

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

C-2013-2347812

IN RE:           USA Limousine Ultra, Inc     :           Docket No. A-00115804 Fs 1&3

**PETITION FOR RECONSIDERATION**

Petitioner, USA Limousine Ultra, Inc, by and through their attorney, David P. Temple, Esquire, hereby respectfully requests reconsideration of the cancel the certificate of USA Limousine Ultra, Inc:

1. Petitioner is USA Limousine Ultra Inc, with principal place of business located at 1145 Deer Run Court, Southampton, PA 18966.
2. Petitioner was first certificated through the Commission on July 14, 1999
3. On or about January 14, 2011 the Commission issued a complaint against the Petitioner for failure to file a vehicle list at C-2010-218923.
4. The complaint requested that the Defendant file a vehicle list or he would face a \$250.00 fine.
5. The Defendant filed the required vehicle lists and believed that the action was then terminated.
6. On February 14, 2013 the PUC alleges to have served a complaint via first class mail to Petitioner under C-2013-2347812 for failure to pay the \$250.00 fine.

7. As a result of the Petitioners failure to answer the complaint under C-2013-2347812 a Secretarial letter was issued on April 22, 2016 cancelling the authority of the Petitioner. A true and correct copy of April 22, 2016 Secretarial letter is attached hereto as Exhibit A.
8. The Petitioner has no reason not to pay the \$250.00 even if he believed himself correct, as it would risk his business that he has spent endless hours developing.
9. In the three years since the alleged filing of this complaint Petitioner has had his vehicles inspected several times by the Commission and was never informed there was any outstanding issues.
10. Petitioner never received any calls, emails or letters addressing the failure to answer the complaint or address the fine
11. Had he been aware of the complaint the Petitioner would have satisfied the fine immediately.
12. The Petitioner has paid the \$250.00 fine concurrent with the filing of this Petition
13. This Petition for Reconsideration of the cancellation is timely
14. This issue will not arise again as the fine was resultant from a failure to file a vehicle list which is no longer a requirement of the Commission.
15. The failure to pay fines will also be rectified as Applicant will periodically review the Commission dockets to see if there is anything outstanding
16. Petitioner has also retained counsel to review and answer any complaints that arise from service or review.

17. The Petitioner has been certificated for seventeen (17) years and has an excellent record of compliance with the Commission
18. The shareholder of the Petitioner has been working under the Commission for over thirty-five years with an excellent record of compliance
19. The Petitioner operates as well in the City of Philadelphia under the Philadelphia Parking Authority where he also maintains an excellent record of compliance
20. A grant of the reconsideration would be in the interest of the public as it would continue to offer them many options for their limousine transportation
21. A grant of reconsideration would be in the interest of the public because it would maintain the jobs of all of the drivers, dispatchers, mechanics and managers who rely on the business to support their families.

WHEREFORE, Petitioner USA Limousine Ultra, Inc., by and through their attorney respectfully requests reconsideration of the April 22, 2016 staff decision of the Commission cancelling the certificates possessed by the Petitioner and reinstatement of said certificates.

Respectfully,



David P. Temple, Esquire  
Attorney for Petitioner  
USA Limousine Ultra, Inc

**VERIFICATION**

DAVID TEMPLE verifies that he is acquainted with the facts and information set forth in the foregoing pleadings are true and correct to his/her knowledge, information and belief; and that the foregoing Verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

  
\_\_\_\_\_  
DAVID TEMPLE

DATE: 5/10/11



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

IN REPLY PLEASE  
REFER TO OUR FILE

April 22, 2016

C-2013-2347812  
A-00115804, Fs. 1 & 3

CANCELLATION NOTICE

USA LIMOUSINE ULTRA INC  
1145 DEER RUN COURT  
SOUTHAMPTON PA 18966

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
BUREAU OF INVESTIGATION & ENFORCEMENT

v.

U.S.A. LIMOUSINE ULTRA, INC.

Respondent:

On February 14, 2013, the Bureau of Investigation and Enforcement instituted a Complaint against U.S.A. Limousine Ultra, Inc., Respondent, for failure to pay fines totaling two hundred fifty dollars (\$250), a violation of 66 Pa. C.S. §501(c) for failing to observe, obey and comply with a Secretarial Letter issued on January 14, 2011 at C-2010-2189823.

In accordance with 52 Pa. Code §5.61, the Bureau of Investigation and Enforcement notified the Respondent that, an Answer to the Complaint must be filed within twenty (20) days of the date of service. The Notice further specified that, if Respondent failed to answer the Complaint within twenty (20) days, the Bureau of Investigation and Enforcement would request that the Commission cancel Respondent's Certificate of Public Convenience.

The Complaint was served on Respondent, U.S.A. Limousine Ultra, Inc., on or about February 23, 2013 by first class mail. To date, more than twenty (20) days later, Respondent has failed to file an Answer to the Complaint.

Therefore, the allegations in the Complaint are deemed to be admitted. The Complaint is hereby sustained and the Certificates of Public Convenience, issued to Respondent at Application Docket No. A-00115804, Folder 1 and Folder 3 are hereby CANCELLED.

Furthermore, this Commission will request the Pennsylvania Department of Transportation to put an administrative hold on Respondent's vehicle registrations. Respondent will NOT be able to register any new vehicles or renew any existing vehicle registrations until all past due assessments are paid, all past due fines are paid, all insurance filings are up to date, and it holds an active Certificate of Public Convenience issued by this Commission.

This Secretarial Cancellation Letter will also be served on:

The Department of Revenue  
Bureau of Audit Programs  
Sales and Use Taxes  
Tenth Floor, Strawberry Square

Harrisburg, PA 17128-1061

Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa. C.S. §§1.1 *et seq.* and the regulations of the Commission, 52 Pa. Code §§1.1 *et seq.* In view of the **cancellation of respondent's Certificates of Public Convenience**, it is specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

#### APPEAL RIGHTS

If you disagree with this determination, you may send a Petition for Reconsideration from Staff Action (Petition) to: Secretary, PA Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Such a Petition is a written statement asking the Commission to change its determination.

The Petition must be filed with the Commission within twenty (20) days of the date of this letter. If no timely request for reconsideration is made, this action will be deemed to be the final action of the Commission.

The Petition MUST include: (1) a written statement (divided into numbered paragraphs) outlining the reasons for the request, (2) the case docket number(s) (they are provided for you at the top right hand corner of this letter), (3) the name of the person on whose behalf the petition is made, (4) copies of relevant documentation, and (5) a verification with original signature. See 52 Pa. Code §§1.31 and 5.44. Below is a sample Verification:

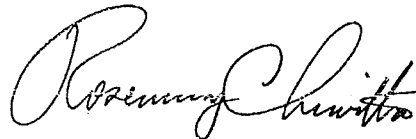
#### VERIFICATION

I, (YOUR NAME GOES HERE), 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).

(SIGN AND DATE)

If you believe that you have received this letter in error, please contact the Compliance Office of the Motor Carrier Services and Enforcement Division in the Bureau of Technical Utility Services at 717-787-1227 within ten (10) days of the date of this letter.

Very truly yours,



Rosemary Chiavetta,  
Secretary

pc:

PA Dept of Transportation  
PA Department of Revenue