BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2008-338-T - ORDER NO. 2008-794

NOVEMBER 20, 2008

IN RE: Petition of the Office of Regulatory Staff for a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity for Certain Carriers Should Not Be Revoked for Non-payment of License Fees	)))))	ORDER REVOKING CERTIFICATES

This matter comes before the Public Service Commission of South Carolina ("the Commission") by way of the Petition of the Office of Regulatory Staff ("ORS") to revoke Certificates of Public Convenience and Necessity of certain motor carriers for non-payment of license fees. ORS's Petition was filed with the Commission on August 26, 2008. As set forth in S.C. Code Ann. §58-23-10, et seq. (Supp. 2007), the Commission is responsible for the regulation of motor vehicle carriers operating for compensation and, pursuant to S.C. Code Ann. §58-4-10, et seq., the ORS is charged with the duty to protect the public interest.

The ORS developed a list of the motor carriers operating in violation of the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law with respect of failure to pay license fees, and such list was attached as Exhibit A to ORS's Petition. At the hearing on November 12, 2008, the ORS submitted into the record an updated Revised Exhibit A dated November 10, 2008, advising the Commission that several companies listed on the original Exhibit A to its Petition had come into compliance and requested dismissal of this action against those companies.

On September 3, 2008, the Commission issued a Notice of Hearing, setting this matter for hearing on November 12, 2008 at 2:45 p.m. A formal hearing regarding this matter was held at the Commission offices on Wednesday, November 12, 2008, at 2:45 p.m. ORS was represented by Shealy Boland Reibold, Esquire. Ms. Carole Chauvin, the Administrative Assistant and Records Custodian of ORS's Transportation Department, testified for the ORS.

At the hearing, Ms. Chauvin presented testimony that 23 motor carriers certificated by the Commission to provide motor carrier services had failed to pay their semi-annual license fees, due to the Commission on July 1, 2008 as required by S.C. Code Ann. §58-23-560 (Supp. 2007), as of November 10, 2008. Further, Ms. Chauvin testified that the ORS's Revised Exhibit A, dated November 10, 2008, listed the 23[1] companies which remained out of compliance for not having paid their license fees as of the date of the hearing. Additionally, the ORS stated in its Petition, and Ms. Chauvin testified, that the ORS notified the companies, via mail on August 26, 2008, of their failure to pay the license fees owed on July 1, 2008.

The Commission finds that the Certificates of Public Convenience and Necessity held by the carriers which are the subject of this petition (attached as an Appendix to this Order, labeled "Revised Exhibit A – November 10, 2008") should be revoked and

[1] Just prior to the hearing, at the Commission's weekly meeting, the certificate held by Leticia Diaz, who had been included as one of the 23 carriers listed in Exhibit A, had been cancelled, and Counsel for ORS accordingly advised that Ms. Diaz's company should not be considered as part of the list, as its Petition with regard to Ms. Diaz was now moot. Therefore, the actual number of companies still subject to the ORS Petition at the time of the hearing was 22, and further references in this Order to the carriers listed in Exhibit A are deemed not to include Ms. Diaz.

canceled for their continued willful violation of the Commission's Rules and Regulations and/or the South Carolina Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by those motor vehicle carriers listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.

2. That all operating rights authorized under the Certificates held by the carriers listed in the attached Appendix and cancelled by this Order are null and void.

3. That this petition be, and hereby is, dismissed with respect to all carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Elizabeth B. Fleming

Elizabeth B. Fleming, Chairman

ATTEST:

John E. Howard

John E. Howard, Vice Chairman

(SEAL)

Appendix
Docket No. 2008-338-T
Order No. 2008-794
November 20, 2008

REVISED EXHIBIT A - NOVEMBER 10, 2008
Docket No. 2008-338-T
Rule to Show Cause for Non-Payment of Decal Fees

No.	CERT TYPE	CERT #	DOCKET #	NAME	DBA	ADDRESS1	CITY1	STATE1	ZIP CODE 1
1	NON-EMER	6997	2000-510-T	CAROLINA SPECIALTY TRANSPORTATION SERVICES, INC.	MOBILE MED	4 CARRIAGE LANE, SUITE 104	CHARLESTON	SC	29407
2	TAXI	7652	2005-371-T	DEXTER LARON HARRIS	AHMADIEL'S BEST	4370 LADSON ROAD #G 207	LADSON	SC	29456
3	CHARTER	7178-A	2001-439-T	ELITE SERVICES, INC.		505 W. MAIN STREET	SPARTANBURG	SC	29301
4	TAXI	7945	2008-55-T	FANNIE L. SMITH	MOTHER TO MOTHER TAXI	105 DOGWOOD HILL DRIVE	GOOSE CREEK	SC	29445
5	CHARTER	7475	2004-113-T	G.R.A.C.E. LIMOUSINE, INC.		908 MILL DRIVE	SAVANNAH	GA	31419
6	TAXI	7776	2007-46-T	GEORGE NANCE		802 13TH AVENUE SOUTH APT 105	MYRTLE BEACH	SC	29577
7	CHARTER	7360-A	2003-152-T	IN-STYLE LIMOUSINE, INC.		2638 GOBLE ST.	GASTONIA	NC	28056
8	CHARTER	6954	2000-297-T	JIMMY WIGGINS	J&W ENTERPRISES	5290 AUGUSTA HWY	SMOAKS	SC	29481
9	TAXI	7972	2008-130-T	JOHNNY PHILLIPS	THE BEST TAXI SERVICE	P.O. BOX 62292	N. CHARLESTON	SC	29419
10	TAXI	7985	2008-147-T	LETICIA V. DIAZ	DIAZ TAXI	133 ROSELAND DRIVE	SALUDA	SC	29138
11	TAXI	7197	2002-74-T	LOUISE C. PLAYER		103 PEPPER DRIVE	DARLINGTON	SC	29532
12	TAXI	7211	2002-112-T	MARION J. MCDOWELL		1120 ELMGROVE AVENUE	FLORENCE	SC	29506
13	TAXI	7919	2008-22-T	MELANIE GRANT	INDEPENDENT LIMO	2007 ORVID STREET LOT 1	N. CHARLESTON	SC	29405
14	TAXI	7855	2007-279-T	MELISSA W. DOLLARD AND TYRONE DAVIS	HARMONY DISCOUNT TAXI	316 S. GAILLARD STREET	FLORENCE	SC	29506
15	TAXI	7939	2008-57-T	MELVIN TAYLOR	MC TAXI	4851 RIVERS AVENUE ROOM 124	N CHARLESTON	SC	29406
16	TAXI	7771	2006-398-T	NATHANIEL STREAKS		1 EDENWOOD COURT	CHARLESTON	SC	29407
17	TAXI	7969	2008-79-T	ORRIN WENDELL CHAVIS WEST	INTERNATIONAL TAXI SERVICE	78 ASHLEY HALL PLANTATION ROAD APT B-	CHARLESTON	SC	29407
18	CHARTER	7874	2007-313-T	PALMETTO ACCESSIBLE TRANSPORTATION SERVICE, LLC		112 RAIL DRIVE	SUMMERVILLE	SC	29483
19	CHARTER	7848	2007-236-T	PAUL F. & DONALD Y. HENDERSON		435 GUM BRANCH ROAD	CHARLOTTE	NC	28214
20	NON-EMER	7964	2008-121-T	THEODIS L. BERGER	BERGER AND ASSOCIATES	4323 OLD MILL ROAD SUITE A	ANDERSON	SC	29621
21	NON-EMER	7707	2006-127-T	TRANS-CARE SERVICES, LLC		1117 PARKWAY DRIVE	MT PLEASANT	SC	29464
22	TAXI	7731	2006-242-T	WANITA J DUNLAP	PRIORITY TAXI	423 JUDY DRIVE	GOOSE CREEK	SC	29445
23	TAXI	7730-A	2006-181-T	WYNDELL ANTHONY JACKSON	AA TAXI	3524 W JOHN PAUL JONES RD	TIMMONSVILLE	SC	29161

PENGAD 800-631-6989
PLAINTIFF'S EXHIBIT
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