

CAPTION SHEET

SE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :
 2. BUREAU: TAS :
 3. SECTION(S) : :
 5. APPROVED BY: : 4. PUBLIC MEETING DATE:
 DIRECTOR: : 00/00/00
 SUPERVISOR: :
 6. PERSON IN CHARGE: RUDY : 7. DATE FILED: 03/25/05
 8. DOCKET NO: A-00117689C0501 : 9. EFFECTIVE DATE: 00/00/00

PARTY/COMPLAINANT: TRANSPORTATION & SAFETY, BUREAU OF

RESPONDENT/APPLICANT: KREIN, LINDA G.

COMP/APP COUNTY:

UTILITY CODE: 640964

ALLEGATION OR SUBJECT

TAS COMPLAINT V. LINDA G KREIN FOR VARIOUS VIOLATIONS.

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SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION, BUREAU OF TRANSPORTATION :
AND SAFETY :

v. :

LINDA G KREIN T/A WE CARE LIMOUSINE SERVICE :
225 ALCOMA BOULEVARD :
PITTSBURGH PA 15235 :

DOCKET NO. A-00117689C 0501

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Linda G. Krein, t/a We Care Limousine Service, respondent, maintains its principal place of business at 225 Alcoma Boulevard, Pittsburgh, Pennsylvania 15235.

2. That respondent was issued a certificate of public convenience by this Commission on November 8, 2001, at Application Docket No. A-00117689.

3. That on July 28, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 9:21 and ended at 9:44, a total of 23 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity for a total of \$53.10, a difference of \$13.10.

4. That on July 28, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Marriott Hotel, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00 plus \$4.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 10:50 and ended at 11:15, a total of 25 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity for a total of \$53.10, a difference of \$9.10.

5. That on July 28, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Omni Hotel in Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln Luxury sedan bearing Pennsylvania License No. LM22588. Respondent charged \$40.00, plus \$7.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 12:10 and ended at 12:35, a total of 25 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and

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charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity for a total of \$53.10, a difference of \$6.10.

6. That on July 28, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania, to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00 plus \$4.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 1:27 and ended at 1:45, a total of 20 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity for a total of \$53.10, a difference of \$9.10.

7. That on July 28, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania, to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00 plus \$3.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 2:30 and ended at 2:56, a total of 26 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity for a total of \$53.10, a difference of \$10.10.

8. That on July 28, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania, to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00 plus \$5.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 3:30 and ended at 3:52, a total of 22 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity, for a total of \$53.10, a difference of \$8.10.

9. That on July 28, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania, to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00 plus \$4.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 4:00 and ended at 4:30, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity, for a total of \$53.10, a difference of \$9.10.

10. That on July 29, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania, to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00 plus \$5.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 10:21 and ended at 10:46, a total of 25 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity, for a total of \$53.10, a difference of \$8.10.

11. That on July 29, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania, to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00 plus \$5.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 11:51 and ended at 12:20, a total of 29 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity, for a total of \$53.10, a difference of \$8.10.

12. That on July 30, 2004, respondent's driver, Calvin Jackson, transported a passenger from the Renaissance Hotel, Pittsburgh, Pennsylvania, to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1993 Lincoln luxury sedan, bearing Pennsylvania License No. LM22588. Respondent charged \$40.00 plus \$5.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 9:47 and ended at 10:07, a total of 20 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$45.00 plus \$8.10 gratuity, for a total of \$53.10, a difference of \$8.10.

13. That on July 27, 2004, respondent's driver, John Pierce, transported a passenger from the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, to Monroeville, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$60.00 plus \$5.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 10:15 and ended at 11:00, a total of 45 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, an overcharge of \$11.90.

14. That on July 28, 2004, respondent's driver, John Pierce, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 11:00 and ended at 11:30, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$13.10.

15. That on July 28, 2004, respondent's driver, John Pierce, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 12:00 and ended at 12:30, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$13.10.

16. That on July 28, 2004, respondent's driver, John Pierce, transported a passenger from Alcoa, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$90.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 2:45 and ended at 4:00, a total of 1 hour and 15 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$56.25 plus \$10.13 gratuity for a total of \$66.38, a difference of \$23.62.

17. That on July 28, 2004, respondent's driver, John Pierce, transported a passenger from the Omni Hotel, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 4:30 and ended at 5:00, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$13.10.

18. That on July 29, 2004, respondent's driver, John Pierce, transported a passenger from Alcoa, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00 plus \$5.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 12:00 and ended at 12:30, a total of 30 minutes. Respondent's

tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$8.10.

19. That on July 29, 2004, respondent's driver, John Pierce, transported a passenger from the Hilton Hotel, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 1:30 and ended at 2:00, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$13.10.

20. That on July 29, 2004, respondent's driver, John Pierce, transported a passenger from the Hilton Hotel, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00 plus \$6.00 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 2:30 and ended at 3:00, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$7.10.

21. That on July 29, 2004, respondent's driver, John Pierce, transported a passenger from the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania to Franklin Park, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$50.00 plus \$7.50 gratuity. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 8:00 and ended at 9:15, a total of 1 hour and 15 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$66.37, a difference of \$8.87.

22. That on July 29, 2004, respondent's driver, John Pierce, transported a passenger from the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania to Perrysville, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$50.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 9:30 and ended at 11:00, a total of 1 hour and 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$79.65, a difference of \$29.65.

23. That on July 30, 2004, respondent's driver, John Pierce, transported a passenger from the Sheraton Station Square, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 9:00 and ended at 9:30, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$13.10.

24. That on July 30, 2004, respondent's driver, John Pierce, transported a passenger from the Sheraton Station Square, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the first hour, \$11.25 for each additional ¼ hour. The trip began at 11:30 and ended at 12:00, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$13.10.

25. That on July 30, 2004, respondent's driver, John Pierce, transported a passenger from the Sheraton Station Square, Pittsburgh, Pennsylvania to the Pittsburgh International Airport, Finley Township, Allegheny County, Pennsylvania, in a 1997 Lincoln luxury sedan, bearing Pennsylvania License No. BA48835. Respondent charged \$40.00. Respondent's tariff at Limousine-Pa. P.U.C. No. 4 indicates a charge of \$45.00 for the

first hour, \$11.25 for each additional ¼ hour. The trip began at 11:30 and ended at 12:00, a total of 30 minutes. Respondent's tariff also indicates an 18% gratuity to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$53.10, a difference of \$13.10.

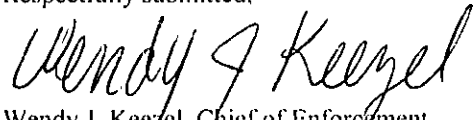
26. That on July 30, 2004, respondent's driver, John Pierce, transported a passenger from Moon Township, Pennsylvania to Pittsburgh, Pennsylvania. Respondent charged \$75.00 and no gratuity. Respondent's tariff indicates an 18% gratuity is to be assessed in addition to all other rates and charges. The actual charge for the trip should have been \$88.50, a difference of \$13.50.

27. That respondent, by charging a lesser rate than that specified in its tariff on file with this Commission, violated 66 Pa. C.S. §1303. The penalty is \$100.00 for each violation for a total penalty of \$2,300.00. ²² 2200

28. That respondent, by charging a greater rate than in its official tariff on file with this Commission, violated 66 Pa. C.S. §1303. Penalty is \$500.00. ^{2 instances} -

WHEREFORE, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Linda G. Krein, t/a We Care Limousine Service, the sum of two thousand, eight hundred dollars (\$2,800.00) for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,



Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, 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 to 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: 3-23-05

Wendy J. Keezel
Wendy J. Keezel

NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code §1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the out come. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

C. You may elect not to contest this complaint by paying the fine proposed in this complaint by certified check or money order. Payment must be made to the Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an answer which admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty.

E. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

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

Date of Service: APRIL 6, 2005
Docket Number: A-00117689C0501

LINDA G KREIN
WE CARE LIMOUSINE SERVICE
225 ALCOMA BOULEVARD
PITTSBURGH PA 15235

Pennsylvania Public Utility Commission Bureau of Transportation and Safety
v.
LINDA G KREIN WE CARE LIMOUSINE SERVICE

Dear Sir/Madam:

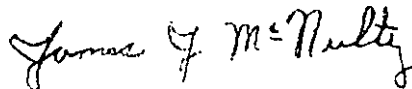
The Pennsylvania Public Utility Commission has delegated its authority to initiate prosecutory proceedings to several bureaus in the Commission with enforcement responsibilities.

Pursuant to this delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff has filed the attached complaint against you.

Please refer to the Notice page at the conclusion of this complaint for detailed instructions on how to proceed. Alternative formats of this material are available for persons with disabilities.

Any questions may be directed to the Technical Review Section of the Bureau of Transportation and Safety at (717) 787-1168.

Very truly yours,



James J. McNulty
Secretary

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