



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

June 26, 2023

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.
American Limousine LLC
Docket No. C-2023-3037506
I&E 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. 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 'Alphonso Arnold III'. The signature is written in a cursive style with a stylized 'III' at the end.

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

AA/jfm
Enclosures

cc: Per Certificate of Service
Administrative Law Judge Marta Guhl (*via email – mguhl@pa.gov*)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-3037506
	:	
American Limousine LLC,	:	
Respondent	:	

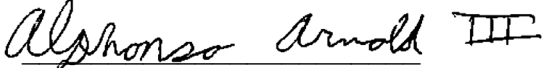
NOTICE TO PLEAD

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.


Alphonso Arnold III
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

Dated: June 26, 2023

4. In the February 23, 2023, Amended Complaint I&E alleged that Respondent violated Section 510(b) of the Code, 66 Pa.C.S. § 510(b), by failing to report its gross intrastate operating revenues for the 2021 calendar year and violated Section 510(c) of the Code, 66 Pa.C.S. § 510(c), by failing to satisfy its 2022-2023 Fiscal Year assessment.

5. On May 31, 2023, the Amended Complaint was served to Respondent by certified mail to its mailing address on record with the Commission at 438 Seminole Street, Lester, PA 19029.¹

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

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

8. The twenty (20) days to file an Answer to the Amended Complaint expired on June 20, 2023.

9. Respondent did not file an Answer to the Amended Complaint.

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).

¹ This was the Commission's fourth attempt to serve the Amended Complaint to Respondent.

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 its outstanding 2020-2021, 2021-2022, and 2022-2023 Fiscal Year assessment balances totaling \$21,861 or the \$4,779 civil penalty that was requested in the Complaint for failure of the Respondent to pay its outstanding assessments and file its 2019, 2020, and 2021 calendar year assessment reports.

13. I&E respectfully requests that the Commission sustain the Complaint and enter an Order against Respondent that:

a. Orders Respondent to pay a total of \$26,640, which consists of its outstanding assessment balance of \$21,861 and a civil penalty of \$4,779. Said payment should be made by certified check or money order, made payable to the “Commonwealth of Pennsylvania” with the docket number of this proceeding listed on the check, and mailed to the Secretary’s Bureau of the Commission, within thirty (30) days of the entry date of the Commission’s Order;

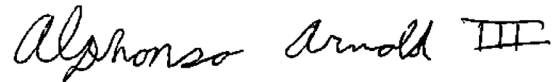
b. Orders Respondent to file assessment reports on a going-forward basis;

c. If payment of the assessments and civil penalty is not made in full within the time prescribed:

i. Orders the Bureau of Technical Utility Services to cancel the Certificate of Public Convenience held by American Limousine LLC without further action by the Commission;

- ii. Orders the Bureau of Administrative Services, Assessment Section, to refer this matter to the Pennsylvania Office of Attorney General for collection of the total set forth above and appropriate action; and
- iii. Orders the Bureau of Technical Utility Services to certify motor vehicle registrations to the Pennsylvania Department of Transportation for suspension or revocation, if applicable.

Respectfully submitted,



Alphonso Arnold III
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

Date: June 26, 2023

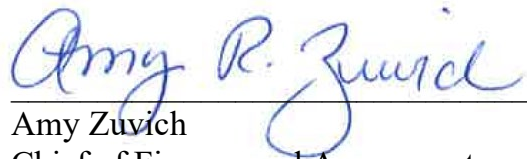
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2023-3037506
	:	
American Limousine LLC,	:	
Respondent	:	

VERIFICATION

I, Amy Zuvich, Chief of Finance and Assessments, Bureau of Administration, 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 of Investigation and Enforcement 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 26, 2023



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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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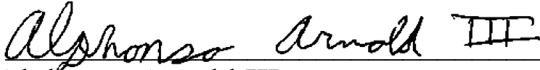
CERTIFICATE OF SERVICE

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 Certified First-Class Mail

American Limousine LLC
365 Rifle Camp Road, Suite 202
Woodland Park, NJ 07424-2776

American Limousine, LLC
438 Seminole Street
Lester, PA 19029


Alphonso Arnold III
Prosecutor
PA Attorney ID No. 318487

Pennsylvania Public Utility Commission
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Commonwealth Keystone Building
400 North Street
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Dated: June 26, 2023