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2019-271-T

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2019- -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 REVOCATION OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY OF CERTAIN MOTOR CARRIERS**

The South Carolina Office of Regulatory Staff ("ORS"), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina ("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*. (2015 and Supp. 2015); that ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. § 58-4-10 *et seq*. (2015 and Supp. 2015).

2. That the companies listed in Exhibit A have been approved by the Commission and certified by the ORS to operate as "motor vehicle carriers" as defined in S.C. Code Ann. § 58-23-10(4) (2015) 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, each having applied for and having an Order from the Commission to receive a Certificate of Public Convenience and Necessity ("PC&N") to operate a motor vehicle carrier as defined in S.C. Code Ann. § 58-23-10(4) (2015), have submitted to the jurisdiction of the Commission by holding said Certificate PC&N, and are therefore subject to the jurisdiction of this

Commission pursuant to S.C. Code Ann. § 58-23-1010 *et seq.* (2015 and Supp. 2015). See Exhibit A, Carriers Out of Compliance for Failure to Maintain and File Evidence of Insurance.

4. That the companies listed in Exhibit A, prior to receiving their Certificate of PC&N, were each found to be fit, willing and able to operate as a motor carrier by the Commission; from our understanding that in obtaining such authority the companies certified they are "familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina and agree to operate in compliance with these statutes and regulations." 10 S.C. Code Ann. Regs. 103-133(4)(a) (2012).

5. That, "[a] holder of a certificate A, B, or C with less than twenty vehicles must semiannually **on or before January first and July first of each year** pay to the Office of Regulatory Staff the following fees: for vehicles weighing not more than two thousand pounds, seven dollars and fifty cents; and for vehicles weighing in excess of two thousand pounds, seven dollars and fifty cents for the first two thousand pounds and two dollars and fifty cents additional for each additional five hundred pounds or part thereof of weight, except that the total license fee may not exceed fifty dollars per vehicle semiannually." S.C. Code Ann. § 58-23-560 (2015) (emphasis added).

6. That, pursuant to S.C. Code Ann. § 58-4-10 *et seq.* (2015 and Supp. 2015), beginning January 1, 2005, ORS must represent the public interest of South Carolina before the Commission and has authority to enforce collection of such fees.

7. That the companies listed in Exhibit A are subject to the fees listed in S. C. Code Ann. § 58-23-560 (2015) and have failed to pay fees that were due on or before July 1, 2019, and therefore, are not in compliance with Commission statutes governing the regulation of motor carriers. See Exhibit B, Affidavit of Carole Chauvin.

8. That "[t]he 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

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holder of such certificate, or, if, in the opinion of the commission, the motor carrier holding a Certificate of PC&N 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...." 10 S.C. Code Ann. Regs. 103-240 (2012).

9. That "[t]he 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 wilfully made any misrepresentation of a material fact in obtaining his certificate or wilfully violated or refused to observe the laws of this State touching motor vehicle carriers or wilfully violated any of the terms of his certificate or of the commission's proper orders, rules or regulations. But the holder of the certificate has the right of appeal to any court of competent jurisdiction. The commission must not be a party to any appeal." S.C. Code Ann. § 58-23-320 (2015).

10. 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, Carriers Out of Compliance for Failure to Maintain and File Evidence of Insurance. See Exhibit B, Affidavit of Carole Chauvin.

WHEREFORE, ORS respectfully requests that the Honorable Commission:

1. Provide for the opportunity by the carrier to respond to the allegations of this Petition within (30) days from the date of the receipt of this Petition;

2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates of PC&N of the carriers listed in Exhibit A, which ORS seeks to have revoked by the Commission in this action pursuant to 10 S.C. Code Ann. Regs. 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015);

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 to the Commission under 10 S.C. Code Ann. Regs. 103-240 (2012) and S.C. Code Ann. § 58-23-320 (2015) and thereafter immediately enter a final Order; and,

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

C. Lessie Hammonds, Esquire
South Carolina Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, South Carolina 29201
Phone: (803)737-0800
Fax: (803)737-0895
Email: lhammon@regstaff.sc.gov

August 7, 2019
Columbia, South Carolina

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Exhibit A - Carriers Out of Compliance for Failure to Maintain and File Evidence of Insurance
August 7, 2019
Docket No.

No.	Docket #	Cert Type	NAME	DBA	ADDRESS	CITY	STATE	ZIP CODE
1	2008-292-T	Class C Taxi	Ace Transportation Leasing, LLC		PO Box 63523	North Charleston	SC	29419
2	2001-128-T	Class C Charter Bus	Addison Tours, LLC		PO Box 1167	St. Stephen	SC	29479
3	2018-216-T	Class C Non-Emer	ART Transportation, LLC		4315 Wentworth Dr	Columbia	SC	29203
4	2019-25-T	Class C Taxi	Beach Bound Taxi Shuttle llc		3319 Darden Rd	Greensboro	NC	27407
5	2018-215-T	Class C Non-Emer	Beckon of Hope, LLC		1050 Forbes Rd	Fort Mill	SC	29707
6	2018-101-T	Class C Charter	Ben Alverson	Alverson's Limo Service	163 McCartha Rd	Lexington	SC	29073
7	2014-436-T	Class C Charter Bus	Blue Ridge Charters, LLC		PO Box 394	Mt Holly	NC	28120
8	2018-131-T	Class C Charter	Boss Transportation L.L.C.		1200 Landau Ln	Mt Pleasant	SC	29466
9	1998-623-T	Class C Charter Bus	Brooks Transit Charter Service, Inc.		2629 Flamingo Drive	Columbia	SC	29209
10	2018-408-T	Class C Charter	C & J Tours of Camden LLC		1161 Red Hill Rd	Camden	SC	29020
11	2018-335-T	Class C Non-Emer	Capital Area Transport Services, LLC		515 Broad St Ste 103	Sumter	SC	29150
12	2017-124-T	Class C Charter Bus	Carolina Bus Charter LLC		6424 Dorchester Rd	N Charleston	SC	29418
13	1993-586-T	Class E HHG	Chavis Van & Storage Of Myrtle Beach, Inc.		PO Box 917	Conway	SC	29528
14	2011-388-T	Class E HHG	Coastal Furniture Delivery & Moving, LLC		155 Northside Dr	Little River	SC	29566
15	2016-151-T	Class C Charter Bus	Coffield's Charter and Tour, LLC		7419 Powell Rd	Georgetown	SC	29440
16	2015-405-T	Class C Taxi	Connie F. Mitchell		2037 Rolling Hills Rd	Columbia	SC	29210
17	2015-189-T	Class C Charter Bus	Emerald Tours Inc. LLC		6639 Shakespeare Rd	Columbia	SC	29223
18	2017-199-T	Class C Charter	Executive Cab LLC	JJ's Limo Service	619 Frink St	Cayce	SC	29033
19	2018-275-T	Class C Non-Emer	Georgette Robinson	Kingdom Care	1065 Hammond Dr	Allendale	SC	29810
20	2009-28-T	Class C Charter Bus	Grace Tours, LLC		411 Pennsylvania Ave	Savannah	GA	31404
21	2018-312-T	Class C Charter	Graffiti Marketing and Transportation LLC	Cool Bus	3508 Morse Ave	Johns Island	SC	29455
22	2018-281-T	Class C Charter	Greater Faith Transport Services, LLC		656 Prosperity Dr	Lamar	SC	29069
23	2017-224-T	Class C Non-Emer	Gregory Jenkins Trucking, LLC	G & G Transportation	PO Box 187	Scranton	SC	29591
24	1997-328-T	Class C Taxi	Heather Henderson	Yellow Cab Company	136 S Main St	Sumter	SC	29150
25	2018-224-T	Class C Taxi	Herman Davis	Yellow Cab	526 Laverne Ave	North Augusta	SC	29841
26	2012-424-T	Class C Taxi	Jullus Cutting, Jr.		4 Grover Ln	Goose Creek	SC	29445
27	2018-370-T	Class C Non-Emer	Lyfes Services LLC	Wellness Transport	1570 Pumphouse Rd	Winnsboro	SC	29180
28	2018-68-T	Class C Charter	Morgan's Limousine and Transportation Services, LLC	Low Country Elite Limousine and Transportation Services	900 Mockingbird Lane	Charleston	SC	29414
29	2014-443-T	Class C Taxi	NSY Taxi Service LLC		1200 2nd St	Newberry	SC	29108
30	2015-157-T	Class C Charter	Need-A-Lift Transportation Services LLC		PO Box 2054	Columbia	SC	29202
31	2007-315-T	Class C Non-Emer	Palbert, Inc.	Palbert Transportation	40 Shanklin Rd Suite F	Beaufort	SC	29906
32	2016-48-T	Class C Charter	Patricia Phifer	Distinctive Limo Service	2699 Lucknow Rd	Bishopville	SC	29010
33	2010-133-T	Class C Non-Emer	Renew Transportation LP		109 Midwood Rd	Travelers Rest	SC	29690
34	2016-373-T	Class C Charter	S & K Transportation, LLC		9452 Ayscough Rd	Summerville	SC	29485
35	2015-115-T	Class C Taxi	Safe Choice Transportation, LLC		4140 Rivers Ave	N Charleston	SC	29405
36	2017-380-T	Class C Non-Emer	Superior Senior Services LLC		3600 Chateau Dr Bldg R134	Columbia	SC	29204
37	2018-107-T	Class C Non-Emer	Tamekia Lewis	Easy Ride Transportation	420 Railroad Ave	Johnston	SC	29832
38	2019-88-T	Class C Charter Bus	Travis Rapp and Emory Brown	A Plus Luxury Limousine	201 Cannon Rd	Greenwood	SC	29646
39	2019-54-T	Class C Charter	Travis Rapp and Emory Brown	A Plus Luxury Limousine	201 Cannon Rd	Greenwood	SC	29646
40	2014-139-T	Class C Charter	Treginald McLeod	Pure Elegance Limousine Service	14 Phelps St	Sumter	SC	29150
41	2017-161-T	Class C Charter Bus	Veronica Baxter	Bacchus Transportation Company	1962 E Hwy 76	Marion	SC	29571

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EXHIBIT B

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. _____

August 7, 2019

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

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 August 7, 2019, 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 10 S.C. Code Ann. Regs. 103-171 and/or 103-174 (2012) has not been filed with ORS by the following carriers as of August 7, 2019: (See attached list)

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 7th day of August, 20 19

Victoria L Watts

Notary Public for South Carolina
My Commission Expires: 10/16/23

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BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2019- -T

IN RE:	Petition of the South Carolina Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers for Non-payment of Insurance Fees	)))))	**CERTIFICATE OF SERVICE**

This is to certify that I, Vicki L. Watts, have this date served one (1) copy of the **PETITION FOR REVOCATION OF CERTAIN CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY OF CERTAIN MOTOR CARRIERS FOR NON-PAYMENT OF INSURANCE FEES** 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:

SEE ATTACHED EXHIBIT A

Vicki L Watts

Vicki L. Watts

August 7, 2019

Columbia, South Carolina

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EXHIBIT A TO CERTIFICATE OF SERVICE

Ace Transportation Leasing, LLC
PO Box 63523
North Charleston, SC 29419

Addison Tours, LLC
PO Box 1167
St. Stephen, SC 29479

ART Transportation, LLC
4315 Wentworth Dr
Columbia, SC 29203

Beach Bound Taxi Shuttle llc
3319 Darden Rd
Greensboro, NC 27407

Beckon of Hope, LLC
1050 Forbes Rd
Fort Mill, SC 29707

Ben Alverson
Alverson's Limo Service
163 McCartha Rd
Lexington, SC 29073

Blue Ridge Charters, LLC
PO Box 394
Mt Holly, NC 28120

Boss Transportation L.L.C.
1200 Landau Ln
Mt Pleasant, SC 29466

Brooks Transit Charter Service, Inc.
2629 Flamingo Drive
Columbia, SC 29209

C & J Tours of Camden LLC
1161 Red Hill Rd
Camden, SC 29020

Capital Area Transport Services, LLC
515 Broad St Ste 103
Sumter, SC 29150

Carolina Bus Charter LLC
6424 Dorchester Rd
N Charleston, SC 29418

Chavis Van & Storage Of Myrtle Beach, Inc.
PO Box 917
Conway, SC 29528

Coastal Furniture Delivery & Moving, LLC
155 Northside Dr
Little River, SC 29566

Coffield's Charter and Tour, LLC
7419 Powell Rd
Georgetown, SC 29440

Connie F. Mitchell
2037 Rolling Hills Rd
Columbia, SC 29210

Emerald Tours Inc. LLC
6639 Shakespeare Rd
Columbia, SC 29223

Executive Cab LLC
JJ's Limo Service
619 Frink St
Cayce, SC 29033

Georgette Robinson
Kingdom Care
1065 Hammond Dr
Allendale, SC 29810

Grace Tours, LLC
411 Pennsylvania Ave
Savannah, GA 31404

Graffiti Marketing and Transportation LLC
Cool Bus
3608 Morse Ave
Johns Island, SC 29455

Greater Faith Transport Services, LLC
656 Prosperity Dr
Lamar, SC 29069

Gregory Jenkins Trucking, LLC
G & G Transportation
PO Box 187
Scranton, SC 29591

Heather Henderson
Yellow Cab Company
136 S Main St
Sumter, SC 29150

Herman Davis
Yellow Cab
528 Laverne Ave
North Augusta, SC 29841

Julius Cuttino, Jr.
4 Grover Ln
Goose Creek, SC 29445

Lyles Services LLC
Wellness Transport
1570 Pumphouse Rd
Winnsboro, SC 29180

Morgan's Limousine and Transportation Services, LLC
Low Country Elite Limousine and

NBY Taxi Service LLC
1200 2nd St

Need-A-Lift Transportation Services LLC
PO Box 2054

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EXHIBIT A TO CERTIFICATE OF SERVIC

Palbert, Inc.
Palbert Transportation
40 Shanklin Rd Suite F
Beaufort, SC 29906

Patricia Phifer
Distinctive Limo Service
2699 Lucknow Rd
Bishopville, SC 29010

Renew Transportation LP
109 Midwood Rd
Travelers Rest, SC 29690

S & K Transportation, LLC
9452 Ayscough Rd
Summerville, SC 29485

Safe Choice Transportation, LLC
4140 Rivers Ave
N Charleston, SC 29405

Superior Senior Services LLC
3600 Chateau Dr Bldg R134
Columbia, SC 29204

Tamekia Lewis
Easy Ride Transportation
420 Railroad Ave
Johnston, SC 29832

Travis Rapp and Emory Brown
A Plus Luxury Limousine
201 Cannon Rd
Greenwood, SC 29646

Travis Rapp and Emory Brown
A Plus Luxury Limousine
201 Cannon Rd
Greenwood, SC 29646

Treginald McLeod
Pure Elegance Limousine Service
14 Phelps St
Sumter, SC 29150

Veronica Baxter
Bacchus Transportation Company
1962 E Hwy 76
Marion, SC 29571