



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

IN REPLY PLEASE  
REFER TO OUR FILE  
C-2013-2301095

March 13, 2013

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-2013-2301095

Dear Secretary Chiavetta:

Enclosed for filing, please find an original copy of the Reply of the Bureau of Investigation and Enforcement to the New Matter of The Yellow Cab Company of Pittsburgh in the above-captioned matter.

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

Very truly yours,

Stephanie M. Wimer  
Prosecutor

Enclosures

cc: David Loucks

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Pennsylvania Public Utility Commission :  
Bureau of Investigation and Enforcement :  
v. : Docket No. C-2013-2301095  
The Yellow Cab Company of Pittsburgh :

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

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

14. Admitted in part. It is admitted that Respondent did not display the fuel surcharge in cabs #252 and #150 at the time of the inspection of those vehicles. I&E lacks sufficient knowledge to admit or deny the remainder of the allegation contained in Paragraph 14. Strict proof of the allegation is demanded at the hearing.

15. Denied. By way of further response, the fuel surcharge is posted for the benefit of customers. If Respondent knows that the fuel surcharge decals are susceptible to being removed by passengers, then Respondent should be vigilant about ensuring their prompt replacement.

16. Denied. It is denied that cab #508 was not operating with a fast meter at the time of the inspection of that vehicle. I&E lacks sufficient knowledge to admit or deny the remainder of the allegations set forth in Paragraph 16. Strict proof of the allegations are demanded at the hearing.

17. Admitted. By way of further response, it is unknown to I&E how many customers were potentially affected by the fast meter in cab #508.

18. I&E lacks sufficient knowledge to admit or deny the allegation contained in Paragraph 18. Strict proof of the allegation is demanded at the hearing.

19. Admitted in part. It is admitted that when I&E re-inspected cab #508, Respondent had repaired the fast meter so that the cab could be placed back into service. I&E lacks sufficient knowledge to admit or deny the remainder of the allegations contained in Paragraph 19. Strict proof of the allegations are demanded at the hearing.

WHEREFORE, I&E respectfully requests that the Commission impose a civil penalty upon the Yellow Cab Company of Pittsburgh in the amount of \$700.00 for the unlawful activity described in the Complaint, and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,



Stephanie M. Wimer  
Prosecutor  
Bureau of Investigation & Enforcement  
Pennsylvania Public Utility Commission

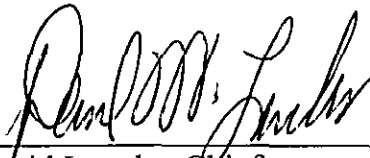
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Harrisburg, PA 17105-3265  
Date: March 13, 2013

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**VERIFICATION**

I, David Loucks, Chief, Motor Carrier Enforcement, 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: March 13, 2013



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

(717) 783-5010

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## Certificate of Service

I hereby certify that I am this day serving the foregoing document, Reply to New Matter, in accordance with the requirements of 52 Pa. Code § 1.54 *et seq.* (relating to service by a participant).

### Service by First Class Mail and by Electronic Mail:

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

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Dated: March 13, 2013



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Stephanie M. Wimer  
Prosecutor

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