



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

August 29, 2016

VIA ELECTRONIC 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. Luxury Limousine Service, Inc.
Docket No. C-2016-2549574

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion for Default Judgment in the above-referenced proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "K. Myers", is written over a light blue horizontal line.

Kourtney L. Myers
Prosecutor
PA Attorney ID No. 316494

Prosecutor for the Bureau of
Investigation and Enforcement

Enclosures

cc: As per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2016-2549574
	:	
Luxury Limousine Service, Inc.,	:	
Respondent	:	

NOTICE TO PLEAD

The Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission) has filed a Motion for Default Judgment in the above-captioned matter, pursuant to the Commission's regulations at 52 Pa. Code § 5.103. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with 52 Pa. Code § 5.61.

Your Answer must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:
Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Additionally, you must serve a copy on the undersigned prosecutor.



Kourtney L. Myers
Prosecutor
PA Attorney ID No. 316494

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 705-4366
komyers@pa.gov

Dated: August 29, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2016-2549574
	:	
Luxury Limousine Service, Inc.,	:	
Respondent	:	

MOTION FOR DEFAULT JUDGMENT

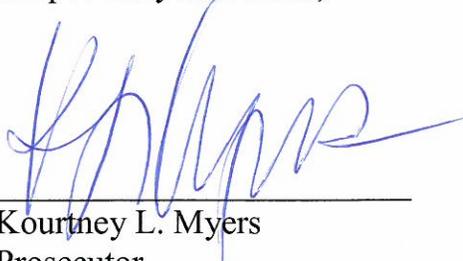
NOW COMES the Pennsylvania Public Utility Commission’s (Commission) Bureau of Investigation and Enforcement (I&E), by its prosecuting attorneys, and files this Motion for Default Judgment against Luxury Limousine Service, Inc. (Respondent) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E commenced this action on June 6, 2016 by filing a Complaint.
2. On June 7, 2016, the Complaint was served by certified mail to Respondent at 1200 Crosby Street, Chester, PA 19013.
3. Attached to the Complaint was a Notice advising Respondent that it must file an Answer within twenty (20) days of service of the Complaint.
4. The Notice also advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order imposing the penalty set forth in the Complaint.
5. On June 9, 2016, Respondent received the Complaint. A true and correct copy of proof of delivery of the Complaint is attached as Exhibit 1.
6. The twenty (20) days to file an Answer to the Complaint expired on June 27, 2016.

7. Respondent did not file an Answer to the Complaint.
8. Pursuant to Section 5.61(c) of the Commission's regulations, a Respondent who fails to file an Answer to a Complaint within the 20-day response period may be deemed in default, and the relevant facts stated in the Complaint may be deemed admitted. 52 Pa. Code § 5.61(c).
9. The Commonwealth Court has upheld the Commission's authority to sustain complaints that are not answered within twenty days. *See Fusaro v. Pa. PUC*, 382 A.2d 794, 797 (Pa. Cmwlth. 1978).
10. Subsequent to the filing of I&E's Complaint, on or about July 7, 2016, the Commission received payment from Respondent in the amount of \$363.66 to be applied towards its outstanding assessment for the July 1, 2015 to June 30, 2016 Fiscal Year (2015-2016 Fiscal Year).
11. Respondent did not pay its remaining, outstanding assessment balance of \$727.34 for the 2015-2016 Fiscal Year or the civil penalty of \$273 that was sought in the Complaint for Respondent's failure to timely pay the assessment.
12. I&E respectfully requests that the Commission enter a Default Order against Respondent that:
 - a. Directs Respondent to pay its outstanding assessment of \$727.34 for the 2015-2016 Fiscal Year and the requested civil penalty of \$273 within thirty (30) days of the entry date of the Commission's Order;
 - b. Directs the Bureau of Technical Utility Services to cancel Respondent's Certificate of Public Convenience at A-00115605 if the outstanding assessment and civil penalty set forth in subparagraph (a), above, for a total of \$1,000.34, if that total is not paid within thirty (30) days of the entry date of the Commission's Order;
 - c. Notifies Respondent that a copy of this Order will be sent to the Pennsylvania Department of Transportation for the suspension or revocation of vehicle registrations that were used under Respondent's operating authority if the outstanding assessment and civil penalty are not paid within thirty (30) days of the entry date of the Commission's Order; and

- d. Directs the Bureau of Administrative Services, Assessment Section, to refer the matter to the Pennsylvania Office of Attorney General for collection of the outstanding assessment and civil penalty set forth in subparagraph (a), above, for a total of \$1,000.34, if that total is not paid within thirty (30) days of the entry date of the Commission's Order.

Respectfully submitted,



Kourtney L. Myers

Prosecutor

PA Attorney ID No. 316494

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 705-4366
komyers@pa.gov

Date: August 29, 2016

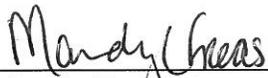
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2016-2549574
	:	
Luxury Limousine Service, Inc.,	:	
Respondent	:	

VERIFICATION

I, Mandy Freas, Accountant, Bureau of Administrative Services, Assessment Section, 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: August 29, 2016



Mandy Freas, Accountant
Assessment Section
Bureau of Administrative Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

EXHIBIT 1

English

Customer Service

USPS Mobile

Register / Sign In



USPS Tracking®

Still Have Questions?
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 Get Easy Tracking Updates ›
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Tracking Number: 9171969009350106938709

On Time
Updated Delivery Day: **Thursday, June 9, 2016**

Product & Tracking Information

Postal Product:
First-Class Mail®

Features:
Certified Mail™

Available Actions

Return Receipt Electronic

DATE & TIME	STATUS OF ITEM	LOCATION
June 9, 2016 , 4:13 pm	Delivered, Left with Individual	CHESTER, PA 19013
Your item was delivered to an individual at the address at 4:13 pm on June 9, 2016 in CHESTER, PA 19013.		
June 9, 2016 , 7:00 am	Arrived at Unit	CHESTER, PA 19013
June 8, 2016 , 4:37 pm	Departed USPS Origin Facility	PHILADELPHIA, PA 19176
June 8, 2016 , 9:34 am	Arrived at USPS Origin Facility	PHILADELPHIA, PA 19176
June 8, 2016 , 4:52 am	Departed USPS Facility	HARRISBURG, PA 17107
June 7, 2016 , 8:28 pm	Arrived at USPS Origin Facility	HARRISBURG, PA 17107
June 7, 2016 , 7:13 pm	Accepted at USPS Origin Facility	HARRISBURG, PA 17120
June 7, 2016	Pre-Shipment Info Sent to USPS, USPS Awaiting Item	

Track Another Package

Tracking (or receipt) number

Track It

Manage Incoming Packages

Track all your packages from a dashboard.
No tracking numbers necessary.

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