BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2010- 102 - T

IN RE:

Petition of the Office of Regulatory Staff for Commission to Order a Rule to Show Cause as to Why The Certificates of Public Convenience and Necessity for Certain Motor Carriers Should Not Be Revoked For Non-payment of Decal Fees	)	PETITION OF THE OFFICE OF REGULATORY STAFF FOR A RULE TO SHOW CAUSE AS TO WHY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY SHOULD NOT BE REVOKED

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission:

1. That the Public Service Commission of South Carolina ("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. (Supp. 2009); that the Office of Regulatory Staff ("ORS") is charged with the duty to protect the public interest pursuant to S.C. Code Ann. §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) in that they are incorporated for the purpose of owning, controlling, operating or managing 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. (Supp. 2009); further, that these companies have submitted themselves to the jurisdiction of the Commission by holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A. See Exhibit A.

4. That the Companies listed in Exhibit A, upon receiving their Certificates 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. 2009).

5. That, "A holder of a certificate A, B, or C with less than twenty vehicles must semi-annually **on or before January first and June thirtieth of each year** pay to the Commission 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 semi-annually." S.C. Code Ann. §58-23-560 (Supp. 2009) (emphasis added).

6. That, pursuant to S.C. Code Ann. §58-4-10 et seq. (Supp. 2009), beginning January 1, 2005, the Office of Regulatory Staff 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 failed to pay fees that were due on or before January 1, 2010 and are therefore currently not in compliance with Commission statutes governing the regulation of motor carriers.

8. 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 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..." 26 S.C. Code Regs. 103-240 (Supp. 2009).

9. 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. 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 (Supp. 2009).

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Issue an order requiring the carriers listed on Exhibit A to appear before the Commission, and show cause why any order should not be issued from this Commission revoking the Certificates of Public Convenience and Necessity previously issued to said carriers;

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

3. Schedule and conduct a formal administrative hearing within 45 days to address disputed issues of fact and law regarding the Certificate pursuant to 26 S.C. Code Regs. 103-240 (Supp. 2009) and S.C. Code Ann. §58-23-320.

4. Pursuant to S.C. Code Ann. §58-23-560 (Supp. 2009), take judicial notice of the Commission's records in that the required semi-annual fees have not been filed for the companies listed in Exhibit A.

5. Enter a final order revoking the Certificates of Public Convenience and Necessity held by those carriers failing to pay the required fees; and

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

Jeffrey M. Nelson, Esquire
Shealy Boland Reibold, Esquire
Office of Regulatory Staff
1441 Main Street, Suite 300
Columbia, South Carolina 29201
Telephone: (803) 737-0823
Fax: (803) 737-0895

March 15, 2010
Columbia, South Carolina

Exhibit A - March 4, 2010
Docket No. _____
Rule to Show Cause for Non-Payment of Decal Fees

No.	CERT TYPE	DOCKET NO.	NAME	DBA	ADDRESS	CITY	STATE	ZIP CODE
1	C-Charter	2007-140-T	Albert Frasier	Charles Town Tours and Transportation	135 Corral Dr	Summerville	SC	29485
2	C-Charter	2009-34-T	Arthur G. Washington, II	AW Taxi and Limo	1514 Marietta St	N Charleston	SC	29406
3	C-Charter	2007-426-T	Bernard Frazier	Majestic Limo Service	1784 Turkey Pen Rd	Charleston	SC	29412
4	C-Taxi	2005-282-T	Branson Transportation, LLC		612 37th Ave North #3	Myrtle Beach	SC	29577
5	C-Taxi	2008-29-T	Bruce Williams	B. C. Taxi Service	524 Salley St	Orangeburg	SC	29115
6	C-Taxi	2003-222-T	Carl Edward McFadden	Jenkins Taxi	318 Wilmont St.	Lake City	SC	29560-3428
7	C-Taxi	2007-345-T	Charles Weanquoi	Nimba Cab and Shuttle Service	428 S. Spruce Street	Rock Hill	SC	29730
8	C-Charter	1995-1159-T	Coast Limousine		5237 Pecan Lane	Loris	SC	29569
9	C-Taxi	2005-207-T	Connie F. Mitchell		140 E Wingate Ave	Florence	SC	29506
10	C-Taxi	2007-331-T	Davis Taxi Service, LLC		PO Box 306	Latta	SC	29565
11	C-Non-Emergency	2009-328-T	DJ's Transportation Services, LLC		PO Box 1621	Orangeburg	SC	29116
12	C-Charter	2001-446-T	Dwight Hagwood	Vintage Limousine	1141 Plantation Oak Dr	Awendaw	SC	29429
13	C-Charter	2009-175-T	EcoDriven, Inc.		M101 Foxhound Ct	Columbia	SC	29223
14	C-Taxi	2008-244-T	Eugne Sumter, Jr.	Sumter's Taxi Cab	3880 New Hope Rd	Johns Island	SC	29455
15	C-Non-Emergency	2009-340-T	Excellence Moving Services, LLC		908 Bacons Bridge Rd Suite B	Summerville	SC	29485
16	C-Taxi	1995-1135-T	Express Cab Company		1836 Meeting Street Rd	Charleston	SC	29405
17	C-Charter	2006-72-T	Extreme Limousine, Inc.		3424 Dunnington Pl	Augusta	GA	30909
18	C-Taxi	2009-214-T	Harrison Transportation, LLC		8724 Silver Creek Ln	North Charleston	SC	29420
19	C-Taxi	2002-8-T	Harry V. Mitchell	Purple Line Taxi Service	540 Columbia Rd	Chester	SC	29706
20	C-Taxi	2008-106-T	Hix Enterprise, LLC	Greer Cab	205 East Main St	Taylors	SC	29687
21	C-Charter	1981-182-T	HTA Enterprises, Inc	Low Country Adventures, Ltd	PO Box 21010	Hilton Head Island	SC	29925
22	C-Taxi	1994-443-T	Irvin Brown		108 Kuker St	Florence	SC	29501
23	C-Taxi	2003-37-T	Jeri Fabius	A 2 Z Express	716 Field Planters Lane	Bluffton	SC	29910
24	C-Taxi	2008-122-T	Jerome G. Parker		1731 Snowden Road	Mt Pleasant	SC	29464
25	C-Taxi	2002-399-T	John F. Wilder		638 W Oakland Ave	Sumter	SC	29150
26	C-Charter	2007-310-T	Joseph McQueeney	The Charleston Chauffeur Company	35-A Barre St	Charleston	SC	29401
27	C-Charter	1998-415-T	Leisure Tours, Inc.		PO Box 49997	Greenwood	SC	29649
28	C-Non-Emergency	2007-86-T	Low Country Medical Transport, Inc.		PO Box 912	Varnville	SC	29944-0912
29	C-Charter	2006-8-T	Lowcountry Excursions, LLC		PO Box 61105	North Charleston	SC	29419
30	C-Taxi	2009-93-T	Marcelino Reyes	La San Jose Taxi	2341 Vincent St	Newberry	SC	29108
31	C-Taxi	2008-98-T	Melquiades Cid	La San Jose Taxi	47 Landing Rd	Prosperity	SC	29127
32	C-Non-Emergency	2009-309-T	Metrolink Transport, LLC		2025 L Ebenezer Rd	Rock Hill	SC	29732
33	C-Taxi	2008-179-T	Myron Hughee		2210 W Jody Rd Apt A-4	Florence	SC	29501

Exhibit A - March 4, 2010
Docket No. _____
Rule to Show Cause for Non-Payment of Decal Fees

No.	CERT TYPE	DOCKET NO.	NAME	DBA	ADDRESS	CITY	STATE	ZIP CODE
34	C-Charter	2008-78-T	Need-A-Ride Transportation, Inc.		1008 3rd Ave Ste I	Conway	SC	29526
35	C-Non-Emergency	2007-441-T	Renal Transit, LLC		108 Shoreditch Drive	Columbia	SC	29209
36	C-Taxi	2000-356-T	Richard DeRose	Superior Cab Co.	PO Box 6784	Myrtle Beach	SC	29522
37	C-Non-Emergency	2009-403-T	Shaunyetta S. Foster	DDS Transportation Service	161 Kennedy St	Darlington	SC	29540
38	C-Taxi	2009-304-T	Stephen P. Mathews	Steve's Taxi	2000 Greens Blvd Apt 29D	Myrtle Beach	SC	29577
39	C-Charter	2009-308-T	Swamp Fox Taxi Service, LLC	Swamp Fox Transportation	209 N Tom Gasque Ave	Marion	SC	29571
40	C-Taxi	2009-139-T	Swamp Fox Taxi Service, LLC	Swamp Fox Transportation	209 N Tom Gasque Ave	Marion	SC	29571
41	C-Taxi	2009-13-T	Tonya R. Johnson		1015 W Darlington St	Florence	SC	29501
42	C-Charter	2009-43-T	Transport Unlimited, Inc.		110 Palace Green Ct	Columbia	SC	29210
43	C-Non-Emergency	2009-40-T	Vital Care One, LLC		PO Box 6099	N Augusta	SC	29861

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. _____

March 4, 2010

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 4, 2010, I examined the business records on file with ORS.

7) As a result of that examination, I attest that the License Decal Application Form(s) and appropriate license decal fee(s) as required by Title 58, Chapter 23, Section 58-23-560 have not been filed with ORS by the following carriers as of March 4, 2010: (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 4th day of 2:10AaL, 20 10-

Notary Public for South Carolina
My Commission Expires: 2/10/12 POR 12

BEFORE

THE PUBLIC SERVICE COMMISSION

OF SOUTH CAROLINA

DOCKET NO. 2010- _____ - T

IN RE: Petition of the Office of Regulatory Staff to Revoke Certificates of Public Convenience and Necessity of Certain Motor Carriers For Non-Payment of Decal Fees	))))	CERTIFICATE OF SERVICE

This is to certify that I, Chrystal L. Morgan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **PETITION OF THE OFFICE OF REGULATORY STAFF FOR A RULE TO SHOW CAUSE AS TO WHY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY SHOULD NOT BE REVOKED** in the above-referenced matter to the person(s) named on the attached service list by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown in the attached list:

Chrystal L. Morgan

Chrystal L. Morgan

March 15, 2010
Columbia, South Carolina

Albert Frasier Charles Town Tours and Transportation 135 Corral Dr Summerville, SC 29485	Arthur G. Washington, II AW Taxi and Limo 1514 Marietta St N Charleston, SC 29406	Bernard Frazier Majestic Limo Service 1784 Turkey Pen Rd Charleston, SC 29412
Branson Transportation, LLC 612 37th Ave North #3 Myrtle Beach, SC 29577	Bruce Williams B. C. Taxi Service 524 Salley St Orangeburg, SC 29115	Carl Edward McFadden Jenkins Taxi 318 Wilmont St. Lake City, SC 29560-3428
Charles Weanquoi Nimba Cab and Shuttle Service 428 S. Spruce Street Rock Hill, SC 29730	Coast Limousine 5237 Pecan Lane Loris, SC 29569	Connie F. Mitchell 140 E Wingate Ave Florence, SC 29506
Davis Taxi Service, LLC PO Box 306 Latta, SC 29565	DJ's Transportation Services, LLC PO Box 1621 Orangeburg, SC 29116	Dwight Hagwood Vintage Limousine 1141 Plantation Oak Dr Awendaw, SC 29429
EcoDriven, Inc. M101 Foxhound Ct Columbia, SC 29223	Eugne Sumter, Jr. Sumter's Taxi Cab 3880 New Hope Rd Johns Island, SC 29455	Excellence Moving Services, LLC 908 Bacons Bridge Rd Suite B Summerville, SC 29485
Express Cab Company 1836 Meeting Street Rd Charleston, SC 29405	Extreme Limousine, Inc. 3424 Dunnington Pl Augusta, GA 30909	Harrison Transportation, LLC 8724 Silver Creek Ln North Charleston, SC 29420
Harry V. Mitchell Purple Line Taxi Service 540 Columbia Rd Chester, SC 29706	Hix Enterprise, LLC Greer Cab 205 East Main St Taylors, SC 29687	HTA Enterprises, Inc Low Country Adventures, Ltd PO Box 21010 Hilton Head Island, SC 29925
Irvin Brown 108 Kuker St Florence, SC 29501	Jeri Fabius A 2 Z Express 716 Field Planters Lane Bluffton, SC 29910	Jerome G. Parker 1731 Snowden Road Mt Pleasant, SC 29464
John F. Wilder 638 W Oakland Ave Sumter, SC 29150	Joseph McQueeney The Charleston Chauffeur Company 35-A Barre St Charleston, SC 29401	Leisure Tours, Inc. PO Box 49997 Greenwood, SC 29649
Low Country Medical Transport, Inc. PO Box 912 Varnville, SC 29944-0912	Lowcountry Excursions, LLC PO Box 61105 North Charleston, SC 29419	Marcelino Reyes La San Jose Taxi 2341 Vincent St Newberry, SC 29108

Melquiades Cid La San Jose Taxi 47 Landing Rd Prosperity, SC 29127	Metrolink Transport, LLC 2025 L Ebenezer Rd Rock Hill, SC 29732	Myron Hughee 2210 W Jody Rd Apt A-4 Florence, SC 29501
Need-A-Ride Transportation, Inc. 1008 3rd Ave Ste I Conway, SC 29526	Renal Transit, LLC 108 Shoreditch Drive Columbia, SC 29209	Richard DeRose Superior Cab Co. PO Box 6784 Myrtle Beach, SC 29522
Shaunyetta S. Foster DDS Transportation Service 161 Kennedy St Darlington, SC 29540	Stephen P. Mathews Steve's Taxi 2000 Greens Blvd Apt 29D Myrtle Beach, SC 29577	Swamp Fox Taxi Service, LLC Swamp Fox Transportation 209 N Tom Gasque Ave Marion, SC 29571
Swamp Fox Taxi Service, LLC Swamp Fox Transportation 209 N Tom Gasque Ave Marion, SC 29571	Tonya R. Johnson 1015 W Darlington St Florence, SC 29501	Transport Unlimited, Inc. 110 Palace Green Ct Columbia, SC 29210
Vital Care One, LLC PO Box 6099 N Augusta, SC 29861		