs. There are not a lot of these cabs so on that date when a Suburban Cab was unavailable they dispatched it city wide to all cabs. No cabs accepted the trip so they were unable to get to her in time. Mr. Campolongo advised that Ms. Caesar was upset at first and hard to please, however by the end of their conversation everything was OK. Mr. Campolongo gave Ms. Caesar his personal cell phone number and told her to call him personally from now on. The next time she needs a ride the entire trip is on him (Yellow Cab).

Mr. Caliarì confirmed that it is Yellow Cab policy to offer the trip in this part of the city to the Suburban Cabs first and if the trip is not accepted then it is sent out fleet wide.

This EO then spoke to Allen Mosley on the telephone. Mr. Mosley was unsure at first but then remembered that he spoke with a woman on the telephone about directions to her house in the Carnegie area. Mr. Mosley was in the area but after receiving the directions the customer advised that she wasn't ready and she needed another twenty minutes. Mr. Mosley advised this EO that upon hearing the customer needed 20 minutes he immediately called dispatch and asked to have the call re-assigned to another cab driver. Mr. Mosley is not paid hourly, if he would have waited for Ms. Caesar there would have been a wait charge (twenty minutes would be \$5.00 according to Yellow Cab tariff). Mr. Mosley has got into previous situations where customers refuse to pay the wait charge, begin to argue with the driver or even get to the point it's not suitable to have the customer in the cab. Mr. Mosley stated that he diffuses this situation by calling the dispatcher and asking it to be re-assigned to a more suitable time for the customer and he continues working.

This EO then asked for numbers on how many cabs were working on the morning of May 10<sup>th</sup>? How many cabs were available in the area or zone that Ms. Caesar falls into? And how many cabs were available fleet wide at that time (not on calls)? Mr. Oliviero is in charge of the computer system that could provide this information, however he was unable to provide it on June 21<sup>st</sup>. He advised that he has found this information out before using the system, however something was acting up with the computer and he was placing a call to the administrator of the system to find out why it's not working. This EO was in contact with Paul Caliarì throughout the week of the 21<sup>st</sup> for several complaints and each time this complaint was mentioned the computer was not working properly. This EO was in Mr. Oliviero's office on Friday June 25<sup>th</sup>. Same showed this EO how the information is pulled up that I was asking for, however the system was still not operating correctly. He placed two phone calls to the system administrator with this officer present. Finally, upon speaking with the system administrators, Mr. Oliviero stated he would have my questions answered on Monday morning the 28<sup>th</sup>. In Mr. Oliviero's office this EO asked who controls the transportation, the drivers or Yellow Cab. Mr. Caliarì answered that the drivers always have a choice to pick up a trip or not and Yellow Cab can't force a driver to take a trip since they are independent contractors. If a driver picks up a trip then refuses it then that driver would be suspended. This is the system that has always been in place at Yellow Cab. Mr. Caliarì

advised that very soon they will move toward a CVD (closest vehicle dispatch) system. In this case the closest vehicle will be dispatched the call, however the driver will still not be required to take the trip. I asked what punishment will occur if a driver doesn't take the trip, Mr. Caliari advised that after a few refusals a driver will be suspended (locked out of the system) for a time period.

On Monday June 28<sup>th</sup>, 2010 this EO spoke with Mr. Caliari. Same advised that on May 10<sup>th</sup>, there were 40 Yellow Cabs operating at the time of Ms. Caesar's incident. There were five Yellow Cabs available (not on trips) and there were two Yellow Cabs in Ms. Caesar's zone that were available (not on trips) according to the computer system. I also asked Mr. Caliari how many drivers are leasing cabs from Yellow Cab currently? Mr. Caliari advised approximately 425 drivers and a total of 285 cabs. This EO asked for a print out stating this information from the computer. I was given Mr. Oliviero's phone number to ascertain the information. Upon speaking with Mr. Oliviero later in the afternoon (approximately 1535 hours) same advised there is no print-out that he is able to provide stating this information or verifying it.

On June 28<sup>th</sup>, 2010 at approximately 1125 hours this EO called Ms. Caesar to notify her that the investigation was complete. This time Ms. Caesar did answer the phone and spoke with this Officer. Ms. Caesar advised that she can't afford to make calls to 717 area codes (my phone number) and instead called the PUC's 1-800 number and got a person who could not speak English very well. This EO provided her the Harmar phone number and advised her that she may call the clerk who would be able to forward her to me in the future. Ms. Caesar advised that it was a 0900 appointment time she was trying to make at the Manor Oak II building which is approximately two miles from her home address. Ms. Caesar verified the dates, times and contents that were on her letters to Mr. Campolongo and the PUC. Ms. Caesar also stated that during her May 9<sup>th</sup> call to Yellow Cab the call taker advised her that the order was in the system, but nothing is definite. This infuriates Ms. Caesar. She stated, how can Yellow Cab be a public transportation system and operate in this manner. Ms. Caesar advised Yellow Cab did this to her before, however she still wanted to use Yellow Cab for this trip because of their reputation for service. This EO then asked Ms. Caesar if she requested more time before the pick-up and she stated "Yes". The driver advised that he would be there soon and she told the driver

she would be early to her appointment and asked if he could pick her up twenty minutes later. If this was a problem for the driver she wishes he would have said something as she would not have made the driver wait or use wait time, as she knows that she needs to take the cab when it is available.

Ms. Caesar also confirmed that she spoke with Mr. Campolongo. Mr. Campolongo's statement to this EO about the conversation with Ms. Caesar was accurate. Ms. Caesar questioned how there could be no cabs available for her. She also questioned if the Suburban Cab operation is available for her. This EO advised her of my investigation findings and stated that the report will be sent to Harrisburg. This EO then asked if Ms. Caesar would be willing to testify in PUC court if needed. Ms. Caesar stated she does not want to take it that far. As long as Mr. Campolongo understands she was dissatisfied, then she is satisfied. Ms. Caesar feels that between the three of us (not positive who this refers to, but I think it is Mr. Campolongo, Ms. Caesar and I) it is pretty well resolved.

Ms. Caesar contacted the Western Regional Office on Tuesday July 6<sup>th</sup> and asked to speak with this EO. I advised Ms. Caesar that the report will be forwarded to Harrisburg for a final determination. Ms. Caesar advised that she would like to be notified when the final determination is made.

This EO's investigation found that the complainant went out of her way to notify and attempt to secure a cab ride on the date of May 10<sup>th</sup>, 2010 so her trip would be covered and less stressful. Both the complainant and the cab driver originally assigned the trip (Mosley) verified that Ms. Caesar asked for twenty additional minutes before pick-up. This EO feels compliance review should determine if Mr. Mosley's decision to ask for re-dispatch to save the complainant wait time and his reason for asking was a legitimate reason or if the charge of refusal of service is warranted under Title 52 Chapter 29.313 (a) driver required to provide service. Review of WRO files found no previous complaints against Mr. Mosley.

This EO did conclude that Yellow Cab did refuse to provide service to the complainant as it was determined that five Yellow Cabs fleet wide were available to transport Ms. Caesar at that time of the incident, including two Cabs that were available and in Ms. Caesar's zone. No Yellow Cabs opted or chose to pick up the trip and the trip was eventually cancelled altogether. This EO believes that the fact the Yellow Cab was

unable to assign one of its available cabs to take Ms. Caesar's trip violates at the very least Title 52 chapter 29 101(f)(1)(i): The leased vehicle shall be operated under the direct control and supervision of the certificate holder.

Upon review of Mr. Mosley's trip sheet for this time period and to the extent of this EO's knowledge of the regulations this EO found the following violations:

1. 29.313(c)(2): No end time for when driver's shift ceased
2. 29.313(c) (4): Origin and destination of each trip including street name and number or identifiable landmark (Mr. Mosley's trip sheet states general locations i.e. Carnegie, Oakland, Downtown).
3. 29.313(c) (5): The fare collected for each trip. The last four entries on the log sheet the fare is not noted.
4. 29.313(c) (9): The signature of the driver attesting to accuracy of the data recorded.
5. 29.317(a) (1) (i): Log sheets will be turned into an employee of the certificate holder and same will sign and attest to the signature of the driver who is responsible for the accuracy of the revenues reported.

**Attachments info-mapped by WRO Clerk:**

1. Allen Mosley's trip sheet for week of 5/5/10
2. Dispatch sheet for 5/10/10 (2 pages)

Gary Double Jr.

June 28<sup>th</sup>, 2010

Badge #4

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :  
BUREAU OF TRANSPORTATION AND SAFETY :

V. :

C-2010-2177857

YELLOW CAB COMPANY OF PITTSBURGH :  
1301 BEAVER AVENUE :  
PITTSBURGH PA 15233 :  
A-00049926 :

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 Yellow Cab Company of Pittsburgh, respondent, maintains its principal place of business at 1301 Beaver Avenue, Pittsburgh, PA 15233.
2. That respondent was issued a certificate of public convenience by this Commission on August 21, 1946, at Application Docket No. A-00049926 for call or demand authority.
3. That on May 22, 2010, at approximately 7:20 p.m., respondent's driver of taxicab No. 290 transported Larry and Lisa Brzeckowski from the Sheraton Hotel on Carson Street, Pittsburgh to the Radisson Hotel in Greentree. Upon getting into the cab they advised the cab driver that they wanted to go to the Radisson Hotel. The driver looked disheveled and had a strong odor. The driver was swerving in and out of traffic and drove through a red light. The driver pulled up to the Ramada Hotel; Mr. Brzeckowski again told the driver they wanted to go to the Radisson Hotel. The driver then drove the Brzeckowski's to the Radisson Hotel. Approximately five minutes later, Mr. Brzeckowski realized that he left his cell phone in the back seat of the taxicab. Mr. Brzeckowski telephoned the Yellow Cab dispatch which advised him that they have no way of contacting the driver. Mr. Brzeckowski called his cell phone three times without success. He then called respondent again and asked for a supervisor and was told that there was no supervisor on duty, and transferred his call to the lost and found department. Mr. Brzeckowski was unable to leave a message because the message box was full. On the way back to their hotel, the Brzeckowski's spotted the driver and asked to check the taxicab for their cellular phone. The phone was not in the cab and the driver said he did not see it or hear it ringing. On June 21, 2010, Enforcement Officer Gary Double met respondent's Safety Manager, Paul Caliarì and advised him of the complaint. Mr. Caliarì advised Officer Double that the driver was Michael Costanzo. On the point of the lost and found box being unable to receive messages, Mr. Caliarì advised Officer Double that the coordinator of the lost and found department was on vacation for a week and prior to that was in recovery for an operation for approximately six weeks. Regarding the point of no supervisor on duty for the night of May 22<sup>nd</sup>, Mr. Caliarì responded that at the time of the alleged incident there were only two supervisors employed by respondent and coverage was not 100%. They have recently hired two part-time supervisors to fill in uncovered time periods. On June 23, 2010, Mr. Caliarì called Officer Double to advise him that taxicab 290 was not returned by the leased driver, the driver was past his lease and that he was locked out of the system. He continued that if the taxicab was not returned it would be reported as a stolen vehicle. Mr. Caliarì contacted Officer Double on June 24, 2010, and advised him that a tow truck would be returning the taxicab to respondent's place of business and it would be available for an inspection on Friday, June 25<sup>th</sup>. On June 25, 2010, Officer Double performed an inspection on respondent's taxicab No. 290 and found no violations or odor. A review of the driver's trip sheet on the date of the alleged incident showed that the driver

failed to log the Brzeckowski's trip, failed to include the end time, and used abbreviations or landmarks in the origin/destination section.

4. That respondent, by failing to transport a passenger to their destination by the shortest practical route, violated 52 Pa. Code §29.313(b). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$100.00.

5. That respondent, by failing to have a complete driver log sheet or a trip sheet in its vehicle, violated 52 Pa. Code §29.335(a)(2). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$50.00.

6. That respondent, by failing to have a supervisor on duty at all times, and by failing to be in direct control and supervision of its operations and service, violated 52 Pa. Code §29.101(a)(5), which states that vehicles shall be leased or owned by the certificate holder and the operation and service shall be under the direct control and supervision of the certificate holder. The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$500.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Company of Pittsburgh, the sum of six hundred fifty dollars (\$650.00) for the illegal activity described in this complaint and order other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

#### VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, 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 that 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: \_\_\_\_\_

\_\_\_\_\_  
Wendy J. Keezel

NOTICE

A. You must file an answer within twenty (20) 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). An answer is a written explanation of circumstances wished to be considered in determining the out come. 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 (3) copies sent to:

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

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

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the 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 complaint proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegation of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

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 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.

## Officer's Report

This report is in reference to BP8 case #2177857. It is complaint against Yellow Cab of Pittsburgh and the driver of cab #290 for multiple poor service issues.

On June 17<sup>th</sup>, 2010 this EO spoke with the complainant, Larry Brzeczowski, over the telephone. Mr. Brzeczowski's full address is 5262 Fiegle Rd. Pendleton, NY, 14094. Mr. Brzeczowski advised that on May 22<sup>nd</sup>, 2010 he and his wife Lisa were visiting the city of Pittsburgh and was staying at the Sheraton Hotel on Carson Street. They were walking back toward the hotel and decided to catch a cab to take them to the Radisson in Greentree for a show. Mr. Brzeczowski went to the room to retrieve something and Lisa waited outside to summon a cab. Mr. Brzeczowski advised that on the way back down from the room Lisa called him and asked where he was and if he was still coming. Upon getting into the cab they advised the driver that they needed to go to the Radisson Hotel. Mr. Brzeczowski stated that the driver drove like a maniac the whole way to the Radisson. He swerved in and out of traffic, drove 10 to 20 mph over the speed limit most of the time, ran a red light and played with the radio the entire trip. The driver pulled up to the Ramada Hotel and Mr. Brzeczowski again said they were going to the Radisson Hotel. The driver gave an irritated sigh and then drove them a few more blocks to the Radisson. Upon arrival, his wife Lisa immediately got out as she was panicking/freaking due to the cabbies erratic driving. Mr. Brzeczowski paid the driver, got out and walked into the show.

Approximately 5 minutes later Mr. Brzeczowski realized that he had left his cell phone in the back seat of the cab. Mr. Brzeczowski called Yellow Cab and asked if the driver could return to the hotel so they could retrieve the phone. Yellow Cab dispatch advised that they have no way of contacting the driver to have him return. Mr. Brzeczowski then decided to call the cell phone and did so three times. The first two times the phone rang several times and went to voice mail, the third time the phone went directly to voice mail which meant the phone had been turned off. Mr. Brzeczowski called Yellow Cab again and asked for a supervisor and he was told there were no supervisors on duty that evening. Yellow Cab put him through to the lost and found, however they were unable to leave a message as the message box for lost and found was full. Mr.

Brzeczowski felt that after calling and speaking with the call takers several times they began to act rudely and ignorant with him.

Upon returning to their hotel they spotted the same cab and driver that had dropped them off at the Radisson. The driver remembered dropping them off, but said he didn't have their cell phone. Mr. Brzeczowski asked to check the cab for the phone and the driver permitted him. He was unable to locate the phone. He asked the driver how long after the driver dropped them off did it take him to pick up another fare. The driver reported that twenty minutes after they got out he picked up a passenger on the south side. Mr. Brzeczowski advised that his three calls to his cell phone were placed approximately 7-9 minutes after they got out of the cab. He believes the driver had to be the one that shut the phone off and that the driver is a liar.

Finally, Mr. Brzeczowski told this EO that on the way back to their room after the second encounter with the cab driver his wife, Lisa, told him that while they (Lisa and cab driver) waited for him at the hotel prior to the cab ride she was telling the cab driver how they met and got pictures with Gene Simmons from KISS earlier that night. The driver responded to her "If you think you met Gene Simmons in Pittsburgh, you're a fucking idiot".

Mr. Brzeczowski advised that the cab was cab #290 and the driver was a Caucasian male in his 50's. The driver had a dis-sheveled or messy look to him and the cab reeked of what he thought was body odor. The original cab ride took place at approximately 1920 hours and the second encounter with the driver took place sometime between 2200 and 2230 hours. Mr. Brzeczowski advised that the interior of the cab was clean; it was the odor of the cab that he was referring to in the complaint report. Mr. Brzeczowski also stated that they never asked the driver for a receipt for the trip, so the complaint that they never received a receipt is not an issue. The trip was a \$10 to \$12 fare and he remembers giving the driver a \$2 tip.

Mr. Brzeczowski advised that the cell phone is the main issue or concern that he has in this case. He works for Niagara University in Lewiston, NY and it was his University issued work phone that was lost. He has no information other than the phone is a Sprint phone (telephone # 716-609-0349). Mr. Brzeczowski was asked to get the serial number and model number of the phone and e-mail me the information. Mr.

Brzeczowski e-mailed that there was no more information (model and serial numbers) available for the phone. At this time the cell phone has not been returned to Mr. Brzeczowski. The college has since cancelled the phone so no charges or calls could be put on it.

On June 21<sup>st</sup>, 2010 this EO responded to Yellow Cab and spoke with Safety Manager Paul Caliari. Mr. Caliari advised that the driver at the time of the trip was Michael Costanzo. Mr. Costanzo has a PA driver's license of 19071712 and a DOB of 8/27/60. He is a daily lease driver who typically drives in the night only. In reference to driving behavior, Mr. Costanzo has had no at-fault accidents since 2005. At the time of my visit, cab #290 was being leased by another driver. GPS showed that the cab was parked and this usually means the driver is sleeping. Several calls were made to the driver's phone number with no response.

Mr. Caliari also advised that Julie Armstrong is the lost and found coordinator for Yellow Cab and in the month of May she was on vacation for a week and prior to that she was in recovery for an operation for about six weeks. During these times the lost and found phone message system would have been full. A call was then placed to lost and found from the office and the message box was able to take messages at that time. In regards to not having a supervisor on duty, there were times when there was no supervisor coverage. At the time of this incident there were only two supervisors and coverage was not 100%. They have recently hired 2 part-time supervisors to fill in the uncovered time periods. Supervisors were on call for major incidents, but a lost cell phone would not constitute a major incident. Finally, Yellow Cab requires individuals that leave items in the cab to retrieve the item at the Yellow Cab terminal on Beaver Ave. Since the driver's are not hourly employees, it's lost money, fares, gas and time for drivers to return items left in the cab by the customers. The only other way is for the customer to pay the driver for the return trip to the customer with the item.

Mr. Caliari advised that he would put a hold on Yellow Cab #290 for Wednesday the 23rd. The hold will keep the cab from being leased on that day and I would be able to respond to the terminal and do a safety inspection on it.

On June 22<sup>nd</sup>, 2010 this EO asked Mr. Caliarì to leave a message at the Yellow Cab cash out window to have Michael Costanzo contact me. This EO had been unsuccessful in contacting Mr. Costanzo at his home number.

On June 23<sup>rd</sup>, 2010 this EO spoke with Michael Costanzo on the telephone. Same advised that he remembers the complainants because they stopped him at Station Square and asked to search the cab for the lost phone. He allowed them, but they did not find the phone. They asked if he had it and he told them no. Mr. Costanzo advised that he never saw the phone, never found it and thus never returned it or gave it to lost and found. Nor did he ever hear the phone ringing in the back seat of the car. Mr. Costanzo advised that his driving record is good and that he was not driving erratically that night. Mr. Costanzo stated that he thinks the complainants are upset over losing the phone and they are making the allegations up because they think he did something with it.

On June 23<sup>rd</sup> Mr. Caliarì called to advise me that cab 290 has not yet been returned by the leasing driver. He is past his lease and has been locked out of the system. If the cab is not returned or if Yellow Cab does not repo the cab then it will be reported to the police as a stolen vehicle. Mr. Caliarì advised that he would call me as soon as the cab is located and it won't be touched or returned to service until it is inspected by me.

This EO was contacted by Mr. Caliarì on June 24<sup>th</sup>. Same advised that the tow truck will be bringing in cab #290. The cab will be held until Friday morning when I will be able to inspect it.

On Friday, June 25<sup>th</sup>, 2010 this EO responded to Yellow Cab and conducted a safety inspection of cab #290. A vehicle in-service form was not completed as the cab was held out of service until after this EO could inspect it. The inspection was a terminal inspection so no previous trip sheet, trip sheet information or driver information was filled out on the DVCR. No violations were found during the walk around or test driving portion of the inspection. Safety Manager Paul Caliarì operated the lights and test drove the vehicle for the inspection. The interior of the vehicle, although not vacuumed clean, did not appear dirty or unsanitary in any manner and there was no strong odor or smell from the inside of the cab. Mr. Caliarì signed for Yellow Cab's copy of the DVCR.

This EO's investigation found that the driver in this case, Michael Costanzo had a previous complaint in the Pittsburgh Office for similar behaviors. It was an incident that occurred on 11/11/2006 under report #491-06 for driver not using the meter, rude and going to the wrong location. This EO feels that Compliance Review should review this previous complaint to see if it was sustained to help in determining if this case does meet the criteria for discourteous driver and unreasonable service. The driver in this case advises that he never had the phone and he has no idea where it is. The complainants believe the driver is a liar, who provided a discourteous service, does not drive safely and may possible have a body odor issue.

Upon review of the driver's trip sheet and to the extent of this EO's knowledge of the regulations I found the following violations:

1. Title 52 29.313(2): Shortest route to be followed. Driver took passengers to the wrong hotel originally (Ramada in Greentree instead of the Radisson)
2. Title 52 29.313I (2): No end time noted on the trip sheet.
3. Title 52 29.313I (4): Origin and destination of each fare including locations to be marked with street name and # or landmarks (trip sheet has generalities only i.e. DT and West End). The driver also failed to log the complainant's trip. Between 1841 and 1951 hours no trips were logged (complainants state the trip occurred roughly at 1920 hours). The 1951 hours fare also went to Greentree, however only 1 passenger was marked in the passenger column. The complainants had a group of two.

At the conclusion of the investigation Mr. Brzeczowski was notified and a message left advising the report was complete and forwarded to Harrisburg.

**Attachments info-mapped by WRO Clerk**

1. DVCR #410-1033
2. Trip sheet #290 for 5/22/10

Gary Double Jr.

June 25, 2010

Badge #4

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2177250

Parent Case Number

DocketNumber

Case Type No Do board

Initiating Document Type Informal Complaint

Case Status Closed

Case Priority Low

Date Filed 5/20/2010

Utility Code 5371-11

Utility Name Yellow Cab Co of Pittsburgh

Utility Type Taxi

Service Type Taxi

Applicant

Responsible Bureau TAS

Respondent Yellow Cab Co of Pittsburgh

Complainant Bur of Transportation & Safety

Allegation Complaint about Yellow Cab driver.

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description Complaint about Yellow Cab driver.

Case Comments

Contact Complainant and de circumstances of case, amo charge and any other detail: Yellow cab and obtain copie documentation regarding tri

Efiling Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 1



TAS 2177250

Case is not active in workflow | Case is locked for you to modify

## Officer's Report

This report is in reference to BP8 case #21777250. The complainant in the case alleges that he was overcharged for a cab trip he took with Yellow Cab of Pittsburgh.

This EO made several attempts to contact the complainant in reference to this case. On June 11<sup>th</sup>, 17<sup>th</sup> and 23<sup>rd</sup> I left messages or paged Mr. Pilkington (the complainant) in an effort to discuss the details of the case. On June 17<sup>th</sup>, I also wrote an e-mail message and sent it to Mr. Pilkington. This EO never received a response from Mr. Pilkington. After several failed attempts to contact the complainant I asked Western Regional Office Clerk Eric Keifer to send the complainant a letter in regards to his failure to contact me. As of July 30<sup>th</sup>, this EO still had not received a response from Mr. Pilkington. One final attempt of e-mail and messages were made by this EO on July 30<sup>th</sup>, asking the complainant to respond.

On Friday July 30<sup>th</sup>, the complainant responded by e-mail stating that he was not over-charged and he wishes to drop the complaint. On Monday August 2, 2010 I responded to his e-mail asking for the pick-up and drop off points so I would be able to write a complete report. The same day the complainant responded back that the pick-up was the airport (assumed Pittsburgh International Airport) and the drop off was Wood and 6<sup>th</sup> Street.

On August 2<sup>nd</sup>, 2010 this EO responded to Yellow Cab and spoke with Safety Manager Paul Caliarì. Mr. Caliarì advised that the computer shows that Azouz Elyajizi was the driver of cab #257 on that date. Mr. Elyajizi started leasing from Yellow Cab on 3/10/10 and was a 24 lease on May 10<sup>th</sup>. He has a PA driver's license of 27198395 and his date of birth is 03/12/1969.

Mr. Caliarì provided this EO with a copy of Azouz Elyajizi's trip sheet for the date in question. Mr. Caliarì advised that drivers are issued an ID when they start. If the driver loses his ID or damages it the driver is required to pay for a replacement. The drivers are to post their ID's per Yellow Cab policy in the car where passengers can read it. The Airport Authority does enforce ID's as part of their regulations.

My investigation revealed that the complainant is retracting his claim that he was over-charged by the driver of cab #257. Due to the complainant not discussing the case with me, except for two very brief e-mails, I

am unable to verify any information provided in the complaint including the cab number. No evidence or information was provided to me that makes me believe an agreement between these parties was already made. I did obtain the trip sheet for the possible driver in question, although there is no way to confirm that he was the driver. For this reason I did not contact the driver to hear his side of the case. Compliance review should review this report to determine if any further violations of PUC regulations exist. I did not contact the complainant at the close of the investigation as it was evident that he did not want to pursue the complaint.

Upon reviewing the trip sheet and to the extent of my knowledge of the regulations I found the following violations:

1. 29.313(c) (4): Elyajizi fails to put locations to include a street name and number or a landmark for each trip. Driver uses general locations for example Dow and Squirrel Hill.

**Attachments info-mapped by WRO clerk:**

1. E-mail correspondence with complainant and his request to drop the complaint
2. Trip sheet for cab #257 on May 10<sup>th</sup> 2010.

Gary Double Jr.

August 16<sup>th</sup> 2010

Badge #4

Add Document Attach Document Display POR Notification Reindex Document Save Close Add Information Audit Comment

Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2165882

Parent Case Number

DocketNumber

Case Type New Document

Initiating Document Type Assignment

Case Status Closed

Case Priority

Date Filed 3/24/2010 2:51:01 PM

Utility Code 539135

Utility Name YELLOW CAB CO OF PITT

Utility Type Taxi

Service Type Taxi

Applicant

Responsible Bureau TAS

Respondent Yellow Cab

Complainant BUR OF TRANSPORTATION & SAFETY

Allegation : I was picked up at the Holiday Inn University to be taken to the airport. The driver immediately started getting phone calls about fares on her cell phone. She had two cell phones in use while driving. She would receive a call on one(using an

Reference Bp8CaseIDs

Reference Docket Numbers

Case Description

Case Comments Please investigate

E Filing Confirmation Number

Additional Case Information

Rate Case Information

Documents attached: 2



TAS 2165882 YELLOW CAB CO OF PITTSBURGH (2165882).doc

Case is not active in workflow | Case is locked for you to modify

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-00049926**ASSIGNMENT NUMBER** 2165882**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

06/15/10

On 05/17/10 I contacted the complainant David R. Rittenhouse at 817-614-5323 and asked him about the details of his complaint against Yellow Cab of Pittsburgh cab #150. Mr. Rittenhouse explained his complaint to me as follows. On 03/22/10 Mr. Rittenhouse was staying at the Holiday Inn University. At approximately 12:30 PM Mr. Rittenhouse checked out of the hotel and requested that the front desk call him a cab to transport him to the Pittsburgh International Airport. The front desk contacted Yellow Cab Co. of Pittsburgh and cab #150 arrived to transport Mr. Rittenhouse to the airport. During the trip to the airport Mr. Rittenhouse stated to me that the driver of the cab, a female, had two cell phones that she used to take calls and to make calls. One cell phone she operated with a hands free device but the other cell phone did not have a hands free device. Mr. Rittenhouse told me that she would receive a call and then use the second phone to call someone and then relay information back to the first cell phone. Mr. Rittenhouse said that it sounded like she was acting as a dispatcher as she was relaying addresses between the two phones. He said he was not sure if they were other Yellow Cab drivers she was talking to but that it definitely sounded like she was talking to other cab drivers. Mr. Rittenhouse felt that this was an extremely unsafe act as she was juggling the cell phones and she would also occasionally text on one phone or write something down on a notepad, all while driving him to the airport. Mr. Rittenhouse had no other issues with the cab ride but felt that the driver was operating the cab in a very unsafe manner by using two cell phones at the same time. I thanked Mr. Rittenhouse for his information and ended the phone conversation.

On 05/19/10 I met with Paul Caliarì, Safety Manager for Yellow Cab Co. of Pittsburgh. Mr. Caliarì provided me with the following information. On 03/22/10 cab #150 was driven by Shqipe Latifi (Mandy), PA DL 27620926. Ms. Latifi has been driving for Yellow Cab since April of 2005. I called Ms. Latifi at the number Mr. Caliarì provided, 412-596-2578 and left a message for her to call me back. After about 10 minutes, while still talking to Mr. Caliarì, Ms. Latifi returned my call. I explained to Ms. Latifi that I was investigating a complaint against Yellow Cab and that she was the driver of cab that the complaint was on. I told Ms. Latifi that the complaint dealt with her operating two cell phones at the same time while driving a fare to the Pittsburgh International Airport. I asked Ms. Latifi if she operates two cell phones while driving her cab and she responded that she does have two cell phones, a business phone and a personal phone. She told me she does use a hands free device for her business phone. She stated that she never uses both phones at the same time and she does not text on her personal phone while she drives. When asked about it sounding like she was

acting as a dispatcher on the phone Ms. Latifi told me that she has many regular business travelers that she has given rides to and or from the airport that have her business cell phone number. If she is unavailable when one of her regulars calls her for a ride she will contact another Yellow Cab driver who is free to pick up the fare. Ms. Latifi stated that she has built up quite a few regulars over the past couple of years transporting business travelers from the Pittsburgh Airport to Pittsburg and vice versa. If she is unavailable when a regular calls her she tries to get them a ride as quick as possible as she does not want to lose them as a regular customer. Ms. Latifi told me that if she has a fare that says anything to her about talking on her cell phone using the hands free device that she ends the call and will not answer her cell phone while that fare is in the taxi. Mr. Latifi stated that if the complainant had said anything to her she would have not used her cell phone but that she does not remember this particular fare saying anything to her about feeling unsafe due to her using her cell phone. Ms. Latifi answered all of my questions and was very forthcoming with her information. At the end of my phone interview with Ms. Latifi she restated that any time a fare has asked her not to talk on her cell phone that she has ended the call and does not take any further calls during that trip. I thanked Ms. Latifi for her information and ended the interview. After my phone interview I asked Mr. Caliari what Yellow Cab Co. of Pittsburgh's policy on cell phone use is? Mr. Caliari told me that the policy is that cell phones should only be used in emergencies and if the driver has to take a call that they should pull over where it is safe to do so and not talk and drive at the same time. Mr. Caliari said the policy is based off of the National Safety Council's guidelines for using cell phones in a vehicle. Mr. Caliari did tell me that many drivers when told the policy reply that it is not illegal to operate a cell phone while driving in Pennsylvania. When they say that to him he repeats the policy to the drivers. Mr. Caliari provided me with the trip sheet for cab #150. The trip sheet starts on 03/15/10. Mr. Caliari explained that Ms. Latifi normally signs a weekly lease. Mr. Caliari also stated that during the week of 03/15 Ms. Latifi used cab #326 as her normal cab of #150 broke down and was in the repair shop for a few days during that week but that she was back in cab #150 by the end of the week. There is a trip at the end of the sheet from downtown Pittsburgh to the Pittsburg International Airport from 11 to 11:20 that could be the trip in the complaint. It is hard to determine if that is the trip as there is no date listed for that trip and the times do not match those in the complaint. That is the only trip on the trip sheet that is closest to the one described in Mr. Rittenhouse's complaint. I thanked Mr. Caliari for his time and information and ended my visit with him.

On 06/15/10 I contacted Mr. Rittenhouse and left a voice mail. I apologized for not contacting him sooner and informed him that my investigation was complete. I left my cell phone number and explained that if he had any questions or had additional information to please call me.

Attachments:

1. Yellow Cab Trip Sheet dated 03/15/10

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY  
COMMISSION, BUREAU OF  
TRANSPORTATION AND SAFETY

V.

DOCKET NO. C-2010-2165361

YELLOW CAB CO OF PITTSBURGH  
1825 LIVERPOOL STREET  
PITTSBURGH PA 15233  
A-00049926

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 Yellow Cab Co. of Pittsburgh, respondent, maintains its principal place of business at 1825 Liverpool Street, Pittsburgh, Pennsylvania 15233.
2. That respondent was issued a certificate of public convenience by this Commission on August 21, 1946, at Docket No. A-00049926.
3. As the result of a complaint received in the Pittsburgh District Office regarding refusal of service, an investigation was conducted by Enforcement Officer Christopher Urey, a duly authorized officer of this Commission. On March 13, 2010, at approximately 10:30 p.m., a call for service was made to respondent from the Westin Hotel in Pittsburgh. When the taxi driver, Kenneth Lewis, was given the destination address, he refused service and told the complainant to get out of the vehicle. On May 19, 2010, Officer Urey interviewed the driver, Kenneth Lewis. Mr. Lewis admitted that he does not feel safe driving into the area he thought the complainant's address was located in and that's why he refused the fare.
4. That respondent, by refusing trip service on demand to an orderly person for lawful purposes, violated 52 Pa. Code §29.313(a). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$500.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Co. of Pittsburgh, the sum of five hundred dollars (\$500.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, 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 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: \_\_\_\_\_

\_\_\_\_\_  
Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement Division  
Bureau of Transportation and Safety

NOTICE

A. You must file an Answer within twenty (20) 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). 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 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, PA 17105-3265

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

C. You may elect not to contest this 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 complaint proceeding shall be closed.

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

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 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.



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

IN REPLY PLEASE  
REFER TO OUR FILE

YELLOW CAB CO OF PITTSBURGH  
1825 LIVERPOOL STREET  
PITTSBURGH PA 15233

In Re: Pennsylvania Public Utility Commission  
v.  
Yellow Cab Co. of Pittsburgh  
Docket No.: C-2010-2165361

Dear Respondent:

On September 22, 2010, the Bureau of Transportation and Safety instituted a complaint against Yellow Cab Co. of Pittsburgh, respondent, alleging that respondent violated 52 Pa. Code §29.313(a) by refusing trip service on demand to an orderly person for lawful purposes.

Respondent was duly notified that, if no answer was filed within twenty (20) days from the date of service of the complaint, that either admitted or failed to deny the allegations of the complaint, the penalty would be imposed.

The complaint and notice were served on respondent on or about September 25, 2010; and to date, more than twenty (20) days later, no response has been received from respondent.

Therefore, the allegations in the complaint are admitted and the complaint is sustained.

Respondent, within twenty (20) days from the date of the service of this letter, shall pay a fine of five hundred dollars (\$500.00) by certified check or money order payable to the Pennsylvania Public Utility Commission at P.O. Box 3265, Harrisburg, PA 17105-3265, as provided in the Public Utility Code, 66 Pa. C.S. §§3301 and 3315, shall cease and desist from further violations of the Public Utility Code, 66 Pa. C.S. §§101, et seq., and the Regulations of this Commission, 52 Pa. Code §§1.1, et seq.

Very truly yours,

Rosemary Chiavetta  
Secretary

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-00049926**ASSIGNMENT NUMBER** 2165361**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

06/18/10

On 05/17/10 I attempted to contact Eric Vearnon at 412-519-7664 to discuss the details of his complaint against Yellow Cab Co. of Pittsburgh. I left a message explaining that I was investigating his complaint and to call me back. On 05/18/10 Mr. Vearnon called me back and relayed the details of his complaint to me as follows. On 03/13/10 Mr. Vearnon and a friend, who are both African-American, left a show at the August Wilson Theatre in downtown Pittsburgh at approximately 10:30 PM. They walked to the Westin Hotel in order to get a cab at the cab stand to take them home. They approached cab #110 and got in the cab and told the driver they were going to 414 Suffolk St. Mr. Vearnon stated to me that when they told the driver the destination the driver refused to take them there and told them to get out of the cab. The driver was white but Mr. Vearnon did not have time to see the driver's name listed inside the cab. Mr. Vearnon told me that the driver said that he "wasn't going to Niggarwood." Mr. Vearnon and his friend got out of the cab and Mr. Vearnon told the cab driver that the driver was a racist. When Mr. Vearnon called the driver a racist the driver got out of the cab and threatened Mr. Vearnon. Mr. Vearnon stated that the cab driver said "I'll kick your ass, I'm not racist." Mr. Vearnon told me they then left the vicinity of the cab and while they were leaving he saw a white couple enter cab #110 and then the cab left with the new passengers. Mr. Vearnon and his friend had to take a jitney in order to get home as no other Yellow Cabs were around the area. Mr. Vearnon stated to me that he is very tired of Yellow Cab drivers just going from downtown to the Airport and back and he wonders how Yellow Cab gets away with such poor service. Mr. Vearnon told me that 414 Suffolk St, his home address, is not a bad part of town and is a very nice place on the north side of Pittsburgh. I thanked Mr. Vearnon for his information and told him I would discuss the situation with Yellow Cab and I would notify him when my investigation was complete.

On 05/19/10 I met with Paul Caliarì, Safety Manager for Yellow Cab Co. of Pittsburgh. Mr. Caliarì provided me with the following details of cab #110. On 03/13/10 cab #110 was driven by Kenneth Lewis, PA DL 15642366. He has been with Yellow Cab since December of 2003. I called Mr. Lewis at 412-537-4490 and Mr. Lewis requested to call me back as he was in an appointment. I told him that would be fine. Approximately 15 minutes later Mr. Lewis called me back and we discussed the details of the incident. I explained to Mr. Lewis that I was investigating a complaint against cab #110 and the night of the complaint he was driving the cab. I asked Mr. Lewis if he remembered anything out of the ordinary about that night or if he had to decline any passengers that attempted to ride in his cab. Mr. Lewis replied that he did not remember

anything and that he wouldn't turn anyone down. I told him that complaint happened at the Westin Hotel if that would help his memory. At that time Mr. Lewis said he remembered that it was a busy night for him and that something did happen that night. Mr. Lewis told me that while he was waiting at the Westin Hotel cab stand the doorman for the hotel directed two men over to his cab for a cab ride. The doorman told Mr. Lewis that the men needed to go to E Street. The men got in the cab and when Mr. Lewis asked them to verify where they were going they told him Suffix street. Mr. Lewis told me that when a fare changes addresses on him it is a warning signal for the trip ahead. Mr. Lewis said that he knows Suffix street is near the Northview Heights housing project and that it turns into a dead end near the housing project, also he felt that it is not a safe neighborhood at night. On a previous trip to the Northview Heights he had a fare that did not pay for the taxi but just jumped out of the cab when he arrived at the destination. He then asked the men to get out of the cab. Mr. Lewis told me that one of the men got out of the cab and exchanged a few words with him but did not recall the exact words. The other passenger an older man did not leave the cab right away but eventually got out of the cab. After both men got out of the cab Mr. Lewis said that he left the area and did not have any passengers when he left the Westin Hotel. When I asked if Mr. Lewis told the passengers that he "wasn't going to Niggardwood," he denied having said anything along those lines. I asked he ever threatened the passengers and he told me that while some words were exchanged he never said that he would "kick anyone's ass." I asked Mr. Lewis if he took a different fare from the Westin as the complaint states that he took a couple from the hotel after the two men got out of the cab. Mr. Lewis stated that he left the Westin without a fare as he just wanted to leave after dealing with the two men. Mr. Caliri provided me with a trip sheet for cab #110 and it shows five trips with the last trip ending at 14:14. I asked Mr. Lewis if it was a busy night and this incident occurred at 10:30 why did he not have any trips listed after 2:14. Mr. Lewis replied that he did not know and he must have messed up the trip sheet and or forgotten to write his other trips on it. I reminded Mr. Lewis that by regulation every trip he performs needs to be listed on the trip sheet for the cab and he responded that he knew that and he would make an effort to fill the trip sheet out better from now on. Mr. Lewis stated to me that he is not a racist and he does not feel safe near the Northview Heights housing project and that is why he did not take that fare. I thanked Mr. Lewis for information and ended the phone interview. Mr. Lewis answered all of my questions but he did not have many specific details and could not explain the lack of trips on his trip sheet outside of he messed it up.

Using Google Maps I searched for 414 Suffolk St in Pittsburgh. Using the satellite view of the map it showed a residential house. I then searched for Northview Heights and found the address as 525 Mt. Pleasant Rd. The addresses are approximately 1.1 miles apart from each other. While the addresses are close, 414 Suffolk St is on the west side of Interstate I-79 and the Northview Heights are on the eastern side of the interstate. I do not believe the neighborhoods would cross across the interstate as it is a barrier that would prevent that. Also I

believe that Mr. Lewis thought that Suffolk St was nearer to the housing project than it is or that he has it confused with a different street. Suffolk appears to only be about 1,000 ft. and connects Hazelton St with East St by running under I-79.

On 06/18/10 I contacted Mr. Vearnon and informed him that my investigation was complete. I also apologized for taking so long in contacting Mr. Vearnon back. Mr. Vearnon stated that if there were any questions to the details of what he said happened, that the incident occurred right outside of the Westin Hotel's lobby and he is sure that their security cameras captured the event. I told Mr. Vearnon that I would include that in my report. Mr. Vearnon told me that it was sad that a jitney is the only way to get around Pittsburgh. Mr. Vearnon said that with the Port Authority raising the bus fare to seven dollars and never finding a Yellow Cab that a jitney is the only choice for many people. He also stated that he has had better service with a jitney than he has ever had with Yellow Cab. I told Mr. Vearnon that I understood his frustration and that if he had any other questions or concerns he could contact me and I would assist him in any way that I could.

Attachment:

1. Trip Sheet for Cab #110 dated 03/13/2010

Add Document Attach Document Display POR Ratification Reindex Document Save Close Add Information

Case Case Audit Attachment utility\_tab PublicMeeting

Case Information

Bp8CaseID 2161872		Parent Case Number
DocketNumber		
Case Type	Initiating Document Type Associated	
Case Status	Case Priority	Medium
Date Filed	3/2/2010 11:02:49 AM	
Utility Code	639125	
Utility Type	Taxi	
Service Type	Taxi	
Applicant	Responsible Bureau TAS	
Respondent	Yellow Cab of Pittsburgh	
Complainant	PA. PUC Transportation & Safety	
Allegation	discourteous driver failure to take most direct route	
Reference Bp8CaseIDs	Reference Docket Numbers	
Case Description	discourteous driver failure to take most direct route	
Case Comments	Complainant Victoria Birnbaum IC LTR & FORMAL COMPLAINT FORMS SENT TO COMPLAINANT - CONFLICTING STORIES.	

Documents attached: 1



TAS 2161872

Case is not active in workflow | Case is locked for you to modify

## Officer's Report

This report is in reference to BP8 case # 2161872. The complainant in the case states that Yellow Cab over-charged UPMC hospital and the driver was discourteous and failed to go her direction.

On March 9<sup>th</sup>, 2010 this EO spoke with the complainant Victoria Birnbaum on the phone. Ms. Birnbaum advised that she is a transplant patient and on January 12<sup>th</sup>, 2010 UPMC Health System paid for a Yellow Cab (voucher) to transport her from UPMC-Montefiore Hospital to her home at 1310 Arch Street, Pittsburgh, PA 15213. Ms. Birnbaum advised that she was in a wheelchair, by herself outside the Buffalo Street entrance when the cab pulled up to her. She asked the driver to help her with her bags and the driver said "no, if you want the cab, get in." Another person was in the vicinity and helped Ms. Birnbaum with her bags. Once she got in the cab she directed the cab driver on how she wanted to go home, but the cab driver ignored her and went his own way. She requested that the driver take specific roads prior to getting on the parkway and specific roads after getting off the parkway. The driver ignored her and took the roads he knew. When she asked why he wasn't taking the way she requested he advised her that he would drive the way he wants. The driver then advised Ms. Birnbaum that she has a problem and began being very discourteous in the way he spoke to her. Ms. Birnbaum responded to the driver stating that he was the one with the problem. Ms. Birnbaum advised that she has taken this exact trip on many occasions and the fare is always between \$12 and \$13 dollars. For this trip the driver did not drop the flag and the final price on the voucher was \$18.00. Ms. Birnbaum did not know who put the final price on the voucher. The social worker at the hospital filled the voucher out, but she wasn't sure if the price was put in by the cab driver at the end of the trip or the social worker prior to the trip. Ms. Birnbaum could not provide a cab number or drivers name, but she advised that the cab driver was an older (60's) male, Caucasian, with a small frame and gray hair. Ms. Birnbaum advised that the trip occurred around noon on January 12<sup>th</sup>.

On March 10<sup>th</sup>, 2010 this EO responded to Montefiore Hospital and spoke with social worker, Ms. Williams and social work supervisor Mary Veihdeffer. Ms. Williams advised that she typically sets up the cab ride by calling Yellow Cab, gets the rough price of the trip and completely fills out the voucher including the

price. Ms. Veihdeffer, the supervisor, advised that the social workers use a cab only as a last resort, when all other means to transport a patient are exhausted. She advised that the social workers are not to put the prices down on the voucher and this was just mentioned to all social workers in the past couple of weeks. Ms. Veihdeffer did not outright say it, but it appeared that social workers getting cab quotes and filling out the price on the voucher could have been a followed practice as recently as the complainant's trip. Ms. Veihdeffer also advised that she is not aware of any medical transportation contracts or set prices between Yellow Cab and the hospital.

This EO then spoke with UPMC compliance officer Linn Swanson. Ms. Swanson was contacted by the complainant over her excessive fare as well. Ms. Swanson offered to assist in any way possible. She advised that the hospital wants to ensure that they are not getting ripped off by the cab company. Ms. Swanson made contacts at my request inquiring about any transportation contracts between the hospital and Yellow Cab. Ms. Swanson returned the phone call and advised there is no medical transportation contract between the hospital and Yellow Cab.

This EO then responded to Yellow Cab and spoke with safety manager, Paul Caliri. Mr. Caliri advised that there is no policy stating that the drivers are not allowed to help the passengers. They advise their drivers that good customer service is the best way to operate. The Yellow Cab policy is to go the most direct route unless the customer requests the driver go a different way. Upon researching the call history for January 12<sup>th</sup>, 2010 the cab driver for the complainant's trip was cab #225, Clingman Johnson. Mr. Johnson has a PA driver license #22797396 and a DOB of 12/20/41. He is a 24 hour lease and began leasing on 10/24/2002. Mr. Johnson however is not an older Caucasian male. He does fit the rest of the complainant's description, however, Mr. Johnson is a medium skinned African American, and it is difficult to believe he could ever be described as a Caucasian.

This EO then spoke with Mr. Johnson over the phone while at the Yellow Cab Safety Manager's office. Mr. Johnson did recall the trip after I provided some of the details. He advised that a hospital attendant or employee was with Ms. Birnbaum and was already assisting her with her bags. When she asked for help, he

asked her how much more help do you need. Mr. Johnson advised that the passenger was a very grumpy lady and was quite rude the entire trip. Because she was so grumpy, he didn't pay any mind to what she was saying, he knew which way to go and he was attempting to block her complaints out, drive and focus on driving in mid-day rush hour traffic. Mr. Johnson advised that the price was already on the voucher when she handed it to him. He advised he usually runs the meter even when the voucher is already filled out, but he can't say if he did on this trip or not.

On March 10<sup>th</sup>, 2010, this EO spoke with UPMC social worker Linda Sharp on the phone. Ms. Sharp was the social worker that filled out the voucher the day of the trip. Ms. Sharp remembered Ms. Birnbaum actions this day vividly and even had notes for the day. Ms. Sharp is the social worker for the transplant unit at the hospital. Of all the patients they deal with regularly, Ms. Birnbaum is the most difficult. On January 12<sup>th</sup>, Ms. Birnbaum wanted the hospital to pay a jitney friend of hers to transport her home. When Ms. Sharp refused, saying that they are not permitted to use unlicensed cabs, Ms. Birnbaum became upset, obnoxious and began cussing her out. Ms. Birnbaum was complaining about the fact she had to take a cab and her attitude was less than pleasant up to the time she got to the cab. In reference to the cab fare and the voucher, she advised that it is difficult to estimate cab vouchers. She stated that she usually leaves it blank as she does not want to put a price on the voucher and then have the fare go over the voucher price. Ms. Sharp advised that she feels she knows what cab fares cost in the area and she has no issues with an \$18.00 fare for that trip. With traffic, lights and going across town, she thinks that the price was adequate and reasonable and does not feel UPMC was ripped off. Ms. Sharp stated that she would hate to see a hard working cab driver get in trouble, especially after working with such a difficult individual.

This EO's investigation found that the trip taken by the complainant would have been approximately 4.8 miles. This was checked using Yellow Cab's web site and also Yahoo maps for verification. The fare estimate using the Yellow Cab site was \$12.38. This is an estimate only and does not account for traffic, weather, surcharge etc as stated on Yellow Cab's site. This EO is not a handwriting expert and can't determine one way or the other whether the cab driver or the social worker put the price on the voucher. The social worker stated

that she usually does not fill the price portion out, however upon speaking to a different social worker and the supervisor it does appear that the practice of putting the price down before the trip was completed has occurred in the past. The price, however for the trip does appear to be more than what should have been charged.

In reference to the complaint of being discourteous and taking the wrong way the independent and unbiased witness, Ms. Sharp's statement concerning the complainant's behavior and attitude at the hospital should be weighed upon heavily. The complainant was witnessed to be rude and at the very least in a bad mood on this date. The driver admits to ignoring the complainant's route requests during the trip. The cab driver is required to take the trip and he did. The question is if the complainants behavior continued to be rude and discourteous, does the driver have the right to ignore the passengers complaints and complete the transport as quickly as possible, using the most direct route he knows? A check of the district office cab driver records found that Clingman Johnson does not have a previous incident on record.

In reference to the cab driver not using the meter, there is no evidence showing that he did or did not. It would be hard to prove that the complainant was accurate in her statement that the meter was not used, especially after she was positive (question was asked twice to her) that her cab driver was a Caucasian male.

This EO feels that Compliance Review should review the questionable aspect of this case and determine if violations exist. Was the driver rude, discourteous and failed to take the passengers requested route home? Or did he do what he had to and transport a rude and discourteous passenger home? Was the voucher price filled out prior to or after the trip? Does the driver have the responsibility to change the voucher price to the lower meter price? Or should he accept the extra as a tip (if this was actually the case)?

Finally, a review of the driver's trip sheet found that the driver does not put a full address for the origin and destination of the trip and does not use an identifiable landmark to describe the locations. Title 52-29.313(4).

The complainant was contacted at the conclusion of the investigation and advised that the report was completed and forwarded to Harrisburg.

**Attachments:**

1. Clingman Johnson's trip sheet for January 11<sup>th</sup> and 12<sup>th</sup> 2010 (complainants trip marked)
2. Yellow Cab fare estimate sheet
3. Yahoo maps milcage estimate verifying trip was approximately 4.8 miles

Note: all other relevant documents have already been placed in info-map.

Gary Double Jr.

03/10/2010

Badge #4

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**Case Information**

Sp8CaseID		Parent Case Number
DocketNumber		
Case Type	Initiating Document Type	Assignment
Case Status	Case Priority	Medium
Date Filed	2/11/2010 2:54:44 PM	
Utility Code	630035	
Utility Type	Taxi	
Service Type	Taxi	
Applicant	Responsible Bureau TAS	
Respondent	Yellow Cab Co of Pittsburgh	
Complainant	PA PUC Transportation & Safety	
Allegation		
Reference Bp8CaseIDs	Reference Docket Numbers	
Case Description	unsafe driving speeding	Case Comments CASE MARKED CLOSED DUE TO AGE
		Complainant Nick Salmen

Documents attached: 1



TAS 2157432

Case is not active in workflow | Case is locked for you to modify

## Officer's Report

This report is in reference to BP8 case #2157432. The complainant alleges that the driver of Yellow Cab #451 drove erratically and unsafe with his children in the vehicle.

On February 23<sup>rd</sup>, 2010 this EO spoke with the complainant, Mr. Nick Salmen in regards to his complaint. Mr. Salmen advised that on February 11<sup>th</sup>, 2010 he took Yellow Cab #451 from the Olive Garden in Greentree (Allegheny County, PA) to his home at 11 Venture Street Pittsburgh, PA. The trip occurred sometime between 1400 and 1500 hours. Mr. Salmen was traveling with his four month old son and his five year old daughter. As they exited off of I-79 onto Hazlett St. Mr. Salmen claimed the driver was traveling too fast and began slipping and sliding all over the exit ramp. The posted speed on the ramp was 35 mph. Mr. Salmen advised that from the beginning of the trip the driver had a cocky attitude about him. Upon arrival at his home, Mr. Salmen got his children out of the cab and he commented to the driver about driving with respect and safely with his children in the cab. The driver responded that if Mr. Salmen didn't like how someone who was being paid to drive him around was transporting him, then he should get his own car. The driver then stated he didn't care and with the rear cab door still open and Mr. Salmen's daughter next to the car the cab driver took off almost striking them with the door.

Mr. Salmen advised that he is a frequent Yellow Cab customer and this is the first incident he has ever had. He contacted Yellow Cab and advised the dispatcher that he does not want that particular driver to ever provide service for him again. He has left multiple messages for Jerry Campolongo and has yet to get a return call. Mr. Salmen advised that the driver was a shorter, white, male with grayish hair and most likely in his forties. Mr. Salmen advised he would testify if needed.

On February 25<sup>th</sup>, 2010 this officer responded to Yellow Cab in Pittsburgh and met Safety Manager Paul Caliari. Mr. Caliari advised that the driver of Yellow Cab #451 at the time of the incident was Jay Hornstein. Mr. Caliari advised that Mr. Hornstein fits the description provided by the complainant. Mr. Hornstein began leasing from Yellow Cab on 3/5/1987 and he has a PA driver's license of 15398258.

At this time Mr. Caliarì contacted Mr. Hornstein and this EO spoke with him over the phone. Mr. Hornstein did not directly remember the trip in question. He did advise that during the state of emergency due to the snow fall he transported a man with his two young children fitting the ages of the complainant's children. The man had no car seats for the children and it is Yellow Cab policy that all children under the age of eight must be in a car seat. When Mr. Hornstein asked the customer where his car seats were the customer became agitated and upset. Mr. Hornstein advised that only because of the weather, the cold and fact there were young children involved did he transport the customer. Mr. Hornstein did not want to make the children wait in the cold until he returned to the Yellow Cab terminal, picked up two car seats before returning to the pick-up spot and transporting the customer. Mr. Hornstein advised that he never drives recklessly and he was not speeding with the children in the car. Mr. Hornstein advised he drives very cautiously and he can't recall anyone complaining about the way he drives. Mr. Hornstein believes that if it is the same customer, he is only complaining because Mr. Hornstein was questioning him over not having a car seat. Mr. Hornstein felt he was doing something nice by trying to get young children out of the bad weather and was doing the customer a favor by not making them wait even longer and this was how he was re-paid. After this incident, he stated he will never transport a customer with children again unless car seats are used, no matter the circumstances.

Mr. Caliarì advised that it is Yellow Cab policy that customers, not Yellow Cab must provide the car seats. The customers can wait until the driver retrieves one at the terminal if needed, but the responsibility is with the customers to provide one. Customers are also responsible for hooking up the car seats in the car, not the drivers. It is also Yellow Cab policy that all drivers follow posted state vehicle code laws.

On March 5, 2010, this EO contacted Mr. Salmen and advised him that the investigation was completed and a report will be forwarded to Harrisburg. At this time I also asked Mr. Salmen if at any time there was a disagreement over car seats for his children. Mr. Salmen said no, his son was in a car seat and there was no disagreement or discussion with the driver about not having car seats. Mr. Salmen stated his daughter was not in a car seat.

A check was conducted by the clerk of the PDO to see if any previous complaints have been made on Jay Hornstein as a Yellow Cab driver. A complaint was created under BP8:2056302 in reference to a July 2008 incident in which Mr. Hornstein allegedly was rude, drove recklessly and had an unclean cab. This EO attempted to retrieve the report from info-map to find if the complaint was founded or not. This officer was unable to verify the information as I could find no EO report.

This officers investigation found that this is a he said/he said incident. The complainant alleges that the driver was rude, drove recklessly and his son was in a car seat. The cab driver alleges that the customer is complaining because the customer was questioned about the car seats for his children and the driver decided it was better to get the children out of the bad weather sooner, rather than making them wait for him to retrieve the seats. Safety Manager Paul Caliarì advised that car seats are always available for the cab drivers to use and they are instructed to follow the rules of the road at all times. There are no other independent and unbiased witnesses to this incident. This officer attempted to locate the report on the previous complaint on the cab driver with virtually the same allegations. This report if found to have evidence that the driver drove recklessly and was rude would dispute the statement made by Mr. Hornstein that he drives safely and nobody complains about his driving. The case number for the previous case was BP8:2056302. The driver did provide service to where the customer requested to go. This officer requests that Compliance Review, review this report and determine if the service provided was unreasonable. I also request that the previous complaint referenced in this report be reviewed to assist in making the determination. The driver was in violation of Pennsylvania vehicle code for not using a proper child restraint system when transporting children required to be secured in a car restraint system.

Gary Double Jr

03/08/2010

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**Case**   **Audit**   **Attachment**   **utility\_tab**   **PublicMeeting**

**Case Information**

Sp8CaseID	2155102	Parent Case Number	
DocketNumber		Initiating Document Type	Assessment
Case Type	Utility Dispute	Case Priority	Medium
Case Status	Closed	Utility Name	YELLOW CAB CO OF PITTSBURGH
Date Filed	1/28/2010 9:48:16 AM	Responsible Bureau	TAS
Utility Code	639015		
Utility Type	Taxi		
Service Type	Taxi		
Applicant			
Respondent	Yellow Cab Co. of Pittsburgh		
Complainant	Pa PUC Transportation & Safety		
Allegation			
Reference Bp8CaseIDs		Reference Docket Numbers	
Case Description	Alleged refusal of service, driver refused transport from Marriott City Center to UPMC Presby	Case Comments	Complainant Dawn Lammond

Documents attached: 2



TAS 2155102 2155102.DOC

Case is not active in workflow | Case is locked for you to modify

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab of Pittsburgh

**PUC NUMBER** A-00049926**ASSIGNMENT NUMBER** 2155102**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

07/02/10

On 05/17/10 I attempted to contact the complainant, Dawn Larmond, in order to discuss the details of her complaint against Yellow Cab Co of Pittsburgh. I called 267-972-0521 and left a voice mail for the complainant to call me back.

On 05/19/10 I met with Paul Caliari Safety Manager for Yellow Cab Co. of Pittsburgh. Mr. Caliari provided me with the following details. On 01/28/10 cab #164 was driven by Raja Kahn, PA DL 29565871. Mr. Kahn has been driving for Yellow Cab since October of 2009 and has had no crashes. Mr. Caliari provided me with Mr. Kahn's phone number, 313-244-9959. I called the number and left a message for Mr. Kahn to call me back. Mr. Caliari also gave me the trip sheet for cab #164 dated 01/28/10. I thanked Mr. Caliari for the information and left his office.

On 07/02/10 I made contact with Ms. Larmond by calling 267-972-0521. Mr. Larmond related the details of the incident to me as follows. On 01/28/10 at approximately 8 in the morning she requested that the front desk of the Marriot City Center call her a cab to take her to UPMC Presbyterian. Yellow Cab #164 arrived and she entered the cab. When she told the driver she was going to UPMC Presby he asked where that was. Ms. Larmond told the driver that she did not know the directions to UPMC Presby and he responded that she needed a different cab. Ms. Larmond told me that she then got out of the cab and went back into the hotel and asked the front desk to get her another ride. The front desk clerk made a call for a new ride and she received a ride from a Limo Company. Ms. Larmond stated that she got a ride in town car but that she did not remember the name of the company that took her to UPMC Presby. Ms. Larmond said that even though she has visited Pittsburgh a few times she was not familiar enough with the city to give the driver of cab #164 directions there. She told me that she was upset that a cab driver did not know how to get around town. I thanked her for her information and ended the phone call.

On 07/02/10 I contacted Raja Kahn, the driver of cab #164, at 313-244-9959. I explained to Mr. Kahn that I was investigating a complaint against Yellow Cab of Pittsburgh and he was the driver of the cab in the complaint. I asked Mr. Kahn if he remembered anything that might have occurred on Jan 28<sup>th</sup> while he was driving cab #164. He responded that he did not remember anything out of the ordinary happening. I told Mr. Kahn that the complaint dealt with a fare getting into his cab at the Marriot City Center and requesting to go to

UPMC Presbyterian and that he (Mr. Kahn) did not know how to get to UPMC Presby. Mr. Kahn said that he did remember something like that happening. Mr. Kahn first told me that he never refuses a fare and that he uses a GPS system to help him if he does not know exactly where he is going. Mr. Kahn said that he remembered a woman getting into his cab and asking to go to UPMC. When Mr. Kahn asked which UPMC the fare did not know the exact name of the hospital. Mr. Kahn then attempted to contact the Yellow Cab dispatch but was unable to get a response back on the radio. The fare then said, "I don't have time to wait," and she got out of his cab and went back into the hotel. Mr. Kahn thought she was getting the correct hospital for him but she never came back out of the hotel. After waiting for the fare to return Mr. Kahn left the hotel. Mr. Kahn told me that he is familiar with all the major hospitals in town but that because UPMC has so many different hospitals he needed to know which one specifically that the fare needed to go to but that the fare just said UPMC. I thanked Mr. Kahn for his information and ended the phone call.

It should be noted that UPMC has over five major hospitals in the Pittsburgh area and they also control various care centers and doctors offices. The address for the Marriot City Center is 112 Washington Pl Pittsburgh, PA 15219. The address for UPMC Presbyterian is 200 Lothrop St Pittsburgh, PA 15213. Using [www.mapquest.com](http://www.mapquest.com) shows the trip to be approximately 2.1 miles. The trip sheet for cab #164 does not show the trip as the trip never took place. It does show that cab #164 made a trip leaving the Westin Hotel in downtown Pittsburgh at 8:36 AM which is shortly after the time of the complaint and the Westin Hotel is very near the Marriot City Center.

Attachments:

1. Trip Sheet for Cab #164 dated 01/28/10

# YELLOW CAB COMPANY OF PITTSBURGH

NAME OF DRIVER ROJA HAMID N KHAN	CAB NO. 164	DRIVER NO. 6539	DATE 01/28/2010	START TIME 04:37
BEGINNING METER 296420	ENDING METER 29668	METER TRIPS 13	END TIME 05:00:10	

This document is certified to be true and correct and is carried in lieu of a copy of a lease by and between the taxicab driver (leasee) and Yellow Cab Company of Pittsburgh (Certificate holder) which lease is kept in the corporate offices at 1101 Beaver Avenue, Pittsburgh, PA 15233. This vehicle is operated exclusively in the service of Yellow Cab Company of Pittsburgh. This certificate is in lieu of a lease copy pursuant of 52 PA. Code s29.101 (2) (ii).

Driver Signature: \_\_\_\_\_

+ 38.57

TIME	ODOMETER	ORIGIN	TIME	ODOMETER	DESTINATION	PASS.	\$ FARE
7:27	434	Westin	7:44	487	AEO Cooperation <small>Carper</small>	1	10.20
8:36	446	Westin	9:08	460	Airport	1	36.21
10:25	463	Airport	11:00	482	Liberty Ave Bond	1	38.23 <sup>45</sup>
11:37	483	Westin	12:02	501	Airport	1	38.85
14:09	508	Airport	14:48	527	Merrill Shady Side	1	52.37
14:56	527	5530 Walnut St	15:17	533	Hampton Inn <small>Small</small>	2	12.73
7:03	540	39 <small>Child St</small> Small	16:13	542	Greenfield	3	6.69
16:33	548	5703 Lake Ave	17:23	567	Airport	2	46.38 <sup>18</sup>
7:46	570	Airport	20:19	589	Westin	1	38.99
21:09	590	Westin	21:19	591	Duquesne Univ	3	4.56
21:23	591	Merrill Co	21:31	597	Carnegie	3	12.70
22:00	602	Merrill Co	22:31	619	Holiday Univ <small>Airport</small>	2	36.21
2:20	660	5054 Ferry Ave	2:29	662	Blount Field	1	6.76

OP# 215 5102

COU 5/19/10

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Case Case Audit Attachment utility\_tab PublicMeeting

Case Information

Sp8CaseID 2153863		Parent Case Number
DocketNumber		
Case Type	Case Status	Initiating Document Type
Case Status	Date Filed	Case Priority
Utility Code	Utility Name	Responsible Bureau
Utility Type	Service Type	TAS
Applicant	Respondent	
Complainant	Allegation	
Reference Bp8CaseIDs	Reference Docket Numbers	
Case Description	Case Comments	

Documents attached: 1



TAS 2153863

Case is not active in workflow | Case is locked for you to modify

## Officer's Report

This report is in reference to BP8 case #2153863. The complainant in this case, Mr. Treho, alleges that a Yellow Cab driver was rude and provided him with poor service.

On January 28<sup>th</sup>, 2010 this officer spoke with Magiel Treho. Mr. Treho advised that on Tuesday, January 19<sup>th</sup>, 2010 he arrived at the Pittsburgh International Airport on a flight from Fort Worth, TX. Mr. Treho's permanent residence is in Texas. Upon approaching the commercial curb, cab #166 was summoned by the transportation coordinator and Mr. Treho got in and told the driver he needed to go the Airport Marriot Hotel. The driver of the cab began complaining about the short distance of the trip and told Mr. Treho that he could have taken the airport shuttle for approximately \$15.00. Mr. Treho advised him that he wanted to use a cab and not the shuttle. The driver's body language, tone of voice and comments about the shortness of the trip irritated Mr. Treho to the point that he stated to the driver "you don't seem to be happy with this short trip, take me back to the airport". The driver told Mr. Treho that he would take him to the Marriot, but Mr. Treho insisted on returning to the airport and getting a different cab. Upon returning to the airport he got another cab and was taken without incident to the Marriot. Mr. Treho was upset with driver's attitude and he feels that the driver is providing a service and should do as the customer asks.

On January 29<sup>th</sup>, 2010 this officer responded to the Yellow Cab terminal and spoke with safety manager Paul Caliari. Mr. Caliari advised that the driver in the complaint was John Schwartz and he has been driving for Yellow Cab since 3-15-2006. He has a PA driver's license 23845830 and he is a weekly lease driver. Mr. Caliari was unaware of this airport complaint as it was only a week old. Mr. Caliari provided John Schwartz's phone number and this officer spoke with Mr. Schwartz in Mr. Caliari's office.

This officer identified himself to Mr. Schwartz and advised him why I was calling. Mr. Schwartz's verbal demeanor became more excited (not rude or insulting) as he began to speak about the incident. Mr. Schwartz advised that he is talking with Yellow Cab operations manager Jerry Campolongo, and they are attempting to get some type of hearing for this incident. Mr. Schwartz advised that when Mr. Treho got into the cab he could smell alcohol, specifically the smell of gin on his breath. Mr. Treho advised the driver that he

needed to go to the Marriott Hotel. The driver asked which Marriot and Mr. Treho said the Airport Marriot. Mr. Schwartz advised him where the hotel was and Mr. Treho started asking how much it would cost to go there. According to Mr. Schwartz, Mr. Treho was upset that the hotel was not actually located on airport grounds and he began to complain. Mr. Treho upon finding out it was going to cost him about \$15.00 began asking if there was another way to get to the Marriott. The driver said he could probably take the shuttle, he wasn't sure how much it would cost, it might be free, but the cab would definitely be faster to the hotel. Mr. Schwartz said to Mr. Treho "You're the customer. I'll do whatever you want. If we make a right here we go to the hotel. If we turn left, we go back to the airport. What do you want to do?" Mr. Treho began yelling "take me back." Upon arriving back at the commercial curb Mr. Treho saw the shuttle and said "let me out right here" and began complaining why the door wouldn't open immediately while the car was still in motion. Mr. Treho started yelling at the driver "are you trying to keep me here?" Mr. Schwartz said he let the car come to a complete stop, unlocked the automatic door locks that lock when the car is in motion and let Mr. Treho out of the cab. Mr. Treho got out in such a hurry that he left his food in the cab.

Upon dropping Mr. Treho off near the shuttle's Mr. Schwartz pulled forward and let the transportation coordinator (David Pitzer) know what had happened and the coordinator advised the cab driver that he would take care of it. Mr. Schwartz said he could see Mr. Treho in his mirror and as soon as Mr. Treho saw that the cab driver and coordinator were talking, same started walking back towards the cab stand. Mr. Schwartz pulled away and went back to work at this time.

Later in the day Mr. Schwartz pulled up to pick up another fare and at this time the transportation coordinator advised him that he was suspended from the airport for 30 days and then stated "have fun making money away from the airport". Mr. Schwartz advised that at no time did he argue with the coordinator and he claims that the transportation coordinator is lying in his report. The coordinator's report to Dawn Romitz claims that Mr. Schwartz made the statement that Mr. Pitzer is always taking the customers side of the story. Mr. Schwartz advised he never said that. It can be proven that he has never had an issue or complaint at the airport, so how would he (Mr. Schwartz) be able to make the case that the transportation coordinator always

sides with the customer, especially when there is no other case against him. Mr. Schwartz advised that he felt the transportation coordinator's comment was insulting. He also advised that there was a previous attempt (petition) by other Yellow Cab drivers to have the same coordinator (David Pitzer) removed from his job due to improper accusations against cab drivers. Mr. Schwartz did not participate in this attempt, but he believes it was this type of activity that caused the drivers to start the petition against Mr. Pitzer. Mr. Schwartz advised that he takes all types of trips and never comments about short trips. He is a weekly lease and is on the buddy lease system. Short trips, long trips, it doesn't matter. Between him and the other individual on the lease they get plenty to pay for the lease.

After Mr. Schwartz was suspended from the airport he spoke with Mr. Campolongo about wanting to argue his suspension against the airport authority. He wrote a response letter, concerning the incident and signed three copies. One of these signed copies was for the PUC since he knew PUC would be involved. Mr. Campolongo provided this officer with the driver's written statement and advised me that he is forwarding it to the airport authority, but he doesn't know if it will make a difference or not.

This officer's investigation found that this case is a he said/he said case. Only two individuals were involved and the only outside party privy to any facts was Mr. David Pitzer. Mr. Pitzer observed none of the actual conversations and only has Mr. Treho's side of the story. The two stories are drastically different in who was the aggressor, who was complaining and what was said. What both parties involved did verify was that a cab ride was taken and the driver did take Mr. Treho where he wanted to go. Mr. Treho did request to return to the airport and the driver did as the customer requested. An argument could also be made that Mr. Treho failed to pay the fare for the trip he took as he got out of the cab and never paid the driver. To date there are no complaints or issues at the Pittsburgh District Office concerning cab driver John Schwartz.

Upon review of Mr. Schwartz's trip sheet and to the extent of this officer's knowledge of the regulations this officer found the following trip sheet violations:

29.313 (c) (2) and (7)-Driver's end time (typically a Yellow Cab time stamp when driver cashes out) is not on the trip sheet and the meter readings do not appear to be filled out correctly.

Mr. Schwartz trip sheet does show a scratched out airport trip that appears was not completed. This was most likely the trip that Mr. Treho began and then insisted on returning to the airport.

This officer requests that the compliance review section review the trip sheet and this report to ensure no other violations are present or appropriate in this matter. The complainant, Mr. Treho was advised that the investigation was completed and a report will be forwarded to Harrisburg.

**Attachments:**

1. Trip sheet for cab #166
2. Cab driver's response to airport suspension

Gary Double Jr.

February 1<sup>st</sup>, 2010

Badge #4

# YELLOW CAB COMPANY OF PITTSBURGH

NAME OF DRIVER JOHN R. SCHWARTZ	CAB NO. 166	DRIVER NO. 5953	DATE 01/18/2010	START TIME 15:06
BEGINNING METER 173	ENDING METER 17	METER TRIPS	END TIME	

This document is certified to be true and correct and is carried in lieu of a copy of a lease by and between the taxicab driver (leasee) and Yellow Cab Company of Pittsburgh (Certificate holder) which lease is kept in the corporate offices at 1101 Beaver Avenue, Pittsburgh, PA 15233. This vehicle is operated exclusively in the service of Yellow Cab Company of Pittsburgh. This certificate is in lieu of a lease copy pursuant of 52 PA. Code s29.101 (2) (ii).

Driver Signature: *John Schwartz*

TIME	ODOMETER	ORIGIN	TIME	ODOMETER	DESTINATION	PASS.	\$ FARE
4:45	173762	G PA	5:07	193 983	Kenny	1	\$48.00
<del>4:43</del>	<del>503</del>	<del>G PA</del>		<del>193</del>			
4:45	193999	Arumom	5:12	193480	So Si	1	\$15.00
4:51	194134	200 Meyran	5:11	194136	Ride charge 828 Kenel St	1	\$20.00
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: left;"> <p>5:25</p> <p>5:27</p> <p>5:28</p> </div> <div style="text-align: right;"> <p>1000</p> </div> </div>							

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
BUREAU OF TRANSPORTATION AND SAFETY

V.

YELLOW CAB COMPANY OF PITTSBURGH  
1301 BEAVER AVENUE  
PITTSBURGH PA 15233  
A-00049926

DOCKET NO: C-2010-2150871

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 Yellow Cab Company of Pittsburgh, respondent, maintains its principal place of business at 1301 Beaver Avenue, Pittsburgh, Pennsylvania 15233.

2. That respondent was issued a certificate of public convenience by this Commission on December 21, 1964, at Application Docket No. A-00049926. Respondent also holds certificates of public convenience at Application Docket No. A-00049926, F. 2, F. 3, F. 5 and F. 6.

3. That on December 29, 2009, at approximately 12:00 a.m., Mr. Jerome Gordon ordered a taxicab from respondent through its on-line internet service, Ride Charge. Mr. Gordon wanted picked up at his home on Jefferson Road, in Penn Hills and taken to the Getgo gas station on Frankstown Road, a short round trip of approximately 2.5 miles. Mr. Gordon stated that the on-line system allows customers to see when their trip is picked up and the customer receives a text message or e-mail confirming the trip was accepted. The text also provides the cab number and the name of the driver assigned. Mr. Gordon stated that the trip was accepted approximately 10-15 minutes after placing the order, and driver No. 221, Jerald Rose, Jr., called shortly thereafter and asked Mr. Gordon where he wanted to go and advised him that he would arrive in 15 minutes. Mr. Gordon waited 30 minutes and then called Yellow Cab to inquire on the arrival of the taxicab. The dispatcher advised Mr. Jerome that driver Jerald Rose had metered on and then metered off for Mr. Gordon's trip, which meant that the trip was refused by the driver. The dispatcher advised Mr. Gordon that another taxicab would be dispatched immediately; however Mr. Gordon walked to the gas station as he felt that the next taxicab would "blow him off because it was a short trip." The complaint was investigated by Enforcement Officer Gary Double of the Pittsburgh District Office. Mr. Gordon advised Officer Double that Yellow Cab has failed to show up for trips before and it is always when he has to go a short distance. Mr. Gordon continued that this was the first time he filed a complaint with the Commission, but the fact that respondent continues to refuse him service is beginning to irritate him. On January 29, 2010, Officer Double interviewed respondent's safety manager, Paul Caliari. Mr. Caliari contacted driver Jerald Rose by telephone and Officer Double spoke with him regarding the alleged incident. Mr. Rose did not recall the incident and stated that he calls the customer to verify that he won't get stood up. Mr. Caliari advised Officer Double that Mr. Gordon will be receiving vouchers in reference to this incident.

4. That respondent, by refusing to provide transportation, violated 52 Pa. Code §29.313(a) in that a driver of a call or demand vehicle shall, at all times when on duty and not engaged, furnish trip service to an orderly person for lawful purposes. The penalty is \$500.00.

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Yellow Cab Company of Pittsburgh the sum of five hundred dollars (\$500.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, 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 that 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: \_\_\_\_\_

\_\_\_\_\_  
Wendy J. Keezel

NOTICE

A. You must file an answer within twenty (20) 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). 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 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, PA 17105-3265

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

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the 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 complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegation of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial letter imposing a penalty (see B).

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 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.

## Officer's Report

This report is in reference to BP8 CASE # 2150871. It is a refusal to provide service by a Yellow Cab driver Jerald Rose Jr. Cab #221.

On January 13<sup>th</sup>, 2010 this officer spoke with Jerome Gordon, the complainant. Mr. Gordon advised that around midnight December 29<sup>th</sup> 2009 into the 30<sup>th</sup> he ordered a cab using the Yellow Cab on-line internet service RideCharge. Mr. Gordon wanted picked up at his home on Jefferson Rd. in Penn Hills and taken to the Getgo gas station on Frankstown Road for diapers and brought back. The round trip was a short trip, approximately 2.5 miles. Mr. Gordon advised that ordering on-line allows customers to see when their trip is picked-up and the customer will receive a text message or e-mail confirming it was picked up. The text also provides the cab number and name of the driver assigned. Mr. Gordon advised that the trip was picked up approximately 10 to 15 minutes later and the driver, Jerald Rose Jr, driving cab #221 called him shortly after. The driver asked Mr. Gordon where he wanted to go and then advised that he would be there in 15 minutes. Mr. Gordon waited for a half an hour and then called Yellow Cab. The Yellow Cab dispatcher advised that Mr. Rose metered on and then metered off for Mr. Gordon's trip, which meant that the trip was refused by the driver. Yellow Cab advised they would dispatch another driver immediately. Mr. Gordon advised he didn't wait for this cab; instead he just started walking as he felt that the next cab would blow him off because it was a short trip. Mr. Gordon advised that Yellow Cab has failed to show up for his trips before and it is always when he has to go a short distance. Mr. Gordon advised that this is the first time he ever made a complaint, but the fact Yellow Cab drivers keep blowing him off is starting to irritate him and he will testify if needed. In this instance it was approximately 2.5 mile round trip and it took him about an hour to walk it that evening.

On January 29<sup>th</sup>, 2010 this officer responded to the Yellow Cab terminal and spoke with safety manager Paul Caliari. Mr. Caliari provided this officer with Jerald Rose Jr's trip sheet for the night of December 29/30. He also advised that Jerald Rose Jr. has been employed since June 5<sup>th</sup>, 1998, has a PA driver's license of 16835455 and is a weekly lease driver. Mr. Caliari contacted Jerald Rose and this officer spoke with him over the phone in Mr. Caliari's office. Mr. Rose does not remember the trip on the night in question. He also

advised that he calls the customer so he can verify that he won't get stood up by driving to the customer's home just to find out he doesn't need a cab or found another means of transportation. Mr. Rose insisted that if he called the complainant then he would have gone to the home on the night in question.

This officer then inquired about Yellow Cab's online ordering system. Mr. Caliari actually initiated the system and went the whole way through it up until the point of ordering a cab. The online system asks how the customer wants to pay for the cab and if the customer chooses the RideCharge system of payment then the customer will receive a text message from the system with the driver details when the trip is assigned or accepted by a driver. Mr. Caliari advised that Yellow Cab will be mailing vouchers to the complainant in reference to this incident.

This officer's investigation found that cab driver Jerald Rose Jr. did refuse the trip requested by Jerome Gordon in violation of Title 52 section 29.313(a). The only explanation of why Mr. Gordon had all of Jerald Rose's information was because Mr. Rose accepted the trip and the text message with the driver's information was sent to Mr. Gordon. Mr. Rose also called Mr. Gordon to inquire about the details of the trip. The Pittsburgh office has recorded four prior complaints on Jerald Rose Jr. Mr. Rose had two refusals of service in 2005, an air conditioner complaint in 2007 and he refused to accept a credit card as payment in 2008.

Upon review of the driver's trip sheet and to the extent of this officer's knowledge of the regulations I found no trip sheet violations. The end date and time on the trip sheet was observed on the trip sheet. It is a time stamp and did not copy very well onto this officer's trip sheet copy. This officer requests that the compliance review section review the trip sheet and this report to ensure no other violations are present. At the conclusion of this investigation this officer contacted the complainant, Mr. Gordon to advise him that I had completed my investigation and would be forwarding my report to Harrisburg. Mr. Gordon was advised that he may contact us at anytime if this occurs again or has any questions.

## Attachments

1. Jerald Rose Jr's trip sheet
2. Yellow Cab RideCharge policy explaining that test messages will be sent to customers

Gary Double Jr.


January 29<sup>th</sup>, 2010

Badge #4

# YELLOW CAB COMPANY OF PITTSBURGH

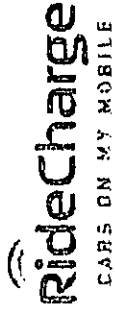
NAME OF DRIVER JERALD ROSE, JR	CAB NO. 221	DRIVER NO. 9371	DATE 12/29/2009	START TIME 07:00
BEGINNING METER 229 252	ENDING METER 229 350		METER TRIPS 5	END TIME

This document is certified to be true and correct and is carried in lieu of a copy of a lease by and between the taxicab driver (leasee) and Yellow Cab Company of Pittsburgh (Certificate holder) which lease is kept in the corporate offices at 1101 Beaver Avenue, Pittsburgh, PA 15233. This vehicle is operated exclusively in the service of Yellow Cab Company of Pittsburgh. This certificate is in lieu of a lease copy pursuant of 52 PA. Code s29.101 (2) (ii).

Driver Signature: 

TIME	ODOMETER	ORIGIN	TIME	ODOMETER	DESTINATION	PASS.	\$ FARE
221	252	N. Side	227	254	Town	2	5.91
239	257	OAK	248	259	Shady	1	7.42
400	266	Shady	438	289	Port	1	4.580
647	289	Port	717	309	W. Lib	1	4.025
1134	329	8 Port	1200	350	Strip	1	(4.025)

## SMS/Text Messaging for All Riders



- All Passengers Will Receive a Text Message

When a Driver Accepts a Job

- Provides a unique advantage for Yellow

that no other local provider can offer:

- Reduces No-Shows
- Increases Pick Up Success
- Reduces Call-Center Load: "When will my cab be here?"
- Reduces likelihood of passenger getting into wrong vehicle/other fleet's car
- Increases Customer Satisfaction and brand loyalty

SMS/MMS



[dispatched@pittsburghyellowcab.com](mailto:dispatched@pittsburghyellowcab.com) (14:38)

Dispatch: Pittsburgh Yellow Cab  
#2312 | Driver: John Oliverio |

Next Time  
book Online:

[pittsburghyellowcab.com](http://pittsburghyellowcab.com) | To  
Call Fleet Dial  
[412-321-8100](tel:412-321-8100).

Send Menu

## Bingaman, Robert

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**From:** dcanzoneri@state.pa.us  
**Sent:** Friday, January 27, 2012 3:45 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: Marc Mendelson

Street Address: 2409 Beechwood Blvd

City: Pittsburgh, PA 15217

Daytime Phone: 412 287-2387

Your e-mail address: [cwmendelson@aol.com](mailto:cwmendelson@aol.com)

Date: 01/21/2012

Time : 5:00 am

Location of Incident : Pittsburgh

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : My husband was picked up by Yellow Cab. The weather conditions were poor. The tires on the cab were completely bald. The ride was treacherous and extremely dangerous. The cab could only go about 10 miles an hour in the snow. It was sliding all across the road. It was a 1 hour and 50 minute cab ride. My husband missed his flight. My husband paid the driver 70 dollars for the service and felt lucky to arrive at the airport without having hit another vehicle on the way. We are concerned about the safety of future passengers and expressed concern about the reckless condition of the cab to George Belko at Yellow Cab. Mr. Belko indicated a willingness to check the cab but an unwillingness to repay the 70 dollars to us. At the close of the call - Mr. Belko informed me (Carolyn) that he was tape recording my call with him. This was the first time during the call that I was informed in any way that I was being recorded. It was without my consent. This is a violation of Pennsylvania wiretapping law and is a crime. Mr. Belko seemed unconcerned with that information. This "recorded" call occurred at 11:45 am on 1/25. I have received no call from the general manager of Yellow

Cab. Taken together - the reckless condition of the cab, the dangerous ride, and the comment about wiretapping violations - I wanted to submit this to you. We would sure like our 70 dollars back but, we sure want to make sure that this company is not committing criminal acts on a regular basis through wiretapping violations and that no one gets hurt - driver or passenger or other persons in other cars - by Yellow Cab.

Nature of Incident : Operated vehicle in a dangerous manner

## Officer's Report

**BP8 Case #:** 2285861

**Author:** Gary Double Jr.      **Badge #4**      **March 1, 2012**

**Complaint type and Summary:** Yellow Cab of Pittsburgh used an unsafe cab to transport a passenger to the airport in poor weather conditions causing the complainants husband to miss his flight.

**Narrative:**

On February 6, 2012, at approximately 1600 hours I spoke with Carol Mendelson on the telephone. Mrs. Mendelson advised that on Saturday, January 21, 2012, at approximately 0500 hours, her husband was picked up by a Yellow Cab of Pittsburgh cab and transported to the Pittsburgh International Airport. Her husband (Marc) was picked up at their home at 2409 Beechwood Blvd. Pittsburgh, PA 15217. Both the pick-up and destination are located in Yellow Cab of Pittsburgh's service area.

Mrs. Mendelson advised that they placed the order for the cab the night before at approximately 2130 hours for an early Saturday morning pick-up. The cab arrived and picked her husband up around 0500 hours. The weather and roads were poor that morning and covered with snow and ice. The cab had no traction, the tires were bald and the trip took an hour and fifty minutes causing Mr. Mendelson to miss his flight. Mrs. Mendelson stated that she was not in the cab for the ride; her husband relayed all of the information about the ride to her. She also advised that the fare was approximately \$55.00 and her husband gave the driver \$70.00 for the trip (approximately \$15.00 tip). Mrs. Mendelson did not know the cab number of the vehicle or have a description of the driver.

The next couple of days she attempted to call and speak with Yellow Cab of Pittsburgh management. She called several times and spoke with call takers until finally she spoke with a man named Delk who was a

manager at Yellow Cab. She stated her concern about the trip, advised that her husband missed his flight and requested her money back. Mr. Delk asked her why she should get her money back; her husband received a service and was safely transported to his requested destination on a day when the roads were not very safe. After she was finished explaining her concerns to Mr. Delk, Mr. Delk advised her that she was recorded and this is when she advised him that Yellow Cab had committed a crime. Mrs. Mendelson advised that the number she called each time to reach Yellow Cab was 412-321-8100. She has filed a complaint with the PA Attorney General's Office Consumer Advocacy Division in reference to this issue. She has heard nothing back from the AG's office and she is not going to pursue criminal charges against Yellow Cab for illegal wiretapping. At the conclusion of our conversation I advised Mrs. Mendelson that she needs to have her husband call me before I can go forward with the complaint.

On February 15, 2012, I contacted Mrs. Mendelson and asked if her husband had attempted to contact me. She advised no, but she gave me Marc's cell phone and asked me to call him. After hanging up I attempted the number provided and left a message requesting that Mr. Mendelson call me. On February 21, 2012 at approximately 1310 hours I again called Mr. Mendelson and this time I was able to reach him. Mr. Mendelson confirmed the information that was provided by his wife, Carol. Mr. Mendelson stated that the driver was possibly middle-eastern decent, with a medium build, dark hair and a medium build. The cab was a sedan. The trip took almost two hours and they barely made it to the airport because the car was unable to go in the snow. Mr. Mendelson advised that he never looked at the tire treads, so he has no idea if the tires were bald or not. He advised he would testify if needed.

On February 22, 2012, at approximately noon, I responded to Yellow Cab of Pittsburgh and spoke with CEO of Operations, Jerry Campolongo. Mr. Campolongo advised he was aware of the complaint because he has called Mrs. Mendelson twice and she has failed to return his calls. If she ever does call him back he is

going to refund the money, just because of her dissatisfaction. He also has the letter that the Attorney General's office sent him regarding the complaint.

Mr. Campolongo then called George Delk and shop manager Scott into his office to speak with me. Mr. Delk provided the new electronic manifest that Yellow Cab is using for a trip sheet and the dispatch order for Mr. Mendelson's cab ride. The cab was cab 467 and the driver was Hassan Mohammad Khaldi. Mr. Khaldi has a DOB of 1/2/1957 and a PA driver license of 27526417.

Mr. Delk advised that he spoke to Mrs. Mendelson about the incident and he verified that the trip occurred during a snow and ice storm. Mrs. Mendelson claimed that the cab was unsafe and had bald tires. Due to the nature of her complaint he immediately advised the shop so they could pull the car in and look at it. She then requested a full refund which he refused to provide since the service was provided. Mrs. Mendelson advised that if she was not given the refund she would call a magistrate in Pittsburgh that she knows. She then advised that the call takers that she spoke to several times since the trip occurred were rude when talking to her. After hearing, Mr. Delk advised her that all calls received by Yellow Cab's main number (412-321-8100) are recorded and that he would review the tapes and provide training or sanctions to the call takers if her claim they were rude is accurate. Mrs. Mendelson never commented or made a fuss about being recorded at that time. She did not even seem to care about the statement that he would review the tapes. Mr. Delk advised that only the incoming customer service calls are recorded and once the call goes to a direct line (managers, CEO etc) the calls are no longer recorded. In fact the conversation he had with Mrs. Mendelson was not recorded because he was returning the calls she left for Yellow Cab asking to speak with a supervisor. He also advised that the pre-recorded message that people hear when they call the 8100 number advises all callers that the calls are recorded for quality assurance.

Scott, the shop manager for Yellow Cab maintenance, advised that all cabs have two new snow tires put on the power axle of the vehicle prior to the beginning of winter driving. Cab #467 is a rear wheel drive

Ford Crown Victoria and it received two new snow tires on the rear axle on October 21, 2011. Scott provided the transaction form detailing that they were new tires and that they cost \$125.68 a tire. The odometer on the October 21, 2011, was 238,230 miles. After receiving the order from Mr. Delk and due to the nature of the order (safety) he had another set of new snow tires placed on cab #467. He also provided the transaction form dated January 27, 2012. The form states that two new snow tires costing \$125.68 a tire were put on the rear axle of the cab and they replaced one of the front tires with a used tire. Scott advised that the tires they took off the vehicle were in good condition and may have already been put back onto another vehicle for use. Cab #467 odometer at the time of the January 27 service was 258,805. The snow tires had 20,575 total miles on them when they were taken off. Scott advised that the cabs are required to come in daily so mechanics can check the oil and do a quick once over. The cabs are routinely serviced at 5,000 mile and 25,000 mile services as well as state inspections.

Attempts were made at this time to call the driver of the incident Hassan Khaldi in to speak with him and also conduct a safety inspection on cab #467. Mr. Khaldi was in fourth in line at the airport waiting for the next plane to arrive. I advised Mr. Campolongo that arrangements would be made to inspect the vehicle at a later time.

On Friday, February 24, 2012, I responded back to Yellow Cab of Pittsburgh and met with Mr. Campolongo and driver Khaldi at 1115 hours. Mr. Khaldi provided his current lease which was copied and Mr. Delk provided the electronic manifest that Yellow Cab is now using as a trip sheet. Mr. Khaldi advised that he remembered the trip, it occurred very early in the morning. He accepted the trip off of the computer and upon arrival at the pick up the customer took a long time to load all of the skiing equipment into the cab (maybe ten minutes). The driver advised that the roads were bad due to snow and freezing rain and the passenger was stressed due to the weather. The cab never broke down, stopped or became side tracked for

the entire trip to the airport. Mr. Khaldi advised he drove the customer safely to the airport in very poor weather conditions.

Mr. Khaldi and I went to the parking lot at this time where I conducted a safety inspection on Yellow cab #467. Cab #467 passed with no safety violations found and DVCR #412-1002 was completed and signed for by Mr. Campolongo.

Prior to leaving I spoke with Mr. Campolongo concerning the electronic manifest. I advised him that I have received no notice in the change or exemption from the regulations concerning the trip sheet requirements. I wanted him to be aware of this fact so he knew that I would submit the manifest with only the recommendation that Compliance Review determine if the trip sheet provided fits all of the requirements that the PUC has for trip sheets. Mr. Campolongo assured me that Mike Hoffman is aware of these electronic manifests and has given the ok to use them in lieu of the hand written, often incorrect, driver manifests. The electronic manifest records every time the meter is used providing longitude and latitude. The location is accurate within 100 feet. Mr. Campolongo also advised that they are working out the kinks at the airport as the program is based on Global Positioning Systems. The GPS does not currently register at the airport drop off which is why the trip in question shows that the driver metered off at 0954 hours instead of approximately 0750 hours and that there is no fare on the electronic manifest. The complainant and the driver advised that the trip ended at approximately 0750 hours and the complainants stated the fare was \$55.00 roughly, but he gave the driver \$70.00. The driver advised that upon dropping off the complainant he got in line at the airport and the GPS never registered that the meter was off until he left the airport.

My investigation revealed that the driver Mr. Khaldi arrived and picked up the complainant with-in thirty minutes of accepting the trip. The complainant advised that he did not visually observe bald tires on the cab he rode in on January 21, 2012. Cab #467 is a rear wheel drive Ford Crown Victoria that had new winter tires put on it in October of 2011, and had less than 21,000 miles on those tires on the day of the trip. Both

the driver and the complainant confirmed that the roads were dangerous due to snow and freezing rain the morning of the trip. The driver, Mr. Khaldi, safely transported the complainant to the airport without injury, accident or delay on the part of the driver and the complainant in turn gave Mr. Khaldi an approximate twenty-eight percent tip to Mr. Khaldi for the trip. The conversations that occurred on the days following the trip, I found that Mrs. Mendelson conversation with Mr. Delk was not recorded without her knowledge, but all of her incoming calls attempting to speak with a supervisor were recorded. Yellow Cab of Pittsburgh has an automated message for all that call into the main Yellow Cab number that advises that all calls are recorded for quality assurance.

Compliance Review must review this report and all attachments and determine if any violations exist in regards to the trip itself. Compliance Review must also decide if the electronic manifest that Yellow Cab of Pittsburgh is using complies with 52.29-313(c) trip sheet requirements for PUC call and demand carriers. On March 1, 2012, I advised the complainant, Mrs. Mendelson, that my report was completed and will be forwarded to Harrisburg for review.

**Attachments:**

1. Dispatch sheet for trip in question
2. Electronic manifest for trip in question
3. October 21, 2011 snow tire work order
4. January 27, 2012 snow tire work order
5. DVCR 412-1002 safety inspection on Cab #467
6. Driver Khaldi's lease agreement for February 23, 2012
7. Electronic manifest for Khaldi's last trip regarding DVCR 412-1002

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
BUREAU OF INVESTIGATION AND ENFORCEMENT

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: DOCKET NO. C-2012-2285861  
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YELLOW CAB CO OF PITTSBURGH  
1825 LIVERPOOL STREET  
PITTSBURGH PA 15233

A-00049926

COMPLAINT

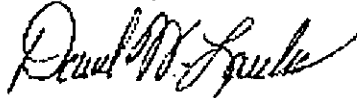
The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of 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 hereby represents as follows:

1. That Yellow Cab Co. of Pittsburgh, Respondent, maintains a principal place of business at 1825 Liverpool Street, Pittsburgh, PA 15233.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 21, 1946 at A-00049926.
3. That on February 6, 2012, Enforcement Officer Gary Double, Jr., a duly authorized officer of this Commission, investigated a complaint against Respondent. That upon the investigation, Officer Double requested log sheets from January 21, 2012, from CEO of Operations, Jerry Campolongo.
4. That upon inspection of the log sheet provided for the requested day of January 21, 2012, the following violations were disclosed:
  - a. Incomplete Log Sheets- missing shift beginning and ending time, times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. The fare collected on each trip. The signature of the driver attesting to the accuracy of the data recorded.

5. That Respondent, by failing to have complete, legible log sheets, violated 52 Pa. Code §29.313(c)(2)(4)(5)(9). The Bureau of Investigation and Enforcement's proposed civil penalty is \$50.00.

Wherefore, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Yellow Cab Co. of Pittsburgh, the proposed civil penalty the sum of Fifty Dollars (\$50.00) for the illegal activity described in this Complaint, and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

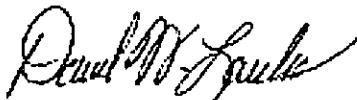


David Loucks, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
P O Box 3265  
Harrisburg, PA 17105-3265

VERIFICATION

I, David Loucks, Chief of Motor Carrier Enforcement in 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: 6/28/2012



David Loucks  
Bureau of Investigation and Enforcement

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top 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 complaint. Your Answer must be verified and the original **shall be mailed to:**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 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 Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

C. You may elect not to contest this 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 complaint proceeding shall be closed.

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

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 optional fine set forth in the Complaint.

F. Alternative formats of this material are available for persons with disabilities, by contacting the Compliance Office at (717) 787-1227. Questions on how to respond to this Complaint may also be directed to the Compliance Office.

PGH Assignment (Revised 08/04/2008)

Date Assigned to Officer:

Date Report Completed:

**PUC MOTOR CARRIER ENFORCEMENT DIVISION  
OFFICER'S REPORT**

INITIATING OFFICE – Bureau of Investigation & Enforcement

BP8 CASE #

District: Pittsburgh	Enforcement Officer:
Assignment No.	Assisting Officer:
DOT No.	Utility Code: 639135
Respondent: Yellow Cab of Pittsburgh	Complainant: "Maurice"
Address: 1825 Liverpool Street	Address:
Pittsburgh, PA 15233	
Phone No. (412) 322-9113	Phone No. (412) 736-2255
PUC No. A-	PUC No.
Email:	Email:

**TYPE OF REPORT**

- COMPLAINT
- MEMO OF RECORD (Information regarding work assignment issued by district supervisor, or additional information from E.O. on VIR or MCSAP)
- OTHER (Please describe):

**SUMMARY OF ASSIGNMENT**  
(Explain how assignment was initiated)

"Maurice" called the district office on 1/25/21012 at 3:45 p.m. to complain about a taxicab service refusal. He said he had just approached Cab #514 at the Westin Hotel. The driver of cab #114 refused his request for a "short trip" and said he only accepts customers that are going to the airport.

"Maurice" then approached Cab #230 where the driver accepted his request and suggested he call the PUC. With the phone speaker activated, the driver stated he had witnessed the refusal by the driver of Cab #514. The driver of Cab #230 also said he knew the driver of Cab #514 had accepted a call from the dispatcher shortly after refusing the request from "Maurice".

Call the complainant for further information. Complete your investigation and submit your report within 30 days.

OFFICERS REPORT

Rev. ( 11/01 )

CARRIER NAME

Yellow Cab Co of Pittsburgh

PUC NUMBER A-49926

ASSIGNMENT NUMBER 2286068

OFFICERS NAME & SIGNATURE

Christopher Urey

DATE:

03/12/12

On 02/23/12 I called the complainant, Maurice, at 412-736-2255 and left a voice mail explaining that I was investigating his complaint against Yellow Cab and I needed some additional information from him. I left my cell phone number and requested that he return my call.

On 02/24/12 I called the complainant. He answered the phone and I told him that I was with the PUC and was investigating his complaint against Yellow cab. He asked me, "Why so long to call me?" I told him that it takes a little bit of time for a complaint to be processed and to get to me. The complainant responded but I was unable to clearly hear what he said, though I'm fairly certain it would not be considered a professional comment. Then I lost connection with the complainant. I immediately called the complainant back but the call went to voicemail. I left my cell number and asked the complainant to call me back as we were disconnected. It is my opinion though, that we were not disconnected but that the complainant hung up on me.

It is my opinion that this case be closed. I needed to talk to the complainant to find out more details of the complaint. The complaint dealt with a refusal of one Yellow Cab. Another Yellow Cab took the complainant and that cab driver suggested that the complainant call the PUC. I needed to verify the cab numbers and speak with the complainant to find out the details of where he was going and the conversation he had with both cab drivers. The complainant did not provide many details in his initial complaint. Also if the complainant is unwilling to speak with me it would be safe to say that he would not testify in a PUC hearing. A recent trend is for Yellow Cab Co. of Pittsburgh to take hearings on all their complaint cases. Also, I doubt that one Yellow Cab driver would testify in a PUC hearing against another driver. It is for those reasons that I recommend this case be closed.

Date Assigned to Officer:
Date Report Completed:

**PUC MOTOR CARRIER ENFORCEMENT DIVISION  
OFFICER'S REPORT**

**INITIATING OFFICE – Bureau of Investigation & Enforcement**

**BP8 CASE #**

<b>District:</b> Pittsburgh	<b>Enforcement Officer:</b>
<b>Assignment No.</b>	<b>Assisting Officer:</b>
<b>DOT No.</b>	<b>Utility Code:</b> 639135
<b>Respondent: Yellow Cab of Pittsburgh</b>	<b>Complainant: Tom Turner</b>
<b>Address: 1825 Liverpool Street</b>	<b>Address: 2300 Belmont Avenue</b>
Pittsburgh, PA 15233	Monroeville, PA 15146
<b>Phone No. (412) 322-9113</b>	<b>Phone No. (412) 829-8680</b>
<b>PUC No. A-</b>	<b>PUC No.</b>
<b>Email:</b>	<b>Email:</b>

**TYPE OF REPORT**

- COMPLAINT
- MEMO OF RECORD (Information regarding work assignment issued by district supervisor, or additional information from E.O. on VIR or MCSAP)
- OTHER (Please describe):

**SUMMARY OF ASSIGNMENT**  
(Explain how assignment was initiated)

I received an email message from Wendy Yohe to call Mr. Tom Turner of Monroeville. I called him on January 30, 2012 at 9:30 a.m.

Mr. Turner said he is visually impaired and depends on cab service for all his transportation needs. He said that Yellow Cab drivers routinely ignore requests that originate in Monroeville. Drivers are telling him that Super Shuttle has taken away so much of the airport business that all of the drivers that once worked the area have abandoned Monroeville. They now work the downtown area in order to make enough money to pay their leases and make a profit.

Most recently, he called Yellow Cab on January 27, 2012 at 3:00 p.m. to request service at 4:00 p.m. No cab arrived. On January 28, 2012, he called for a cab at 2:00 p.m. and again at 3:00 p.m. At 3:30 p.m., he called again and learned it would be another hour-and-a-half before a cab could arrive. He then cancelled the service because it was too late to see a movie he had planned to see.

Call the complainant for further information. Complete your investigation within 30 days.

**Bowser, Charles**

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**From:** Yohe, Wendy  
**Sent:** Monday, January 30, 2012 9:13 AM  
**To:** Bowser, Charles  
**Subject:** taxi complaint

Please call Tom Turner 412-829-8680

Lack of taxi service

Thanks!

Wendy Yohe  
Clerk Typist  
Public Utility Commission  
Technical Utility Services  
717-787-3794  
[wyohe@pa.gov](mailto:wyohe@pa.gov)

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2286070**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

03/15/12

On 2/23/12 I called the complainant and left a message requesting that he call me back.

On 2/23/12 I emailed Jerry Campalongo, General Manager for Yellow Cab Co of Pittsburgh, about a previous complaint on Yellow Cab that I was also working on and informed him that I needed to discuss a new complaint with him. He called me after receiving my email and we agreed to meet at Yellow Cab on 2/24 at 1 PM.

On 2/24/12 the complainant called me and left a voice mail. He provided me with a phone number for his work of 412-829-8680 and his cell phone number of 412-608-0398. I called Mr. Turner back and explained to him that I was investigating his complaint against Pittsburgh Yellow Cab. Mr. Turner told me that he relies on Yellow Cabs to travel because he cannot drive as he has medical issues with his eyes and does not have a driver's license. He lives in the Monroeville area and relies on cab service to go to the movies and to run errands. Recently he has had difficulty getting a cab. The dates mentioned in his initial complaint were January 27, and again on January 28<sup>th</sup>. While talking to Mr. Turner he also mentioned that just recently on February 18<sup>th</sup> he had to cancel a request for a cab as no cab had picked up after he had waited for an hour. Mr. Turner stated that he used to get rides with a couple Yellow Cab drivers who were always in the Monroeville area but one of the drivers no longer works at Yellow Cab and he is not sure of the other driver's schedule. Mr. Turner told me that he is not just concerned with getting rides for himself but would like to see better coverage from Yellow Cab in the Monroeville area. He stated "I will keep being the squeaky wheel till there is better service for the Monroeville area." I informed Mr. Turner that I would meet with Yellow Cab and inform him of his difficulties with getting a cab.

On 2/24 I met with Jerry Campolongo. I provided Mr. Campolongo with Mr. Turner's contact information as Mr. Turner told me that I could provide that information to Yellow Cab. Mr. Campolongo recognized Mr. Turner's name and told me that he has attempted to help Mr. Turner in the past and is aware of his eye condition, hence needing cabs to travel. I also asked Mr. Campolongo to check the phone records on 1/27, 1/28 and 2/18 for Mr. Turner's number and for any corresponding dispatch sheets. Mr. Campolongo told me he would look into the matter. He also informed me the he would be leaving for vacation soon and would be gone for most of March as he was travelling to Europe. I told him that if I needed anything I would contact

Julie Armstrong while he was gone. I then left Yellow Cab.

On 2/29/12 Officer Murray and I travelled to Monroeville and attempted to receive cab rides from Yellow Cab. I was in plain clothes and EO Murray was in uniform. We started at the Comfort Inn located at 899 Rodi Rd in Pittsburgh 15235. I called Yellow Cab from my personal phone and requested a cab from the hotel to the Monroeville Mall, located at 200 Monroeville Mall St, in Monroeville 15146. I made the call at approximately 10:30 AM. At approx 10:33 I received a text message stating the cab #265 was on its way to pick me up. At approx 10:58 cab #265 arrived at the hotel. At that time the driver called my cell phone and stated he was at the hotel. I was in Officer's Murray's vehicle at which was parked in the hotels parking lot, away from the lobby of the hotel. I exited EO Murray's and crossed the parking lot and then got in the cab. Since we were parked away from the lobby entrance to the hotel the driver did not see me get out of EO Murray's marked vehicle. The driver for cab #265 then took me to the Monroeville Mall. During the ride while making small talk with the driver he stated that he had just dropped off in the Oakmont area (which is right next to Monroeville) when the call for a fare at the Comfort Inn went out. We arrived at the Mall and I paid the driver and requested a receipt which the driver printed out without difficulty or complaint. I thanked the driver and got out of the cab. I entered the mall and cab #265 left. After a few minutes EO Murray arrived at the mall and picked me up. After that we travelled to the White Oak neighborhood and attempted to get a ride from White Oak back up to Monroeville. At approx 12:42 PM I called Yellow cab from my personal cell phone and requested a cab from the Giant Eagle strip mall in White Oak at 2001 Lincoln Way, White Oak 15131 to the Red Roof Inn at 2729 Mossie Blvd, Monroeville 15146. At approx 12:55 I received a text stating that cab #121 was on its way. At approx 1:04 the driver for cab #121 called me and wanted to verify my location and double check on the directions to get to my location. About a half hour later at around 1:30 cab #121 arrived at the strip mall. I exited EO Murray's vehicle and met the driver a few parking rows away from EO Murray's vehicle. I entered the cab and the driver proceeded to take me to the Red Roof Inn. During the trip while speaking to the driver he mentioned that he had just completed a ride out to Penn Hills, which is near Monroeville. He stated he heard the call for the White Oak fare and since he was near he took it even though he was not familiar with White Oak and that was why he called me and wanted to verify where I was. We arrived at the Red Roof Inn and I asked for a receipt and he printed one out without problem or complaint. I thanked the driver and exited the cab and went in the lobby of the hotel. Cab #121 left the hotel and after a few minutes EO Murray picked me up.

On 3/5 I called Julie Armstrong of Yellow Cab as I had not heard from Yellow Cab. I left a voice mail for Ms. Armstrong to call me back. On 3/6 Ms. Armstrong emailed me and requested that I verify what information I had requested from Mr. Campolongo. I emailed her the information I needed. Later in the day she sent me an

email with a dispatch for 2/18. It shows a job was entered at 1610 and then was cancelled at 1717. This does match the trip Mr. Turned attempted to take on 2/18. In the email Ms. Armstrong stated that she did not find any calls from 412-829-8680 or 412-608-0398 on 1/27 or 1/28.

On 3/12 I called Mr. Turner and informed him of my findings. I also told him about the trips I had taken with Yellow Cab on 2/29. Mr. Turner said he was surprised I had gotten a cab both times and that if we were to repeat that the outcome would probably be different. I told Mr. Turner that I planned to do more of those types of spot checks with Yellow Cab around Allegheny County. I told Mr. Turner that neither his cell phone number nor his work number showed up for 1/27 or 1/28 when Ms. Armstrong checked for them. Mr. Turner stated he was positive on the dates and he did speak to dispatch on those days. I informed him that his attempted trip on 2/18 was found and that I had a dispatch sheet that shows the time he called and the time he cancelled the request. Mr. Turner did mention that he was appreciative of the help that Ms. Armstrong (he had spoken to her in the past) and Mr. Campolongo have provided him but that he still wants better service for Monroeville in general. I explained to Mr. Turner that I would include all of the information I had gathered in my report and send it up my chain of command. I thanked him for his information and told him that he could contact me directly if he has any more problems with Yellow Cab.

## Bingaman, Robert

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**From:** dcanzoneri@state.pa.us  
**Sent:** Saturday, February 25, 2012 7:40 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: george sullivan

Street Address: 2716 pearl ave

City:

Daytime Phone: 814 844 3378

Your e-mail address:

Date: 2/18

Time : 5am

Location of Incident : motel 6

Taxi(PUC) Number :

Medallion Number :

Taxi Company : yellow cab

Driver Number :

Incident comments : I called for a cab the night before. When i called the next morning i was told its on the way. I called peoples and asked snd was told its also comming. I called yellow back and someone said since i called peoples that i could ride with them, and yellow wasnt comming. Lets just say that i never msde my train thanks to yellow cab. They suck!!

Nature of Incident : Driver refused to transport passenger

Nature of Incident : Operated vehicle in a dangerous manner

Nature of Incident : Driver Discourteous

Nature of Incident : Interior of vehicle not clean

Nature of Incident : Trunk compartment not clean

Nature of Incident : Doors and/or windows did not operate easily or close securely

Nature of Incident : Fare receipt not provided

Nature of Incident: Other Comments

## Officer's Report

BP8 Case #: 2290997

Author: Gary Double Jr.

Badge #4

April 27, 2012

**Complaint type and Summary:** Complainant stated that Yellow Cab of Pittsburgh made him miss his train after they failed to show up and transport him.

**Narrative:**

In reference to this case, I have been unable to speak with or obtain any pertinent information concerning the complaint from the complainant. I have attempted to contact the complainant three separate times. On March 6, 2012, at approximately 1545 hours, the complainant answered my phone call and upon hearing who I was he advised he was busy and asked if he could call me the very next day. I received no phone call the next day from the complainant. I attempted to call him again on March 8, 2012, at 1458 hours. I left a message asking that he return my phone call. On March 27, 2012, at approximately 1100 hours I left another message, this time explaining that I need to speak with him prior to moving forward with his complaint. On the same date, I requested that District Office Clerk, Eric Kiefer, send a letter to the complainant stating that if he fails to contact the PUC by April 11, 2012, then we would close out the case with no further action (letter attached in info-map). Since the complainant failed to provide all the vital information on the complaint form (including his full address) I used a reverse look-up to determine that the complainant's address was in Erie, PA. As of the date of this report, Mr. Sullivan has made no attempt to contact the Pittsburgh District or this EO.

My investigation found that the complainant does not seem willing to provide details or verify any of the information that he has stated in his complaint. I have made three attempts and requested a failure to

contact letter be sent to the complainant. As of this date the complainant has failed to contact me and provide the necessary information needed for me to proceed. I recommend this case be closed with no further action taken at this time. Compliance Review should review this report and determine if any violations are present or other actions should be taken.

There are no attachments for this report. The "No Contact Letter" was info-mapped by the District Office Clerk prior to completion of this assignment.

A handwritten signature in cursive script, appearing to read "A. D. J.", located in the lower-left quadrant of the page.

## **Bingaman, Robert**

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**From:** dcanzoneri@state.pa.us  
**Sent:** Sunday, March 11, 2012 7:25 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Adrian

Street Address: Di Bisceglie

City:

Daytime Phone: 314-791-0593

Your e-mail address:

Date: 03/11/12

Time : 6:30pm

Location of Incident : between airport and downtown

Taxi(PUC) Number : 427

Medallion Number :

Taxi Company : Yellow Cab Pittsburgh

Driver Number :

Incident comments : Driver of the minivan was driving at speeds up to 90mph, weaving in and out of traffic between airport and downtown Pittsburgh. He was talking on the phone, listening to loud music. refused to turn radio off. When I asked him to slow down and keep within the speed limit, he said he knew what he was doing. As a physician I wondered whether he was perhaps under the influence of illegal substances which might have made him "hyper".

Nature of Incident : Operated vehicle in a dangerous manner

Nature of Incident : Driver Discourteous

**Bingaman, Robert**

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**From:** dcanzoneri@state.pa.us  
**Sent:** Monday, April 09, 2012 3:25 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: justin hauck

Street Address: 5207 carnegie street

City:

Daytime Phone: 4129151933

Your e-mail address:

Date: 04/08/2012

Time : 3:00 pm

Location of Incident : in cab

Taxi(PUC) Number :

Medallion Number :

Taxi Company : yellow cab

Driver Number :

Incident comments : The drive did not use the meter due to what he deemed "Holiday Rate". He then asked several extremely personal questions, including my sexual preference, if anyone in my family or I used drugs, and if my mother lived alone and her age. Upon arrival to my destination he charged me \$40 that has cost me only approximately \$25 in the past, again deeming that there was a holiday rate. Then he asked if we had any beer.

Nature of Incident : Taximeter not working, not used, not visible

Nature of Incident : Fare receipt not provided

Nature of Incident : Overcharged

Nature of Incident: Other Comments

## Officer's Report

BP8 Case #: 2298122

Author: Gary Double Jr.

Badge #4

May 10, 2012

**Complaint type and Summary:** Complainant states that a Yellow Cab of Pittsburgh failed to use the meter stating there was a "holiday rate" then began asking several personal questions about sexual preferences and about the complainant's family.

**Narrative:**

On April 17, 2012, at approximately 1145 hours, I spoke with the complainant Justin Hauck. Mr. Hauck advised that the trip occurred on Easter Sunday, April 8, 2012, at approximately 1500 hours. He called Yellow Cab's main telephone line and asked to be picked up at his home at 5207 Carnegie Street, Pittsburgh, PA 15201 in Allegheny County. The destination was 1170 Duncan Ave, McCandless, PA 15237 also in Allegheny County. Mr. Hauck advised that the cab was Yellow Cab #140 and he had a picture of the complaint sticker from the cab. Mr. Hauck e-mailed the picture to this EO which I received and viewed prior to our conversation ending. Mr. Hauck described the driver as a tall, thin, African-American man, wearing a hat. The man was clean shaven, approximately thirty to forty years old and possibly about six foot one inches to six foot three inches. The driver also advised that his name was Mike.

Upon entering the cab the driver inquired where he (complainant) was going and the complainant advised his mother's house in McCandless. The driver asked how he would pay for the trip. And, how much the trip usually costs? The complainant stated he would pay in cash and he did not know how much it would cost. After hearing the answer the driver shut off the meter and stated that it would be a holiday rate for the

trip. The fare would be \$40.00 plus tip. The complainant advised that the meter was running prior to being shut off and had four dollars and change on it.

In the middle of the trip the driver stopped at the Sunoco gas station at 51<sup>st</sup> and Butler Street and walked inside for a snack while the complainant waited in the cab. The complainant advised that the driver was in the store for approximately three to four minutes. When the trip continued the driver began asking very personal questions and making crude statements. The driver began by asking the question "so what are you gay or straight?" The complainant answered "straight", but then responded "Does it matter? Why would you ask me that?" According to the complainant the driver then began telling stories of his sexual conquests involving threesomes with lesbians and other women. The driver advised the complainant that he had a "giant donkey dick". The complainant advised that the driver made many other statements involving his conquests and he could remember two in particular. The driver, who referred to himself as Mike, said in a female voice "oh Mike, f&#k me harder!" and "Oh Mike, eat my p#&y!"

As the cab pulled up in front of his home the driver asked the complainant if his mother lives at the house alone. And, how old is she? Finally, the driver asked if his mother had any beer in the house. The complainant advised that the driver did not smell like alcohol nor did it appear that he had been drinking that morning. When the cab stopped the complainant handed the driver forty dollars in cash, got out and kept walking. He did not allow the driver to complain about not receiving a tip.

On Tuesday, May 1, 2012, I responded to the main office for Yellow Cab of Pittsburgh and spoke with CEO of Operations, Jerry Campolongo. Mr. Campolongo provided the electronic manifest for the driver for the day in question as well as the driver's vital information. Mr. Campolongo's description of the driver was very similar to the one provided by the complainant including six foot tall, clean shaven, well spoken, skinny and about forty-two years old. The driver in question is Michael Ginyard. Mr. Ginyard has a PA driver license

number of 22185810 that expires on 3/21/16. Mr. Ginyard has been leasing from Yellow Cab since November 14, 2011.

On Wednesday May 2, 2012, at approximately 1348 hours, Mr. Campolongo called me and advised that the driver in this incident, Mr. Ginyard, is available to speak with me over the phone and that Mr. Ginyard will call me between 1400 and 1500 hours to answer my questions.

On the same date at approximately 1407 hours I spoke with Mr. Ginyard on the telephone. Mr. Ginyard advised he does not remember any incident on Easter Sunday that involved the general areas of the pick-up or destination of the trip. I asked him several times, each time giving a little more detail to potentially jog his memory. As the complainant's description of the incident was explained to him he continued to claim no knowledge and he began stating that it was unbelievable or too far-fetched that he would have ever acted this way. He advised that the complainant's claim is disturbing. Mr. Ginyard advised that he is a family man, he has a clean criminal background, he is a proud African-American and he insists on doing things correctly. Mr. Ginyard denied ever making sexual comments to a customer like the one the complainant advised he made. He also denied asking questions about the customer's mother.

Mr. Ginyard advised that he does flat rate trips on occasion, but he was unable to recall if he flat rated this trip. I explained to Mr. Ginyard that the electronic manifest places him at the same intersection the complainant was picked up at and at the same time the complainant advised he was picked up by cab #140. Mr. Ginyard advised that there is no other way that any other cab driver was using cab #140 on this date. Yellow Cab #140 has been his permanently assigned cab for the past couple of months and no one else has driven it according to Mr. Ginyard.

Mr. Ginyard was asked if he has upset anyone recently or if he knows of anyone that would make this story up and Mr. Ginyard advised he does not know of anyone that he has upset or would do this to him. He

again advised that he is a professional who represents Yellow Cab. The customers are his pay check and the accusations made are "way too over the top".

Mr. Ginyard advised that on occasion he does stop at a convenience store for gas or food when customers are in the cab. He only does this after first obtaining permission from the customer and he always stops the meter if it is running. If he is flat rating then the customer does not need to worry about the meter increasing while he is in the store.

I then asked Mr. Ginyard if he ever starts the meter prior to arriving at a customer pick-up location. Mr. Ginyard advised that at times he starts the meter and shuts it back off so he can book on/off to get out of a zone he does not want to be in. If he is booked into a zone and he leaves that zone he can be suspended from the Yellow Cab meter system. The only way to over-ride this and to avoid the system suspension is to book on then off (start meter then shut it back off). I asked Mr. Ginyard what booked in a zone means and he advised that it means he has rejected a trip. If he rejects a trip then he is booked into that zone until he has a fare from that zone. Mr. Ginyard ended his conversation with me by stating "Man to man, heart to heart – saying anything inappropriate is out of my character". He advised that he loves his job for the pay check and for the people.

On the same date at approximately 1438 hours, I spoke with Mr. Campolongo. I asked Mr. Campolongo about booking on/off. Mr. Campolongo agreed that a driver can be locked out of the system for rejecting a trip. Dispatch is aware of metering on and off and when the drivers are caught doing this they are locked out for up to two hours. The second time it occurs they are suspended for three days. I also advised him that according to the coordinates from their electronic manifest system, Mr. Ginyard in this case started the meter approximately seven or eight blocks before the pick-up location and he shut the meter off at the complainant's pick-up location.

Mr. Campolongo advised that the meter at the drop is typically around \$3.50 (this varies with the fuel surcharge). I advised him that on this day (April 8, 2012) the driver has seven trips of \$4.44 or less. This would appear that he is taking many customers just a few blocks or he has booked on/off many times.

My investigation found that the driver of Yellow Cab #140 on Easter Sunday was Michael Ginyard. Mr. Ginyard does not recall any details of the trip called into question or that he even transported the complainant that day. The complainant, however provided a photo of Yellow Cab #140's complaint decal that he advised he took during the trip and Mr. Ginyard through his own admission was the only individual that would have been driving cab #140 on Easter Sunday. The Yellow Cab electronic manifest places Mr. Ginyard near the complainant's home at approximately the same time as the complainant's pick up. The descriptions provided by the complainant and by Mr. Campolongo of the driver are similar enough to make me believe we are speaking of the same driver. The Yellow Cab dispatch sheet verifies that Mr. Ginyard's cab was dispatched to pick up the complainant on this date after the complainant called Yellow Cab's main phone number at 1418 hours. Furthermore, upon using the longitudes and latitudes provided by the Yellow Cab electronic manifest for this trip in question and by using tools found on the internet to decipher these positions I found that Mr. Ginyard metered on several blocks prior to the complainants location and metered off with-in one block after leaving the complainant's pick-up location.

For the purpose of this investigation Compliance Review must determine whose story is credible. The complainant advised the driver made these statements and "flat-rated the trip". The driver advised he does not remember anything about this trip and never made these statements to anyone. The driver did admit that he does "flat-rate" trips on occasion, he does meter on/off to get out of a particular zone at times and he does make stops in the middle of trips on occasion. Compliance review should also take a look at the seven fares that were \$4.44 or less on this date. This is either evidence of half of the driver's trips occurring on this date

lasting only a few short blocks (possibly walking distance), evidence of rejected trips as the driver is metering on, driving a few blocks to appear that he has a fare, then metering off or evidence of flat-rated trips.

**Potential PUC violations that Compliance Review must verify:**

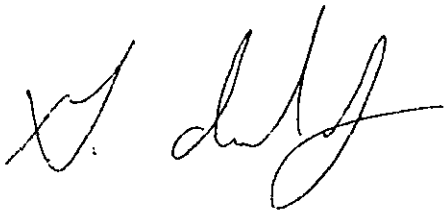
1. 29.313(b): *Shortest route to be followed.* A driver of a call or demand vehicle shall transport passengers to their destinations by the shortest practical route, unless directed by a passenger to take a different route. Complainant states driver stopped for snacks at the Sunoco on 51<sup>st</sup> and Butler Street. Driver advised he occasionally does this. To make a stop at 51<sup>st</sup> and Butler Street would be out of the way (not most direct route to McCandless) according to MapQuest directions.
2. 29.314 (b) (7): The meter must be in operation during the entire time the vehicle is engaged by a passenger, and the passenger shall be required to pay only the amount recorded by the meter, except that, when back-mileage or surcharge provisions of the tariff of the carrier apply, the back-mileage charge or surcharge shall be added to the amount recorded by the meter. Each meter charge shall be collected only once regardless of whether the vehicle is being used in exclusive service or in nonexclusive service. The complainant advised the meter was turned off shortly after he entered the cab and the trip was "holiday flat-rated at \$40.00" when the approximate fare should have been \$21.42 according to Yellow Cab "Estimated Fare Calculator". Evidence also exists to claim the meter was turned on prior to arrival at the pick-up location.
3. 29.316 (a) (1): The amount as is calculated and registered on the meter. The complainant advised the meter was turned off shortly after he entered the cab and the trip was "holiday flat-rated at \$40.00" when the approximate fare should have been \$21.42 according to Yellow Cab "Estimated Fare Calculator".

Compliance review must ascertain if the above violations are present and if any other violations exist including a possible charge of unreasonable service and any potential trip sheet violations. As of the date of this report I have been given no formal word advising that Yellow Cab's new electronic manifest is sufficient enough to be considered compliant with the current trip sheet regulations found in Title 52 chapter 29 section 313.

On May 10, 2012, at approximately 1445 hours I contacted the complainant and left him a message advising him that I have completed the report and will be sending it in for a final determination. Mr. Hauck stated during our April 8, 2012, initial conversation that he would like to testify if the case proceeds to court due to the comments that the driver made during the trip.

**Attachments:**

1. Yellow Cab dispatch sheet
2. Picture of Yellow Cab complaint decal
3. Yellow Cab electronic manifest for cab #140 on 4-8-12
4. Address of Sunoco at 51<sup>st</sup> and Butler St.
5. MapQuest written directions from pick-up to destination
6. Overview of direct route from pick-up to destination.
7. Close up view of pick-up. Sunoco store was not most direct route
8. Yellow Cab Fare Estimator for trip in question.
9. Latitude/Longitude conversion for cab location when meter was started.
10. GPS location of latitude/longitude when meter was started (pick up location marked with an "X").
11. Latitude/Longitude conversion for cab location when meter was shut off.
12. GPS location of latitude/longitude when meter was shut off (pick up location marked with an "X").

A handwritten signature in black ink, consisting of a first name and a last name, both written in a cursive style.

## Bingaman, Robert

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**From:** dcanzoneri@state.pa.us  
**Sent:** Tuesday, April 24, 2012 3:20 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: steven wuerthele

Street Address: 1493 PATTERSON AVE SE

City: GRAND RAPIDS, MI 49546

Daytime Phone: 773-456-6268

Your e-mail address: [steve@wuerthele.com](mailto:steve@wuerthele.com)

Date: 04/09/2012

Time : 10:00AM

Location of Incident : Pittsburgh

Taxi(PUC) Number :

Medallion Number : 113

Taxi Company : Yellow

Driver Number :

Incident comments : Taxi was almost out of gas, so had to stop after picking me up at the airport, rather than filling up before getting in line. Fare on meter was approximately \$38, gave credit card to driver, he ran it for \$44 without asking if I wanted to give a tip. I left two messages for yellow cab a week apart to discuss this, they did not respond.

Nature of Incident : Overcharged

## Officer's Report

BP8 Case #: 2300652

Author: Gary Double Jr.

Badge #4

May 18, 2012

**Complaint type and Summary:** Complainant alleges that Yellow Cab of Pittsburgh cab #113 had to get gas after picking him up at the airport and then failed to ask the complainant if he would like to provide a tip at the end of the trip, but instead just added the tip to the credit card machine without consent.

**Narrative:** On April 27, 2012, at approximately 1550 hours, I spoke with the complainant in this case, Mr. Steven Wuerthele. Mr. Wuerthele advised that the trip occurred on April 9, 2012, at approximately 1000 hours. The trip originated at the Pittsburgh International Airport, Findlay Township, Allegheny County, PA and ended at the Highmark Building in Pittsburgh, 120 5<sup>th</sup> Ave, Allegheny County, PA. Both of these locations are within the service area of Yellow Cab of Pittsburgh. He advised that the cab in question was Yellow Cab #113 and the driver was an African-American male driver, he thought the driver was in his forties, wearing a Pirates jacket, a hat, the driver was six foot tall or taller and he was solidly built.

Mr. Wuerthele advised that as soon as he got into the cab at the airport the driver advised that he did not have enough gas to get to Pittsburgh and he needed to stop. The driver stopped at the station on the airport grounds and hit the time-off button on the meter so the meter would not accrue wait time charges for the passenger. Mr. Wuerthele advised he watched the meter to ensure that it did not increase while they were filling up. Upon arrival at the Highmark Building in Pittsburgh, the meter read approximately \$38.00 for the fare. He handed the driver a credit card and when the driver handed him the credit slip to sign, the slip stated \$44.00 on it.

Mr. Wuerthele advised that he flies into Pittsburgh regularly (weekly) on Monday's for business and leaves on Thursday. He advised he is quite familiar with Yellow Cab's fares and how the drivers operate. The drivers almost always ask "do you want to add anything to the fare" (meaning do you want to add a tip because once the price is entered in the credit machine a customer is not permitted to write in a tip). In this case, Mr. Wuerthele was agitated that the driver had to stop for gas, which put Mr. Wuerthele further behind and closer to being late for his first appointment for the day. Mr. Wuerthele had planned not to give very much of a tip because of the stop for gas. The driver never asked if he wanted to give a tip, the driver just entered \$44.00. Because, Mr. Wuerthele was already behind and he did not want to question the driver, he just signed the receipt got out and planned on calling Yellow Cab to complain. He called Yellow Cab twice and left two messages at 412-323-4724, but has got no return call from Yellow Cab. Mr. Wuerthele advised that he does live in Michigan, but he is in Pittsburgh on a weekly basis and he would testify in a hearing if we need him to.

On May 2, 2012, following an ALJ court hearing at the Piatt Building in Pittsburgh, I handed the CEO of Operations, Jerry Campolongo, the cab information regarding this complaint and asked him to notify me when the manifest and driver information was available for pick-up. Upon being notified a few days earlier, I responded to Mr. Campolongo's office at the Yellow cab of Pittsburgh terminal on May 10, 2012, at approximately 1145 hours. Mr. Campolongo provided the electronic manifest for the driver in question and on the manifest was all of the driver's information. Mr. Campolongo advised that there was no dispatch sheet as the trip was a street hail at the airport and did not originate from a call placed to Yellow Cab.

The driver involved in this incident was William Tate. Mr. Tate has a DOB of 04/03/1941 a PA driver license number of 18538062 and he has leased from Yellow Cab since 09/14/2001. Mr. Tate was in Mr. Campolongo's office when I arrived and upon observing same I was positive that Mr. Tate was not in his forties. I asked Mr. Tate if he has a Pirates jacket that he wears occasionally and he advised that he did have

one. Mr. Tate advised that he did somewhat remember the trip. He remembered that he would not have made it into town if he did not stop for gas. He stopped at the airport gas station which would be a quarter mile or possibly a little further out of the way and got seven or eight dollars in gas. He hit the time on/off button so no wait time would accrue and then turned the meter back on when he was finished getting the gas. To make up for going a little out of the way, Mr. Tate advised he shut the meter off when he was almost into town. He believes he shut it off somewhere in the Fort Pitt Tunnel. After making this statement, Mr. Campolongo stopped the driver's statement and advised him that the next time this type of incident occurs, continue running the meter the whole way and then accept a little less (deduct) from what the meter says to make it up to the customer for going out of the way for gas. When Mr. Tate continued he advised that the customer paid using a credit card and he denies that he added money to the fare without first asking the customer what he wanted to add. Mr. Tate wanted to know why the customer did not say something if he (Mr. Tate) added to the fare incorrectly. Mr. Tate re-affirmed that he has never added to the fare without asking and being told to by a customer.

On May 14, 2012, at approximately 1115 hours, I contacted the complainant by telephone. I asked the complainant about the cab driver's age and the complainant stated that he was unsure of the age of the driver and that the driver may have been older. I then asked if the driver shut the meter off early for this trip and the complainant advised he did not think so because he takes this exact trip every week and the fare was exactly what it usually is (approximately \$38 to \$39 and change). If the driver shut the meter off early the meter would have been a few dollars less. The complainant also advised that the cab trip began at 1000 hours or a little after this time and he was dropped off on Stanwix Street between Liberty and Penn Avenues. The complainant also verified that at no point did the driver ask if he wanted to put anything on the meter. The complainant advised he is still attempting to get a hold of the actual receipt and he will e-mail it to me when he gets it.

On Tuesday, May 15, 2012, the complainant e-mailed me his American Express card statement that stated he was charged \$44.00 by Yellow Cab on April 9, 2012. The complainant also e-mailed me a copy of the Yellow Cab receipt which stated the fare charged was \$44.00. Upon asking the complainant why the top left corner of the American Express statement reads 4/10/2012, same advised that often times American Express does not post the charges for his cab trips until the following day.

My investigation revealed that Yellow Cab #113 and driver William Tate transported the complainant from the Pittsburgh International Airport to the Highmark Building on April 9, 2012. Yellow Cab's electronic manifest places cab #113 and driver Tate performing the exact trip at the exact times the complainant advised. The ending latitude and longitude for this trip place the drop off within the same block that the complainant advised he was dropped off in. The Yellow Cab receipt and the electronic manifest both have stated times of 1037 hours. The Yellow Cab receipt states that the trip was \$44.00 with no tip added by the complainant. The electronic manifest states that the fare was \$39.29 and the Yellow Cab fare estimator estimated that this trip should have cost approximately \$39.19. Finally, the driver advised that he did stop and get gas at the airport gas station on the date of the trip. This EO does not believe, after examining the electronic manifest and reviewing all information provided, that the driver shut the meter off early as the driver stated in the interview.

**Potential PUC Violations Compliance Review Must Determine:**

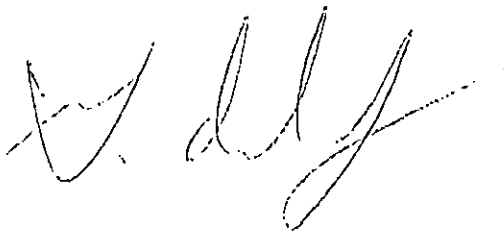
1. 29.313(b): *Shortest route to be followed.* A driver of a call or demand vehicle shall transport passengers to their destinations by the shortest practical route, unless directed by a passenger to take a different route.  
Driver admitted to going out of the way at the airport to fuel up.
2. 29.314(b)(7): The meter must be in operation during the entire time the vehicle is engaged by a passenger, and the passenger shall be required to pay only the amount recorded by the meter, ... The driver advised he timed off the meter when he stopped for gas so it would not charge the customer wait time. At the conclusion of the

trip the driver failed to ask the complainant if he wanted to add a tip, instead the driver added \$4.71 to the fare without the customer's consent.

3. 29.316(a) (1): The amount as is calculated and registered on the meter. Evidence (manifest, receipt and charge card statement) shows that the fare was \$39.29 and the driver charged the complainant \$44.00.

As of the date of this report I have been given no formal word advising that Yellow Cab's new electronic manifest is sufficient enough to be considered compliant with the current trip sheet regulations found in Title 52 chapter 29 sections 313. Compliance Review must review this report and all potential violations and determine if any violations are present.

On May 18, 2012, at approximately 1400 hours, I contacted the complainant and left a message advising him that the report was finished and would be forwarded to Harrisburg for a final determination. The complainant advised that he is willing to testify in court if needed as he regularly flies into Pittsburgh for work reasons. He would also like to be notified by Harrisburg of the outcome of the complaint. His address is 1493 Patterson Ave SE, Grand Rapids, MI, 49546.

A handwritten signature in black ink, appearing to be 'V. d. J.' or similar, written in a cursive style.

5-18-12

**Attachments:**

1. Yellow Cab electronic manifest (trip in question underlined).
2. Yellow Cab fare estimator
3. Lat/Long conversion (origin)
4. Atlas map of Lat/Long (origin)
5. Lat/Long conversion (destination)
6. Atlas map of Lat/Long (destination)
7. American Express Card statement for trip in question.
8. Yellow Cab fare receipt

Job #	Driver Name	Driver ID	Date	Vehicle	Passes	Meter On	Meter Off	Pickup Lat	Pickup Lon	Zone	Dropoff Lat	Dropoff Lon	Zone	Meter Fare
006638	WILLIAM TATE	53265326	4/9/2012 04:09	113	1	04:17	04:21	-79.96133	40.44177	303	-79.97245	40.43762	504	5.71
006670	WILLIAM TATE	53265326	4/9/2012 04:45	113	1	04:49	04:55	-79.93998	40.45498	308	-79.90731	40.46017	0	7.22
006694	WILLIAM TATE	53265326	4/9/2012 05:05	113	1	05:24	05:49	-79.93428	40.45396	308	-80.26311	40.48875	900	43.83
006859	WILLIAM TATE	53265326	4/9/2012 08:16	113	1	07:36	08:17	-80.25489	40.49577	705	-80.00263	40.44183	705	41.31
006963	WILLIAM TATE	53265326	4/9/2012 09:41	113	1	09:20	09:41	-80.25536	40.49599	705	-79.99655	40.44434	705	39.54
007104	WILLIAM TATE	53265326	4/9/2012 10:37	113	1	10:11	10:37	-80.25531	40.49567	705	-80.00375	40.44181	705	33.29
008212	WILLIAM TATE	53265326	4/9/2012 22:04	113	1	21:45	22:04	-80.02132	40.44689	1	-80.02132	40.44689	101	7.98
008220	WILLIAM TATE	53265326	4/9/2012 22:09	113	1	21:45	22:09	-80.02132	40.44689	1	-80.02132	40.44689	101	7.98

APRIL 9 2012

D.R. WILLIAM TATE

DR # - 5326

DOB - 04/03/1941

PA DL - 18538062

START DATE - 9/14/2011

(1)

BPR: 2300652



**Order A Cab Now!**



[Click Here](#)

### Estimated Fare Calculator

GET RATE BY ADDRESS:

**PICK-UP LOCATION**

Quick Address:  
Airport Pittsburgh International

Street Address: Airport Blvd  
City: Pittsburgh  
State:  
Zip Code: 15126

**DESTINATION**

Quick Address:  
- Select One -

Street Address: 120 fifth ave  
City: pittsburgh  
State: PA  
Zip Code: 15222

[RESET]

[RESET]

[Get Rate](#)

**ESTIMATED TAXI FARE**

Estimated Distance: 19.3 Miles  
Estimated Fare: \$39.19

\*\*Fares will vary depending on route taken, time of day, weather and traffic conditions

GET RATE BY MILES:

Enter Number of Miles: (EX: 12)

[Get Rate](#)

If you have any questions about our rates, please call 412-321-8100.

Miles are determined by using Google Maps API

2

**Degrees Minutes Seconds to Decimal Degrees**

Enter Degrees Minutes Seconds latitude:

Enter Degrees Minutes Seconds longitude:

**Results:** Latitude:  Longitude:

**Decimal Degrees to Degrees Minutes Seconds**

Enter Decimal Latitude: 80.25531

Enter Decimal Longitude: 40.49567

**Results:** Latitude:  Longitude:

3



DIRECTV para Oficinas Crece tu Negocio con DIRECTV! Entra y Explora Paquetes desde \$19.99/Mes [www.directv.com](http://www.directv.com)  
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Repos Homes For \$10,000! Foreclosed Repos At Huge Savings. Pay \$1 To Get Listings In Your Area [www.1000.com](http://www.1000.com)

Home



World Map > Travel Aids > **LATITUDE AND LONGITUDE FINDER**

## Latitude and Longitude Finder

Enter any address, city, country, province, state or zip code to find its latitude and longitude.

40 29 44.4114 N 80 15 19.1154 W

Submit

### NOTES:

When using the latitude and longitude finder to search for a destination's name, one possibly found in multiple locations, you should add a country or state name. Here you can also find major worldwide attractions.

**Examples:** Paris, Texas - Springfield, Illinois - Georgetown, Guyana - Eiffel Tower

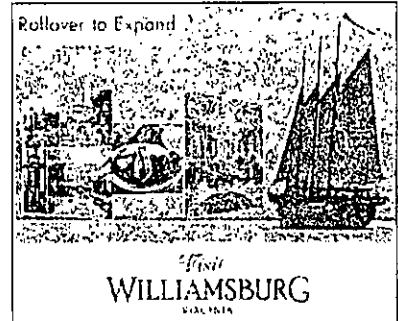
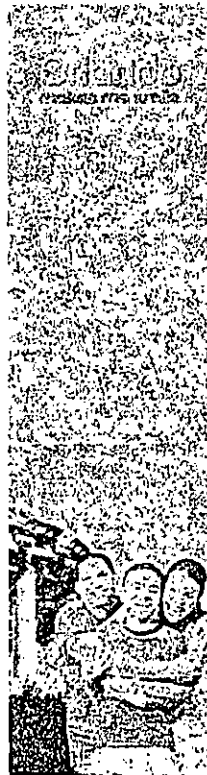
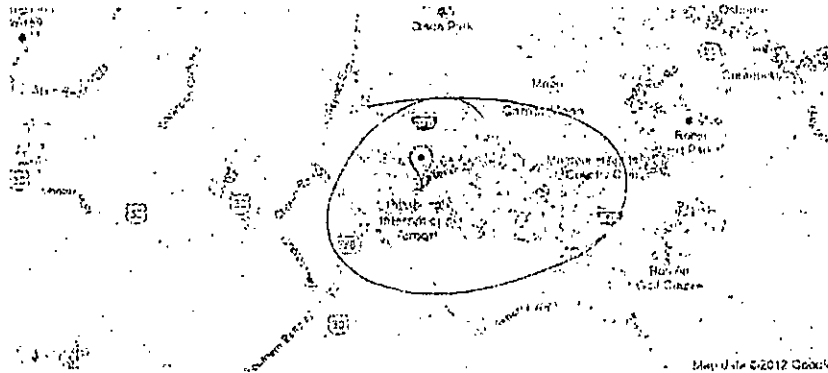
You can also enter latitude and longitude coordinates to see their location on a map.

To do so, please use this format.

A Good Entry: 30 37 N 81 27 W, or 30 N 81 W  
A Bad Entry: 30 37 N / 81 27 W

The latitude and longitude of **US Air Force Reserve, PIT - Pittsburgh International Airport, Pittsburgh International Airport (PIT), Pittsburgh, PA 15231, USA** is:

**40° 29' N / 80° 15' W**



geography, map, and travel questions answered here

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5/10/2012

13PG: 2300652

**Degrees Minutes Seconds to Decimal Degrees**

Enter Degrees Minutes Seconds latitude:

Enter Degrees Minutes Seconds longitude:

**Results:** Latitude:  Longitude:

**Decimal Degrees to Degrees Minutes Seconds**

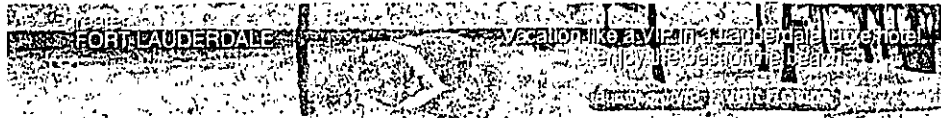
Enter Decimal Latitude: 80.00375

Enter Decimal Longitude: 40.44181

**Results:** Latitude:  Longitude:

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BPE: 2300652



Home



World Map - Travel Aids - **LATITUDE AND LONGITUDE FINDER**

## Latitude and Longitude Finder

The latitude and longitude of **603 Stanwix St, Pittsburgh, PA 15222, USA** is:  
**40° 26' N / 80° 0' W**

Enter any address, city, country, province, state or zip code to find its latitude and longitude.

40 26 30.5154 N 80 0 13.4994 W

Submit

### NOTES:

When using the latitude and longitude finder to search for a destination's name, one possibly found in multiple locations, you should add a country or state name. Here you can also find major worldwide attractions.

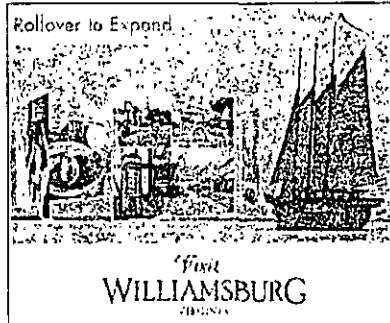
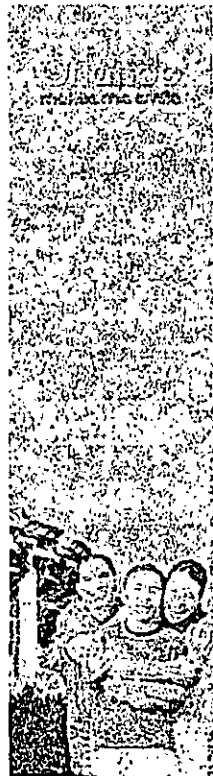
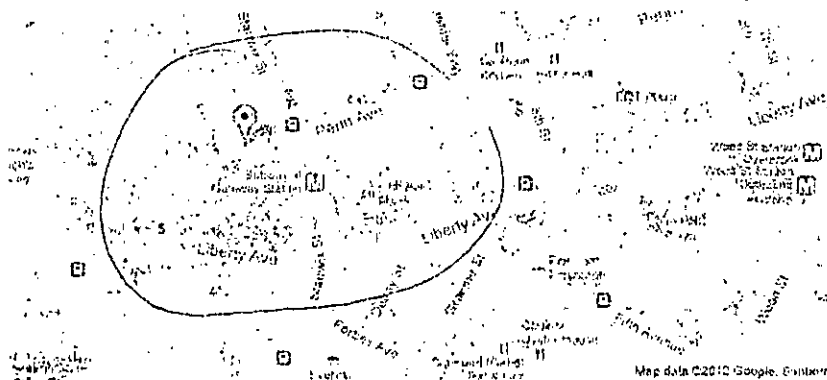
**Examples:** Paris, Texas - Springfield, Illinois - Georgetown, Guyana - Eiffel Tower

You can also enter latitude and longitude coordinates to see their location on a map.

To do so, please use this format.

**A Good Entry:** 30 37 N 81 27 W, or 30 N 81 W

**A Bad Entry:** 30 37 N / 81 27 W



geography, map, and travel questions answered here...

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5/10/2012

BPE: 7.300657

04/10/2012 Tue

PITTSBURGH TAXI 0308 PITTSBURGH PA

44.00

REF# 412-322-9113 04/09/12

TAXICABS/LIMCO

ROC NUMBER

Doing Business As: PITTSBURGH TAXI

Merchant Address: 1101 BEAVER AVE.

PITTSBURGH

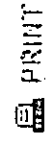
PA

15223

UNITED STATES

Reference Number: 082504820120410

Category: Transportation - Taxis & Coach



7

BFB: 2300652

PITTSBURGH VENDOR

W 0889

RIDE RECEIPT

(0113)

01:00

10137

★

SEQ#:

18938

AUTH:

527247

AMEX

XXXXXXXXXXXX3607

ED:

XXXX

FARE:

\$ 44.00

TIP: \_\_\_\_\_

TOTAL: \_\_\_\_\_

APPROVED:

\$ 44.00

⑤

RPS 2300652

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Formal Complaint Form

Please print in ink or type.

### 1. CUSTOMER (COMPLAINANT) INFORMATION

Your name, mailing address, county, telephone number, utility account number and service address:

Name Grant Schauer \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_ 5835 Douglas St. \_\_\_\_\_ Apt # 1

City Pittsburgh \_\_\_\_\_ State PA \_\_\_\_\_ Zip 15217 \_\_\_\_\_

County \_\_\_\_\_ Allegheny \_\_\_\_\_

Daytime Telephone Number Where We Can Contact You: ( 505)270- 4520 \_\_\_\_\_

E-mail Address (optional): gds11@pitt.edu

Utility Account Number \_\_\_\_\_  
(from your bill)

**If your complaint involves utility service provided to a different address than your mailing address, please list this information below.**

Name \_\_\_\_\_

Street/P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

### 2. FULL NAME OF UTILITY COMPANY (RESPONDENT):

\_Yellow Cab Co. \_\_\_\_\_

### 3. TYPE OF UTILITY (check one)

ELECTRIC

STEAM HEAT

GAS

WASTE WATER

WATER

MOTOR CARRIER

(e.g., taxi, moving company, limousine)

TELEPHONE

(local, long distance)

RECEIVED  
2012 MAY -7 AM 11:08  
P.A.P.U.C.  
SECRETARY'S BUREAU

**4. COMPLAINT (check one)**

**A. In general, what is your complaint?**

- I want to oppose the company's proposed rate increase.
- There are incorrect charges on my bill.
- There is a reliability, safety or quality problem with my utility service.
- I received a notice that my utility service is being terminated.
- I would like a payment agreement.
- Other (explain).

I was refused service and was intimidated and extorted out of money from a cab driver who was not displaying his driver's certificate. I would like disciplinary action taken against the driver and the cab company.

**B. State the facts of your complaint.**

On Thursday, March 29 2012 at approximately 11:15PM, I was driven in Yellow Cab #132 by a gray haired Caucasian man in his early fifties from Walnut St. and Maryland Ave. to Murray Ave. and Hobart. St. in Pittsburgh, PA. The fare came to \$6.40, and I gave the driver a \$20.00 bill and asked for \$12.00 back. The driver gave me \$10.00 back and said he did not have any one-dollar bills. I told him that I found this highly unlikely as he was a cab driver, and that I had just seen him holding a large amount of bills. He continued to insist that he did not have change, and told me "sorry, it's a ten dollar fare," even though the meter read \$6.40. I then asked him to drive me a block down the street to an open pizza shop (Aiello's) so I could get change and rectify the situation. The driver refused to drive me there. I repeated my request for service, and he repeated his refusal. At this point the driver became very aggressive and began intimidating me, glaring at me and speaking in a tone that clearly communicated that he was about to physically harm me. Trying to remain calm, I thoroughly looked around the cab and noted that his driver's certificate was not displayed anywhere. I asked the driver where his certificate was and what his name was, and he said "my name doesn't matter, get the fuck out of my cab." I asked him again and he once again told me "get the fuck out of my cab." I exited his cab, and the driver sped off in an apparent attempt to conceal his cab number.

I called Yellow Cab on 03/29/12 directly after the incident at 11:23PM and was told by a concerned operator that a supervisor would be in touch with me before 11:00AM the next morning. Nobody called, so I called on 03/30/12 at 3:03PM and spoke with a supervisor that was not directly involved in customer complaints who assured me that someone would be in touch with me that day, yet nobody ever called. I called again on 03/31/12 at 10:59AM and could not get in touch with a supervisor, and two days later on 04/02/12 I called again and was connected to a supervisor's line at 12:00PM but was sent to voicemail. I left a detailed message regarding the incident and was contacted several days later by Julie Armstrong. Julie agreed to send a check to reimburse me \$10.00, but the check never arrived. I contacted her on 04/26/12 at 4:28PM, and she told me that

they had given the driver a warning since he did not have any complaints on file. I spoke with Jerry Cambolongo, the director of Pittsburgh Yellow Cab Co., and told him I was disappointed that the driver was not dismissed over the incident. When he defended letting him off with a warning I then told Jerry that I was preparing a formal complaint to the PUC and that I would consider asking for lenient fines if Yellow Cab were willing to dismiss the driver. Jerry then encouraged me to file it so the PUC could hear "both sides of the story" and told me the name of someone at the PUC I could send it to. I contacted Julie again on 4/27/12 at 4:35PM, and she said she sent me cash when I originally called her, but possibly to the wrong address, and again told me she would send \$10.00 cash.

**5. RELIEF**

Pursuant to 52 Pa. Code § 30.74(a), 52 Pa. Code § 30.75 (c), 52 Pa. Code § 30.75 (e)(1), 52 Pa. Code § 30.75 (e)(2), and 52 Pa. Code § 30.75 (f), I would like the Public Utilities Commission to cancel the taxi driver's certificate of the driver of Yellow Cab #132, as provisioned in 52 Pa. Code § 30.76 (c). Pursuant to 52 Pa. Code § 30.77, I would like the Yellow Cab Co. be fined to the maximum amount allowed for each Subchapter F violation listed above.

**6. PROTECTION FROM ABUSE**

Answer the following question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility **AND** your complaint is about a billing problem, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection from Abuse" order for your personal safety or welfare?

YES

NO

**7. PRIOR UTILITY CONTACT**

Answer the following question only if you are a residential customer and your complaint is against an electric distribution utility, natural gas distribution utility or a water distribution utility.

Have you spoken to a utility company representative about this complaint?

YES (includes appeals of BCS determinations) X

NO

If you tried to, but could not speak to a utility company representative about your complaint, please explain why.

**8. LEGAL REPRESENTATION (IF ANY)**

If you are represented by a lawyer **in this matter** you must provide your lawyer's name, address, telephone number, and e-mail address, if known.

Lawyer's Name \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Area Code/Phone Number \_\_\_\_\_

E-mail Address (If Known) \_\_\_\_\_

**9. VERIFICATION AND SIGNATURE**

You must print or type your name below on the line provided for the verification paragraph, and you must sign and date (in ink) this form on the lines provided.

**Verification:**  
I Grant Silver, hereby state that the facts above set forth are true and correct (or 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 a 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).



4-27-12

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Title of authorized employee or officer

**10. FILING**

Please return the completed form to one of the addresses listed below:

If using U.S. Postal Service:

If using overnight delivery service:

Secretary Pennsylvania Public Utility Commission	Secretary Pennsylvania Public Utility Commission
---	---



# University of Pittsburgh

*University of Pittsburgh Cancer Institute*

Hillman Cancer Center  
Research Pavilion  
5117 Centre Avenue  
Pittsburgh, PA 15213-1863  
412-623-7700  
Fax: 412-623-3355

Dear Pennsylvania Public Utility Commission,

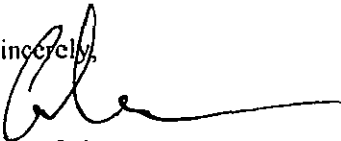
Please see the attached formal complaint regarding the incident with the driver of Pittsburgh Yellow Cab #132.

I would like to point out a few additional things not mentioned in the complaint. First, the driver picked me up in an area known for its nightlife. Given the time of night, he likely assumed that I was intoxicated, although in reality I was walking home from work. It was immediately apparent by his behavior that he scams customers for extra money frequently.

I detailed my contact history with Yellow Cab Co. in order to emphasize their general disinterest with my situation. Even the director cannot take extortion and intimidation seriously enough to adequately punish the driver. Apathy aside, it is unacceptable for a public utility to be so overwhelmed with work that they simply cannot respond to a customer complaint. Both Julie and Jerry admitted that they had the power to dismiss the driver, but were simply unwilling to do so based on his record. I find this to be both disingenuous and insulting, as I have given them no reason not to believe that these events did not occur. I would also like to point out that most passengers this driver is preying on, intoxicated or not, likely do not have the wherewithal or patience to pursue a complaint with Yellow Cab (especially given the difficulty of even registering the complaint), let alone remember the cab number.

Frankly, the driver was intimidating me like a career criminal would. I have been "shaken down" for money by thugs in unstable countries such as Russia and Greece, where organized crime prevails, but never like this in the United States. I believe the reason for this difference is that there exist processes like this one with the PUC which allow one to formally and publically disincentivize such behavior, and I am thankful every time I feel safe in the hands of a business that these protective processes exist.

Hopefully you will agree with me that this incident should not go unpunished, and that my request for relief is reasonable to this end.

Sincerely,  


Grant Schauer  
Ph.D. Candidate,  
Program in Molecular Biophysics and Structural Biology  
University of Pittsburgh and Carnegie Mellon University

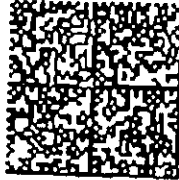
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2012 MAY -7 AM 11:07  
PA PUC  
SECRETARY'S BUREAU



*Grant Shewer*  
University of Pittsburgh

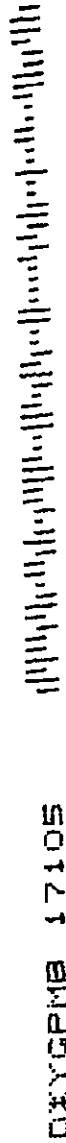
University of Pittsburgh Cancer Institute  
Hillman Cancer Center  
Research Pavilion  
5117 Centre Avenue  
Pittsburgh, PA 15213-1863

PRESORTED  
FIRST CLASS



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MAILED FROM ZIP CODE 15212

*Secretary  
Pennsylvania Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265*



## Bingaman, Robert

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**From:** bkeener@pa.gov  
**Sent:** Friday, May 18, 2012 5:05 AM  
**To:** Mayberry, Catherine; Keener, Barry; Flynn, Maureen; Hakes, James  
**Cc:** Keener, Barry  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Chris Addis

Street Address: 1456 Spencer Ave

City: Washington, PA, 15301

Daytime Phone: 724-531-1829

Your e-mail address: [chris.addis@comcast.net](mailto:chris.addis@comcast.net)

Date: May 18, 2012

Time : 3:00 am

Location of Incident : 1327 E Carson St, Pittsburgh

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : Cab failed to arrive... Dispatch called it a customer cancellation. Not the first time... Use cabs often... Lost sleep due to incompetence

Nature of Incident: Other Comments

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2305651**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

06/13/12

. On 06/11/12 I called 724-531-1829 and left a message for Chris Addis to call me back as I was investigating his complaint against Yellow Cab Co. of Pittsburgh. Later in the day I called again and spoke to Mr. Addis. I explained who I was and that I was investigating his complaint against Pittsburgh Yellow Cab. Mr. Addis told me that he was happy with things now and that it was up to me if I wanted to continue looking into his case. I asked if he wanted to give me any information about his complaint or why he was satisfied with things now. He stated that he was fine with things and he didn't care what I did with his complaint. I asked him if he was sure since he did make the complaint and I was willing to look into it for him. He once again said I could do whatever but that was all he was going to say about his complaint. I thanked him for his time and ended the phone call.

This case should be closed as the complainant is not willing to give me the necessary information to do a proper investigation. Also, even if an investigation is completed, if any action is taken against Yellow Cab I doubt Mr. Addis would testify in any type of setting to the details of his complaint.

## **Bowser, Charles**

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**From:** Thomas <thomaswturner99@gmail.com>  
**Sent:** Friday, May 18, 2012 3:37 PM  
**To:** Bowser, Charles  
**Subject:** Cab log, Tom turner, April 2012

### Cab log

Apr 5 5.13pm haircut, renewed request 5.50. They warned busy. I asked for rd trip wait. Cab dispatched 6.31. They called at 7 to confirm I was still waiting. I checked status at 7.31 they said cab 121 was 8 to 10 minutes away. Cab 363 finally arrived at 8.20, 3.05 after initial request.

Apr 7 1.28 pm called for ride home to mall cab arrived 1.38.

Apr 7 5.04 pm called for return home. Cab arrived 5.50, not bad.

Jay works thurs to mon 4 pm to 2 am.

Apr 12 called at 8.35 for ride home from work. Asked dispatch to advertise trip as 20 bucks, normally it's only 5. Took ride w coworker at 9.05. Cab dispatched at 9.07, I cancelled at 9.09.

Apr 13, 2.02, called for trip from penn center to edwork w stop. Cab arrived at 2.10!

Apr 16 2 pm, called from work for ride to penn center for 3 pm dr appt. no cab dispatched by 2.45, so I imposed on coworker for rise and cancelled request at 2.50 pm.

Apr 16 4.02 pm, called from panera bread in penn center for ride hone. Took 7 minutes for dispatcher to answer, and she made find out street address for panera b4 she would take order. I checked at 6.19, they said driver had tried to call at 5.40. My phone showed no missed calls and no text saying cab had bren dispatched. They readvertized trip. At 6.55, I gave up, cancelled trip, called friend

Reported out of order. Apr 14, 9.10 am, for ride to McKeesport. Cab arrived at 9.40.

Apr 16, 8.00pm, called and asked for complaint line. Got voice mail for George, communication director. Reported 3 apr dates and times when I couldn't get cabs, asked for call back.

Apr 20, 6.14 pm, called from mall for ride hone. Renewed request at 6.50 and 7.30. Gave up at 7.45, cancelled and called friend.

Apr 24 at 6.02 pm called for round trip to vote. renewed request at 6.53. Cab arrived at 7.36 pm.

Apr 28 1.25 pm called for ride to mall. Cab arrived at 1.35.

Apr 28 4.30 pm called for trip home from. Cab arrived at 4.45.

All but one of the above calls we're from my cell phone, 412.608.0398. One was from my work phone, 412.829.8723.

Sent from my iPhone

Date Assigned to Officer:
Date Report Completed:

**PUC MOTOR CARRIER ENFORCEMENT DIVISION  
OFFICER'S REPORT**

**INITIATING OFFICE – Bureau of Investigation & Enforcement**

**BP8 CASE #**

<b>District:</b> Pittsburgh	<b>Enforcement Officer:</b>
<b>Assignment No.</b>	<b>Assisting Officer:</b>
<b>DOT No.</b>	<b>Utility Code:</b>
<b>Respondent: Yellow Cab of Pittsburgh</b>	<b>Complainant: Tom Turner</b>
<b>Address: 1825 Liverpool Street</b>	<b>Address: 2300 Belmont Avenue</b>
Pittsburgh, PA 15233	Monroeville, PA 15146
<b>Phone No. (412) 322-9113</b>	<b>Phone No. (412) 829-8680</b>
<b>PUC No. A-</b>	<b>PUC No.</b>
<b>Email:</b>	<b>Email:</b>

**TYPE OF REPORT**

- COMPLAINT
- MEMO OF RECORD (Information regarding work assignment issued by district supervisor, or additional information from E.O. on VIR or MCSAP)
- OTHER (Please describe):

**SUMMARY OF ASSIGNMENT**  
(Explain how assignment was initiated)

Tom Turner called the Regional Office on 2/3/2012 at 11:30 a.m. to complain that Yellow Cab failed to provide service on the evening of 2/2/2012. Note that Mr. Turner has previously reported that the respondent failed to provide service on 1/27 and 1/28/2012. We addressed the previous complaint with the issuance of BP8-2286070

Mr. Turner now reports that he called the respondent on 2/2/2012 at 5:40 p.m. and requested taxicab service from his Monroeville home. He reported calling again an hour later. The dispatcher told him that Monroeville is outside of their regular service area and that it might be a while before his cab would arrive. At 6:50 p.m., he called again to cancel the request because he was past an appointment time.

Contact the complainant for further information and complete your report within 30 days. Refer to BP8-2286070 in your report.

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2314479**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

08/03/12

After speaking with Supervisor Hawthorne, it is this Officer's opinion that this case be closed. I have previously investigated a complaint from Mr. Turner against Yellow Cab of Pittsburgh, BP # 2286070. That complaint covered multiple dates in January and February of 2012. I spoke with Mr. Turner on 02/24/12 and he did not mention the date of 02/02/12 (the date in this complaint) during my conversation with him. Due to the lapse in time from 02/02/12 and now I do not think that I would be able to get enough solid information from either Mr. Turner or Pittsburgh Yellow Cab to do a proper investigation of this complaint. Also Mr. Turner has a new complaint, BP 2309450, against Pittsburgh Yellow Cab that EO Double is currently investigating. The dates in that complaint are much more recent, May timeframe. It is this for these reasons I recommend this case be closed and the focus be Mr. Turner's current complaint with EO Double in conjunction with the case that I had previously investigated.

Date Assigned to Officer:
Date Report Completed:

**PUC MOTOR CARRIER ENFORCEMENT DIVISION  
OFFICER'S REPORT**

**INITIATING OFFICE – Bureau of Investigation & Enforcement**

**BP8 CASE #**

<b>District:</b> Pittsburgh	<b>Enforcement Officer:</b>
<b>Assignment No.</b>	<b>Assisting Officer:</b>
<b>DOT No.</b>	<b>Utility Code:</b>
<b>Respondent: Yellow Cab of Pittsburgh</b>	<b>Complainant: John Zagny</b>
<b>Address: 1825 Liverpool Street</b>	<b>Address: 806 Jessica Circle</b>
Pittsburgh, PA 15233	Oakdale, PA 15071
<b>Phone No. (412) 322-9113</b>	<b>Phone No. (412) 418-9635</b>
<b>PUC No. A-</b>	<b>PUC No.</b>
<b>Email:</b>	<b>Email:</b>

**TYPE OF REPORT**

- COMPLAINT
- MEMO OF RECORD (Information regarding work assignment issued by district supervisor, or additional information from E.O. on VIR or MCSAP)
- OTHER (Please describe):

**SUMMARY OF ASSIGNMENT**  
(Explain how assignment was initiated)

John Zagny called the district office on 2/1/2012 at 3:30 p.m. to complain about taxicab service. He said the driver of Yellow Cab #417 was texting while driving. While texting, the driver was weaving the cab in and out of the travel lane. At the end of the trip, Mr. Zagny said the driver offered him a business card and became irate when informed that he would not want to ride with him any time in the future. The complainant feels the service was unreasonable and wants his money back. The ride was from the IKEA store to Babcock Blvd. in Ross Township. The trip was on 1/1/2012 and ended at 11:06 a.m.

Call the complainant for further information. Complete your investigation and submit your report within 30 days.

PGH Assignment (Revised 08/04/2008)

Date Assigned to Officer:

Date Report Completed:

**PUC MOTOR CARRIER ENFORCEMENT DIVISION  
OFFICER'S REPORT**

**INITIATING OFFICE – Bureau of Investigation & Enforcement**

**BP8 CASE #**

<b>District:</b> Pittsburgh	<b>Enforcement Officer:</b>
<b>Assignment No.</b>	<b>Assisting Officer:</b>
<b>DOT No.</b>	<b>Utility Code:</b>
<b>Respondent: Yellow Cab of Pittsburgh</b>	<b>Complainant: Heather Hydock</b>
<b>Address: 1825 Liverpool Street</b>	<b>Address:</b>
Pittsburgh, PA 15233	Cannonsburg, PA
<b>Phone No. (412) 322-9113</b>	<b>Phone No. (412) 216-8678</b>
<b>PUC No. A-</b>	<b>PUC No.</b>
<b>Email:</b>	<b>Email:</b>

**TYPE OF REPORT**

- COMPLAINT
- MEMO OF RECORD (Information regarding work assignment issued by district supervisor, or additional information from E.O. on VIR or MCSAP)
- OTHER (Please describe):

**SUMMARY OF ASSIGNMENT**  
(Explain how assignment was initiated)

Heather Hydock called the district office on 2/1/2012 at 2:45 p.m. to complain about taxicab service. She said the driver of Yellow Cab #461 acted very unprofessional after she informed him that she was requesting a "short trip". She entered the cab at noon on 2/1/2012 at the Greater Pittsburgh Airport and requested service to a nearby automobile rental business. She said he made her feel horrible by complaining to her about how much money she was costing him.

Call the complainant for further information. Complete your investigation and submit your report within 30 days.

## Officer's Report

BP8 Case #: 2314484

Author: Gary Double Jr.

Badge #4

August 3, 2012

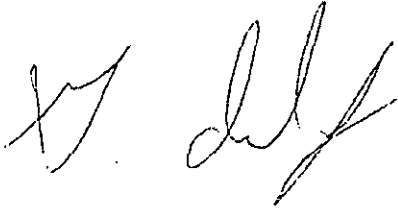
**Complaint type and Summary:** Complainant claims that the driver of Yellow Cab of Pittsburgh #461 acted unprofessionally when she asked to be taken on a short trip. I received this case in info-map on July 19, 2012. The date the incident occurred was February 1, 2012. The complainant in this case is Heather Hydock.

**Narrative:** I attempted to contact the complainant in this case on July 19, 2012, at 1515 hours, and I left a message on her answering machine asking her to contact me. On July 24, 2012, at approximately 1500 hours, I called the complainant again and this time the complainant answered.

I explained to the complainant that the complaint had been lost in the office and I apologized that it took so long for someone in our agency to contact her over her concerns. I advised her that I am still available and interested in looking into her complaint if she is willing to speak with me. The complainant *politely advised me that she does not remember the incident and that she originally placed a call to our agency in February 2012.* The complainant advised that she is not interested in providing any information or pursuing the matter any further. I advised her that I would close the case out at her request and that if she has any problems in the future with any cab service in Pittsburgh, I would be happy to look into her complaint.

Investigation revealed that the complainant is not interested in cooperating with the PUC in regards to her complaint. I feel that this complaint should be closed with no further action necessary. On July 26, 2012, at 1200 hours, I notified CEO of Yellow Cab of Pittsburgh Operations, Jerry Campolongo, of the details of the incident. I also advised that the complainant is not assisting us so I will be closing the case out.

Compliance Review should review this report and determine if any action is necessary. There are no attachments with this report.

A handwritten signature in black ink, consisting of several loops and a long tail, possibly representing the initials 'DJ'.

08/03/2012

**From:** dcanzoneri@state.pa.us  
**Sent:** Saturday, January 01, 2011 5:10 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Jennifer

Street Address: 5181 Elmwood Drive

City: Pittsburgh PA 15227

Daytime Phone: 412-881-1342

Your e-mail address:

Date: 1/1/11

Time : 4am

Location of Incident : Carrick

Taxi(PUC) Number : 408

Medallion Number :

Taxi Company : Yellow Cab

Driver Number : 408

Incident comments : I was kicked out of the cab for political reasons. I have a broken foot and had to walk miles before a cab would pick us up in Brentwood. I will be contacting local media and the Better Buisness Bureau if disciplinary action is not taken. Please contact me at 412-779-9053/

Nature of Incident: Other Comments

## OFFICERS REPORT

Rev. ( 11/01 )

## CARRIER NAME

Yellow Cab Co of Pittsburgh

PUC NUMBER A-00049926

ASSIGNMENT NUMBER 2218442

## OFFICERS NAME &amp; SIGNATURE

Christopher Urey

DATE:

02/15/11

On 01/12/11 I attempted to contact Jennifer (no last name in complaint form) in regards to her complaint. I called 412-881-1342 and spoke with her mother. Her mother informed me that Jennifer lives in Virginia currently and is a teacher. Jennifer was home for the holidays when the incident with Yellow Cab happened. Her mother told me that she is hard to get a hold of due to her job schedule. I thanked her mother for her information and ended the call.

On 01/12/11 I attempted to contact Devlyn Valencic and Jeremy Moreau the other complainants in the complaint against Yellow Cab. I left voice mails for both Mr. Moreau and Miss Valencic to call me back regarding their complaint.

On 01/24/11 I called Devlyn Valencic and left a message for her to call me back. Shortly after I left my message Ms. Valencic returned my call. I asked Ms. Valencic to tell me in her words what happened in regard to her complaint against Yellow Cab of Pittsburgh. She told me that she was out with her cousin and her cousin's boyfriend for New Year's Eve. Her cousin, Jennifer, had an air cast on her one foot as she had hurt it a few weeks before. They were returning home from the Southside of Pittsburgh to the Baldwin neighborhood. They hailed a cab on the street and got into it. While the cab was traveling through the Southside of Pittsburgh the cab driver picked up two additional people. Ms. Valencic stated that the other people were not going to Baldwin but did not mind sharing a cab as it was late and not many cabs were on the street at that time. During the ride someone mentioned President Obama. Ms. Valencic did not recall who said what or who started the conversation but at that time the driver of the cab got very angry. The driver started yelling at the passengers and then kicked them out of the cab on Banksville Road. Ms. Valencic told me that the driver pulled the cab over and opened the door and then told her and her friends to get out. They exited the cab and it then drove off. Ms. Valencic stated that they then walked about a mile into Carrick. They then called another Yellow Cab. They called this cab driver directly as they had his cell number from a previous trip. She stated that after a while the second driver showed up and there were no other incidents and that the second cab driver told her to make a complaint to the PUC. I asked Ms. Valencic if any of the passengers had too much to drink or was acting unruly and she replied that they had been drinking that night but that no one was out of control or anything. She also stated that that night they called and complained to Yellow Cab but had not heard anything back yet from the company. I thanked Ms. Valencic for her

information and ended the call.

On 01/24/11 I called Jeremy Moreau at 412-491-0374 and left a message for him to call me back. Shortly thereafter Mr. Moreau returned my call. Mr. Moreau told me that Jennifer and he are dating and that they currently live together in Virginia as they both have jobs down there, but they grew up in Pittsburgh and were home visiting for the holidays. I asked to Mr. Moreau to explain to me what happened the night of his complaint and the details were the same as Ms. Valencic. They were picked up in the South Side of Pittsburgh and after they got in the cab the driver was flagged down by two more people. Mr. Moreau and his friends did not mind the other two people getting in the cab as long as Mr. Moreau and his friends were dropped off first. Mr. Moreau thought that one of the girls he was with, Ms. Valencic or Jennifer, said something about President Obama and that is what set the driver off, but that he does not remember what exactly was said. Mr. Moreau stated that the driver was saying how "Reagan and Bush messed up the county" when he kicked them out of the cab. Mr. Moreau told me that once they were out of the cab he heard the other passengers say that they would pay for the trip as they just wanted to go home. The cab then left them on Becks Run Road by the water sewage treatment plant. They then had to walk about a mile to get to "the main drag" and then they called another cab driver. I asked Mr. Moreau if he or the girls he was with were drunk and that if alcohol contributed to the incident. Mr. Moreau stated that they had been drinking but that "no one was out of control." I thanked Mr. Moreau for his time and information and that if he or Jennifer had anything else to add to feel free to call me.

On 01/31/11 I met with Richard Walmsley, Director of Safety & Training for Yellow Cab of Pittsburgh. Mr. Walmsley recently took over from Paul Caliarì as Safety Director. Mr. Walmsley informed me that he will assist with Safety related issues but that complaints against drivers or the company in general will be handled by Jerry Campolongo or Julie Armstrong. I called and left a message on Mr. Campolongo's voice mail explaining I was investigating a complaint against cab 408. I thanked Mr. Walmsley for his information and left his office.

On 02/1/11 Mr. Campolongo returned my call to him. I explained to him that I was investigating a complaint against cab 408 and the complaint happened on 01/01/11 early in the morning. Mr. Campolongo's response was that he was sure alcohol was involved as it was basically New Year's Eve and he questioned the validity of the complaint. I told Mr. Campolongo that I was aware that the complaint happened on New Year's Eve and that since a complaint was made to the Commission I would investigate it. I requested information on the driver of cab 408 and Mr. Campolongo told me that I could interview the driver with him present in his office. I told Mr. Campolongo that that would not be necessary and in all my previous investigations a phone call to

the driver in question has been sufficient. I then asked Mr. Campolongo if he was familiar with the complaint in question and he stated he remembered having a voice mail on cab 408 but that he wrote the wrong number down to call back the individual about the complaint or that he could not make out the phone number on the message, he could not remember which it was. He then asked me to give him the complainant's phone number so that he could settle this up. I told him that I could not give out that information without the complainant's consent. Mr. Campolongo told me he would contact the driver and find out when he could come in to Yellow Cab so that I could meet with him. I ended the phone call as no more pertinent information was forthcoming from Mr. Campolongo. During the whole phone conversation with Mr. Campolongo talked "a mile a minute," would not answer my questions directly, and was borderline uncooperative. After my phone call with Mr. Campolongo I called Supervisor Hawthorne and informed her of Mr. Campolongo's actions during my phone call with him.

On 02/08/11 I called Mr. Campolongo and left a message for him to call me back.

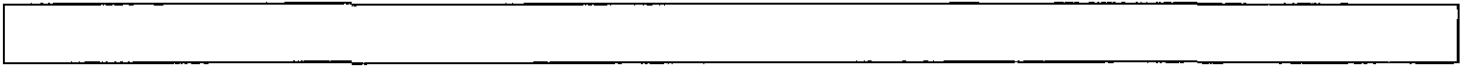
On 02/23/11 I received a call from Larry Lee. Mr. Lee identified himself as the driver of Yellow Cab #408 and the Mr. Campolongo had told him to call me. I explained that I was investigating a complaint against cab #408 that happened early in the morning of 01/01/11. Mr. Lee told me that he remembered the incident I was probably investigating and that he would answer any questions I had for him. I asked to tell me what happened that night. Mr. Lee stated that late on New Year's Eve he picked up a guy and two girls on the South Side of Pittsburgh, all were younger white kids. As he started to take them to their destination two people flagged him down on Carson Street and asked if he could take them as well. Mr. Lee said that the three fares he had did not mind so he took the two other people. The two people were going to the Cambridge Suites by the Mellon Arena. Mr. Lee told me that he wasn't sure what nationality the two new fares were but that they were not white. Mr. Lee then started to complete the first trip for Mr. Moreau's party. The two new fares were from Washington D.C. so the conversation in the cab turned to politics. It was at this point that one of the girls said "Fuck Obama, he's a douche bag." Mr. Lee replied, "What, he's only been in office for one term, how many terms did it take other presidents to mess up the country." The girl then said "Fuck Obama, he's a nigger." At that point Mr. Lee pulled over and opened the van door and told them to get out of the vehicle. He was on Becks Run Road by the water treatment plant near Brownsville Rd. Mr. Lee told me that when he pulled over that one of the girls called him a "nigger" and then the other girl called him that as well. Mr. Lee stated that it was the use of the word "nigger" that upset him. If they had used any other words he wouldn't have minded but that word should not be used nowadays. I asked Mr. Lee if he was African American and he replied he was. After the first group got out of the cab Mr. Lee took the other two passengers to the Cambria Suites and they paid by credit card for the ride. I asked Mr. Lee if he thought that the

passengers were drunk. Mr. Lee said that they were talkative drunk and he hoped they wouldn't have said those things unless they were drunk. I asked Mr. Lee why it was so hard to get a hold of him. Mr. Lee told me that he goes to school Monday thru Friday during the day for carpenter's apprentice training. He only drives cab on the weekends. I asked Mr. Lee if there was anything else he would like to add and he replied no. I thanked Mr. Lee for his information and told him if he had anything else to add that he could call me. I then ended the phone call

On 02/25/11 I called Julie Armstrong of Yellow Cab of Pittsburgh in order to get the trip sheet for cab #408 and left a message for her. On 03/04/11 Officer Double was at Yellow Cab and Julie Armstrong gave him the trip sheet for cab 408. Officer Double dropped of the trip sheet to my mailbox at the WRO. When I picked up the trip sheet I noticed it is for 01/01/11 and there are no trips that match the trip in the description or the trip that Mr. Lee took to the Cambria Suites. When I talked to Mr. Walmsley and also when I left a message with Julie Armstrong I made sure to let them know that the trip sheet would probably dated 12/31/10 since the complaint happened early in the morning of New Year's Day. In both instances the trip sheet I received was for 01/01/11. That is the trip sheet included in this report as it is unknown whether this is the only trip sheet Yellow Cab has for cab 408 for the time period in question.

On 03/28/11 I called Mr. Moreau and informed him that my investigation was complete. I apologized for the time delay in my investigation but informed him that I had spoken to Yellow Cab and the driver in question. I asked Mr. Moreau if he remembered anyone in the cab using any racial slurs or derogatory comments. Mr. Moreau stated the he did not recall anyone using any foul language during the trip. I also asked if Yellow Cab had responded to the complaint that Mr. Moreau and his party had made and he told me that Yellow Cab has not contacted him or his friends regarding their complaint. I thanked Mr. Moreau for his information again and informed him that my investigation was now complete. I asked Mr. Moreau to inform Ms. Valencic and Jennifer for me as it hard to contact them by phone and he replied that he would. I once again apologized for the delay in getting back to him and then ended the phone call.

It does appear that there has been a violation of PUC Regulations as Mr. Lee the driver of cab #408 admitted to kicking Mr. Moreau's party out of the cab. Regardless of what was or wasn't said in the cab and the fact that alcohol was involved in the situation it does not appear to this Officer that demanding the fares to get out of the cab was warranted.



**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION, :  
BUREAU OF INVESTIGATION AND ENFORCEMENT :

v. :

Docket No. C-2011-2218442

THE YELLOW CAB COMPANY OF PITTSBURGH :  
1825 LIVERPOOL ST :  
PITTSBURGH PA 15233 :

A-00049926

**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 hereby represents as follows:

1. That The Yellow Cab Company of Pittsburgh, Respondent, maintains its principal place of business at 1825 Liverpool Street, Pittsburgh, PA 15233.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 21, 1946, at A-00049926, for call or demand authority.

3. That, on January 1, 2011, Respondent's taxi driver, Larry Lee, Cab #408, who was in the process of transporting three passengers from the Southside of Pittsburgh to the Baldwin neighborhood, picked up two other passengers along the way, with the consent of the initial three passengers. Before reaching the destination, the driver pulled over on Becks Run Road by the water sewage treatment plant and ordered the initial three passengers out of the taxicab due to an oral argument. The three discharged passengers were not unruly. They walked approximately one mile and called another taxicab when they reached the City of Carrick. One of the three passengers had a broken foot in an air cast. They were then transported to their destination by the second taxicab. The other two passengers remained in the first taxicab and were transported to their destination. The three initial passengers contacted Respondent about the incident and left a message requesting a return call. The passengers then contacted this Commission.

4. That, on January 12, 2011, Enforcement Officer Christopher Urey, a duly authorized officer of this Commission's Pittsburgh District Office, commenced an investigation. None of the passengers had received a return call from Respondent. E.O. Urey requested the January 1 log sheet for taxicab #408 from Respondent. Respondent could not produce it until March 4, 2011. Upon receipt of the log sheet, no trips matched the trip being investigated. However, during E.O. Urey's investigation with driver Larry Lee, the incident was memorable. Mr. Lee admitted to pulling over and ordering the passengers out of the vehicle. He did not like something that was said. He also admitted that they were not unruly, just talkative. This is unreasonable service.

5. That the log sheet for January 1, 2011, was not properly completed. The ending odometer reading for a trip was less than the beginning odometer reading for the same trip, and the origin and destination columns did not contain a street name and address or, if unavailable, an identifiable

landmark. Respondent was previously warned on October 29, 2010, to ensure that its drivers properly completed their log sheets.

6. That Respondent's taxicab driver, on four out of the five trips listed, charged a higher rate than its tariff on file with the Commission. Each trip was for 18 miles. Respondent's tariff indicates that the metered rate for the first 1/7 mile, or fraction thereof, is \$2.25 and each 1/7 mile, or fraction thereof, up to 20 miles is \$0.25. The fare for each 18 mile trip should be \$33.50 plus \$1.00 surcharge for the holiday, for a total of \$34.50. Respondent's taxicab driver charged as follows:

Passengers	Fare	Tariff	Overcharge
1	\$37.67	\$34.50	\$3.17
3	\$36.43	\$34.50	\$1.93
1	\$37.67	\$34.50	\$3.17
2	\$37.17	\$34.50	\$2.67

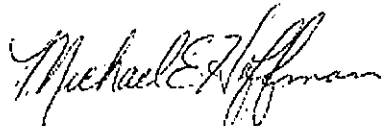
7. That Respondent, by failing to furnish and maintain adequate, efficient and reasonable service and facilities for the proper safety of its patrons and public, as described in Paragraphs 3 and 4, violated 66 Pa. C.S. § 1501. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.

8. That Respondent, by failing to have a complete log sheet, as described in Paragraph 5, violated 52 Pa. Code § 29.313(c)(4). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$50.

9. That Respondent, by charging a higher rate than its tariff on file with this Commission, as described in Paragraph 6, violated 66 Pa. C.S. § 1303 and 52 Pa. Code § 29.314(b)(6) and § 29.316(a). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine The Yellow Cab Company of Pittsburgh, the proposed civil penalty of the sum of One Thousand Fifty Dollars (\$1,050.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

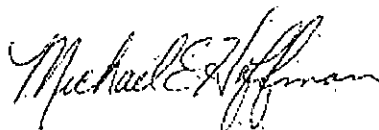


Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, Michael E. Hoffman, Manager, 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 believe and that I expect that 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.

\_\_\_\_\_ 9/29/11 \_\_\_\_\_  
Date



Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

## NOTICE

A. You must file an Answer within twenty (20) 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). 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 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, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in the Complaint.

C. You may elect not to contest this 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 complaint proceeding shall be closed.

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

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 optional fine set forth in the Complaint.

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

# Kennedy

Copy & Print Services

412-875-5716 Phone

412-875-5718 Fax

facsimile transmittal

To: CHARLES BOWSER.

Fax: 412.820-2607

From:

Date: 1-5-11

Re:

Pages: 2

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Notes:

ON 1-4-11 I CALLED YELLOW CAB FOR PICKUP  
AT HOME 515 FRIENDSHIP AVE TO JD. BYRIDER AT  
1:32pm I CALLE BACK AT 1:45 BECAUSE THE CAB DID  
NOT SHOW UP AT THE TIME I WAS TOLD SO FOR THE NEXT  
2 HRS I CALLED I WAS TOLD SOON WE GOT A CAR AT 4:45PM

---

ON OTHER DAYS ITS HARD TO GET A CAB IF YOU ARE  
GOING TO OR FROM A MORE URBEN NAYBORHOOD

1-5-11

Clayton Davis

724-566-3958

## Officer's Report

This report is in reference to BP8 case # 2219127. The complainant in this case alleges unreasonable service after waiting three hours for Yellow Cab to transport him.

On January 11, 2011, at approximately 1155 hours I spoke with the complainant, Clayton Davis. Mr. Davis advised that on January 4, 2011, at approximately 1330 hours he called and requested a Yellow Cab to pick him up and take him to get his car. The pick-up location was at 515 Friendship Ave in McKees Rocks, PA Allegheny County which is in Yellow Cab's service area. The destination was JD Byriders at 1561 West Liberty Ave. in the Beechview area of Pittsburgh, Allegheny County, PA in Yellow Cab's service area.

When he originally called the dispatcher advised that it would be approximately twenty to thirty minutes. After waiting forty-five minutes he called again and the call taker advised that a car would be coming at anytime. Mr. Davis advised that he called several more times over the next two hours with the same results. At one point he spoke to the original call taker and she hung up on him. The same call taker spoke with him a third time sometime after 1600 hours and she advised she would walk over to dispatch and make sure a car was sent to pick him up. Yellow Cab called him at approximately 1639 hours and advised that a cab was on the way. Cab #221 picked him up at approximately 1700 hours and transported him to JD Byrider. The fare was approximately \$15.50 and the ride was fine and he had no issues with the driver.

Mr. Davis advised that he believes that he spoke with operators #10 and #25 throughout the three hour period and both made statements to him that Yellow Cab drivers are independent contractors and the company (Yellow Cab) is at the drivers mercy. Yellow Cab cannot force a driver to pick up any calls. At one point of the three hour wait he asked to speak with a supervisor and was put directly into voice mail. It took three days for a return call from someone (no name available, he was unsure if it was a supervisor). This individual stated that there is nothing they can do about the service; however they will send him a \$15.00 voucher if that will make him happy about the service.

Mr. Davis stated that his whole day was ruined due to the service and he did not return home until after 2100 hours. He needed to go grocery shopping after he picked up his car and his children did not get to eat until

after 2100 hours as well. As Mr. Davis continued to speak with me he got more agitated about the service. He is disgusted with the anti-jitney message on the Yellow Cab recording. The jitneys in Pittsburgh are low income saviors at grocery stores and other locations that Yellow fails to provide service for. Yellow Cab also blocks any and all other cab companies that attempt to start up in the Pittsburgh area. Yellow Cab refuses to allow competition in the area slanders the hard working jitneys. When customers call Yellow Cab and hear their voice message all they hear about is their (Yellow Cab's) excellent service to their customers. Mr. Davis advised that he wants notification from the PUC informing him of the results of the case. He is disabled and has all the time in the world to testify if needed.

On February 1, 2011, I spoke with John Oliverio from Yellow Cab. Mr. Oliverio advised that cab #221 on January 4<sup>th</sup>, 2011 was Terry Harrison. Mr. Harrison is usually a 10 hour lease and has a date of hire of January 2000. His date of birth is 3/3/71 and he has a PA driver's license of 22347301. Mr. Oliverio advised that Julie Armstrong would provide Mr. Harrison's trip sheet for the day in question. Mr. Oliverio provided the call sheet for Mr. Davis' trip on January 4, 2011. Mr. Oliverio advised that bat 1330 hours when the job was entered there were no cabs within three miles of Mr. Davis' location. He can only ascertain the information when the job is first entered; there is no way for him to find out how many cabs drove into the McKeesport area during the three hour period Mr. Davis waited. Mr. Oliverio searched the McKees Rocks zone for calls placed on January 4, 2011 from 1300 to 1700 hours and found one other order. The order was placed at 1411 hours and was cancelled at 1530 hours, so this order was not picked up by Yellow Cab as well. Mr. Oliverio advised that this seems normal to have little or no activity in the McKees Rocks zone during the day. February 1, 2011 was a Tuesday, just as January 4, 2011 was. Mr. Oliverio advised that as a comparison there is currently 52 Yellow Cab's in service. Mr. Oliverio believes that this number is a low number and there are usually more cabs in service on Tuesday afternoons, but they do not keep track of the official numbers. Mr. Oliverio verified that to date there is nothing that Yellow Cab can do to force the drivers to take a trip. The drivers have the final say on whether to accept a trip or not.

On February 11, 2011 I responded to Yellow Cab's office on the north side and spoke with Julie Armstrong about several Yellow Cab complaints. Ms. Armstrong provided me with Mr. Harrison's trip sheet for January 4, 2011 at this time.

My investigation revealed that the complainant waited over three hours after placing an order with Yellow Cab before being picked up and transported. No other cabs accepted the trip prior to cab #221 completing the trip. Please also note that Mr. Oliverio's stated that another customer waited almost an hour and a half in the McKee's Rocks zone before cancelling their order. This trip was placed at 1411 hours and cancelled at 1530 hours on the same day. Compliance review must determine if this is unreasonable service. I did not speak to the driver of cab #221 as the complainant had nothing negative to say about the trip after he was picked up. The complaint was about the three hour wait time.

In regards to the trip sheet and to the extent of my knowledge of the PUC regulations I found the following trip sheet violations:

1. 29-313(c) (2): The time he commenced the shift and the time he ended the shift and ceased driving. No end time is noted.
2. 29-313(c) (4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. The driver used "Town" for all pick-up/destination locations. No begin or end times are marked for any of the trips.
3. A possible violation of 29-313(c)(7): The meter readings at the beginning and end of each shift, if applicable. The driver has the same beginning and ending meter reading marked and it may be linked to odometer as those numbers appear similar as well.

This complaint is an example of the ongoing issue concerning Yellow Cab drivers and the service they provide the public. As this officer has stated in prior Yellow Cab of Pittsburgh complaints, it should also be decided if Yellow Cab's inability to provide service to patrons because drivers are independent contractors and can decide which trips they will take violates chapter 29.101(f)(2)(i): The leased vehicle shall be operated under

the direct control and supervision of the certificate holder. This EO is regularly investigating complaints made by the public about Yellow Cab's service. The reviewers of this report should also review BP8:2221486 and see the statements made by cab drivers that basically state that they are servicing their regular customers (cell phone calls or pre-arranged calls to individual cab drivers by regulars) as often as possible and failing to use the meter or write the trips down on the manifest. One must ask what is the benefit for the driver, who has the decision to accept a call or not, to take a metered call when he or she can pick up a regular customer and not claim it on the manifest or his or her yearly income.

At the conclusion of this investigation, I called Mr. Davis and advised him that the report was completed and forwarded to Harrisburg for a final outcome. Mr. Davis thanked me and confirmed that if we need him to testify he is available.

**Attachments info-mapped by WRO clerk:**

1. Call sheet for the complainant's trip.
2. Cab #221 trip sheet.

Gary Double Jr.

February 14, 2011

Badge #4

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION, :  
BUREAU OF INVESTIGATION AND ENFORCEMENT :

v. :

Docket No. C-2012-2219127

THE YELLOW CAB COMPANY OF PITTSBURGH :  
1825 LIVERPOOL ST :  
PITTSBURGH PA 15233 :

A-00049926

**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 hereby represents as follows:

1. That The Yellow Cab Company of Pittsburgh, Respondent, maintains its principal place of business at 1825 Liverpool Street, Pittsburgh, PA 15233.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 21, 1946, at A-00049926, for call or demand authority.

3. That, on January 4, 2011, Clayton Davis contacted Respondent at approximately 1:32 p.m. requesting transportation from his home at 515 Friendship Avenue, McKees Rocks, to JD Byriders, 1561 West Liberty Avenue in the Beechview area of Pittsburgh. After waiting 45 minutes, Mr. Davis again contacted Respondent and was advised that a car would be arriving at any time. Over the next two hours, Mr. Davis contacted Respondent several more times. Around 4:39 Respondent contacted Mr. Davis and advised that a cab was on the way. Cab No. 221 picked him up at approximately 5:00 p.m. During two conversations with Respondent's operators, Mr. Davis was told that Respondent's drivers are independent contractors and the "Respondent is at the drivers' mercy." During a third conversation with one of Respondent's operators, Mr. Davis requested to speak with a supervisor and was transferred to voice mail. Three days later someone returned his call and the individual advised Mr. Davis that "there is nothing they can do about the service; however, they will send him a \$15 voucher." This is inadequate, unreasonable service, a violation of 66 Pa. C.S. § 1501.

4. On February 1, 2011, Enforcement Officer Gary Double, Jr., a duly authorized officer of this Commission, interviewed Respondent's employee, John Oliverio. Mr. Oliverio advised that at 1:30 p.m. when Mr. Davis' call was entered, there were no cabs within three miles of his residence. Mr. Oliverio searched the McKees Rocks zone for calls placed on January 4, 2011, from 1:00 to 5:00 and found one other order. The order was placed at 2:11 p.m. but was cancelled at 4:30 p.m. Mr. Oliverio stated that there is nothing Respondent can do to "force the drivers to take a trip." "The drivers have the final say on whether to accept a trip or not." Respondent lacks control of its operations, a violation of 52 Pa. Code § 29.101(f)(2)(i).

5. On February 11, 2011, Officer Double received, from Julie Armstrong, an employee of Respondent, the log sheet for January 4, 2011, for Terry Harrison, the driver of Cab No. 221. That a review of Respondent's log sheet revealed that the following items were missing:

- (a) the end time for the shift;
- (b) the times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip;
- (c) the origin and destination places did not contain a street name and address or, if unavailable, an identifiable landmark;
- (d) the meter readings at the beginning and end of the shift were incorrect;
- (e) and, the driver did not sign the log sheet attesting to the accuracy of the data recorded.

Respondent has shown a flagrant disregard of Commission regulations by consistently failing to have complete log sheets as indicated by the numerous complaints filed against it for this violation.

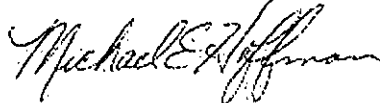
6. That Respondent, by failing to furnish and maintain adequate, efficient and reasonable service and facilities for the proper safety of its patrons and public, as described in Paragraph 3, violated 66 Pa. C.S. § 1501. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.

7. That Respondent, by failing to be in direct control and supervision of its operating authority, as described in Paragraph 4, violated 52 Pa. Code § 29.101(f)(2)(i). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.

8. That Respondent, by failing to have complete log sheets, as described in Paragraph 5, violated 52 Pa. Code § 29.313(c)(4). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$50.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine The Yellow Taxicab Company of Pittsburgh, the proposed civil penalty of the sum of One Thousand Fifty Dollars (\$1,050.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

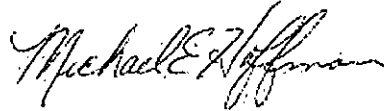


Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**VERIFICATION**

I, Michael E. Hoffman, Manager, 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 believe and that I expect that 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.

\_\_\_\_\_ 12/16/11 \_\_\_\_\_  
Date



Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

## NOTICE

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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, 2<sup>nd</sup> 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 Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty proposed in the Complaint.

C. You may elect not to contest this 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 complaint proceeding shall be closed.

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F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227. Questions on how to respond to this Complaint may also be directed to the Compliance Office.

**From:** dcanzoneri@state.pa.us  
**Sent:** Thursday, January 20, 2011 11:25 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Micayla Felicion

Street Address: 1530 2nd St SW

City: Washington, DC 20024

Daytime Phone: 412-983-8463

Your e-mail address: [micaylafelicion@gmail.com](mailto:micaylafelicion@gmail.com)

Date: 01/15/2011

Time : 11:50 PM

Location of Incident : Carson St. Southside outside of Smokin Joe's

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : I first hailed a cab (292) at 11:50 PM on Saturday, the cab driver stopped and put his window down and asked where I was going. When I responded "Carrick" he said "No-I'm not going to Carrick" and drove off. Then 3 minutes later another cab (I did not catch the number) pulls over and asks the same thing. When I said Carrick he said "get in." I called my boyfriend over and I tried opening the door and he wouldn't unlock them. He said " I said get in" to which I replied "the door is locked, I can't." He then just drove off while I was standing there trying to open the door. This is not the first time that this has happened to me. I am outraged that cab drivers get away with asking where I am going. It should not matter. I am paying for a service and should not have an issue just because of my destination. I recently moved to Washington, DC where I have never had a cab driver ask about my destination until after I was in the car. This is unprofessional unfair. Just because my fare will be less than taking someone home further outside of the city, does not mean that I do not deserve to be able to catch a cab home. There is no reason to refuse someone a cab ride because you dont want to go where they are going.

Nature of Incident : Driver refused to transport passenger

## Officer's Report

This report is in reference to BP8 case #222486. Case number BP8:2219127 also references this report. The complainant in this case alleges that Yellow Cab refused to provide her transportation. The complainant addressed complaints that occurred on different dates. All complaints occurred in the South Side of Pittsburgh, Allegheny County, PA and Yellow Cab of Pittsburgh was the carrier.

### Complaint number one:

On February 8, 2011, at approximately 1835 hours I spoke with the complainant Micayla Felicion. Same advised that on January 15, 2011 at approximately 2350 hours she was on Carson Street in the South side near the Towne Tavern attempting to hail a cab to take her to her home in Carrick. At this time Yellow Cab #292 drove up, wound down his window and asked "where are you going?" She replied "Carrick" and the driver responded "I don't do Carrick" and drove off. The cab immediately stopped for a red light and this is how she was able to get the cab's number. The driver of the cab was a heavier, Caucasian male with short brown hair and appeared to be in his thirty's.

Approximately five minutes later another cab pulled up and did the same thing. The driver advised her to get in, but failed to unlock the door. She asked him to unlock the door and he replied to her "I said get in". When she again told him the door was locked he drove off while she was still holding onto the handle. She was unable to get the cab number for this cab as this driver did not need to stop at the light.

Ms. Felicion advised that she does not understand why this happens (made comments that it has happened before, but with no further details) and it is only when she needs to go to Carrick.

### Complaint number two:

On February 6, 2011, at approximately 0100 hours in the morning Ms. Felicion was attempting to hail a cab on the south side of Pittsburgh, PA near Carson and 18<sup>th</sup> street. During this time Ms. Felicion observed many other people up and down Carson Street attempting to hail cabs as well. With-in a short period of time (five to ten minutes) she observed two Yellow Cabs continually drive up and down Carson Street with no passengers in the cab and the cab dome light on for service. These cabs continually passed groups of people

and individuals that were all signaling that they were in need of taxi service. Cab #123 was the first cab she observed on Carson Street. Cab #123 was being operated by a Caucasian male driver and in a five minute time period she saw this cab pass her two or three times. Cab #605 was the other cab she saw. It was operated by a Caucasian male and in the same time period as cab #123 she saw Cab #605 drive up and down Carson Street four times. At no time did she observe either cab driver pull over or pick-up any of the potential customers that were waiting.

Ms. Felicion advised that she has called Yellow Cab for a pick-up on the south side before. The call takers have advised her that it is better for her to go out and hail the cab as there are enough cabs on the south side that they don't want to assign a cab. Customers will jump into the first cab that stops and if a cab is assigned to pick her up it will be a waste of the cab driver's time to come and get her, just to find out that the customer got into another cab. Ms. Felicion advised that for both complaint incidents she was not intoxicated. She was coherent enough to get cab numbers and remember descriptions of the drivers. Same also advised that her boyfriend, Jody Davin, was with her on both complaint incidents.

On February 8, 2011, at approximately 1835 hours I spoke with the Mr. Davin. Mr. Davin verified both incidents that Ms. Felicion had reported to me. Mr. Davin provided no new information for these complaints.

Both Ms. Felicion and Mr. Davin advised that they would be willing to testify if needed. Ms. Felicion would like to be notified by Harrisburg of the final outcome of the case.

On February 11, 2011 I responded to Yellow Cab and spoke with Julie Armstrong in reference to both complaints.

**Complaint number one:**

Ms. Armstrong advised that the driver of Yellow Cab #292 on January 15, 2011 at the time of the incident was Ronald Carder. Mr. Carder matched the general description that Ms. Felicion provided. Mr. Carder has a DOB of 6/16/83, has been leasing from Yellow Cab since 10/12/2009 and has a PA driver's license of 26494154. Ms. Armstrong provided me with a copy of Mr. Carder's trip sheet and advised that the end date and time is not filled out because the time stamper is broken. The cashiers are suppose to hand write

the date and time in, but if a driver comes in to cash out and the cashier is not on site then the driver's just leave the sheet in the box. Ms. Armstrong is not sure why the end times are not being written in. Ms. Armstrong also advised that Yellow Cab management advises all drivers that the driver's safety is first. Yellow Cab will handle the violations later, when drivers feel a trip is a safety concern. Ms. Armstrong then stated that many drivers are afraid to take Carrick/Mount Oliver trips at night and typically will not take them. In the last several years a driver has been shot, there have been countless no pays and some drivers have been robbed. Ms. Armstrong recommended that customers say a street name or more general location than Carrick when attempting to obtain cab service. The driver may recognize the area as a safer part of the area and be more willing to take the trip.

On February 11, 2011 at approximately 0944 hours in the office of Julie Armstrong, I spoke with the driver Ronald Carder by telephone. Mr. Carder advised that he does not remember the incident I am investigating. He advised that he typically does not refuse service to a customer unless they are intoxicated (cabs with vomit in them don't earn as much as ones that don't) or if he is worried about getting paid by the customer. He also advised that he has nothing against taking fares to Carrick. Mr. Carder advised that he does not remember this particular trip, but he does not deny that it may have occurred. There had to be a reason to turn it down as why would he refuse money?

**Complaint number two:**

Ms. Armstrong advised that the driver of cab #123 on February 6, 2011 was Leonard Kolodziek Jr. Mr. Kolodziek Jr. has a DOB of 3/7/1978, began leasing from Yellow Cab on 12/17/2009 and has a PA driver's license of 24847206. The driver of cab #605 on February 6, 2011, was James Jacobs. He has a DOB of 8/25/1964, began leasing from Yellow Cab on 8/23/2005 and has a PA driver's license of 22507728. The general descriptions of both driver's by Ms. Felicion was verified. Ms. Armstrong provided trip sheets for both drivers on the night in question and Yellow Cab manager John Oliverio provided me a copy of Mr. Kolodziek's Jr. dispatch and call sheets.

The trip sheet filled out by Mr. Kolodziek stated that he was sick and did not operate at all. The date of the trip sheet was February 3, 2011, but Ms. Armstrong advised there were no other trip sheets in the system for

Mr. Kolodziek, so this would have covered the day of February 6, 2011. Upon reviewing the dispatch sheet and call sheet for February 6, 2011 I found that cab #123 was being operated under Mr. Kolodziek's driver number. Mr. Kolodziek metered on for nine minutes from 0021 hrs to 0030 hours on the sixth. He had four calls in his system from 0102 hours until his next metered trip at 0358 hours. All four of these trips were entered as "no shows". Three of these "no shows" were coded with-in four minutes of each other and were in different parts of the city. They were all within the time frame that Ms. Felicion advised she saw his cab on Carson Street.

On February 11, 2011 I spoke with Mr. Kolodziek Jr. on the telephone from Ms. Armstrong's office. Mr. Kolodziek advised that he does work nights, but he does not remember if he worked on the sixth. He typically avoids the South side because of the drunks and he will not pick-up a customer after mid-night because of this issue. He also advised that he does not feel safe transporting individuals to the Mount Oliver area because he has had trouble there in the past. Mr. Kolodziek then began asking me for the details of the complaint and upon advising him of same, he felt very confident and comfortable he did nothing wrong and stated that he was working that day and he was in the South side at the time in question waiting for a steady customer named Caitlin Killinger at Carson and 15<sup>th</sup> street. Mr. Kolodziek advised that people are belligerent on the south side and have even thrown themselves in front of cabs. He's had bloody, puking and individuals that have urinated themselves attempt to enter his cab on the south side.

Mr. Kolodziek was then questioned about his trip sheet since it stated he was sick and did not work. Same advised while on speaker phone with Ms. Armstrong that he does not fill out the manifests for his steady customers. When Ms. Armstrong questioned if there would be a trip sheet for the sixth he stated he probably did not fill out the trip sheet and the one we have is most likely the correct one. Finally, Mr. Kolodziek Jr. questioned the authenticity of the complaint stating that anyone could have called and made up the cab #123. It is an easy number to make up. He stated "That's not even a legitimate complaint. Yellow Cab can't be fined. I have no more time for this".

On February 11, 2011, at approximately 1505 hours I spoke with driver James Jacobs. Mr. Jacobs advised that he was working in cab #605 and was on Carson Street at the date and time in question. He advised

that there are always people, sometimes hundreds of them, at that time on Carson Street. He cannot stop just because someone is not in his cab and it does not mean he is ignoring his duty. It means he may be on his way to pick someone else up. Mr. Jacobs advised that on that night he remembers returning a customer's purse that she had left in the cab and he may have also had some short trips lined up. His final explanation was he may have been on his way to get something to eat. Any of these could be why the complainant saw his cab go up and down Carson several times in such a short time period. He then stated that his main group of customers that night was a wedding party (approximately 13 people) that he transported all over the place from around midnight to 0300 hours exclusively. They went from the Weston to Mount Washington and to several bars. I then asked Mr. Jacobs why none of these trips are on his trip sheet for the evening. Mr. Jacobs advised that he didn't realize that calls he took directly from his cell phone needed to be on the trip sheet. He thought that only the calls on the system or street hails were required to be on the trip sheet. He thought that it was mentioned in his training that customer base calls were not required to go onto the trip sheet. He was advised of the regulations and he advised me that he has failed to list these trips a lot because they are calls he took directly from his cell phone.

My investigation found that in regards to the first complaint on January 15, 2011, both of the complainants verified that Cab #292 refused them service and upon questioning Mr. Carder, he had no explanation as to why he refused the complainants service.

Upon reviewing Mr. Carder's trip sheet and to the extent of my knowledge of the PUC regulations I found the following violations:

1. 29.313 (c)(2): no end time stating when shift ended/ceased driving
2. Possible violation of 29.313 (c)(7): beginning and ending meter readings appear to coincide with the odometer readings.

In regards to Ms. Felicion's second complaint both driver's (Kolodziek Jr. and Jacobs) admitted to being in the vicinity of the south side at the time Ms. Felicion advised she saw them driving in the area. Compliance review must review this report and determine if the fact the driver's were not taking street hails constitutes

unreasonable service or refusals of service. Both drivers advised that they were servicing or waiting on regular customers at the time. What does appear to be an apparent PUC violations is that both drivers openly admitted to this EO that they do not report (enter onto the trip sheet) any trips that they do concerning their regular customers. This information also leads me to the conclusion that they are not using the meter for these trips as well. Yellow Cab's computer system usually records when meters are turned on or off. In the case of Mr. Kolodziek Jr. call sheet there is a span of almost 3.5 hours that he never metered on or off and he admits that he was waiting for a regular customer named Caitlin Killenger during this time period. This customer contacted Julie Armstrong at Yellow Cab after I left to provide verification that he transported her the day in question. She even left her number with Ms. Armstrong in case I needed to speak with her. In the same respects, Mr. Jacobs admitted to transporting a wedding party around the city on this date exclusively and none of the trips are placed on the trip sheet.

Upon reviewing Mr. Kolodziek Jr. dispatch and call sheets I found that he coded three calls as "no shows" or that the customer was not there upon his arrival in a four minute time span. Attached to this report is Yahoo directions between the three locations that state it would have been physically impossible for Mr. Kolodziek Jr. to drive to each location in the time permitted and verify that the customer was no longer there. These "no shows" are also at the same time period that the complainant and Mr. Davin witnessed his cab driving up and down Carson Street. Compliance review should review this information and determine if violations of PUC regulations are apparent from the driver failing to respond to a dispatch location and verifying a customer is actually a "no show".

Upon reviewing Mr. Kolodziek Jr. trip sheet and to the extent of my knowledge of the PUC regulations I found the following violations:

1. 29.313 (c)(2): no end time stating when shift ended/ceased driving
2. 29.313 (c)(4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Mr. Kolodziek

admitted to transporting regular customers, but failed to enter them on the trip sheet. The call sheet also notes trips which the driver metered on and off signaling trips he accepted.

3. 29.313 (c)(5): The number of passengers and the fare collected on each trip, indicating separately each fare collected from each passenger or party of passengers sharing the ride. Mr. Kolodziek Jr. admitted to transporting customers but failed to enter the number of passengers on the trip sheet.

Upon reviewing Mr. Jacob's trip sheet and to the extent of my knowledge of the PUC regulations I found the following violations:

1. 29.313(c)(4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Mr. Jacobs uses general terms like S Side and N Hills instead of exact locations. Mr. Jacobs also admitted to transporting a wedding party exclusively that evening and not placing the trips on the trip sheet.
2. 29.313(c)(5): The number of passengers and the fare collected on each trip, indicating separately each fare collected from each passenger or party of passengers sharing the ride. Mr. Jacobs admitted to transporting a wedding party exclusively that evening and not placing the trips on the trip sheet.

On February 28, 2011, I left a message for the complainant advising her that the report was complete and sent to Harrisburg for review.

**Attachments info-mapped by WRO Clerk:**

1. Driver Carder's trip sheet for 1/15/11
2. Driver Jacobs trip sheet for 2/6/11
3. Driver Kolodziek Jr. trip sheet for 2/6/11
4. Driver Kolodziek Jr. Call sheet for 2/6/11 (items with square were trips listed as no-show during time in question. Items circled are potential trips taken and not listed on trip sheet.
5. Yahoo Maps showing locations of "no show calls" with driving distances circled.

6. Individual dispatch sheets referencing times and dates of “no shows”. (3 pages)

Gary Double Jr.

February 28, 2011

Badge #4

# Carnegie Mellon

Department of Engineering  
and Public Policy  
Carnegie Mellon University  
Pittsburgh, Pennsylvania 15213-3890  
Telephone: 412-268-2672  
Fax: 412-268-3757  
grangor.morgan@andrew.cmu.edu

2011 January 17

James H. Cawley, Chairman  
Pennsylvania Public Utility Commission  
Public Utility Commission  
400 North Street  
Keystone Bldg.  
Harrisburg, PA 17120

RECEIVED  
11 JAN 21 PM 12:59  
CHAIRMAN'S OFFICE

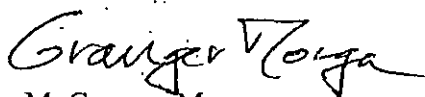
Dear Chairman Cawley:

On January 4 I had a Japanese visitor who came home to have dinner with me at my home at 3 Salem Circle in O'Hara Township. Because I had a great deal of work that I needed to get done at home that evening, at 7:20pm I called Yellow Cab of Pittsburgh to order a cab for 8:30pm to take my visitor back to his hotel in Oakland. Shortly after 8:30pm when no cab had arrived I called again and was told that no cab had responded to the call. I called a couple more times and continued to get the same answer - no cab wanted to do a pick up in O'Hara. Finally, somewhat after 9:00pm I called, told them to forget it, and drove my visitor back to Oakland myself.

I guess I had not appreciated that whether a cab service wants to respond to a call (in a safe part of town) is entirely at the discretion of drivers. I had always been under the illusion that as a regulated public utility, that within reason, cab companies had a duty to serve.

From this experience, I conclude there is not enough competition among cabs in the Pittsburgh market and that you need to provide more licenses so that a reasonable request is made with substantial lead time, there are actually cabs anxious to provide the service.

Yours,



M. Granger Morgan  
Head, Department of Engineering  
and Public Policy  
University and Lord Chair Professor  
Professor, EPP/ECE/Heinz

MGM:pjs

cc: Yellow Cab of Pittsburgh

## Officer's Report

This report is in reference to BP8 case # 2222731. The complainant alleges unreasonable service after he placed an order for Yellow Cab to pick up his guests after providing one hour advance notice.

This EO was called by Supervisor Hawthorne on January 26th and advised that the assignment was a priority, it was forwarded by the director and requested to be completed by February 3<sup>rd</sup> for a February 4<sup>th</sup> meeting.

The complainant, Granger Morgan, wrote a letter to Chairman Cawley of the PA PUC. Prof. Morgan advised in the letter that on January 4<sup>th</sup>, 2011 he placed an order with Yellow Cab by telephone to pick up his out of town guests at his home. The order was placed at 7:20 pm and the requested pick up time was 8:30 pm. The origin of the trip was 3 Salem Circle, O'Hara Twp. PA and the destination was a hotel in the Oakland part of Pittsburgh. Both locations are within the city of Pittsburgh, Allegheny County and the destination was within Yellow Cab's service area. At 8:30 pm the cab did not arrive and Prof. Morgan called the cab company to see where it was. The letter states that sometime after 9:00 pm he called again to cancel the trip and said he would transport his guests.

On January 28<sup>th</sup>, 2011, Prof. Morgan contacted me in response to a phone call and e-mail I sent to him requesting he call. He verified all the information in his letter to Chairman Cawley and provided me with the two phone numbers he used to contact Yellow Cab. He also advised that it was the University Center Holiday Inn in Oakland that his guests were going to.

Prof. Morgan then advised that when he originally placed the order he thought the call taker stated to him "we'll put it out to see if anyone is interested". When he called back around 8:30 pm he was positive the call taker stated that "no one (cab drivers) has indicated they will come out".

On February 1<sup>st</sup>, 2011 I contacted John Oliviero of Yellow Cab. Mr. Oliviero was given both phone numbers that Prof. Morgan provided to me and upon checking the computers there was no record of a call placed for either number. Upon providing the pickup spot, Mr. Oliviero advised he recognized that address and stated it was a CMU professor, because they (Yellow Cab) received a letter from him. Upon running the

address no information/orders came up. Mr. Oliviero advised that O'Hara Township is the far end of the Yellow Cab service area and this address may even be outside of the service area. I then asked Mr. Oliviero if Yellow Cab would still have been able to take the trip if it was outside of the area and he said yes because it was returning to the service area, namely Pittsburgh. Mr. Oliviero advised that the Yellow Cab service is a 10 mile radius from the Alleghany County Courthouse on Grant Street.

Mr. Oliviero ran a check on the zones in the area of O'Hara Township on the night of January 4<sup>th</sup> and found that there were two meter trips in the area that night. The first one was at Pittsburgh Mills at 9:29 pm and the other at St. Margarets Hospital at 10:04pm. Both of these trips were after the complainant had cancelled his order. Mr. Oliviero advised that Yellow Cab does not have software to track how many cabs were working at a particular time or day in the past and no employee is responsible for tracking this information. He also advised that he is unable to provide an honest guess on how many were working. Finally, Mr. Oliviero advised that the drivers still have final say on whether to take a trip or not, Yellow Cab can't make a particular driver take a trip as they are independent contractors.

I then spoke with CEO of Operations, Jerry Campolongo. Mr. Campolongo advised that he received a letter from Prof. Morgan on January 20<sup>th</sup> and called Prof. Morgan's office immediately to discuss the incident. He advised that he left a message with his secretary, but the call has not been returned yet. They found no record of the call when they checked on the 20<sup>th</sup> and he would like to explain to him that calls placed out near the end of the service area on a slower night when few drivers are working are hard to fulfill unless for some chance another fare is going that way. The drivers typically stay close to town or the airport on the slower nights. Drivers are un-willing to dead head that far out for an \$18.00 fare and he can't force the drivers to take the trip. He would provide Prof. Morgan with his personal phone number if his call is ever returned. If Prof. Morgan needed cab service Mr. Campolongo can call in a favor with a driver to take the trip if no other drivers want to take the trip.

Mr. Campolongo advised that orders taken for later times are considered time orders and are put out usually twenty to thirty minutes before the requested pick up. He also advised that on a slow Tuesday night in

winter, it would have been a skeleton crew of drivers in the city. He does not have a guess on the number of cabs, but it would have been light. Mr. Campolongo advised that orders placed ahead of time are put out as a time order, usually twenty to thirty minutes in advance of the requested pick up time. Finally, he stated that they just can't pick everybody up!

My investigation found that the complainant placed his call and gave one hours notice for the pickup. The complainant then placed at least one more call and waited at least a half hour before cancelling the order. Upon speaking with Yellow Cab, they advised they have no record of any call from the address or the phone numbers provided by the complainant. This also makes this officer question if the call was ever sent out over the cab driver dispatch system to be picked up. Yellow Cab continues to state that they do not have operational control over the independent contractors and it is the drivers who have ultimate decision of whether to accept a trip or not. Compliance review should determine if the one hour notice, time waited by the complainant's guest and lack of service constitutes unreasonable service or not.

As this officer has stated in prior Yellow Cab of Pittsburgh complaints, it should also be decided if Yellow Cabs inability to provide service to patrons because drivers are independent contractors and can decide which trips they will take violates chapter 29.101(f)(2)(i): The leased vehicle shall be operated under the direct control and supervision of the certificate holder.

I notified Prof. Morgan by e-mail that the complaint was finished. In speaking with Prof. Morgan early in the investigation same advised that he would be out of town in the near future. Upon speaking with his secretary on February 1, 2011, same verified that he was out of town. I advised that he could contact me with any questions if he needs to and that the report would be forwarded to Harrisburg for a final determination.

There are no attachments accompanying this complaint from this officer.

Gary Double Jr.

February 1, 2011

Badge #4

RECEIVED FEB 02 2011

# Public Utility Commission

## Taxi Complaint Form

If you have a complaint against a taxi company in Pennsylvania, except for in Philadelphia, you can use this form to file a complaint with the **PA Public Utility Commission**. You must provide the information on 1, 4, 6, 7, 8 and 10. We will contact you by telephone or by e-mail within 15 business days.

Do **not** fill out this Form if you have a complaint against a Philadelphia taxi. As of April 10, 2005, Philadelphia taxis fall under the jurisdiction of the **Philadelphia Parking Authority**. For taxi complaints in Philadelphia, you may contact the Philadelphia Parking Authority at (215) 683-9600.

### Personal Information

1. Name LAWRENCE WOLFSON
2. Address 2408 E SPRINGWOOD DR
3. City GLENSHAW State PA Zip 15116
4. Daytime Phone 412-486-6235
5. E-mail Address NICEDAY357@YAHOO.COM

### Incident Information

6. Date 1/5/11
7. Time ABOUT 2:30  AM  PM
8. Location of Incident 2408 E SPRINGWOOD DR, GLENSHAW, PA 15116
9. Taxi (PUC) Number DO NOT KNOW

10. Name of Taxi Company YELLOW CAB (GUESS)

11. What happened? Please check any of the appropriate boxes.

- |  |   |
|--|---|
| <input type="checkbox"/> No air conditioning   | <input type="checkbox"/> Interior of vehicle not clean        |
| <input type="checkbox"/> Driver refused to transport passenger                         | <input type="checkbox"/> Driver Discourteous                  |
| <input type="checkbox"/> Operated vehicle in a dangerous manner                        | <input type="checkbox"/> Trunk compartment not clean          |
| <input type="checkbox"/> Failed to take most direct route                              | <input checked="" type="checkbox"/> Fare receipt not provided |
| <input checked="" type="checkbox"/> Overcharged  | <input type="checkbox"/> Tariff rates not posted              |
| <input type="checkbox"/> Taximeter not working, not used, not visible                  |   |
| <input type="checkbox"/> Doors and/or windows did not operate easily or close securely |   |
| <input type="checkbox"/> Other (please describe) _____                                 |   |

12. Please explain the Nature of Incident \_\_\_\_\_

SEE ATTACHED PAGE

Complainant's Signature Lawrence Wolfson

**To file your complaint or opinion, print the form and mail it to the District Office nearest to where the incident occurred:**

PA Public Utility Commission  
Bureau of Transportation & Safety  
PO Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-7598

PA Public Utility Commission  
Room 320 State Office Bldg.  
100 Lackawanna Avenue  
Scranton, PA 18503  
(570) 963-4590

PA Public Utility Commission  
Transportation & Safety  
245 William Pitt Road  
Pittsburgh, PA 15238  
(412) 423-9310

PA Public Utility Commission  
1601 Eleventh Avenue  
Altoona, PA 16601  
(814) 946-7320

PA Public Utility Commission  
801 Market Street  
Philadelphia, PA 19107  
Bureau of Transportation & Safety  
(215) 965-3721

PUC Utility Commission Taxi Complaint Form  
Complaint from Lawrence Wolfson  
Item 12, Nature of the Incident

Our flight was supposed to arrive at PIT on January 4, 2011 just before midnight but weather and mechanical issues at the departure city caused a delay that resulted in us landing at PIT on January 5, 2011 at about 1:30am. We had a Super Shuttle reservation but Super Shuttle said our wait would be at least an hour so chose instead to take a taxi.

The only taxi remaining already had 2 male passengers going to an address near Liberty Ave in Pittsburgh. The driver said he would take us (my wife and I) as well to our house in Glenshaw after dropping the first two. I do not know how the driver approached the first two passengers about this arrangement but based on the driver's instructions, my wife and I got into the cab. There was no conversation between my wife and I and the two men regarding the fare or the arrangement.

I guess that we left the airport about 2am. The driver ran the meter the entire trip, dropping the two men at their destination and then taking us to ours. In Pittsburgh and before the first destination, we stopped at a convenience store at the request of the two men where they picked something to eat. The driver was a very nice man and there was conversation the entire trip so I was not paying attention to the meter. I think that the fare for the first two passengers was between \$38 and \$39 and they paid with a credit card.

When we arrived at our address in Glenshaw, I think it was about 3am. The driver, my wife and I got out of the cab. The driver and I unloaded the baggage from the trunk. I then asked the driver how much thinking that he would check the meter and charge us the difference. I did remember noticing the meter when we were a couple of miles from our house and remember that the fare was in the low \$70 range. The driver said that he knew that the trip from the airport was about \$65.

He was such a nice guy and we were completely exhausted from our trip so I assumed that he was rightfully charging us the flat rate for the separate trip. I paid him \$65 plus a \$10 tip all in cash, a total of \$75. He did not give me a receipt.

The next day, the incident continued to come up in my mind. I discussed it with my wife and we agreed that we both felt that we should not have paid the \$65 but should have paid the difference between the two fares. That is when I called PUC to file a complaint.

## Officer's Report

This report is in reference to BP8 case #2223667. The complainant in this case alleges that the driver of Yellow Cab of Pittsburgh #432 over charged them for a cab fare.

On March 2<sup>nd</sup>, 2011 at approximately 1310 hours I spoke with the complainant Larry Wolfson on the telephone. Mr. Wolfson's address is 2408 East Springwood Drive, Glenshaw, PA 15116. Mr. Wolfson advised the information on the complaint form that he sent in was accurate. On January 5<sup>th</sup>, 2011 he and his wife were picked up at the Pittsburgh International Airport by an un-identified Yellow Cab and transported to their home. Both locations are with-in the county of Allegheny and are with-in the service area of Yellow Cab.

The time of the pick-up was approximately 0130 hours in the morning. Mr. Wolfson advised that he had originally reserved a trip using Supper Shuttle to take him home. His flight was delayed which caused his arrival in Pittsburgh to be later than expected. When he went to the Supper Shuttle desk they advised him it would be at least an hour so they decided to take a taxi instead. When they walked out to the curb there was only one Yellow Cab available and the cab already had two passengers in it. Mr. Wolfson was unsure if the driver asked the other passengers if it was ok to share the ride or not, but the driver did say he would take both groups. They arrived at the first stop near Liberty Ave. in the city and dropped off the other two individuals. The first group paid the driver the fare on the meter, which was approximately \$38 to \$39 dollars. The driver also kept the meter running during this first stop before continuing on to their home in Glenshaw. Upon arrival at their home the meter fare was approximately \$70 dollars, but the driver asked for \$65.00 stating that the trip would have been about \$65.00 if the first stop was not included. Mr. Wolfson paid the \$65.00 fare plus a \$10.00 tip and he did not ask for a receipt. After thinking it over the next day he thought that they should have paid the difference of the meter, not the entire fare. I advised Mr. Wolfson that I would do my best to determine the cab number and driver in reference to his complaint. Mr. Wolfson advised that he would testify if needed and they wanted to be notified by the PUC in writing when a final determination is made.

On March 2<sup>nd</sup> at approximately 1600 hours, Mr. Wolfson called me back and said that he would be willing to drop the complaint if he was refunded the overcharge amount.

I then contacted Dawn Romitz of the Airport Authority and asked for assistance in obtaining the correct cab number. Ms. Romitz e-mailed me the transponder list for the morning of January 5<sup>th</sup>, but she advised the complainant's description that only one cab was at the curb did not appear accurate during the time frame's he gave.

On March 4<sup>th</sup>, at approximately 1614 hours I again spoke with Mr. Wolfson by telephone to verify times and obtained a description of the driver of the cab. Mr. Wolfson described the driver as an outgoing, older, Caucasian male approximately 5'6 to 5'8". He had gray hair, was clean shaven and had advised them during the cab ride that he drove for Trailways until it folded and then drove bus for another company. At this time Mr. Wolfson stated that the trip actually occurred on the morning of January 4, not January 5, as he originally stated.

Upon getting the new information I contacted Ms. Romitz and again received the airport transponder list for all Yellow Cab's at the airport for the time period provided.

On March 10<sup>th</sup>, 2011, I was at the office of Super Shuttle in Pittsburgh investigating BP8:2223372. While speaking with Super Shuttle Manager, Christine Kolcum, I asked if she had documentation on Mr. Wolfson's cancelled trip on January 4. Ms. Kolcum provided the Wolfson's reservation cancellation that stated that the Wolfson's did not check in at the Super Shuttle kiosk until 0200 hours on the January 4. In Mr. Wolfson's original statement, he and his wife checked in at the kiosk between 0100 and 0130 and that he had cancelled the Super Shuttle while he was in the cab at approximately 0125 hours.

On March 10, 2011, I spoke with Mr. Wolfson over the telephone and asked him if he was positive about the times he gave me as things do not correspond. Mr. Wolfson advised he needed to speak with his wife to verify things and he would call back. Mr. Wolfson called back a few minutes later and advised that the correct time is between 0200 and 0230 hours. His flight was from Minnesota which was central time or one hour behind. The flight was supposed to arrive at 2235 hours on the January 3. The actual arrival time of Delta flight 2846 from Minnesota was 0136 hours on the January 4. They checked in at the kiosk, decided to take a cab instead and they were on their way home by 0230 hours. He called Super Shuttle to cancel the reservation

from inside the cab at approximately 0225 hours. The correct timing of the start of the trip was about 0214 hours to 0230 hours. Mr. Wolfson apologized for all of the inaccurate information that he had provided.

Ms. Romitz was again contacted and she advised that with the new time periods provided cabs 418 or 259 were potentially the ones involved.

On April 11, 2011, I responded to Yellow Cab of Pittsburgh's terminal and spoke with manager Julie Armstrong. The driver descriptions failed to match with the drivers of cabs 418 or 259. Ms. Armstrong expanded the airport transponder search and found that the correct Yellow Cab was #432. The cab exited the airport at 0210 hours on January 4, 2011. The driver was identified as James Lasky, male, Caucasian, DOB 10/5/1943. He has a PA driver license of 22825121 and he is listed as 5'9" on the driver license. The driver description matched and upon checking Mr. Lasky's application that he filled out when he applied to be a cab driver we found that he worked for Trailways from 1970 to 1989.

On April 4, 2011, at approximately 1453 hours I spoke with driver James Lasky by telephone. Mr. Lasky had no recollection of a trip that occurred on January 4. Mr. Lasky advised that he basically lives at the airport and could not recall a trip last week let alone two months prior. Mr. Lasky advised that in the situations described he advises the customers that he will take them if the first customers do not mind. He also advises all parties that the fares are separate fares for each. Mr. Lasky advised that if he did not charge the full fare to the second party then he believed it would be like giving the second party a free trip to downtown. Mr. Lasky always charges his multiple party fares this way. At this time I explained to Mr. Lasky the PUC regulations that state that on non-exclusive fares the total payment cannot exceed what the fare for the overall trip is. Mr. Lasky advised he will adjust the way he handles these types of trips from now on. I then asked Mr. Lasky if this trip will be found on his trip sheet. Mr. Lasky advised that he tries to list them all, but when he is busy sometimes he forgets. I advised Mr. Lasky that per PUC regulations all trips must be listed on the trip sheet. This surprised Mr. Lasky and he verified this statement three times with me.

On Thursday May 5, 2011, Manager Julie Armstrong of Yellow Cab e-mailed me Mr. Lasky's trip sheet for the early morning of January 4, 2011.

My investigation found that the complainants used Yellow Cab #432 and driver James Lasky to transport them from the airport to their home in Glenshaw, PA on January 4, 2011. The trip was a non-exclusive trip, however the first party involved that would need to provide approval has not been identified. The complainants advised they were charged a flat rate of \$65.00 which added to the first party payment of approximately \$38.00. The driver was paid approximately \$103.00 for a fare that read approximately \$70.00. The complainants were over-charged by the driver, Mr. Lasky, for approximately \$33 dollars. Both Mr. and Mrs. Wolfson were involved in providing the information. Even though I only mentioned Mr. Wolfson as the individual I spoke with, often times Mr. Wolfson would re-ask the questions I asked him to his wife to verify that his answers were correct. I could hear Mrs. Wolfson discussing the incident with her husband while I was on the phone with him. Mr. Wolfson also advised that he never requested a receipt from the driver. It was approximately 0330 hours in the morning, they were tired from a long trip and they just wanted to go to bed.

Upon reviewing the trip sheet one trip was found at the time in question, however driver Lasky only listed Bloomfield as the destination. Bloomfield is the possible location of the first stop without more detailed information I cannot verify this is the trip in question.

#### **Potential PUC Violations:**

1. 29.313(c)(4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Driver Lasky uses general descriptions such as Oak Dale and Shadyside.
2. 29.313(c)(7): The meter readings at the beginning and end of each shift, if applicable. The meter readings appear to be odometer readings and not the meters trip numbers.
3. 29.314(b)(7): Each meter charge shall be collected only once regardless of whether the vehicle is being used in exclusive service or in nonexclusive service. Driver Lasky charged the fare twice and treated the same trip as two individual trips.

4. 29.316(a)(1): The amount as is calculated and registered on the meter. Total fare collected was in excess of \$100.00. Complainants advised meter stated approximately \$70.00.

Compliance review should review this report and the potential violations listed to determine if they are correct or if other violations are present.

On May 11, 2011, I contacted Mr. Wolfson and left a message advising him that the report was completed and will be forwarded to Harrisburg for review.

**Attachments info-mapped by WRO Clerk:**

1. Driver Lasky's trip sheet for January 4, 2011.
2. Yellow cab form verifying Mr. Lasky was in Cab 432 on date in question
3. Driver Lasky application stating he drove for Trailways
4. Super Shuttle reservation cancellation
5. Yellow Cab fare estimator for trip from PIA to Glenshaw
6. PIA transponder page of Yellow Cabs for date in question.

Gary Double Jr.

May 11, 2011

Badge #4

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION, :  
BUREAU OF INVESTIGATION AND ENFORCEMENT :

v. :

Docket No. C-2012-2223667

THE YELLOW CAB COMPANY OF PITTSBURGH :  
1825 LIVERPOOL ST :  
PITTSBURGH PA 15233 :

A-00049926

**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 hereby represents as follows:

1. That The Yellow Cab Company of Pittsburgh, Respondent, maintains its principal place of business at 1825 Liverpool Street, Pittsburgh, PA 15233.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 21, 1946, at A-00049926, for call or demand authority.

3. A complaint was filed in reference to an alleged overcharge for transportation service rendered by Respondent's taxicab driver, James Lasky, Cab No. 432, in the early morning hours of January 4, 2011. Complainant, Lawrence Wolfson, and his wife exited the Pittsburgh International Airport and noticed only one taxicab in the area. Although the taxicab was occupied by two passengers, the taxicab driver indicated that he could also transport the Complainant and his wife to their destination at 2408 E. Springwood Drive, Glenshaw. The first two occupants were dropped off and paid a fare of between \$38 and \$39. As the vehicle neared Glenshaw, the meter read approximately \$70. After unloading the luggage for the Complainant and his wife, the driver stated that he knew the trip from the airport to Glenshaw would have been about \$65 if the first stop had not been included. Complainant paid the \$65 and included a \$10 tip. He did not receive a receipt. Complainant paid a flat rate of \$65, which added to the first party payment of approximately \$38, equals a total payment of \$103 for the trip. The meter read approximately \$70.

4. An investigation into the alleged violation was conducted by Enforcement Officer Gary Double, Jr., a duly authorized officer of this Commission. On March 2, 2011, March 4, 2011, and March 10, 2011, Officer Double spoke with Complainant regarding the January 4 trip.

5. On April 11, 2011, Officer Double spoke with Respondent's taxicab driver, James Lasky, regarding the transportation provided on the date and time indicated above. Mr. Lasky advised Officer Double that he had no recollection of the incident but stated that he does advise all parties that the fares are separate. He always charges his multiple party fares in this manner. Officer Double asked Mr. Lasky if the trip in question would be listed on his log sheet. Mr. Lasky admitted that when he is busy, he does not always mark the log sheet accordingly.

6. On May 5, 2011, Officer Double received, from Julie Armstrong, an employee of Respondent, the trip sheet for January 4, 2011, for James Lasky. The log sheet was not properly completed. A review of Respondent's log sheet revealed that the following items were missing:

- (a) the destinations did not contain a street name and address or, if unavailable, an identifiable landmark;
- (b) the meter readings appear to be odometer readings and not the meter's trip numbers;
- (c) there was no trip listed to Glenshaw.

7. That Respondent, by collecting more than one charge for the trip, as described in Paragraph 3, violated 52 Pa. Code § 29.314(b)(7). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500.

8. That Respondent, by charging a flat rate for transportation from the airport, as described in Paragraph 3, violated 52 Pa. Code § 29.316. Respondent's tariff reflects that rates should be charged according to the meter. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$250.

9. That Respondent, by failing to have complete log sheets, as described in Paragraph 6, violated 52 Pa. Code § 29.313(c)(4). The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$50.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine The Yellow Taxicab Company of Pittsburgh, the proposed civil penalty of the sum of Eight Hundred Dollars (\$800.00) for the illegal activity described in this Complaint, order a refund of Thirty-Three Dollars (\$33.00) to Lawrence Wolfson, and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

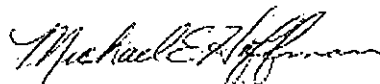


Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement  
P.O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Michael E. Hoffman, Manager, 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 believe and that I expect that 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.

\_\_\_\_\_ 12/20/11 \_\_\_\_\_  
Date



Michael E. Hoffman, Manager  
Bureau of Investigation and Enforcement

## NOTICE

A. You must file an Answer within twenty (20) 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). 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 Complaint. Your Answer must be verified and the original **shall be mailed 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, 2<sup>nd</sup> 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 Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in the Complaint.

C. You may elect not to contest this 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. Should you elect not to contest this Complaint, you are also directed to refund Thirty-Three Dollars (\$33.00) to Lawrence Wolfson within twenty (20) days from the date on which this Complaint is served. You must obtain an Affidavit, executed by Lawrence Wolfson stating that such a refund has been paid; such Affidavit must be filed with the Secretary of this Commission at the time the fine is paid. Upon receipt of your payment of the fine and receipt by this Commission of the required Affidavit, the Complaint processing shall be closed.

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

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 optional fine set forth in the Complaint.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227. Questions on how to respond to this Complaint may also be directed to the Compliance Office.

**From:** dcanzoneri@state.pa.us  
**Sent:** Friday, February 04, 2011 4:40 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: john varkoinda

Street Address: 907 tottenham dr

City: moon twp.

Daytime Phone: 4122622175

Your e-mail address: [jvarkon@earthlink.net](mailto:jvarkon@earthlink.net)

Date: 01/22/2011

Time : 6:30 am

Location of Incident : home

Taxi(PUC) Number :

Medallion Number :

Taxi Company : yellow cab

Driver Number :

Incident comments : I scheduled a cab for 6:30 am to the airport. Cab never arrived. I called at 6:35 and was told that no one picked up the order. I asked what I should do and they said they didn't know. They said they would put out that I called, but they didn't know if anyone would respond. Likely I had my car and drove to the airport, but was pressed for time and ended up paying \$55.00 more than I would have if the cab would have taken me or I had time to make other arrangements.(i.e.\$100.00 vs \$45.00). They should have called me earlier if no one was coming so I could have made reasonable arrangements.

## Officer's Report

This report is in reference to BP8 case #2224361. The complainant in this case alleges that Yellow Cab failed to pick him up at his scheduled time of pick up causing him to spend more money than what the cab would have cost to transport him to the airport.

On March 2, 2011, I spoke with the complainant, John Varkonda, by telephone. Mr. Varkonda advised that he had placed an order with Yellow Cab of Pittsburgh to pick him up on January 22, 2011 at his home in Moon Township (Allegheny County, PA) and transport him to the Pittsburgh International Airport (Allegheny County, PA). Origin and destination were both in Yellow Cab's service area. The order was placed two or three days in advance of the 22<sup>nd</sup> and the pick-up time was suppose to be 0630 hours. His plane was scheduled to leave sometime between 0815 and 0830 hours. At 0635 hours Mr. Varkonda contacted Yellow Cab to inquire where his cab was at. The call taker advised that the call is still on the board as no driver has picked it up yet. Mr. Varkonda asked what he could do and the call taker advised she did not know. She offered to put the order out again to see if any driver would accept it. The call taker also advised him that the cab driver must accept the trip; Yellow Cab does not assign cabs to do trips.

Mr. Varkonda, concerned that he may miss his flight optioned to drive himself to the airport at this time. The cab ride round trip would have cost him approximately \$45.00 including the tip. Because he decided to drive himself and use short term parking, the total was \$100.00 or a loss of \$55.00 because Yellow Cab was not on time. Upon arriving in Texas from his plane trip he checked his cell phone and found that he had a message from Yellow Cab. A cab driver contacted him at approximately 0655 hours (approximately twenty-five minutes after his requested pick-up time) and asked if he was still interested in taking a cab.

Mr. Varkonda advised that he has used Yellow cab for these types of trips many times in the past and this was the first time they were not on time. He also believes that Yellow Cab should have called him and advised him that they were not going to be on time. He advised that the call taker did take his phone number at the time he placed the order. Mr. Varkonda advised that he will testify if it goes to court and he would like to be notified by Harrisburg of the final outcome.

On March 4, 2011, I responded to Yellow Cab and spoke with managers Julie Armstrong and John Oliverio. Both advised that there is no way to determine how many cabs were on (actively working) on the 22<sup>nd</sup> at the time of the complaint. Mr. Oliverio advised that Yellow Cab does not have adequate staffing to perform call backs and only the call taker (1 phone in office for personnel) has an outgoing phone. The dispatchers do not have the capability to do outgoing calls. Mr. Oliverio also questioned at what point would you do the call back? Ten minutes? Twenty Minutes? What time frame would they make? He also stated that at certain times it would mean there would be more calls going out then calls coming in. Finally, Mr. Oliverio advised that customers are advised on the Yellow Cab recording that times are requests only, at no time are they reservations or guarantees of pick-up times.

Upon reviewing the dispatch sheet, I found that call taker Robin Meadows took Mr. Varkonda's call on January 19, 2011, at approximately 1332 hours. The call was sent out on the MDT driver system at 0620 hours the morning of the 22<sup>nd</sup>. The call was accepted at 0642 hours by the driver of Cab #119 and coded as a "no show" at 0659 hours.

Upon speaking with call taker Robin Meadows, same advised that she does not remember anything about the caller or those date in general. She advised that she tells all callers that they will have the cab there as close to the time requested as possible, but she never guarantees it. She also advises customers to call fifteen minutes before their requested pick up to check the status of the cab and to ensure a cab is on the way.

CEO Jerry Campolongo was in the building and checked to see if he could help. I asked Mr. Campolongo to advise what time frame was determined as reasonable between the PUC and Yellow cab during one of their recent discussions. Mr. Campolongo cited Director Mike Hoffman and replied that a reasonable amount of time during the busy times could be forty minutes. Mr. Campolongo stressed that the time is a reasonable time and depends on call volume.

Investigation found that a Yellow Cab driver accepted Mr. Varkonda's trip twenty-two minutes after it was entered and twelve minutes after Mr. Varkonda's requested pick up time. The cab driver labeled it a no show at 0659 hours. Mr. Varkonda admittedly stated that he was speaking with Yellow Cab at 0635 hours and

decided to drive himself by the time cab #119 had accepted the call. He also advised that the driver did call him in regards to the trip. For this reason I did not speak with the driver or obtain a trip sheet as Mr. Varkonda had decided to drive himself by the time the driver of cab #119 entered the scene. Compliance review must determine if this amount of time period is adequate enough to be considered unreasonable and if Yellow Cab is in violation for failing to call the customer back to notify same that his request has not been filled.

A possible violation exists in chapter 29.101(f)(2)(i). As this officer has stated in prior Yellow Cab of Pittsburgh complaints that Yellow Cabs inability to provide service to patrons because drivers are independent contractors and can decide which trips they will take may violate the regulation that the leased vehicle shall be operated under the direct control and supervision of the certificate holder. If call takers and dispatchers could assign cabs operating but not on a call to trips then this trip may have been completed on time as the customer requested.

Mr. Varkonda was contacted on March 7, 2011, and left a message advising that the investigation was complete. He was advised that he could contact me at any time with questions.

**Attachments info-mapped by WRO clerk:**

1. Dispatch sheet for complainant's requested trip

Gary Double Jr.

March 7, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Sunday, February 20, 2011 8:30 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: celeste scott

Street Address: 5227 natrona way

City: pittsburgh pa 15201

Daytime Phone: 4125836994

Your e-mail address: [celestescott1@gmail.com](mailto:celestescott1@gmail.com)

Date: 02/20/2011

Time : 0800 pm

Location of Incident : 5227 natrona way

Taxi(PUC) Number : not sure says #143 on my confirmation

Medallion Number :

Taxi Company : yellow cab

Driver Number : unsure

Incident comments : the driver demanded a tip yelling "you dont want to tip your driver!" when taking my credit card information. Also, said "you all ( I guess she meant Black people, although she was Black as well) usually do not tip! Very rude discourteous and intimidating. I am a great paying customer and I do not appreciate this intolerable manner of treatment.

Nature of Incident : Driver threatened or abused passenger

Nature of Incident : Driver Discourteous

Nature of Incident: Other Comments

## Officer's Report

This report is in reference to BP8 case #2227104. The complainant alleges that the driver of Yellow Cab #143 was discourteous to her.

The complainant in this case was difficult to contact. On several times I spoke with the complainant at times she advised were not good for her. Each time she advised she would call back and she never did. A message was left for her on March 4, 2011. I spoke to her briefly on March 11, and she never returned my call as she advised she would. On March 30, 2011, a message and e-mail was sent and no response was received. On March 31, 2011, another message was left for the complainant to call me. On April 4, 2011, I was finally able to speak with the complainant in reference to her complaint against Yellow Cab. The complainant's son and potential witness was supposed to speak with me on the evening of April 6, 2011. I attempted to contact her son, he failed to answer the call or return my call and no more attempts have been made to speak with the potential witness.

On March 4<sup>th</sup>, 2011, I responded to Yellow Cab and spoke with manager Julie Armstrong in reference to multiple Yellow Cab complaints. Going only off of Ms. Scott's complaint form, as I had not spoken with Ms. Scott yet, I obtained a possible trip sheet and driver information. The driver of cab #143 on the date of the incident was Donna Jacobs. Her information is DOB 7/27/59, PA driver license 24230372 and she has been leasing since 5/2/2007. Ms. Armstrong advised that Donna Jacobs is very up front with people and some people take offense to that.

On April, 4, 2011, the complainant, Celeste Scott, advised that her thirteen year old son, Khai, was picked at his friend's house on 3839 Baytree St. in Pittsburgh and transported home to 5227 Natrona Way, Pittsburgh, PA. Both of these locations are within Allegheny County, PA and within the service area of Yellow Cab of Pittsburgh. Cab #143 was the cab number and the driver was an African-American, female driver. Upon arrival Ms. Scott went out to pay the fare and Khai got out of the cab and walked into the home. Ms. Scott wanted to pay with a credit card and the driver began yelling about not tipping and made a comment that "you all usually do not tip". Ms. Scott believes the "you all" was meant as African Americans don't tip. The

total fare for the trip was about \$15.00 and she did not tip the driver due to her statements. Ms. Scott advised that the trip happened on February 20, 2011 in the evening at approximately 1930 to 2000 hours.

On April 28, 2011, I responded back to Yellow Cab and spoke with Ms. Armstrong about several complaints. At approximately 1340 hours I spoke with driver Donna Jacobs over the phone from Ms. Armstrong's office concerning this complaint. Ms. Jacob's advised that she transports a lot of children and at first she could not remember the incident. Upon providing the general pick-up and drop off locations Ms. Jacobs started to recall a fare that she dropped off on Natrona Way, but the pick-up location was Evergreen and not Baytree Street. She remembered that the mother paid the fare and she did not think the child was thirteen, he appeared older than thirteen. Ms. Jacobs advised that the woman wanted to pay with credit card and under the new credit card system in the cabs there is no line to put a tip for the driver. The tip must be entered into the credit machine before the receipt is printed. Because of this, she states the meter fare to the customer and then asks if that is what they would like put on the credit card. Ms. Jacobs does not like to openly ask for a tip. The mother of the child stated I was going to tip you, but since you asked, I am not going to. She also stated that she was educated; that she went to school and she (Ms. Scott) knows what she is suppose to do. Upon hearing all of this Ms. Jacobs responded "I'm not surprised". Ms. Scott signed the credit slip and she went on her day driving cab.

Ms. Jacobs admitted that she usually states what is on her mind and does not mince words. Ms. Armstrong verified this. Ms. Jacobs advised there was no confrontation or argument with Ms. Scott. She also re-affirmed that she made the statements "Is that what you would like on your card?". She must make this statement as once the credit slip is printed there is no chance for a tip to be put on the card. She also admitted to saying "I'm not surprised" when Ms. Scott decided not to tip. She also advised that she always takes credit cards and that she would guess that ninety percent or more of her fare payments are credit cards.

Investigation revealed that the driver Ms. Jacobs was the driver in question. Ms. Jacob's trip sheet has a trip from 3837 Evergreen to Natrona Way as the driver recalled. Both Ms. Scott and the driver recalled similar

events of the incident and statements made by each other. Compliance review should review this report and determine if the driver's statement or any other actions by the driver constitute unreasonable service.

In reference to the driver's trip sheet and to the extent of this EO's knowledge of the PUC regulations I found that there is a possible violation of 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving. This trip sheet covers multiple days and there is no clear distinction of what date a specific trip was conducted. There is also a possible violation of 29.313 (c)(7): The meter readings at the beginning and end of each shift, if applicable. Compliance review should review the trip sheet and determine if the beginning and ending meter numbers is actually the odometer mileage and not the meter trip number as required.

Ms. Scott was contacted on May 2, 2011 and a message was left advising her that the complaint was finished and forwarded to Harrisburg for review. Ms. Scott would like to be notified of the final results. Her address is 5227 Natrona Way, Pittsburgh, PA 15201.

**Attachments info-mapped by WRO clerk:**

1. Driver Donna Jacobs trip sheet for trip in question.

Gary Double Jr.

May 2, 2011

Badge #4

BPS  
#2230243

Public Utility Commission

RECEIVED  
4 2011

Taxi Complaint Form

If you have a complaint against a taxi company in Pennsylvania, except for in Philadelphia, you can use this form to file a complaint with the PA Public Utility Commission. You must provide the information on 1, 4, 6, 7, 8 and 10. We will contact you by telephone or by e-mail within 15 business days.

Do not fill out this Form if you have a complaint against a Philadelphia taxi. As of April 10, 2005, Philadelphia taxis fall under the jurisdiction of the Philadelphia Parking Authority. For taxi complaints in Philadelphia, you may contact the Philadelphia Parking Authority at (215) 683-9600.

Personal Information

- 1. Name Kevin Copenhagen
- 2. Address 145 Deer Ridge Dr.
- 3. City New Bethlehem State PA Zip 16242
- 4. Daytime Phone 814-221-6935
- 5. E-mail Address Copenhavers@gmail.com

Incident Information

- 6. Date 02-12-2011
- 7. Time 11:30  AM  PM
- 8. Location of Incident Pittsburgh International Airport
- 9. Taxi (PUC) Number 524-

10. Name of Taxi Company Yellow Cab

11. What happened? Please check any of the appropriate boxes.

- |  |   |
|--|---|
| <input type="checkbox"/> No air conditioning   | <input type="checkbox"/> Interior of vehicle not clean  |
| <input type="checkbox"/> Driver refused to transport passenger                                 | <input checked="" type="checkbox"/> Driver Discourteous |
| <input type="checkbox"/> Operated vehicle in a dangerous manner                                | <input type="checkbox"/> Trunk compartment not clean    |
| <input checked="" type="checkbox"/> Failed to take most direct route                           | <input type="checkbox"/> Fare receipt not provided      |
| <input checked="" type="checkbox"/> Overcharged  | <input type="checkbox"/> Tariff rates not posted        |
| <input type="checkbox"/> Taximeter not working, not used, not visible                          |   |
| <input type="checkbox"/> Doors and/or windows did not operate easily or close securely         |   |
| <input checked="" type="checkbox"/> Other (please describe) <u>Driver used vulgar language</u> |   |

12. Please explain the Nature of Incident Driver took me the long way around to Congo. A \$13 dollar fare was \$25. And he was upset w/ me. I just want to protect the clients that don't know better.

THANKS, HEATH.

Complainant's Signature Heath Greenbauer

**To file your complaint or opinion, print the form and mail it to the District Office nearest to where the incident occurred:**

PA Public Utility Commission  
Bureau of Transportation & Safety  
PO Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-7598

PA Public Utility Commission  
Room 320 State Office Bldg.  
100 Lackawanna Avenue  
Scranton, PA 18503  
(570) 963-4590

PA Public Utility Commission  
Transportation & Safety  
245 William Pitt Road  
Pittsburgh, PA 15238  
(412) 423-9310

PA Public Utility Commission  
1601 Eleventh Avenue  
Altoona, PA 16601  
(814) 946-7320

PA Public Utility Commission  
801 Market Street  
Philadelphia, PA 19107  
Bureau of Transportation & Safety  
(215) 965-3721

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2230243**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

05/11/11

On 04/25/11 I called the complainant, Kevin Copenhaver, at 814-221-6935 and left a message asking him to call me back. Later on that day Mr. Copenhaver called me back. I explained to Mr. Copenhaver that I was investigating his complaint against Yellow Cab of Pittsburgh. I asked Mr. Copenhaver to explain to me in his own words his complaint. Mr. Copenhaver stated that on 02/12/11 he was at the Pittsburgh International Airport and needed a ride from the airport to the cargo side of the airport grounds at the UPS facility. Mr. Copenhaver is a pilot for UPS and he makes this trip about once a month. Mr. Copenhaver stated that the only way to get from the airport to the cargo area is to take a cab as no other transportation is available. Mr. Copenhaver said that the trip is normally about 12 or 13 dollars. Mr. Copenhaver said he understands that some cab drivers do not like that short trip and he tries to tip well and inform the driver as soon as he gets in the cab about how a cab is his only option to get to the cargo side of the airport. On 02/12/11 he made that trip in cab #524 and he believes that the driver tried to overcharge him for the trip. Mr. Copenhaver told me that the cab driver drove back towards Pittsburgh from the airport and went back an exit before returning to the cargo area. The driver wanted about 25 dollars for the trip. Mr. Copenhaver told the driver that he had made this trip many times and the fare is normally 12 dollars. Mr. Copenhaver gave the driver 15 dollars and got out of the cab. When Mr. Copenhaver got out of the cab the cab driver rolled down his window and yelled and cussed at Mr. Copenhaver then drove off. Mr. Copenhaver told me that he did not want to get the driver in trouble but wanted to make sure other people are protected from being overcharged. I thanked Mr. Copenhaver for his information and ended the phone call.

On 04/28/11 I travelled to Yellow Cab Co. of Pittsburgh and met with Julie Armstrong. Mrs. Armstrong provided me with the following information. On 02/12/11 cab #524 was driven by Jay Hornstein, PA DL 15 398 258, and a phone number of 412-897-5641. Mrs. Armstrong called Mr. Hornstein and I spoke to him on the phone. I asked Mr. Hornstein if anything out of the ordinary happened while he driving cab #524 towards the beginning of February. Mr. Hornstein said that nothing stood out in his memory. I asked Mr. Hornstein if he remember a trip from the airport to the cargo side of the airport. Mr. Hornstein stated that he did not recall any trips. I then asked him if he remembered any type of trip where the fare thought he was overcharged or if Mr. Hornstein had any type of argument with a fare. Once again Mr. Hornstein stated that he did not recall any trips or arguments and that he "surely would remember." At this point I ended the phone conversation as Mr. Hornstein would only repeat the he did not remember anything. I gave Mr. Hornstein my cell phone

number and told him if he did recall any details to call me. Mrs. Armstrong told me that she would email me the trip sheet for cab #524 as it would take her some time to pull it up on Yellow Cab's computer system. I thanked Mrs. Armstrong for the information and left Yellow Cab.

Later on in the day of 04/28/11 Mr. Hornstein called my cell phone. Mr. Hornstein told me that he remembered a trip from the airport to UPS. He stated he thought the fare was 19 dollars and the fare only paid him 11. Mr. Hornstein said that the fare was complaining about Yellow Cab and how all the drivers are crooks as soon as he got in the cab. When I asked Mr. Hornstein about the details of this incident he did not provide me with any other details. Mr. Hornstein stated that was all that he remembered. I thanked Mr. Hornstein for calling me with that information and ended the call.

On 04/30/11 Mrs. Armstrong emailed me the trip sheet for cab #524 dated 02/12/11. The trip sheet shows a trip at 11:15 from the airport to cargo #2. The starting milcage was 100280 and the ending milcage appears to be 100288 for a trip of 8 miles. The fare is listed as 23.00 but there is a line through the three so I cannot be positive what the number was meant to be. Also the trip appeared to be circled by the driver on the trip sheet.

On 05/11/11 I called Mr. Copenhaver and told him my investigation was complete. Mr. Copenhaver laughed and said that he just made the trip from the airport to the cargo area about five minutes prior to my call. I asked him how that trip went. He stated that the trip was fine and that he joked about his previous trip to the driver of the cab he took today. Mr. Copenhaver told me that the trip was 12.68 rounded up to 13 dollars and he gave the driver a 20 dollar bill and told the driver to keep the change. Mr. Copenhaver told me that the cab he took today was cab # 368. I asked Mr. Copenhaver if during his trip on 02/12/11 he complained to the driver that all Yellow Cab drivers are crooks. Mr. Copenhaver stated that he did not make any type of negative comments to the driver. Mr. Copenhaver told me that he tries to explain the situation to the driver as he knows how some drivers feel about short trips but that is his only means of getting from the terminal to the cargo area of the airport grounds. Mr. Copenhaver told me that his company now has a private car service for these trips but sometimes, such as today, he still needs to take a cab if the car service is not available. I thanked Mr. Copenhaver for his additional information and explained to him that I would complete my report and send it up my chain of command. Mr. Copenhaver thanked me for looking into his complaint and stated that he only wants to protect people who do not know the area.

On 02/12/11 Mr. Copenhaver rode in Yellow Cab #524 from the Pittsburgh Airport to the cargo side of the airport to a UPS facility. Mr. Copenhaver stated that the charge was 25\$ when normally the trip is about 13 dollars. Mr. Copenhaver gave the driver of the cab 15 dollars and got out of the cab. Initially when interviewed Mr. Hornstein, the driver of cab #524, did not recall any details of the trip. Later Mr. Hornstein

called me and stated he recalled a trip where the fare was 19 dollars and the passenger only paid 11\$. When asked for more details Mr. Hornstein did not provide any additional information. On the trip sheet for cab #524 dated 02/12/11 there is a trip listed at 11:15 from the airport to cargo #2 for 21 or 23 dollars (hard to read fare on trip sheet). On 05/11/11 when I contacted Mr. Copenhaver to inform him that my investigation was complete, Mr. Copenhaver stated that he just took the same trip from the airport to the cargo area and it was 13 dollars.

**From:** dcanzoneri@state.pa.us  
**Sent:** Tuesday, March 15, 2011 6:45 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: Matthew Boardley

Street Address: 126 Merrimac St.

City: Pittsburgh, PA, 15211

Daytime Phone: 7245549783

Your e-mail address: [duqjeep2010@gmail.com](mailto:duqjeep2010@gmail.com)

Date: 03/13/2011

Time : 12:30Am

Location of Incident : Pittsburgh

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number : 6440

Incident comments : The driver failed to run the meter on a trip from 10th and E. Carson street to 126 Merrimac St. The trip down,earlier in the day when the cab driver ran the meter was \$7.63. However the driver that took us home that evening did not run the meter and insisted that we pay \$30 for the fair. She also had two other fairs in the cab with us at the same time.

Nature of Incident : Taximeter not working, not used, not visible

Nature of Incident : Overcharged

## Officer's Report

This report is in reference to BP8 case #2231391. The complainant in this case alleges that driver 6440 of Yellow Cab of Pittsburgh failed to run the meter, over-charged them and failed to offer his group exclusive call and demand service.

On April 6, 2011, I contacted the complainant Matthew Boardley, on the telephone. Mr. Boardley advised that at approximately 0030 hours on March 13, 2011, he and two friends were picked up by a Yellow Cab female driver. The driver's number was 6440, but he failed to get the cab number. The driver was an African-American female in her late thirty's or early forty's, medium build and approximately 5'11" or 6' tall. They were picked up on the south side at East Carson and Tenth Street and they were dropped off at 126 Merrimac Street in Mount Washington. These locations are with-in Allegheny County and with-in the service areas of Yellow Cab of Pittsburgh. Once inside the cab the driver pulled a u-turn in the middle of the street and cut off an ambulance that was coming from the other direction. He advised that luckily the ambulance driver was paying attention. The cab went about a half block and the driver stopped and talked with other potential customers. The driver then turned to them and said "I'm going to take these guys to Mount Washington too, ok guys?" The other group was getting in the cab before he and his friends could respond and there was no consent. Upon getting to Mount Washington he found that the driver never ran the meter and asked for \$30.00 for the trip. His group was dropped off first because they paid \$15.00 cash. The second group only had a credit card and the driver had to take them to an ATM as the driver only wanted cash. Mr. Boardley asked why she's charging \$30.00 and why she didn't run the meter. The driver responded that it was a service fee.

Mr. Boardley advised that he and his friends took a cab from Mount Washington to the south side earlier that evening and the trip cost seven dollars and change using the meter. He advised that the friends with him were Eric Crowden and Dan Bredniak. He did not have their numbers as he just got a new cell phone. I asked Mr. Boardley how intoxicated he and his friends were and same advised that he and Eric were not drunk. Dan had been drinking a little more, but he was not out of control or inebriated. Mr. Boardley advised that he wants

notified of the results and he will testify if needed. He also advised that he has no idea who the second group of people in the cab was or where they live.

After using Yellow Pages on the internet and web searches I was able to track down a valid phone number for Eric Crowden. Mr. Crowden resides at 30 Dogwood Building Mill Town, PA 17057 where he is currently going to college. Mr. Crowden's also has a residence in Pittsburgh when he is home from school. Mr. Crowden's cell phone number is 724-986-9281. Upon speaking with Mr. Crowden same advised that he rarely rides a cab anywhere. That night may have been the second time he has ever ridden a cab. Mr. Crowden verified Mr. Boardley's description of the driver and stated the driver never asked them for permission to let the other group in the cab. When they arrived at their stop the cab driver charged a ridiculous fare amount compared to the earlier cab ride. He did not see the meter being used and once they arrived at their destination the driver wanted them out of the cab immediately. Mr. Crowden advised that if needed, he would testify.

On April 8, 2011, I spoke with Dan Bredniak on the phone. Mr. Bredniak advised that his address is 155 Highland Ave Extension, Avella, PA 15312. His phone number is 724-263-4496. Mr. Bredniak advised that the driver was "running rogue". I asked what that meant and he stated that is what they call it when the driver doesn't use the meter and instead name state the price. He also verified that exclusive service was not provided and the driver did not give them the option to say yes or no about the other group. Mr. Bredniak thought the driver was an African-American male driver that night and the driver had someone else with him as well in the passenger seat. Mr. Bredniak advised that he will testify if needed.

On April 28, 2011, I responded to Yellow Cab of Pittsburgh's office and spoke with manager Julie Armstrong. Ms. Armstrong advised that driver 6440 is Alchya Stieff. She is an African-American female with a PA license 25076243 and a DOB 3/6/1970. She has been leasing from Yellow Cab since 3/11/2009. Ms. Armstrong advised that Ms. Stieff was operating Yellow Cab #428 on the night in question and a trip sheet was provided for same. Ms. Armstrong advised that the provided two trip sheets and the time stamps appear to be off. One of these sheets is either the correct sheet for the day in question or they (Yellow Cab) do not have the correct one. Ms, Stieff was late turning in her sheet through this week and that is why the dates do not appear to

correspond. Ms. Stieff fit the description that Mr. Boardley originally provided. I spoke with Ms. Stieff by telephone from Ms. Armstrong's office on the same day. Ms. Stieff did not remember any incident that sounded like the one I mentioned. She advised that she runs the meter for every trip and she is aware that she can't let other customers in the cab without approval. She especially follows this rule as some customers may clash. For this reason she makes sure all passengers know each other. Ms. Stieff had nothing else to state except that she was not responsible for this complaint. She did not do it.

My investigation revealed that all three individuals reported similar accounts for the cab ride taken on the early morning of March 13, 2011. All three state the driver failed to run the meter, failed to provide exclusive service and over-charged them for the trip. The only difference is Mr. Bredniak thought the driver was a male driver. This difference may be explained two different ways. When I questioned Mr. Boardley of the group sobriety on the night of the incident same advised that Dan was the individual who had been drinking a little more than Mr. Crowden and himself. Secondly, Mr. Bredniak's term of running rogue for drivers that fail to use the meter led me to believe he uses cabs a little more often. He may have simply remembered the details of the night minus the sex of the driver due to using the cab service more often. Despite this difference I feel there is a strong case against Yellow Cab due to this driver's action on this night and violations should be pursued in the matter.

At the conclusion of the case I contacted Mr. Boardley and advised him that the report was finished and forwarded to Harrisburg for final determination. Compliance review should review this report and the attached documents and determine if the violations noted are correct and determine if any other violations are warranted.

**PUC Violations:**

1. 29.312(3): *Unauthorized persons forbidden in exclusive service.* Whenever a call or demand vehicle is occupied by a fare-paying passenger or by members of a party of fare-paying passengers who have engaged the vehicle on an exclusive basis, the driver of the vehicle may not permit another person to occupy or ride in the vehicle, unless the consent of the party then occupying the vehicle is obtained.

2. 29.314(b)(7): The meter must be in operation during the entire time the vehicle is engaged by a passenger, and the passenger shall be required to pay only the amount recorded by the meter... Each meter charge shall be collected only once regardless of whether the vehicle is being used in exclusive service or in nonexclusive service.
3. 29.316(a) *Charges*. Every call or demand carrier shall charge according to its tariffs filed, posted and published in accordance with law and this title: (1) The amount as is calculated and registered on the meter.
4. 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving. The driver's trip sheet fails to have the ending time posted on it. This is typically time stamped by Yellow Cab when the driver cashes out and in for the day.
5. 29.313(c)(4): *The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark.* The driver failed to list the complainant's trip on the trip sheet.
6. 29.313(c)(7): The meter readings at the beginning and end of each shift, if applicable. The meter readings appear to correspond with the odometer readings on the trip sheet.

**Documents attached by WRO clerk:**

1. Ms. Sticff's trip sheets for day in question (two different dates).
2. PUC assignment sheet with notes from Julie Armstrong regarding trip sheets.

Gary Double Jr.

May 13, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Wednesday, March 30, 2011 9:15 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Elizabeth

Street Address: 123 Main Street

City:

Daytime Phone: 412.915.5176

Your e-mail address: [Letsgo30us@yahoo.com](mailto:Letsgo30us@yahoo.com)

Date: 03/30/2011

Time : 8:45 AM

Location of Incident : Telephone

Taxi(PUC) Number : Operator #10

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : Third time with this company where their operators are rude and unhelpful. Operator #20 and #23 prior to today; operator #10 today. #10 said that they no longer take timed calls (was trying to get a ride to my doctor's appt) and that "you're not guaranteed a taxi cab anyway." The service with this company is the worst. Not being able to get a taxi cab when calling within 2 hours of when it is needed is absurd. Dealing with exceptionally rude people is even more unneeded. Why isn't something being done with this lack of service?

Nature of Incident: Other Comments

## Officer's Report

This report is in reference to BP8 case# 2233482. The complainant in this case alleges that the Yellow Cab call takers are rude and unfriendly when she orders service.

On April 6, 2011, I called and spoke with the complainant who identified herself as Elizabeth (NFI). Elizabeth verified that the details of the incident occurred on March 30, 2011 at approximately 0845 hours. She advised that she is recovering from a heart attack and has had to use Yellow Cab for her trips to her physician. On a previous occasion the Yellow Cab dispatcher advised that she should call two and a half hours ahead of her appointment. This is what she did on March 30<sup>th</sup>, and upon placing the order that far ahead operator #10 advised that Yellow Cab does not do timed calls. Elizabeth asked how she could get a cab and operator #10 advised her to call closer to the time that she needs the cab. Upon asking if any other cab companies could help her, operator #10 advised her to look in the Yellow Pages. Elizabeth is upset that the operators keep changing the rules of how the ordering is done; she feels it is unprofessional and Yellow Cab needs to have better customer service.

Elizabeth advised that she did not want to discuss the previous two dates in which she had problems as she spoke with John Oliverio, a manager at Yellow cab about those incidents. Mr. Oliverio was very helpful, pleasant and handled those situations to her satisfaction. She also advised that the cab drivers have been wonderful, polite and helpful. She has no complaints about any of the cab drivers and did not want to provide driver/cab information for the trip on the 30<sup>th</sup> as she saw no reason to bring the driver into the complaint. The first line employees (operators) are the problem, not the drivers.

Elizabeth advised that the address provided is a false address; she does not want to provide her real address at this point. She will decide when I call her to advise her that the complaint is finished whether she will provide her full name (possibly fictitious), her address or whether she will testify if needed.

On April 11, 2011, I responded to Yellow Cab and spoke with the dispatch manager, John Oliverio. He advised that operator #10 is Robin Meadows. Mr. Oliverio advised that he was shocked about the two and half hour request. He verified that the operators are to tell the customers to call closer to the actual pick up time.

Yellow Cab does not honor reservations and they do not guarantee times for any of their trips. Mr. Oliverio attempted to obtain the dispatch record for the trip in question; however the complainant's phone number did not match up with any calls. This was the only identifying information to obtain the dispatch record. Elizabeth must have called from a different phone number and without having a pick up location (address) or full name there is no way to pull up the record. An attempt was made to contact Elizabeth from Mr. Oliverio's office. A message was left explaining that more information would be needed. I also called on April 28, 2011 in an attempt to obtain the information and left a second message requesting that Elizabeth call me.

Investigation reveals that the complainant has been limited on the amount of information she is willing to provide. She advised that the earlier incidents were handled and she was not willing to provide cab information about her trip. No supporting documents in reference to this incident can be obtained as the necessary information for obtaining these items has not been provided by the complainant. Compliance review should review this report and determine if a violation for unreasonable service is appropriate due to statements made by operator #10 or customer service issues caused by inconsistent answers to questions provided to the complainant.

A message was left at the conclusion of this investigation advising the complainant that the report has been forwarded to Harrisburg for review. If at any time the complainant is willing to provide more details then the additional information will be added to this report in a follow-up report. There are no attachments for this report.

Gary Double Jr.

April 28, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Tuesday, May 10, 2011 11:10 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: Jacqueline Merranko

Street Address: 814 Farragut St.

City: Pittsburgh

Daytime Phone: 4123379079

Your e-mail address:

Date: 05/07/2011

Time : 0100 am

Location of Incident : Butler St. at Stanton Ave.

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : I flagged a cab down in downtown on Wood St. after yellow cab refused to place an order for me. She drove me to Butler & Stanton, and the total was 10.55, I handed her a \$20 bill and a \$5 bill and asked for ten dollars change. She handed me two bills, and due to where she dropped me off there was no light. I got to my car a block away and checked my wallet and she only gave me 2 1\$ bills. I called yellow cab and they refused to do more than advertise it on their screen and "hope she was honest or able to admit it." I also on several occasions including tonight, May 10, 2011, May 6, 2011, and may 5 2011, have had to wait over an hour for a cab because the drivers refuse smaller trips. I also on several occasions have had taxi cab drivers refuse to take me to my home from station square. I have even had a taxi driver make sexual advances on me. This company is appalling. Their drivers are unreliable and unprofessional.

Nature of Incident : Overcharged

## Officer's Report

This report is in reference to BP8 case #2240963. The complainant in this case has several dates where Yellow Cab of Pittsburgh either failed to provide timely transportation for her or provided unreasonable service.

On May 20, 2011, I spoke with the complainant Jacqueline Merranko. Ms. Merranko advised that she is a constant customer of Yellow Cab and she has always had problems with service. She uses the cab company so much that she no longer files complaints over minor issues, only when something in her opinion is a really serious matter does she contact the PUC and file a complaint. Ms. Merranko advised that the drivers that she receives poor service from are the drivers with foreign accents. The drivers she is speaking of usually have Jamaican or African accents; they rarely accept credit cards and claim the card machine is broken. She also stated that getting to the South side is easy by way of Yellow Cab. Returning from the South side of Pittsburgh using Yellow Cab is almost impossible. The drivers' in general refuse to take short trips. Ms. Merranko recalled several dates and issues for this EO to look into. The complaints are listed in the following paragraphs in the order of oldest to most recent.

On Sunday, March 27, 2011, at approximately 0230 hours, Ms. Merranko advised that an African-American Yellow Cab operator (unknown cab number) with dreadlocks, who went by the name of "Ali", picked her up at Station Square outside of Zen's and dropped her off at 814 Farragut Street, Pittsburgh, PA 15206. The driver of the cab made very graphic comments to her during the trip and it started because he liked her shoes. The driver "Ali" first stated "Nice legs to go with those shoes". The driver then offered to perform oral sex on Ms. Merranko. She told the driver no, she would rather just have the cab ride home. After turning the driver down, the driver kept asking her "why not"? Ms. Merranko was positive of the date because she had a special pair of shoes on that she rarely wears out because they are uncomfortable to wear. She had cell phone pictures of her wearing the shoes on the night of the March 26 and early morning March 27.

On May 5 and May 6, 2011, Ms. Merranko placed orders with Yellow Cab requesting to be picked up and she was never picked up. On Thursday, May 5, 2011, between 1530 and 1600 hours, Ms. Merranko placed an order with Yellow Cab for pick up at Magee Hospital in Pittsburgh to be transported to her home on Farragut

Street. She waited approximately forty-five minutes and then she contacted a Yellow Cab driver that she had a cell phone number for. This driver was willing to come pick her up and take her home. She had no issues with the driver that picked her up and the driver did run the meter. She was upset that the original order was never accepted and she waited over an hour to be picked up.

On Friday, May 6, 2011, she placed an order for Yellow Cab to pick her up at her home on Farragut Street at around 2200 to 2300 hours. This order was never accepted and on this evening she just stayed home since a cab never accepted the order.

On Sunday, May 8, 2011, at approximately 0100 hours, she placed an order for pick-up with the Yellow Cab call takers. The pick-up was at the intersection of Wood and Fourth Street and she wanted dropped off in Lawrenceville on Butler and Stanton Street. Approximately two minutes after placing the order she received a text message from Yellow Cab cancelling her order. She then flagged down a Yellow Cab four door sedan being driven by a light skinned African-American female in her thirties. The driver ran the meter and took her to Butler and Stanton Street next to the cemetery. The fare was approximately \$10.00 and Ms. Merranko handed the driver \$25.00 and asked for \$10.00 in change back. The driver handed her two individual bills back which Ms. Merranko advised she did not look at immediately because the area was so dark (next to cemetery) she could not see very well. Upon walking to her vehicle she checked and found that the driver handed her two \$1.00 bills instead of \$5.00 bills. Ms. Merranko advised she had not been drinking that evening, she was salsa dancing. Salsa dancing is physically demanding to do and you really can't drink alcohol and salsa dance according to Ms. Merranko. Ms. Merranko contacted Yellow Cab and had the dispatchers place a request on the MDT and eventually over the radio requesting the driver return and give her the correct change. She waited a while but the driver never returned to refund her money. Ms. Merranko did not get the cab number or driver number of this cab.

On Tuesday, May 10, 2011, Ms. Merranko placed an order for Yellow Cab pick-up at approximately 2100 hours. She had plans to attend a friend's birthday party. Upon placing the order the call taker advised her

that Yellow Cab was extremely busy that evening. Ms. Merranko advised she waited until 2300 hours and then called and cancelled the cab order.

Ms. Merranko advised that she does want to be notified by the PUC when the complaint is finished. She also advised that she will also testify if needed in reference to this complaint. Finally, she is interested in speaking with Yellow Cab about the money she is owed in reference to the May 8, 2011, cab ride. She would be willing to work it out with Yellow Cab to get a refund on the money she is owed if this EO is unable to identify the driver in this situation.

On June 8, 2011, at approximately 1000 hours, I responded to the Yellow Cab of Pittsburgh main office and spoke with managers John Oliverio, Julie Armstrong and CEO Jerry Campolongo.

Starting with Manager Oliverio, I attempted to obtain trip sheets and call sheets for each date in question. By using the cell phone number and or pick-up and destinations for each trip the complainants call information could be ascertained. Dispatch records were obtained for the following dates of the complaint. On May 5, 2011 the call was entered (cab ordered) at 1617 hours, re-entered at 1651 hours and cancelled at 1737 hours. No cab was assigned and no ride was provided to the complainant on this date. On May 8, 2011, the call was entered (cab ordered) at 0101 hours and cancelled at 0104 hours. On May 10, 2011, the call was entered (cab ordered) at 2205 hours, modified and entered again and finally cancelled at 2259 hours. No cab was assigned or provided transportation on this date. The dispatch sheets for these dates are attached to this report.

No dispatch records were found for the following complaint dates. The March 27, 2011, trip was too far back to maintain dispatch records in the computer system. No record was found for the date of May 6, 2011. This meant the complainant used a phone other than her cell phone or the information was put in the system incorrectly and with-out the exact parameters to search the record is un-attainable.

In reference to the May 8, 2011, complaint in which the driver failed to give Ms. Merranko the correct change Mr. Oliverio advised there is no way to determine which driver picked her up as it was not in the computer system. Mr. Oliverio entered several different parameters and left the time frame open to include any trips in the general area in the general time frame and no trips fitting Ms. Merranko's trip was found. Mr.

Oliverio also advised that he has no idea why the call would have been cancelled three minutes after it was placed.

Upon speaking with Driver Services Manager, Julie Armstrong, I asked her if there was a driver that went by the name "Ali". Ms. Armstrong immediately named driver James Jackson and described Mr. Jackson similar to the description Ms. Merranko provided. James Jackson has a DOB of 8/9/72, PA driver license of 23857954 and has leased from Yellow Cab since July 26, 2006. Mr. Jackson was leased out on March 27, 2011.

I asked CEO Jerry Campolongo to join the discussion in Ms. Armstrong's office and advised him of the details of Ms. Merranko's complaint on March 27, 2011. Mr. Campolongo, Ms. Armstrong and I conducted a telephone interview with Mr. Jackson at approximately 1123 hours the same day in Mr. Campolongo's office. Mr. Jackson advised that he is in a committed relationship and that his girl-friend has a shoe fetish. Mr. Jackson does ask passengers what type of shoes they are wearing and where they got them occasionally, but he goes no further than that. Mr. Jackson did not remember anything in reference to the March 27, 2011, complaint.

On the same date at approximately 1145 hours I was sitting in the Yellow Cab parking lot preparing to leave when Mr. Jackson knocked on my windshield and was very frustrated and eager to discuss this complaint further. He advised he wanted to straighten this out now because he does not want to be accused of a sexual crime. Mr. Jackson had no other information other than to say he did not do what the complainant said he did. Mr. Jackson discussed the matter further with Mr. Campolongo in his office at that time.

Mr. Campolongo and Ms. Armstrong advised that they needed to do a hand search for Mr. Jackson's trip sheet for March 26, 2011. The scanner was down for a while and it is not in the system. They asked if they could e-mail it to me when they find it and I agreed.

On June 21, 2011, Ms. Armstrong e-mailed me in response to the trip sheet advising that they could not locate the trip sheet and they do not believe they have the trip sheet anymore. On June 28, 2011, at my e-mail request, Ms. Armstrong e-mailed me two documents that verified that Mr. Jackson was operating a cab the night of March 26, 2011. The first was a lease history page stating he took a cab out on March 26 and returned it on

March 27. The second sheet is a vehicle schedule report for Mr. Jackson. The corresponding e-mail and sheets documents are attached to this report.

Investigation found that it is reasonable to believe that driver James Jackson was the cab driver for Ms. Merranko on March 27, 2011. He is known as "Ali", fit Ms. Merranko and Ms. Armstrong's descriptions provided, was leasing a cab the night of the incident and openly admitted that he has asked female passengers in the past about their shoes. Compliance review must review this and determine if the alleged comments made by driver Jackson to the complainant warrant an unreasonable service or other violation.

Investigation found that the complainant waited an hour and twenty minutes on May 5, 2011, and was not picked up. Complainant finally called the cell phone of a driver she knew from previous trips to get a ride. The driver provided transportation to her after waiting over an hour. On May 8, 2011, Ms. Merranko placed an order which was immediately cancelled (three minutes after she placed the call) for an unknown reason. Finally, she waited fifty-four minutes on May 10, 2011, for a Yellow Cab. She was not transported on this night as well. No documentation was found in reference to Ms. Merranko's claim that she ordered and did not receive a cab on May 6, 2011.

Investigation found that on May 8, 2011, unknown driver of unknown Yellow Cab over-charged the complainant. The trip estimate (attached to report) using the Yellow Cab fare estimate web site should have been approximately \$10.00. The complainant paid the driver twenty-five dollars and asked for ten dollars in change. The driver gave the complainant only two dollars in change.

**Possible PUC violations:**

1. Unreasonable service charge for driver James Jackson's comments on March 27, 2011 cab ride.
2. Unreasonable service charge for making customer wait over an hour on May 5, 2011 and just under an hour on May 10, 2011.
3. Unreasonable service charge for cancelling complainant's cab order approximately three minutes after placing the order on May 8, 2011.

4. 29.101(f)(2)(i): The certificate holder shall be required to furnish and maintain adequate service to the public which shall be reasonably continuous and without unreasonable interruptions or delays.
5. 29.101(f)(2)(i): The holder of a call or demand certificate may lease vehicles to drivers for operation in the service of the certificate holder only under the following conditions: (i) The leased vehicle shall be operated under the direct control and supervision of the certificate holder. Complainant waited for service on May 5 and May 10 and Yellow Cab was unable to provide that transportation as drivers were not assigned the trip. On May 5, 2011, complainant had to contact a cab driver on her own using a cell phone number the driver provided to her. The driver in this instance had control of the transportation, not the certificate holder.
6. 29.101(f)(2)(ii): The driver-lessee of the vehicle and the certificate holder shall be required to keep and retain daily log sheets as prescribed by § 29.313(c) (relating to service standards and requirements). Yellow Cab failed to retain driver Jackson's trip sheet for March 26 and 27, 2011.
7. 29.313 (c): *Log sheets*. A driver of a vehicle in call or demand service shall keep a log sheet or manifest for each shift he operates unless some other method is, upon petition, specifically approved by the Commission. These log sheets shall be filled out contemporaneously with the trip, on a form supplied by the certificate holder. The log sheets shall be retained by the certificate holder for at least 2 years. Log sheets may be retained in electronic format. Log sheets, or comparable printouts from an electronic storage device, shall be turned over upon request to an authorized representative of the Commission upon the rendering of a receipt. Yellow Cab failed to turn over driver Jackson's trip sheet for March 26,27 2011.
8. 29.314(b)(7): The meter must be in operation during the entire time the vehicle is engaged by a passenger, and the passenger shall be required to pay only the amount recorded by the meter.... Complainant's fare was approximately \$10.00. Complainant paid \$25.00 and asked for \$10.00 in change back. Unknown female driver only gave \$2.00 back in change.

**Attachments:**

1. Yellow Cab dispatch sheet for May 5, 2011
2. Yellow Cab dispatch sheet for May 8, 2011
3. Yellow Cab dispatch sheet for May 10, 2011
4. E-mail correspondence between Julie Armstrong and EO (2 pages)
5. Yellow Cab lease history sheet (driver Jackson)
6. Yellow Cab vehicle schedule report (driver Jackson)
7. Yellow Cab fare estimate for May 8, 2011 trip

Compliance review should review the attached documents and this report and determine if any other PUC violations are present. On July 21, 2011, at approximately 1325 hours the complainant was notified that the report was finished and forwarded on for review.

Gary Double Jr.

July 21, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Sunday, February 20, 2011 8:30 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: celeste scott

Street Address: 5227 natrona way

City: pittsburgh pa 15201

Daytime Phone: 4125836994

Your e-mail address: [celestescott1@gmail.com](mailto:celestescott1@gmail.com)

Date: 02/20/2011

Time : 0800 pm

Location of Incident : 5227 natrona way

Taxi(PUC) Number : not sure says #143 on my confirmation

Medallion Number :

Taxi Company : yellow cab

Driver Number : unsure

Incident comments : the driver demanded a tip yelling "you dont want to tip your driver!" when taking my credit card information. Also, said "you all ( I guess she meant Black people, although she was Black as well) usually do not tip! Very rude discourteous and intimidating. I am a great paying customer and I do not appreciate this intolerable manner of treatment.

Nature of Incident : Driver threatened or abused passenger

Nature of Incident : Driver Discourteous

Nature of Incident: Other Comments

## Officer's Report

This report is in reference to BP8 case #2227104. The complainant alleges that the driver of Yellow Cab #143 was discourteous to her.

The complainant in this case was difficult to contact. On several times I spoke with the complainant at times she advised were not good for her. Each time she advised she would call back and she never did. A message was left for her on March 4, 2011. I spoke to her briefly on March 11, and she never returned my call as she advised she would. On March 30, 2011, a message and e-mail was sent and no response was received. On March 31, 2011, another message was left for the complainant to call me. On April 4, 2011, I was finally able to speak with the complainant in reference to her complaint against Yellow Cab. The complainant's son and potential witness was supposed to speak with me on the evening of April 6, 2011. I attempted to contact her son, he failed to answer the call or return my call and no more attempts have been made to speak with the potential witness.

On March 4<sup>th</sup>, 2011, I responded to Yellow Cab and spoke with manager Julie Armstrong in reference to multiple Yellow Cab complaints. Going only off of Ms. Scott's complaint form, as I had not spoken with Ms. Scott yet, I obtained a possible trip sheet and driver information. The driver of cab #143 on the date of the incident was Donna Jacobs. Her information is DOB 7/27/59, PA driver license 24230372 and she has been leasing since 5/2/2007. Ms. Armstrong advised that Donna Jacobs is very up front with people and some people take offense to that.

On April, 4, 2011, the complainant, Celeste Scott, advised that her thirteen year old son, Khai, was picked at his friend's house on 3839 Baytree St. in Pittsburgh and transported home to 5227 Natrona Way, Pittsburgh, PA. Both of these locations are within Allegheny County, PA and within the service area of Yellow Cab of Pittsburgh. Cab #143 was the cab number and the driver was an African-American, female driver. Upon arrival Ms. Scott went out to pay the fare and Khai got out of the cab and walked into the home. Ms. Scott wanted to pay with a credit card and the driver began yelling about not tipping and made a comment that "you all usually do not tip". Ms. Scott believes the "you all" was meant as African Americans don't tip. The

total fare for the trip was about \$15.00 and she did not tip the driver due to her statements. Ms. Scott advised that the trip happened on February 20, 2011 in the evening at approximately 1930 to 2000 hours.

On April 28, 2011, I responded back to Yellow Cab and spoke with Ms. Armstrong about several complaints. At approximately 1340 hours I spoke with driver Donna Jacobs over the phone from Ms. Armstrong's office concerning this complaint. Ms. Jacob's advised that she transports a lot of children and at first she could not remember the incident. Upon providing the general pick-up and drop off locations Ms. Jacobs started to recall a fare that she dropped off on Natrona Way, but the pick-up location was Evergreen and not Baytree Street. She remembered that the mother paid the fare and she did not think the child was thirteen, he appeared older than thirteen. Ms. Jacobs advised that the woman wanted to pay with credit card and under the new credit card system in the cabs there is no line to put a tip for the driver. The tip must be entered into the credit machine before the receipt is printed. Because of this, she states the meter fare to the customer and then asks if that is what they would like put on the credit card. Ms. Jacobs does not like to openly ask for a tip. The mother of the child stated I was going to tip you, but since you asked, I am not going to. She also stated that she was educated; that she went to school and she (Ms. Scott) knows what she is suppose to do. Upon hearing all of this Ms. Jacobs responded "I'm not surprised". Ms. Scott signed the credit slip and she went on her day driving cab.

Ms. Jacobs admitted that she usually states what is on her mind and does not mince words. Ms. Armstrong verified this. Ms. Jacobs advised there was no confrontation or argument with Ms. Scott. She also re-affirmed that she made the statements "Is that what you would like on your card". She must make this statement as once the credit slip is printed there is no chance for a tip to be put on the card. She also admitted to saying "I'm not surprised" when Ms. Scott decided not to tip. She also advised that she always takes credit cards and that she would guess that ninety percent or more of her fare payments are credit cards.

Investigation revealed that the driver Ms. Jacobs was the driver in question. Ms. Jacob's trip sheet has a trip from 3837 Evergreen to Natrona Way as the driver recalled. Both Ms. Scott and the driver recalled similar

events of the incident and statements made by each other. Compliance review should review this report and determine if the driver's statement or any other actions by the driver constitute unreasonable service.

In reference to the driver's trip sheet and to the extent of this EO's knowledge of the PUC regulations I found that there is a possible violation of 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving. This trip sheet covers multiple days and there is no clear distinction of what date a specific trip was conducted. There is also a possible violation of 29.313 (c)(7): The meter readings at the beginning and end of each shift, if applicable. Compliance review should review the trip sheet and determine if the beginning and ending meter numbers is actually the odometer milcage and not the meter trip number as required.

Ms. Scott was contacted on May 2, 2011 and a message was left advising her that the complaint was finished and forwarded to Harrisburg for review. Ms. Scott would like to be notified of the final results. Her address is 5227 Natrona Way, Pittsburgh, PA 15201.

**Attachments info-mapped by WRO clerk:**

1. Driver Donna Jacobs trip sheet for trip in question.

Gary Double Jr.

May 2, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Wednesday, March 30, 2011 9:15 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Elizabeth

Street Address: 123 Main Street

City:

Daytime Phone: 412.915.5176

Your e-mail address: [Letsgo30us@yahoo.com](mailto:Letsgo30us@yahoo.com)

Date: 03/30/2011

Time : 8:45 AM

Location of Incident : Telephone

Taxi(PUC) Number : Operator #10

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : Third time with this company where their operators are rude and unhelpful. Operator #20 and #23 prior to today; operator #10 today. #10 said that they no longer take timed calls (was trying to get a ride to my doctor's appt) and that "you're not guaranteed a taxi cab anyway." The service with this company is the worst. Not being able to get a taxi cab when calling within 2 hours of when it is needed is absurd. Dealing with exceptionally rude people is even more unneeded. Why isn't something being done with this lack of service?

Nature of Incident: Other Comments

## Officer's Report

This report is in reference to BP8 case# 2233482. The complainant in this case alleges that the Yellow Cab call takers are rude and unfriendly when she orders service.

On April 6, 2011, I called and spoke with the complainant who identified herself as Elizabeth (NFI). Elizabeth verified that the details of the incident occurred on March 30, 2011 at approximately 0845 hours. She advised that she is recovering from a heart attack and has had to use Yellow Cab for her trips to her physician. On a previous occasion the Yellow Cab dispatcher advised that she should call two and a half hours ahead of her appointment. This is what she did on March 30<sup>th</sup>, and upon placing the order that far ahead operator #10 advised that Yellow Cab does not do timed calls. Elizabeth asked how she could get a cab and operator #10 advised her to call closer to the time that she needs the cab. Upon asking if any other cab companies could help her, operator #10 advised her to look in the Yellow Pages. Elizabeth is upset that the operators keep changing the rules of how the ordering is done; she feels it is unprofessional and Yellow Cab needs to have better customer service.

Elizabeth advised that she did not want to discuss the previous two dates in which she had problems as she spoke with John Oliverio, a manager at Yellow cab about those incidents. Mr. Oliverio was very helpful, pleasant and handled those situations to her satisfaction. She also advised that the cab drivers have been wonderful, polite and helpful. She has no complaints about any of the cab drivers and did not want to provide driver/cab information for the trip on the 30<sup>th</sup> as she saw no reason to bring the driver into the complaint. The first line employees (operators) are the problem, not the drivers.

Elizabeth advised that the address provided is a false address; she does not want to provide her real address at this point. She will decide when I call her to advise her that the complaint is finished whether she will provide her full name (possibly fictitious), her address or whether she will testify if needed.

On April 11, 2011, I responded to Yellow Cab and spoke with the dispatch manager, John Oliverio. He advised that operator #10 is Robin Meadows. Mr. Oliverio advised that he was shocked about the two and half hour request. He verified that the operators are to tell the customers to call closer to the actual pick up time.

Yellow Cab does not honor reservations and they do not guarantee times for any of their trips. Mr. Oliverio attempted to obtain the dispatch record for the trip in question; however the complainant's phone number did not match up with any calls. This was the only identifying information to obtain the dispatch record. Elizabeth must have called from a different phone number and without having a pick up location (address) or full name there is no way to pull up the record. An attempt was made to contact Elizabeth from Mr. Oliverio's office. A message was left explaining that more information would be needed. I also called on April 28, 2011 in an attempt to obtain the information and left a second message requesting that Elizabeth call me.

Investigation reveals that the complainant has been limited on the amount of information she is willing to provide. She advised that the earlier incidents were handled and she was not willing to provide cab information about her trip. No supporting documents in reference to this incident can be obtained as the necessary information for obtaining these items has not been provided by the complainant. Compliance review should review this report and determine if a violation for unreasonable service is appropriate due to statements made by operator #10 or customer service issues caused by inconsistent answers to questions provided to the complainant.

A message was left at the conclusion of this investigation advising the complainant that the report has been forwarded to Harrisburg for review. If at any time the complainant is willing to provide more details then the additional information will be added to this report in a follow-up report. There are no attachments for this report.

Gary Double Jr.

April 28, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Tuesday, April 05, 2011 7:30 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Charles

Street Address: Tiede

City:

Daytime Phone: 919-357-7659

Your e-mail address:

Date: 04/05/2011

Time : 5:10PM

Location of Incident : Pittsburgh Airport-Sheraton Station Square

Taxi(PUC) Number : 213

Medallion Number :

Taxi Company : ?

Driver Number :

Incident comments : The driver was: - Texting while driving - Taking personal calls, which sounded like an argument - Speeding and general reckless driving

Nature of Incident : Operated vehicle in a dangerous manner

Nature of Incident: Other Comments

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2234772**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

05/11/11

On 04/25/11 I called the complainant Charles Tiede at 919-357-7659. I explained to Mr. Tiede that I was investigating his complaint against Yellow Cab of Pittsburgh. I asked Mr. Tiede to tell me in his own words the reason he made his complaint to the Commission. Mr. Tiede told me that on 04/05/11 he took a Yellow Cab from the Pittsburgh International Airport to Station Square near downtown Pittsburgh. The driver of cab #213 was talking and texting on his cell phone while driving the cab. Mr. Tiede also stated that he felt the driver was driving very aggressively. Mr. Tiede told me he was not sure but it sounded like the driver was having an argument with the person on the other end of the cell phone. Mr. Tiede said that he felt that the driver's actions were unsafe. Mr. Tiede paid for the trip with his credit card and he said that there were no other issues with the cab ride or the service. I thanked Mr. Tiede and told him I would speak with Yellow Cab and I would call him back with the findings of my investigation.

On 04/28/11 I travelled to Yellow Cab Co. of Pittsburgh and met with Julie Armstrong. Mrs. Armstrong provided me with the following information. On 04/05/11 cab #213 was driven by Seymoum Girma, PA DL# 23 029 965, and a phone number for Mr. Girma as 412-287-5513. Mrs. Armstrong called Mr. Girma and explained to Mr. Girma that I was investigating a complaint and needed to speak to him. Mrs. Armstrong handed me the phone and I spoke with Mr. Girma. I asked Mr. Girma if he remembered a trip from the airport to Station Square that occurred on April 5<sup>th</sup>. Mr. Girma responded that he did not recall any specific trips from that date. I then asked Mr. Girma if he uses a cell phone while he drives. Mr. Girma said that he has a cell phone and he uses a blue tooth headset when he drives the cab. I then asked Mr. Girma if he texts while driving the cab. Mr. Girma told me that he never has texted while driving. I explained to Mr. Girma that the complaint was that he was texting while driving and was driving very aggressively. Mr. Girma repeated that he never texts while driving and said, "I don't want to kill myself let alone a customer." I asked Mr. Girma if any of the details I explained to him rang any bells in his memory about the trip in question and he responded that he still did not remember that specific trip. I thanked Mr. Girma for his information and ended the phone call. I then confirmed with Mrs. Armstrong that Yellow Cab does have a no texting policy. Mrs. Armstrong told me that she would email the trip sheet for cab #213 as it would take her some time to pull it up in their computer system. I thanked Mrs. Armstrong for her information.

On 04/30/11 I received an email from Mrs. Armstrong containing the trip sheet for cab #213 on 04/05/11.

On 05/11/11 I called Mr. Tiede and asked him if he remembered if the driver of cab #213 had a blue tooth headset on during his cab ride. Mr. Tiede stated that he was not a hundred percent sure but he remembered the cab driver holding a cell phone up to his ear and that he did not see any type of blue tooth headset on the driver. I told Mr. Tiede that I had spoken with Yellow Cab and the driver of cab #213 and that my investigation was now complete. Mr. Tiede thanked me for looking into his complaint and I thanked him again for his information and ended the phone call.

In summary Mr. Tiede, the complainant, states that the driver of cab #213 was texting while driving and driving in a very aggressive manner. Mr. Girma, the driver of cab #213 stated to me that he uses a blue tooth headset and the he never texts while driving. Yellow Cab Co. of Pittsburgh does have a no texting policy.

**From:** dcanzoneri@state.pa.us  
**Sent:** Tuesday, May 10, 2011 11:10 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: Jacqueline Merranko

Street Address: 814 Farragut St.

City: Pittsburgh

Daytime Phone: 4123379079

Your e-mail address:

Date: 05/07/2011

Time : 0100 am

Location of Incident : Butler St. at Stanton Ave.

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : I flagged a cab down in downtown on Wood St. after yellow cab refused to place an order for me. She drove me to Butler & Stanton, and the total was 10.55, I handed her a \$20 bill and a \$5 bill and asked for ten dollars change. She handed me two bills, and due to where she dropped me off there was no light. I got to my car a block away and checked my wallet and she only gave me 2 1\$ bills. I called yellow cab and they refused to do more than advertise it on their screen and "hope she was honest or able to admit it." I also on several occasions including tonight, May 10, 2011, May 6, 2011, and may 5 2011, have had to wait over an hour for a cab because the drivers refuse smaller trips. I also on several occasions have had taxi cab drivers refuse to take me to my home from station square. I have even had a taxi driver make sexual advances on me. This company is appalling. Their drivers are unreliable and unprofessional.

Nature of Incident : Overcharged

## Officer's Report

This report is in reference to BP8 case #2240963. The complainant in this case has several dates where Yellow Cab of Pittsburgh either failed to provide timely transportation for her or provided unreasonable service.

On May 20, 2011, I spoke with the complainant Jacqueline Merranko. Ms. Merranko advised that she is a constant customer of Yellow Cab and she has always had problems with service. She uses the cab company so much that she no longer files complaints over minor issues, only when something in her opinion is a really serious matter does she contact the PUC and file a complaint. Ms. Merranko advised that the drivers that she receives poor service from are the drivers with foreign accents. The drivers she is speaking of usually have Jamaican or African accents; they rarely accept credit cards and claim the card machine is broken. She also stated that getting to the South side is easy by way of Yellow Cab. Returning from the South side of Pittsburgh using Yellow Cab is almost impossible. The drivers' in general refuse to take short trips. Ms. Merranko recalled several dates and issues for this EO to look into. The complaints are listed in the following paragraphs in the order of oldest to most recent.

On Sunday, March 27, 2011, at approximately 0230 hours, Ms. Merranko advised that an African-American Yellow Cab operator (unknown cab number) with dreadlocks, who went by the name of "Ali", picked her up at Station Square outside of Zen's and dropped her off at 814 Farragut Street, Pittsburgh, PA 15206. The driver of the cab made very graphic comments to her during the trip and it started because he liked her shoes. The driver "Ali" first stated "Nice legs to go with those shoes". The driver then offered to perform oral sex on Ms. Merranko. She told the driver no, she would rather just have the cab ride home. After turning the driver down, the driver kept asking her "why not"? Ms. Merranko was positive of the date because she had a special pair of shoes on that she rarely wears out because they are uncomfortable to wear. She had cell phone pictures of her wearing the shoes on the night of the March 26 and early morning March 27.

On May 5 and May 6, 2011, Ms. Merranko placed orders with Yellow Cab requesting to be picked up and she was never picked up. On Thursday, May 5, 2011, between 1530 and 1600 hours, Ms. Merranko placed an order with Yellow Cab for pick up at Magee Hospital in Pittsburgh to be transported to her home on Farragut

Street. She waited approximately forty-five minutes and then she contacted a Yellow Cab driver that she had a cell phone number for. This driver was willing to come pick her up and take her home. She had no issues with the driver that picked her up and the driver did run the meter. She was upset that the original order was never accepted and she waited over an hour to be picked up.

On Friday, May 6, 2011, she placed an order for Yellow Cab to pick her up at her home on Farragut Street at around 2200 to 2300 hours. This order was never accepted and on this evening she just stayed home since a cab never accepted the order.

On Sunday, May 8, 2011, at approximately 0100 hours, she placed an order for pick-up with the Yellow Cab call takers. The pick-up was at the intersection of Wood and Fourth Street and she wanted dropped off in Lawrenceville on Butler and Stanton Street. Approximately two minutes after placing the order she received a text message from Yellow Cab cancelling her order. She then flagged down a Yellow Cab four door sedan being driven by a light skinned African-American female in her thirties. The driver ran the meter and took her to Butler and Stanton Street next to the cemetery. The fare was approximately \$10.00 and Ms. Merranko handed the driver \$25.00 and asked for \$10.00 in change back. The driver handed her two individual bills back which Ms. Merranko advised she did not look at immediately because the area was so dark (next to cemetery) she could not see very well. Upon walking to her vehicle she checked and found that the driver handed her two \$1.00 bills instead of \$5.00 bills. Ms. Merranko advised she had not been drinking that evening, she was salsa dancing. Salsa dancing is physically demanding to do and you really can't drink alcohol and salsa dance according to Ms. Merranko. Ms. Merranko contacted Yellow Cab and had the dispatchers place a request on the MDT and eventually over the radio requesting the driver return and give her the correct change. She waited a while but the driver never returned to refund her money. Ms. Merranko did not get the cab number or driver number of this cab.

On Tuesday, May 10, 2011, Ms. Merranko placed an order for Yellow Cab pick-up at approximately 2100 hours. She had plans to attend a friend's birthday party. Upon placing the order the call taker advised her

that Yellow Cab was extremely busy that evening. Ms. Merranko advised she waited until 2300 hours and then called and cancelled the cab order.

Ms. Merranko advised that she does want to be notified by the PUC when the complaint is finished. She also advised that she will also testify if needed in reference to this complaint. Finally, she is interested in speaking with Yellow Cab about the money she is owed in reference to the May 8, 2011, cab ride. She would be willing to work it out with Yellow Cab to get a refund on the money she is owed if this EO is unable to identify the driver in this situation.

On June 8, 2011, at approximately 1000 hours, I responded to the Yellow Cab of Pittsburgh main office and spoke with managers John Oliverio, Julie Armstrong and CEO Jerry Campolongo.

Starting with Manager Oliverio, I attempted to obtain trip sheets and call sheets for each date in question. By using the cell phone number and or pick-up and destinations for each trip the complainants call information could be ascertained. Dispatch records were obtained for the following dates of the complaint. On May 5, 2011 the call was entered (cab ordered) at 1617 hours, re-entered at 1651 hours and cancelled at 1737 hours. No cab was assigned and no ride was provided to the complainant on this date. On May 8, 2011, the call was entered (cab ordered) at 0101 hours and cancelled at 0104 hours. On May 10, 2011, the call was entered (cab ordered) at 2205 hours, modified and entered again and finally cancelled at 2259 hours. No cab was assigned or provided transportation on this date. The dispatch sheets for these dates are attached to this report.

No dispatch records were found for the following complaint dates. The March 27, 2011, trip was too far back to maintain dispatch records in the computer system. No record was found for the date of May 6, 2011. This meant the complainant used a phone other than her cell phone or the information was put in the system incorrectly and with-out the exact parameters to search the record is un-attainable.

In reference to the May 8, 2011, complaint in which the driver failed to give Ms. Merranko the correct change Mr. Oliverio advised there is no way to determine which driver picked her up as it was not in the computer system. Mr. Oliverio entered several different parameters and left the time frame open to include any trips in the general area in the general time frame and no trips fitting Ms. Merranko's trip was found. Mr.

Oliverio also advised that he has no idea why the call would have been cancelled three minutes after it was placed.

Upon speaking with Driver Services Manager, Julie Armstrong, I asked her if there was a driver that went by the name "Ali". Ms. Armstrong immediately named driver James Jackson and described Mr. Jackson similar to the description Ms. Merranko provided. James Jackson has a DOB of 8/9/72, PA driver license of 23857954 and has leased from Yellow Cab since July 26, 2006. Mr. Jackson was leased out on March 27, 2011.

I asked CEO Jerry Campolongo to join the discussion in Ms. Armstrong's office and advised him of the details of Ms. Merranko's complaint on March 27, 2011. Mr. Campolongo, Ms. Armstrong and I conducted a telephone interview with Mr. Jackson at approximately 1123 hours the same day in Mr. Campolongo's office. Mr. Jackson advised that he is in a committed relationship and that his girl-friend has a shoe fetish. Mr. Jackson does ask passengers what type of shoes they are wearing and where they got them occasionally, but he goes no further than that. Mr. Jackson did not remember anything in reference to the March 27, 2011, complaint.

On the same date at approximately 1145 hours I was sitting in the Yellow Cab parking lot preparing to leave when Mr. Jackson knocked on my windshield and was very frustrated and eager to discuss this complaint further. He advised he wanted to straighten this out now because he does not want to be accused of a sexual crime. Mr. Jackson had no other information other than to say he did not do what the complainant said he did. Mr. Jackson discussed the matter further with Mr. Campolongo in his office at that time.

Mr. Campolongo and Ms. Armstrong advised that they needed to do a hand search for Mr. Jackson's trip sheet for March 26, 2011. The scanner was down for a while and it is not in the system. They asked if they could e-mail it to me when they find it and I agreed.

On June 21, 2011, Ms. Armstrong e-mailed me in response to the trip sheet advising that they could not locate the trip sheet and they do not believe they have the trip sheet anymore. On June 28, 2011, at my e-mail request, Ms. Armstrong e-mailed me two documents that verified that Mr. Jackson was operating a cab the night of March 26, 2011. The first was a lease history page stating he took a cab out on March 26 and returned it on

March 27. The second sheet is a vehicle schedule report for Mr. Jackson. The corresponding e-mail and sheets documents are attached to this report.

Investigation found that it is reasonable to believe that driver James Jackson was the cab driver for Ms. Merranko on March 27, 2011. He is known as "Ali", fit Ms. Merranko and Ms. Armstrong's descriptions provided, was leasing a cab the night of the incident and openly admitted that he has asked female passengers in the past about their shoes. Compliance review must review this and determine if the alleged comments made by driver Jackson to the complainant warrant an unreasonable service or other violation.

Investigation found that the complainant waited an hour and twenty minutes on May 5, 2011, and was not picked up. Complainant finally called the cell phone of a driver she knew from previous trips to get a ride. The driver provided transportation to her after waiting over an hour. On May 8, 2011, Ms. Merranko placed an order which was immediately cancelled (three minutes after she placed the call) for an unknown reason. Finally, she waited fifty-four minutes on May 10, 2011, for a Yellow Cab. She was not transported on this night as well. No documentation was found in reference to Ms. Merranko's claim that she ordered and did not receive a cab on May 6, 2011.

Investigation found that on May 8, 2011, unknown driver of unknown Yellow Cab over-charged the complainant. The trip estimate (attached to report) using the Yellow Cab fare estimate web site should have been approximately \$10.00. The complainant paid the driver twenty-five dollars and asked for ten dollars in change. The driver gave the complainant only two dollars in change.

**Possible PUC violations:**

1. Unreasonable service charge for driver James Jackson's comments on March 27, 2011 cab ride.
2. Unreasonable service charge for making customer wait over an hour on May 5, 2011 and just under an hour on May 10, 2011.
3. Unreasonable service charge for cancelling complainant's cab order approximately three minutes after placing the order on May 8, 2011.

4. 29.101(f)(2)(i): The certificate holder shall be required to furnish and maintain adequate service to the public which shall be reasonably continuous and without unreasonable interruptions or delays.
5. 29.101(f)(2)(i): The holder of a call or demand certificate may lease vehicles to drivers for operation in the service of the certificate holder only under the following conditions: (i) The leased vehicle shall be operated under the direct control and supervision of the certificate holder. Complainant waited for service on May 5 and May 10 and Yellow Cab was unable to provide that transportation as drivers were not assigned the trip. On May 5, 2011, complainant had to contact a cab driver on her own using a cell phone number the driver provided to her. The driver in this instance had control of the transportation, not the certificate holder.
6. 29.101(f)(2)(ii): The driver-lessee of the vehicle and the certificate holder shall be required to keep and retain daily log sheets as prescribed by § 29.313(c) (relating to service standards and requirements). Yellow Cab failed to retain driver Jackson's trip sheet for March 26 and 27, 2011.
7. 29.313 (c): *Log sheets.* A driver of a vehicle in call or demand service shall keep a log sheet or manifest for each shift he operates unless some other method is, upon petition, specifically approved by the Commission. These log sheets shall be filled out contemporaneously with the trip, on a form supplied by the certificate holder. The log sheets shall be retained by the certificate holder for at least 2 years. Log sheets may be retained in electronic format. Log sheets, or comparable printouts from an electronic storage device, shall be turned over upon request to an authorized representative of the Commission upon the rendering of a receipt. Yellow Cab failed to turn over driver Jackson's trip sheet for March 26,27 2011.
8. 29.314(b)(7): The meter must be in operation during the entire time the vehicle is engaged by a passenger, and the passenger shall be required to pay only the amount recorded by the meter.... Complainant's fare was approximately \$10.00. Complainant paid \$25.00 and asked for \$10.00 in change back. Unknown female driver only gave \$2.00 back in change.

**Attachments:**

1. Yellow Cab dispatch sheet for May 5, 2011
2. Yellow Cab dispatch sheet for May 8, 2011
3. Yellow Cab dispatch sheet for May 10, 2011
4. E-mail correspondence between Julie Armstrong and EO (2 pages)
5. Yellow Cab lease history sheet (driver Jackson)
6. Yellow Cab vehicle schedule report (driver Jackson)
7. Yellow Cab fare estimate for May 8, 2011 trip

Compliance review should review the attached documents and this report and determine if any other PUC violations are present. On July 21, 2011, at approximately 1325 hours the complainant was notified that the report was finished and forwarded on for review.

Gary Double Jr.

July 21, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Tuesday, May 10, 2011 3:05 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: Albert Collins

Street Address: 192 41st ST #3

City: Pittsburgh, PA 15201

Daytime Phone: 4127599212

Your e-mail address: [loganpa@comcast.net](mailto:loganpa@comcast.net)

Date: 5-10-2011

Time : 2:20 AM

Location of Incident : 4100 Butler ST

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : Melissa a dispatcher was very rude to me and after waiting for a cab for over 20 minutes, she said that there were people waitng for 39 minutes in the south hills nad 145 minutes elsewhere. She then said I ain't speakin to you no more tonight and hung u on me. I asked to speak to a supervisor and sole to Mrs. Fisher. @ 3:11 AM. She was no more helpful and equally rude. Why is the Yellow cab company permitted to operate inn the city with this type of customer service?

Nature of Incident: Other Comments

## Officer's Report

This report is in reference to BP8 case #2240965. The complainant in this case advised that Yellow Cab dispatchers were rude to him and the service he requested was late in showing up.

On May 23, 2011, at approximately 1507 hours I spoke with the complainant, Albert Collins, by telephone. Mr. Collins advised that on Saturday, May 7, 2011, at approximately 0220 hours he called Yellow Cab of Pittsburgh and placed an order for a cab to pick him up at 41<sup>st</sup> street and Butler, in the Lawrenceville section of Pittsburgh and drive him to the strip district at 16<sup>th</sup> and Penn Ave in Pittsburgh. Both of these locations are in Allegheny County, PA and with-in the service area of Yellow Cab of Pittsburgh. At approximately 0250 hours he called Yellow Cab to inquire where his cab was and the dispatcher (Melissa) responded "We're very busy". Mr. Collins asked the dispatcher why they didn't mention this when he placed the order and the dispatcher commented that one customer in Shaler has been waiting forty-five minutes and another customer (unknown location) for an hour and forty-five minutes. Mr. Collins immediate thought was "wow, you guys are really horrible", but he did not say this to the dispatcher. Mr. Collins also spoke with the supervisor that evening, Ms. Fisher. Ms. Fisher confirmed that they were busy. After speaking with Ms. Fisher he cancelled his order at approximately 0311 hours and no cab arrived to pick him up that evening.

Mr. Collins advised that the reason for this complaint was if this is a chronic issue then the PUC should know that one of its licensed carriers is providing horrible service. What shocked him the most was Melissa's non-chalant attitude that a fare paying customer has been waiting an hour and forty-five minutes, that it was normal and no big deal and that he was acting unreasonable. He feels that the Yellow Cab dispatchers should at least be responsible to provide an estimate of how long until their cab arrives when the order is placed. He feels that the PUC should require it. Mr. Collins does not want to be notified of the outcome of this complaint. He advised that he will go back to using Classy Cab. On the evening in question he decided to see what type of service Yellow Cab provides and his question was answered, he will resume using Classy Cab.

On June 16, 2011, I responded to the office of Yellow Cab of Pittsburgh and spoke with Manager John Oliverio. Mr. Oliverio attempted several times to locate the dispatch record in the computer for Mr. Collins

trip. Mr. Collins telephone number, address, cross streets and finally all calls on 41<sup>st</sup> street on the day in question was used in an attempt to locate the record. There was no record of any call fitting the one Mr. Collins described for the date and general time provided by Mr. Collins.

My investigation revealed that Mr. Collins may have provided the wrong date or details in regards to his complaint. On the complaint sheet he filed with the PUC he stated May 10, but he was positive when I spoke with him on the phone that the incident occurred on May 7, 2011. Mr. Collins advised that no cab ever arrived to pick him up and in fact he cancelled the order at approximately 0311 hours after speaking with the supervisor, Ms. Fisher. Mr. Collins first placed his call at approximately 0220 hours and cancelled same fifty-one minutes later at 0311. Compliance review should review this complaint and determine if the time waiting and the dispatcher/supervisor comments warrants a charge of unreasonable or discourteous service.

Mr. Collins was notified on June 17, 2011, and advised that the report was written and will be forwarded to Harrisburg for final review. Mr. Collins raised an objection of forwarding the report to Harrisburg for final review and I took time explaining the steps and procedures that EO's follow when conducting investigations. I offered to allow Mr. Collins to speak with District Manager Bowser for further clarification and Mr. Collins advised he would like to do this. District Manager Bowser advised that he spoke with Mr. Collins; however Manager Bowser was unsure what Mr. Collins was questioning in reference to the report. This officer recalls that his original conversation with Mr. Collins at the outset of the investigation was clear and concise. Upon speaking with Mr. Collins to notify him that the investigation was complete it appeared that Mr. Collins was not entirely coherent and was confusing at best (unknown speculation of what was causing the issue).

There are no attachments accompanying this report.

Gary Double Jr.

June 17, 2011

Badge #4

BP8 # 2240966

### Public Utility Commission

### Taxi Complaint Form

If you have a complaint against a taxi company in Pennsylvania, except for in Philadelphia, you can use this form to file a complaint with the **PA Public Utility Commission**. You must provide the information on 1, 4, 6, 7, 8 and 10. We will contact you by telephone or by e-mail within 15 business days.

Do **not** fill out this Form if you have a complaint against a Philadelphia taxi. As of April 10, 2005; Philadelphia taxis fall under the jurisdiction of the **Philadelphia Parking Authority**. For taxi complaints in Philadelphia, you may contact the Philadelphia Parking Authority at (215) 683-9600.

#### Personal Information

- 1. Name Sue Bauer
- 2. Address 134 W Sherman Ave
- 3. City Aubois State PA Zip 15801
- 4. Daytime Phone 814 375 0619
- 5. E-mail Address \_\_\_\_\_

#### Incident Information

- 6. Date 3-13-11
- 7. Time 12  AM  PM Approximately
- 8. Location of Incident leaving Pittsburgh airport
- 9. Taxi (PUC) Number 259

10. Name of Taxi Company \_\_\_\_\_

11. What happened? Please check any of the appropriate boxes.

- |  |  |
|--|--|
| <input type="checkbox"/> No air conditioning   | <input type="checkbox"/> Interior of vehicle not clean |
| <input type="checkbox"/> Driver refused to transport passenger                         | <input type="checkbox"/> Driver Discourteous           |
| <input checked="" type="checkbox"/> Operated vehicle in a dangerous manner             | <input type="checkbox"/> Trunk compartment not clean   |
| <input type="checkbox"/> Failed to take most direct route                              | <input type="checkbox"/> Fare receipt not provided     |
| <input type="checkbox"/> Overcharged   | <input type="checkbox"/> Tariff rates not posted       |
| <input type="checkbox"/> Taximeter not working, not used, not visible                  |  |
| <input type="checkbox"/> Doors and/or windows did not operate easily or close securely |  |

Other (please describe) speeding 88 miles/hr. Sat right behind him so I could see straight on

12. Please explain the Nature of Incident gentleman was polite, taxi clean.  
We just needed ride to hotel, he wanted to get back to airport  
to get another trip into city. He got call from a taxi he flew  
by. So he's on the phone going 88 mph!

Complainant's Signature Sue Bauer

**To file your complaint or opinion, print the form and mail it to the District Office nearest to where the incident occurred:**

PA Public Utility Commission  
Bureau of Transportation & Safety  
PO Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-7598

PA Public Utility Commission  
Room 320 State Office Bldg.  
100 Lackawanna Avenue  
Scranton, PA 18503  
(570) 963-4590

PA Public Utility Commission  
Transportation & Safety  
245 William Pitt Road  
Pittsburgh, PA 15238  
(412) 423-9310

PA Public Utility Commission  
1601 Eleventh Avenue  
Altoona, PA 16601  
(814) 946-7320

PA Public Utility Commission  
801 Market Street  
Philadelphia, PA 19107  
Bureau of Transportation & Safety  
(215) 965-3721

## Officer's Report

This report is in reference to BP8 case #2240966. The complainant alleges that the driver of Yellow Cab of Pittsburgh cab #259 was speeding and talking on his two-way radio and cell phone.

The origin of this trip is the Pittsburgh International Airport, Findlay Township, Allegheny County, PA. The destination is 1000 Park Lane Dr. Pittsburgh, PA 15275, Allegheny County. Both locations are within the service area of Yellow Cab of Pittsburgh.

On May 18, 2011, I spoke with the complainant Sue Bauer. Mrs. Bauer reported that her flight came in late on Sunday March 13, 2011. Upon arrival they found that the shuttle to their hotel (Main Stay Suites near the airport) was no longer operating so they got a cab for the trip. At approximately 1230 hours on Monday March 14, 2011, they got into Yellow Cab 259 for the trip. Mrs. Bauer advised that the cab was fine and the driver was nice, however on the way to the hotel she had a clear view of the speedometer and she observed the cab reach speeds over 85 miles per hour. The driver was also using his cell phone and the two-way radio in the vehicle to converse with other cab drivers. From over-hearing the driver's conversation, Mrs. Bauer thought the driver was trying to get them to the hotel and get back in a hurry to the airport while there were still customers. Mrs. Bauer advised that her husband Perry and her son Zachary were with her on the cab trip. Mr. Bauer was with Mrs. Bauer while I spoke with her over the phone. Mr. Bauer had nothing different to add to his wife's complaint. Mrs. Bauer advised that she does not want the driver fired, nor is she willing to go to court for this matter. Finally, Mrs. Bauer stated she did not want to be notified by the PUC of the final outcome and she wants her complaint to be kept anonymous at all costs.

On June 16, 2011, I responded to Yellow Cabs office and spoke with Driver Services Manager, Julie Armstrong. Ms. Armstrong advised that the driver of cab #259 on that date was Craig Smith. Mr. Smith has a PA driver's license of 24836028, DOB 8/19/1970, and has leased from Yellow Cab since 9/6/2007. Ms. Armstrong provided the driver's the trip sheet for the date in question and a phone number for me to contact the driver.

On June 17, 2011, at approximately 0935 hours I spoke with Craig Smith on the telephone. Mr. Smith advised that he did not recall anything from an airport trip on March 14, 2011. He advised he always uses his hands free blue tooth ear piece when he talks on the phone while driving. He advised there is a two-way radio through the MDT system, but if he needs to use it, he pulls over since he needs to use his hands to operate it.

My investigation revealed that the complainants are not interested in going to PUC court or finding out what the final outcome of their complaint is. While speaking with the complainant I got the impression that Mrs. Bauer was feeling inconvenienced that I needed to speak with her at all and she wanted to get off the phone. Both of the Bauers were in agreement that the driver was operating the cab at a high rate of speed and was using other distracting devices while doing so. Compliance review should review this report and determine if charges of unreasonable service, trip sheet violations and any other PUC violation are prudent.

*Upon reviewing the driver's trip sheet I found the following violations:*

1. 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving.  
The driver was a weekly lease at the time of the incident. No end date or time was stamped on the trip sheet. This is usually conducted by the cashier at the Yellow cab cage.
2. 29.313(c)(4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. The driver uses vague descriptions like Cranberry, North Shore and Shadyside as landmarks for locations. Also, the complainants' trip does not appear to be on the trip sheet either.
3. 29.313(c)(7): The meter readings at the beginning and end of each shift. Possible violation as it appears that the driver used the odometer numbers instead of the meter numbers.

On June 17, 2011 at approximately 1100 hours this officer notified the complainant that I was finished with their complaint by leaving them a voice mail. As stated earlier in this report, the complainants do not want notified of the final outcome.

**Attachments:**

1. Cab 259 trip sheet for date in question.

Gary Double Jr.

June 17, 2011

Badge #4

BP8# 2240967


**Public Utility Commission**

**Taxi Complaint Form**

If you have a complaint against a taxi company in Pennsylvania, except for in Philadelphia, you can use this form to file a complaint with the **PA Public Utility Commission**. You must provide the information on 1, 4, 6, 7, 8 and 10. We will contact you by telephone or by e-mail within 15 business days.

Do **not** fill out this Form if you have a complaint against a Philadelphia taxi. As of April 10, 2005, Philadelphia taxis fall under the jurisdiction of the **Philadelphia Parking Authority**. For taxi complaints in Philadelphia, you may contact the Philadelphia Parking Authority at (215) 683-9600.

**Personal Information**

1. Name Amanda Cathees
2. Address 203 Curcio Drive
3. City Fayette City State PA Zip 15438
4. Daytime Phone 724-466-0259
5. E-mail Address 

**Incident Information**

6. Date April 10, 2011
7. Time ~1:15  AM /  PM
8. Location of Incident Station Square
9. Taxi (PUC) Number 489

10. Name of Taxi Company Yellow cab

11. What happened? Please check any of the appropriate boxes.

- No air conditioning
- Driver refused to transport passenger
- Operated vehicle in a dangerous manner
- Failed to take most direct route
- Overcharged
- Taximeter not working, not used, not visible
- Doors and/or windows did not operate easily or close securely
- Other (please describe) \_\_\_\_\_
- Interior of vehicle not clean
- Driver Discourteous
- Trunk compartment not clean
- Fare receipt not provided
- Tariff rates not posted

12. Please explain the Nature of Incident \_\_\_\_\_  
see attached paper

Complainant's Signature Amanda Cothuis

**To file your complaint or opinion, print the form and mail it to the District Office nearest to where the incident occurred:**

PA Public Utility Commission  
Bureau of Transportation & Safety  
PO Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-7598

PA Public Utility Commission  
Room 320 State Office Bldg.  
100 Lackawanna Avenue  
Scranton, PA 18503  
(570) 963-4590

PA Public Utility Commission  
Transportation & Safety  
245 William Pitt Road  
Pittsburgh, PA 15238  
(412) 423-9310

PA Public Utility Commission  
1601 Eleventh Avenue  
Altoona, PA 16601  
(814) 946-7320

PA Public Utility Commission  
801 Market Street  
Philadelphia, PA 19107  
Bureau of Transportation & Safety  
(215) 965-3721

Four friends and I got into taxi at Station Square at approx 1:15am Sunday April 11<sup>th</sup>. We asked the driver if <sup>he</sup> could take us to Jefferson Hills. As I got into the taxi the meter was on and was set at \$5.50. The driver began to drive for about one minute turned his head to us and said that this cab ride was going to be \$65.00. At this moment the meter had been shut off. We began to question the driver as to why he was demanding \$65.00 when typically the meter will display how much is owed once you reach your destination. The driver ~~then~~ then pulled the cab over and demanded the money. US girls looked at each other and decided it may be hard to find another taxi that was a van this late at night so my friend said its okay. I will just pay with my credit card. The driver flipped out and began to demand cash - the driver said if we did not give him \$65.00 cash he was going to take us to the police and ~~at~~ the next moment he then told us to get out of the cab. After this we all got out of the cab because this was just to weed for a driver to demand cash before even taking passengers to their destination. I usually do not ever complain about any services I receive but with this incidence I do not want it to happen to happen to anyone else especially another female. I also can say that we did get another taxi and it only cost ~\$32.00 w the same cab company.

## Officer's Report

This report is in reference to BP8 case #2240967. The complainant in this case alleges that the driver of Yellow Cab of Pittsburgh cab number 489 refused to take their credit card and refused to provide transportation to them.

On May 23, 2011, at approximately 1415 hours, I spoke with the complainant, Amanda Cathers on the telephone. Ms. Cathers reported that she and four other ladies were in Station Square in Pittsburgh the evening of April 9 and early morning of April 10, 2011. At approximately 0115 hours they got into cab #489 and requested to be taken to 814 St. Clair Ave. Clairton, PA 15025. Both of these locations reside within Allegheny County, PA. Upon getting into the cab she observed that the meter was on and it read \$5.50. The driver started driving and when he driver stopped at a red light she observed the driver shut the meter off. Then he turned around and advised them that the trip would cost \$65.00. Christine Hronakas, one of the ladies in the cab began to question the driver saying the fare was too much, but the driver insisted on \$65.00 for the trip. The ladies agreed to pay it but could not make the correct change. Ms. Hronakas agreed to put the fare on her credit card and get the money from the others later. Upon mentioning the card the driver pulled over to the side of the road immediately, advised them cash only for the trip. Ms. Cathers advised she didn't understand what the problem was; they were willing to pay the driver his asking price, just with a credit card. As they continued discussing it with the driver pleading with him to take them home, the driver began threatening to drive them to the police station if they would not get out. They eventually got out of the van (cab) and got into a different cab where the driver was pleasant, nice, used the meter and the fare was \$31.00 roughly. Ms. Cathers described the driver as a thin, dark complexion, dark haired male with an accent. She was unsure of the driver's nationality or race.

Ms. Cathers provided the names of the other ladies that were with her that evening and a couple of the phone numbers. She also advised that she may be willing to testify if it goes to court and does want to be notified by the PUC of the final determination. Ms. Cathers address is 203 Curcio Dr. Fayette City, PA 15438.

On May 25, 2011, at approximately 2039 hours I spoke with Ashley Avery. Ms. Avery advised she was one of the ladies with Ms. Cathers the evening of April 9 into the morning of April 10, 2011. Ms. Avery also

provided a phone number for one of the ladies that Ms. Cathers did not have. Ms. Avery advised that she did not know the cab number of the cab, but her description of the driver was similar to that of Ms. Cathers.

Ms. Avery advised that they arrived at Station Square on Saturday April 9 at approximately 2130 or 2200 hours. The driver was sitting outside of the Sheraton Hotel and they approached him about a ride later that evening. Ms. Hronakas provided her phone number and got the driver's number as well. They advised the driver that they would need a ride after 0100 hours and they would need a van (cab #489 is a van cab). At approximately 0115 hours the driver called and advised he was outside and ready to go. Everyone in the group was rounded up and they went out and got in the cab. The driver took off with them in the cab, pulled around the corner, pulled over and said he needed \$60.00 for the ride, not including the tip. Ms. Avery advised that at this time the meter was no longer running, it was turned off after they got into the cab.

Ms. Avery advised that they did not have \$60.00 between the five of them so they offered to put it on a credit card. The driver refused so they requested him to use the meter and they would pay what the meter said. The driver then drove back to the Sheraton and ordered them out or he would take them to the police station. While the other ladies attempted to speak with the driver, she (Ms. Avery) observed another cab/van, so she got out of the cab and approached that cab driver in an attempt to secure a ride home for the evening. The driver agreed and she waved her friends over and that was the end of the situation. Ms. Avery advised that she would probably testify if it would go to court. Ms. Avery's address is 9 Union St. Uniontown, PA 15401.

On Monday June 6, 2011, I e-mailed driver services manager Julie Armstrong of Yellow Cab requesting the trip sheet for cab #489 on the date in question. June 16, 2011 was negotiated as the date I would respond to Yellow Cab, obtain all documents and speak with the driver.

On June 16, 2011, at approximately 0940 hours, I responded to Ms. Armstrong's office and obtained the trip sheet of the driver of cab #489 that covers the dates of April 9 and 10, 2011. Ms. Armstrong advised that the driver was Raja Hamid Nawaz Khan, PA license 29565871, DOVB 06/10/1972 and he has been leasing from Yellow Cab since 10/8/2009. Mr. Khan spoke with Ms. Armstrong a few days before concerning this

incident and advised her that he remembered the entire incident. He apologized if he messed up, but stated to her that he was not driving those drunk women home. They were cursing at him and getting out of hand.

On the same date at approximately 1050 hours I spoke with driver Khan on the telephone from Ms. Armstrong's office while Ms. Armstrong was present. Mr. Khan advised that he was roaming around the Sheraton in Station Square that evening when the girls approached him and arranged transportation for later in the evening (around 0130 or so). Mr. Khan advised that when he arrived to pick them up later in the evening the girls were drunk, one was abusive in her language toward him and another was almost passed out. Driver Khan advised that he did not feel comfortable driving them due to their behavior and threatened to call the police if they didn't get out of his cab. One of the girls in the group got out and arranged transportation with another cab. When the rest of the girls got out, one spit on him, spilled some type of liquid all over the cab and they left all the doors open. When he advised that he was no longer going to transport them, they offered a good tip - \$20 to \$30 over the meter fare. He also complained that they were late to the 0130 pick-up time that he had arranged earlier with them.

Mr. Khan advised that he always uses his meter and it was on when they were in the cab. He advised the credit card issue is a non-issue because he was not going to transport them because he felt uncomfortable. He had advised them to get out and go to the other cab that was a van. Mr. Khan advised the ladies that it was his cab and since he felt uncomfortable, he was not taking them. He provided the cab number and Yellow Cab's phone number to complain if they wanted to.

On June 24, 2011 at approximately 1342 hours I spoke with Amber Johnson. Ms. Johnson advised that she was one of the ladies with Ms. Cathers on April 9-10, 2011. Ms. Johnson also provided a phone number for one of the ladies involved. Ms. Johnson advised they arranged the cab ride with the driver shortly after arriving at Station Square. The cab arrived to pick them up around 0130 hours and the meter was not running when they got in. The driver asked for a set amount of cash up front, she believes it was \$60.00 and he requested exact change. They were willing to pay, but did not have exact change so the driver told them to get out. Ms. Johnson advised that Ms. Hronakas (Christine) got upset and began arguing/get loud with the driver. It's at this

point that the driver threatened to take them to the police. She advised that Christine appeared upset, because they were willing to pay, they needed the ride, the driver insisted on exact change and the driver refused to take a credit card saying he did not have a credit card machine. Ms. Johnson advised that at no point was the meter on and she recalls the driver stating that the meter did not work. Ms. Johnson advised that she is willing to testify if needed. Ms. Johnson advised her address is 4207 12<sup>th</sup> Rd. Arlington, VA 22204.

On June 24, 2011 at approximately 1602 hours I spoke with Christine Hronakas. Ms. Hronakas verified that it was Saturday April 9 into Sunday April 10, 2011. She also advised that the destination of the trip was her home at 814 St. Claire Ave. Clairton, PA 15025.

Ms. Hronakas advised that she drove to Station Square that evening, but they all wanted to have a good time and they did not want to worry about a designated driver for the evening. Upon arrival at Station Square Ashley and her approached the cab driver to set up a time for a later pick up. Numbers were exchanged and a 0115 to 0130 pick-up time was negotiated. Ms. Hronakas advised that the driver called her about 0100 hours and said he would be there in fifteen minutes. They went outside as soon as he called to wait and they had to flag him down. When they got in the cab the meter was running, but when he asked where they were going and they replied, his mood changed and that is when she thinks he shut his meter off. The driver then asked for \$60.00. Ms. Hronakas advised me that she has taken this exact cab ride approximately eight times and the fare is always between \$30.00 and \$35.00. She advised that they all knew they were being ripped off, but it was late and they were concerned about getting home (how they would find another mini-van type cab for all of them). The ladies did not have the cash to pay his price and when she offered to put in on the card the driver became upset and refused the card. She began arguing with him and refused to use an ATM when she had a card to pay him with. When she refused to go to the ATM the driver threatened to take them to the police station. They were willing to pay his high un-metered fare and he never mentioned anything about the card machine not working. The ladies were willing to take a ride to the police station since they did not think they did anything wrong, but Ms. Avery had arranged transportation with another mini-van type cab and that is when they got out of cab #489.

Ms. Hronakas advised that at no point did the driver ever comment that he felt uncomfortable driving them and he was making the situation worse as he was losing his temper over the \$60.00 cash. She also advised that all five had been drinking that evening, but no one was out of control or trashed. Ms. Hronakas advised that she is willing to testify if needed.

On June 27, 2011, at approximately 1545 hours I spoke with Lindsay Castor. Ms. Castor advised she was one of the ladies with Ms. Cathers on the evening and morning of April 9 and 10, 2011. Ms. Castor verified that they made arrangements with the driver earlier in the evening for him to return and pick them up later that night. Once they got in the cab the driver drove off and before exiting Station Square he stopped and asked for the destination. Ms. Castor advised that the meter was running when she got in the cab, she doesn't know what happened to it, but a few minutes later she saw that it was off. The driver asked for \$60.00 for the trip. They knew they were being ripped off, but they were more concerned about how they would get home and how they would find another large van type cab to drive them. They tried to put the fare on a credit card once they realized they couldn't equally divide \$60.00 between them. The driver refused the card and ordered them out of the cab. She could not remember if the driver gave an excuse why he would not take the card, just that he would not take it. While they pleaded and argued with the driver about taking them home he threatened to call the police. Only when Ms. Avery had arranged other transportation did they finally get out of the cab. Ms. Castor advised that at no point did the driver state anything about being uncomfortable driving them home. Ms. Castor advised that they all had been drinking, but they were all well within control of themselves. Nobody was out of control or intoxicated. Ms. Castor advised that she is willing to testify if this goes to a hearing.

My investigation revealed that the events described in this case by all six individuals (five complainants and one cab driver) did occur. All six individuals were spoken to and verified that Yellow Cab of Pittsburgh driver Khan did pre-arrange earlier in the evening of Saturday April 9, 2011 to pick the five complainants up in Station Square on the early morning of April 10, 2011. The complainants did get into Mr. Khan's cab. The complainants then claimed that the driver shut the meter off, conduct a flat-rate over-charge, refused to take a credit card as payment and then ordered them out of the cab for failure to pay up front and in cash. The all

claimed the driver threatened to either call or take them to the police if they failed to get out. The driver disputes the credit card and meter complaint, stated the credit card was a mute issue as he did not feel comfortable transporting the girls because they were drunk and abusive. Upon speaking with the five complainants, I feel comfortable stating that all five statements were made with-out colluding with one another (rehearsing). Slight differences in each individual story only verify that all five were present, witnessed the events and provided their own version of what they recalled that evening. Compliance review must review this case determine whose side they feel is more credible in determining the final outcome. Listed below are the possible violations if compliance review sides with the complainants as well as trip sheet violations found on driver Khan's trip sheet for that evening. Compliance review should also determine if a charge of unreasonable service or failure to accept a credit card as acceptable payment is also warranted in reference to this complaint.

**Possible PUC Violations:**

1. 29.101(f)(2)(i): The leased vehicle shall be operated under the direct control and supervision of the certificate holder. The driver's ability to pre-arrange a trip displays that the driver is controlling the transportation and not the certificate holder.
2. 29.313(a): *Required to provide service.* A driver of a call or demand vehicle shall, at all times when on duty and not engaged, furnish trip service on demand to an orderly person for lawful purposes.
3. 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving. The end date and time was not time stamped by Yellow Cab when the driver turned his trip sheet in upon completion of his lease time.
4. 29.313(c)(4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Driver uses general locations like Shady Side and CMU instead of correct addresses/landmarks as required.

5. 29.313(c)(7): The meter readings at the beginning and end of each shift, if applicable. The meter reading is between two thousand and five thousand numbers apart. This number does not appear accurate for a total number of metered trips.
6. 29.314(7): The meter must be in operation during the entire time the vehicle is engaged by a passenger, and the passenger shall be required to pay only the amount recorded by the meter, except that, when back-mileage or surcharge provisions of the tariff of the carrier apply, the back-mileage charge or surcharge shall be added to the amount recorded by the meter. Each meter charge shall be collected only once regardless of whether the vehicle is being used in exclusive service or in nonexclusive service.
7. 29.316(a)(1): The amount as is calculated and registered on the meter.
8. 29.317(a)(1)(i): Log sheets required to be prepared under § 29.313(c) (relating to service standards and requirements) shall be signed by the lease driver, independent contractor or another designation of a person not an employee-driver of a call or demand certificate holder—lease driver—and turned in to an authorized employee. The employee shall sign and retain a log sheet and attest to the signature of the driver who is responsible as to the accuracy of the revenues reported, which agrees with the information shown on the scaled meter at the end of a shift.

**Attachments:**

1. Trip sheet for cab #489
2. Yellow Cab Fare estimator for trip in question

On Wednesday June 29, 2011, I contacted Ms. Cathers and advised her that the report had been completed and that it would be forwarded to Harrisburg for final review.

Gary Double Jr.

June 29, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Sunday, May 15, 2011 10:45 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: Jennifer Chieng

Street Address: 1704 Centre Ave 302

City: Pittsburgh, PA 15219

Daytime Phone: 7182009722

Your e-mail address: [jdchieng@hotmail.com](mailto:jdchieng@hotmail.com)

Date: 05/14/2011

Time : 5:00 PM

Location of Incident : 411 Smithfield Street

Taxi(PUC) Number : 112

Medallion Number :

Taxi Company : Yellow Cab Pittsburgh

Driver Number :

Incident comments : Good evening Sir or Madam: I am writing a formal complaint concerning the driver of cab #112. To recap the events of that day: It was about 5:00 pm on the 14th of May 2011 when the ordeal occurred. I made a call to yellow cab requesting a pick at 441 Smithfield Street in Downtown Pittsburgh (at the Sbarro restaurant across from Macys). I was with my mother, a 61 year old woman who needs to use a cane to get around. I was also 34 weeks pregnant. The line connected and the dispatcher informed me that a cab would be on the way. Five or ten minutes later cab #112 pulled up a few yards away from the crosswalk and parked across the street by the Macys Smithfield Street entrance. The lane opposite the driver was a bus lane (where my mother and I were currently located) and so I waved at him to signal that my mom and I would cross the street at the crosswalk and be over. I then gathered our belongings in the restaurant and proceeded to cross the street at the crosswalk where my mother was crossing. I continued to walk ahead of her and decided to wait by the cab so that the driver would know not to leave without us. The driver then rolled down his window and expressed frustration over having to wait too long and then further volunteered his opinion as to what we SHOULD have done. He suggested that my mother (who was walking at a slow pace due to her disabled

condition) should have Jay Walked across the street to reduce the amount of time the driver sat around waiting. Essentially he suggested that we should put full faith and trust that any oncoming traffic would stop regardless of where my mother was crossing on the street. I made it known to him, and I make it known now, that I would never willingly choose to compromise the safety of my disabled mother and unborn child in exchange for less waiting time. Regardless of my reasoning the driver continued to express his frustration and peeled out of his parking space and moved up the street, closing the distance between the cab and my mother. I was upset that the driver felt it necessary to risk my disabled mother's safety to save a few minutes of his time, and especially that he went on to suggest she jay walk. Having been provoked enough by his open frustration and disregard for my mother's safety I replied "No one talk to me, I am not in the mood." The driver then imposed his authority by threatening to deny service while the car was in motion. He proceeded to lecture me about watching the way I talk to others, meanwhile he continued to threaten refusing service and kicking us out of the cab. He FURTHER insulted me by offering his opinion of me and imposing his authority over his passengers. Throughout the time the driver felt it necessary to be a hypocrite I held my tongue because I simply wanted to get to my destination without another word from either of us. The driver pressed on with his comments, at which point I then became too provoked to stay quiet and replied to his insults telling him that he should keep his two cents to himself. A few moments later he shut off the meter (which was approx. \$3.85 or \$4) and then said that he would drop us off at our pick up location. I looked out the window and realized we were right outside the William Omni hotel, so I told him that we would be fine getting let go of right on the spot. There was no reason for us to have to remain in the cab any further and we DID NOT WANT to remain in the cab. At my request to exit the cab he IMMEDIATELY REFUSED to let my mother and I out, held us AG

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2242055**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

07/05/11

On 06/16/11 I called the complainant at 718-200-9722 and left a voice mail asking her to call me back and explaining that I was investigating her complaint against Yellow Cab Co of Pittsburgh.

On 06/27/11 I called the complainant and again left a message for her to contact me.

On 06/29/11 I called and left a message once again.

On 07/05/11 I met with Julie Armstrong of Yellow Cab Co of Pittsburgh. Ms. Armstrong provided me with a trip sheet for cab 112 and the information on the driver of cab 112 for the day of Jennifer Cheing's complaint.

On 05/14/11 cab 112 was driven by Segun Olumuyegun, PA DL # 29-446-731 and his date of birth is 03/01/1978. The complaint revolves around an argument Jennifer Cheing had with the driver of cab 112. Ms. Armstrong stated that she remembered this incident as Mr. Olumuyegun reported it to Yellow Cab on the day that it happened. Jerry Campalongo, General Manager of Yellow Cab, entered my meeting with Ms.

Armstrong and also stated the he remembered the incident we were discussing. Mr. Campalongo stated the complainant called Yellow Cab and that he spoke with her and settled her complaint over the phone. Mr. Campalongo stated that he discussed the incident with Jennifer Cheing and offered her a cab for her next trip. Mr. Campalongo stated that Jennifer Cheing was satisfied after talking to him and that he did not know that she filed a complaint with the Commission. I asked to speak with Mr. Olumuyegun and Ms. Armstrong called him at 619-245-9263. I spoke with Mr. Olumuyegun and the details of that trip are as follows. Mr.

Olumuyegun stated that he was dispatched to downtown to pick up a fare. When he arrived at the address no one was there. He contacted dispatch to report a no show when he saw a woman waving at him from across the street. He stated that the woman crossed the street and started to curse at him. The woman got in the cab and told him to wait for her mother to cross the street. Mr. Olumuyegun stated that he pulled the cab over to the other side of the street so the fares mother could get in without crossing the street. Mr. Olumuyegun asked the fare why she was going to make her mother cross the street. The woman cursed at him more and when she was done her mother was in the cab. The woman then told Mr. Olumuyegun to "shut the fuck up and drive." Mr. Olumuyegun stated that he drove around the block and then asked the women to get out of the cab where he had picked them up, as the one kept cursing at him. He contacted dispatch and informed them of the difficulties with the fares. Mr. Olumuyegun stated that he did not charge them for the trip around the block

and the he just wanted to get the one lady out of his cab as she kept swearing at him. Mr. Olumuyegun told me that the women got out of the cab and he did not have and further incident or involvement with them. Mr. Olumuyegun said that the next day he spoke with Ms. Armstrong about the incident. I thanked Mr. Olumuyegun for his information and ended the call. I then discussed a couple of other complaints I was investigating with Ms. Armstrong and Mr. Campalongo. I then thanked them for their time and information and then left Yellow Cab Co. of Pittsburgh.

It is this Officer's opinion that no action be taken against Yellow Cab. The complainant has not returned any of my phone calls so that I can verify the information she provided in her complaint. The complainant's story and the driver of cab 112's story vary greatly and there is no way to verify the actual events of that day. Also Jennifer Chieng complained to Yellow Cab directly and Mr. Campalongo spoke with her, and he was under the impression that she was satisfied after speaking with him. The trip sheet for cab 112 is included in this report but the trip was not recorded as Mr. Olumuyegun only took the fares around the block and did not charge them before he asked them to leave the cab.

**From:** dcanzoneri@state.pa.us  
**Sent:** Friday, May 20, 2011 11:30 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: jacqueline white

Street Address: 1120 e. carson st

City: pittsburgh pa 15203

Daytime Phone: 412-600-8604

Your e-mail address: [jmwhite131@gmail.com](mailto:jmwhite131@gmail.com)

Date: 05/19/2011

Time : 9:30 pm

Location of Incident : 1120 e carson pgh pa 15203

Taxi(PUC) Number :

Medallion Number : 454

Taxi Company : yellow cab

Driver Number :

Incident comments : Yellow Cab Co. has drivers that constantly drive their taxi's onto the sidewalk at 1120 e. carson st. to drop off passengers. Our sidewalk and bilco door have been repeatedly damaged and our door way and sidewalk is regularly blocked by these taxi cabs. Numerous calls to the company including the owner Jerry Campolongo have not stopped the drivers. Last night while speaking to the driver of taxi 454 to request that he stop driving onto the sidewalk he pulled away narrowly missing driving over my foot. They are breaking traffic laws, damaging private property (sidewalk was just replaced at great expense less than 30 days ago) due to it being cracked from cabs driving on it. The delivery door (Bilco) is also being damaged and bent from this driving onto the sidewalk. We have received citations from the city for cracked sidewalks. This company needs to be held accountable for this illegal ongoing activity and damage to my property and disruption of my business.

Nature of Incident : Operated vehicle in a dangerous manner

Nature of Incident : Driver Discourteous

Nature of Incident: Other Comments

## Officer's Report

This report is in reference to BP8 case #2242472. The complainant in this case alleges that Yellow Cab of Pittsburgh cab drivers continually park on her sidewalk to drop off passengers and that the company refuses to control the drivers' actions.

On May 25, 2011, at approximately 1416 hours I spoke with the complainant Jacqueline White. Ms. White is the owner of a small restaurant on the south side area of Pittsburgh called Yorita's. Ms. White advised that in the past six and a half years she has replaced the sidewalk in front of her store twice. According to Ms. White she has paid close to \$5,000.00 to comply with the city requirements to maintain her sidewalk properly. She has spoken to delivery drivers and commercial motor vehicles operators that make deliveries to or near her store and all have ceased parking on her sidewalk for deliveries. The only group that has refused to cooperate are the Yellow Cab of Pittsburgh cab drivers.

Ms. White's Restaurant is at the corner of Twelfth and Carson Street and there is no parking on Carson Street near her store. There is plenty of parking on Twelfth Street, but the cab drivers do not appear to want to legally park, drop off their customers and drive around the block to get back on Carson. Instead, the cabs pull on to her sidewalk, drop off the passengers and then pull off. This action damages her sidewalk and the metal bilco doors that lay flat with the sidewalk. The damage causes tripping hazards and the city had fined her when she originally failed to fix the tripping hazard. The citation (\$250.00) was eventually revoked by the magistrate after she replaced the sidewalk (\$3,500.00) and fixed the bilco doors (\$1,100.00).

Ms. White advised that she has observed the cabs on her sidewalk primarily after she opens for the evening which is at 1600 hours. There have been instances where cabs unloading passengers have blocked her doors and prevented customers from entering and exiting her restaurant for brief time periods. The area her restaurant sits in is a historic district and this prevents her from taking actions that may prevent the cabs from pulling on the sidewalk. She has attempted to gain approval from zoning to plant trees in front of her business and barriers. These requests have been denied due to the historic district zoning. She is permitted to put an advertisement board in front of her restaurant, but the cab's drove over it the last time she put it up. Ms. White

has asked for police assistance; however they advised that they cannot sit in front of her store and it makes no sense for them to respond to a call as the cab will be gone by the time the patrol car arrives. Finally, Ms. White attempted to speak with Yellow Cab management. On April 28, 2011, she spoke with CEO of Operations, Jerry Campolongo about the issue. Mr. Campolongo advised Ms. White to contact the police as there was nothing he could do. Ms. White does not understand why Yellow Cab does not or is unable to control their cab drivers.

I advised Ms. White that I am unsure what I can accomplish for her other than notifying the carrier of the problem and requesting them to speak with their drivers about the issue. Ms. White advised she understood. Notifying the regulatory agency of the actions of one of its regulated carriers was just another step in documenting the steps she needed to take in case she decides to file a civil suit against Yellow Cab of Pittsburgh. I advised Ms. White that documented photographic evidence may assist her in any future complaints or lawsuits.

On June 16, 2011, at approximately 1045 hours, I responded to Yellow Cab of Pittsburgh and spoke with CEO Jerry Campolongo in the presence of Driver Services Manager, Julie Armstrong. Mr. Campolongo has put memos out in driver frequented areas concerning trip sheet regulations and staying off of sidewalks, but there is not much more he can do about the matter because it is more of a police matter than anything. He advised he is willing to help, but does not know how to prevent the drivers from driving on her sidewalk. Mr. Campolongo did state that he would love it if the PUC EO's could write citations to the drivers caught operating in this matter since the police are unwilling to respond.

On the same date from the hours of 1230 to 1430 I responded to the vicinity of Yorita's Restaurant and parked my marked vehicle in a bank parking lot less than a block away from Yorita's. I could view the sidewalk and bilco doors in front of Yorita's the entire time I was in the parking lot. At no time did I see any vehicle (cab or otherwise) pull up on any sidewalk at or near Yorita's Restaurant. I observed only one Yellow Cab pass by in the two hours I was watching.

My investigation revealed that Ms. White is proceeding through the steps for what appears to be an eventual law suit against Yellow Cab in reference to their drivers parking on her sidewalk and damaging same.

Mr. Campolongo has been advised by Ms. White and me of the issue and he appears to have no answer or solution to prevent his drivers from continuing to operate in this matter. My brief surveillance of the front of the store found no violations and only one cab in the area at the time. The south side area and Carson Street is an area that would be frequented with Yellow Cabs later in the evening as opposed to the day time hours of normal business. Compliance review should review this report and determine if a violation of unreasonable service or any other violations are prudent in this matter.

The complainant was notified on July 8, 2011, that the investigation had been completed. There are no attachments to go with this report.

Gary Double Jr.

July 8, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Thursday, May 19, 2011 4:40 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Bob Trosky

Street Address: 1460 Cliffview Rd

City:

Daytime Phone: 4124916641

Your e-mail address: [bob@chemlab.org](mailto:bob@chemlab.org)

Date: 05/14/2011

Time : 11:30PM

Location of Incident : Omni William Penn Hotel, Pittsburgh PA

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : On May 14th, 2011, at about 11:30PM, I attempted to take a taxi from the Omni William Penn Hotel located downtown. The doorman at the hotel was present, helping to find an available taxi. 4 taxi drivers refused my fare, with reasons such as "I am out of gas", "that fare is not large enough", "I do not go to that area, it is a bad neighborhood. I was told I don't have to go anywhere I don't want to", and a simple "No". I then got into what I thought was cab, but turned out to be an illegal cab. I called Yellow Cab to see if these were normal practices, and apparently all of the reasons given, including no reason, are valid reasons to refuse a fare because the drivers are independent contractors. I specifically asked, "So, basically Yellow Cab isn't concerned with me as a customer, but with the drivers as a customer", to which I was told, "Yes, it is crazy how it works." It seems that this company can provide this level of service with virtually no competitors, under the protection of the PUC. If the PUC is an advocate of the Public and the Utility, then I am confused as to how Yellow Cab can operate this way. If the PUC is an advocate of Public Utilities, then I am not confused as to how Yellow Cab can operate this way. "The Pennsylvania Public Utility Commission balances the needs of consumers and utilities to ensure safe and reliable utility service at reasonable rates; protect the public interest; educate consumers to make independent and informed utility choices; further economic development; and foster new technologies and competitive markets in an environmentally sound manner". I would say that my needs are not met by this utility in any sense of the word, so the balance is

currently skewed.

Nature of Incident : Driver refused to transport passenger

Nature of Incident : Driver Discourteous

Nature of Incident: Other Comments

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2242473**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

07/08/11

On 06/16/11 I called Rob Trosky at 412-491-6641 and spoke to him about his complaint against Yellow Cab Co. of Pittsburgh. Mr. Trosky told me that it a Saturday night on 05/14/11 and he went to the William Penn Hotel to get a cab after watching an arena football game at the Consol Energy Arena. He told me he went to the William Penn as there is a cab stand there. He stated that he did not call Yellow Cab for a cab as it was a Saturday night and he feels that it is "pointless" to call for a cab as they never respond on a Saturday night. Mr. Trosky wanted a cab so he could return to his home in Ross Township. Mr. Trosky said that four Yellow Cabs turned him down at the cab stand. Mr. Trosky told me that one of the cab driver's that turned him down told him that they (Yellow Cab drivers) could refuse whoever they want. Mr. Trosky told me that an unlicensed cab drove up the cab stand and took him to his destination for 20 dollars. Mr. Trosky stated that he did not realize it was a "Jitney" until after he got in the vehicle. He stated that the jitney drove right up to the cab stand and when he told the driver where he was going the driver told him he would take him. Mr. Trosky said the vehicle was clean and in good shape and the driver was very courteous to him. I explained to Mr. Trosky to be very careful if he rode in a Jitney in the future and explained to him the dangers of riding in an unlicensed taxi. Mr. Trosky stated that he understood that but it was the only taxi, licensed or not, that accepted his fare and took him to his home. I asked if Mr. Trosky knew any of the Yellow Cab, cab numbers that refused him that night and he stated that he did not know any of the cab numbers. I explained to Mr. Trosky that without cab numbers there was not much I could do. Mr. Trosky told me that he understood that and that he does not want anything from Yellow Cab, i.e. free trips, but that he wants better service from them. I asked Mr. Trosky if he called Yellow Cab and reported the refusals to them. Mr. Trosky stated the he called Yellow Cab on the following Monday but the dispatcher he talked to did not take down any of his information and seemed disinterested in his troubles. Mr. Trosky put many of his concerns in his written complaint and it should be noted that this officer could not answer some of his questions that he put forth in his complaint and that I feel he makes valid points about how the Commission handles Yellow Cab Co. of Pittsburgh. I told Mr. Trosky that I would meet with Yellow Cab and tell them of his troubles but that without any cab numbers no specific action would probably be taken. Mr. Trosky stated that he understood.

On 06/29/11 I went to the Omni William Penn Hotel and spoke with the Director of Security John A. Scanga. I asked Mr. Scanga if they had video surveillance at the cab stand he replied that they do not. Mr. Scanga checked the security logs for 5/14/11 and did not find any incidents involving the cab stand. I informed Mr.

Scanga that if his security or any doormen see a Yellow Cab refuse service to one of their guests that they should get the cab number and contact me. I gave Mr. Scanga a few of my business cards and also explained that they can fill out a complaint form online as well. Mr. Scanga asked me a few questions about the cab and limousine regulations. I answered his questions and thanked him for his help and left the William Penn Hotel.

On 07/05/11 I met with Julie Armstrong and Jerry Campalongo of Yellow Cab Co. of Pittsburgh. I explained the details of Mr. Trosky's complaint to them. I also explained to Ms. Armstrong and Mr. Campalongo that in this complaint and previous complaints that there have been drivers that have told potential fares that due to their independent contractor status that they can pick and choose their fares. I reminded them that that is not the case and any valid fare must be picked up. Ms. Armstrong stated that she did not know where the driver's were getting that as Yellow Cab does not tell their drivers that. She also stated that she would make sure that the drivers knew that that was not the case. I discussed a couple of other complaints with Ms. Armstrong and Mr. Campalongo and then left Yellow Cab Co. of Pittsburgh.

On 07/05/11 I called Mr. Trosky and informed him my investigation was complete. I apologized to him that there was no real resolution as he did not have cab numbers for the cabs that refused him but that I presented the information to Yellow Cab and that my report would go on to the Commission in Harrisburg. Mr. Trosky said that he understood and that he just wanted better overall service from Yellow Cab. I thanked him for his information and ended the phone call.

Jun. 2. 2011 2:44PM

No. 0830 P. 2/3

### Public Utility Commission

### Taxi Complaint Form

If you have a complaint against a taxi company in Pennsylvania, except for in Philadelphia, you can use this form to file a complaint with the PA Public Utility Commission. You must provide the information on 1, 4, 6, 7, 8 and 10. We will contact you by telephone or by e-mail within 15 business days.

Do not fill out this Form if you have a complaint against a Philadelphia taxi. As of April 10, 2005, Philadelphia taxis fall under the jurisdiction of the Philadelphia Parking Authority. For taxi complaints in Philadelphia, you may contact the Philadelphia Parking Authority at (215) 683-9600.

#### Personal Information

- 1. Name Dorothy Lepore
- 2. Address 7409 Park Ave West
- 3. City Pittsburgh State PA Zip 15218
- 4. Daytime Phone (412) 559-2262 (412) 478-4362
- 5. E-mail Address leporedd@comp.com

#### Incident Information

- 6. Date 5/28/11
- around 2:30-
- 7. Time 3:00  AM  PM
- 8. Location of Incident Presbyterian Hospital / Oakland
- 8. Taxi (PUC) Number 433
- 10. Name of Taxi Company Yellow Cab

Jun. 2. 2011 2:44PM

No. 0830 P. 3/3

11. What happened? Please check any of the appropriate boxes.

- No air conditioning
- Driver refused to transport passenger
- Operated vehicle in a dangerous manner
- Failed to take most direct route
- Overcharged
- Taximeter not working, not used, not visible
- Doors and/or windows did not operate easily or close securely
- Other (please describe) \_\_\_\_\_
- Interior of vehicle not clean
- Driver Discourteous
- Trunk compartment not clean
- Fare receipt not provided
- Tariff rates not posted

12. Please explain the Nature of Incident

Received a voucher from Proshy Social Worker for \$15 from Proshy to my house, cab pulled up my children and I get in cab, my boyfriend was round the corner smoking. I gave cab driver the voucher + confirmed the address as my boyfriend approached the cab he opened the door the driver said that

Complainant's Signature

Doreley Lopez

he would not take us, the fare posted was not enough. I told him the ride should only be 12-15 at most he said "get out of my cab". I asked him for his cab # he said get out. I took down the # posted on the window and exited the cab with my children and told him

To file your complaint or opinion, print the form and mail it to the District Office nearest to

where the incident occurred:

he could close his own door so I could tend to my children.

PA Public Utility Commission  
Bureau of Transportation & Safety  
PO Box 3265  
Harrisburg, PA 17105-3265  
(717) 787-7598

PA Public Utility Commission  
Room 320 State Office Bldg.  
100 Lackawanna Avenue  
Scranton, PA 18503  
(570) 963-4590

PA Public Utility Commission  
Transportation & Safety  
246 William Pitt Road  
Pittsburgh, PA 15238  
(412) 423-9310

He said "see if you get another cab". My boyfriend is black and

PA Public Utility Commission  
801 Market Street  
Philadelphia, PA 19107  
Bureau of Transportation & Safety  
(215) 985-3721

After the social worker added the fare to \$25 and another taxi driver #334 from yellow cab drove us home with the fare registering

Rev. 3/11

at \$13.25 on the meter. I am positive he told us to leave the cab for that reason alone. I am very upset that we were treated that way as a woman and a black man and

Just crossed us to go to the ER in the first place.

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2247094**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

07/20/11

On 06/27/11 I called the complainant at 412-559-2262 and left a message for her to call me back. Later that day Dorothy Lepare returned my call. I asked Ms. Lepare if she had any other details or information not in her initial complaint that she wanted me to know. Ms. Lepare told me everything was in her complaint. Ms. Lepare, her four small children, and her boyfriend were at UPMC Presbyterian Hospital. She needed to visit the ER. After her visit she was provided a 15 dollar cab voucher from UPMC so she could return home as she has no car. The main issue Ms. Lepare had was that she and her children were in the cab and when the cab driver saw her African American boyfriend he said that the voucher for the cab ride was not enough and asked them to get out of the cab. Ms. Lepare went back in and received a higher value voucher for 25 dollars. Another cab, cab 334, picked her, her children and the boyfriend up and completed the trip without incident. Ms. Lepare told me she asked the driver of the second cab to run the meter to see how much the trip would cost. The meter read 13.25 when they arrived at her home. Ms. Lepare stated that when she told the driver of cab 334 about the trouble she had with cab 433 that the driver of cab 334 told her that he was not surprised about the behavior of cab 433's driver. Ms. Lepare stated to me that she "would rather take a Jitney than have to deal with Yellow Cab anymore." I asked Ms. Lepare about her children and she informed me that the oldest is 9 years old and the others are all younger but over the age of four. I asked Mr. Lepare is there was enough room in the first cab for all of her party and she stated that she and her children were all in the cab and that there was room for her boyfriend in there as well. Ms. Lepare told me that she did not think that not enough room in the cab was the reason she was kicked out of the cab. Ms. Lepare did not know the name of the driver of cab 433 but described him as a white male in his middle ages or a little older. I thanked Ms. Lepare for her information and told her I would speak with Yellow Cab and then call her back to inform her when my investigation was done.

On 07/05/11 I met with Julie Armstrong of Yellow Cab. Ms. Armstrong provided me with the information for cab 433. On 05/24/11 it was driven by Vincient Livingston, PA DL 191-32-025, DOB 08/18/1960, phone number 412-443-5266, and he has been with Yellow Cab since October of 1990. Ms. Armstrong also provided me with the trip sheets for cab 433 and cab 334. You can see Ms. Lepare's trip as the last trip on cab 334's trip sheet. We attempted to call Mr. Livingston and reached his voice mail and left a message for him to call Ms. Armstrong. Ms. Armstrong told me that she believed Mr. Livingston normally worked till about 4AM and that it would be easier to get a hold of him in the afternoon. I asked Ms. Armstrong about the vouchers that

UPMC hospitals sometimes give patients. Ms. Armstrong told me that Yellow Cab and UPMC have an agreement and that UPMC pays for cab vouchers for patients that need rides from UPMC facilities. Vouchers are normally given in amounts of 5 dollars increments (i.e. 5, 10, and 15). The amounts are based off of Yellow Cab's web page and the fare estimator located there. Ms. Armstrong stated that even if a cab ride would go over the amount of the voucher Yellow Cab reimburses the driver the difference. I thanked Ms. Armstrong for the information and left Yellow Cab Company of Pittsburgh.

On 07/05/11 I called Mr. Livingston and left a message for him to call him back. Shortly after my call Mr. Livingston called me back. I explained to Mr. Livingston that I was investigating a complaint and that it involved him. I asked Mr. Livingston how he was and he responded that it depended on this phone call. I could tell by his tone and initial response that he did not want to talk to me. I told Mr. Livingston that the complaint took place early in the morning of 05/29/11 at around 2:30 AM. I asked him if he remembered anything out of the ordinary happening that night. He responded he didn't. I told him the trip was a pick up from UPMC Presbyterian Hospital and that he accepted the call. He replied that he still did not remember anything. I then told him that the complaint involved a woman, her children, and her boyfriend and that he refused service to them. At that point Mr. Livingston said he remembered something about that. It should be noted that I believe that Mr. Livingston knew right from the start what my investigation was about and that he remembered but was claiming to not remember. Mr. Livingston told me that he remembered that the woman did not have enough on her voucher for the ride she wanted. I asked him why he did not take the trip as he would be reimbursed by Yellow Cab for any amount that the voucher did not cover. Mr. Livingston stated that he "did not know about all that," and how he is not in the cab business to take low fares. He also made mention that he did not have to take fares he did not want to. At this point in the phone interview Mr. Livingston became very uncooperative. He started talking about how the woman's kids needed car seats and that he didn't have any and he then tried to explain the laws and regulations regarding car seats to me. I had to become very stern with Mr. Livingston and explained to him that I would ask him a question and he would answer it. He would answer simply and leave out any extraneous information that is irrelevant or that I did not ask for. I asked Mr. Livingston how many of the children needed car seats. Mr. Livingston said he did not know but that the lady had 5 kids with her. I asked if he called his dispatcher and requested another cab to take the call that did have car seats and he responded he did not. I asked him that if the voucher was too low why did he not wait and allow the woman to get a higher value voucher. Mr. Livingston once again became argumentative and stated that he did not have time to wait and that he does not make money if no one is in the cab. I asked how busy he was at 3 AM in the morning. Mr. Livingston did not answer and once again began to talk of low fares and how he does not have to take them. I stopped Mr. Livingston and reminded him that even as an Independent Contractor by regulation he has to take any valid fare that enters his cab. At this time I

knew I would not get any more valid information from Mr. Livingston but I asked on final question. I asked Mr. Livingston if he had a problem with African Americans or any non Caucasian persons. Mr. Livingston responded that he "Rides black and white people," and he does not have any problems with anyone's race. I thanked Mr. Livingston for his information and ended the phone call.

After speaking with Mr. Livingston I called Ms. Armstrong back. I explained to Ms. Armstrong Mr. Livingston's lack of cooperation and his belief that he does not have to take low fares. Ms. Armstrong told me that she had just had a meeting with Jerry Campalongo, Manager for Yellow Cab, and that they have a new procedure for taking UPMC voucher trips. Ms. Armstrong stated that it appeared that there is confusion among the drivers on how to handle them. The new procedure is as follows. The driver will run the meter for the voucher trip and print off the meter receipt and attach it to the voucher. It will then be turned in to Yellow Cab when the driver turns in his trip sheet. If the meter charge exceeded the amount of the voucher the driver will be reimbursed for the difference when they turn in their paperwork. Ms. Armstrong stated that she would make sure all the drivers understood the new procedure and hopefully there will not be any confusion about the vouchers in the future.

On 07/11/11 I called Ms. Lepare. I told Ms. Lepare that I had spoken with Yellow Cab and that I had just a couple of questions for her. I asked her if she and her children were already seated in the cab when the driver asked them to get out. She responded that she and her children were in the back seat of the cab and were just waiting for her boyfriend to come to the cab. I asked her if the driver of cab 433 stated anything about not having child safety seats to her in regards to transporting her children in the cab. She replied that he did not, the only reason he gave her for not taking them was that the voucher she had was not enough money. I then explained to Ms. Lepare that Yellow Cab now has a new policy for dealing with the UPMC vouchers that it should work smother than it has in the past. I also told Ms. Lepare that I would prepare a report that would go to my supervisors and up my chain of command to the Commission in Harrisburg. I thanked her for her information and told her to call me if she has any other questions or problems.

It is this Officer's opinion that this is a valid refusal of service case. The voucher Ms. Lepare had was enough to cover the cost of the trip she wished to make. If the driver was concerned about the safety of the children with Ms. Lepare why did he allow them to enter the cab at all and why did he not contact Yellow Cab dispatch in order to get a cab with car seats or a van to take Ms. Lepare. From speaking with Mr. Livingston it was apparent that he remembered the fare but he did not want to discuss the situation with me. Also by Mr. Livingston's own words he is only interested in taking fares that are of high value. Looking at Mr. Livingston's trip sheet dated 5/23/11 which covers three days there is only one trip under twenty dollars on it.

It is this Officer's recommendation that action be taken against Yellow Cab Co. of Pittsburgh and Mr. Livingston for refusal of service under PA Code 52, Chapter 29.313(a).


**From:** dcanzoneri@state.pa.us  
**Sent:** Wednesday, June 22, 2011 9:40 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: John Hooker

Street Address: 1034 Macon Ave

City: Pittsburgh, PA 15218

Daytime Phone: 412 551 6670

Your e-mail address: [john@hooker.tepper.cmu.edu](mailto:john@hooker.tepper.cmu.edu)

Date: 06/22/2011

Time :6:45 am

Location of Incident : Liberty Ave, downtown Pittsburgh

Taxi(PUC) Number :

Medallion Number : 520

Taxi Company : Yellow

Driver Number :

Incident comments : On this and several other occasions, Yellow cab drivers have refused to transport me to a location other than the airport. This is a violation of § 29.313(a) Service standards and requirements, which states that "A driver of a call or demand vehicle shall, at all times when on duty and not engaged, furnish trip service on demand to an orderly person for lawful purposes." Drivers always ask where I am going. If I state a location other than the airport (or a location in that direction), they (a) explicitly refuse, (b) falsely state that they have been dispatched elsewhere, (c) drive away without speaking, or (d) simply ignore me. Yellow Cab is abusing its virtual monopoly in Pittsburgh. This is a long-standing problem and should be corrected.

Nature of Incident : Driver refused to transport passenger

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**  
Yellow Cab Co of Pittsburgh**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2249031**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

08/31/11

On 08/01/11 I contacted John Hooker and asked him to relay the details of his complaint against Yellow Cab Co of Pittsburgh to me. Mr. Hooker explained to me that he and his wife were at the Amtrak station in downtown Pittsburgh on 06/22/11 at about 6:45AM and needed to return to his home at 1034 Macon Ave in Pittsburgh. He told me that his main concern was that when he has attempted to get a cab that if he is not going to the Pittsburgh Airport he will not get a ride. Specifically cab 520 turned him down on the morning of 06/22. He stated that this has happened in the past and he is tired of Yellow Cab drivers only going to and from the airport. Mr. Hooker said that when he told the driver of cab 520 that he would make a complaint the driver said "you do that," and then he drove away. Mr. Hooker had to take a city bus to his home near Regent Square and then he got his personal vehicle and returned to the Amtrak station to pick up his wife and their bags. The round trip took about an hour and a half. Mr. Hooker stated the he made a complaint to Yellow Cab when he made his complaint to the Commission but has not heard from Yellow Cab. Mr. Hooker did not know the name of the driver for cab 520 but described him as a white male in his late fifties. I thanked Mr. Hooker for his information and told him I would speak to Yellow Cab about his complaint.

On 08/16/11 I met with Julie Armstrong of Yellow Cab Co of Pittsburgh. Ms. Armstrong provided me with the following information. On 06/22/11 cab 520 was driven by Charles Jones, PA DL 17 563 723, he has been with Yellow Cab since 1999. His phone number is 412-292-2544. She also provided me a trip sheet for cab 520 dated 06/22/11. We called Mr. Jones and left a message for him to call Ms. Armstrong or myself back. I asked Ms. Armstrong if she received a complaint from Mr. Hooker. She checked her email and did not find a complaint from Mr. Hooker. She stated that the complaints should be forwarded to her but that Jerry Campalongo might have the email or it might have been forwarded to someone else. I thanked Ms. Armstrong for the information and left Yellow Cab.

On 08/17/11 Mr. Jones called me. I explained to him that I was investigating a complaint and that it involved him. Mr. Jones said that he was pretty sure he remembered the event that I was looking in to. I told him that the event happened on 06/22 early in the morning. Mr. Jones stated that he was on his way to pick up a regular fare of his when another customer approached him at the Amtrak station. Mr. Jones told me that he did not take the fare as he was on his way to pick up his regular customer. On the trip sheet I received from Ms. Armstrong there is a trip at 7:30 AM going from downtown to the airport. I asked Mr. Jones where his regular

fare was going and he responded that the fare was going to the airport. All three trips on Mr. Jones trip sheet are from downtown to the airport. I explained to Mr. Jones that part of the complaint dealt with Yellow Cab drivers not wanting fares that did not go from downtown to the airport or vice versa and that his trip sheet for the day only had downtown to airport trips on it. Mr. Jones responded that he could see how that would look but that is just how that day worked out. He said that he takes all the trips he can as that is how he makes his money. I then asked Mr. Jones that if he was on his way to pick up a regular customer what was he doing at the Amtrak station. Mr. Jones said the he just did a fare from the Hyatt Place on the North side to the Amtrak station. I then asked him why that trip was not on his trip sheet. Mr. Jones responded that he might not have recorded that trip and that he "made a mistake." I asked Mr. Jones if he contacted Yellow Cab to let them know there was an available fare at the Amtrak station and he stated that he did not. Mr. Jones stated that "If I didn't have a fare I would've picked him up so fast," but he did not give me a reason why he did not notify Yellow Cab of the fare at Amtrak. I told Mr. Jones that it was a violation of the PUC regulations to not record all his trips he makes in the cab. Mr. Jones said that he knew he had to record all of his trips and that he just forgot that one trip that day. I thanked Mr. Jones for his information and ended the phone call.

On 08/19/11 I called Mr. Hooker back and told him of my findings at Yellow Cab. I asked Mr. Hooker if he had called Yellow Cab for a cab or if he just tried to hail a cab. Mr. Hooker told me that he called Yellow Cab from his cell phone 412-551-6670. Mr. Hooker asked me that if the driver had a fare then why did the driver ask him where he was going. I told Mr. Hooker that there was a clear violation on the driver's trip sheet and that I would include all the information he had given me in my report.

On 08/22/11 I emailed Julie Armstrong and asked if she could check to see the phone record for 412-551-6670. On 08/23/11 she responded that the last time that number called Yellow Cab was on 05/30/11 and the address of the pickup was 1034 Macon Ave (Mr. Hookers address).

On 08/31/11 I called Mr. Hooker and left a message on his voice mail. I explained that my investigation was complete and that if he had any questions or problems to call me.

On 08/31/11 Mr. Hooker called and left a message on my voice mail saying that he had his phone records and they show four calls from his cell phone to Yellow Cab on 06/22/11. He said that he could email me his phone bill to prove he made the calls.

On 09/06/11 I called Mr. Hooker and left him a message requesting that he email me his phone bill so that I could add it to this report. On 09/06/11 I contacted the WRO and requested that this case be returned to my

inbox in InfoMap so that I could update my EOR and upload Mr. Hooker's phone bill when I received it.

On 09/08/11 I received an email from Mr. Hooker with an attachment that was a page of his phone bill that showed four calls to Yellow Cab on 06/22/11.

On 09/27/11 I uploaded Mr. Hooker's phone bill to InfoMap and updated this EOR.




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,

Stephanic M. Wimer  
Prosecutor

Enclosures

cc: Certificate of Service

SECRETARY'S BUREAU

2012 AUG - 3 AM 10: 03

RECEIVED

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, 2<sup>nd</sup> 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. :

DOCKET NO. C-2012-2249031

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

**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

SECRETARY'S BUREAU  
PA 10

2012 AUG -3 AM 10:03

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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.

Date: 8/3/2012



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

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2012 AUG -3 AM 10:04

PA | JD  
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

RECEIVED  
2012 AUG -3 AM 10:04  
PA. P. U. C.  
SECRETARY'S BUREAU

**From:** dcanzoneri@state.pa.us  
**Sent:** Tuesday, July 12, 2011 8:25 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: Rita Thompson

Street Address: 3245 Beechwood Blvd B6

City: Pittsburgh, PA

Daytime Phone: 412-521-0401

Your e-mail address: [rthompson10@verizon.net](mailto:rthompson10@verizon.net)

Date: 07/12/2011

Time : 5:00PM

Location of Incident : 1901 Murray Ave Giant Eagle

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab Co.

Driver Number : 412-321-8100

Incident comments : On 7/12/2011 @ 2:30PM I request a cab online for a 5PM pick at the Sq. Hill Giant Eagle. At 5PM, there was no cab outside. I called the Yellow Cab Co. explained that I had requested a pick-up earlier. I was told that I could not request a pick-up for a grocery store online. So I then requested another cab, was told that one would be coming ASAP. At 5:30PM my son called again, he was told that one was coming and if no one picked us up in 20 minutes to call her back. In the meantime the Yellow Cab Co. called my home, where my other son accepted the call and was told the cab was cancelled, he then requested a cab to the giant eagle at least twice. @ 6PM I call again, this time the girl told me that no one put in an order for a pick-up at giant eagle and that she just put one in and we were next in line, oh the traffic, oh we're really busy, it's crazy out there, all the while I'm seeing yellow cabs with no passengers driving pass the giant eagle. @6:15 I go back in the store to return the groceries, then my son comes in to tell me that he had flagged a cab. At least half the groceries had to be re-bagged, the cab driver my son flagged down told my son that "our cab" showed up and ask him who he was here to pick-up, girl or guy, he explained that he was flagged down, and "our cab driver" says "they weren't going that far anyway, F--k 'em.

Nature of Incident : Driver refused to transport passenger

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2251631**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

08/18/11

On 08/01/11 I spoke with Rita Thompson the complainant in this case. Ms. Thompson used Yellow Cab Co. of Pittsburgh's online booking on 07/12/11 to book a cab for 5PM at the Squirrel Hill Giant Eagle, 1901 Murray Ave to her house at 3245 Beechwood Blvd. She received an email notification that her reservation was processed. At 5PM Ms Thompson was at the Squirrel Hill Giant Eagle with one of her sons. She had completed her shopping and was waiting for her cab. She had approximately 10 shopping bags of groceries with her. Ms. Thompson told me that 10 grocery bags is too many to take on the bus and her home is too far from the Squirrel Hill Giant Eagle to walk with 10 bags, even with her sons help. That is the reason she made the online reservation for the cab. At 5PM when no cab showed up Ms. Thompson called Yellow Cab and asked about her reservation for a cab. She was told that she could not make an online reservation for a grocery store. Ms. Thompson did recall the name of the dispatcher she spoke with at that time. Ms. Thompson then requested a cab. At 5:30PM her son called Yellow Cab and requested a cab again as no cab had showed up. At 6PM Ms. Thompson called and was told that no one had put in a request for a pick up at a Giant Eagle, she requested a cab once again. At approximately 6:15 she went back in the Giant Eagle to return the groceries as she feared some of the meat and other items would not keep as they were waiting for the cab. While she was in the process of returning some of the groceries when her son came in the Giant Eagle and told her that he had a taxi for them. As they were entering Yellow Cab # 269 another cab pulled up and asked if they had requested a ride. Cab #269 was not dispatched to the Giant Eagle but it was a cab that Ms. Thompson's son had flagged down. The other cab's driver when he discovered that they were taking cab #269 responded, "They weren't going far, Fuck em." Ms. Thompson did not know the cab # of this cab or the driver's name. Ms. Thompson told me that during the time they were at Giant Eagle her other son who had stayed home received a call from Yellow Cab saying that the cab was on the way to Giant Eagle. Ms. Thompson was not sure of the time when her son received that call at home but it was shortly after 5PM she believed. Ms. Thompson stated that she went to the Squirrel Hill Giant Eagle even though there is a closer store to her home because she thought it would be easier to get a cab for a ride home since the ride would be longer and that Squirrel Hill is a busier neighborhood than hers. Ms. Thompson was upset that it took so long to get a cab even after she had made the online reservation. I asked Ms. Thompson if she had the email confirmation and she stated that she did and she would email them to me. I thanked Ms. Thompson for her information and told her I would speak with Yellow Cab in order to discover the reason for the delay/long wait for her cab. Later that day I received two emails from Ms. Thompson showing the online reservation she made. There were two emails but it appears

that the second was just a copy of the first, but both are included in this report.

On 08/16/11 I checked Yellow Cab's website. The website address for the online reservation is [http://www.pghtrans.com/yc\\_reservations.cfm](http://www.pghtrans.com/yc_reservations.cfm). Nowhere on that page did I see any restrictions on the places where you could reserve a cab for. I then called Yellow Cab and told the dispatcher that I had a question about the online reservation system. I asked if there were any restrictions to it and she replied that the only thing was that you should only reserve a cab a day or two in advance and not farther in the future. I thanked her for her information and ended the call.

On 08/16/11 at 10AM I met with Julie Armstrong of Yellow Cab to discuss Ms. Thompson's complaint. Ms. Armstrong provided me with four dispatch sheets for Ms. Thompson. Ms. Armstrong explained that if a job in the system stays open for about 20 minutes to a half hour, the job will be closed and entered again so that it stays active in the dispatch system. That is the reason there are four job orders for Ms. Thompson's trip. The last dispatch sheet shows cab 102 for the trip. I was unable to verify if this was the cab that went to the Squirrel Hill Giant Eagle and spoke to Ms. Thompson and made the statement she claimed he made. When I spoke to Ms. Thompson she did not know the cab number or give me a description of the driver of the cab. Ms. Armstrong stated that during that week Yellow Cab was having various issues with its computer dispatch system. It was discovered that the computer system was dispatching jobs to cabs in a 30 mile radius when it should have been using a three mile radius. When asked about the call that went to Ms. Thompson's home verifying that a cab was on its way, Ms. Armstrong informed me that those calls are an automated notification sent out by Yellow Cab's computer system. Ms. Armstrong stated that another of the computers problems they were having is that multiple calls went out to various customers even though no cabs were dispatched. Ms. Armstrong told me that these computer problems persisted for about a week but that they have been corrected and that there has not been a problem since that time. I asked Ms. Armstrong about any restrictions regarding the online reservation system in regards to not being able to reserve a pick up from a grocery store. She stated that she was unaware of any such restriction. I told Ms. Armstrong that if there were any restrictions to the reservations that they needed to be displayed on the website. Ms. Armstrong was very cooperative and provided me all the information I requested but unfortunately it appears that there is no one factor involved in the delay for Ms. Thompson's cab. It does appear that the computer system problems were the main cause for the confusion. It should also be noted that 07/12/11 was a Tuesday and the pick-up was scheduled during rush hour traffic in the Pittsburgh area. I thanked Ms. Armstrong for her information and left Yellow Cab.

On 08/16/11 I spoke with Ms. Thompson and explained to her my findings a Yellow Cab. I told Ms.

Thompson that it appeared that there were multiple factors in the wait for her cab. I told her that I was sorry but that I could not point to one specific thing that caused the delay and that I could not verify the identity of the driver that spoke rudely to her. Ms. Thompson thanked me for looking into the matter and that she was happy that someone did. She stated that at least now she understood what happened, rather than just no one picked her up or that her reservation was just lost. I thanked her for her information and told her if she has any problems or questions to call me and I would assist her in any way that I could, and then ended the phone call.


Public Utility Commission

RECEIVED JUN 29 2011

Taxi Complaint Form

If you have a complaint against a taxi company in Pennsylvania, except for in Philadelphia, you can use this form to file a complaint with the PA Public Utility Commission. You must provide the information on 1, 4, 6, 7, 8 and 10. We will contact you by telephone or by e-mail within 15 business days.

Do not fill out this Form if you have a complaint against a Philadelphia taxi. As of April 10, 2005, Philadelphia taxis fall under the jurisdiction of the Philadelphia Parking Authority. For taxi complaints in Philadelphia, you may contact the Philadelphia Parking Authority at (215) 683-9600.

Personal Information

1. Name Debbie  
Bush

2. Address 629 13<sup>th</sup> St.  
#27

3. City San Diego State CA Zip 92154-  
1058

4. Daytime Phone 619.424.7868/619.392.1147

5. E-mail Address djbush27@hotmail.com

Incident Information

6. Date 6/3/2011

7. Time 5:10 PM

8. Location of Incident Omni

9. Taxi (PUC) Number 461

10. Name of Taxi Company Yellow Cab

RECEIVED JUN 29 2011

11. What happened? Please check any of the appropriate boxes.

No air conditioning  Interior of vehicle not clean

Driver refused to transport passenger  Driver Discourteous

Operated vehicle in a dangerous manner  Trunk compartment not clean

Failed to take most direct route  Fare receipt not provided

Overcharged  Tariff rates not posted

Taximeter-not working, not used, not visible

Doors and/or windows did not operate easily or close securely

Other (please describe) \_\_\_\_\_

12. Please explain the Nature of Incident

Told us he was having a bad day because we just cost him \$50 (we were going to Station Square, not the Airport). When I asked him if the air conditioning was on, his response was how did I expect the air to work properly while stuck in traffic on the bridge. He turned it on as we were pulling into Station Square. The cab smelled of really stale smoke (I'm a smoker and I still found it disgusting) -- he had a bottle of Febreze on the consul, but didn't use it. Upon arrival at our destination my husband had to ask the amount of the fare since he never turned the meter on. He said, OH -- it's \$7. Is it legal not to turn the meter on???

We both grew up in Pgh and were visiting for the first time in about 8 years and frankly were embarrassed this person represented Pgh to out of town, state and/or country visitors. This man's appearance also left a lot to be desired as his long grey hair was filthy and it appeared he hadn't had a recent shower.

We would like an apology and a refund of the fare paid.

Complainant's Signature Debbie Bush

## Officer's Report

This report is in reference to BP8 case #2258051. The complainant in this case alleges that the operator of Yellow Cab #461 was discourteous, failed to run the air conditioner on a hot day, failed to use the meter and operated a cab that was not sanitary.

On August 23, 2011, at approximately 1440, hours I spoke to the complainant Debbie Bush on the telephone. Mrs. Bush verified that on June 3, 2011 at approximately 1710 hours, she and her husband, Michael, were directed by the bell hop at the Omni William Penn Hotel (530 William Penn Place, Pittsburgh, PA 15219) to the first cab in line when they asked for a cab. They got into Yellow Cab #461 and requested to go to Station Square, Pittsburgh, PA 15219. The driver of Yellow Cab #461 was an older, Caucasian male, with longer gray, dirty hair, heavy set and unshaven. When the Bush's asked the driver how he was doing he replied terrible, because they had just cost him \$50.00 for not going to the airport. Mrs. Bush advised that the cab was hot and wreaked of stale smoke. She advised that she was a smoker but the smell was bad enough to offend her. When it was finally hot enough in the cab that sweat began to pour down her face she asked if the air conditioning was working. The driver responded to her by saying "you can't expect the A/C to work when you're stuck in traffic going from the Omni to Station Square". As the driver turned into Station Square he turned the air conditioning on and they could feel the cool air hit them. When the cab stopped they noticed that the meter was not running and no fare amount was posted on the meter for them to pay. Her husband asked how much and the driver said five dollars. Her husband paid the driver seven dollars and they did not ask for a receipt.

The cab's interior was dusty, smelled overwhelmingly of smoke and there was a can of Febreeze on the dash. The driver did not smoke during the time period that they were in the cab. Mrs. Bush said that she and her husband were embarrassed for the city of Pittsburgh as this driver is the first person some visitors will come in contact with when they visit the city. Mrs. Bush advised that she would like to be notified of the outcome of this complaint. Her husband has no other information to offer in regards to the complaint and they may be willing to testify in Pittsburgh if needed for a hearing.

On August 24, 2011, at approximately 0814 hours, I contacted Yellow Cab Safety Manager Richard Warmsley. Mr. Warmsley was advised that I needed to conduct a safety inspection of Cab #461. Mr. Warmsley advised that he would verify the cab was working and he would see where the driver was currently at. At 0818 hours, Mr. Warmsley contacted me and advised the cab was working, but the driver was waiting for a trip and it may be a little bit of time before he could respond. At 0828 hours, Mr. Warmsley re-contacted me and advised the driver of cab #461 is responding to my location and should be there in about twenty minutes.

At approximately 0850 hours Yellow Cab #461, operated by Daniel Ritenour, responded to the CSX lot on Chateau Street on the North Side of Pittsburgh for a safety inspection. Mr. Ritenour provided the appropriate documents and trip manifest for the day. The trip manifest stated that he dropped off a passenger in Blawnox at 0820 hours. Upon arrival I observed Mr. Ritenour was smoking a cigarette in his cab. A thorough safety inspection was conducted of the interior and exterior of Cab #461. During the course of the inspection I found no vehicle defect violations and DVCR 411-1030 was completed and signed by driver Ritenour. The air conditioning was on and working during the course of the inspection. The meter was operational, but I did not test the meter on the measured mile course. My inspection of the interior found crumbs and minor dirt on the floor, but it did not appear filthy or offensive to me. The interior had no smell of smoke to it even though I observed driver Ritenour smoking upon arrival.

Mr. Ritenour advised that he was probably the driver of the cab the day of the complaint as he tries to keep other drivers out of his cab. I advised that I would verify with Yellow Cab management who the driver in question is and if it is Mr. Ritenour then I would be back in contact at a later time. Driver Ritenour did fit the complainant's description. Driver Ritenour is approximately sixty-five years old, has longer black hair with some gray in it and was on the heavy set side. I would describe driver Ritenour's appearance as rough looking (appearance of someone who works all day, goes home and jumps on a Harley) but not offensive or dirty. Driver Ritenour's clothes and skin did not appear dirty and I did not smell an offensive odor on or about him. Driver Ritenour advised that the only time he smokes in the cab with passengers on board is when the

passengers light up. He is un-aware of any regulation or policy that prevents him from smoking in an empty cab.

On September 1, 2011, at approximately 1000 hours, I responded to the office of Yellow Cab and spoke with Jerry Campolongo. Mr. Campolongo advised that the driver involved in this incident is Daniel Ritenour, the same driver I inspected on August 24, 2011. Mr. Ritenour has been employed at Yellow Cab of Pittsburgh since 1969. He has a PA driver license of 13085131, DOB of 09/23/46 and his phone number (412-670-8803) was provided to me so I could speak with Mr. Ritenour. Mr. Campolongo also provided a trip sheet for the day in question and the vehicle schedule report that states that Mr. Ritenour had the vehicle on the day of the complaint. Mr. Campolongo advised that Yellow Cab of Pittsburgh has no policy on file in regards to drivers smoking in the cab whether there are passengers in the cab or not. The driver's are independent contractors and the cab is their office, how they keep their office is up to each driver. Mr. Campolongo knows that driver Ritenour smokes in the cab, but Mr. Ritenour advised Mr. Campolongo that he never smokes when customers are in the cab, unless the customer smokes as well.

On the same date at approximately 1245 hours, I spoke with Driver Ritenour. Mr. Ritenour was advised of the date, time and complaint made against him and he stated he did not think it was him. He rarely drives that late in the day. Upon asking him who else had his cab since it was signed out to him he advised nobody would. I then advised him that the physical description the complainants' gave of the cab driver matched him very closely. Mr. Ritenour advised that the trip I am describing does not stick out in his mind and he does not remember it since it was two months ago. He advised that he has never held back on using the air conditioner for customers, if it was that hot he would suffer even worse since he suffers from emphysema. He does not remember giving anyone grief over a short trip, he may have been in a bad mood that day, but just today he took two short trips through town without issue and he ran the air conditioner on the trips. In reference to the meter not being run he advised that he would be lying if he said he always runs the meter. Sometimes passengers get in and start talking, he starts driving and at the destination he realizes he forget to start the meter. Regarding this complaint all he can say is that at rush hour traffic on a Friday from the two locations I gave him would

have cost at least \$7.00 or more. If he only charged \$5.00 then they got a deal. Mr. Ritenour closed by stating that he does not recall the trip. He does not believe he was the driver. He believes the complainants made a mistake with car number. Mr. Ritenour advised he takes pride in his job as a taxi driver and this complaint bothers him. In the thirty plus years as a driver he has had only one other complaint and that was found to be a bogus complaint as well.

My investigation revealed that it is more than likely that driver Ritenour was the cab driver of the complainants' on June 3, 2011. Cab 461 was assigned to driver Ritenour on this date and the physical description of the cab driver of 461 on June 3, 2011, is very similar to Mr. Ritenour himself. In reference to the complainants' claim that the driver was filthy and un-kept and the cab smelled of smoke I ask the readers of this report to review the statements I made earlier in this report regarding the cab's safety inspection on August 24, 2011, and Mr. Ritenour's appearance. Compliance Review must determine if there is any merit for violations regarding the driver's appearance and the overall condition and smell of the cab on June 3, 2011. Compliance Review must also determine if merit exists for violations of unreasonable service due to the complainants' charge that the driver held back on using the air conditioner and failed to use the meter for the trip. Included in the attachment section of this report is an on-line Yellow Cab Fare Estimator which estimates that the complainants' trip should have cost approximately \$4.41. The Complainants advised they paid \$5.00 and gave the driver a \$2.00 tip.

On September 1, 2011, I contacted the complainant's and a message left advising them that the report was completed and will be forwarded on for review.

Upon reviewing the driver's trip sheet and to the extent of this investigators knowledge of the PUC trip sheet regulations I found the following potential trip sheet violations:

1. 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving. The driver's end time is not time stamped (usually done at cashiering box) or written in by driver.
2. 29.313(c)(4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall

contain a street name and address or, if unavailable, an identifiable landmark. The trip sheet is barely legible and it is undeterminable if the complainant's trip was written down on the trip sheet or if landmark or exact locations were used for the other entries.

3. 29.313(c)(7): The meter readings at the beginning and end of each shift, if applicable. Compliance review must determine if the meter readings and odometer numbers written by the driver are consistent with the metered trips provided or if there are metered trips that were not recorded on the trip sheet.

**Attachments:**

1. DVCR 411-1030
2. Driver Ritenour's manifest for August 23 and 24, 2011
3. Yellow Cab Fare estimator for the complainants trip
4. Driver Ritenour's trip sheet for June 3, 2011.
5. Yellow Cab Vehicle Schedule Report

Gary Double Jr.

September 1, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Wednesday, September 21, 2011 6:20 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: Jackie Merranko

Street Address: 814 Farragut St.

City: PITTSBURGH

Daytime Phone: 4123379079

Your e-mail address: [jackiebuggrl@gmail.com](mailto:jackiebuggrl@gmail.com)

Date: 09/21/2011

Time : 1628

Location of Incident : United States

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : Once again, I cannot get a cab. I called at 1628 hours, and it is now 1818 hours and I am still waiting. The only excuse is that it is rush hour, and it was suggested that I call three hours in advance.

Nature of Incident: Other Comments

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**  
Yellow Cab Co of Pittsburgh**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2264103**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

01/17/12

On 11/29/11 I called the complainant, Jackie Merranko, at 412-337-9079. I spoke with Ms. Merranko but she stated that she did not have time to talk to me on the phone about her complaint and that she would call me back when she had time to talk.

On 12/02/11 I called Ms. Merranko and again she stated that she could not talk to me and would call me back at a better time for her.

The following paragraphs also pertain to the following cases, BP#2273113, 2267905, 2266112, and 2273114.

On 12/08/11 I emailed Julie Armstrong at Pittsburgh Yellow Cab and notified her that I had several complaints against Yellow Cab that I was investigating and would like to set up a meeting with her to discuss them.

On 12/12/11 I emailed Julie Armstrong the details of the complaints I was investigating so that she could gather the requested paperwork and have any drivers available if I needed to talk to them. Ms. Armstrong responded to me email on 12/13/11 and we agreed to meet on 12/20/11.

On 12/19/11 Ms. Armstrong emailed me and informed me that the 20<sup>th</sup> was not a good day and that they would contact me when they have drivers and their counsel available for a meeting, if I had any questions to contact Jerry Campalongo, General Manager for Yellow Cab, at 412-527-0332.

On 12/22/11 I called Jerry Campalongo at 412-527-0332 and left a message requesting that he call me back in order to schedule a meeting. Throughout the next week I called Mr. Campalongo a few times and he attempted to contact me as well. We both left voice mails requesting that the other call back. The holiday and holiday time off, I believe, was the main reason we had difficulty in contacting each other. Eventually I contacted Mr. Campalongo, I believe it was on Dec 29<sup>th</sup>, and we agreed to meet on Jan 5<sup>th</sup> at Yellow Cab to discuss the complaints. After speaking with Mr. Campalongo I contacted Supervisor Hawthorne and requested her presence at the meeting with Yellow Cab.

On 01/05/12 Supervisor Hawthorne and I travelled to Yellow Cab Co of Pittsburgh and met with Mr.

Campalongo and Yellow Cab's counsel, Ray Middleman. Also present were two drivers for Yellow Cab, whose presence I requested for other complaints I was working on. The meeting did not go well. Mr. Campalongo attempted to change subjects at every pause in my questions pertaining to the cases I was investigating. Mr. Middleman was almost confrontational in his responses to all my questions. Though it does not pertain to this case both drivers did not remember any details about the complaints concerning their cabs. This brings to mind if and how, Mr. Middleman, will be instructing Yellow Cab drivers to answer our questions, i.e. is he coaching them to not remember anything before our meetings. Also many times Mr. Campalongo brought up how there is a new computer system to track cabs and how it will print out latitude and longitude for pick up and drops offs and that they plan to use this for trip sheets. It was unclear when or if this is in process. At first it was stated that on Oct 1<sup>st</sup>, 2011 it was activated but then the said Oct 15<sup>th</sup> was the date with a caveat that they are still working out many bugs in the system and some cabs transponders are not fully functional. It was also unclear whether Yellow Cab will still require the drivers to maintain a handwritten trip sheet. When asked about this, as they had handwritten trip sheets for two of my cases I was investigating, Mr. Middleman became extremely confrontational. At every break in the conversation Mr. Campalongo attempted to steer the conversation towards unlicensed carriers, i.e. jitneys, and what we were doing about them. Many times I had to push the conversation forward to the specific cases I was there to investigate. The meeting concluded with the bare minimum of the information I had hoped to get from Yellow Cab and should be noted that I have never had problem receiving information from Ms. Armstrong.

It is this Officer's opinion that this behavior, the constant change in the day of meeting, who I need to talk to, and difficulty in getting information from Yellow Cab, borders on the uncooperative on Yellow Cab's part. It should also be noted that three weeks had passed since I first contacted Ms. Armstrong. That is plenty of time to change records, loose information, correct forms, while I have no evidence to suggest that this is the case as an investigator I must consider the possibility of those types of things happening. Also spontaneous statements from Mr. Campalongo during previous conversations that amounting to the fact that Yellow Cab plans to take all Commission actions/fines against them through the ALJ process, shows the current attitude Yellow Cab has for the Commission. Supervisor Hawthorne and even District Manager Bowser have spoken to Yellow Cab on numerous occasions and yet we still have troubles in dealing with Yellow Cab. Perhaps stronger measures need to be taken against Yellow Cab and even higher personnel in the PUC chain of command, including the Commissioners, need to speak to remind Yellow Cab that they are a regulated industry and that the PUC has a responsibility to ensure that the regulations are followed and enforced. And that the Commission will conduct its investigations how it deems best and not have regulated carriers dictate to us, our procedures.

The previous paragraphs will be included in my Officer's Reports for cases #2273113, 2267905, 2266112, and

2273114, as I was investigating those cases as well as this one.

During the meeting at Yellow Cab on 01/05/11 Mr. Campalongo provided me with a dispatch sheet for Ms. Merranko on 09/21/11. I had asked for Yellow Cab to check for Ms. Merranko's phone number, 412-337-9079, to appear in their system. 09/21/11 was the last time her phone number called Yellow Cab. Mr. Campalongo stated that it appeared a cab was sent to Ms. Merranko but that the address the cab went to was wrong. Mr. Campalongo told me that the address that Ms. Merranko had given the dispatcher was the wrong address. He also stated after that first cab, three other cabs attempted to pick up Ms. Merranko but had no success. Also Ms. Merranko was called three times to verify her address but she did not answer her phone.

It is this Officer's opinion no action be taken on this complaint. The dispatch sheet shows Yellow Cab attempted to pick up Ms. Merranko and also attempted to call her multiple times to no avail. Also Ms. Merranko's unwillingness to speak to me did not allow me to get more information about her complaint. Ms. Merranko previously had a complaint against Yellow Cab; the case number for that case is BP 2146181.

**From:** dcanzoneri@state.pa.us  
**Sent:** Saturday, October 01, 2011 4:20 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: Mark

Street Address: T

City: Clinton

Daytime Phone: 8888888888

Your e-mail address: [m8trapp@comcast.net](mailto:m8trapp@comcast.net)

Date: 10/01/2011

Time : 1:30 PM

Location of Incident : Pittsburgh Airport

Taxi(PUC) Number : 213

Medallion Number :

Taxi Company : Yellow

Driver Number :

Incident comments : After getting off of my flight, I got into a cab. I told him Clinton, PA. He said "You have to be fucking kidding me". He threw his phone into the passenger seat in disgust. He cursed again and complained how short the trip was. When I got out, it was \$13.55. All I had was a 20. He said angrily, "this is all you have?" With that attitude, I decided he did not deserve a tip. He said sarcastically "wait, I need to give you your fucking 45 cents". He spun his tires on the road as he pulled away. If there is a certain radius that is too short to take a cab, they should post it. Or he could have told me to find another taxi. I am fairly certain it was yellow cab, maybe not. The cab was a yellow minivan.

Nature of Incident : Driver Discourteous

Nature of Incident: Other Comments

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2266112**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

01/27/11

On 11/29/11 I emailed the complainant and requested he return my email or contact me by calling my cell phone. I explained in my email that I was investigating his complaint against Pittsburgh Yellow Cab and I needed some additional information in order to do a proper investigation

On 12/12/11 I emailed the complainant again and requested that he contact me.

The following paragraphs also pertain to the following cases, BP#2273113, 2264103, 2267905, and 2273114.

On 12/08/11 I emailed Julie Armstrong at Pittsburgh Yellow Cab and notified her that I had several complaints against Yellow Cab that I was investigating and would like to set up a meeting with her to discuss them.

On 12/12/11 I emailed Julie Armstrong the details of the complaints I was investigating so that she could gather the requested paperwork and have any drivers available if I needed to talk to them. Ms. Armstrong responded to me email on 12/13/11 and we agreed to meet on 12/20/11.

On 12/19/11 Ms. Armstrong emailed me and informed me that the 20<sup>th</sup> was not a good day and that they would contact me when they have drivers and their counsel available for a meeting, if I had any questions to contact Jerry Campalongo, General Manager for Yellow Cab, at 412-527-0332.

On 12/22/11 I called Jerry Campalongo at 412-527-0332 and left a message requesting that he call me back in order to schedule a meeting. Throughout the next week I called Mr. Campalongo a few times and he attempted to contact me as well. We both left voice mails requesting that the other call back. The holiday and holiday time off, I believe, was the main reason we had difficulty in contacting each other. Eventually I contacted Mr. Campalongo, I believe it was on Dec 29<sup>th</sup>, and we agreed to meet on Jan 5<sup>th</sup> at Yellow Cab to discuss the complaints. After speaking with Mr. Campalongo I contacted Supervisor Hawthorne and requested her presence at the meeting with Yellow Cab.

On 01/05/12 Supervisor Hawthorne and I travelled to Yellow Cab Co of Pittsburgh and met with Mr. Campalongo and Yellow Cab's counsel, Ray Middleman. Also present were two drivers for Yellow Cab,

whose presence I requested for other complaints I was working on. The meeting did not go well. Mr. Campalongo attempted to change subjects at every pause in my questions pertaining to the cases I was investigating. Mr. Middleman was almost confrontational in his responses to all my questions. Though it does not pertain to this case both drivers did not remember any details about the complaints concerning their cabs. This brings to mind if and how, Mr. Middleman, will be instructing Yellow Cab drivers to answer our questions, i.e. is he coaching them to not remember anything before our meetings. Also many times Mr. Campalongo brought up how there is a new computer system to track cabs and how it will print out latitude and longitude for pick up and drops offs and that they plan to use this for trip sheets. It was unclear when or if this is in process. At first it was stated that on Oct 1<sup>st</sup>, 2011 it was activated but then the said Oct 15<sup>th</sup> was the date with a caveat that they are still working out many bugs in the system and some cabs transponders are not fully functional. It was also unclear whether Yellow Cab will still require the drivers to maintain a handwritten trip sheet. When asked about this, as they had handwritten trip sheets for two of my cases I was investigating, Mr. Middleman became extremely confrontational. At every break in the conversation Mr. Campalongo attempted to steer the conversation towards unlicensed carriers, i.e. jitneys, and what we were doing about them. Many times I had to push the conversation forward to the specific cases I was there to investigate. The meeting concluded with the bare minimum of the information I had hoped to get from Yellow Cab and should be noted that I have never had problem receiving information from Ms. Armstrong.

It is this Officer's opinion that this behavior, the constant change in the day of meeting, who I need to talk to, and difficulty in getting information from Yellow Cab, borders on the uncooperative on Yellow Cab's part. It should also be noted that three weeks had passed since I first contacted Ms. Armstrong. That is plenty of time to change records, loose information, correct forms, while I have no evidence to suggest that this is the case as an investigator I must consider the possibility of those types of things happening. Also spontaneous statements from Mr. Campalongo during previous conversations that amounting to the fact that Yellow Cab plans to take all Commission actions/fines against them through the ALJ process, shows the current attitude Yellow Cab has for the Commission. Supervisor Hawthorne and even District Manager Bowser have spoken to Yellow Cab on numerous occasions and yet we still have troubles in dealing with Yellow Cab. Perhaps stronger measures need to be taken against Yellow Cab and even higher personnel in the PUC chain of command, including the Commissioners, need to speak to remind Yellow Cab that they are a regulated industry and that the PUC has a responsibility to ensure that the regulations are followed and enforced. And that the Commission will conduct its investigations how it deems best and not have regulated carriers dictate to us, our procedures.

The previous paragraphs will be included in my Officer's Reports for cases #2273113, 2264103, 2267905, and 2273114, as I was investigating those cases as well as this one.

During the meeting on 01/05/12 I spoke to John Talarico, the driver of cab #213 on 10/01/11. I asked Mr. Talarico if he recalled any incidents occurring on 10/01/11. He responded that he did not. I asked if he remembered having any difficulty at the Pittsburgh International Airport or in dealing with a fare at the airport. Again Mr. Talarico responded that he did not remember any difficulties that day. Mr. Campalongo provided me with Mr. Talarico's trip sheet for cab #213. There are no trips starting at the airport on Mr. Talarico's trip sheet.

On 01/09/12 I emailed Dawn Romitz, Ground Transportation Coordinator for the Pittsburgh International Airport, and asked if she could check on if and when cab 213 was at the airport on 10/01/11. On 01/11/12 Mrs. Romitz returned my email and wrote in her email that cab 213 was at the airport commercial hold lot at 12:37 and then left the commercial curb (i.e. picked up a fare) at 12:57. Mrs. Romitz also requested additional information on my complaint in case cab 213 had violated any of the airport's rules and regulations concerning taxis. After checking with Supervisor Hawthorne and Manager Bowser I emailed Mrs. Romitz the details of my complaint. On 01/13/12 I received an email from Mrs. Romitz and included in the email was a suspension letter for cab 213. That letter and the previously noted emails are attached to this case.

It is this Officer's opinion that no action be taken the complainant's complaint. I was unable to speak with the complainant as no phone number was listed in the complaint and the complainant did not return my emails. Due to this and that the driver of cab 213 did not remember any details of the trip in question; I do not believe we have enough evidence to proceed with action on this case. However information received from the Pittsburgh International Airport shows that cab 213 was at the airport and there is clearly no trip that matches the time on cab 213's trip sheet.

**From:** dcanzoneri@state.pa.us  
**Sent:** Tuesday, October 04, 2011 5:05 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: Edward

Street Address: Leopold

City: Camarillo, CA 93010

Daytime Phone: 805-415-5127

Your e-mail address: [edleopold@gmail.com](mailto:edleopold@gmail.com)

Date: 09/26/2011

Time : 6:30pm

Location of Incident : Pittsburgh Airport

Taxi(PUC) Number : 533

Medallion Number :

Taxi Company : Yellow Cab Company

Driver Number :

Incident comments : The back seat of the cab was filthy. There was trash in the door handles on both doors. There were dirt, crumbs, and possibly a bug on the floor. The interior roof of the cab appeared as if there was mold on it. It was disgusting. I just think that it needs to be cleaned. That's all. Thanks.

Nature of Incident : Interior of vehicle not clean

## Officer's Report

This report is in reference to BP8 case #2266113. The complainant in this case alleges that Yellow Cab of Pittsburgh cab #533 was filthy with trash, dirt and possible mold when he rode in the vehicle on September 26, 2011.

On October 24, 2011, at approximately 1550 hours I spoke with the complainant Edward Leopold by telephone. Mr. Leopold verified that all information on his complaint was accurate including cab number, dates, times and descriptions. Mr. Leopold advised that the origin of the trip was the Pittsburgh International Airport in Findlay Township, Allegheny County and the destination was the Spring Hill Suites Hotel on the South Side of Pittsburgh, Allegheny County. Mr. Leopold advised he paid approximately \$45.00 for the trip, the meter was used and he had no complaints about the driver or his driving habits in general. The driver was an African-American male with dread locks and possibly in his 40's.

The only issue Mr. Leopold had with his cab ride was the cleanliness of the car. Mr. Leopold advised he was "excited to get out of the car due to the filth". Mr. Leopold was not interested in providing an address for the PUC to send a final determination letter to him; he lives in California and is not interested in testifying in court. Mr. Leopold advised all he wants to see done is the cab cleaned.

On October 26, 2011, this EO responded to Yellow Cab of Pittsburgh's Safety Manager's office and spoke with Safety Manager Richard Walmsley. Mr. Walmsley verified that the cab is on the road, however it was parked in front of a house, which meant the current leasee was probably sleeping. A phone call was placed and a message left for the driver to call the Safety Manager as soon as he received the message. Mr. Walmsley advised that he locked the driver and the car out of the dispatch system (driver cannot operate) until I conduct a safety inspection of the vehicle.

On the same date at approximately 1045 hours Mr. Walmsley called and advised he just spoke to the driver and the driver will be at Yellow Cab at approximately 1230 hours to cash out. Mr. Walmsley advised the driver to come over to the Safety Office because he had to have some paperwork signed. Mr. Walmsley did not advise the driver about the inspection.

On the same date at approximately 1230 hours driver Dwayne Stevens walked into the Safety Managers office. Mr. Stevens advised that he is usually the only operator of cab #533. Mr. Stevens was advised of the complaint against the vehicle. Mr. Stevens advised that no customers have complained or become upset over the cleanliness of the cab on the date of the complaint or any other date. Mr. Stevens advised that he sweeps out the cab at least once or twice a week and the upholstery is dirty. He has asked Yellow Cab maintenance to have the upholstery cleaned, but maintenance told him no. Mr. Walmsley, who was present through the entire interview, advised that he would look into the matter and he also presented some ideas to the driver about how to clean the upholstery himself using cheap grocery store products.

A safety inspection was then conducted of Yellow Cab #533. I found no violations during the course of the inspection. The interior of the vehicle had slight dirt or other particulates on the floor and could be vacuumed, but was not offensive or beyond the look of a vehicle that is used for work ten or more hours a day. The seats and ceiling upholstery had minor dirt stain, but the original gray color of the upholstery was still present. The upholstery did not appear disgusting, moldy, filthy or offensive. It appeared slightly dirty for a vehicle that is used on a constant basis. The passenger door handles had no garbage in them and the overall smell of the cab was fine. I did not smell body odor, filth, rotting food or bugs etc. My observation of the interior cleanliness of cab #533 found that it showed slight wear and dirt from constant use, but was not offensive or disgusting. This EO would not be upset if he was required to ride in the cab, nor would I be offended if someone close, like a family member had to ride in the cab.

A DVCR, vehicle in-service form and taxi/driver summary report were completed. Mr. Walmsley signed for the DVCR and took Yellow Cab's copy. No trip sheet for the current day (10-26-11) was obtained from the driver as he had not started his day, he was locked out of the system and he had already cashed in from the previous day. Driver Services Manager, Julie Armstrong, e-mailed me the trip sheet for the day of the complaint. Dwayne Stevens was the driver on the date of the complaint, he has a PA license of 19272032 and he has been leasing from Yellow Cab since 1989.

Investigation found that Cab #533 had no safety or passenger violations found during the course of the safety inspection. Compliance review should review this report and the possible trip sheet violations below and determine the appropriate actions to take. The complainant in this case was notified at the conclusion of the investigation, but he does not want to be notified of the final outcome.

**Possible Manifest Violations:**

1. 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving. End date and time is not filled out on the manifest.
2. 29.313(c)(4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. The information written on the manifest is entirely un-distinguishable and un-readable. I have no idea what any of the information in the time, origin, destination or fare boxes state.
3. 29.313(c)(7): The meter readings at the beginning and end of each shift, if applicable. The meter readings appear to be odometer readings and not the trip meter numbers.

**Attachments:**

1. Vehicle in-service form
2. Taxi/Driver summary report
3. DVCR # 411-1057
4. Cab 533 manifest for 9/26/2011

Gary Double Jr.

October 27, 2011

Badge #4

**From:** dcanzoneri@state.pa.us  
**Sent:** Sunday, October 16, 2011 10:55 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: pamela harris

Street Address: 1316 federal st

City: pittsburgh 15212

Daytime Phone: 412-330-0957

Your e-mail address: [pamuella66@gmail.com](mailto:pamuella66@gmail.com)

Date: 10/16/2010

Time : 10:40pm

Location of Incident : east ohio street

Taxi(PUC) Number :

Medallion Number :

Taxi Company : yellow cab

Driver Number : 232

Incident comments : driver was in left lane leading to highway but then abruptly merged over to the right lane in front of me heading west on east ohio street. did not signal. It was raining heavily

Nature of Incident : Operated vehicle in a dangerous manner

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2267905**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

01/19/12

On 11/29/11 I called the complainant, Pamela Harris at 412-330-0957 and left a voice mail explaining that I was investigating her complaint against Yellow Cab Co of Pittsburgh and requested that she call me back in order to discuss her complaint.

On 12/02/11 I called Pamela Harris again and left a voice mail requesting her to call me back.

The following paragraphs also pertain to the following cases, BP#2273113, 2264103, 2266112, and 2273114.

On 12/08/11 I emailed Julie Armstrong at Pittsburgh Yellow Cab and notified her that I had several complaints against Yellow Cab that I was investigating and would like to set up a meeting with her to discuss them.

On 12/12/11 I emailed Julie Armstrong the details of the complaints I was investigating so that she could gather the requested paperwork and have any drivers available if I needed to talk to them. Ms. Armstrong responded to me email on 12/13/11 and we agreed to meet on 12/20/11.

On 12/19/11 Ms. Armstrong emailed me and informed me that the 20<sup>th</sup> was not a good day and that they would contact me when they have drivers and their counsel available for a meeting, if I had any questions to contact Jerry Campalongo, General Manager for Yellow Cab, at 412-527-0332.

On 12/22/11 I called Jerry Campalongo at 412-527-0332 and left a message requesting that he call me back in order to schedule a meeting. Throughout the next week I called Mr. Campalongo a few times and he attempted to contact me as well. We both left voice mails requesting that the other call back. The holiday and holiday time off, I believe, was the main reason we had difficulty in contacting each other. Eventually I contacted Mr. Campalongo, I believe it was on Dec 29<sup>th</sup>, and we agreed to meet on Jan 5<sup>th</sup> at Yellow Cab to discuss the complaints. After speaking with Mr. Campalongo I contacted Supervisor Hawthorne and requested her presence at the meeting with Yellow Cab.

On 01/05/12 Supervisor Hawthorne and I travelled to Yellow Cab Co of Pittsburgh and met with Mr. Campalongo and Yellow Cab's counsel, Ray Middleman. Also present were two drivers for Yellow Cab,

whose presence I requested for other complaints I was working on. The meeting did not go well. Mr. Campalongo attempted to change subjects at every pause in my questions pertaining to the cases I was investigating. Mr. Middleman was almost confrontational in his responses to all my questions. Though it does not pertain to this case both drivers did not remember any details about the complaints concerning their cabs. This brings to mind if and how, Mr. Middleman, will be instructing Yellow Cab drivers to answer our questions, i.e. is he coaching them to not remember anything before our meetings. Also many times Mr. Campalongo brought up how there is a new computer system to track cabs and how it will print out latitude and longitude for pick up and drops offs and that they plan to use this for trip sheets. It was unclear when or if this is in process. At first it was stated that on Oct 1<sup>st</sup>, 2011 it was activated but then the said Oct 15<sup>th</sup> was the date with a caveat that they are still working out many bugs in the system and some cabs transponders are not fully functional. It was also unclear whether Yellow Cab will still require the drivers to maintain a handwritten trip sheet. When asked about this, as they had handwritten trip sheets for two of my cases I was investigating, Mr. Middleman became extremely confrontational. At every break in the conversation Mr. Campalongo attempted to steer the conversation towards unlicensed carriers, i.e. jitneys, and what we were doing about them. Many times I had to push the conversation forward to the specific cases I was there to investigate. The meeting concluded with the bare minimum of the information I had hoped to get from Yellow Cab and should be noted that I have never had problem receiving information from Ms. Armstrong.

It is this Officer's opinion that this behavior, the constant change in the day of meeting, who I need to talk to, and difficulty in getting information from Yellow Cab, borders on the uncooperative on Yellow Cab's part. It should also be noted that three weeks had passed since I first contacted Ms. Armstrong. That is plenty of time to change records, loose information, correct forms, while I have no evidence to suggest that this is the case as an investigator I must consider the possibility of those types of things happening. Also spontaneous statements from Mr. Campalongo during previous conversations that amounting to the fact that Yellow Cab plans to take all Commission actions/fines against them through the ALJ process, shows the current attitude Yellow Cab has for the Commission. Supervisor Hawthorne and even District Manager Bowser have spoken to Yellow Cab on numerous occasions and yet we still have troubles in dealing with Yellow Cab. Perhaps stronger measures need to be taken against Yellow Cab and even higher personnel in the PUC chain of command, including the Commissioners, need to speak to remind Yellow Cab that they are a regulated industry and that the PUC has a responsibility to ensure that the regulations are followed and enforced. And that the Commission will conduct its investigations how it deems best and not have regulated carriers dictate to us, our procedures.

The previous paragraphs will be included in my Officer's Reports for cases #2273113, 2264103, 2266112, and 2273114, as I was investigating those cases as well as this one.

During the meeting on 01/05/12 I spoke to Edward Gunn, the driver of cab #232. I asked Mr. Gunn if he recalled any incidents occurring on 10/16/11. He responded that he did not. I asked if he remembered cutting off another vehicle or if there were any incidents with another vehicle in perhaps an aggressive driving incident. He responded that he did not recall having any troubles with any other drivers that day. Mr. Campalongo provided me with Mr. Gunn's trip sheet for cab #232.

It is this Officer's opinion that no action be taken on this complaint. The complainant did not contact me back and I was unable to obtain/verify the information provided in the initial complaint. A more specific location of the alleged aggressive driving would have been needed. The date on the trip sheet is 10/17/11 but it appears in the end time block there is a date stamp of Oct 14. When I asked Mr. Campalongo about this, this started the conversation about their new trip sheet computer system. This also led to the confusion about when that practice was started and about still maintaining driver handwritten trip sheets. As noted in the earlier paragraphs this is when the date of the system being implemented kept changing and when Mr. Middleman became confrontational about my questions about trip sheets. Mr. Campalongo provided the included trip sheet and stated that is what they had for cab #232 on the date I requested. There are many "DT" marks on the trip sheet and East Ohio Street, the location mentioned in the complaint, would be considered downtown. Although no trips listed on the trip sheet match the time in the complaint. Without more information from the complainant and a more thorough discussion of the provided trip sheet I believe there is not enough evidence for the Commission to take any action on this complaint.



**Holiday Inn**

Holiday Inn Pittsburgh North  
4859 McKnight Road  
Pittsburgh PA 15237  
(412) 366-5200 Phone  
(412) 366-5682 Fax

FACSIMILE TRANSMITTAL SHEET

TO:

Charles B

COMPANY:

FROM:

Arwita Walls

DATE:

10-25-11

FAX NUMBER:

412 820 2607

PHONE NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

SENDER'S PHONE NUMBER:

RE:

YOUR REFERENCE NUMBER:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

To Whom It May Concern;

I am writing this letter in regards to, two incidents

I encountered using the yellow cab service. Both incidents occurred on a Saturday in October. I can't remember what the date was, but I usually get a Downtown at the Benedum theatre around 6:00 am going to the Holiday Inn North Hills. However the two cab drivers I encountered were rude, aggressive & made me feel like I was being strong armed for a tip. Cab driver 433 acted like I owed him a tip. He asked me if I wanted to add something extra to mc CC, I told him to leave it as it was. I'm on a fixed income as well & I have to save my money for the ride on Saturday's. He proceeded to ask me again & became agitated when I repeated myself. He then stated that since I was using my CC I should give him a tip because it cost's to run his CC machine. I refused.

The following Saturday I get the same thing from cab driver 353. He wasn't as aggressive of cab driver 433, but he wanted a tip as well & stated the CC situtation. Don't get me wrong things are rough every where, but when you pay for a service in its entirety you shouldn't have to feel like your being bullied for something extra.

Arnita Walls  
(412) 403-0274

## Officer's Report

This report is in reference to BP8 case #2269305. The complainant in this case alleges that Yellow Cab drivers are rude and are aggressively asking for tips. This report was written by Gary Double.

On November 16 and 18, 2011, I left messages for the complainant Ms. Arnita Walls to contact me. On November 18, 2011, at approximately 1545 hours Ms. Walls returned my phone call and provided the details of her complaint. Ms. Walls advised that the Yellow Cab drivers appear to have attitudes. She stated they are being paid to do the job! Ms. Walls uses cab service on Saturday mornings because there is no other public transportation service before 0730 hours on Saturdays. In both cases she was picked up at the Benedum Theatre in downtown Pittsburgh and dropped off at the Holiday Inn in North Hills (4859 McKnight Rd, Pittsburgh, PA 15237). Both the origin and destination are within Allegheny County and this is within the service area of Yellow Cab of Pittsburgh.

Ms. Walls reported that in both cases the drivers used the meters and both times she paid with her credit card. Ms. Walls was unsure of the actual Saturday dates, but she was positive the trips were two Saturdays apart and both occurred in October of 2011. After looking through her purse, Ms. Walls found the receipt for the first of her Yellow Cab trips. It occurred on October 15, 2011, the time printed on the receipt was 0624 hours, the cab was #433 and the fare was \$15.45. Ms. Walls was sure that she had the other receipt as well and that the second trip occurred on October 29, 2011 and it was Yellow Cab #353. The fare was approximately \$16.00 as well.

Ms. Walls described the driver of cab #433 as a Caucasian, male in his forties. The driver of cab #353 was an African-American male in his thirties or forties, with a medium build.

The complainant stated that upon arriving at the Holiday Inn on October 15, 2011, the driver of cab #433 asked her if she wanted to add any extra to the credit card. The driver also advised her that because she is using a credit card he must pay for the use of the card. Ms. Walls advised that the driver began talking about how he is just trying to make a living and the extra \$5.00 would help. Ms. Walls stated that the driver's complaining about the credit card use upset her. She felt this driver was aggressive through his stories, his tone,

the fact he harped on getting a tip, his demeanor about getting one and he appeared relentless in asking for more money.

The driver of cab #353 on October 29, 2011, repeated the same comment “do you want to add any extra to the credit card?” The driver was not as aggressive and let the issue about a tip drop as soon as he asked the question. Ms. Walls questioned why the drivers’ need to ask for a tip at all?

Finally, Ms. Walls advised that both drivers’ locked the doors as soon as she got in. The doors are not unlocked until after payment is made. This gave her the feeling of being stuck in the car, but she did admit that this was really not the case as she could unlock the door if she needed to. Ms. Walls advised that she does want notified by the PUC of the final outcome (133 Pearl St. Pittsburgh, PA 15224). Ms. Walls also advised that she is willing to testify in court regarding this matter.

On November 22, 2011, I responded to Yellow Cab of Pittsburgh’s main office and spoke with Driver Services Manager, Julie Armstrong. Ms. Armstrong provided the completed manifests for each date in question and a dispatch sheet for October 15, 2011. There was no dispatch sheet available for the October 29 trip. Ms. Armstrong advised that the driver of Cab #433 on the date in question was Vincent Livingston. Mr. Livingston fits the general description that Ms. Walls provided. Mr. Livingston is on a weekly buddy lease. He has a PA driver license of 19132025 and he has been leasing from Yellow Cab since October 17, 1990. She advised that the driver of cab #353 on the date in question was Samuel Kumi. Mr. Kumi also fit the general description provided by Ms. Walls and he has a PA driver’s license of 24438907. He has been leasing from Yellow Cab since August 25, 2000. Phone numbers for each driver were provided and Ms. Armstrong advised that I was able to contact the drivers at my convenience. Mr. Kumi was contacted while I was in Ms. Armstrong’s office. A message was left for Mr. Livingston and I spoke with Mr. Livingston at a later date.

Regarding this complaint, Ms. Armstrong advised that if the complainant’s story is correct then driver Livingston should not have said all that he said to her. Drivers do ask the customers if they want to add the tip onto the card because there is no write in spot for the tip. Once the receipt is printed, even if the customer adds a written in tip, the total is all they are allowed to charge. Yellow Cab is not permitted to adjust the totals. Ms.

Armstrong also advised that Yellow Cab charges the drivers 2.5% of the charge to use the card machine (twenty-five cents for a \$10.00 fare).

On the same date, at approximately 1330 hours, I spoke with Samuel Kumi (cab #353) on the telephone from Ms. Armstrong's office. Mr. Kumi advised that he thinks he remembers the trip, but he's not positive. He asked her if she wanted to leave a tip on the card and she said "no". He thought the customer left no tip because she had waited some time before he picked her up. If it was the same customer he is thinking of, she appeared angry when he picked her up. Mr. Kumi advised that he picked her up less than two minutes after he accepted the trip.

On December 27, 2011, at approximately 1215 hours, I spoke with the complainant Ms. Walls. Same advised that she attempted to scan and e-mail the receipts but was unsuccessful. I made arrangements at this time to pick the receipt up her home on Pearl Street in approximately one hour.

On the same date, at approximately 1225 hours, I spoke with the driver of cab #433 Vincent Livingston on the telephone. Mr. Livingston was advised of the incident and some details of the complaint and same advised that he thinks the customer was a steady rider at that time and she was working at the Holiday Inn. He did not remember the customer being upset for any reason and he was not sure why she complained. Mr. Livingston stated that he lets passengers using credit cards know that they are unable to write in a tip after the receipt is printed. The system is "a pain" because it is an analog system and occasionally it fails to work in the outlying areas of the city. There have been times that he has lost fares because the system would not work and customers have no other way to pay him. This has caused some drivers ask up front about how they are paying. Mr. Livingston said he apologizes if he upset the complainant, he did not mean to upset her. He tries to encourage people to pay with cash when possible because of the potential problems with the credit card machines.

Mr. Livingston also personally asked what could be done about the jitney problem in the city. He has driven cab since 1983 and has never seen it as bad as it currently is. He advised that all types of vehicles are showing up with words like "shuttle" on them. They are primarily seen on the south side and at the casino on

Friday and Saturday night. He believes that most of them are probably rented vehicles. I advised him that we need as much detail as possible. Dates, times, locations, descriptions and most important we need the license plate of the vehicle. I provided the Pittsburgh office number for him to call anytime he has a jitney complaint.

On the same date, at approximately 1300 hours, I arrived at Ms. Walls home on Pearl Street. Ms. Walls provided a copy of her cab receipt for the cab ride on October 15, 2011. She was unable to find the receipt for the trip on October 29, 2011.

My investigation found that Yellow Cab of Pittsburgh #433 and driver Livingston did provide transportation to the complainant on October 15, 2011. I also found that Yellow Cab of Pittsburgh #353 driver Samuel Kumi most likely provided transportation to the complainant on October 29, 2011. Yellow Cab management and the drivers have verified that the credit card system requires that drivers enter the tip amount prior to printing the receipt. No write in tips are honored which puts the drivers in a potentially awkward position of asking about a tip instead of permitting the customer to tip without talking about it or refusing to tip and potentially looking cheap. Compliance review must determine if the drivers' questions to the complainant concerning a tip is reason to warrant a charge of unreasonable service on the carrier.

After reviewing both drivers' manifests for the days in question I found the following potential PUC violations:

1. 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving. The end time is not time stamped on driver Livingston's manifest. This item is typically completed by Yellow Cab at "the cage" when the driver cashes in at the end of the lease.
2. 29.313(c)(7): The meter readings at the beginning and end of each shift, if applicable. It appears that driver Livingston and Kumi are using the odometer numbers instead of the meter numbers for the beginning and ending meter numbers.
3. 29.313(c)(4): The times and places of origin and destination of each trip including the odometer or meter mileage at the origin and destination of each passenger trip. Origin and destination places shall contain a street name and address or, if unavailable, an identifiable landmark. Driver Kumi fails to

use appropriate locations on the manifest. Same uses vague descriptions like, Avalon, Downtown, and Sq. Hill instead of exact locations.

On December 30, 2011, at approximately 1325 hours I left a message for the complainant, Ms. Walls, advising that the investigation has been completed and same will be forwarded to Harrisburg for review. I advised that if she had any questions she could contact me or the Pittsburgh Office.

**Attachments:**

1. Driver Livingston manifest for October 15, 2011.
2. Yellow Cab dispatch sheet for cab 433 on October 15, 2011.
3. Driver Kumi manifest for October 29, 2011.
4. Ms. Walls cab receipt for October 15, 2011.

Gary Double Jr.

December 30, 2011

Badge #4

<b>Date Assigned to Officer:</b>
<b>Date Report Completed:</b>

**PUC MOTOR CARRIER ENFORCEMENT DIVISION  
OFFICER'S REPORT**

**INITIATING OFFICE - BP8 CASE #**

<b>District:</b> Pittsburgh	<b>Enforcement Officer:</b>
<b>Assignment No.</b>	<b>Assisting Officer:</b>
<b>DOT No.</b>	<b>Utility Code:</b> 639135
<b>Respondent:</b> Yellow Cab Co of Pittsburgh	<b>Complainant:</b> Nikki Cosman
<b>Address:</b>	<b>Address:</b> 6055 North Henry Building
	Suite A
	Stockbridge, GA 30281
<b>Phone No.</b>	<b>Phone No.</b> 404-597-8072
<b>PUC No.</b>	<b>PUC No.</b>
<b>Email:</b>	<b>Email:</b>

**COMPLAINT**

**SUMMARY OF ASSIGNMENT**  
(Explain how assignment was initiated)

Nikki Cosman called the Western Regional Office on November 7, 2011 to report inappropriate behavior of a cab driver that occurred on November 6, 2011 at 1:00 a.m. She said that she and a friend entered Pittsburgh Yellow Cab #343 at the Rivers Casino Taxi stand and requested to be taken to Bossanova Restaurant at 123 7<sup>th</sup> St, Pittsburgh.

On the way, the driver said "I'm not taking you there" and began locking and unlocking the doors. Ms. Cosman said that she and her friend bolted from the cab while stopped at a traffic light. She said she had not filed a police report and that several calls to the Yellow Cab office were not returned. I advised her to file with the Pittsburgh Police Department.

Nikki Cosman can be reached at (404) 597-8072. Her address is 6055 North Henry Building Suite A Stockbridge, GA 30281.

Investigate and report your findings to the complainant. Submit your report within 30 days.

CSB:ck

## Officer's Report

This report is in reference to BP8 case #2271988. The complainants' in this case allege that a Yellow Cab of Pittsburgh driver refused to take them where they wanted to go once they were in the cab and the driver was acting suspiciously. This report was written by Gary Double.

On November 21, 2011, I spoke with the complainant in this case, Nikki Cosman, on the telephone. Ms. Cosman advised that on Sunday morning, November 6, 2011, at approximately 0100 hours, she was with her friend, Stephanie Freeman, at the Rivers Casino. Ms. Cosman advised that both Stephanie and she were drinking that evening, but neither of them were intoxicated or out of control. Stephanie became ill and they wanted to go back to their car. At this time they got into cab #243, which was driven by a young (30's), decent looking, dark complexion, Caucasian male, with dark hair. The cab driver pulled out of the Casino parking lot and asked where they wanted to go. Ms. Cosman replied Bosanova Club (7<sup>th</sup> Street) in downtown Pittsburgh where her car was parked. When she said "Bosanova" the driver replied "you are not going there" and he repeated it multiple times. Ms. Cosman advised that she began looking over at Stephanie at this time and she (Ms. Cosman) thought they were in trouble. Stephanie immediately began asking to be let out of the cab and both girls were tried to unlock the doors of the cab, but the driver kept locking the doors on them. Ms. Cosman advised that as the cab slowed down at a light approximately six blocks later both her and Stephanie jumped out of the cab and began running away. The driver rolled down his window and told the girls that he was joking and then wanted paid for the trip. Ms. Cosman advised that at no time did the driver appear to be joking; he seemed very serious when he was talking to them. Ms. Cosman advised that they had no idea where they were and they felt like they were left in the middle of nowhere.

They were able to get a ride from another Yellow Cab and they had no issue with this driver. Ms. Cosman advised that she did not get the cab number of the second cab they were in. Ms. Cosman advised that the entire incident with the first cab driver really "freaked her out."

The following week (no date specified), Ms. Cosman began calling Yellow Cab to report the incident. She spoke with Julie Armstrong, who advised her that cab #243 was not operating that night. Operations

Manager Jerry Campolongo called them back after she spoke with Julie Armstrong and Mr. Campolongo advised the girls that the driver in question was “a good guy, who has been driving for fifteen years. The driver was just joking and the locks in the cab are faulty, they lock when the brakes are used.” Ms. Cosman advised that Mr. Campolongo “was a jerk” and he kept asking her “what do you want me to do.”

While they were at the airport waiting to take a flight home to Georgia, Ms. Cosman reported the incident to an Allegheny County Police Officer by the name of Tamashay. Ms. Cosman advised that she does not want notified by the PUC of the final determination of her case.

On the same date, at approximately 1323 hours, I spoke with Stephanie Freeman by telephone. Ms. Freeman advised that they were trying to get back to their rental car and when they advised the driver where they wanted to go he replied “what if I don’t take you there?” He then repeated it saying “I’m serious” and locked the door. Ms. Freeman advised that Ms. Cosman (the complainant) flipped out and they tried to get out of the cab. Ms. Freeman advised that the driver locked the cab doors at least twice on them. Once they were able to get the doors open they jumped out of the car. It was no more than a mile from the Rivers Casino, but she was unsure where it was. The driver advised them that he was just joking and then advised that he wanted paid or he was going to call the police on them. The driver drove off when they started talking about getting the cab number. They walked a little ways and then got another cab to take them to their rental car.

Ms. Freeman was not belligerent, had not been drinking that evening and they just didn’t want to drive that evening. Ms. Freeman advised that the date of the incident was Sunday, November 6, 2011, around 0100 or 0130 hours. They attempted to call Yellow Cab that evening, but Yellow Cab had no managers working in the evening. They reported the incident to the police on Monday after getting nowhere with Yellow Cab. Ms. Freeman reported that the owner defended the cab driver and said he was employed for over thirty years. Ms. Freeman did not believe this was possible since the driver looked like he was 21 to 25 years old. Ms. Freeman advised that the driver was small, young, dark hair and was a Caucasian. The cab was a car (not a mini-van) and they were very shaken over the incident. Ms. Freeman does not want to go to PUC court if it goes to court, but she also does not want to see the driver hurt anyone.

On November 22, 2011, at approximately 1220 hours I responded to Yellow Cab of Pittsburgh and spoke with Driver Services Manager Julie Armstrong and Manager Jerry Campolongo. Ms. Armstrong advised that the driver in this incident was Samuel Hurst. He has a DOB of 1/7/83, a PA license of 26645940 and has been leasing from Yellow Cab since February 2007.

Ms. Armstrong was aware of the complaint and advised that the driver relayed that the girls were drunk that evening. A check of the vehicle found no defects with the locks, the locks lock as soon as the vehicle starts to go in motion and this was verified when they spoke with Scott, their fleet mechanic. Ms. Armstrong advised that the driver replied "no" jokingly when they asked for the heat to be turned up, not to the location of the drop off.

Upon speaking with Mr. Campolongo, same advised that the Allegheny County Police spoke with both the driver and Mr. Campolongo. The police advised that nothing is going to happen. Mr. Campolongo called the complainant (Ms. Cosman) back after speaking with his driver because the stories did not match up. He tried to offer to help or work things out with the complainant. Possibly offer future free cab rides if they return to Pittsburgh. Mr. Campolongo advised that Mr. Hurst is a good cab driver and he refused to comply with the complainant's request to fire Mr. Hurst. When Mr. Campolongo refused the request, the complaint (Ms. Cosman) advised Mr. Campolongo to "Go F#%k himself", and called him a "duschbag". Mr. Campolongo advised that the complainant was very arrogant and blew up on him after he advised that he spoke with the driver. The complainants also referred to themselves as "two good looking girls that were dressed nice."

On November 22, 2011, at approximately 1330, hours I spoke with driver Samuel Hurst. Mr. Hurst advised that he has spoken with the Allegheny County Police Officer investigating the complainants claim and it may have also been referred to the Pittsburgh Police Department. Mr. Hurst advised that both ladies were drunk that night and the doors lock automatically when the vehicle is put in drive. The complainants asked to go to a club on 9<sup>th</sup> Street and he said "sure thing". As he pulled up to the first intersection they asked him to turn the heat down and he jokingly replied "No". Mr. Hurst advised that he did turn the heat down, even while he was saying "No". As soon as he said "No" the complainants began freaking out. One of the complainants

opened the door while the cab was going fifteen to twenty miles per hour saying “let me out, let me out, you’re weird”! Mr. Hurst described the complainants as “arrogant, valley girls”. He also stated that he did not lock the doors on them a second time, the doors locked as soon as he put the cab in gear and began to drive. Mr. Hurst also advised that he barely made it out of the Casino parking lot when all this occurred. He turned out of the lot and with-in a block the girls were jumping out of the cab. If the complainants say any different it means they are either lying or too drunk to remember.

After the complainants got out he returned to the Casino and advised the other cab drivers that there were “two drama queen fares right up the road but be careful with them”. Mr. Hurst finished his conversation with this EO by basically stating that the girls are “full of crap”!

On the same date at approximately 1520 hours I left a message requesting that Allegheny County Police Officer Tamashay contact me regarding this incident.

On November 29, 2011, at approximately 1235 hours I spoke with Lt. Palmer of the Allegheny County Police Department. Lt. Palmer advised that Officer Tamashay has been called up for military duty (deployed) and will be unavailable for the next year. Lt. Palmer retrieved the report and advised that same states that there is “no action to take” and “no criminal behavior to take action on”. The Lieutenant also advised that the report was faxed to the Zone 1 Pittsburgh Police Station.

On the same date I contacted Pittsburgh Police, Zone 1, and spoke with Detective Dulski. Detective Dulski advised that the investigation was completed by Officer Tamashay, he was not real familiar with the incident, but he does not believe an investigation or any action will be taken by the Pittsburgh Police.

On the same date, at approximately 1255 hours, Officer Tamashay contacted me from somewhere in Texas. Officer Tamashay advised that he got my message and wanted to contact me before he left. I believe the officer advised he was being deployed to Afghanistan for a year. Officer Tamashay advised that he spoke with Mr. Campolongo, Mr. Hurst, another independent witness that this EO was unfamiliar with and he viewed the casino parking lot camera the night of the incident. The stories failed to match and after speaking with the independent witness (the gentleman that had met the complainants earlier in the night and was their

transportation to the casino), same advised that both complainants were trashed (drunk, potentially extremely intoxicated) when he took them to the Rivers Casino. Officer Tamashay advised he has no issues with me obtaining his police report if need be, but going on memory since the report was not in front of him, it was written up as a baseless complaint, nothing to act on and he believes that both complainants were drunk. He could not remember who at Zone 1 the report was faxed to, but he did speak with this detective at Zone 1 and that Zone 1 was not going to do anything about the complainants claim.

My investigation revealed that the Samuel Hurst was the Yellow Cab driver that was the driver involved in the incident with the complainants. The allegations that the complainants wrote in their initial complaint and what they reported to me during the initial interview were alarming at the least and would warrant further investigation by local law enforcement. Luckily, this was the case for this complaint and I am inclined to lean heavily toward the officer Tamashay's statements to me regarding this case. Officer Tamashay reviewed River's Casino security footage and spoke to all parties involved including a witness to the two complainants' condition prior to the cab ride. Officer Tamashay advised me that the complaint reported to him was a baseless complaint that can be attributed to both complainants' being drunk. In regards to actions by the Yellow Cab driver, Samuel Hurst, Compliance Review must determine if any of his actions that have been described in this report could be construed as unreasonable service.

Upon speaking with Supervisor Hawthorne same advised that the Allegheny County Police report written by Officer Tamashay is not necessary regarding this case. If at a later time this report is requested this EO will obtain it.

Mr. Hurst completes a very detailed manifest to include no shows and day breaks. The driver appears to actually complete his manifest for multiple days the correct way. The complainants' trip however is not on the trip sheet for November 6, 2011. The trip was not completed and the Mr. Hurst was not paid after the complainants decided to terminate the trip early by getting out of a moving cab. Compliance review should determine if a violation exists because there is no mention of an incomplete trip on the manifest. Finally, upon reviewing the manifest I found one potential violation:

1. 29.313(c)(2): The time he commenced the shift and the time he ended the shift and ceased driving. The end time that the driver cashed out for the week is not time stamped or written in. The Yellow Cab employee at “the cage” is typically responsible for recording the end time on the manifest. This has been discussed with Driver Services Manager, Julie Armstrong, in previous complaints. The carrier was made aware that the end time must be entered.

Compliance Review should review this report and all potential violations and determine if any violations are present and determine the appropriate actions to be taken on the violations.

On Thursday December 22, 2011, I contacted Ms. Cosman and Ms. Freeman and left messages advising that the complaint was complete and would be forwarded to Harrisburg for review. I also left contact numbers in case either complainant decided to speak with me or with a Pittsburgh District supervisor. During the initial interview with both complainants’ they advised that they do not want to be notified of the official outcome of the case, nor do they wish to testify in PUC court.

**Attachments:**

1. Driver Samuel Hurst manifest for the day of the incident.

Gary Double Jr.

December 22, 2011

Badge #4

## Bingaman, Robert

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**From:** dcanzoneri@state.pa.us  
**Sent:** Thursday, November 10, 2011 6:30 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: DAVID DOYLE

Street Address: 97 S. 21 Street

City: PITTSBURGH

Daytime Phone: 4127799775

Your e-mail address: [dgd120@gmail.com](mailto:dgd120@gmail.com)

Date: 10/08/2011

Time : 11:45 PM

Location of Incident : United States

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : Was at the Marriott by the Arena and the taxi driver said he would not take us to Southside because he wanted to go out to the airport for the last flights coming in.

Nature of Incident : Driver refused to transport passenger

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**  
YELLOW CAB OF PGH**PUC NUMBER** 49926**ASSIGNMENT NUMBER** 2273111**OFFICERS NAME & SIGNATURE**

ROY J. BARLETT

**DATE:**

11/28/11

**NARRATIVE**

11/23/11, 1030 hrs: I attempted to contact the complainant Mr. David Doyle in order to possibly learn more details of his complaint against Yellow Cab failing to provide service on October 8<sup>th</sup> 2011

At approximately 1145 PM. Near the downtown Marriott Inn. The cab driver refused to take Mr. Doyle to the southside. The driver told him that he was heading to the Airport for the last arriving flights. I also sent Mr. Doyle an e-mail asking to provide more information if possible concerning this matter. I have as yet received no response from Mr. Doyle either by phone or e-mail. I also contacted Julie Armstrong of Yellow Cab to advise her that this complaint had been received on line.

**OFFICERS SUMMARY**

In this case, the complainant Mr. David Doyle of Pittsburgh did not provide pertinent details such as Cab number or driver name of any other helpful information that might have helped to indentify the Driver involved in this incident. I will send Mr. Doyle a letter advising him of this matter.

NOTE: The complainant failed to provide a complete mailing address ,Therefore, a letter could Not be sent to him.

## Bingaman, Robert

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**From:** dcanzoneri@state.pa.us  
**Sent:** Thursday, November 10, 2011 11:55 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: Sara Brooks

Street Address: 339 S. Pacific Ave #5

City:

Daytime Phone: 412-901-9932

Your e-mail address:

Date: 08/10/2007

Time : 6:00 pm

Location of Incident : North Braddock, PA

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : I called the Yellow Cab company for a ride for myself from North Braddock to Squirrel Hill. The dispatcher told me a driver would be there within 45 min-1:00. I waited 1 hour and thirty minutes and called them back to see if the driver was on the way. They replied that they were, and told me he would be there within 30 minutes. I waited another hour, and called again. Again, I was told someone would be there within another 30 minutes. I waited another hour and called back a fourth time and was told if I just waited "another half hour", someone would be there. Nearly four hours later, with the dispatcher still claiming a cab would arrive within the half hour, I took a bus home. The friend I was visiting said no cab ever came.

Nature of Incident : Driver refused to transport passenger

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2273112**OFFICERS NAME & SIGNATURE**

Christohper Urey

**DATE:**

12/08/11

On 11/29/11 I called the complainant and left a voice mail requesting she call me back.

On 12/02/11 I called again and left a message for the complainant to call me back. Later that day the complainant, Ms. Brooks, returned my call. I explained to Ms. Brooks that I was investigating her complaint against Yellow Cab and if she could tell me about the complaint. She explained her complaint to me and all the information was the same as in her emailed complaint to the Commission. When I reviewed her written complaint I noticed the date of the incident was 08/10/07. I asked Mr. Brooks when the incident happened and she replied "a couple of years ago." I asked Mr. Brooks if the date on her written complaint, 08/10/07, was correct and she responded that the date sounded right. I asked why she had waited so long in order to make a complaint. Ms. Brooks told me that she thought she made a complaint back then but she wasn't sure and she never heard back from anyone after she made her complaint. I asked her why she filed the complaint now and she responded that she recently saw a TV news report about Yellow Cab and decided to make her complaint again. I explained to Ms. Brooks that due to the amount of time that had passed since the incident occurred that there was not much I could do and that it might be passed a statute of limitations for our regulations. I also told Ms. Brooks I would attempt to locate her original complaint and see if it was looked into. Ms. Brooks stated that she understood and that she only made the complaint again since she saw the news report and she never heard from the commission back in 2007. I thanked Ms. Brooks for her information and told her I would contact her again after I looked into things for her.

On 12/05/11 I travelled to the WRO and attempted to locate Ms. Brooks' complaint from 2007. I searched the hardcopy file for Yellow Cab Co. of Pittsburgh for 2007 and did not find any complaints or investigations with Ms. Brooks name attached to them. I then spoke with Manager Bowser concerning how far back we can investigate complaints concerning the PUC Regulations. Manager Bowser confirmed that for lack of better term, the statute of limitations on PUC Regulations is 24 months. He also informed me that the Commission has a policy of only investigating complaints that occur within 12 months. After 12 months it is very hard to do any type of thorough investigation as records are purged and people's memories fade.

On 12/08/11 I called Ms. Brooks and left a message for her informing her that I was not able to locate a complaint from her in 2007 and that I would be unable to investigate her complaint as too much time had

passed since the incident occurred. I left her my cell phone number and told her that she could contact me if she had any questions or if she has any current problems with Yellow Cab.

It is this officer's opinion that this case be closed as no investigation is possible at this time. Four years have passed since the date of the incident. Ms Brooks stated that she was not sure that she filed a complaint in 2007 and no complaint could be located for 2007 in the WRO files. At this time no action/investigation can be taken on this complaint.


**Bingaman, Robert**

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**From:** dcanzoneri@state.pa.us  
**Sent:** Friday, November 11, 2011 10:45 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: Jessica Sharrow

Street Address: 2513 Jane Street

City: Pittsburgh, PA 15203

Daytime Phone: 412-596-8909

Your e-mail address: [jess.sharrow@gmail.com](mailto:jess.sharrow@gmail.com)

Date: 10/30/11

Time : 11pm

Location of Incident : Bloomfield/Southside

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : I am generally filing a complaint because it is very difficult to get a cab from this company. Many times after waiting an extremely long time to even get through to the company, they do not show up once a cab is requested.

Nature of Incident: Other Comments

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME***Yellow Cab Co of Pittsburgh***PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2273113**OFFICERS NAME & SIGNATURE***Christopher Urey***DATE:***01/11/12*

On 11/29/11 I called the complainant at 412-596-8909 and left a message on voice mail asking for a call back and explaining that I was investigating Jessica Sharrow's complaint against Yellow Cab of Pittsburgh.

On 12/12/11 I called the complainant and again left a message requesting a return call.

The following paragraphs also pertain to the following cases, BP#2273114, 2267905, 2266112, and 2264103.

On 12/08/11 I emailed Julie Armstrong at Pittsburgh Yellow Cab and notified her that I had several complaints against Yellow Cab that I was investigating and would like to set up a meeting with her to discuss them.

On 12/12/11 I emailed Julie Armstrong the details of the complaints I was investigating so that she could gather the requested paperwork and have any drivers available if I needed to talk to them. Ms. Armstrong responded to me email on 12/13/11 and we agreed to meet on 12/20/11.

On 12/19/11 Ms. Armstrong emailed me and informed me that the 20<sup>th</sup> was not a good day and that they would contact me when they have drivers and their counsel available for a meeting, if I had any questions to contact Jerry Campalongo at 412-527-0332.

On 12/22/11 I called Jerry Campalongo at 412-527-0332 and left a message requesting that he call me back in order to schedule a meeting. Throughout the next week I called Mr. Campalongo a few times and he attempted to contact me as well. We both left voice mails requesting that the other call back. The holiday and holiday time off, I believe, was the main reason we had difficulty in contacting each other. Eventually I contacted Mr. Campalongo, I believe it was on Dec 29<sup>th</sup>, and we agreed to meet on Jan 5<sup>th</sup> at Yellow Cab to discuss the complaints. After speaking with Mr. Campalongo I contacted Supervisor Hawthorne and requested her presence at the meeting with Yellow Cab.

On 01/05/12 Supervisor Hawthorne and I travelled to Yellow Cab Co of Pittsburgh and met with Mr. Campalongo and Yellow Cab's counsel, Ray Middleman. Also present were two drivers for Yellow Cab, whose presence I requested for other complaints I was working on. The meeting did not go well. Mr.

Campalongo attempted to change subjects at every pause in my questions pertaining to the cases I was investigating. Mr. Middleman was almost confrontational in his responses to all my questions. Though it does not pertain to this case both drivers did not remember any details about the complaints concerning their cabs. This brings to mind if and how, Mr. Middleman, will be instructing Yellow Cab drivers to answer our questions, i.e. is he coaching them to not remember anything before our meetings. Also many times Mr. Campalongo brought up how there is a new computer system to track cabs and how it will print out latitude and longitude for pick up and drops offs and that they plan to use this for trip sheets. It was unclear when or if this is in process. At first it was stated that on Oct 1<sup>st</sup>, 2011 it was activated but then the said Oct 15<sup>th</sup> was the date with a caveat that they are still working out many bugs in the system and some cabs transponders are not fully functional. It was also unclear whether Yellow Cab will still require the drivers to maintain a handwritten trip sheet. When asked about this, as they had handwritten trip sheets for two of my cases I was investigating, Mr. Middleman became extremely confrontational. At every break in the conversation Mr. Campalongo attempted to steer the conversation towards unlicensed carriers, i.e. jitneys, and what we were doing about them. Many times I had to push the conversation forward to the specific cases I was there to investigate. The meeting concluded with the bare minimum of the information I had hoped to get from Yellow Cab and should be noted that I have never had problem receiving information from Ms. Armstrong.

It is this Officer's opinion that this behavior, the constant change in the day of meeting, who I need to talk to, and difficulty in getting information from Yellow Cab, borders on the uncooperative on Yellow Cab's part. It should also be noted that three weeks had passed since I first contacted Ms. Armstrong. That is plenty of time to change records, loose information, correct forms, while I have no evidence to suggest that this is the case as an investigator I must consider the possibility of those types of things happening. Also spontaneous statements from Mr. Campalongo during previous conversations that amounting to the fact that Yellow Cab plans to take all Commission actions/fines against them through the ALJ process, shows the current attitude Yellow Cab has for the Commission. Supervisor Hawthorne and even District Manager Bowser have spoken to Yellow Cab on numerous occasions and yet we still have troubles in dealing with Yellow Cab. Perhaps stronger measures need to be taken against Yellow Cab and even higher personnel in the PUC chain of command, including the Commissioners, need to speak to remind Yellow Cab that they are a regulated industry and that the PUC has a responsibility to ensure that the regulations are followed and enforced. And that the Commission will conduct its investigations how it deems best and not have regulated carriers dictate to us, our procedures.

The previous paragraphs will be included in my Officer's Reports for cases #2273114, 2267905, 2266112, and 2264103, as I was investigating those cases as well as this one.

For this case I requested for Yellow Cab to see if 412-596-8909 was in their phone system for requesting a cab. That is the number for the complainant. Her complaint was that it was difficult to get a cab but there were no details in the complaint about when or where and how she was attempting to get a cab. The number 412-596-8909 was not in any of Yellow Cab's call records.

It is this Officers opinion that this case be closed as I was unable to contact the complainant and not enough details were provided in the initial complaint to do a thorough investigation.

**Bingaman, Robert**

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**From:** dcanzoneri@state.pa.us  
**Sent:** Friday, November 11, 2011 10:55 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: Lisa Quest

Street Address: 2620 Espy Ave.

City: Pittsburgh

Daytime Phone: 4125555555

Your e-mail address: [amoroso2620@comcast.net](mailto:amoroso2620@comcast.net)

Date: 11/06/11

Time : 6pm

Location of Incident : United States

Taxi(PUC) Number :

Medallion Number :

Taxi Company : yellow

Driver Number :

Incident comments : Many Sundays not just this Sunday. I have gone to the Hilton Hotel to get a cab and the drivers lined up were going through the crowd and only taking the people that were going the farthest. We were going to Greentree and drivers do not want a fare that short. We offered him \$20 in addition to fare and he agreed. We have done this many times to get a cab to take us home. I have called a cab numerous times and they never showed up.

Nature of Incident : Driver refused to transport passenger

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co of Pittsburgh

**PUC NUMBER** A-49926**ASSIGNMENT NUMBER** 2273114**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

01/11/12

On 11/29/11 I emailed the complainant at [amoroso2620@comcast.net](mailto:amoroso2620@comcast.net) requesting the complainant to return my email or to call me as I needed more information to properly investigate her complaint against Yellow Cab Co. of Pittsburgh.

On 12/12/11 I emailed the complainant and again requested a return email or phone call. There is no phone number listed in the complaint form.

The following paragraphs also pertain to the following cases, BP#2273113, 2267905, 2266112, and 2264103.

On 12/08/11 I emailed Julie Armstrong at Pittsburgh Yellow Cab and notified her that I had several complaints against Yellow Cab that I was investigating and would like to set up a meeting with her to discuss them.

On 12/12/11 I emailed Julie Armstrong the details of the complaints I was investigating so that she could gather the requested paperwork and have any drivers available if I needed to talk to them. Ms. Armstrong responded to me email on 12/13/11 and we agreed to meet on 12/20/11.

On 12/19/11 Ms. Armstrong emailed me and informed me that the 20<sup>th</sup> was not a good day and that they would contact me when they have drivers and their counsel available for a meeting, if I had any questions to contact Jerry Campalongo at 412-527-0332.

On 12/22/11 I called Jerry Campalongo at 412-527-0332 and left a message requesting that he call me back in order to schedule a meeting. Throughout the next week I called Mr. Campalongo a few times and he attempted to contact me as well. We both left voice mails requesting that the other call back. The holiday and holiday time off, I believe, was the main reason we had difficulty in contacting each other. Eventually I contacted Mr. Campalongo, I believe it was on Dec 29<sup>th</sup>, and we agreed to meet on Jan 5<sup>th</sup> at Yellow Cab to discuss the complaints. After speaking with Mr. Campalongo I contacted Supervisor Hawthorne and requested her presence at the meeting with Yellow Cab.

On 01/05/12 Supervisor Hawthorne and I travelled to Yellow Cab Co of Pittsburgh and met with Mr.

Campalongo and Yellow Cab's counsel, Ray Middleman. Also present were two drivers for Yellow Cab, whose presence I requested for other complaints I was working on. The meeting did not go well. Mr. Campalongo attempted to change subjects at every pause in my questions pertaining to the cases I was investigating. Mr. Middleman was almost confrontational in his responses to all my questions. Though it does not pertain to this case both drivers did not remember any details about the complaints concerning their cabs. This brings to mind if and how, Mr. Middleman, will be instructing Yellow Cab drivers to answer our questions, i.e. is he coaching them to not remember anything before our meetings. Also many times Mr. Campalongo brought up how there is a new computer system to track cabs and how it will print out latitude and longitude for pick up and drops offs and that they plan to use this for trip sheets. It was unclear when or if this is in process. At first it was stated that on Oct 1<sup>st</sup>, 2011 it was activated but then the said Oct 15<sup>th</sup> was the date with a caveat that they are still working out many bugs in the system and some cabs transponders are not fully functional. It was also unclear whether Yellow Cab will still require the drivers to maintain a handwritten trip sheet. When asked about this, as they had handwritten trip sheets for two of my cases I was investigating, Mr. Middleman became extremely confrontational. At every break in the conversation Mr. Campalongo attempted to steer the conversation towards unlicensed carriers, i.e. jitneys, and what we were doing about them. Many times I had to push the conversation forward to the specific cases I was there to investigate. The meeting concluded with the bare minimum of the information I had hoped to get from Yellow Cab and should be noted that I have never had problem receiving information from Ms. Armstrong.

It is this Officer's opinion that this behavior, the constant change in the day of meeting, who I need to talk to, and difficulty in getting information from Yellow Cab, borders on the uncooperative on Yellow Cab's part. It should also be noted that three weeks had passed since I first contacted Ms. Armstrong. That is plenty of time to change records, loose information, correct forms, while I have no evidence to suggest that this is the case as an investigator I must consider the possibility of those types of things happening. Also spontaneous statements from Mr. Campalongo during previous conversations that amounting to the fact that Yellow Cab plans to take all Commission actions/fines against them through the ALJ process, shows the current attitude Yellow Cab has for the Commission. Supervisor Hawthorne and even District Manager Bowser have spoken to Yellow Cab on numerous occasions and yet we still have troubles in dealing with Yellow Cab. Perhaps stronger measures need to be taken against Yellow Cab and even higher personnel in the PUC chain of command, including the Commissioners, need to speak to remind Yellow Cab that they are a regulated industry and that the PUC has a responsibility to ensure that the regulations are followed and enforced. And that the Commission will conduct its investigations how it deems best and not have regulated carriers dictate to us, our procedures.

The previous paragraphs will be included in my Officer's Reports for cases #2273113, 2267905, 2266112, and

2264103, as I was investigating those cases as well as this one.

This complaint deals with the complainant only being able to get a cab on a Sunday in downtown Pittsburgh by offering a large tip to the driver up front. The complainant states that the only way she got a ride from the Hilton in downtown Pittsburgh to the Greentree area was by offering a driver 20 dollars on top of the fare. It appears that this particular time was after a Pittsburgh Steelers football game on 11/06/11. The complainant says many drivers will not take fares unless they are far trips. No additional information was in the complaint such as cab numbers of cabs that turned down the complainant or even the cab that did take the complainant for the extra 20 dollars.

This complaint was discussed with Mr. Campalongo during the meeting on 01/05/12. Mr. Campalongo stated that the fare from the Hilton to Greentree is not a short trip and would be a decent trip for a driver. While Supervisor Hawthorne and I brought this complaint to the attention of Mr. Campalongo there was not much more that we could do outside of alerting Yellow Cab to a possible trend of drivers to agree on a tip upfront in order to take fares. Without any cab numbers of cabs that refused the complainant or even the number of the cab that did take the complainant for the extra 20 dollars there is not much that can be done at this time. We alerted Mr. Campalongo to the possible trend and he stated that he would inform his drivers that asking for/agreeing on the tip before the trip is unacceptable.

It is this Officer's recommendation to close this case as the complainant has not contacted me and without cab numbers no action can be taken at this time. Yellow Cab has been alerted to this possible trend and Mr. Campalongo stated that he will make sure that the drivers know that this is unacceptable behavior.

## Bingaman, Robert

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**From:** dcanzoneri@state.pa.us  
**Sent:** Monday, November 14, 2011 8:15 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow Up  
**Flag Status:** Flagged

Name: Peter

Street Address: 519 Suismon Street

City: Pittsburgh pa

Daytime Phone: 724-866-8833

Your e-mail address:

Date: 11/12/11

Time : 2am

Location of Incident : South Side

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab

Driver Number :

Incident comments : I recently moved from Philadelphia. I have lived in a few cities before moving to Pittsburgh. The city is great, except the CAB SERVICE. It is ridiculous here.. I cannot get over it. Anytime I go out, it takes me forever to waive down a cab. I will be standing on East Carson Street for an hour in the freezing cold with cabs just driving by. SUPPLY AND DEMAND. When there are 50 people standing on the side of the road looking for a cab (DEMAND) where are the cabs to drive us home (SUPPLY). Please do something about this.

Nature of Incident : Driver refused to transport passenger

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**

Yellow Cab Co. of Pittsburgh

**PUC NUMBER** 49926**ASSIGNMENT NUMBER** 2273115**OFFICERS NAME & SIGNATURE**

Christopher Urey

**DATE:**

12/05/11

On 11/29/11 I attempted to contact the complainant at 724-866-8833, the phone number given in the complaint. After dialing the number I received a message stating that "the number you dialed is not a working number." I then attempted to dial 412-866-8833 as 412 is a common Pittsburgh area code. I did this in case the area code in the complaint was incorrect. That attempt resulted in a message saying "the call cannot be completed as dialed." There is no email address for the complainant in the complaint we received so I cannot contact him by email.

The complaint deals with the complainant being unable to get a cab in the South Side of Pittsburgh on a Saturday night. There are no specific details in the complaint such as a cab number or location from where the complainant attempted to get a cab and where he was needed to go. The South Side neighborhood of Pittsburgh is extremely busy during the weekend due to all the bar/restaurants along the street. Without specific information from the complainant, where he was, where he needed to go, did he call Yellow Cab, did he street hail, did he ever get a ride, how did he return to where he needed to go, I cannot do a proper investigation into this complaint.

All attempts to contact the complainant have met with negative results. Since I cannot reach the complainant and I need more information in order to do a proper investigation I am closing this complaint as I cannot investigate it with the information provided in the complaint email.

## Bingaman, Robert

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**From:** dcanzoneri@state.pa.us  
**Sent:** Saturday, November 12, 2011 10:45 AM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Name: Mary Ann Thurkettle

Street Address: 818 Academy Place

City: Pittsburgh, PA 15243

Daytime Phone: 412-952-4091

Your e-mail address: [mathurkettle@gmail.com](mailto:mathurkettle@gmail.com)

Date: 09/00/2012

Time : all the time

Location of Incident : many locations

Taxi(PUC) Number :

Medallion Number :

Taxi Company : several

Driver Number :

Incident comments : On several occasions I have been unable to obtain a taxi in a reasonable time (or at all) when calling for a pick-up at my home to go to the airport, train station, or hospital. Invariably, they miss my time deadline. I was prepared to report this in response to Mayor Bob O'Connor's request to notify him of issues that needed to be addressed, when he got sick and died that week in 2006. On one occasion I had to drive myself to the hospital for surgery. On another occasion a neighbor took me to the airport. Even after placing an order the night before for a specified time, I had to wait 3 hours beyond the time for a taxi. It was only when I exclaimed that I would miss my bus to NYC that they arrived. On this occasion I was told that "this is not a public service, you do not have a contract with us just because you called...we do not have to pick people up." I have been told that a call is put out for bid and drivers are free to pick up the call or not. I have called two or three cab companies in one night and the number is answered by the same person. So the city seems to be at the mercy of this system. On a few occasions when I got a taxi, the driver gave me a card and told me to call them

personally if I need cab. When I used this back-door approach, I got a cab. A group of drivers have a system where they will pick up each others' customers so there is no delay. I now either park at the airport or use Super Shuttle. I even hired a private home health company so that I had a ride to the hospital and back. I see two possible factors underlying this problem. The first is racism...the local system allows denial of service to certain ethnic groups and neighborhoods, hence the toleration of the jitney system. Second, the fact that some taxis are not allowed to wait at certain public places like the airport. I am a white woman living in an upscale neighborhood, so I think the latter applies in my case. The neighborhood is not far enough from some destinations and too far from others to make the trip worth it to drivers. Some say this problem exists because Pittsburgh is not a large city. I have lived in smaller communities (Columbus Ohio, for example) where a taxi system was put in place and enforced to assure that all calls were answered and that drivers were treated equally in the race for high paying customers. Please exercise this same responsibility to citizens in Pittsburgh.

Nature of Incident: Other Comments

## Officer's Report

This report is in reference to BP8 case #2273117. The complainant in this case alleges that she has received poor service from Yellow Cab of Pittsburgh over a long period of time.

On November 18, 2011, I (EO Gary Double Jr.) spoke with the complainant on the telephone. Mrs. Thurkettle advised that she filed the complaint in response to the first of two TV news specials concerning Yellow Cab of Pittsburgh. The news special aired on a Thursday and the TV reported advised that if anyone has a complaint to contact the PUC so that is what she did.

Mrs. Thurkettle advised that the series of events she referenced in her written complaint have occurred over the past seven years and all are two years old or older. She has not taken a cab in Pittsburgh for past two years because of the service she has previously received. She uses Super Shuttle or her own vehicle instead of the cab services in Pittsburgh. Mrs. Thurkettle had no specific cab numbers, dates or locations. She does not want anything in reference to her complaint, she would just like to see that anyone that needs a cab can get one when they need it. She also feels that the cab drivers are using the cabs as their own little business, as she remembers drivers handing out their phone numbers on business cards instead of the cab company directing the trips. This is a dis-service to people visiting or new in town as they will not have a business card or phone number for an individual cab. Mrs. Thurkettle advised that she has used jitneys a few times in the past to get where she needs to go because the cab service is so bad, but she also knows this is not always safe. She wanted to share her experience due to the unfairness of public transportation in Pittsburgh.

On November 22, 2011, I responded to Yellow cab's office and spoke with driver services manager, Julie Armstrong and advised her of Mrs. Thurkettle's dis-satisfaction with their cab service. I provided the carrier with a copy of Mrs. Thurkettle's actual comments (personal information was not provided) to review. Ms. Armstrong advised that she will look into it.

On November 29, 2011, I contacted Mrs. Thurkettle and left her a voice mail advising that the complaint was complete and I would be forwarding the report to Harrisburg for review.

There are no attachments with this report. In conclusion, Compliance Review should review this report and determine if any violations exist and how to proceed with the violations.

Gary Double Jr.

November 29, 2011

Badge #4

## **Bingaman, Robert**

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**From:** dcanzoneri@state.pa.us  
**Sent:** Thursday, November 17, 2011 4:15 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

Name: Roberta Weisensee

Street Address: 206 Dartmouth Avenue

City:

Daytime Phone: 412-761-2268

Your e-mail address:

Date: 11/17/2011

Time : 12:00 pm

Location of Incident : Downtown Pittsburgh

Taxi(PUC) Number :

Medallion Number :

Taxi Company : Yellow Cab Pittsburgh

Driver Number :

Incident comments : I was turned down by 3 yellow cab drivers to take me home from downtown Pittsburgh when I had an emergency at home today. Two of them complained that they only wanted to do airport runs. One claimed he just came back from a trip. He had no one in his car he was sitting in front of the Fairmont Hotel. He refused to take me home and then he left with no one in the car. The 4th driver that did take me home was very rude and complained the whole way. Something needs to be done about this. I have never had an experience like this before with cab drivers. I think yellow cab company should be fined every time their drivers refuse to take a fare. Or maybe if the cab company didn't charge these guys to rent the cab they could make a decent living without screwing the public.

Nature of Incident : Driver refused to transport passenger

Nature of Incident : Driver Discourteous

**OFFICERS REPORT**

Rev. ( 11/01 )

**CARRIER NAME**  
**YELLOW CAB CO****PUC NUMBER** 49926**ASSIGNMENT NUMBER** 2273741**OFFICERS NAME & SIGNATURE****ROY J. BARLETT****DATE:**

11/29/11

**NARRATIVE**

11/23/11,0942 Hrs: I received an assignment from district office to investigate a complaint that came into the PUC on line regarding a taxi issue. The complainant Ms. Roberta Weisensee stated that On November 17<sup>th</sup> 2011 at approximately noon time she needed to get home as she received a call From her alarm company that there was a potential problem at her residence. She attempted to hail Three taxis all of which turned her down. She finally approached the doorman at the Fairmont Hotel And asked for his assistance in obtaining a taxi. He stated that he would tell them "We need a taxi to The airport" this being the only way that a taxi would come to the hotel according to the unidentified Doorman. A cab finally arrived and the driver (Black Male ,mid 30's) began to argue with the Complainant because it was a short trip for him and that he could not make any money taking short Trips. Finally he agreed to transport her to her residence after the complainant telling him that she Would give him a good tip. The complainant stated that during the ride the driver was upset and telling And screaming at other drivers and driving erratically and exceeding the speed limit. I questioned her As to if she could provide any details that might help to identify the driver. She stated that she Remembered his hack number that was posted on his dash. This number is #6165. However, she did Not remember the taxi number.

I advised her that I would investigate the matter.

I sent Julie Armstrong (Yellow cab contact ) an e-mail providing her with this information and Requesting her help.

Ms Armstrong returned an e-mail stating that the number #6165 was registered to a former female Driver that left employment with Yellow Cab in 2007. She asked that I verify the drivers hack License number and get back to her.

11/28/11: I again called the complainant and advised her in a voice male that I needed to know for sure if #6165 was the correct number.

1900 Hrs: I received a voice male from the complainant stating that she was 100% sure that #6165 was the correct number. She also added that she feels that Yellow Cab needed to be dealt with and fined for the lack of service that they claim to provide to the residents of the city.

However, in her message she did not provide any further information that could help identify the involved driver.

During my phone interview she did state that the driver ran the meter and the charge was somewhere between \$13 and \$ 15 dollars. She said she gave the driver around \$20.00 for a tip. She also noticed that the drivers picture looked like it had been copied from a computer and put on license bearing #6165.

#### **OFFICERS SUMMARY**

In this case evidence is lacking to identify the driver or cab involved in this matter. The taxis she attempted To hail are not identified as well. The complainant states that the driver that did transport her was Abusive ,rude, dangerous ,and highly disrespectful.

If further information is obtained this case may proceed.

NOTE: Called complainant and advised that case was being sent to Harrisburg. Also, advised her in the Future that getting a cab number is most helpful in these matters.

## Bingaman, Robert

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**From:** dcanzoneri@state.pa.us  
**Sent:** Monday, November 21, 2011 12:45 PM  
**To:** Mayberry, Catherine; Canzoneri, David B; Flynn, Maureen; Hakes, James  
**Cc:** Canzoneri, David B  
**Subject:** Taxi Complaint Form

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Name: CELESTE SCOTT

Street Address: 5227 NATRONA WAY

City: PITTSBURGH PA 15201

Daytime Phone: 4125836994

Your e-mail address: [CELESTESCOTT62@GMAIL.COM](mailto:CELESTESCOTT62@GMAIL.COM)

Date: 11/21/2011

Time : 03:10 AM

Location of Incident : 5227 NATRONA WAY

Taxi(PUC) Number :

Medallion Number :

Taxi Company : PITTSBURGH YELLOW CAB

Driver Number : 228 /dispatched to upmc shadyside ER to my address

Incident comments : Driver was yelling on cell phone the entire trip, not paying attention to the road. When we presented credit card for payment, he was rude, refused our payment and yelled "knowledge is power" and "take a bath" as he sped away.

Nature of Incident : Driver threatened or abused passenger

Nature of Incident : Operated vehicle in a dangerous manner

Nature of Incident : Driver Discourteous

Nature of Incident: Other Comments

## OFFICERS REPORT

Rev. ( 11/01 )

## CARRIER NAME

Yellow Cab Co. of Pittsburgh

PUC NUMBER A-49926

ASSIGNMENT NUMBER 2276412

## OFFICERS NAME &amp; SIGNATURE

Christopher Urey

DATE:

02/27/12

On 01/05/12 I contacted Celeste Scott at 412-583-6994 and spoke to her about her complaint against Pittsburgh Yellow Cab Co. of Pittsburgh. Mrs. Scott previously had a complaint against Yellow Cab in the fall of 2011, BP #2233844, that I closed out due to not being able to contact Mrs. Scott. Mrs. Scott told me that on 11/21/11 at approximately 3:10 AM she needed a cab from UPMC Shadyside to her address at 5227 Natrona Way in Pittsburgh. Cab 228 took the fare but when they arrived at her address she only had a credit card to pay. The driver refused to take the card and became irate. Mrs. Celeste and her husband got out of the cab. The driver then left without taking the credit card. Mrs. Scott said she did not have any cash on her as the trip to the emergency room was not planned and she did not have any cash on her at the time. She stated that she called Yellow Cab to complain and left a message. She believed someone from Yellow Cab did return her call but she did not answer her phone at the time and never called Yellow Cab back. Mrs. Scott was upset that the driver did not accept the credit card and that he became angry when that was all that she had to pay for the fare. Mrs. Scott gave me permission to give her information to Yellow Cab. I asked Mrs. Scott about her previous complaint and why I was not able to get a hold of her. She stated the she is extremely busy and sometimes her voicemail fills up and she misses messages. I told Mrs. Scott that I would speak with Yellow Cab and inquire as to why the driver did not take the credit card.

On 01/05/11 I and Supervisor Hawthorne met with Yellow Cab for a number of complaints. During this meeting I gave Jerry Campolongo, General Manager for Yellow Cab, the details of Mrs. Scott's complaint. Mr. Campolongo stated that the named sounded familiar and he would check into it and provide me with who was driving cab #228 on 11/21/12.

On 01/09/11 Mr. Campolongo called me and stated the he had spoken to Mrs. Scott. He also stated the he will provide her with a free voucher for a future fare with Yellow Cab. Mr. Campolongo told me that he listened to Mrs. Scott's concerns and that she was satisfied with speaking to him and receiving the free voucher. I reminded Mr. Campolongo that I would still need cab #228 information to complete my report. Mr. Campolongo replied that he would provide that information to me when he gathered it.

On 02/08/11 I called and left a message for Mrs. Scott asking if she had any other concerns about her complaint and if she was satisfied after speaking with Mr. Campolongo and receiving the voucher he offered

her. I left my cell phone number in case she had any concerns or problems so that she could contact me directly.

On 02/08/11 I called Mr. Campolongo and left a message that I still needed cab #228's information.

On 02/23/11 I emailed Mr. Campolongo and requested cab #228's information. I stated in my email that if I did not receive the information by 03/01/11 I would complete my report without the requested information. Later in the day Mr. Campolongo called me and we agreed to meet on 2/24/11 and he would have the requested information.

On 02/24/11 I met with Mr. Campolongo. He stated that the driver for cab #228 was Earl McKnight, PA DL 22 763 658. Mr. McKnight is a longtime driver for Yellow Cab and Mr. Campolongo stated that Mr. McKnight is one of their better drivers. Mr. Campolongo spoke to Mr. McKnight about the incident and Mr. McKnight told him that he did not have a signal that night and without a signal the credit card machine does not work. Mr. McKnight was not upset with Mrs. Scott but was frustrated that the equipment was malfunctioning. Mr. Campolongo told me that at in the time since Mrs. Scott's complaint Yellow Cab has replaced cab #228 due to the age of the vehicle and the age of the equipment in it. There is a new cab numbered #228 with all new equipment inside it. Mr. Campolongo also stated that he has spoken to Mrs. Scott a few times since I provided him with her information and that he has tried to "make things right with her," and that he believes that she is satisfied with Yellow Cab now. I thanked Mr. Campolongo for speaking with Mrs. Scott so soon after I presented the complaint to him. I reminded him though that even if he speaks with a complainant and satisfies the complainant on his end that I still need all the appropriate information and that I still need to process the Commission's complaint on my end. Mr. Campolongo stated the he understood and apologized for not getting me the information soon. Mr. Campolongo told me that he had the information written down and it must have gotten set aside/ buried on his desk and he forgot to get it to me. I thanked Mr. Campolongo for his time and the information and then left Yellow Cab.