



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

March 10, 2020

Via Interoffice and Electronic Mail

Administrative Law Judge Dennis J. Buckley
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120
debuckley@pa.gov

Exhibit

IE-1

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Black Tie Limousine Service Inc.
Docket No. C-2018-3000163

Dear Judge Buckley,

Pursuant to your Hearing Cancellation/Reschedule Notice dated January 30, 2020, enclosed please find three (3) copies of the exhibits that the Bureau of Investigation and Enforcement ("I&E") intends to present at the initial telephonic hearing, which is scheduled for Tuesday, March 17, at 10:00 a.m.

I&E proposes to present the following exhibits:

1. Form E certification of Respondent, Black Tie Limousine Service Inc.'s, ("Respondent") liability insurance filed by American Country Insurance Company ("American Country"), received on August 23, 2017.
2. Form K cancellation of Respondent's liability insurance filed by American Country, received on December 14, 2017.
3. Notice of Suspension of PUC Operating Authority sent to Respondent on February 13, 2018.
4. Answer filed by Respondent, received on May 11, 2018.

In accordance with your Prehearing Order, I am also providing Respondent with a copy of I&E's exhibits.

Judge Buckley
March 10, 2020
Page 2

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

Very truly yours,



Matthew C. Fallings

Prosecutor

PA Attorney ID No. 326896

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-6150
mfallings@pa.gov

MCF/ac
Enclosures

cc: Joseph Gabbay
Black Tie Limousine Service, Inc.
102 Browning Lane Building B
Cherry Hill, NJ 08003
gtowncab@gmail.com
Sent by First-Class and Electronic Mail

I&E Exhibit 1

AUG 24 2017

A-00118861

Form E
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATION OF INSURANCE
(Electronic Filing)

Filed with Pennsylvania Public Utility Commission (Name of Agency)

This is to certify that the American Country Insurance Company (Name of Company)
(herein after called Company) of 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village, IL, 60007 (Home Address of Company)

NAIC# 38237

has issued to BLACK TIE LIMOUSINE SERVICES, INC. (Name of Motor Carrier) of 102 BROWNING LANE, CHERRY HILL, NJ, 08003 (Address of Motor Carrier)

A policy or policies of insurance effective from 09/28/2017 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Agency has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Agency a duplicate original of said policy or policies and all endorsements thereon. This certificate and the endorsement described herein may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effective by the Company or the insured giving thirty (30) days' notice in writing to the State Agency, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Agency.

Countersigned at 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village, IL, 60007 (Address) This 24th day of Aug 20 17 (Day) (Month) (Year)

Insurance Company File No. CA24196P2017 (REINSTATE) (Policy No.) Bruce Giles (Authorized Company Representative)

I&E Exhibit 2

DEC 14 2017

A-00118861

FORM K
UNIFORM NOTICE OF CANCELLATION OF
MOTOR CARRIER INSURANCE POLICIES
(Electronic Filing)

Check Type Cancelled
BI and P
Cargo

Filed with Pennsylvania Public Utility Commission (hereinafter called Commission)
(Name of Commission)

This is to advise that under the terms of a policy or policies issued to:

BLACK TIE LIMOUSINE SERVICES, INC.
(Name of Motor Carrier)

of 102 BROWNING LANE, CHERRY HILL, NJ, 08003
(Address of Motor Carrier)

by American Country Insurance Company NAIC# 38237
(Name of Company)

of 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village, IL 60007
(Address)

said policy or policies, including any and all endorsements forming a part thereof or certificates issued in connection therewith, is (are) hereby cancelled effective as of the 18th day of Feb, 20 18, 12:01 A.M. Standard time at the address of the insured as stated in said policy or policies provided such date is not less than thirty (30) days after the actual receipt of this notice by the Commission.

Insurance Company File No CA24198P2017
(Policy Number)

Bruce Giles
(Signature of Authorized Company Representative)

I&E Exhibit 3



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

I&E Exhibit 3
Page 1 of 1

IN REPLY PLEASE
REFER TO OUR FILE

February 13, 2018

A-00118861

BLACK TIE LIMOUSINE SERVICES IN
102 BROWNING LANE BUILDING B
CHERRY HILL, NJ 08003

NOTICE OF SUSPENSION OF PUC Limousine OPERATING AUTHORITY
Effective 02/16/2018
For expiration/cancellation of
Liability

As of 02/16/2018, your PUC operating authority is **SUSPENDED** due to your failure to maintain evidence of insurance on file with this Commission. **You may not operate while under suspension.** Operating while under suspension is subject to prosecution, which may result in cancellation of your authority.

Your insurer must file appropriate evidence of insurance with the Commission. Appropriate evidence of insurance is a FORM E for bodily injury and property damage liability insurance, a FORM H for cargo liability insurance, or a Surety Bond. These forms must be filed with the PUC by the Insurance Company or Agent, **not by you.** Incomplete forms, incorrect forms and fax transmittals will NOT be accepted. The Commission does permit electronic filing of these forms.

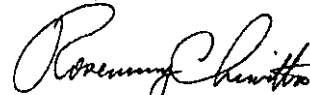
If this Commission does not receive acceptable evidence of insurance within ten (10) days of the suspension date, a Complaint will be instituted against you for failure to comply with this Commission's insurance requirements. The Complaint may result in the cancellation of your PUC operating authority.

If your insurer timely files appropriate evidence of insurance, you will receive Notice from the PUC authorizing you to resume operations. **You may not resume operations until you receive this Notice from the Commission.**

Please notify the Commission if you are no longer in business.

If you believe that you have received this Notice of Suspension in error or if you have any questions regarding the suspension of your authority, please contact the Motor Carrier Services and Enforcement Division in the Bureau of Investigation and Enforcement at 717-787-1227.

Very truly yours,


Rosemary Chiavetta
Secretary

pc: Bureau of Investigation and Enforcement - Safety Office
Bureau of Technical Utility Services - Compliance Office, Insurance Section

I&E Exhibit 4

~~PA
PUBLIC UTILITY COMMISSION
MAY 15 2018
BUREAU OF
TECHNICAL UTILITY SERVICES~~

RECEIVED

MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

DOCKET NO. C-2018-3000163

vs.

Black Tie Limousine Service., INC.

ANSWER

Respondent, Black Tie Limousine Service., INC., hereby responds to the Complaint filed in the above matter and avers the following:

1. Denied. It is denied that Respondent is under suspension effective February 16,2018 for failure to maintain evidence of Insurance on file with the Commission. On the contrary, Respondent had placed its certificate in Voluntary Suspension with the PPA, which went into effect on January 31,2018. Respondent has not operated any vehicle registered under Black Tie Limousine Service, Inc. since January 31,2018.

2.-3. Admitted.


4-5. Admitted and Denied.

It is admitted that the Respondent was directed to pay fines as set forth in these paragraphs.

It is denied that Respondent violated the statute. On the contrary, Respondent made a good faith effort to comply with all applicable laws, including those of the PPA and PUC . Act 94 of 2004 created a system of dual regulation by the PUC and the PPA for Limousine operators who are operating both in the city and in other areas of the Commonwealth. Under the scheme of dual regulation, PUC and PPA rules and regulation are not working in a harmonious fashion which created confusion and expense, as seen by this complaint . C-2018-3000163

**WHEREFORE, Respondent, Black Tie Limousine Service, Inc, respectfully requests that
the Complaint in this matter be dismissed as moot.**

Respectfully Submitted,



Joseph Gabbay

5-9-18



Taxicab and Limousine Division
2415 S. Swanson Street
Philadelphia, PA 19148-4113

RECEIVED

MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

TLD Administration
Taxicab and Limousine Division
Philadelphia Parking Authority
Direct Line (215) 683-9895
Facsimile (215) 683-9437
E-Mail: tldadmin@philapark.org

February 7, 2018

VIA E-MAIL ONLY TO gtowncab@gmail.com

Joseph Gabay, Key Employee
c/o Black Tie Limousine Services Inc.
800 Chestnut Street, Suite 103
Philadelphia, Pa 19107

Re: CPC-1 Voluntary Suspension Application
Black Tie Luxury Limousine Service Inc., CPC No. 1010279-07

Mr. Joseph Gabay:

The Taxicab and Limousine Division ("TLD") has reviewed the CPC-1 Black Tie "Voluntary Suspension Application" filed by Black Tie Limousine Services Inc. ("Black Tie") on January 31, 2018. Black Tie is requesting to place its Luxury Limousine Service Certificate of Public Convenience ("CPC") No. 1010279-07 in voluntary suspension status.

It is *determined* that Black Tie is in compliance with 52 Pa. Code § 1051.13 (relating to voluntary suspension of certificate) and, therefore, the request is granted. The voluntary suspension status of Black Tie's CPC was effective as of January 31, 2018.

Please be advised that even though the aforementioned CPC is in voluntary suspension status, all applicable TLD filings are still due on the appropriate due dates (i.e. the filing of Form LM-1 "Limousine Renewal" by March 31st of each year, etc.) along with remaining in compliance with 52 Pa. Code § 1051.6 (relating to payment of outstanding fines, fees and penalties).

Black Tie Limousine Services Inc. may not provide Luxury Limousine Service in Philadelphia while its CPC is in voluntary suspension status. Once Black Tie Limousine Services Inc. wishes to remove its CPC from voluntary suspension status, please contact the TLD Administration Department at TLAdmin@philapark.org.

You have a right to appeal this decision pursuant to 52 Pa. Code § 1005.24. If you wish to do so, you must file a petition for a hearing with the Office of the Clerk within 15 days after service of this notice, which is no later than February 22, 2018 See 52 Pa. Code § 1005.24 for further details regarding important appeal requirements.

If you have any questions, you may contact me at (215) 683-9444 or at dmcmanus@philapark.org.

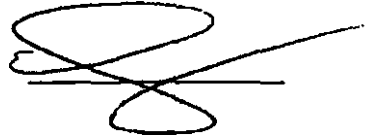
Sincerely,

Debra A. McManus

Debra A. McManus
Supervisor of Administration
Taxicab and Limousine Division

VERIFICATION

I, Joseph Cablor, state that I am an individual and representative authorized to act on behalf of Black Tie Limousine Service., INC, and have the authority to make this verification on its behalf. I verify that the statements made in the foregoing Responses to PUC Complaint are true and correct to the best of my knowledge, information and belief, based on review of books and records. I understand that the statements made herein are subject to the Penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.



Dated: 5-9-18
11

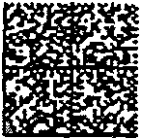

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MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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EXPECTED DELIVERY 05/14/2018		
SHIP TO:	PUC	0006
Commission Bureau of Transportation & Safety Attn: Rosemary Chiavetta		
PO BOX 3265 HARRISBURG PA 17105-3265		
USPS CERTIFIED MAIL		
		
9502 8000 0411 8131 0001 08		

FROM:

Black Tie Limo
800 Chestnut St.
Philadelphia, PA 19107

PA
PUBLIC UTILITY COMMISSION
~~MAY 15 2018~~
BUREAU OF
TECHNICAL UTILITY SERVICES

TO: PUC
Attn: Rosemary Chiavetta
Transportation and Safety
PO Box 3265
Harrisburg, PA 17105-3265



PS00001000014

EP14F July 2013
OD: 12.5 x 9.5

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18E Exhibit 4
Page 5 of 5



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

March 10, 2020

Via Interoffice and Electronic Mail

Administrative Law Judge Dennis J. Buckley
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120
debuckley@pa.gov

Exhibit

IE-2

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Black Tie Limousine Service Inc.
Docket No. C-2018-3000163

Dear Judge Buckley,

Pursuant to your Hearing Cancellation/Reschedule Notice dated January 30, 2020, enclosed please find three (3) copies of the exhibits that the Bureau of Investigation and Enforcement ("I&E") intends to present at the initial telephonic hearing, which is scheduled for Tuesday, March 17, at 10:00 a.m.

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2. Form K cancellation of Respondent's liability insurance filed by American Country, received on December 14, 2017.
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4. Answer filed by Respondent, received on May 11, 2018.

In accordance with your Prehearing Order, I am also providing Respondent with a copy of I&E's exhibits.

Judge Buckley
March 10, 2020
Page 2

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

Very truly yours,



Matthew C. Fallings
Prosecutor
PA Attorney ID No. 326896

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-6150
mfallings@pa.gov

MCF/ac
Enclosures

cc: Joseph Gabbay
Black Tie Limousine Service, Inc.
102 Browning Lane Building B
Cherry Hill, NJ 08003
gtowncab@gmail.com
Sent by First-Class and Electronic Mail

I&E Exhibit 1

AUG 24 2017

A-00118861

Form E
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATION OF INSURANCE
(Electronic Filing)

Filed with Pennsylvania Public Utility Commission (Name of Agency)

This is to certify that the American Country Insurance Company (Name of Company)
(Name after called Company) of 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village, IL, 60007 (Home Address of Company) NAIC# 38237

has issued to BLACK TIE LIMOUSINE SERVICES, INC. (Name of Motor Carrier) of 102 BROWNING LANE, CHERRY HILL, NJ, 08003 (Address of Motor Carrier)

A policy or policies of insurance effective from 09/28/2017 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Agency has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Agency a duplicate original of said policy or policies and all endorsements thereon. This certificate and the endorsement described herein may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effective by the Company or the insured giving thirty (30) days' notice in writing to the State Agency, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Agency.

Countersigned at 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village, IL, 60007 (Address) This 24th day of Aug 20 17 (Day) (Month) (Year)

Insurance Company File No. CA24196P2017 (REINSTATE) (Policy No) Bruce Giles (Authorized Company Representative)

I&E Exhibit 2

DEC 14 2017

A-00118861

FORM K
UNIFORM NOTICE OF CANCELLATION OF
MOTOR CARRIER INSURANCE POLICIES
(Electronic Filing)

Check Type Cancelled
BI and P
Cargo

Filed with Pennsylvania Public Utility Commission (hereinafter called Commission)
(Name of Commission)

This is to advise that under the terms of a policy or policies issued to:

BLACK TIE LIMOUSINE SERVICES, INC.
(Name of Motor Carrier)

of 102 BROWNING LANE, CHERRY HILL, NJ, 08003
(Address of Motor Carrier)

by American Country Insurance Company NAIC# 28237
(Name of Company)

of 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village IL 60007
(Address)

said policy or policies, including any and all endorsements forming a part thereof or certificates issued in connection therewith, is (are) hereby cancelled effective as of the 18th day of Feb, 2018, 12:01A.M. Standard time at the address of the insured as stated in said policy or policies provided such date is not less than thirty (30) days after the actual receipt of this notice by the Commission.

Insurance Company File No. CA24198P2017
(Policy Number)

Bruce Giles
(Signature of Authorized Company Representative)

I&E Exhibit 3



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

I&E Exhibit 3
Page 1 of 1

IN REPLY PLEASE
REFER TO OUR FILE

February 13, 2018

A-00118861

BLACK TIE LIMOUSINE SERVICES IN
102 BROWNING LANE BUILDING B
CHERRY HILL, NJ 08003

NOTICE OF SUSPENSION OF PUC Limousine OPERATING AUTHORITY
Effective 02/16/2018
For expiration/cancellation of
Liability

As of 02/16/2018, your PUC operating authority is **SUSPENDED** due to your failure to maintain evidence of insurance on file with this Commission. **You may not operate while under suspension.** Operating while under suspension is subject to prosecution, which may result in cancellation of your authority.

Your insurer must file appropriate evidence of insurance with the Commission. Appropriate evidence of insurance is a FORM E for bodily injury and property damage liability insurance, a FORM H for cargo liability insurance, or a Surety Bond. These forms must be filed with the PUC by the Insurance Company or Agent, **not by you.** Incomplete forms, incorrect forms and fax transmittals will NOT be accepted. The Commission does permit electronic filing of these forms.

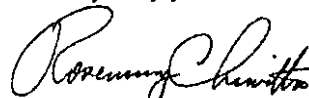
If this Commission does not receive acceptable evidence of insurance within ten (10) days of the suspension date, a Complaint will be instituted against you for failure to comply with this Commission's insurance requirements. The Complaint may result in the cancellation of your PUC operating authority.

If your insurer timely files appropriate evidence of insurance, you will receive Notice from the PUC authorizing you to resume operations. **You may not resume operations until you receive this Notice from the Commission.**

Please notify the Commission if you are no longer in business.

If you believe that you have received this Notice of Suspension in error or if you have any questions regarding the suspension of your authority, please contact the Motor Carrier Services and Enforcement Division in the Bureau of Investigation and Enforcement at 717-787-1227.

Very truly yours,


Rosemary Chiavetta
Secretary

pc: Bureau of Investigation and Enforcement - Safety Office
Bureau of Technical Utility Services - Compliance Office, Insurance Section

I&E Exhibit 4

~~PA
PUBLIC UTILITY COMMISSION
MAY 15 2018
BUREAU OF
TECHNICAL UTILITY SERVICES~~

RECEIVED

MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

DOCKET NO. C-2018-3000163

vs.

Black Tie Limousine Service., INC.

ANSWER

Respondent, Black Tie Limousine Service., INC., hereby responds to the Complaint filed in the above matter and avers the following:

1. Denied. It is denied that Respondent is under suspension effective February 16,2018 for failure to maintain evidence of Insurance on file with the Commission. On the contrary, Respondent had placed its certificate in Voluntary Suspension with the PPA, which went into effect on January 31,2018. Respondent has not operated any vehicle registered under Black Tie Limousine Service, Inc. since January 31,2018.

2.-3. Admitted.

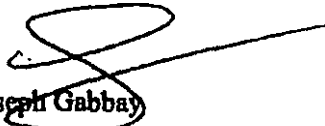
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It is denied that Respondent violated the statute. On the contrary, Respondent made a good faith effort to comply with all applicable laws, including those of the PPA and PUC . Act 94 of 2004 created a system of dual regulation by the PUC and the PPA for Limousine operators who are operating both in the city and in other areas of the Commonwealth. Under the scheme of dual regulation, PUC and PPA rules and regulation are not working in a harmonious fashion which created confusion and expense, as seen by this complaint . C-2018-3000163

**WHEREFORE, Respondent, Black Tie Limousine Service, Inc, respectfully requests that
the Complaint in this matter be dismissed as moot.**

Respectfully Submitted,


Joseph Gabbay

5-9-18



Taxicab and Limousine Division
2415 S. Swanson Street
Philadelphia, PA 19148-4113

RECEIVED

MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

TLD Administration
Taxicab and Limousine Division
Philadelphia Parking Authority
Direct Line (215) 683-9895
Facsimile (215) 683-9437
E-Mail: tldadmin@philapark.org

February 7, 2018

VIA E-MAIL ONLY TO stowncab@gmail.com

Joseph Gabay, Key Employee
c/o Black Tie Limousine Services Inc.
800 Chestnut Street, Suite 103
Philadelphia, Pa 19107

Re: CPC-1 Voluntary Suspension Application
Black Tie Luxury Limousine Service Inc., CPC No. 1010279-07

Mr. Joseph Gabay:

The Taxicab and Limousine Division ("TLD") has reviewed the CPC-1 Black Tie "Voluntary Suspension Application" filed by Black Tie Limousine Services Inc. ("Black Tie") on January 31, 2018. Black Tie is requesting to place its Luxury Limousine Service Certificate of Public Convenience ("CPC") No. 1010279-07 in voluntary suspension status.

It is determined that Black Tie is in compliance with 52 Pa. Code § 1051.13 (relating to voluntary suspension of certificate) and, therefore, the request is granted. The voluntary suspension status of Black Tie's CPC was effective as of January 31, 2018.

Please be advised that even though the aforementioned CPC is in voluntary suspension status, all applicable TLD filings are still due on the appropriate due dates (i.e. the filing of Form LM-1 "Limousine Renewal" by March 31st of each year, etc.) along with remaining in compliance with 52 Pa. Code § 1051.6 (relating to payment of outstanding fines, fees and penalties).

Black Tie Limousine Services Inc. may not provide Luxury Limousine Service in Philadelphia while its CPC is in voluntary suspension status. Once Black Tie Limousine Services Inc. wishes to remove its CPC from voluntary suspension status, please contact the TLD Administration Department at TLAdmin@philapark.org.

You have a right to appeal this decision pursuant to 52 Pa. Code § 1005.24. If you wish to do so, you must file a petition for a hearing with the Office of the Clerk within 15 days after service of this notice, which is no later than February 22, 2018 See 52 Pa. Code § 1005.24 for further details regarding important appeal requirements.

If you have any questions, you may contact me at (215) 683-9444 or at dmcmanus@philapark.org.

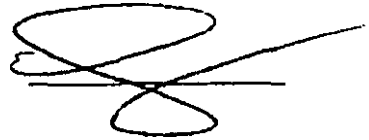
Sincerely,

Debra A. McManus

Debra A. McManus
Supervisor of Administration
Taxicab and Limousine Division

VERIFICATION

I, Joseph Gallo, state that I am an individual and representative authorized to act on behalf of Black Tie Limousine Service., INC, and have the authority to make this verification on its behalf. I verify that the statements made in the foregoing Responses to PUC Complaint are true and correct to the best of my knowledge, information and belief, based on review of books and records. I understand that the statements made herein are subject to the Penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.



Dated: 5-9-18

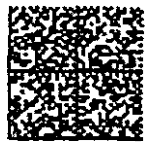

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MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PRESS FIRMLY TO SEAL

PRIORITY MAIL
POSTAGE REQUIRED

P		U.S. POSTAGE \$1.65 PM 2-DAY 08034 0006 Date of sale 05/11/18 06 2500 08353490
	PRIORITY MAIL 2-DAY®	
EXPECTED DELIVERY 05/14/2018		
SHIP TO:	PUC	0006
Commission Bureau of Transportation & Safety Attn: Rosemary Chiavetta		
PO BOX 3265 HARRISBURG PA 17105-3265		
USPS CERTIFIED MAIL		
		
9502 8000 0411 6131 0001 08		

FROM:
 Black Tie Limo
 800 Chestnut St.
 Philadelphia, PA 19107

~~PA
 PUBLIC UTILITY COMMISSION
 MAY 15 2018
 BUREAU OF
 TECHNICAL UTILITY SERVICES~~

TO: PUC
 Attn: Rosemary Chiavetta
 Transportation and Safety
 PO Box 3265
 Harrisburg, PA 17105-3265

I&E Exhibit 4
 Page 5 of 5



PS00001000014

EP14F July 2013
 OD: 12.5 x 9.5

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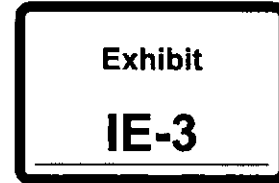
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

March 10, 2020

Via Interoffice and Electronic Mail

Administrative Law Judge Dennis J. Buckley
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, PA 17120
debuckley@pa.gov



Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
Black Tie Limousine Service Inc.
Docket No. C-2018-3000163

Dear Judge Buckley,

Pursuant to your Hearing Cancellation/Reschedule Notice dated January 30, 2020, enclosed please find three (3) copies of the exhibits that the Bureau of Investigation and Enforcement ("I&E") intends to present at the initial telephonic hearing, which is scheduled for Tuesday, March 17, at 10:00 a.m.

I&E proposes to present the following exhibits:

1. Form E certification of Respondent, Black Tie Limousine Service Inc.'s, ("Respondent") liability insurance filed by American Country Insurance Company ("American Country"), received on August 23, 2017.
2. Form K cancellation of Respondent's liability insurance filed by American Country, received on December 14, 2017.
3. Notice of Suspension of PUC Operating Authority sent to Respondent on February 13, 2018.
4. Answer filed by Respondent, received on May 11, 2018.

In accordance with your Prehearing Order, I am also providing Respondent with a copy of I&E's exhibits.

Judge Buckley
March 10, 2020
Page 2

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

Very truly yours,



Matthew C. Fallings
Prosecutor
PA Attorney ID No. 326896

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-6150
mfallings@pa.gov

MCF/ac
Enclosures

cc: Joseph Gabbay
Black Tic Limousine Service, Inc.
102 Browning Lane Building B
Cherry Hill, NJ 08003
gtowncab@gmail.com
Sent by First-Class and Electronic Mail

I&E Exhibit 1

AUG 24 2017

A-00118861

Form E
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATION OF INSURANCE
(Electronic Filing)

Filed with Pennsylvania Public Utility Commission (Name of Agency)

This is to certify that the American Country Insurance Company (Name of Company) NAIC# 38237
(herein after called Company) of 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village, IL, 60007 (Home Address of Company)

has issued to BLACK TIE LIMOUSINE SERVICES, INC. (Name of Motor Carrier) of 102 BROWNING LANE, CHERRY HILL, NJ, 08003 (Address of Motor Carrier)

A policy or policies of insurance effective from 09/28/2017 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Agency has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Agency a duplicate original of said policy or policies and all endorsements thereon. This certificate and the endorsement described herein may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effective by the Company or the insured giving thirty (30) days' notice in writing to the State Agency, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Agency.

Countersigned at 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village, IL, 60007 (Address) This 24th day of Aug 20 17 (Day) (Month) (Year)

Insurance Company File No. CA24196P2017 (REINSTATE) (Policy No.) Bruce Giles (Authorized Company Representative)

I&E Exhibit 2

DEC 14 2017

A-00118861

FORM K
UNIFORM NOTICE OF CANCELLATION OF
MOTOR CARRIER INSURANCE POLICIES
(Electronic Filing)

Check Type Cancelled
BI and P
Cargo

Filed with Pennsylvania Public Utility Commission (hereinafter called Commission)
(Name of Commission)

This is to advise that under the terms of a policy or policies issued to:

BLACK TIE LIMOUSINE SERVICES, INC.
(Name of Motor Carrier)

of 102 BROWNING LANE, CHERRY HILL, NJ, 08003
(Address of Motor Carrier)

by American Country Insurance Company NAIC# 38237
(Name of Company)

of 150 Northwest Point Blvd., 3rd Floor, Elk Grove Village, IL 60007
(Address)

said policy or policies, including any and all endorsements forming a part thereof or certificates issued in connection therewith, is (are) hereby cancelled effective as of the 19th day of Feb, 20 18, 12:01 A.M. Standard time at the address of the insured as stated in said policy or policies provided such date is not less than thirty (30) days after the actual receipt of this notice by the Commission.

Insurance Company File No. CA24198P2017
(Policy Number)

Bruce Giles
(Signature of Authorized Company Representative)

I&E Exhibit 3



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

I&E Exhibit 3
Page 1 of 1

IN REPLY PLEASE
REFER TO OUR FILE

February 13, 2018

A-00118861

BLACK TIE LIMOUSINE SERVICES IN
102 BROWNING LANE BUILDING B
CHERRY HILL, NJ 08003

NOTICE OF SUSPENSION OF PUC Limousine OPERATING AUTHORITY
Effective 02/16/2018
For expiration/cancellation of
Liability

As of 02/16/2018, your PUC operating authority is **SUSPENDED** due to your failure to maintain evidence of insurance on file with this Commission. **You may not operate while under suspension.** Operating while under suspension is subject to prosecution, which may result in cancellation of your authority.

Your insurer must file appropriate evidence of insurance with the Commission. Appropriate evidence of insurance is a FORM E for bodily injury and property damage liability insurance, a FORM H for cargo liability insurance, or a Surety Bond. These forms must be filed with the PUC by the Insurance Company or Agent, **not by you.** Incomplete forms, incorrect forms and fax transmittals will NOT be accepted. The Commission does permit electronic filing of these forms.

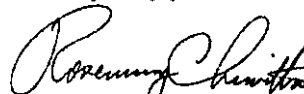
If this Commission does not receive acceptable evidence of insurance within ten (10) days of the suspension date, a Complaint will be instituted against you for failure to comply with this Commission's insurance requirements. The Complaint may result in the cancellation of your PUC operating authority.

If your insurer timely files appropriate evidence of insurance, you will receive Notice from the PUC authorizing you to resume operations. **You may not resume operations until you receive this Notice from the Commission.**

Please notify the Commission if you are no longer in business.

If you believe that you have received this Notice of Suspension in error or if you have any questions regarding the suspension of your authority, please contact the Motor Carrier Services and Enforcement Division in the Bureau of Investigation and Enforcement at 717-787-1227.

Very truly yours,


Rosemary Chiavetta
Secretary

pc: Bureau of Investigation and Enforcement - Safety Office
Bureau of Technical Utility Services - Compliance Office, Insurance Section

I&E Exhibit 4

PA
PUBLIC UTILITY COMMISSION
MAY 15 2018
BUREAU OF
TECHNICAL UTILITY SERVICES

RECEIVED

MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE PENNSYLVANIA
PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY
COMMISSION, BUREAU OF
TRANSPORTATION AND SAFETY

DOCKET NO. C-2018-3000163

vs.

Black Tie Limousine Service., INC.

ANSWER

Respondent, Black Tie Limousine Service., INC., hereby responds to the Complaint filed in the above matter and avers the following:

1. Denied. It is denied that Respondent is under suspension effective February 16,2018 for failure to maintain evidence of Insurance on file with the Commission. On the contrary, Respondent had placed its certificate in Voluntary Suspension with the PPA, which went into effect on January 31,2018. Respondent has not operated any vehicle registered under Black Tie Limousine Service, Inc. since January 31,2018.

2.-3. Admitted.

4-5. Admitted and Denied.

It is admitted that the Respondent was directed to pay fines as set forth in these paragraphs.

It is denied that Respondent violated the statute. On the contrary, Respondent made a good faith effort to comply with all applicable laws, including those of the PPA and PUC . Act 94 of 2004 created a system of dual regulation by the PUC and the PPA for Limousine operators who are operating both in the city and in other areas of the Commonwealth. Under the scheme of dual regulation, PUC and PPA rules and regulation are not working in a harmonious fashion which created confusion and expense, as seen by this complaint . C-2018-3000163

**WHEREFORE, Respondent, Black Tie Limousine Service, Inc, respectfully requests that
the Complaint in this matter be dismissed as moot.**

Respectfully Submitted,


Joseph Gabbay

5-9-18



Taxicab and Limousine Division
2415 S. Swanson Street
Philadelphia, PA 19148-4113

RECEIVED

MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

February 7, 2018

TLD Administration
Taxicab and Limousine Division
Philadelphia Parking Authority
Direct Line (215) 683-9895
Facsimile (215) 683-9437
E-Mail: tladmin@philapark.org

VIA E-MAIL ONLY TO stowncab@gmail.com

Joseph Gabay, Key Employee
c/o Black Tie Limousine Services Inc.
800 Chestnut Street, Suite 103
Philadelphia, Pa 19107

Re: CPC-1 Voluntary Suspension Application
Black Tie Luxury Limousine Service Inc., CPC No. 1010279-07

Mr. Joseph Gabay:

The Taxicab and Limousine Division ("TLD") has reviewed the CPC-1 Black Tie "Voluntary Suspension Application" filed by Black Tie Limousine Services Inc. ("Black Tie") on January 31, 2018. Black Tie is requesting to place its Luxury Limousine Service Certificate of Public Convenience ("CPC") No. 1010279-07 in voluntary suspension status.

It is determined that Black Tie is in compliance with 52 Pa. Code § 1051.13 (relating to voluntary suspension of certificate) and, therefore, the request is granted. The voluntary suspension status of Black Tie's CPC was effective as of January 31, 2018.

Please be advised that even though the aforementioned CPC is in voluntary suspension status, all applicable TLD filings are still due on the appropriate due dates (i.e. the filing of Form LM-1 "Limousine Renewal" by March 31st of each year, etc.) along with remaining in compliance with 52 Pa. Code § 1051.6 (relating to payment of outstanding fines, fees and penalties).

Black Tie Limousine Services Inc. may not provide Luxury Limousine Service in Philadelphia while its CPC is in voluntary suspension status. Once Black Tie Limousine Services Inc. wishes to remove its CPC from voluntary suspension status, please contact the TLD Administration Department at TLAdmin@philapark.org.

You have a right to appeal this decision pursuant to 52 Pa. Code § 1005.24. If you wish to do so, you must file a petition for a hearing with the Office of the Clerk within 15 days after service of this notice, which is no later than February 22, 2018. See 52 Pa. Code § 1005.24 for further details regarding important appeal requirements.

If you have any questions, you may contact me at (215) 683-9444 or at dmcmanus@philapark.org.

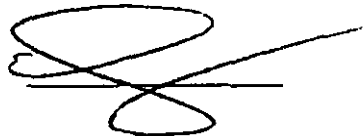
Sincerely,

Debra A. McManus

Debra A. McManus
Supervisor of Administration
Taxicab and Limousine Division

VERIFICATION

I, Joseph G. Gator, state that I am an individual and representative authorized to act on behalf of Black Tie Limousine Service., INC, and have the authority to make this verification on its behalf. I verify that the statements made in the foregoing Responses to PUC Complaint are true and correct to the best of my knowledge, information and belief, based on review of books and records. I understand that the statements made herein are subject to the Penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.



Dated: 5-9-18
11

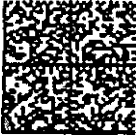

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MAY 11 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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P		U.S. POSTAGE \$11.85 PM 2-DAY 08034 0006 Date of sale 05/11/18 08 2500 05 08353490 05
	PRIORITY MAIL 2-DAY®	
EXPECTED DELIVERY 05/14/2018		
SHIP TO:	PUC	0006
Commission Bureau of Transportation & Safety Attn: Rosemary Chiavetta		
PO BOX 3265 HARRISBURG PA 17105-3265		
USPS CERTIFIED MAIL		
		
9502 8000 0411 6131 0001 08		

FROM:

Black Tie Limo
800 Chestnut St.
Philadelphia, PA 19107

PA
PUBLIC UTILITY COMMISSION
MAY 15 2018
BUREAU OF
TECHNICAL UTILITY SERVICES

TO: PUC
Attn: Rosemary Chiavetta
Transportation and Safety
PO Box 3265
Harrisburg, PA 17105-3265



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OD: 12.5 x 9.5

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18E Exhibit 4
Page 5 of 5