

DOCKET NUMBER T-37133 - LOUISIANA PUBLIC SERVICE COMMISSION VS. PUBLIC GOODS GLOBAL TRANSPORTATION, LLC. IN RE: CANCELLATION OF COMMON CARRIER CERTIFICATE NUMBER 8396 FOR FAILURE TO MAINTAIN THE REQUIRED INSURANCE COVERAGE ON FILE WITH THE COMMISSION PURSUANT TO COMMISSION'S GENERAL ORDER DATED OCTOBER 13, 2023.

DATE OF HEARING: June 6, 2024

ADMINISTRATIVE LAW JUDGE MELISSA FREY

WITNESSES:

PAGE NUMBER

Tammy Burl on behalf of Louisiana Public Service Commission

Direct Examination by Paul Rachal

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1 **DOCKET NUMBER T-37133 - LOUISIANA PUBLIC SERVICE**
2 **COMMISSION VS. PUBLIC GOODS GLOBAL TRANSPORTATION,**
3 **LLC. IN RE: CANCELLATION OF COMMON CARRIER CERTIFICATE**
4 **NUMBER 8396 FOR FAILURE TO MAINTAIN THE REQUIRED**
5 **INSURANCE COVERAGE ON FILE WITH THE COMMISSION**
6 **PURSUANT TO COMMISSION'S GENERAL ORDER DATED OCTOBER**
7 **13, 2023.**

8 **ADMINISTRATIVE LAW JUDGE MELISSA FREY:** We can now move
9 forward with Docket Number T-37133 - Louisiana Public Service Commission
10 versus Public Goods Global Transportation, LLC. In re: Cancellation of Common
11 Carrier Certificate Number 8396 for failure to maintain the required insurance
12 coverage on file with the Commission pursuant to the Commission's General Order
13 dated October 13, 2023. Would the parties present please make their appearances
14 for the record?

15 **MR. PAUL RACHAL:** Paul Rachal on behalf of Commission Staff.

16 **JUDGE FREY:** Let the record reflect that there is no one present in the courtroom
17 this morning on behalf of Public Goods Global Transportation, LLC. Mr. Rachal,
18 I understand you plan to move forward with the hearing this morning in this matter.

19 **MR. RACHAL:** Yes, Your Honor.

20 **JUDGE FREY:** You may proceed.

21 **MR. RACHAL:** Thank you, Your Honor. Your Honor, Commission Staff is
22 prepared to prove through both documentary and testimonial evidence that the
23 carrier cited in this docket, Public Goods Global Transportation, LLC, violated the

1 Commission rules and regulations by failing to maintain the required insurance
2 coverage on file with the Commission as required by Commission's General Order
3 dated October 13, 2023. Your Honor, as a result of that violation, at the conclusion
4 of this hearing, the Commission is going to request that the carrier be found guilty,
5 for the cancellation of carrier Common Carrier Certificate Number 8396. Your
6 Honor, at this time we'd like to call our first and only witness, Transportation
7 Administrator, Ms. Tammy Burl.

8 **Tammy Burl came forth as a witness; and, after having been duly sworn,**
9 **testified as follows:**

10 **DIRECT EXAMINATION BY MR. PAUL RACHAL**

11 **MR. RACHAL:** Good morning.

12 **MS. TAMMY BURL:** Good morning.

13 **MR. RACHAL:** Please state your name and business address for the record.

14 **MS. BURL:** Tammy Burl, 602 North 5th Street, Baton Rouge, Louisiana 70821.

15 **MR. RACHAL:** And where are you employed?

16 **MS. BURL:** The Louisiana Public Service Commission, Transportation Division.

17 **MR. RACHAL:** And can you describe some of your duties as a Transportation
18 Administrator?

19 **MS. BURL:** As the Transportation Administrator, I oversee the day-to-day
20 operations of the division, which includes filings for regulated motor carriers, such
21 as insurance, annual reports. We also do complaints against motor carriers.

22 **MR. RACHAL:** And what documents are submitted to show evidence of
23 insurance?

1 **MS. BURL:** Everyone has to do a Form E for their auto liability. If they're a
2 household good mover, they also have to file a Form H, workmen's comp, and a
3 surety bond.

4 **MR. RACHAL:** And what Commission order requires carriers to file a Form E as
5 proof of insurance?

6 **MS. BURL:** The General Order dated October 13, 2023.

7 **MR. RACHAL:** And how is the Commission notified of the cancellation or
8 expiration of a carrier's insurance/surety bond?

9 **MS. BURL:** For their insurance, Form Es and Form Hs are cancelled by a Form
10 K. Surety bonds and workmen's comp have a expiration.

11 **MR. RACHAL:** And as part of your job duties that you just discussed, are you the
12 person who receives any correspondence or filings associated with a regulated
13 carrier's insurance?

14 **MS. BURL:** No. Those are received by my Staff under my direction.

15 **MR. RACHAL:** And are you familiar with the carrier cited in this docket, Public
16 Goods Global Transportation, LLC?

17 **MS. BURL:** Yes.

18 **MR. RACHAL:** And is this company a registered carrier with the Louisiana
19 Public Service Commission?

20 **MS. BURL:** Yes, they are.

21 **MR. RACHAL:** And what type of carrier is this company?

22 **MS. BURL:** They are a passenger carrier.

1 **MR. RACHAL:** And has the Commission's Transportation Division received
2 correspondence associated with this carrier's commercial automobile insurance
3 policy?

4 **MS. BURL:** Yes. We received a Form K.

5 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 1.
6 Can you identify this document?

7 **MS. BURL:** Yes. This is the Form K for Public Goods Global Transportation,
8 LLC.

9 **MR. RACHAL:** And to whom was this document sent?

10 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division.

11 **MR. RACHAL:** And who sent this document to the Transportation Division of
12 the Commission?

13 **MS. BURL:** It was sent by Progressive Paloverde Insurance Company.

14 **MR. RACHAL:** And what date did the Commission receive this document?

15 **MS. BURL:** It was received on December 6, 2023.

16 **MR. RACHAL:** And do you know what the acronyms BI and PD at the top-right
17 of the document mean?

18 **MS. BURL:** Bodily injury and property damage.

19 **MR. RACHAL:** And what does this document indicate?

20 **MS. BURL:** It indicates that the carrier's bodily injury and property damage auto
21 liability policy would be cancelled on January 10, 2024.

22 **MR. RACHAL:** And is this document electronically signed by the authorized
23 company representative?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
3 the Form K for the respondent's commercial automobile insurance policy as Staff
4 Exhibit 1.

5 **JUDGE FREY:** Staff Exhibit 1 is admitted.

6 **MR. RACHAL:** Thank you, Your Honor. What did the Transportation Division
7 do after receiving these documents?

8 **MS. BURL:** We proceeded to send a notice of cancellation letter to the carrier.

9 **MR. RACHAL:** You have a document before you marked as Staff Exhibit 2.
10 Could you identify this document?

11 **MS. BURL:** Yes. This is the notice of cancellation letter.

12 **MR. RACHAL:** And to whom was this document sent?

13 **MS. BURL:** Public Goods Global Transportation, LLC.

14 **MR. RACHAL:** And what date did the Commission send this document?

15 **MS. BURL:** January 12, 2024.

16 **MR. RACHAL:** And what does this document indicate?

17 **MS. BURL:** It indicates and notifies Public Goods Global Transportation, LLC
18 that we received a Form K from their underwriting company and it stated that the
19 policy cancelled effective January 10, 2024.

20 **MR. RACHAL:** And did the letter provide instruction to the carrier on how to
21 remedy the issue?

22 **MS. BURL:** Yes, it did.

1 **MR. RACHAL:** And does the letter state that they cease operations due to the
2 cancellation?

3 **MS. BURL:** Yes, it did.

4 **MR. RACHAL:** And does the letter provide any consequences if the carrier failed
5 to provide proof of insurance?

6 **MS. BURL:** Yes. If they failed to provide the insurance, that we would initiate
7 legal proceedings for the cancellation of their authority.

8 **MR. RACHAL:** And is the carrier address on this document sent the same as the
9 address on file for this particular carrier?

10 **MS. BURL:** Yes.

11 **MR. RACHAL:** And had Staff received a change of address notice from this
12 carrier prior to the sending of this letter?

13 **MS. BURL:** No, we have not.

14 **MR. RACHAL:** Did you prepare this notice of cancellation letter for mailing and
15 mail it to the carrier by means of United States regular mail?

16 **MS. BURL:** No. This was prepared by my previous employee, Mr. Paul Amy.

17 **MR. RACHAL:** And whose signature is on this notice of cancellation letter?

18 **MS. BURL:** That is my signature.

19 **MR. RACHAL:** And is this signature automatically generated by the
20 Commission's database?

21 **MS. BURL:** Yes.

1 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
2 as Staff Exhibit 2, the notice of cancellation letter for the state's commercial
3 automobile insurance policy.

4 **JUDGE FREY:** Staff Exhibit 2 is admitted.

5 **MR. RACHAL:** Thank you, Your Honor. After the carrier was notified about
6 notice of cancellation being sent, did the carrier submit a Form E for proof of
7 insurance?

8 **MS. BURL:** No, they did not.

9 **MR. RACHAL:** And what did the Transportation Division do next?

10 **MS. BURL:** We proceeded to issue a tentative hearing letter.

11 **MR. RACHAL:** You have a document marked before you as Staff Exhibit 3. Can
12 you identify this document?

13 **MS. BURL:** Yes. This is the tentative hearing letter that was sent to Public Goods
14 Global Transportation, LLC.

15 **MR. RACHAL:** And what does this document indicate?

16 **MS. BURL:** It notifies the carrier that the tentative hearing date would be
17 Thursday, May 9, 2024 for failure to maintain the insurance on file with the
18 Commission and that a citation would be issued if they did not submit proof of
19 insurance by March 4, 2024.

20 **MR. RACHAL:** And did you personally prepare for this letter?

21 **MS. BURL:** No. This was prepared by my previous Staff member, Mr. Paul Amy.

22 **MR. RACHAL:** And is the address on this document the same address on file
23 with the Commission?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And was this tentative hearing letter sent to the carrier by means
3 of U.S. mail?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And what was the date that it was mailed?

6 **MS. BURL:** February 16, 2024.

7 **MR. RACHAL:** And whose signature is on the tentative hearing letter?

8 **MS. BURL:** There appears to be no signature on the letter itself, but it does have
9 Mr. Paul Amy's name.

10 **MR. RACHAL:** And was this letter also emailed to the carrier?

11 **MS. BURL:** I cannot confirm if Mr. Amy emailed this letter.

12 **MR. RACHAL:** And were there any documents attached to this letter?

13 **MS. BURL:** Yes. The notice of cancellation letter, dated January 12, 2024.

14 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
15 as Staff Exhibit 3, in globo, the tentative hearing letter sent to the carrier in the
16 docket.

17 **JUDGE FREY:** And as an in globo exhibit, attached to the tentative hearing letter,
18 is that also the notice of cancellation letter issued on January 12th?

19 **MR. RACHAL:** Yes, Your Honor.

20 **JUDGE FREY:** Staff Exhibit 3, in globo, is admitted.

21 **MR. RACHAL:** Thank you, Your Honor. Did the U.S. Postal Service return the
22 tentative hearing letter, admitted into evidence as Staff Exhibit 3, in globo, as
23 undeliverable for any reason?

1 **MS. BURL:** No, they did not.

2 **MR. RACHAL:** And after the tentative hearing letter was sent to the carrier, did
3 the carrier submit a Form E, indicating required insurance coverage?

4 **MS. BURL:** No, they did not.

5 **MR. RACHAL:** And after receiving no response from the carrier, what action did
6 the Transportation Division take next?

7 **MS. BURL:** We proceeded to issue a citation to the carrier.

8 **MR. RACHAL:** You have a document before you marked as Staff Exhibit 4, in
9 globo. Could you identify this document?

10 **MS. BURL:** Yes. This is the citation issued to Public Goods Global
11 Transportation, LLC.

12 **MR. RACHAL:** And according to the second page, what date did the Commission
13 send this document?

14 **MS. BURL:** The citation was mailed on March 14, 2024.

15 **MR. RACHAL:** And is the carrier address on the document sent the same as the
16 address on file with the Commission?

17 **MS. BURL:** Yes.

18 **MR. RACHAL:** And whose signature is on the citation?

19 **MS. BURL:** That is my signature.

20 **MR. RACHAL:** And were there any documents attached to this citation?

21 **MS. BURL:** Yes. The tentative hearing letter as well as the notice of cancellation
22 letter.

1 **MR. RACHAL:** And did the citation provide the carrier notice that a citation fee
2 in the amount of \$25 had been assessed to the carrier's account?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** And did the citation also provide the carrier notice that an order
5 may be issued by the Commission cancelling the carrier's common carrier for
6 failure to maintain the required insurance coverage?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And what was the hearing date, time, and location provided in
9 the citation?

10 **MS. BURL:** Thursday, May 9, 2024 at 9:30 A.M. here in the Galvez Building of
11 the Public Service Commission.

12 **MR. RACHAL:** And was notice of the citation published and available to the
13 general public in the Commission's Official Bulletin?

14 **MS. BURL:** Yes. Bulletin 1319 on March 15, 2024.

15 **MR. RACHAL:** Your Honor, Staff moves to offer and file, introduce into
16 evidence the citation with its attachments, the tentative hearing letter and the notice
17 of cancellation, as Staff Exhibit 4, in globo.

18 **JUDGE FREY:** Staff Exhibit 4, in globo, is admitted.

19 **MR. RACHAL:** Thank you. And once you executed the citation, did you mail it
20 to the carrier?

21 **MS. BURL:** It was mailed by Mr. Paul Amy.

22 **MR. RACHAL:** Was the citation sent by certified mail with a return receipt
23 request as well as regular mail?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** Was the regular mail returned for any reason?

3 **MS. BURL:** No.

4 **MR. RACHAL:** Was the citation claimed?

5 **MS. BURL:** No.

6 **MR. RACHAL:** Have you received a return receipt from the certified mailing?

7 **MS. BURL:** No. On the day of the May 9th hearing, I tracked the certified mail.

8 The website indicated that it was still moving through the network; so therefore, we

9 requested that the hearing be continued to today.

10 **MR. RACHAL:** And you have a document before you marked as Staff Exhibit 5,

11 in globo. Can you identify this document?

12 **MS. BURL:** Yes. This is a copy of the ruling on motion to continue and notice of

13 rescheduled hearing date along with a copy of the citation.

14 **MR. RACHAL:** And when was this motion granted?

15 **MS. BURL:** It was granted on May 9, 2024.

16 **MR. RACHAL:** And what was the new hearing date, time, and location provided

17 in the motion?

18 **MS. BURL:** Today, June 6, 2024 at 9:30 A.M. in the Galvez Building of the

19 Louisiana Public Service Commission.

20 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence

21 the joint motion to continue and reschedule hearing date as Staff Exhibit 5, in globo,

22 with the attachments of the citation, the tentative hearing letter, and the notice of

23 cancellation.

1 **JUDGE FREY:** Staff Exhibit 5, in globo, is admitted.

2 **MR. RACHAL:** Thank you, Your Honor. Ms. Burl, you have in front of you a
3 document marked as Staff Exhibit 6. Do you recognize this document?

4 **MS. BURL:** Yes, this is a copy of the USPS tracking.

5 **MR. RACHAL:** And what is the carrier's address on that document?

6 **MS. BURL:** This document indicates it went to Slidell, Louisiana 70460.

7 **MR. RACHAL:** And is it the same address that's on file with the Commission?

8 **MS. BURL:** It is the same city, state, and ZIP code. Yes.

9 **MR. RACHAL:** And what does this document indicate?

10 **MS. BURL:** It indicates that a notice was left on May 15th at the Slidell, Louisiana
11 70460 for being that there was no authorized representative available. A reminder
12 was sent for redelivery on May 20th, and then on May 31st, it was being returned to
13 the sender for being unclaimed.

14 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
15 evidence Staff Exhibit 6, the USPS tracking.

16 **JUDGE FREY:** Staff Exhibit 6 is admitted.

17 **MR. RACHAL:** Thank you. As of today, has a representative of the carrier filed
18 the appropriate documents to close its certificate?

19 **MS. BURL:** No, they have not.

20 **MR. RACHAL:** And as of today, has the carrier filed proof of insurance or a Form
21 E or H with the Commission?

22 **MS. BURL:** No, they have not filed a Form E.

1 **MR. RACHAL:** And is Staff seeking that the carrier be found guilty of failing to
2 maintain insurance filings and that Common Carrier Certificate Number 8396 be
3 cancelled?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And does Staff also seek that the carrier pay a \$25 citation fee as
6 authorized by the June 7, 2006 General Order?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** No further questions, Your Honor.

9 **JUDGE FREY:** Thank you. I just have a few clarifying questions and apologies
10 if you addressed some of this. I just want to make sure that I have the series of
11 events. Do you have Staff Exhibit 5, in globo, in front of you?

12 **MS. BURL:** Yes, ma'am, I do.

13 **JUDGE FREY:** And this was identified as the ruling on motion to continue and
14 notice of rescheduling the hearing date, ruling on Staff's request at the May 9
15 hearing to continue the matter to today, June 6th, with its attachments; is that
16 correct?

17 **MS. BURL:** That's correct.

18 **JUDGE FREY:** And can you explain what is written at the bottom of this ruling?

19 **MS. BURL:** Yes. This is a note that I made whenever the ruling came out that I
20 mailed a copy of this notice with a copy of the citation to the 7204 Oakpoint Drive,
21 Slidell, Louisiana 70460. It was mailed on May 10, 2024 by both regular mail and
22 certified mail and that mail receipt number ends in 0449.

1 **JUDGE FREY:** And the 7204 Oakpoint Drive, is that the same address that is on
2 file for the carrier with the Commission?

3 **MS. BURL:** Yes.

4 **JUDGE FREY:** And do you have what was admitted as Staff Exhibit 6 in front of
5 you?

6 **MS. BURL:** Yes.

7 **JUDGE FREY:** And that is the printout from the USPS tracking results for the
8 certified mailing of the ruling on motion to continue; is that correct?

9 **MS. BURL:** Yes.

10 **JUDGE FREY:** And does the same four digits of the tracking number match that
11 on the ruling on motion to continue, 0449?

12 **MS. BURL:** Yes.

13 **JUDGE FREY:** And there appears to be some handwritten information on Exhibit
14 5 after the notation. Did you identify that?

15 **MS. BURL:** That is my initials.

16 **JUDGE FREY:** Okay. Thank you. I have no further questions. Do you have any
17 redirect or follow up for Ms. Burl?

18 **MR. RACHAL:** No, Your Honor.

19 **JUDGE FREY:** I have no further questions. Staff.

20 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits that it has
21 borne the burden of proving by documentary and testimonial evidence that Public
22 Goods Global Transportation, LLC violated Commission's General Order dated
23 October 13, 2023 by failing to maintain the required insurance coverage on file with

1 the Commission. As Ms. Burl indicated, Staff is seeking that the company be found
2 guilty of this violation, and that the Common Carrier Certificate Number 8396 be
3 cancelled, and that the carrier be ordered to pay a citation fee of \$25.

4 **JUDGE FREY:** If there is nothing further, this matter is adjourned.

5

6 **(WHEREUPON, THE HEARING WAS ADJOURNED)**

7

1 I hereby certify that the foregoing pages 1 through 15 are true and correct to the best
2 of my knowledge of the Hearing held on June 6, 2024 in Baton Rouge, Louisiana.

3

4 **Rough Draft by:**


5 

June 7, 2024

6 Clarisa Findley,
7 Court Reporter

Date

8 **Proofed by:**

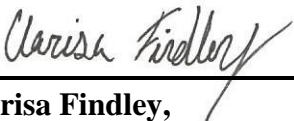
9 

June 11, 2024

10 Kayla Fiorenza,
11 Court Reporter

Date

12 **Finalized by:**

13 

June 11, 2024

14 Clarisa Findley,
15 Court Reporter

Date