

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Bureau of Investigation and Enforcement	:	
	:	C-2015-2507337
v.	:	
	:	
GJT Enterprises, Inc. t/a Limos R Us	:	

**ORDER GRANTING
MOTION FOR CONTINUANCE**

On or about October 26, 2015, the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement (I&E) filed a formal complaint against GJT Enterprises, Inc., t/a Limos R Us (GJT) in which it alleged that GJT had failed to maintain evidence of insurance coverage as required under the Commission's regulations. By letter addressed to the Commission dated November 4, 2015, GJT denied that there had been any lapse in its insurance coverage. An initial hearing is currently scheduled in this proceeding for Tuesday, December 20, 2016, in Scranton, Pennsylvania.

On December 15, 2016, I&E filed a Motion for Continuance of the initial hearing. In its motion, I&E's counsel, Bradley R. Gorter, stated that I&E's intended witness would not be available to testify at the hearing due to a medical emergency that has arisen. I&E requests that the December 20, 2016 hearing be continued and rescheduled.

Section 1.15 of the Commission's regulations provides: "Except as otherwise provided by statute, requests for continuance of hearings or for extension of time in which to perform an act required or allowed to be done at or within a specific time by this title or by order of the Commission or the presiding officer, shall be by motion in writing, timely filed with the Commission, stating the facts on which the application rests." 52 Pa.Code § 1.15(b). This

Section also provides that “only for good cause shown will requests for continuance be considered.” Id. Additionally, Section 5.483(a) provides Presiding Officers the authority to regulate the course of the proceeding. 52 Pa.Code § 5.483(a).

Here, I&E is requesting a continuance of the scheduled hearing due to the unavailability of its witness because of a medical emergency. I find that this constitutes sufficient cause to continue the hearing. The unavailability of a party’s witness due to a medical emergency is an unexpected and unavoidable situation that provides ample justification for rescheduling the hearing.

I remind GJT that, as a corporation, it is required to have an attorney represent it at a hearing in this matter. To date, the Commission’s regulations do not reflect the filing of a Notice of Appearance by an attorney on behalf of GJT. GJT will not be permitted to participate in a hearing in this matter without an attorney. This was explained in paragraph 3 of my Prehearing Order dated October 21, 2016.

Finally, the parties are reminded that Commission policy promotes settlement. 52 Pa.Code § 5.231(a). The parties are encouraged to engage in settlement discussions before the hearing. If, in fact, as averred by GJT, there was no lapse in the Respondent’s insurance coverage, it should be a relatively simple matter of providing documentary proof of insurance coverage to I&E. If the parties are able reach an agreement on all issues, a formal hearing will not be necessary.

ORDER

THEREFORE,

IT IS ORDERED:

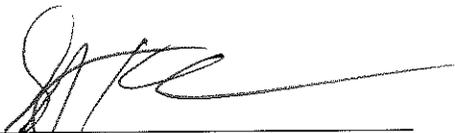
1. That the Motion for Continuance of the initial hearing currently scheduled for December 20, 2016, filed by the Bureau of Investigation and Enforcement on December 15, 2016 at Docket Number C-2015-2507337 is hereby granted.

2. That the initial hearing scheduled for December 20, 2016, at Docket Number C-2015-2507337 is hereby continued.

3. That the parties are encouraged to engage in settlement discussions before the hearing.

4. That a new initial hearing date will be scheduled and a separate hearing notice will be transmitted to the parties.

Date: December 16, 2016



Steven K. Haas
Administrative Law Judge

**C-2015-2507337 - BUR OF INVESTIGATION AND ENFORCEMENT v. GJT
ENTERPRISES INC DBA LIMOUS R US**

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