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2012-122-T

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2012- -T

IN RE: Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers For Failure to Maintain and File Evidence of Insurance	)	**PETITION FOR RULE TO SHOW CAUSE**

The Office of Regulatory Staff ("ORS"), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina ("the Commission"):

1. That the Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. §58-23-10 et seq. (1976 and Supp. 2011); that the ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. Section 58-4-10, et seq. as enacted by 2004 S.C. Acts 175.

2. That the companies listed in Exhibit A are currently operating as "motor vehicle carriers" as defined in S.C. Code Ann. §58-23-10(4) (Supp. 2011) in that they own, control, operate, or manage motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That the companies listed in Exhibit A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-23-1010 et seq. (1976 and Supp. 2011); further, that these companies have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public

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Convenience and Necessity as indicated in Exhibit A. See Exhibit A, List of Companies Failing to File Required Documents.

4. That the Companies listed in Exhibit A, upon receiving their Certificate of Public Convenience and Necessity, were found to be fit, willing and able to operate as a motor carrier by the Commission; that such authority found the companies were "familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina" and that they "agree to operate in compliance with these statutes and regulations" [26 S.C. Code Regs. 103-133(4)(a) (Supp. 2011)]; further, that the companies were "aware of the Commission's insurance requirements and the costs associated therewith" [26 S.C. Code Regs. 103-133(4)(b) (Supp. 2011)].

5. That the Commission requires motor carrier applicants to procure and file with the Commission proper proof of insurance and that the insurance "must be kept in full force and effect and failure to do so is cause for the revocation of the certificate." S.C. Code Ann. §58-23-910 (Supp. 2011).

6. That the Companies listed in Exhibit A have failed to file proof of insurance as required by S.C. Code Ann. §58-23-910 (Supp. 2011) and 26 S.C. Code Regs. 103-171 and/or 103-174 (Supp. 2011). See Exhibit B, Affidavit of Carole Chauvin.

7. That ORS notified the companies listed in Exhibit A, through certified mail, return receipt requested, of their failure to file the required documents providing evidence of insurance; that despite this notification, the listed companies have continued to fail to comply with the requirements of providing evidence of insurance.

8. That "either a failure to file evidence of insurance or surety bond or failure to keep all insurance or bonds in full force and effect shall be just cause for the Commission, without further evidence or hearing, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier." 26 S.C. Code Regs. 103-175 (Supp. 2011); further, that the insurance "must be kept in full force and effect and failure to do so is cause for the revocation of the certificate." S.C. Code Ann. §58-23-910 (Supp. 2011).

9. That "the Commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the Commission, provisions of the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the Commission, the motor carrier holding a Certificate of Public Convenience and Necessity is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the Commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria..." 26 S.C. Code Regs. 103-240 (Supp. 2011).

10. That "the Commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate willfully made any misrepresentation of a material fact in obtaining his certificate or willfully violated or refused to observe the laws of this State touching motor vehicle carriers or willfully violated any of the terms of his certificate or of the Commission's proper orders, rules or regulations." S.C. Code Ann. §58-23-320 (Supp. 2011).

11. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each carrier listed in Exhibit A. See Exhibit A, List of Companies Failing to File Required Documents. See also Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Issue an order requiring the carriers listed in Exhibit A to appear before the Commission and show cause why their Certificates of Public Convenience and Necessity should not be revoked by this Commission pursuant to 26 S.C. Code Regs. 103-240 (Supp. 2011);

2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates which the ORS seeks to have revoked by the Commission in this action pursuant to 26 S.C. Code Regs. 103-175 and 103-240 (Supp. 2011) and S.C. Code Ann. §58-23-320 (Supp. 2011).

3. Following the formal administrative hearing, immediately rule to revoke the Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided the Commission under S.C. Code Ann. §58-23-320 and thereafter immediately enter a final Order.

4. For other appropriate action which the Commission may deem necessary.

Jeffrey M. Nelson
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
Phone: (803)737-0800
Fax: (803)737-0895
Email: jnelson@regstaff.sc.gov

March 21, 2012
Columbia, South Carolina

No.	Docket #	Class	Type of Cert	Name	DBA	Address	City	State	Zip
				EXHIBIT A - MARCH 19, 2012CARRIERS OUT OF COMPLIANCE - NO INSURANCE - 3RD & 4TH QUARTER 2011					
1	2007-47-T	C	Charter	London Cabs, LLC	Advantage Transportation	13 White Tail Deer Ln	Hilton Head Island	SC	29926
2	2007-43-T	C	Taxi	London Cabs, LLC	Advantage Transportation	13 White Tail Deer Ln	Hilton Head Island	SC	29926
3	2008-388-T	C	Non-Emergency	ABS Trans Tours, LLC		PO Box 704	Irmo	SC	29063
4	2011-138-T	C	Taxi	Faye Overman	Arrow-Cab	6216 Frontage Rd	Myrtle Beach	SC	29572
5	2004-299-T	C	Taxi	James Allen, Jr.		303 Creek Dr	Quinby	SC	29506
6	2006-236-T	C	Charter	Daniel Odumodu	A-Class Ride Provider	1 White Tail Ct	Greenville	SC	29607
7	2002-347-T	C	Charter	Ray Charles Jones	Bestway Shuttle Service	903 Meadow Street	Columbia	SC	29205
8	2008-313-T	C	Taxi	Jacob Benezra		1301 Pridgen Rd Unit 1001	Myrtle Beach	SC	29577
9	2010-250-T	C	Taxi	Christian Bramson	Captain Taxi	1176 Shoreside Way	Mt Pleasant	SC	29464
10	2009-392-T	C	Taxi	Dwayne Brown		PO Box 13681	Florence	SC	29504
11	2007-53-T	A		Carolina Coach Company	Carolina Trailways	1201 South Blount St	Raleigh	NC	27601
12	2006-368-T	C	Charter	Charleston Executive, LLC		1107 Key Plaza #432	Key West	FL	33040
13	2008-40-T	C	Charter	D & L Limo/Taxi Service, LLC		886 Clubhouse Rd	Ridgeville	SC	29472
14	2011-161-T	C	Taxi	STATT Ventures, LLC	Delux Rides	514 Alder St Ste 1	Myrtle Beach	SC	29577
15	2000-0251-T	E	HHG	Dickert's Moving & Storage, Inc.		PO Box 941	Greenwood	SC	29648
16	1998-539-T	C	Taxi	Carrol Campbell	Greenville Metro Cab Co.	220 Westfield St	Greenville	SC	29601
17	2001-196-T	C	Charter Bus	Robert Garrison Putnam, Jr.	G & S Tours	PO Box 897	Lincolnton	NC	28093
18	1998-619-T	C	Charter Bus	Tony L. Graham	Graham's Tours	PO Box 71	Garnett	SC	29922
19	2007-217-T	C	Charter Bus	J & R Travels, Inc.		107 Erskine Dr	Tryon	NC	28782
20	1998-629-T	C	Charter Bus	Calvin Jackson	Jackson Bus Line	102 West Five Notch Rd	North Augusta	SC	29841
21	2010-108-T	C	Charter	Francisco Vizcarra	Luxurious Limousine Service	2374 Clandon Dr	Myrtle Beach	SC	29579
22	2010-129-T	C	Charter Bus	Francisco Vizcarra	Luxurious Limousine Service	2374 Clandon Dr	Myrtle Beach	SC	29579
23	1998-580-T	C	Charter Bus	Willie Carlisle Graham	Maharg Bus Company	Hwy 385	Gibson	NC	28343
24	2009-79-T	C	Charter	SCM Transportation, LLC		3704 Chapel Lane	Myrtle Beach	SC	29588
25	2009-442-T	C	Non-Emergency	SCM Transportation, LLC		3704 Chapel Lane	Myrtle Beach	SC	29588
26	2006-115-T	C	Charter	Randy Stewart		435 Katydid St	Sumter	SC	29154
27	2010-309-T	C	Charter Bus	American Go Team Services, LLC	The Go Bus	420 Maplewood Circle	Conway	SC	29526
28	2010-310-T	A		American Go Team Services, LLC	The Go Bus	420 Maplewood Circle	Conway	SC	29526
29	2006195-T	C	Charter Bus	Peter Washington	Washington Bus Line	#3 Wright Place	Hilton Head Island	SC	29925

EXHIBIT B

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. _____

March 19, 2012

IN RE: Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers	))))	AFFIDAVIT OF Carole Chauvin

The Affiant, after having been first duly sworn, deposes and states as follows:

1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.

2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.

3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").

4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.

5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.

6) On March 19, 2012, I examined the business records on file with ORS.

7) As a result of that examination, I attest that the proof of insurance as required by 26 S.C. Code Regs 103-171 and/or 103-174 has not been filed with ORS by the following carriers as of March 19, 2012: (See attached list)

EXHIBIT B

AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Carole Chauvin
Program Specialist, Transportation Department
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, S.C. 29201

Sworn and subscribed before me
this 19th day of March, 20 12

Notary Public for South Carolina
My Commission Expires: [illegible]

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IN RE: Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers For Failure to Maintain and File Evidence of Insurance	))))	**CERTIFICATE OF SERVICE**

This is to certify that I, Faith E. Shehane, have this date served one (1) copy of the **PETITON FOR RULE TO SHOW CAUSE** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

[COMPANYADDRESSES FOLLOWING ON NEXT PAGE]

Faith Shehane

Faith E. Shehane

March 21, 2012
Columbia, South Carolina

London Cabs, LLC
Advantage Transportation
13 White Tail Deer Ln
Hilton Head Island, SC 29926

ABS Trans Tours, LLC
PO Box 704
Irmo, SC 29063

Faye Overman
Arrow-Cab
6216 Frontage Rd
Myrtle Beach, SC 29572

James Allen, Jr.
303 Creek Dr
Quinby, SC 29506

Daniel Odumodu
A-Class Ride Provider
1 White Tail Ct
Greenville, SC 29607

Ray Charles Jones
Bestway Shuttle Service
903 Meadow Street
Columbia, SC 29205

Jacob Benezra
1301 Pridgen Rd Unit 1001
Myrtle Beach, SC 29577

Christian Bramson
Captain Taxi
1176 Shoreside Way
Mt Pleasant, SC 29464

Dwayne Brown
PO Box 13681
Florence, SC 29504

Carolina Coach Company
Carolina Trailways
1201 South Blount St
Raleigh, NC 27601

Charleston Executive, LLC
1107 Key Plaza #432
Key West, FL 33040

D & L Limo/Taxi Service, LLC
886 Clubhouse Rd
Ridgeville, SC 29472

STATT Ventures, LLC
Delux Rides
514 Alder St Ste 1
Myrtle Beach, SC 29577

Dickert's Moving & Storage, Inc.
PO Box 941
Greenwood, SC 29648

Carrol Campbell
Greenville Metro Cab Co.
220 Westfield St
Greenville, SC 29601

Robert Garrison Putnam, Jr.
G & S Tours
PO Box 897
Lincolnton, NC 28093

Tony L. Graham
Graham's Tours
PO Box 71
Garnett, SC 29922

J & R Travels, Inc.
107 Erskine Dr
Tryon, NC 28782

Calvin Jackson
Jackson Bus Line
102 West Five Notch Rd
North Augusta, SC 29841

Francisco Vizcarra
Luxurious Limousine Service
2374 Clandon Dr
Myrtle Beach, SC 29579

Willie Carlisle Graham
Maharg Bus Company
Hwy 385
Gibson, NC 28343

SCM Transportation, LLC
3704 Chapel Lane
Myrtle Beach, SC 29588

Randy Stewart
435 Katydid St
Sumter, SC 29154

American Go Team Services, LLC
The Go Bus
420 Maplewood Circle
Conway, SC 29526

Peter Washington
Washington Bus Line
#3 Wright Place
Hilton Head Island, SC 29925