



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

January 31, 2020

*Via Electronic Filing*

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement v.  
Enterprise Limousine, Inc.  
Docket No. C-2019-3013650

Dear Secretary Chiavetta:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion for Default Judgment in the above-referenced proceeding. Copies have been served on the parties of record in accordance with the Certificate of Service.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Chris M. Andreoli".

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Christopher M. Andreoli  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 85676  
(717) 772-8582  
[chandreoli@pa.gov](mailto:chandreoli@pa.gov)

Enclosures

cc: As per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,  
Bureau of Investigation and Enforcement,  
Complainant

v.

Enterprise Limousine, Inc.  
Respondent

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: Docket No. C-2019-3013650  
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**NOTICE TO PLEAD**

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) has filed a Motion for Default Judgment in the above-captioned matter, pursuant to the Commission’s regulations at 52 Pa. Code § 5.103. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with 52 Pa. Code § 5.61.

Your Answer must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

Additionally, you must serve a copy on the undersigned prosecutor.



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Christopher M. Andreoli  
Prosecutor  
PA Attorney ID No. 85676

Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
(717) 772-8582  
[chandreoli@pa.gov](mailto:chandreoli@pa.gov)

Dated: January 31, 2020



6. The twenty (20) days to file an Answer to the Complaint expired on November 11, 2019.

7. Respondent did not file an Answer to the Complaint.

8. Pursuant to Section 5.61(c) of the Commission's regulations, a Respondent who fails to file an Answer to a Complaint within the 20-day response period may be deemed in default, and the relevant facts stated in the Complaint may be deemed admitted. 52 Pa. Code § 5.61(c).

9. The Commonwealth Court has upheld the Commission's authority to sustain complaints that are not answered within twenty days. *See Fusaro v. Pa. Pub. Util. Comm'n*, 382 A.2d 794, 797 (Pa. Cmwlth. 1978).

10. Respondent did not pay the outstanding assessment balance of \$1,248 for the July 1, 2017 to June 30, 2018 Fiscal Year ("2017-2018 Fiscal Year") or the total civil penalty of \$187<sup>1</sup> that was sought in the Complaint for Respondent's failure to timely pay the assessment.

11. I&E respectfully requests that the Commission enter a Default Order against Respondent that:

- a. Directs Respondent to pay a total of \$1,435, which consists of its outstanding assessment of \$1,248 for the 2017-2018 Fiscal Year and the requested civil penalty of \$187, within thirty (30) days of the entry date of the Commission's Order;

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<sup>1</sup> This civil penalty is based on a review of Respondent's history of compliance with the Public Utility Code and Commission regulations and orders for three years prior to the date that I&E filed its Complaint in this matter, the need to deter future violations, and prior Commission decisions in similar situations pursuant to 52 Pa. Code §§ 69.1201(c)(6), (8), and (9). Due to Respondent's acceptable compliance history, I&E requested that Respondent pay a total civil penalty of \$187, which is 15% of Respondent's outstanding assessment related to the 2017-2018 Fiscal Year.

- b. Directs the Bureau of Technical Utility Services to cancel Respondent's Certificate of Public Convenience at A-2008-2038888 if Respondent fails to pay the total set forth in subparagraph (a), above, within thirty (30) days of the entry date of the Commission's Order;
- c. Notifies Respondent that a copy of this Order will be sent to the Pennsylvania Department of Transportation for the suspension or revocation of vehicle registrations that were used under Respondent's operating authority if Respondent fails to pay the total set forth in subparagraph (a), above, within thirty (30) days of the entry date of the Commission's Order; and
- d. Directs the Bureau of Administrative Services, Assessment Section, to refer the matter to the Pennsylvania Office of Attorney General for collection of the total set forth in subparagraph (a), above, if Respondent fails to pay that total within thirty (30) days of the entry date of the Commission's Order.

Respectfully submitted,



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Christopher M. Andreoli  
Prosecutor  
PA Attorney ID No. 85676

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
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Date: January 31, 2020

**BEFORE THE  
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**VERIFICATION**

I, Amy Zuvich, Chief of Finance and Assessments, Bureau of Administration, Finance and Assessment Section, 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 the Bureau will 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: January 31, 2020

  
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Amy Zuvich, Chief of Finance and Assessments  
Finance and Assessment Section  
Bureau of Administration  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120

# **ATTACHMENT 1**

# USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

**Tracking Number:** 9171969009350215943670

[Remove X](#)

Your item was delivered at 1:12 pm on October 25, 2019 in SOUTHAMPTON, PA 18966.

## **Delivered**

October 25, 2019 at 1:12 pm  
Delivered  
SOUTHAMPTON, PA 18966

[Feedback](#)

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**Return Receipt Electronic**



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**Tracking History**



**October 25, 2019, 1:12 pm**

Delivered  
SOUTHAMPTON, PA 18966

Your item was delivered at 1:12 pm on October 25, 2019 in SOUTHAMPTON, PA 18966.

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**October 23, 2019, 1:28 pm**

Notice Left (No Authorized Recipient Available)  
SOUTHAMPTON, PA 18966

**October 23, 2019**

In Transit to Next Facility

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**October 22, 2019, 10:28 am**

Arrived at USPS Regional Facility  
PHILADELPHIA PA DISTRIBUTION CENTER

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**October 21, 2019, 7:40 pm**

Arrived at USPS Regional Origin Facility  
HARRISBURG PA DISTRIBUTION CENTER

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**October 21, 2019, 6:25 pm**

Accepted at USPS Origin Facility  
HARRISBURG, PA 17120

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**October 21, 2019**

Pre-Shipment Info Sent to USPS, USPS Awaiting Item

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Feedback

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**Product Information**

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**See Less** ^

## Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

**FAQs**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2019-3013650
	:	
Enterprise Limousine, Inc.	:	
Respondent	:	

**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).

Notification by First Class Mail:

ELENA SHERMAN, PRESIDENT  
ENTERPRISE LIMOUSINE, INC.  
672 GRAY CIRCLE  
SOUTHAMPTON, PA 18966



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Christopher M. Andreoli  
Prosecutor  
PA Attorney ID No. 85676

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
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Dated: January 31, 2020