



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

June 21, 2019

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. Keystone Cab Service, Inc.
Docket No. C-2019-3004891

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Reply of the Bureau of Investigation and Enforcement to the New Matter of Keystone Cab Service, Inc.

Copies are being served on the parties of record in accordance with the attached Certificate of Service.

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Swindler", with a horizontal line extending to the right.

Michael L. Swindler
Deputy Chief Prosecutor
PA Attorney ID No. 43319

Enclosure

cc: As per Certificate of Service
David Loucks

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	C-2019-3004891
	:	
Keystone Cab Service, Inc.	:	

**REPLY NUNC PRO TUNC OF THE BUREAU OF INVESTIGATION AND
ENFORCEMENT TO THE NEW MATTER OF KEYSTONE CAB SERVICE,
INC.**

TO THE HONORABLE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

NOW COMES, the Bureau of Investigation and Enforcement (I&E) of the Pennsylvania Public Utility Commission (Commission), Complainant in the above-docketed matter, by and through counsel, and replies nunc pro tunc¹ to the Answer and New Matter of Keystone Cab Service, Inc. (Keystone Cab or Respondent), Respondent herein, pursuant to 52 Pa. Code § 5.63(a) as follows:

1. On or about May 15, 2019, the Commission served a complaint filed against Keystone Cab at the above-referenced docket, alleging that Respondent's driver failed to engage the taxi meter during a trip and, instead, charged a flat rate for daily transportation and a bi-weekly fee. The complaint seeks a civil penalty of \$500 for the

¹ Pursuant to 52 Pa. Code Section 5.63(a), replies to new matter are due within 20 days after service of the answer. The within reply is being filed 22 days after service of the answer. Given that the filing in no way prejudices Respondent, Complainant seeks to have the within responsive pleading accepted *nunc pro tunc* and has designated it as such.

described illegal activity. Keystone Cab was directed to file an Answer and/or pay the penalty within twenty (20) days of the date of service of the complaint.

2. On or about May 30, 2019, Respondent, by and through counsel, filed its Answer and New Matter at the above docket with the Commission.

REPLY TO NEW MATTER

3. Numbered Paragraphs 1 through 6 are incorporated herein by reference.

4. Denied. As to the alleged New Matter presented in Paragraph 7 of Respondent's Answer and New Matter, I&E is without knowledge sufficient to form a belief as to the truth of the matters asserted and same are therefore denied and proof thereof demanded. By way of further reply, I&E avers that its formal complaint is not "based upon" the referenced informal complaint, but rather is based on the in-person investigation of the assigned PUC Motor Carrier Officer, as set forth in Numbered Paragraph 4 of the complaint.

5. Denied. As to the alleged New Matter presented in Paragraph 8 of Respondent's Answer and New Matter, Matter, I&E, is without knowledge sufficient to form a belief as to the truth of the matter asserted and same are therefore denied and proof thereof demanded.

WHEREFORE, The Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement, for the reasons set forth herein, respectfully requests that Respondent's New Matter be dismissed and that Respondent be found in violation as set forth in the Complaint.

Respectfully submitted,



Michael L. Swindler
Deputy Chief Prosecutor
PA Attorney ID No. 43319

Counsel for Complainant,
Pennsylvania Public Utility Commission
Bureau of Investigation & Enforcement

P. O. Box 3265
Harrisburg, PA 17105-3265
(717) 783-6369
mwindler@pa.gov

Dated: June 21, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement

v.

Keystone Cab Service, Inc.

:
:
:
:
:
:
:

Docket No. C-2019-3004891

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document, upon the parties, listed below, in accordance with the requirements of 52 Pa. Code §1.54 (relating to service by a party).

Service by First Class Mail:

Maher Saber
Keystone Cab Service, Inc.
2304A Walnut Street
Harrisburg, PA 17103



Michael L. Swindler
Deputy Chief Prosecutor
PA Attorney ID No. 43319

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265
(717) 783-6369
mwindler@pa.gov

Dated: June 21, 2019