



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

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

August 25, 2025

Via Electronic Filing

Matthew L. Homsher, 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.
Latino Taxi Service LLC
Docket No. C-2024-3044158
I&E Motion for Default Judgment

Dear Secretary Homsher:

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 blue ink, appearing to read 'G. Rosul', written over a light blue horizontal line.

Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

GR/ac
Enclosures

cc: Emily A. Farren, Administrative Law Judge (*via email* – efarren@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2024-3044158
	:	
Latino Taxi Service 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:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Additionally, you must serve a copy on the undersigned prosecutor.



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
grosul@pa.gov

Dated: August 25, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2024-3044158
	:	
Latino Taxi Service LLC,	:	
Respondent	:	

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorney, and files this Motion for Default Judgment against Latino Taxi Service LLC (“Respondent”) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E’s Motor Carrier Division commenced this action on January 10, 2024, by filing a Complaint against Respondent alleging violations of the Public Utility Code.

2. The Complaint alleged that Respondent violated 52 Pa. Code § 29.405 by allowing a vehicle to be operated with an expired Pennsylvania state inspection sticker, violated 52 Pa. Code § 29.504 for failing to have a current driver history on file for a driver, violated 52 Pa. Code § 29.505(b)(2) for failing to have a driver’s current criminal history on file, and violated 52 Pa. Code § 29.313(c) for failing to retain completed log sheets.

3. On January 10, 2024, the Complaint was first served on Respondent by certified mail to 25 East Broad Street, West Hazleton, PA 18202.

4. The Complaint was returned to the Commission by the United States Postal Service.

5. On February 24, 2024, the Complaint was published in the *Pennsylvania Bulletin* at 54 Pa.B. 1028, accomplishing service pursuant to 52 Pa. Code § 1.53(e).

6. Attached to the 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 Complaint, I&E would request that the Commission issue an Order imposing the penalty set forth in the Complaint.

8. On or about March 11, 2024, Respondent mailed to the Commission's Secretary's Bureau a stack of papers which included what appears to be a driver's log dated November 7, 2023, a receipt of a vehicle safety inspection for a 2014 Chevrolet sedan dated March 6, 2024, a criminal record check for Juan Tavarez dated March 6, 2024, and a driver's history generated from the Pennsylvania Department of Transportation website for Juan Tavarez dated March 6, 2024.

9. Although the documents mailed to the Secretary's Bureau do not constitute an Answer, they were erroneously marked as an "Answer" by the Secretary's Bureau upon receipt.

10. An Answer to a Complaint must:

- a. Set forth in paragraphs numbered to correspond with the complaint.
- b. Advise the parties and the Commission as to the nature of the defense.
- c. Admit or deny specifically all material allegations of the complaint.
- d. State concisely the facts and mater of law relied upon.

52 Pa. Code § 5.61(b).

11. The documents provided in the Respondent's mailing to the Secretary's Bureau is not in the form of an Answer, as it does not include numbered paragraphs to correspond with the complaint, does not advise I&E or the Commission as to the nature of the Respondent's defense,

does not admit or deny any allegation in the Complaint, and does not state any fact or law relied upon.

12. Additionally, Respondent failed to serve I&E and did not include a certificate of service in the documents, as required by 52 Pa. Code § 1.57.

13. Respondent failed to file an Answer to the Complaint or pay the civil penalty requested in the Complaint.

14. 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).

15. 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).

16. Respondent violated the Commission's regulations at 52 Pa. Code §§ 29.313(c), 29.405, 29.504, and 29.505(b)(2), as detailed in the Complaint.

17. Respondent holds a certificate of public convenience, at A-2017-2613993, and should be familiar with the Commission's regulations.

18. I&E respectfully requests that the Commission enter a Default Order against Respondent that:

- a. Directs Respondent to pay a civil penalty of \$350, as originally requested in the Complaint, within thirty (30) days of the date of a Commission Final Order;
- b. If payment of the civil penalty is not made within thirty (30) days of the date of a Commission Final Order, the Bureau of Investigation and Enforcement requests that the matter be referred to the Commission's Bureau of Technical Utility Services for cancellation of Respondent's Certificate of Public Convenience at A-2017-2613993;

- c. If payment of the civil penalty is not made as set forth herein, the Bureau of Investigation and Enforcement requests that the matter be referred to the Pennsylvania Office of Attorney General for appropriate action.

Respectfully submitted,



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
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Date: August 25, 2025

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Latino Taxi Service LLC,	:	
Respondent	:	

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).

Service via First-Class Mail and Electronic Mail

Latino Taxi Service LLC
Attn: Franciso Brito
29 East Broad Street
West Hazleton, PA 18202
Latinotaxi809@hotmail.com



Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

Dated: August 25, 2025