



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

BUREAU OF  
INVESTIGATION  
&  
ENFORCEMENT

June 22, 2022

**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.  
AAA Cab Co T/A Pottstown Cab Co and T/A Phoenixville Cab Co  
Docket No. C-2022-3032544  
**Motion for Default Judgment**

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. A copy has been served on the party 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 'Alphonso Arnold III'. The signature is written in a cursive, slightly slanted style.

Alphonso Arnold III  
Prosecutor  
Bureau of Investigation and Enforcement  
PA Attorney ID No. 318487  
(717) 787-3836  
[alphonarno@pa.gov](mailto:alphonarno@pa.gov)

AA/ac  
Enclosures

cc: Per Certificate of Service

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	Docket No. C-2022-3032544
	:	
AAA Cab Co T/A Pottstown Cab Co and	:	
T/A Phoenixville Cab Co	:	

**NOTICE TO PLEAD**

The Bureau of Investigation and Enforcement of the Pennsylvania Public Utility 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.

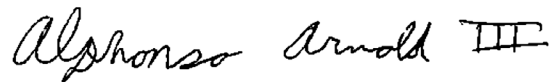
Your response must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:

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

Or you may eFile your response using the Commission’s website at [www.puc.pa.gov](http://www.puc.pa.gov). The link to eFiling is located under the Filing & Resources tab on the homepage.

Additionally, you must send a copy to the undersigned prosecutor through mail or through email.

Respectfully submitted,



Alphonso Arnold II  
Prosecutor  
PA Attorney ID No. 318487

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
(717) 787-3836  
[alphonarno@pa.gov](mailto:alphonarno@pa.gov)

Date: June 22, 2022

**BEFORE THE  
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**MOTION FOR DEFAULT JUDGMENT**

NOW COMES the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”), by its prosecuting attorneys, and files this Motion for Default Judgment against AAA Cab Company T/A Pottstown Cab Company and T/A Phoenixville Cab Company (“Respondent”) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support of its Motion, I&E respectfully represents the following:

1. I&E commenced this action on May 20, 2022, by filing a Complaint.
2. The Complaint in this matter alleged that the Respondent failed to satisfy its 2020-2021 and 2021-2022 Fiscal Year assessments and failed to report its intrastate gross operating revenues for the 2019 and 2020 calendar years, all in violation of the Pennsylvania Public Utility Code.
3. On May 20, 2022, the Complaint was served by electronic mail to Respondent at [amtlogisticsinc@yahoo.com](mailto:amtlogisticsinc@yahoo.com), which is the last known email address that the Respondent provided to the Commission.
4. Service by the Commission was completed in this matter by electronic mail in compliance with a recent Commission Order permitting the Commission to serve documents electronically regardless of whether a particular party has agreed to electronic service. *See*

(Order entered March 10, 2022).

5. Attached to the Complaint was a Notice advising the Respondent that it must file an Answer within twenty (20) days of the date of service of the Complaint

6. The Notice advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order imposing the penalties set forth in the Complaint.

7. The Notice also advised Respondent that it could elect not to contest the Complaint by paying the past due assessment and civil penalty within twenty (20) days.

8. The twenty (20) day period for the Respondent to file an Answer or to pay the past due assessments and civil penalty expired June 9, 2022.

9. As of the date of this filing, Respondent has neither filed an Answer to the Complaint nor paid the past due assessments and civil penalty.

10. 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).

11. 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).

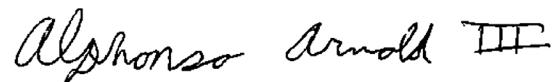
12. Respondent did not pay the outstanding assessment balance of \$463 for the 2020-2021 and 2021-2022 Fiscal years or the \$600 civil penalty that was sought in the

Complaint for Respondent's failure to timely pay the assessments and for the Respondent's failure to report its gross intrastate operating revenues for the 2019 and 2020 calendar years.

13. I&E respectfully requests that the Commission enter a Default Order against Respondent that sustains I&E's complaint and:

- a. Directs Respondent to pay a total of \$1,063, which consists of its outstanding assessment balance of \$463 for the 2020-2021 and 2021-2022 Fiscal years and the requested civil penalty of \$600, within thirty (30) days of the entry date of the Commission's Order;
- b. Directs the Bureau of Technical Utility Services to cancel Respondent's Certificate of Public Convenience at A-00120051 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 Administration, 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,



Alphonso Arnold II

Prosecutor

PA Attorney ID No. 318487

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
(717) 787-3836  
[alphonarno@pa.gov](mailto:alphonarno@pa.gov)

Date: June 22, 2022

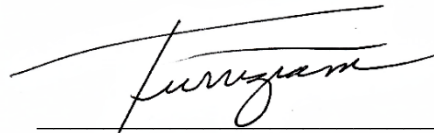
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T/A Phoenixville Cab Co	:	

**VERIFICATION**

I, Andrew Turriziani, Chief of Motor Carrier Enforcement, Bureau of Investigation and Enforcement, 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: June 22, 2022



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Andrew Turriziani, Chief  
Motor Carrier Enforcement  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

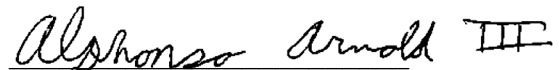
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T/A Phoenixville Cab Co	:	

**CERTIFICATE OF SERVICE**

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

**Served via Electronic Mail**

AAA Cab Co  
T/A Pottstown Cab Co and T/A Phoenixville Cab Co  
1354 Buchert Road  
Pottstown, Pa 19464  
Email: [amtlogisticsinc@yahoo.com](mailto:amtlogisticsinc@yahoo.com)

  
Alphonso Arnold III  
Prosecutor  
PA Attorney ID No. 318487

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement  
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