



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

IN REPLY PLEASE  
REFER TO OUR FILE

July 17, 2003

HERBERT L JOSEPH II  
T/A JEUNNE NOIRE ENTERPRISES OF PENNSYLVANIA  
432 PARKWOOD ROAD  
PITTSBURGH PA 15210

**BTL**

In re: A-00114384, F.3 - Application of Herbert L. Joseph, II, t/d/b/a Jeunne Noire Enterprises of Pennsylvania.

Dear Sir:

The vehicle description list filed to comply with the Commission order adopted June 26, 2003 at A-00114384, F.3, reports one vehicle to be placed into limousine service. The vehicle, a 2001 Cadillac Deville with 111,850 miles, does not comply with our requirements.

The Commission requires that vehicles placed into limousine service be no more than eight (8) years old and have no more than 100,000 miles.

Please take the steps necessary to comply with this requirement.

Very truly yours,

**DOCUMENT  
FOLDER**

by: David Ehrhart  
Transportation Application Specialist  
(717) 783-5945  
for: Timothy Zeigler, Manager  
Compliance Office  
Bureau of Transportation and Safety

pc: Document Folder ✓  
Secretary's Service Section

DEE/de

**DOCKETED**  
JUL 17 2003

# PUC LIMOUSINE VEHICLE IDENTIFICATION SHEET

PUC# A-00114384 F003

COMPANY NAME: JEUNNE NOIRE ENTERPRISES OF PA

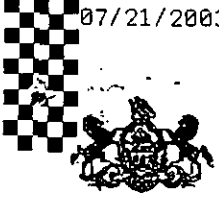
## VEHICLE LIST

MAKE	MODEL	YEAR	VIN #	MILEAGE
CADILLAC	Deville	2001	1G6KD54Y71U1199359	111,850

RETURN TO:  
PA PUC, COMPLIANCE OFFICE, PO BOX 3265, HARRISBURG PA 17105-3265



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



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REFER TO OUR FILE

July 17, 2003

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T/A JEUNNE NOIRE ENTERPRISES OF PENNSYLVANIA  
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The Commission requires that vehicles placed into limousine service be no more than eight (8) years old and have no more than 100,000 miles.

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Very truly yours,

*David Ehrhart*

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(717) 783-5945  
for: Timothy Zeigler, Manager  
Compliance Office  
Bureau of Transportation and Safety

**DOCKETED**  
JUL 21 2003

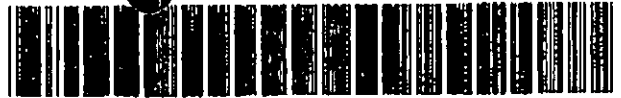
*[Handwritten signature]*

RJF  
**DOCUMENT FOLDER**

pc: Document Folder  
Secretary's Service Section

DEE/de

① Vehicle inspected 7/21/03, (see copy)  
mileage at 74,549  
② Engine replaced at 39,437 → (see copy dated 3/10/02)  
**ACTUAL mileage** → 75,112 miles  
③ MV-426 Form TO be submitted A.S.A.P. showing new Odometer reading



COMMONWEALTH OF PENNSYLVANIA  
VEHICLE EMISSIONS INSPECTION REPORT

1G6KD54Y71U199359



Test Date/Time: 07/21/2003 @ 10:25:25

5638817770

VEHICLE INFORMATION

VIN: 1G6KD54Y71U199359	Make: CADIL	Model: DEVILLE
Odometer: 114549	Engine size: 4.6 L	Cylinders: 8
License: LM22242	GVWR: 0	Estimated Test Weight: 4000
Country: Allegheny	Inspection Type: INITIAL	Record Number: 011060

EMISSIONS CONTROL SYSTEMS VISUAL/FUNCTIONAL INSPECTION

Air Inj. System: PASS	Catalytic Converter: PASS	Gas Cap Integrity: PASS
EGR System: PASS	Evaporative Control System: PASS	
PCV System: PASS		
Fuel Inlet Restrictor: PASS		

TAILPIPE EMISSIONS INSPECTION

MODE	CO %			HC ppm			RPM		DILUTION %	
	Limit	Reading	Result	Limit	Reading	Result	Reading	Result	Reading	Result
2 Speed Idle	1.00	0.04	PASS	130	121	PASS	N/A	N/A	14.6	VALID
IDLE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2500 RPM	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

OVERALL TEST RESULTS: PASS

Control Systems Visual/Functional Inspection: PASS  
Tailpipe Emissions Inspection: PASS

Sticker: IM33047743  
TIN: 840527536399

PLEASE RETAIN THIS DOCUMENT FOR YOUR RECORDS.

Vehicle tested in accordance with federal regulations and Pa. Title 75, Chapter 177

EMISSIONS INSPECTION STATION

STATION: 1741	INSPECTOR NAME: LYLE E. WATT
ADDRESS: 4200 WILLIAM PENN HWY MONROEVILLE PA 15146-	INSPECTOR ID: 17777237
PHONE: (412) 373-3333	ANALYZER #: SK971509
	SOFTWARE VERSION: 9901

VEHICLE EMISSIONS INSPECTION QUESTIONS:

If the station cannot answer your questions,  
please contact the Customer Hotline at  
(800) 265-0921

Inspector's  
Signature:



**MONROEVILLE**  
SERVICE AND PARTS

4200 William Penn Highway  
MONROEVILLE, PA 15146

373-0423



**BODY SHOP**  
Route 48 North  
(Haymaker Road)  
MONROEVILLE, PA 15146  
372-8601

5200 Campbells Run Road  
PITTSBURGH, PA 15205  
788-4444

**Goodwrench Service Plus offers:**

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- Courtesy Alternate Transportation
- Lifetime Service Guarantee
- Competitive Up-Front Pricing

**ROBINSON TOWNSHIP**  
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PITTSBURGH, PA 15205

788-4444

**DISCLAIMER OF WARRANTIES**

THE SELLER HEREBY DISCLAIMS ALL WARRANTIES EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THE PARTS.

I ACKNOWLEDGE RECEIPT OF THE PARTS AND LABOR LISTED BELOW.

X

<p>INVOICE TO JOSEPH II, HERBERT L 432 PARKWOOD RD PITTSBURGH PA 15210 ALLEGHENY HOME: (412) 381-7321 WORK: (412) 381-7321</p>		<p>DRIVER/OWNER INFORMATION -- INVOICE: W15280 JOSEPH II, HERBERT L 432 PARKWOOD RD PITTSBURGH PA 15210 ALLEGHENY HOME: (412) 381-7321 WORK: (412) 381-7321</p>													
<p>FOR OFFICE USE ADV: 176 MCBURNEY, INVOICE# PRELIM MAR W MFG: 06098 INVOICED: 03/29/2002 13:45:13 ODMETER IN: 39437 OUT: 39437 DATES BEGIN: 03/18/02 DONE: 03/29/02</p>		<p>VEHICLE INFORMATION VIN 1G6KD54V71U199359 LICENSE NUMBER: PA LM22242 01 CADILLAC DEVILLE ADR: SIM: GRAY STOCK# 00010174 S.O.D: 042001</p>													
<p>CONCERN 51 CUSTOMER SAID THERE IS A FLUID LEAK HE SAW SMOKE UNDER HOOD REPORT CAUSE LEAKING OIL BOLTS BROKE IN BLOCK CORRECTION ENGINE, TRANSFER BELT CHARGE AND SET COMMENT TEAR ENGINE ASSEMBLY TECH NOTES OIL LEAKING FROM INTAKE AND LOWER MAIN BEAM TEAR ENGINE HEAD BOLT TO INSTALL NEW BOLT OIL LEAKING FROM RING BOLT SET FOR SERVICE PROGRAMME PROCS OPEN (NO. 3543) PARTIAL WEAK PLATE ASSEMBLY</p>															
<p>PARTS</p> <table border="1"> <tr> <td>000</td> <td></td> <td>SELL</td> <td></td> </tr> <tr> <td>SPO 088894240</td> <td>ENGINE OIL</td> <td>1</td> <td>5873.00 5873.00</td> </tr> <tr> <td>000 012345621</td> <td>OIL LIO430B</td> <td>80</td> <td>1.68 13.44</td> </tr> </table>		000		SELL		SPO 088894240	ENGINE OIL	1	5873.00 5873.00	000 012345621	OIL LIO430B	80	1.68 13.44	<p>FACTORY TECH: 480 - RACIOPPO, PAUL C.D.: VN F.C.: 1B</p>	
000		SELL													
SPO 088894240	ENGINE OIL	1	5873.00 5873.00												
000 012345621	OIL LIO430B	80	1.68 13.44												
<p>TYPE: W</p>		<p>SURTOTAL PARTS 5911.62 MECHANICAL LABOR 1199.93 TOTAL CHARGE FOR CONCERN 7111.55</p>													
<p>CONCERN 53* ADD-LINE AFTER INSTALLING ENGINE AND GETTING IT TO RUN NO SECONDARY CAUSE COOLANT FAN OPEN FAN IN 1P CORRECTION MOTOR, ELECTRIC COOLING FAN - REPLACE</p>															
		<p>OPERATION TECH HOURS AMOUNT J3401 480 2.8 194.21</p>													



**MONROEVILLE**  
SERVICE AND PARTS

4200 William Penn Highway  
MONROEVILLE, PA 15146  
373-0423



BODY SHOP  
Route 48 North  
(Haymaker Road)  
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5200 Campbells Run Road  
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- Goodwrench Service Plus offers:**
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  - Lifetime Service Guarantee
  - Competitive Up-Front Pricing

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SERVICE AND PARTS

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PITTSBURGH, PA 15206  
788-4444

**DISCLAIMER OF WARRANTIES**

THE SELLER HEREBY DISCLAIMS ALL WARRANTIES EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY CONNECTION WITH THE SALE OF THE PARTS.

I ACKNOWLEDGE RECEIPT OF THE PARTS AND LABOR LISTED BELOW.

x *Herbert L. Herbert*

INVOICE TO		DRIVER/OWNER INFORMATION		INVOICE: W15280	
JOSEPH II, HERBERT L.		JOSEPH II, HERBERT L.			
FOR OFFICE USE		VEHICLE INFORMATION			
ADV: 176 MCBURNEY INVOICE: 03/29/2002 13:45:13 PM		01 BEVILLE GRAY		LICENSE NUMBER: PA LK22242	
PART NUMBER	NOTE	DESCRIPTION	QTY	SELL	
000 012463002		FAN KIT	1	108.71	108.71
PARTS: COUNT					
1					
FACTORY TECH: 480 - RACIOPPD, PAUL					
C.C.: UJ	F.C.: 60				
FP-012463002					
				SUBTOTAL	
				PARTS	108.71
				MECHANICAL LABOR	194.21
				TOTAL CHARGE FOR CONCERN	302.92
TYPE: W					
CONCERN CAUSE	GENUINE	OP. TIME	HOURS	AMOUNT	
CORRECTION	ALY TR		.0	.00	
COMMENT	166K05	EXTENDED DAYS			
PART NUMBER					
FACTORY TECH: PAUL					
C.C.: NU	F.C.: 99				
	LINE AUTH: FN 032902 12:46				
				SUBTOTAL	
				SUBLET REPAIRS	370.00
				TOTAL CHARGE FOR CONCERN	370.00
TYPE: W					
GRAND TOTALS					
SUMMARY OF CHARGES FOR INVOICE W15280			PAYMENT DISTRIBUTION FOR INVOICE W15280		
PARTS	6020.33		TOTAL CHARGE	7784.47	
SUBLET REPAIRS	370.00		FACTORY WARRANTY	7784.47	
MECHANICAL LABOR	1394.14				
TOTAL CHARGE	7784.47				

IF YOU HAVE ANY QUESTIONS - PLEASE SEE FRANK A. MCKURNEY  
I WANT YOU TO BE "COMPLETELY SATISFIED" IF  
NOT PLEASE CALL ME.

I N T E R  
O F F I C E

# MEMO

September 11, 2003

**Subject:** Letter Petition for Waiver of Commission Policy

**To:** James J. McNulty, Secretary

**From:**  Tim Zeigler, Manager  
BTS Compliance Office

*A-00114384F3*

The attached for your assignment as appropriate.

The attached may be considered a letter petition for waiver of a Commission policy that requires initial applicants for limousine authority place a vehicle into service that is no more than 8 years old with no more than 100,000 miles.

ORIGINAL

RECEIVED

SEP 12 2003

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCUMENT  
FOLDER

DOCUMENT  
FOLDER

COMMONWEALTH OF PENNSYLVANIA

DOCKETED  
SEP 24 2003

DATE: September 17, 2003

SUBJECT: A-00114384F0003

TO: Law Bureau

FROM: James J. McNulty, Secretary

Jeunne Noire Enterprises of Pennsylvania

Attached is a copy of a Letter/Petition for Waiver of a Commission Policy that requires initial applicants for limousine authority to place a vehicle into service that is no more than 8 years old with no more than 100,000 miles, filed by Herbert L. Joseph II, President, Jeunne Noire Enterprises of Pa. in connection with the above docketed proceeding.

This matter is assigned to your Bureau for appropriate action.

Attachment

cc: TAS Compliance

was



RECEIVED

SEP 24 2003

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DOCUMENT  
FOLDER

Doc: 14584

Tim Z RB LER

RE: August 22, 2002

Public Service Name List

OF PA.

**DOCKETED**

SEP 24 2003

Vehicle description List  
denotes same vehicle under  
review for excess mileage. Kindly  
Accept this prior filing as meeting  
the current compliance guidelines

Thanks!

Herbert L Joseph II

- Describe your safety program. How will you ensure the safe operation of your equipment and qualify your drivers?

① Drivers will undergo frequent training for evaluation of defensive driving SKILLS. Owner will supervise ALL aspects of license, or contract with an appropriate concern to provide same and additional training.

② Drivers Records will be monitored for compliance with all applicable safety laws and any driver with three moving violations within a 3 year period will be removed from service until such time as they are determined acceptable risks to applicant's insurance carrier or to applicant.

③ Vehicles will be inspected usually on a daily basis and maintained as per car manufacturer's specifications.

- Describe the equipment to be operated in the proposed limousine service?

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN</u>	<u>MILEAGE</u>
2001	Cadillac	Deville	1G6K054Y716199359	69,168

If you do not now have vehicles, be advised that you are required to provide a vehicle description before a Certificate of Public Convenience will be issued.

TARIFF shall be \$2.00 per mile (Two dollars & <sup>00</sup>/<sub>100</sub>).

Herbert L. Joseph  
432 Parkwood Rd.  
Pittsburgh, PA 15210

(412) 381-7321

Mr. Tim Ziegler, Manager  
Compliance Office  
Bureau of Transportation and Safety  
PA PUC P.O. Box 3265  
Harrisburg, PA 17105-3265

July 23, 2003

Re: WAIVER REQUEST: MILEAGE UNDER 100,000 mi. AT APPLICATION FILING LETTER OF PETITION

Dear Mr. Ziegler,

In furtherance of application # A-00114384, F.3 , said application in danger of being dismissed for exceeding the 100,000 mile vehicle requirement, we hereby profess the following:

1. That on the date of the permanent application filing, August 22, 2002, the vehicle equipment list proffering the sedan to be put into limousine service gave a stated mileage of 60,168 miles. These miles do not reflect the fact that a new engine was installed in March 2002 at 39,437 miles.
2. That the exact same vehicle is still being used in the applicant's limousine operations. This sedan is a 2001 Cadillac Deville whose vin # is 1G6KD54Y71U199359.
3. Several Photos of the vehicle are offered here for your perusal.
4. A copy of the application page identifying the vehicle has been provided as well.
5. It should also be noted that this has always been a non-smoking sedan whose carpets have been covered with heavy gauge vinyl by the dealer to retain their original quality.
6. Following the equipment description on the aforesated application this statement follows: "If you do not now have vehicles, be advised that you are required to provide a vehicle description before a Certificate of Public Convenience will be issued".
7. Since a vehicle description was provided at that time which precisely identifies the same vehicle being used in limousine service; this sedan warrants a waiver to the aforesated 100,000 mi. initial

service limit.

8. It is further submitted that since this vehicle was placed into limousine service from the date it left the dealer's lot, said vehicle having been purchased new by the applicant, it should continue its operations within applicant's limousine service.

9. Applicant's vehicle was inspected and passed this past Monday. A copy of the letter was previously faxed to your office along with this letter. Applicant further offers to drive the vehicle to Harrisburg, PA for your own personal inspection. This sedan still looks new.

10. Applicant has fully maintained the vehicle and expended additional sums to keep this sedan in top running condition; ie:

- a) Castrol oil and Risolene engine additives are used at oil changes. Wall Mart mechanics frequently state that the car sounds new.
- b) In addition to the carpet covering mentioned earlier, a simonize treatment for both the exterior and interior were installed at the dealer. Touch ups are performed twice yearly.
- c) Applicant maintains full "OnStar" coverage for the benefit of his clients on this vehicle.

WHEREFORE, applicant prays that a waiver be forthcoming to ensure that the fine new car which he purchased for limousine service on April 20, 2001 be allowed to continue in such service for the benefit of his clients and free commerce.

With Utmost Sincerity,



Herbert L. Joseph II  
President

Jeunne Noire Enterprises of PA

- Describe your safety program. How will you ensure the safe operation of your equipment and qualify your drivers?

- ① Drivers will undergo frequent training for evaluation of defensive driving SKILLS. Owner will supervise ALL aspects of letter, or contract with an appropriate consent to provide same and additional training.
- ② Drivers Records will be monitored for compliance with all applicable safety laws and any driver with three moving violations within a 3 year period will be removed from service until such time as they are determined acceptable risks to applicant's insurance carrier or to applicant.
- ③ Vehicles will be inspected visually on a daily basis and maintained as per car manufacturer's specifications.

- Describe the equipment to be operated in the proposed limousine service?

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN</u>	<u>MILEAGE</u>
2001	Cadillac	Deville	1G6KN54Y71U199359	69,168

If you do not now have vehicles, be advised that you are required to provide a vehicle description before a Certificate of Public Convenience will be issued.

TARIFF shall be \$ 2<sup>00</sup>/<sub>100</sub> per mile (Two dollars & <sup>00</sup>/<sub>100</sub>).



COMMONWEALTH OF PENNSYLVANIA  
 VEHICLE EMISSIONS INSPECTION REPORT

1G6KD54Y71U199359



Test Date/Time: 07/21/2003 @ 10:25:25

5638817770

VEHICLE INFORMATION

VIN: 1G6KD54Y71U199359	Make: CADILLAC	Model: DEVILLE
Odometer: 114549	Engine size: 4.6 L	Cylinders: 8
License: LM22242	GVWR: 0	Estimated Test Weight: 4000
County: Allegheny	Inspection Type: INITIAL	Record Number: 011060

EMISSIONS CONTROL SYSTEMS VISUAL/FUNCTIONAL INSPECTION

Air Inj. System: <b>PASS</b>	Catalytic Converter: <b>PASS</b>	Gas Cap Integrity: <b>PASS</b>
EGR System: <b>PASS</b>	Evaporative Control System: <b>PASS</b>	
PCV System: <b>PASS</b>		
Fuel Inlet Restrictor: <b>PASS</b>		

TAILPIPE EMISSIONS INSPECTION

MODE	CO %			HC ppm			RPM		DILUTION %	
	Limit	Reading	Result	Limit	Reading	Result	Reading	Result	Reading	Result
2 Speed Idle	1.00	0.04	PASS	130	121	PASS	N/A	N/A	14.6	VALID
IDLE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2500 RPM	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

OVERALL TEST RESULTS: **PASS**

Control Systems Visual/Functional Inspection: **PASS**  
 Tailpipe Emissions Inspection: **PASS**

Sticker: IM33047743  
 TIN: 840527536399

PLEASE RETAIN THIS DOCUMENT FOR YOUR RECORDS.

Vehicle tested in accordance with federal regulations and Pa. Title 75, Chapter 177

EMISSIONS INSPECTION STATION

STATION # 1751  
 ADDRESS: 4200 WILLIAM PERRY HWY MONROEVILLE PA 15146-  
 PHONE: (412) 373-3333

INSPECTOR NAME: LYLE B. WATT  
 INSPECTOR ID: 17777137  
 ANALYZER #: SX971509  
 SOFTWARE VERSION: 9901

VEHICLE EMISSIONS INSPECTION QUESTIONS:

If the station cannot answer your questions,  
 please contact the Customer Hotline at  
 (800) 265-0921

Inspector's  
 Signature:

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA  
FAMILY DIVISION

Lee M. Willard

No. FD 97-10748

Plaintiff,

vs. Herbert Joseph

Defendant.

ORDER OF COURT

AND NOW, to wit, this 24 day of June 2003

schedule for hearing or contempt  
and/or reallocation of fees. Pending  
scheduled hearing. Father to  
continue to have 4 hr supervised  
visits ~~the next~~ ~~one~~ ~~on~~ ~~father's~~ ~~home~~ - 432 factors

Armed and Parental Stress / Load  
to provide reports 20 days  
out to day

15210  
412 381 7321

August 6, 2003

11:30 am

CR 4012

Judge Mulligan

BY THE COURT:

K.R. Mulligan J.

Plaintiff

Plaintiff's attorney

Defendant

Fathers' Resource Center  
Visitation Confirmation Form

Gwen Williams  
Case Manager

PSC # \_\_\_\_\_

(412) 361-4800 (01) FW  
Phone Number

Child(ren)'s: Jordan Joseph, Jessica Joseph, Jenna Joseph

Parent's Names: Herbert Joseph, Lee Willard

To be completed by Case manager		To be completed by COMMUNITY VISITATION NETWORK		
Date of Visit	Time of Visit From To	Assigned Visitation Staff	(Check One)	
			CA	CW
3/15/03 Sat.	2:30PM-4:30PM	Vernietta Howard		X
3/22/03	2:30PM-4:30PM			OR
3/29/03	Lee Canceled			
4/5/03	2 of 3 children Jordan Sick			
4/12/03	Children Sick			
4/19/03	2:45 4:30			OR
4/26/03	2:45 4:30			OR
5/3/03	2:45 4:30			
5/10/03 ↓	Lee Canceled ↓			

Chris Johnson  
Approved by Transportation/Visitation Supervisor

3/10/03  
Date

Parental Stress Center  
Location of Visit (If other than the parent's home)  
5877 Commerce Street

Gwen Williams (412) 361-4800  
Contact Person/Phone number

15206



July 24, 2003

RECEIVED  
BUREAU OF  
TRANSPORTATION & SAFETY  
2003 JUL 28 AM 9:44

Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
Bureau of Transportation and Safety  
P.O. Box 3265  
Harrisburg, PA 17105-3265  
Attention: Timothy Zeigler, Manager  
Compliance Office

Re: A-00114384, F.3  
Application of Herbert L. Joseph, II, t/c/b/a Jeanne Noire Enterprises  
My File No.: 226197

Dear Mr. Zeigler:

I have not entered my appearance in the above-captioned matter; I am writing this letter as a courtesy to Mr. Joseph. Please forward your response to him, at his address listed below.

Mr. Joseph received a letter from David Ehrhart advising him that his application fails to comply with your requirements because one of the vehicles, a 2001 Cadillac Deville with 111,850 miles, does not comply with your requirement that the vehicle have no more than 100,000 miles.

1. Please advise Mr. Joseph of the authority for this requirement, i.e., statutory or regulatory, with appropriate citation.
2. Mr. Joseph told me that he spoke with Mr. Ehrhart following receipt of Mr. Ehrhart's letter and that Mr. Ehrhart suggested that Mr. Joseph contact you to request a waiver. Please advise Mr. Joseph of the time frame within which he may request a waiver, and the method he should follow to submit such request.
3. In support of Mr. Joseph's request for a waiver, Mr. Joseph advised me that the vehicle was inspected on July 21, 2003. Also, he advised me that the engine was replaced at 39,437 miles, so that the actual mileage on the vehicle after the engine was replaced is only 75,112 miles. He also requests waiver because on the date that he filed his application, on or about August 22, 2002, the mileage on the vehicle was 60,168.

Welch, Gold & Siegel, P.C.  
Lawyers Building  
428 Forbes Avenue  
Pittsburgh, PA 15219  
Telephone: 1-800-375-3089  
Fax: (412) 391-8232

Philadelphia Office  
Associated with  
Mattelem, Weinroth  
& Miller  
Attorneys at Law  
Philadelphia, PA 19110

Timothy Zeigler, Manager, Compliance Office  
July 22, 2003

Page Two

4. Mr. Joseph's understanding of your policy is that a vehicle cannot be placed into limousine service if it has accrued more than 100,000 miles, but that if it has been placed into limousine service before it has accrued 100,000 miles, then it can continue in limousine service even after it has accrued 100,000 miles. Is Mr. Joseph's understanding correct?

Thank you for your anticipated timely response to this inquiry/request for waiver to Mr. Joseph at his address of record, listed below.

Very truly yours,

WELCH, GOLD & SIEGEL, P.C.



CAROL L. ROSEN, ESQUIRE

CLR/dcg

cc: Herbert L. Joseph, II  
t/d/b/a Neunne Noire Enterprises of Pennsylvania  
432 Parkwood Road  
Pittsburgh, PA 15210

Herbert L. Joseph  
432 Parkwood Rd.  
Pittsburgh, PA 15210

(412) 381-7321

July 23, 2003

Ms Gwen Williams,

Enclosed please find  
check # 608 for \$50<sup>00</sup>/<sub>100</sub> to  
obtain the report of Vernetta Howard.

Kindly forward a copy to me  
as soon as possible since the  
Court has previously requested it be  
made available last week. Should you  
care to, copies should also be sent to  
Judge Mullison and Mr Willard.

Thanks  
Herbert Joseph II





Herbert L. Joseph  
432 Parkwood Rd.  
Pittsburgh, PA 15210

(412) 381-7321

RECEIVED  
BUREAU OF  
TRANSPORTATION & SAFETY  
2003 JUL 25 AM 9:34

Mr. Tim Ziegler, Manager  
Compliance Office  
Bureau of Transportation and Safety  
PA PUC P.O. Box 3265  
Harrisburg, PA 17105-3265

July 23, 2003

Re: WAIVER REQUEST: MILEAGE UNDER 100,000 mi. AT APPLICATION FILING LETTER OF PETITION

Dear Mr. Ziegler,

In furtherance of application # A-00114384, F.3 , said application in danger of being dismissed for exceeding the 100,000 mile vehicle requirement, we hereby profess the following:

1. That on the date of the permanent application filing, August 22, 2002, the vehicle equipment list proffering the sedan to be put into limousine service gave a stated mileage of 60,168 miles. These miles do not reflect the fact that a new engine was installed in March 2002 at 39,437 miles.
2. That the exact same vehicle is still being used in the applicant's limousine operations. This sedan is a 2001 Cadillac Deville whose vin # is 1G6KD54Y71U199359.
3. Several Photos of the vehicle are offered here for your perusal.
4. A copy of the application page identifying the vehicle has been provided as well.
5. It should also be noted that this has always been a non-smoking sedan whose carpets have been covered with heavy gauge vinyl by the dealer to retain their original quality.
6. Following the equipment description on the aforestated application this statement follows: "If you do not now have vehicles, be advised that you are required to provide a vehicle description before a Certificate of Public Convenience will be issued".
7. Since a vehicle description was provided at that time which precisely identifies the same vehicle being used in limousine service; this sedan warrants a waiver to the aforestated 100,000 mi. initial

service limit.

8. It is further submitted that since this vehicle was placed into limousine service from the date it left the dealer's lot, said vehicle having been purchased new by the applicant, it should continue its operations within applicant's limousine service.

9. Applicant's vehicle was inspected and passed this past Monday. A copy of the latter was previously faxed to your office along with this letter. Applicant further offers to drive the vehicle to Harrisburg, PA for your own personal inspection. This sedan still looks new.


10. Applicant has fully maintained the vehicle and expended additional sums to keep this sedan in top running condition; ie:

- a) Castrol oil and Risolene engine additives are used at oil changes. Wall Mart mechanics frequently state that the car sounds new.
- b) In addition to the carpet covering mentioned earlier, a simonize treatment for both the exterior and interior were installed at the dealer. Touch ups are performed twice yearly.
- c) Applicant maintains full "OnStar" coverage for the benefit of his clients on this vehicle.

d) *EXTENDED WARRANTY FOR 7 YEARS / 150,000 MILES complete to complete*

WHEREFORE, applicant prays that a waiver be forthcoming to ensure that the fine new car which he purchased for limousine service on April 20, 2001 be allowed to continue in such service for the benefit of his clients and free commerce.

With Utmost Sincerity,



Herbert L. Joseph II  
President

Jeunne Noire Enterprises of PA

- Describe your safety program. How will you ensure the safe operation of your equipment and qualify your drivers?

- ① Drivers will undergo frequent training for evaluation of defensive driving skills. Owner will supervise all aspects of letter, or contract with an appropriate concern to provide same and additional training.
- ② Drivers Records will be monitored for compliance with all applicable safety laws and any driver with three moving violations within a 3 year period will be removed from service until such time as they are determined acceptable risks to applicant's insurance carrier or to applicant.
- ③ Vehicles will be inspected visually on a daily basis and maintained as per car manufacturer's specifications.

- Describe the equipment to be operated in the proposed limousine service?

<u>YEAR</u>	<u>MAKE</u>	<u>MODEL</u>	<u>VIN</u>	<u>MILEAGE</u>
2001	Cadillac	Deville	1G6K054Y716199359	63,168

If you do not now have vehicles, be advised that you are required to provide a vehicle description before a Certificate of Public Convenience will be issued.

TARIFF SHALL be \$ 2 <sup>00</sup>/<sub>100</sub> per mile (Two dollars <sup>00</sup>/<sub>100</sub>).



**MONROEVILLE**  
SERVICE AND PARTS

4200 William Penn Highway  
MONROEVILLE, PA 15146

373-0423

# #1 Cochran AUTOMOTIVE

BODY SHOP  
Route 48 North  
(Haymaker Road)  
MONROEVILLE, PA 15146  
372-8601

5200 Campbells Run Road  
PITTSBURGH, PA 15205  
788-4444

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PITTSBURGH, PA 15205

788-4444

**DISCLAIMER OF WARRANTIES**

THE SELLER HEREBY DISCLAIMS ALL WARRANTIES EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THE PARTS.

I ACKNOWLEDGE RECEIPT OF THE PARTS AND LABOR LISTED BELOW.

X

INVOICE TO		DRIVER/OWNER INFORMATION -- INVOICE: W15280		
JOSEPH II, HERBERT L 432 PARKWOOD RD PITTSBURGH PA 15210 ALLEGHENY HOME: (412) 381-7321 WORK: (412) 381-7321		JOSEPH II, HERBERT L 432 PARKWOOD RD PITTSBURGH PA 15210 ALLEGHENY HOME: (412) 381-7321 WORK: (412) 381-7321		
FOR OFFICE USE		VEHICLE INFORMATION		
ADV: 176 MCBURNEY, INVOICE: PRELIM WAR W FM		VIN 1G6K034Y71U199359 LICENSE NUMBER: PA LM22242		
MFG: 06098 INVOICED: 03/29/2002 13:45:13		01 CADILLAC DEVILLE ADR_S04 GRAY		
ODMETER IN: 39437 OUT: 39437 DIS: 166		STOCK# 00C10174		
DATES BEGIN: 03/18/02 DONE: 03/29/02		DATES INSERVICE: 042001 S.O.U: 042001		
CONCERN 51 CUSTOMER SAID THERE IS A FLUID LEAK HE SAW SMOKE UNDER HOOD REPORT		OPERATION	TECH HOURS AMOUNT	
CAUSE LEAKING OIL BOLTS BROKE IN BLOCK		J1840	480 12.3 1199.93	
CORRECTION ENGINE, REPLACE TRANSFER AND PARTS CHARGE A/C SET A/C			5.0	
COMMENT OIL IS FOR COMPLETE TEAR DOWN OF ENGINE ASSEMBLY				
TECH NOTES NOTE: FOUND OIL LEAKING FROM INTAKE AND LOWER MAIN OILS REMOVE ENGINE				
TEAR ENGINE DOWN DRILL 20 HEAD BOLT HOLES TO INSTALL TIME CERTS REMOVE				
OIL PAN FOUND 6 MAIN BEARING BOLTS SEARCHED FOR REPAIR PROCEDURE AND				
PROCEDURE FOUND CALL TAG OPEN CASE NO 5482529 DRILLING BLOCK MAY				
WEAKEN BLOCK REPLACE ENGINE ASSEMBLY				
PART NUMBER	NOTE	DESCRIPTION	QTY	SELL
000 012346290		COOLANT	2	12.59 25.18
SPD 088894240		ENG CLR BGN	1	5873.00 5873.00
000 012345621		*OIL 10W30B	8C	1.66 13.44
PARTS: COUNT 11				
FACTORY	TECH: 480 - RACIOPPU, PAUL			
	C.C.: VN		F.C.: 1B	
	FP-088894240			
		SUBTOTAL		
		PARTS		5911.62
		MECHANICAL LABOR		1199.93
		TOTAL CHARGE FOR CONCERN		7111.55
TYPE: W				
CONCERN 53* ADD-LINE AFTER INSTALLING ENGINE AND GETTING IT TO RUN NO SECONDARY		OPERATION	TECH HOURS AMOUNT	
COOLANT FAN		J3401	480 2.8 194.21	
CAUSE OPEN FAN INUP				
CORRECTION MOTOR, ELECTRIC COOLING FAN - REPLACE				



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I ACKNOWLEDGE RECEIPT OF THE PARTS AND LABOR LISTED BELOW.

x *Herbert L. Joseph II*

INVOICE TO: JOSEPH II, HERBERT L. DRIVER/OWNER INFORMATION: JOSEPH II, HERBERT L. INVOICE: W15280

FOR OFFICE USE: ADV: 176 MCBURNEY INVOICE: 03/29/2002 13:45:13 FM 01 DEVILLE GRAY VEHICLE INFORMATION: LICENSE NUMBER: PA LM22242

PART NUMBER	NOTE	DESCRIPTION	QTY	SELL
000 012463002		*FAN KIT	1	108.71
PARTS: COUNT 1				
FACTORY TECH: 480 - RACIOPPO PAUL F.C.: 6D				
C.C.: 0J				
PP-012463002				

SUBTOTAL	
PARTS	108.71
MECHANICAL LABOR	194.21
TOTAL CHARGE FOR CONCERN	302.92

TYPE: W CONCERN: 60 ALT TRANS OPERATION: 7790 TECH: 480 HOURS: .0 AMOUNT: .00

CAUSE: ENGINE REPLACEMENT

CORRECTION: ALT TRANS

COMMENT: 1G6K054V12U216920E EXTENDED DAYS WAITING FOR ENGINE

PART NUMBER: 1G6K054V12U216920E NOTE: DESCRIPTION: QTY: 1 SELL: 370.00

FACTORY TECH: 480 - RACIOPPO PAUL F.C.: 99

C.C.: 0J LINE AUTH: FM 032902 12:46

SUBTOTAL	
SUBLET REPAIRS	370.00
TOTAL CHARGE FOR CONCERN	370.00

TYPE: W GRAND TOTALS

SUMMARY OF CHARGES FOR INVOICE W15280		PAYMENT DISTRIBUTION FOR INVOICE W15280	
PARTS	6020.33	TOTAL CHARGE	7784.47
SUBLET REPAIRS	370.00	FACTORY WARRANTY	7784.47
MECHANICAL LABOR	1394.14		
TOTAL CHARGE	7784.47		

IF YOU HAVE ANY QUESTIONS - PLEASE SEE FRANK A. MCBURNEY  
I WANT YOU TO BE "COMPLETELY SATISFIED" IF  
NOT PLEASE CALL ME.





COMMONWEALTH OF PENNSYLVANIA  
 VEHICLE EMISSIONS INSPECTION REPORT

1G6KD54Y71U199359



Test Date/Time: 07/21/2003 @ 10:25:25

5638817770

VEHICLE INFORMATION

Year: 2001 Make: CADIL Model: DEVILLE  
 VIN: 1G6KD54Y71U199359 Engine size: 4.6 L Cylinders: 8  
 Odometer: 114549 GVWR: 0 Estimated Test  
 License: LM22242 Inspection Weight: 4000  
 County: Allegheny Type: INITIAL Record Number: 011060

EMISSIONS CONTROL SYSTEMS VISUAL/FUNCTIONAL INSPECTION

Air Inj. System: PASS Catalytic Converter: PASS Gas Cap Integrity: PASS  
 EGR System: PASS Evaporative Control System: PASS  
 PCV System: PASS  
 Fuel Inlet Restrictor: PASS

TAILPIPE EMISSIONS INSPECTION

MODE	CO %			HC ppm			RPM		DILUTION %	
	Limit	Reading	Result	Limit	Reading	Result	Reading	Result	Reading	Result
2 Speed Idle	1.00	0.04	PASS	130	121	PASS	N/A	N/A	14.6	VALID
IDLE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2500 RPM	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

OVERALL TEST RESULTS: PASS

Emissions Control Systems Visual/Functional Inspection: PASS  
 Tailpipe Emissions Inspection: PASS

Sticker: IM33047743  
 TIN: 840527536399

PLEASE RETAIN THIS DOCUMENT FOR YOUR RECORDS.

Vehicle tested in accordance with federal regulations and Pa. Title 75, Chapter 177

EMISSIONS INSPECTION STATION

STATION #: 1751  
 STATION NAME: COCHRAN AUTOMOTIVE  
 ADDRESS: 4200 WILLIAM PENN HWY MONROEVILLE PA 15146-  
 PHONE: (412) 373-3333

INSPECTOR NAME: LYLE E. WATT  
 INSPECTOR ID: 17777137  
 ANALYZER #: SX971509  
 SOFTWARE VERSION: 9901

VEHICLE EMISSIONS INSPECTION QUESTIONS:

If the station cannot answer your questions,  
 please contact the Customer Hotline at  
 (800) 265-0921

Inspector's  
 Signature:

