

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

V. :

DOCKET NO. C-2023-3043133

CANYON COUNTRY CAB :
11960 ROUTE 6 :
WELLSBORO, PA 16910 :

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) 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, CANYON COUNTRY ELITE TRANSPORTATION SERVICES, Respondent, maintains its principal place of business at 11960 Route 6, Wellsboro, PA 16910.
2. That Respondent was issued a certificate of public convenience for airport transfer authority on November 26, 2013, group and party 15 passengers or less authority on January 6, 2016, paratransit authority on January 31, 2018, and taxi authority on January 31, 2018, by this Commission at PUC No. 6315888.
3. On November 8, 2023, PUC Motor Carrier Enforcement Supervisor Thomas Kepping, PUC Enforcement Officers Elliott Miller and Neal Ebbert conducted an inspection of vehicles and drivers' records as a result of a complaint filed with the Commission.
4. That the following driver records violations were found during the inspection specified in paragraph 2.
 - a. The last driver history on file is dated December 2020. Carrier is required to obtain a driver history on a yearly basis.
 - b. The last criminal history on file is dated December 2020. Carrier is required to obtain a criminal history every two years.
5. That two taxi vehicles were inspected. A 2014 Ford Transit, PA registration TX49741 last 4 digits of the vehicle identification number being 3604; and a 2013 Ford Taurus, registration number TX48577, the last 4 digits of the vehicle identification number being 1244.
6. That upon physical inspection of two (2) taxi vehicles, both taxi vehicles had expired registrations.
7. Officer Miller inspected a 2009 Chevrolet bus registration BA77398 the last 4 with VIN number ending in 2695. The following violations were discovered at that time: The exhaust rusted off from the rear axle leading to exhaust fumes being released under the passenger area.

8. That Respondent, by failing to have current driver history has violated 52 PA Code §29.504. The penalty for this violation is one hundred dollars (\$100.00).

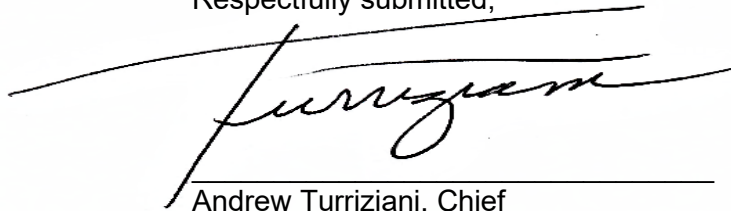
9. That Respondent, by failing to have a current criminal history on file has violated 52 PA Code §29.505. The penalty for this violation is one hundred dollars (\$100.00).

10. That Respondent, by permitting the referenced vehicles noted in paragraph 4 to be operated with expired registrations has violated 52 PA Code §29.403(8) §29.405 . The penalty for this violation is one hundred dollars per vehicle (\$200.00).

11. That Respondent, by utilizing a vehicle with a defective exhaust, has violated 52 PA Code § 29.402(1) 67 Pa. Code §175.65(a). The penalty for this violation is one hundred dollars (\$100.00).

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Canyon Country Elite Transportation Services, LLC, five hundred dollars (\$500.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

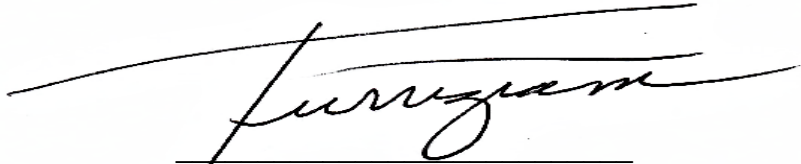
A handwritten signature in black ink, appearing to read "Turriziani", is written over a horizontal line. The signature is fluid and cursive.

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: 12 December 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. If your Answer exceeds 250 pages, you must file a paper copy with the Secretary's Bureau.

Additionally, a copy should either be mailed to:

Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
400 North Street, 3rd 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 proceeding 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.