

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

V. :

DOCKET NO. C-2024-3044158

LATINO TAXI SERVICE LLC :
25 EAST BROAD STREET :
WEST HAZLETON, PA 18202 :

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 Latino Taxi Service, LLC, Respondent, maintains its principal place of business at 25 East Broad Street, West Hazleton Pennsylvania, 18202.
2. That Respondent was issued a certificate of public convenience for taxi authority by this Commission on October 11, 2017, at PUC No. 6320054 certificate A-2017-2613993.
3. That on November 27, 2023, PUC Officer Neal Ebbert received a complaint filed regarding violations of the Commission regulations that occurred on November 6, 2023, involving taxi #129.
4. That on November 27, 2023, PUC Enforcement Officer Neal Ebbert conducted a meter course on taxi #129, and found that the meter displayed the correct amount for the metered course. Officer then questioned the driver, Juan Tavarez, about the incident regarding the passenger alleged that the meter was not used and being overcharged for a ride from Seybert Street to Walmart, both located on Airport Road in the city of Hazleton. Mr. Tavarez explained that he did use the meter, but he had to wait outside the passengers home and the pickup was at a time of day when more traffic was on the road.
5. That on November 27, 2023, Officer Ebbert requested the driver to transport Officer Ebbert along the same route and the meter displayed an amount of \$17.40 and with the additional charge of \$1.00 for a ride taking place after 4 pm the total charge was \$18.40. The passenger was charged \$18.00, which was an undercharge to the passenger.
6. After repeating the trip, Officer Ebbert conducted an inspection of the taxi, which was found to have an expired PA state inspection, expiring in October 2023.
7. Officer Ebbert then proceeded to the Latino Taxi office and reviewed driver (Mr. Tavarez's) file.
 - a. The last criminal history on file was dated July 29, 2021. Carrier is required to obtain a criminal history every two years
 - b. No driving record was in this file. Carrier is required to obtain a driver history on a yearly basis.
 - c. No log sheet was produced, driver Mr. Tavarez, stated the log sheet was at his house.

8. That Respondent, by allowing a vehicle to be operated with an expired PA state inspection sticker, has violated 52PA Code §29.403(8) §29.405. The penalty for this violation is \$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 failing to have a driver's current criminal history on file, has violated 52 Pa. Code §29.505 (b)(2). The penalty for this violation is \$100.00.

11. That Respondent, by failing to retain completed log sheets, violated 52 Pa. Code §29.313 (c). The penalty for this violation is \$50.00.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine Latino Taxi Service, LLC the amount of three hundred fifty dollars (\$350.00) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,



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

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: 10 January 2024



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** at: 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.