



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

IN REPLY PLEASE
REFER TO OUR FILE
C-2015-2462735

March 23, 2016

Via E-filing

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. Capital City Cab Service Inc.
Docket No. C-2015-2462735

Dear Secretary Chiavetta:

Enclosed for electronic filing, please find the Bureau of Investigation and Enforcement's Petition for Leave to Withdraw the Complaint in the above-referenced matter. In addition, I&E respectfully requests that the Initial Hearing scheduled for Monday, March 28, 2016 at 10:00 AM be cancelled.

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

Very truly yours,

A handwritten signature in blue ink, appearing to read "Step M Wimer".

Stephanie M. Wimer
Prosecutor

Enclosures

cc: Honorable Steven K. Haas
As per Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. C-2015-2462735
	:	
Capital City Cab Service Inc.	:	

**PETITION OF THE BUREAU OF INVESTIGATION AND ENFORCEMENT
FOR LEAVE TO WITHDRAW COMPLAINT**

TO THE HONORABLE STEVEN K. HAAS

The Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), by and through its prosecuting attorneys, pursuant to 52 Pa. Code § 5.94(a), petitions for leave to withdraw the Complaint in the above-captioned proceeding. I&E submits the following in support thereof:

1. On April 15, 2015, I&E filed a Formal Complaint docketed at C-2015-2462735 alleging that Capital City Cab Service Inc. (Respondent) refused service to a customer who requested a ride to Derry Street in Harrisburg, PA. The Complaint alleges that this action constitutes a violation of Section 29.313(a) of the Commission's regulations, 52 Pa. Code § 29.313(a), and seeks relief in the form of a \$500 civil penalty.
2. On April 20, 2015, Respondent filed an Answer to the Complaint, which denies the material averments made therein.
3. An Initial Hearing is scheduled in this matter for Monday, March 28, 2016 at 10:00 AM in Harrisburg.

4. Despite several recent efforts by I&E to contact the aforementioned customer, I&E has not been able to communicate with the customer and be assured that she will appear and testify at the Initial Hearing on March 28, 2016.

5. Given that the allegations in the instant Complaint are based upon the customer's experience with regard to Respondent's call and demand service, the customer's testimony is a crucial component to I&E's case and the lack thereof severely diminishes I&E's ability to sustain its burden of proof.

6. In addition, in order not to unnecessarily expend the time and resources of the presiding officer, opposing counsel and court reporter, I&E requests that the Initial Hearing scheduled for March 28, 2016 at 10:00 AM be cancelled.

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement respectfully requests that Your Honor issue an Order granting this Petition and cancelling the Initial Hearing.

Respectfully submitted,



Stephanie M. Wimer
Prosecutor
PA Attorney ID No. 207522

Bureau of Investigation & Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 772-8839
stwimer@pa.gov

Dated: March 23, 2016

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Pennsylvania Public Utility Commission :
Bureau of Investigation and Enforcement :
 :
 :
 v. : Docket No. C-2015-2462735
 :
 :
Capital City Cab Service Inc. :

CERTIFICATE OF SERVICE

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

Service by First Class Mail and Electronic Mail:

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Counsel for Capital City Cab Service Inc.



Stephanie M. Wimer
Prosecutor
Attorney I.D. No. 207522

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Dated: March 23, 2016