

5. A hearing on this complaint is scheduled for December 20, 2016
6. Another complaint was filed against the respondent on July 1, 2016 under Docket Number C-2016-2546464.
7. The service to the Claimant was allegedly refused but the letter had no address or name. A true and correct copy of the letter is attached hereto as Exhibit A.
8. As a result of the alleged service refusal the complaint was published in the Pennsylvania Bulletin on August 6, 2016
9. This complaint was for operating while under suspension for failure to have insurance on file with the Commission. A true and correct copy of the Pennsylvania Bulletin publication is attached hereto as Exhibit B
10. The Petitioner never received the complaint and never saw it in the Pennsylvania Bulletin.
11. In between the filing of the July complaint and the publication in the Pennsylvania Bulletin another complaint was filed by the Commission on July 27, 2016 under Docket no C-2016-2557681.
12. This complaint was also for failing to have evidence of insurance on file with the Commission. A true and correct of the complaint is attached hereto as Exhibit C.
13. In response to this complaint the Petitioner provided documentation to show that the insurance was always in place and there was no insurance violation.
14. As a result of the documentation provided the Commission complaint under C-2016-2557681 was rescinded because it was found that evidence of


insurance was maintained at all times. A true and correct copy of the letter to rescind was attached hereto as Exhibit D

15. While the letter to rescind did not name the Complaint published in the Pennsylvania Bulletin, the only reason the suspension was issued in that Complaint was because there was no insurance on file.
16. With the finding of applicable insurance at all times and thus the rescind that should also take care of the operating under suspension for failure to have insurance, since insurance was continuous.
17. Petitioner was unaware of this complaint and therefore did not address this with the Commission
18. As a result of the Complaint at C-2016-2546464 remaining open unbeknownst to Petitioner, and thereby not answered, the complaint was sustained and the authority cancelled. A true and correct copy of the cancellation is attached hereto as Exhibit E.
19. The Commission should reconsider the cancellation of the Petitioner's authority because as can be seen from the events above the one complaint was rescinded because there was insurance and if there was insurance then there should have been no suspension and therefore no violation.
20. The Commission should reconsider the cancellation of the Petitioner's authority because Petitioner never received the complaint which was apparently deficient in its notice, while it has responded to all other PUC issues presented to it.

21. The Commission should reconsider the cancellation of the Petitioner's authority because Petitioner is presently insurance and if necessary will satisfy the \$3,000.00 that was imposed upon them by the unserved complaint.
22. In order to prevent this from reoccurring Petitioner will be filing a new physical address to ensure easier service of process and for receiving certified correspondence from the Commission.
23. Petitioner has also now secured experienced counsel familiar with Commission procedures who can advise them in any future incidents.
24. There is no prejudice to any party by the reconsideration of this order.
25. Petitioner asserts that reconsideration and acceptance of the Application will benefit the public interest since there are several employees that rely on this company for the care of their families and the riding public depends on this service to satisfy their transportation needs

WHEREFORE, Petitioner GJT Enterprises t/a Limos R Us, by and through their attorney respectfully requests reconsideration of the staff action initiated in the November 4, 2016 Secretarial letter cancelling the authority of the Petitioner.

Respectfully,

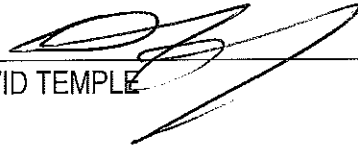


David P. Temple, Esquire
Attorney for Petitioner
GJT Enterprises Inc t/a
Limo R Us

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

A handwritten signature in black ink, appearing to read 'DT', is written over a horizontal line.

DATE: 11/23/16

EXHIBIT

A

FORM UCGD-12 8M (Rev. 08/04)
COMMONWEALTH OF PENNSYLVANIA

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

C&A
ADDRESS SERVICE REQUESTED

C-2016-2546464
BIEV GST Enterprises TR LIMOS R US
Compit

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS FOLD AT DOTTED LINE
CERTIFIED MAIL™



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PA 177
Hasler

07/12/2016
POST OFFICE
HARRISBURG, PA 17101-1111



ZIP 17120
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REFUSED

RECEIVED
2016 JUL 12 PM 1:33
PA PUBLIC SECRETARY'S BUREAU

NIXIE

276 SEE

RETURN TO SENDER
REFUSED
UNABLE TO FORWARD

PC: 27105326565

*1819-17235-02-40

1842632525 @3265

EXHIBIT
B

NOTICES

Service of Notice of Motor Carrier Formal Complaints

[46 Pa.B. 4910]

[Saturday, August 6, 2016]

Formal Complaints have been issued by the Pennsylvania Public Utility Commission. Answers must be filed in accordance with 52 Pa. Code (relating to public utilities). Answers are due August 22, 2016, and must be made with the Secretary, Pennsylvania Public Utility Commission, P.O. Box 3265, Harrisburg, PA 17105-3265, with a copy to the First Deputy Chief Prosecutor, Pennsylvania Public Utility Commission.

Pennsylvania Public Utility Commission; Bureau of Investigation and Enforcement v. GJT Enterprises, Inc., t/a Limos R Us; Docket No. C-2016-2546464

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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement Prosecutory Staff hereby represents as follows:

1. That GJT Enterprises, Inc., t/a Limos R Us, Respondent, maintains its principal place of business at 130 Estates Road, Greentown, Pennsylvania, 18426.
2. That Respondent was issued a certificate of public convenience by this Commission on June 17, 2008, at A-2008-2019746, authorizing transportation of persons in limousine service and on March 18, 2010, at A-2009-2145457, authorizing transportation of persons in group and party 15 passengers or less.
3. That Respondent's operating rights were suspended on September 16, 2015, for failure to maintain evidence of insurance on file with this Commission. The suspension was lifted on March 26, 2016 when proof of insurance was received. Therefore, there was a lapse of insurance coverage from September 16, 2015 through March 26, 2016.
4. That on May 4, 2016, Enforcement Officer Rob Maholik interviewed Joseph Ruffalo, who identified himself as the manager of GJT Enterprises, Inc. At that time, Officer Maholik obtained vehicle logs for the time period of September, 2015 through March, 2016 for inspection. The logs reveal that Respondent permitted its vehicle to be operated three days while under suspension.

5. That Respondent, by permitting its vehicle to be operated while under suspension, violated 52 Pa. Code § 32.2 and § 32.11 and 66 Pa.C.S. § 501(c), in that it failed to observe, obey and comply with a Commission regulation or order, and the terms and conditions thereof. The penalty for this violation is \$1,000 for each day Respondent operated during the suspension and cancellation of the certificate of public convenience, for a total of \$3,000.

Wherefore, the Bureau of Investigation and Enforcement Prosecutory Staff hereby requests that the Commission fine GJT Enterprises, Inc., t/a Limos R Us, the sum of three thousand dollars (\$3,000.00) for the illegal activity described in this Complaint and cancellation of the certificate of public convenience at A-2008-2019746 and A-2009-2145457.

Respectfully submitted,
David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, 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 that the Bureau will be able to prove 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: 6/21/2016

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and En-
forcement

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 outcome. 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 shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor
Harrisburg, PA 17120

Additionally, please serve a copy on:

Michael L. Swindler, Deputy Chief Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, e-mail to Mr. Swindler at: RA-PCCmplntResp@pa.gov

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.

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 Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
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 Investigation and Enforcement 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 Commission's ADA Coordinator at 717-787-8714.

**Pennsylvania Public Utility Commission; Bureau of Investigation and
Enforcement v. GV Trucking, Inc.; Docket No. C-2016-2551099**

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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to GV Trucking, Inc., (respondent) is under suspension effective May 12, 2016 for failure to maintain evidence of insurance on file with this Commission.

EXHIBIT
C

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF INVESTIGATION AND ENFORCEMENT

V.

DOCKET NO. C-2016-2557681

GJT ENTERPRISES INC
T/A LIMO'S R US
PO BOX 546
GREENTOWN, PA 18426-0546

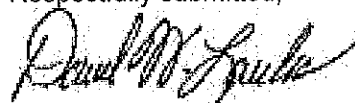
COMPLAINT

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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to GJT ENTERPRISES INC, T/A LIMO'S R US, T/A Limos R Us, T/A LIMOS R US, (respondent) is under suspension effective June 25, 2016 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at PO BOX 546, GREENTOWN, PA 18426-0546.
3. That respondent was issued a Certificate of Public Convenience by this Commission on June 17, 2008, at A-2009-2145457.
4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa. C.S. §512, 52 Pa. Code §32.2(c), and 52 Pa. Code §32.11(a), §32.12(a) or §32.13(a).

WHEREFORE, unless respondent pays the penalty of \$500 or files an answer in compliance with the attached notice and/or causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-2009-2145457 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of five hundred dollars (\$500.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,



David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, David W. Loucks, Chief, Motor Carrier Enforcement, Bureau of Investigation and Enforcement, 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 that the Bureau will be able to prove 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: 7/26/2016

A handwritten signature in black ink, appearing to read "David W. Loucks". The signature is written in a cursive style with some loops and flourishes.

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

- A. **You must file an Answer within 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 Letter. See 52 Pa. Code §1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified. You may file your Answer by mailing an original to:
- Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, you may eFile your Answer using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Michael L. Swindler, Deputy Chief Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

Or, emailed to Mr. Swindler at: RA-PCCmplntResp@pa.gov

- B. If you fail to answer this Complaint within 20 days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the penalty.
- C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. **ACCORD CERTIFICATES OF INSURANCE and FAXED FORM Es and Hs ARE UNACCEPTABLE AS EVIDENCE OF INSURANCE.**

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility Services
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Payment of the fine must be made to the **Commonwealth of Pennsylvania** and should be forwarded to:

Rosemary Chiavetta, Secretary
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 the evidence of insurance from your insurer, and upon receipt of your payment, the Complaint proceeding shall be closed.

- D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the penalty set forth in this Complaint.
- 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 penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.
- F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code §1.21.

Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714. **Do not call this number if you have questions as to why you received this complaint. For those questions you may call 717-783-3847.**

EXHIBIT
D



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

IN REPLY PLEASE
REFER TO OUR FILE

September 27, 2016

C-2016-2557681
A-649946

GJT ENTERPRISES INC
T/A LIMO'S R US
PO BOX 546
GREENTOWN, PA 18426-0546

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF INVESTIGATION & ENFORCEMENT

v.

GJT ENTERPRISES, INC., T/A LIMO'S R US

To Whom It May Concern:

By Secretarial Letter dated September 20, 2016, the Commission cancelled the authority of GJT Enterprises, Inc. at Complaint Docket No. C-2016-2557681 for failure to maintain evidence of bodily injury property damage liability insurance.

This Commission has the power to rescind a Secretarial Letter in light of newly discovered evidence or a change of circumstances which justify reconsideration. It has come to our attention that the current insurance was in effect, and that a Form K received by the Compliance Office was meant for an older Form E no longer in effect. **Therefore, the cancellation of authority of GJT Enterprises, Inc., and fining it \$600 is hereby rescinded.** The Commission has also *closed* the proceeding at C-2016-2557681.

Very truly yours,

Rosemary Chiavetta
Secretary

pc:

PA Dept. of Transportation
PA Dept. of Revenue

EXHIBIT
E



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

IN REPLY PLEASE
REFER TO OUR FILE

November 4, 2016

C-2016-2546464
A-649946

CANCELLATION NOTICE

GJT ENTERPRISES TA LIMOS R US
130 ESTATES ROAD
GREENTOWN PA 18426

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF INVESTIGATION & ENFORCEMENT

v.

GJT ENTERPRISES, T/A LIMOS R US

Respondent:

On **June 21, 2016**, the Bureau of Investigation and Enforcement instituted a Complaint against **GJT Enterprises, t/a Limos R Us**, Respondent, for permitting its vehicles to be operated while under suspension for failure to maintain evidence of insurance, a violation of 52 Pa. Code §32.2 and §32.11 and 66 Pa. C.S. §501(c).

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 sent to the Respondent, **GJT Enterprises, t/a Limos R Us**, via Certified Mail, First Class on July 1, 2016, and Respondent refused service. In accordance with 52 Pa. Code §1.53(e), the Complaint was served on the Respondent in the August 6, 2016 edition of the *Pennsylvania Bulletin*. 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 Nos. A-2008-2019746** (limousine authority) and **A-2009-2145457** (group and party 11 – 15 authority) *are hereby CANCELLED, and Respondent is fined a penalty of \$3,000.*

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:

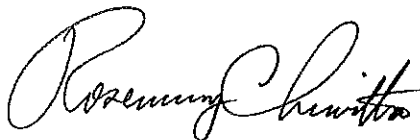
VERIFICATION

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