

NOTICE OF MOTOR CARRIER COMPLAINT

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 should 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 **mailed to**:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
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 and Resources tab on the homepage. If your Answer exceeds 250 pages, you must also file a paper copy with the Secretary's Bureau.

In addition to filing your Answer with the Commission's Secretary, a copy should either be

Mailed to: Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street, 3W
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 such 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 "Commonwealth of Pennsylvania"** and forwarded to:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
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 fine and/or other such remedy.

F. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge (ALJ) for hearing and decision. The ALJ 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.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

V. :

DOCKET NO. C-2025-3054395

G5 TAXI INC :
100 NORTH WILKES-BARRE BLVD STE 302 :
WILKES-BARRE, PA 18703 :

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-Motor Carrier Division hereby represents as follows:

1. That G5 TAXI INC, Respondent, maintains its principal place of business at 100 North Wilkes-Barre Blvd, Ste 302, Wilkes-Barre, Luzerne County, Pennsylvania, 18703.
2. That Respondent was issued a certificate of public convenience to transport, as a common carrier, by motor vehicle, persons in call or demand service between points in Lackawanna and Luzerne Counties, to points in Pennsylvania and return by this Commission on October 5, 2023, at PUC No. A-6325884, certificate A-2023-3037749.
3. That on April 2, 2025, PUC Enforcement Supervisor Thomas Kepping and Enforcement Officer’s Neal Ebbert and Kevin Kistulentz conducted a random inspection of the Respondent’s vehicles at 100 North Wilkes-Barre Boulevard, Wilkes-Barre Township, Luzerne County, PA.
4. That PUC Enforcement Officer Neal Ebbert inspected G5 taxi number 41, a 2015 Mitsubishi Taxi, registration number TX51565, the last 4 number of the vehicle identification number being 3910, driven by Jorge Luis Rivera Cruz. The following violations were found:
 - a. Battery securement device missing;
 - b. Left front tire less than 2/32” tread measured at two (2) major tread grooves;
 - c. Right rear tire less than 2/32” measured at two (2) major tread grooves, cord exposed contacting road; and
 - d. No log sheet in driver’s possession.
5. That PUC Enforcement Supervisor Thomas Kepping inspected G5 taxi number 19, a 2016 Toyota Highlander, registration number TX51848, the last 4 digits of the vehicle identification number being 4217, driven by Oscar Yoli Sierra. The following violations were found:
 - a. Left front steer axle tire has two (2) adjacent tread grooves that have tread wear indicators making contact with the road;
 - b. No tariff displayed in vehicle; and
 - c. No log sheet in driver’s possession.

6. That PUC Enforcement Officer Kevin Kistulentz inspected G5 taxi, a 2019 Honda Accord, registration number TX51800, the last 4 digits of the vehicle number being 5158, driven by David Vargas Marmolejos. The following violations were found.

- a. No log sheet in driver's possession;
- b. No PA certificate of inspection decal replaced after windshield replacement; and
- c. Driver failed to have his driver's license in his possession.

7. That Respondent, by allowing the vehicle described in numbered paragraph 4, above, to operate with the stated violations be cited as follows:

- a. With a battery securement device missing, has violated 52 Pa. Code 29.402(1) ref. 67 Pa. Code §175.66(n). The penalty for this violation is \$100.
- b. With two (2) tires with less than 2/32" tread at two (2) major tread grooves, has violated 52 Pa. Code § 29§402(1) ref. 67 Pa. Code §175.65(a). The penalty for this violation is \$100 for each tire for a total of \$200.
- c. With the vehicle driver failing to have a log sheet has violated 52 Pa. Code §29.313(c). The penalty for this violation is \$50.

8. That Respondent, by allowing a vehicle described in numbered paragraph 5, above, to operate with the stated violations be cited as follows:

- a. With a tire with less than 2/32" tread at two (2) major tread grooves, has violated 52 Pa. Code § 29§402(1) ref. 67 Pa. Code §175.65(a). The penalty for this violation is \$100.
- b. Without a tariff displayed in the vehicle as required, has violated 52 Pa. Code § 29. §316(a)(1)(i). The penalty for this violation is \$50.
- c. No log sheet in vehicle driver's possession has violated 52 Pa. Code §29.313(c). The penalty for this violation is \$50.

9. That Respondent, by allowing the vehicle described in numbered paragraph 6, above, to operate with the stated violations be cited as follows:

- a. No log sheet in vehicle driver's possession has violated 52 Pa. Code §29.313(c). The penalty for this violation is \$50.
- b. Without a valid inspection decal has violated 52 Pa. Code §29.405. The penalty for this violation is \$75.

WHEREFORE, the Bureau of Investigation and Enforcement hereby requests that the Commission fine G5 TAXI, INC, the amount of six hundred seventy-five dollars (\$675) for the illegal activity described in this Complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,



Brian B. Mehus, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
400 North Street
Harrisburg, PA 17120

VERIFICATION

I, Brian B. Mehus, 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: 14 May 2025

Brian B. Mehus, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement