BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2008-205-T - ORDER NO. 2008-590

AUGUST 22, 2008

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| 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 Failure to File Annual Reports | ) ) ) ) ) ) | 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 failure to file annual reports. ORS's Petition was filed with the Commission on May 19, 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 for failing to file annual reports with ORS and such list was attached as Exhibit A to ORS's Petition and entered into the record at the hearing in this matter before the Commission on August 13, 2008, as Hearing Exhibit 1. At the hearing on this matter, ORS additionally filed a Revised Exhibit A, entered into the record as Hearing Exhibit 2, advising the

Commission that several companies listed on the original Exhibit A to its Petition had come into compliance, and it requested revocation of the Certificates of those companies remaining on the list.

On June 4, 2008, the Commission issued a Notice of Hearing, setting this matter for hearing on August 13, 2008, at 2:45 p.m. A formal hearing regarding this matter was held at the Commission offices on Wednesday, August 13, 2008, at 2:45 p.m. ORS was represented by Shealy Boland Reibold, Esquire. Jeanne Gordon, the Data Base Manager for Special Projects at ORS, testified for ORS.

At the hearing, Ms. Gordon presented testimony that as of the date of the filing of the ORS Petition in this matter that the 269 certificated motor carriers listed in Exhibit A of the ORS petition in this matter had failed to file annual reports with ORS as required under 26 S.C. Code Ann. Regs. 103-231 (Supp. 2007). These annual reports were required under Reg. 103-231 and Section 4 of Title 58 of the South Carolina Code to have been filed with ORS by March 31, 2008. At the hearing Ms. Gordon testified that 223 of the carriers listed on ORS Exhibit A had subsequently come into compliance with the annual report requirement, and that an additional nineteen (19) had either voluntarily requested the cancellation of their certificates or had had them revoked by the Commission for other reasons prior to the hearing. The ORS therefore, through Ms. Gordon, submitted a Revised Exhibit A (Hearing Exhibit 2) listing 28 carriers from Exhibit A (Hearing Exhibit 1) to the ORS Petition in this matter which remained out of

compliance at the time of the hearing.[1] Additionally, the ORS stated in its Petition, and Ms. Gordon testified, that the ORS notified the companies of their failure to file annual reports.

The Commission finds that the petition should be dismissed as to the carriers who have complied with the Commission's Rules and Regulations and/or the Motor Vehicle Carrier Law [S.C. Code Ann. Section 58-23-10 et.seq. (1976 and Supp. 2006)] as of the date of the hearing in this matter. The Commission is also of the opinion, and so 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 and labeled "Hearing Exhibit 2") should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and the South Carolina Vehicle Carrier Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. That the Certificates of Public Convenience and Necessity held by the 28 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.

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[1] The revocation of Mark Toppi's (d/b/a/ American Family Moving & Storage) Certificate of Public Convenience and Necessity No. 9757 by this Order takes precedence over the six month suspension that he concurrently requested and was granted by Order No. 2008-578 in Docket No. 2006-79-T.

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)**

OUT OF COMPLIANCE
RTSC DOCKET #2008-205-T

Revised Exhibit A

| | Docket # | OrganizationName | DBA | Address | City | State | Zip |
|---|---|---|---|---|---|---|---|
| 1 | 2007-54-T | Beach Limousine, LLC | | 4630 Socastee Blvd. | Myrtle Beach | SC | 29588 |
| 2 | 2006-333-T | Chidozie Akanaga | dba Yellow Deluxe Cab Company | PO Box 262 | Spartanburg | SC | 29304 |
| 3 | 2007-123-T | Crown Cab, LLC | | 573 Grapevine Street | Myrtle Beach | SC | 29579 |
| 4 | 2004-67-T | Dan L. Rapley, Sr. | dba Rapley & Sons Moving | 17 S. Greenwood Avenue | Ware Shoals | SC | 29692 |
| 5 | 2000-177-T | David Johnson, Jr. | | 902 Tumbleweed Dr. | Florence | SC | 29506 |
| 6 | 2004-69-T | Desmond Abraham | | 903 Layton St. | Florence | SC | 29506 |
| 7 | 2007-44-T | Doris Dixon | dba Omega Grace Taxi Cab | 2246 Ervin Street | Columbia | SC | 29204 |
| 8 | 2005-317-T | Edward H. Taylor | dba Palmetto Pride Taxi | 1205 Borg Street | Charleston | SC | 29406 |
| 9 | 1999-13-T | George C. Wheeler | | PO Box 1183 | Mullins | SC | 29574 |
| 10 | 1999-206-T | Hollywood East Limousine Service, Inc. | | 6311 Wilora Lake Road | Charlotte | NC | 28212 |
| 11 | 2006-74-T<br>2006-356-T | Houston Limousine Service, LLC | | 111 Alice Drive | Gaston | SC | 29053 |
| 12 | 2007-261-T | I.G.W.T., Inc. | dba I.G.W.T. Limo and Charter | 1015 Charlotte Ave, Ste 366 | Rock Hill | SC | 29732 |
| 13 | 2007-190-T | Jane Lovetta Nduly | dba Point to Point Transportation | 9534 Currier Road | Charlotte | NC | 28215-7308 |
| 14 | 2000-197-T | Lila D. Green | | PO Box 2772 | Georgetown | SC | 29442 |
| 15 | 1981-182-T | Low Country Adventures, Ltd. | | PO Box 21010 | Hilton Head Island | SC | 29925 |
| 16 | 2006-79-T | Mark Toppi | dba American Family Moving & Storage | 8577 Kennestone Lane North | N. Charleston | SC | 29420 |
| 17 | 2007-150-T | Miguel Sanchez | dba MediTransport | 1033 Bells Highway #136 | Walterboro | SC | 29488 |
| 18 | 2006-388-T | Morris L. Adams | | 838 Playground Road | Charleston | SC | 29407-6446 |
| 19 | 2007-226-T | Movers and Groovers, Inc. | | 470 Maple Oak Lane | Charleston | SC | 29414 |
| 20 | 2007-376-T | Nu-Start & Associates | | PO Box 13434 | Florence | SC | 29504 |
| 21 | 1991-319-T | Nu-Way Environmental, Inc. | | 1741 Calks Ferry Road | Lexington | SC | 29073 |
| 22 | 2003-328-T | RSJC, Inc. | | 116 Berkshire Drive | Wando | SC | 29492 |
| 23 | 2001-424-T | S & J Expressway Taxi, Inc. | | PO Box 7712 | Hilton Head Island | SC | 29938 |
| 24 | 2007-118-T | SilverFox Limos, LLC | | 4420 Bridgewood Lane | Charlotte | NC | 28226 |
| 25 | 1983-220-T | Singleton Moving & Storage, Inc. | | 1802 Dayton Street | North Charleston | SC | 29405 |
| 26 | 2002-324-T | William McCrae | | 1009 W. Darlington St. | Florence | SC | 29501 |
| 27 | 1991-466-T | Wills Trucking, Inc. | | 3185 Columbia Road | Richfield | OH | 44286 |
| 28 | 2006-101-T | Wilson Wheelchair Service, LLC | | 729 Davis Street | Lake City | SC | 29560 |

Appendix
Docket No. 2008-205-T
Order No. 2008-590
August 22, 2008

PENGAD 800-631-6989
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EXHIBIT
2
2008-205-T
8/13/08