BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

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

AUGUST 22, 2008

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.

---

[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 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
10965
EXHIBIT
2
2008-205-T
8/13/08