

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

V. :

DOCKET NO. C-2023-3041390

GALIB NABIYEV :
AFA FARAJI :
1320 KELTON AVENUE APT 201 :
PITTSBURGH, PA 15216 :

COMPLAINT

The Pennsylvania Public Utility Commission (Commission or PUC) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That GALIB NABIYEV and AFA FARAJI, Respondents, maintains its principal place of business at 1320 Kelton Avenue, PO Box 201 Pittsburgh, Pennsylvania, 15216.

2. On April 28, 2023, PA PUC Enforcement Supervisor James Murray, PUC Enforcement Officers Christopher Urey, and Andrew Rosenberger were conducting an enforcement detail at the Rivers Casino Pittsburgh. During that detail Officer Urey approached a vehicle with a TAXI illuminated sign atop the vehicle, requested a ride from the Rivers Casino to the Rock Bottom Brewery. The driver (Nabiyev) told Officer Urey the cost would be a flat rate of \$35.00. Supervisor Murray then approached the driver and identified himself as an PA PUC Enforcement Supervisor and requested the driver's license and registration. These documents were provided to Officer Rosenberger to conduct a Driver/Vehicle Compliance Report (DVCR).

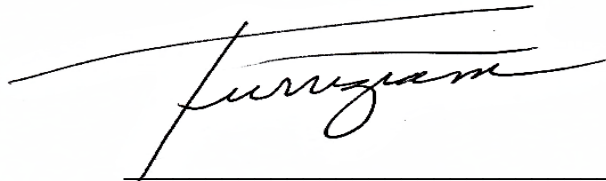
3. That at that time Officer Rosenberger completed a (DVCR) of the vehicle, a 2011 Toyota Taxi, registration no. MDK7841, the last four (4) digits of the identification number being 9243, discovering that the vehicle is registered to Afa Faraji. Supervisor Murray explained to Mr. Nabiyev (driver/operator) of the requirement for PA PUC authority/certificate. The driver was advised to cease and desist operating as a call or demand operator until such authority/certificate is obtained/granted.

4. That a review of information in the PUC revealed that neither Mr. Nabiyev, operator, nor Afa Faraji, owner of the vehicle possesses a certificate/authority from the PA PUC to provide passenger transportation in call or demand service for compensation in the Commonwealth.

5. That Respondents, Galib Nabiyeu and Afa Faraji, by operating a vehicle for the purpose of transporting passengers for compensation, in call or demand service, within the Commonwealth of Pennsylvania without receiving certificate/authority from the Commission, has violated 66 Pa C.S. §3310(a). The penalty for this violation is \$1,000 and possible suspension of the vehicle registration by the Pennsylvania Department of Transportation.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the instant Complaint be SUSTAINED, that the Commission impose a civil penalty upon Galib Nabiyeu and Afa Faraji in the amount of one thousand dollars (\$1,000.00) for the violations described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

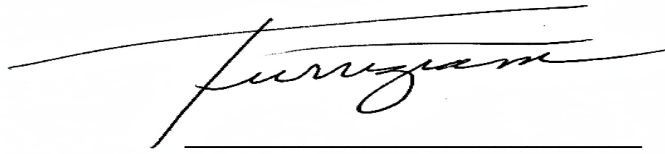
A handwritten signature in black ink, appearing to read "Turriziani", written over a horizontal line.

Andrew Turriziani, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Andrew Turriziani, 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 that the Bureau will be able to prove 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: 5 September 2023

A handwritten signature in black ink, appearing to read 'Turriziani', written over a horizontal line.

Andrew Turriziani, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement

NOTICE

- A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code §1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified, and the original shall be mailed to:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

Or you may **eFile your Answer** using the Commission's website at www.puc.pa.gov. The link to eFiling is located under the Filing & Resources tab on the homepage. If your Answer is 250 pages or less, you are not required to file a paper copy.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

Or, **e-mailed to:** RA-PCCmplntResp@pa.gov

- B. If you fail to answer this complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty. The penalty could include a fine, the suspension or revocation of your certificate of public convenience or other remedy.
- C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the **Commonwealth of Pennsylvania** and should be forwarded to:
- Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120
- D. Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceedings shall be closed.
- E. If you file an Answer, which admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing a penalty.
- F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at 717-787-8714.