

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO.2018-216-T - ORDER NO. 2020-566

AUGUST 28, 2020

IN RE: Application of ART Transportation, LLC for) ORDER GRANTING
Class C (Non-Emergency) Certificate of) REINSTATEMENT OF
Public Convenience and Necessity for) CERTIFICATE
Operation of Motor Vehicle Carrier)

This matter comes before the Public Service Commission of South Carolina (the “Commission”) by way of a request filed by ART Transportation, LLC (the “Applicant”) to reinstate the Applicant’s Class C Non-Emergency Certificate of Public Convenience and Necessity No. 9390. The Applicant’s authority to operate under Certificate No. 9390 was granted pursuant to Commission Order No. 2018-468 (July 26, 2018).

On November 6, 2019, Petitions for Rules to Show Cause were filed by the South Carolina Office of Regulatory Staff (“ORS”) as to why the Certificates of Public Convenience and Necessity of certain carriers should not be revoked for failure to pay decal fees¹ and for failure to maintain and file evidence of insurance²; thereby failing to comply with the statutes governing operations of motor vehicle carriers in South Carolina. The record reflects that the Applicant was listed in and served with the Rules to Show Cause for noncompliance.

¹ See Docket No. 2019-270-T.

² See Docket No. 2019-271-T.

For those motor carriers who had not responded to the prior notifications of noncompliance, formal hearings regarding the Petitions were held on January 22, 2020. The Commission found that the Certificates of Public Convenience and Necessity held by certain carriers, including the Applicant, should be revoked and cancelled for the violation of failing to pay decal fees and failing to file evidence of insurance. Accordingly, the Commission issued Order No. 2020-65 and Order No. 2020-66, which cancelled the Applicant's Certificate No. 9390.

By request filed August 7, 2020, the Applicant seeks approval to have the Certificate in question reinstated. The original Application for certification of ART Transportation, LLC documentation regarding the Applicant's stated knowledge of and commitment to abide by all relevant statutes and Commission regulations.

The Commission has reviewed the case before it and, after due consideration, the Commission concludes that the above-mentioned Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations, and that prior to such compliance and certification, regulated motor carrier services shall not be provided by the Applicant.

IT IS THEREFORE ORDERED:

1. That Class C Non-Emergency Certificate of Public Convenience and Necessity No. 9390 of ART Transportation, LLC be, and hereby is, reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

2. Failure of the Applicant to complete the above process within ninety (90) days of the date of this Order, or within such additional time as may be authorized by the

Commission should an extension of time be approved prior to the expiration of the ninety (90) day time period, shall cause this Order to become null and void, thereby rescinding the authority granted to amend Applicant's Certificate. In this event, the request for modification shall be dismissed without prejudice, and no further action by the Commission is necessary.

3. The ORS is requested to furnish to the Commission, every two months, the names and docket numbers of those applicants whose Order becomes null and void under the terms of the previous paragraph.

4. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

Comer H Randall

Comer H. "Randy" Randall, Acting Chairman

(SEAL)



SEQUENCE TO BE FOLLOWED FOR PROOF-READING, APPROVING AND PROCESSING ORDERS

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| COMPANY: ART Transportation, LLC | | |
| ORDER GRANTING REINSTATEMENT OF CERTIFICATE | | |
| DOCKET NO. 2014-347-T2018-216-T | | ORDER NO. 2020-566 |
| | INITIALS | DATE |
| TYPED BY | ENW | 8/26/20 |
| PROOF-READ BY | AM | 8/27/20 |
| GENERAL COUNSEL | | |
| ENGINEER/TECHNICAL ADVISOR | | |
| SENIOR COUNSEL | | |
| EXECUTIVE ASSISTANT TO COMMISSIONERS | | |
| COMMISSION ATTORNEY | | |
| Special Counsel | FDB | 8-27-20 |
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| | | |
| E-SERVICE | | |
| MAILED BY | | |
| RECEIPTS RECEIVED | | |
| OTHER (specify) | | |
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