

Before the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

|                         |   |                           |
|-------------------------|---|---------------------------|
| PENNSYLVANIA PUBLIC     | ) |                           |
| UTILITY COMMISSION,     | ) | Docket No. C-2019-3011248 |
| BUREAU OF INVESTIGATION | ) |                           |
| AND ENFORCEMENT         | ) |                           |
|                         | ) |                           |
| v.                      | ) |                           |
|                         | ) |                           |
| GREENS TAXI INC.        | ) |                           |

PETITION TO REINSTATE  
CERTIFICATES OF PUBLIC CONVENIENCE

AND NOW, COMES Petitioner, GREENS TAXI INC., by its attorneys, Vuono & Gray, LLC, and petitions the Commission as follows:

1. Petitioner is Greens Taxi, Inc., 8200 Noblestown Rd., McDonald, PA 15057.
2. Petitioner was issued the following Certificates of Public Convenience

("Certificates") by the Commission:

2.1 Petitioner's Certificates for Taxi (A-00115729) and Group and Party 15 or less (A-00115729F0003) authorities were issued on October 6, 1999.

2.2 Petitioner's Certificate for Paratransit authority (A-00115729F0004) was issued on January 16, 2014.

3. Petitioner's Certificates were cancelled following an Order entered on May 21, 2020 that granted a Motion for Default Judgment filed by the Commission's Bureau of Investigation and Enforcement on January 31, 2020, and a subsequent final cancellation letter dated September 1, 2020 that cancelled the Certificates of Public Convenience held by Greens, Taxi, Inc. at Application Docket No.(s) A-00115729, A-00115729, F. 3, and A-00115729, F. 4.

4. The Commission has identified the following five (5) factors which are particularly relevant to the determination of a petition to reinstate: (1) the amount of time which elapsed between cancellation of the certificate and the filing of a petition to reinstate; (2) the

petitioner's record of compliance with the Public Utility Code and the rules and regulations of the Commission; (3) the reasonableness of the excuse given for the violation which caused cancellation of its certificate, Re Bishop, 58 Pa. P.U.C. 519 (1984); (4) whether the petitioner has implemented procedures to prevent a recurrence of the circumstances giving rise to the subject complaint, PUC v. Grimm Motors, Docket No. A-00111048, et al. (May 1, 1998); and (5) whether the petitioner is in compliance with the requirement that all assessments must be current prior to reinstatement, Re: M.S. Carriers, Inc., Docket No. A-00110601 (May 4, 1999).

5. Insofar as the first factor is concerned, Petitioner has filed this Petition well within one (1) year after it received notification of the cancellation of its Certificates; in fact, the Petition has been filed within one (1) month of the notice of cancellation. The Commission in *Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. William T. Malloy, d/b/a Are You Moving, Co.*, Docket No. A-00106620C0301 granted a Petition where less than a year expired, stating: "We note that less than a year elapsed between the cancellation on March 9, 2004, and the Petitioner's request for reinstatement on February 22, 2005. This factor weighs favorably toward granting reinstatement." The Commission has consistently applied this standard. It should also be applied in this case.

6. Insofar as the second factor is concerned, although Petitioner does not have a perfect history of compliance with the Commission, Petitioner satisfied its outstanding assessments and civil penalties for fiscal years prior to the 2017-2018 Fiscal Year assessment that is the subject of the Complaint filed against Petitioner at Docket No. C-2019-3011248. Moreover, Petitioner recently made a cashier's check payment to the Commission that satisfied the total amount of the assessment and civil penalty demanded by the Complaint at Docket No. C-2019-3011248, \$6,864 (including the outstanding assessment balance of \$4,691 and the civil penalty of \$2,173).

7. Insofar as the third factor is concerned, Petitioner's excuse for the violation that caused the Certificates to be cancelled is that Petitioner never received notice of the Motion for Default Judgment or the Order granting such motion. The Commission has determined that the service issue was a problem on the Commission's end.

8. Insofar as the fourth factor is concerned, Petitioner has implemented procedures to prevent a recurrence of the circumstances giving rise to the subject complaint, i.e., failure to timely pay assessments. Specifically, Petitioner has designated an employee, Bill Jordan, to ensure that assessments are paid timely going forward. Additionally, Petitioner has designated that my office receives all notices from the PUC going forward.

9. Insofar as the fifth factor is concerned, Petitioner has paid all outstanding fines and assessments necessary for reinstatement and understands that reinstatement, if granted, will be conditioned upon payment of any and all outstanding fines and assessments.

WHEREFORE, Petitioner, GREENS TAXI INC., respectfully requests that the Commission reinstate its Certificates of Public Convenience.

Respectfully submitted,

VUONO & GRAY, LLC

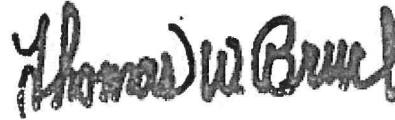
By: 

William H. Stewart III, Esq.  
Attorney for Petitioner

VUONO & GRAY, LLC  
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Dated: September 30, 2020

VERIFICATION

I verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

A handwritten signature in black ink that reads "Thomas W. Bruce". The signature is written in a cursive style with a large initial 'T'.

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Thomas W. Bruce

Dated: September 30, 2020