

# MEARS, SMITH, HOUSER & BOYLE, P.C.

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THOMAS W. SMITH  
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RICHARD F. BOYLE, JR.  
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JON M. LEWIS  
KRISTY L. RIZZO  
MICHAEL D. LAZZARO

SEPTEMBER 29, 2017

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
ROSEMARY CHIAVETTA SECRETARY  
P O BOX 3265  
HARRISBURG PA 17105-3265

In Re: Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement  
v.

Fantasy Limousine Service, Inc.  
1155 Skyline Drive, Greensburg, PA 15601  
License A-00108359  
Complaint Number C-2017-2608949

RECEIVED  
2017 OCT -2 AM 10:38  
SECRETARY'S BUREAU  
PUC

Dear Secretary Chiavetta:

Please be advised I represent Fantasy Limousine Service, Inc. My client was shocked to receive the PUC Cancellation Notice of September 20, 2017. He was unaware there was a Complaint filed against him. Upon checking the State's records, he was never served the Complaint or the Notices.

While it is true that the Fantasy Limousine Service, Inc., has had no business for a full year due to the bad economy in the Greater Greensburg area, my client was unaware that his automobile insurance had lapsed. Somehow, my client was cancelled.

In that he has not performed any business, nor has he utilized the PUC License during the timeframe in question, it is requested:

1. the Complaint and penalties be withdrawn; and
2. the PUC License of my client be reinstated upon his re-establishing the automobile insurance.

Your consideration is appreciated. A Petition is attached hereto and made a part hereof.

Yours very truly,

MEARS, SMITH, HOUSER & BOYLE, P.C.

Kim Ross Houser

KRH:mad

Enclosure: Petition

cc: Fantasy Limousine Service, Inc.

COMMONWEALTH OF PENNSYLVANIA  
PUBLIC UTILITY COMMISSION

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PENNSYLVANIA PUBLIC UTILITY  
COMMISSION, BUREAU OF  
INVESTIGATION & ENFORCEMENT,  
Respondent

v.

FANTASY LIMOUSINE SERVICE, INC.,  
Petitioner

C-2017-2608949

A-00108359

TYPE OF PLEADING:

**Petition for Dismissal/Withdrawal  
of PUC Judgment, and Petition to  
Reinstate PUC License**

FILED ON BEHALF OF:

**Fantasy Limousine Service, Inc.,  
Petitioner**

COUNSEL OF RECORD  
FOR THIS PARTY:

Mears, Smith, Houser & Boyle, P.C.  
**KIM ROSS HOUSER**  
Pa. I. D. No. 36946

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Respondent

C-2017-2608949

A-00108359

v.

FANTASY LIMOUSINE SERVICE, INC.,  
Petitioner

**PETITION FOR DISMISSAL/WITHDRAWAL OF PUC JUDGMENT, AND  
PETITION TO REINSTATE PUC LICENSE**

**AND NOW**, comes the Petitioner (Defendant), **Fantasy Limousine Service, Inc.**, by and through its attorneys, **Kim Ross Houser** and Mears, Smith, Houser & Boyle, P.C., and files the following Petition for Dismissal/Withdrawal of PUC Judgment, and Petition to Reinstate PUC License, stating:

1. Petitioner, Fantasy Limousine Service, Inc., has been a PUC Limousine-based service with one vehicle over the past several years.
2. Over one (1) year, due to a lack of business in the Appalachian area of Westmoreland County, the owner, Joseph Martino, has had no business as Fantasy Limousine Service, Inc.
3. Petitioner (out of the blue) received Notice of Cancellation of PUC License dated September 20, 2017.
4. Upon checking the PUC Office records, no pre-complaint Notices or even a Complaint were ever served on Petitioner.
5. Petitioner was unaware that his automobile insurance had lapsed.

6. In support that he has not performed any Limousine service or any other activity that would have involved his PUC License, he provides as follows:

- A. There has been no change of limousine mileage, inspection documents, and verification (see attached **Exhibit A**).
- B. The vehicle has had flat tires since October 2016 (a picture is attached as **Exhibit B**).
- C. A witness, Sharon Martino.
- D. There has been no substantive violation of the PUC Law.

7. Joseph Martino, being the owner of Fantasy Limousine Service, Inc., requests:

- A. vacating the PUC Decision of September 20, 2017;
- B. the Complaint and Penalties be withdrawn; and
- C. Petitioner's License A-00108359 be reinstated upon re-establishing an automobile insurance policy.

**WHEREFORE**, Petitioner, Fantasy Limousine Service, Inc., requests the relief requested herein.

Respectfully submitted,

MEARS, SMITH, HOUSER  
& BOYLE, P.C.

By: 

Kim Ross Houser, Esquire  
Attorney for Petitioner

# Ruffo's Auto Repair & Limousine

10/31/2016

401 North 4th Street  
Youngwood, Pa. 15697  
724-925-2811  
Fax 724-925-0293

Invoice #5961

**Fantasy Limo Service Inc**  
1155 Skyline Drive  
Greensburg PA 15601  
(724) 836-3161

2000 LINCOLN TOWN CAR  
281 4.6L SEQUENTIAL FI  
Tag: LM20098  
ID: 1L1FM81W6YY858082

Mileage 32,517

<u>Labor</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
STATE EMISSION EXEMPT/INCL \$1.65 PRGM FEE	1.00	\$20.00	\$20.00
STATE INSPECTION/INCL \$6.00 STKR FEE	1.00	\$39.00	\$39.00
			<u>\$59.00</u>

Subtotal	<u>\$59.00</u>
Tax	<u>\$3.54</u>
Total	<u>\$62.54</u>

BRAKES: RF 7/B LR 6/B  
 TIRES: LF 8 RF 5 LR 7 RR 6  
 MILEAGE: OLD 32,415 (221,160) NEW 32,517 (221,262)  
 A170953135 IM70726518  
 NATIONAL INDEMNITY COMPANY  
 #70 APR 335507  
 EXPIRATION 06/01/2017 10/2017  
 \*\*\*\*\* Thank You For Your Business \*\*\*\*\*  
 WARNING ANY PART OF THIS VEHICLE COULD FAIL PRIOR TO NEXT INSPECTION  
 ## CUSTOMER ADVISED TIRES ARE AGING MAY NEED REPLACED PRIOR TO NEXT INSPECTION FOR SLIGHT CRACKS ##

An express mechanics lien is acknowledged on the above vehicle to secure the amount of repairs thereto, until such time as cash payment has been made in full. It is understood that you will not be held responsible for loss or damage to cars or articles left in cars in case of fire, theft or any other cause beyond your control. Upon signing this repair order it is accepted as a complete and comprehensive description of the repair work done on this vehicle.

DATE \_\_\_\_\_

SIGNED \_\_\_\_\_

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SECRETARY'S B





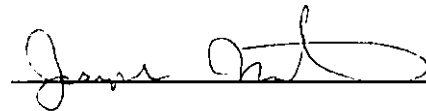
DOOR AJAR

22 : 276.5 mi

**VERIFICATION**

I, Joseph Martino, verify that I am the Plaintiff in this action, and that the statements made in this Petition for Appeal and Reconsideration 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 or trial held in this manner.

I understand that false statements made herein are made subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities.

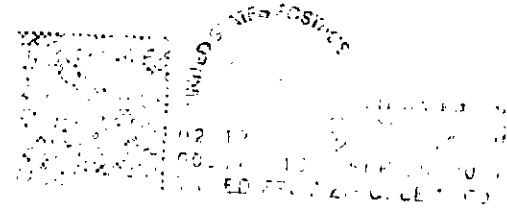
  
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Date: 9/24/17

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