BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NOS. 2006-165-T and 2009-107-T - ORDER NO. 2010-264

APRIL 6, 2010

IN RE: Docket No. 2006-165-T – Application of Julius Cuttino, Jr., 1806 Token Street, Apartment 3, North Charleston, South Carolina 29405 (District 1) for a Class C Taxi Certificate of Public Convenience and Necessity	)	ORDER GRANTING REINSTATEMENT OF CERTIFICATE
and	)	
Docket No. 2009-107-T – 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	)	

This matter comes before the Public Service Commission of South Carolina (the "Commission") by way of a request filed by Julius Cuttino, Jr. ("Applicant") to reinstate the Applicant's Class C Taxi Certificate of Public Convenience and Necessity No. 7722 issued to the Applicant pursuant to Commission Order No. 2006-440, dated July 26, 2006.

On March 4, 2009, a Petition for a Rule to Show Cause was 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 license fees and thereby failing to comply with the statutes governing operations of

Motor Vehicle Carriers in South Carolina. The record reflects that the Applicant was a respondent to the Rule to Show Cause for non-payment of license fees.

For those motor carriers who had not responded to the prior notifications of noncompliance, a formal hearing regarding this matter was held on May 6, 2009. 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 the required license fees. Accordingly, the Commission issued Order No. 2009-314, dated May 14, 2009, which cancelled the Applicant's Certificate No. 7722.

By application received March 9, 2010, the Applicant requests that the Certificate in question be reinstated. The original Application for certification of the Applicant on file with the Commission provides 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 Certificate of Public Convenience and Necessity No. 7722 of Julius Cuttino, Jr. be, and hereby is, reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with the applicable statutes and the Commission's Rules and Regulations.

3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, the motor carrier services authorized by the Certificate shall not be provided.

4. 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)