**BEFORE**

**THE PUBLIC SERVICE COMMISSION**

**OF SOUTH CAROLINA**

**DOCKET NO. 2009- 396 - 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 License 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. 2008); 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. 2008); 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. 2008).

5. That, "A holder of a certificate A, B, or C with less than twenty vehicles must semi-annually **on or before July first and January first 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. 2008) (emphasis added).

6. That, pursuant to S.C. Code Ann. §58-4-10 et seq. (Supp. 2008), 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 July 1, 2009 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. 2008).

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. 2008).

**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. 2008) and S.C. Code Ann. §58-23-320.

4. Pursuant to S.C. Code Ann. §58-23-560 (Supp. 2008), 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

September 21, 2009
Columbia, South Carolina

Exhibit A - September 18, 2009

Docket No. 2009-_____-T

Rule to Show Cause for Non-Payment of Decal Fees

| No. | CERT TYPE | DOCKET # | NAME | DBA | ADDRESS1 | CITY1 | STATE1 | ZIPCODE1 |
|---|---|---|---|---|---|---|---|---|
| 1 | C-Charter | 2008-145-T | A & G Transportation Services, Inc. | | 528 Edgefield Rd Ste F | Belvedere | SC | 29841 |
| 2 | C-Charter | 2002-47-T | A Special Touch Limousine, LLC | | PO Box 5316 | Lake Wylie | SC | 29710 |
| 3 | C-NonEmergency | 2008-388-T | ABS Trans Tours, LLC | | PO Box 704 | Irmo | SC | 29063 |
| 4 | C-Taxi | 2009-42-T | Alanyna C. Green | Don't Just Look Holla Taxi | 5308 Albert St | N Charleston | SC | 29418 |
| 5 | C-NonEmergency | 2006-309-T | AMS of West Columbia, Inc. | | 805 Buff St | West Columbia | SC | 29169 |
| 6 | C-Taxi | 2008-51-T | Anthony Brown | A & D Taxi/Limo | 909 Rutledge Avenue | Charleston | SC | 29403 |
| 7 | C-NonEmergency | 2005-196-T | Belton Emergency Medical Services | aka Belton EMS | PO Box 509 | Belton | SC | 29627 |
| 8 | C-Charter | 2007-426-T | Bernard Frazier | Majestic Limo Service | 1784 Turkey Pen Rd | Charleston | SC | 29412 |
| 9 | C-Taxi<br>C-Charter | 2005-117-T<br>2005-211-T | Bonn Ibekwe | A-Quality Transport | 28 Fairmont Dr | Greenville | SC | 29605 |
| 10 | C-Charter | 2006-274-T | Calvin Grigsby and Rhonda Barnes | Elite Limousine Service | PO Box 117 | Elgin | SC | 29045 |
| 11 | C-Taxi | 2008-166-T | Carlton W. Simpson | | 1335 Coosaw Dr | Charleston | SC | 29407 |
| 12 | C-Taxi | 2009-80-T | Charlene White | JCW Taxi | 102 Lucy Dr | Goose Creek | SC | 29445 |
| 13 | C-Taxi | 2009-32-T | Christopher K. Hardee | C & C Transport | 1407-C Dove Run Dr | James Island | SC | 29412 |
| 14 | C-Taxi<br>C-Charter | 2008-316-T<br>2008-250-T | Concierge Unlimited Limousine, LLC | | 5238 Rockwood Rd | Charlotte | NC | 28216 |
| 15 | C-Taxi<br>C-Charter | 2001-384-T<br>2001-385-T | Craig Dover | Sand Dollar Limo | 4700 Brossy Circle, Lot 49 | North Charleston | SC | 29418 |
| 16 | C-Charter | 2008-40-T | D & L Limo/Taxi Service, LLC | | 886 Clubhouse Road | Ridgeville | SC | 29472 |
| 17 | C-Taxi | 2006-117-T | Darrell Brown | A&B Taxi Limo Service | 1127 San Juan Ave | Charleston | SC | 29407 |
| 18 | C-Charter | 2003-97-T | David R. Powell | J & P Limo Shuttle | 66 Cannon St. | Charleston | SC | 29403 |
| 19 | C-Taxi | 2008-126-T | David Poulos | Sky Taxi | 2 Shamrock Circle | Murrells Inlet | SC | 29576 |
| 20 | C-NonEmergency | 2007-350-T | Eddie Isham | Alon Jay Transportation | 567 Patterson St | Allendale | SC | 29810 |
| 21 | C-Charter | 2003-91-T | Ellen Ammonds | AJ's Transportation | PO Box 5020 | Orangeburg | SC | 29116-5020 |
| 22 | C-NonEmergency | 2008-24-T | Executive Medical Transportation, LLC | | PO Box 952 | Irmo | SC | 29063 |
| 23 | C-Taxi | 2009-67-T | Fannie L. Smith | Fannie's Taxi | 1925 Quitman Ave | N Charleston | SC | 29405 |
| 24 | C-Taxi | 2009-44-T | Garland Page Walker, Jr. | Van Man Taxi | 287 Jacob Piland Rd | Moncks Corner | SC | 29461 |
| 25 | C-Taxi | 1998-83-T | George Stroble | | 102 Chadsford Court | Summerville | SC | 29485 |
| 26 | C-Taxi | 2009-76-T | Harold Green, Jr. | Here To There Taxi | PO Box 73011 | N Charleston | SC | 29415 |
| 27 | C-Taxi | 2006-213-T | HowPhill, LLC | Original Flavors | 3216 15th Place SE | Washington | DC | 20020 |
| 28 | C-Charter | 2006-149-T | J. E. Place | | PO Box 583 | Sullivan's Island | SC | 29482 |
| 29 | C-Taxi<br>C-Charter | 2001-288-T<br>2002-32-T | Jose Avellaneda | La Providencia Taxi | 405 S Jefferson St | Saluda | SC | 29138 |
| 30 | C-Taxi | 1998-457-T | Joseph Lee Cooper | | 448 East Siesta Drive | Florence | SC | 29505 |
| 31 | C-Taxi | 2006-374-T | Joseph Thornley West | Grand Strand Taxi | 900 Perrin Drive | N. Myrtle Beach | SC | 29582 |
| 32 | C-Taxi | 2005-396-T | Kenneth L. Boatwright, Sr. | Red Top Cab Services | 716 South Warren Street | Timmonsville | SC | 29161 |
| 33 | C-NonEmergency | 2007-325-T | Marlboro County Rescue Squad | | PO Box 123 | Bennettsville | SC | 29512 |
| 34 | C-Taxi | 1979-458-T | Mary L. Jones | | 617 N. Brunson St. | Florence | SC | 29501 |
| 35 | C-Taxi | 2008-182-T | Mary Lee Cooper | | 448 East Siesta Dr | Florence | SC | 29505 |
| 36 | C-Taxi | 1998-417-T | Matthew Wineglass, Jr. | Wineglass Taxi | 213 H Avenue | Georgetown | SC | 29440 |
| 37 | C-Taxi | 2008-332-T | Michael Deveaux | King and Queen Transportation | 4008 Bamberg Ave Apt 3 | North Charleston | SC | 29405 |
| 38 | C-Charter | 2006-83-T | Moss Enterprises, Inc. | | PO Box 12089 | Florence | SC | 29504-2089 |

Exhibit A - September 18, 2009

Docket No. 2009-_____-T

Rule to Show Cause for Non-Payment of Decal Fees

| No. | CERT TYPE | DOCKET # | NAME | DBA | ADDRESS1 | CITY1 | STATE1 | ZIPCODE1 |
|---|---|---|---|---|---|---|---|---|
| 39 | C-Taxi | 2007-34-T | NASCAB 17, LLC | | 508 Folly Estate Dr | Myrtle Beach | SC | 29588 |
| 40 | C-Taxi | 2007-452-T | Octavia Grant Carless | Carless Taxi Service | 204 Savannah River Drive | Summerville | SC | 29485 |
| 41 | C-Charter | 2006-115-T | Randy Stewart | | 435 Katydid Street | Sumter | SC | 29154 |
| 42 | C-Taxi | 2007-391-T | Rodney T. Wright | | PO Box 84 | Jacksonboro | SC | 29452 |
| 43 | C-Taxi | 2007-146-T | Shawquna R. Evans | Shawn's Taxi Service | 4610 Battery Range | North Charleston | SC | 29420 |
| 44 | C-Taxi | 2007-251-T | Sherye Epps | | 2012 Glenmore Way | Florence | SC | 29505 |
| 45 | C-Charter | 2009-70-T | Southeast Industrial Services Company, LLC | SISCO Limo | 1014 Ridgewood Dr | N Myrtle Beach | SC | 29582 |
| 46 | C-Taxi | 2004-224-T | Stanko Garov | Express Cab II | 3768 Citation Way - Unit 1137 | Myrtle Beach | SC | 29577 |
| 47 | C-Charter | 2007-465-T | Tammy White | Carolina Luxury Limo | 532 W Carolina Ave | Hartsville | SC | 29550 |
| 48 | C-Charter | 2007-369-T | The Kidz Commuter, LLC | | PO Box 5771 | Aiken | SC | 29804 |
| 49 | C-Charter | 2009-43-T | Transport Unlimited, Inc. | | 110 Palace Green Ct | Columbia | SC | 29210 |

**BEFORE**

**THE PUBLIC SERVICE COMMISSION**

**OF SOUTH CAROLINA**

**DOCKET NO. 2009- _____ - 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 License 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

September 21, 2009
Columbia, South Carolina

A & G Transportation Services, Inc.
528 Edgefield Rd Ste F
Belvedere, SC 29841

A Special Touch Limousine, LLC
PO Box 5316
Lake Wylie, SC 29710

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

Alanyna C. Green
Don't Just Look Holla Taxi
5308 Albert St
N Charleston, SC 29418

AMS of West Columbia, Inc.
805 Buff St
West Columbia, SC 29169

Anthony Brown
A & D Taxi/Limo
909 Rutledge Avenue
Charleston, SC 29403

Belton Emergency Medical Services
aka Belton EMS
PO Box 509
Belton, SC 29627

Bernard Frazier
Majestic Limo Service
1784 Turkey Pen Rd
Charleston, SC 29412

Bonn Ibekwe
A-Quality Transport
28 Fairmont Dr
Greenville, SC 29605

Calvin Grigsby and Rhonda Barnes
Elite Limousine Service
PO Box 117
Elgin, SC 29045

Carlton W. Simpson
1335 Coosaw Dr
Charleston, SC 29407

Charlene White
JCW Taxi
102 Lucy Dr
Goose Creek, SC 29445

Christopher K. Hardee
C & C Transport
1407-C Dove Run Dr
James Island, SC 29412

Concierge Unlimited Limousine, LLC
5238 Rockwood Rd
Charlotte, NC 28216

Craig Dover
Sand Dollar Limo
4700 Brossy Circle, Lot 49
North Charleston, SC 29418

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

Darrell Brown
A&B Taxi Limo Service
1127 San Juan Ave
Charleston, SC 29407

David R. Powell
J & P Limo Shuttle
66 Cannon St.
Charleston, SC 29403

David Poulos
Sky Taxi
2 Shamrock Circle
Murrells Inlet, SC 29576

Eddie Isham
Alon Jay Transportation
567 Patterson St
Allendale, SC 29810

Ellen Ammonds
AJ's Transportation
PO Box 5020
Orangeburg, SC 29116-5020

Executive Medical Transportation, LLC
PO Box 952
Irmo, SC 29063

Fannie L. Smith
Fannie's Taxi
1925 Quitman Ave
N Charleston, SC 29405

Garland Page Walker, Jr.
Van Man Taxi
287 Jacob Piland Rd
Moncks Corner, SC 29461

George Stroble
102 Chadsford Court
Summerville, SC 29485

Harold Green, Jr.
Here To There Taxi
PO Box 73011
N Charleston, SC 29415

HowPhill, LLC
Original Flavors
3216 15th Place SE
Washington, DC 20020

J. E. Place
PO Box 583
Sullivan's Island, SC 29482

Jose Avellaneda
La Providencia Taxi
405 S Jefferson St
Saluda, SC 29138

Joseph Lee Cooper
448 East Siesta Drive
Florence, SC 29505

Joseph Thornley West
Grand Strand Taxi
900 Perrin Drive
N. Myrtle Beach, SC 29582

Kenneth L. Boatwright, Sr.
Red Top Cab Services
716 South Warren Street
Timmonsville, SC 29161

Marlboro County Rescue Squad
PO Box 123
Bennettsville, SC 29512

Mary L. Jones
617 N. Brunson St.
Florence, SC 29501

Mary Lee Cooper
448 East Siesta Dr
Florence, SC 29505

Matthew Wineglass, Jr.
Wineglass Taxi
213 H Avenue
Georgetown, SC 29440

Michael Deveaux
King and Queen Transportation
4008 Bamberg Ave Apt 3
North Charleston, SC 29405

Moss Enterprises, Inc.
PO Box 12089
Florence, SC 29504-2089

NASCAB 17, LLC
508 Folly Estate Dr
Myrtle Beach, SC 29588

Octavia Grant Carless
Carless Taxi Service
204 Savannah River Drive
Summerville, SC 29485

Randy Stewart
435 Katydid Street
Sumter, SC 29154

Rodney T. Wright
PO Box 84
Jacksonboro, SC 29452

Shawquna R. Evans
Shawn's Taxi Service
4610 Battery Range
North Charleston, SC 29420

Sherye Epps
2012 Glenmore Way
Florence, SC 29505

Southeast Industrial Services Co., LLC
SISCO Limo
1014 Ridgewood Dr
N Myrtle Beach, SC 29582

Stanko Garov
Express Cab II
3768 Citation Way - Unit 1137
Myrtle Beach, SC 29577

Tammy White
Carolina Luxury Limo
532 W Carolina Ave
Hartsville, SC 29550

The Kidz Commuter, LLC
PO Box 5771
Aiken, SC 29804

Transport Unlimited, Inc.
110 Palace Green Ct
Columbia, SC 29210