

**TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION
TRANSPORTATION CITATION HEARINGS HELD ON AUGUST 22, 2024, IN BATON
ROUGE, LOUISIANA BEFORE ADMINISTRATIVE LAW JUDGE MELISSA FREY.**

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1 **TRANSCRIPT OF THE LOUISIANA PUBLIC SERVICE COMMISSION**
2 **TRANSPORTATION CITATION HEARINGS HELD ON AUGUST 22,**
3 **2024, IN BATON ROUGE, LOUISIANA BEFORE ADMINISTRATIVE**
4 **LAW JUDGE MELISSA FREY.**

5 **ADMINISTRATIVE LAW JUDGE MELISSA FREY:** Good morning. Today
6 is Thursday, August 22, 2024. I'm Administrative Law Judge Melissa Frey. We
7 are here this morning for transportation citation hearings. There are 25 matters on
8 the docket this morning.

9

10 **DOCKET NO. T-37278**

11 **JUDGE FREY:** The first matter I am going to call on the docket this morning is
12 Docket Number T-37278 - Louisiana Public Service Commission versus Leslie &
13 Fejarrard Transport, LLC. In re: Cancellation of Common Carrier Certificate
14 Numbers 8281 and 8260 for failure to file an annual report for 2023 and/or pay a
15 late filing fee of \$500 and a citation fee of \$25 as required by General Order 2 dated
16 July 1, 1921 and General Order dated March 18, 2021. Would the parties present
17 please make your appearances for the record?

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

19 **JUDGE FREY:** Let the record reflect that there is no one here on behalf of Leslie
20 & Fejarrard Transport, LLC. How does the Staff plan to move forward this
21 morning?

22 **MR. RACHAL:** Your Honor, Staff plans to move forward with this docket.

23 **JUDGE FREY:** You may proceed, Mr. Rachal.

1 **MR. RACHAL:** Thank you, Your Honor. Your Honor, Staff is prepared to prove
2 through both documentary and testimonial evidence that the carrier cited in this
3 docket, Leslie & Fejarrard Transport, LLC, failed to file an annual report for the
4 year 2023 as required by General Order 2 dated July 1, 1921, and General Order
5 dated March 18, 2021. As a result of that failure, and at the conclusion of this
6 hearing, Staff will request that the carrier be found guilty of the aforementioned
7 violation, and that its Common Carrier Certificate Numbers 8281 and 8260 be
8 cancelled, that a \$500 late fee be assessed to the carrier as well as a \$25 citation
9 fee. We would like to call our only witness, Ms. Tammy Burl.

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

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

13 **MR. RACHAL:** Good morning.

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

15 **MR. RACHAL:** Can you please state your name and business address for the
16 record?

17 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

18 **MR. RACHAL:** And by whom are you employed?

19 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
20 as the Transportation Administrator.

21 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

1 **MS. BURL:** I oversee the day-to-day operations of the division, which includes
2 overseeing those employees that monitor compliance of annual reports, insurance,
3 inspection/supervision fees, and renewals.

4 **MR. RACHAL:** And what LPSC orders require carriers to file annual reports?

5 **MS. BURL:** General Order Number 2 dated July 1, 1921, and General Order dated
6 March 18, 2021.

7 **MR. RACHAL:** And which Commission order authorizes the assessment of a
8 \$500 late filing fee when carriers do not timely file annual reports?

9 **MS. BURL:** General Order dated March 18, 2021.

10 **MR. RACHAL:** And which Commission order authorizes assessing a \$25 citation
11 fee?

12 **MS. BURL:** General Order dated June 7, 2006.

13 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
14 motor carrier's authority?

15 **MS. BURL:** 45:166.

16 **MR. RACHAL:** And when are carriers required to file annual reports with the
17 Commission?

18 **MS. BURL:** If the carrier operates on a calendar year end, their report is due April
19 30th each year. If they operate on a fiscal year end, it's due 120 days after the last
20 day of their fiscal year.

21 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
22 reports with the Commission?

1 **MS. BURL:** When their authority is granted, they're given a cover letter that tells
2 them the requirement for filing annual reports. And then again, in November, we
3 send a courtesy packet to the carriers, which includes a blank annual report as well
4 as the instructions for filing.

5 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** And is this a carrier regulated by the LPSC under the Common
8 Carrier Certificate Numbers 8281 and 8260?

9 **MS. BURL:** Yes.

10 **MR. RACHAL:** And does this carrier file annual reports on a calendar year basis?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** So when would this particular carrier's annual report be due?

13 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

14 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
15 detailing how and by when to file annual reports for the Commission?

16 **MS. BURL:** Yes.

17 **MR. RACHAL:** And did this carrier timely -- did this carrier timely submit an
18 annual report for the year 2023?

19 **MS. BURL:** No.

20 **MR. RACHAL:** You have a document before you, which has been marked as
21 Staff Exhibit 1. Can you identify this document?

22 **MS. BURL:** Yes. This is the tentative hearing letter that was mailed to Leslie &
23 Fejarrard Transport, LLC on May 15, 2024.

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

2 **MS. BURL:** P.O. Box 900, Zwolle, Louisiana 71486.

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

4 **MS. BURL:** Yes.

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

6 **MS. BURL:** It notifies the carrier that their 2023 annual report had not been
7 received by the April 30th due date, that a late fee of \$500 been assessed to the
8 account, and if both the annual report and the \$500 late fee were not received by
9 June 14, 2024, the Commission would proceed to issue a citation to the carrier.

10 **MR. RACHAL:** And is this your signature on this tentative hearing letter?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
13 mail it to the carrier?

14 **MS. BURL:** It was prepared by my previous Staff member. It's generated out of
15 our database automatically, but it was mailed under my direction.

16 **MR. RACHAL:** Did the United States Postal Service return the letter as
17 undeliverable for any reason?

18 **MS. BURL:** No.

19 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
20 evidence Staff Exhibit 1, the tentative hearing letter.

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

22 **MR. RACHAL:** Thank you. After the tentative hearing letter was sent, did the
23 carrier timely file its annual report for the year 2023?

1 **MS. BURL:** No.

2 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
3 did the Transportation Division take next?

4 **MS. BURL:** A citation was issued to the carrier.

5 **MR. RACHAL:** You have a document before you, which has been marked as
6 Staff Exhibit 2, in globo. Do you recognize this document?

7 **MS. BURL:** Yes. This is a copy of the citation issued to Leslie & Fejarrard
8 Transport, LLC.

9 **MR. RACHAL:** And when did the Commission mail out this document?

10 **MS. BURL:** It was mailed July 3, 2024.

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

12 **MS. BURL:** P.O. Box 900, Zwolle, Louisiana 71486.

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

14 **MS. BURL:** Yes.

15 **MR. RACHAL:** And is this your signature on the citation?

16 **MS. BURL:** Yes.

17 **MR. RACHAL:** And did you prepare this citation for mailing and mail to the
18 carrier?

19 **MS. BURL:** It was prepared by my previous Staff member for my signature and
20 mailed under my direction.

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

22 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.

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

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
5 be issued by the Commission cancelling the carrier's common carrier certificate for
6 failure to file an annual report for 2023 and/or requiring the carrier to pay a late
7 filing fee of \$500?

8 **MS. BURL:** Yes.

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

11 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M here at the Public Service
12 Commission in the Galvez Building.

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

15 **MS. BURL:** Yes.

16 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence,
17 Staff Exhibit 2, in globo, which is the citation and the tentative hearing letter
18 attached.

19 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

20 **MR. RACHAL:** Thank you, Your Honor. Was the citation sent by certified mail
21 with a return receipt requested as well as by regular U.S. mail?

22 **MS. BURL:** Yes.

23 **MR. RACHAL:** And was the regular mail returned for any reason?

1 **MS. BURL:** No.

2 **MR. RACHAL:** Have you returned a receipt -- return receipt from the certified
3 mailing?

4 **MS. BURL:** Yes, we received a green card.

5 **MR. RACHAL:** You have in front of you a document that's been marked as Staff
6 Exhibit 3. Do you recognize this document?

7 **MS. BURL:** Yes. This is a copy of the green card received back to the
8 Commission.

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

10 **MS. BURL:** P.O. Box 900, Zwolle, Louisiana 71486.

11 **MR. RACHAL:** And is there a signature on this document?

12 **MS. BURL:** Yes.

13 **MR. RACHAL:** Is there a date next to the signature?

14 **MS. BURL:** No.

15 **MR. RACHAL:** Is there a docket number at the bottom?

16 **MS. BURL:** Yes, T-37278.

17 **MR. RACHAL:** And when was this document received back by the Commission?

18 **MS. BURL:** July 17, 2024.

19 **MR. RACHAL:** And does the tracking number on the bottom, ending in 0041,
20 match the last four numbers of the certified mail receipt shown on the citation?

21 **MS. BURL:** Yes.

1 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
2 evidence Staff Exhibit 3, the green card, and you have the original for your
3 inspection.

4 **JUDGE FREY:** I do have what has been marked and offered as Staff Exhibit 3,
5 as well as the original certified mail return receipt. And I can state that the copy
6 submitted of the front and back match the original, noting that the address is P.O.
7 Box 900, Zwolle, Louisiana 71486. Staff Exhibit 3 is admitted.

8 **MR. RACHAL:** Thank you, Your Honor. At any point during this citation
9 process, has the carrier filed the appropriate documents to change its address on file
10 with the Commission?

11 **MS. BURL:** No.

12 **MR. RACHAL:** Have you been in contact with anyone representing the carrier
13 since the citation was mailed?

14 **MS. BURL:** No.

15 **MR. RACHAL:** And as of today, has the carrier filed the Commission its annual
16 report for the year 2023?

17 **MS. BURL:** No.

18 **MR. RACHAL:** And as of today, has a representative of the carrier filed the
19 appropriate documents to close its authority granted by the Commission?

20 **MS. BURL:** No.

21 **MR. RACHAL:** Is Staff seeking that the carrier be found guilty of failing to file
22 its 2023 annual report, and that Common Carrier Certificate Numbers 8281 and
23 8260 be cancelled?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And does Staff seek that the carrier be assessed and ordered to
3 pay a late filing fee in the amount of \$500?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
6 to pay a citation fee in the amount of \$25?

7 **MS. BURL:** Yes.

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

9 **JUDGE FREY:** I have no questions for Ms. Burl.

10 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits it has borne
11 the burden of proving by documentary and testimonial evidence that Leslie &
12 Fejarrard Transport, LLC violated Commission General Order 2 dated July 1, 1921,
13 and General Order dated March 18, 2021 by failing to submit its annual report. As
14 Ms. Burl indicated, Staff is seeking that the company be found guilty of this
15 violation, and that Common Carrier Certificate Numbers 8281 and 8260 be
16 cancelled, and that the carrier be ordered to pay a \$500 late fee and a citation fee of
17 \$25.

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

19

20 **DOCKET NO. T-37280**

21 **JUDGE FREY:** The next matter on the docket is Docket Number T-37280 -
22 Louisiana Public Service Commission versus Mardi Gras Wrecker Service, Inc. dba
23 Mardi Gras Towing. In re: Cancellation of Common Carrier Certificate Number

1 6516 for failure to file an annual report for 2023, and or pay a late filing fee of \$500
2 and a citation fee of \$25 as required by General Order 2 dated July 1, 1921 and
3 General Order dated March 18, 2021. Would the parties present please make your
4 appearances for the record?

5 **MR. RACHAL:** Paul Rachal on behalf of Staff,

6 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
7 Mardi Gras Wrecker Service, Inc. How does the Staff plan to move forward this
8 morning?

9 **MR. RACHAL:** Your Honor, Staff requests a motion to continue to October 3,
10 2024.

11 **JUDGE FREY:** A ruling on the motion to continue and a notice of rescheduling
12 this hearing to October 3rd will be issued accordingly.

13

14 **DOCKET NO. T-37281**

15 **JUDGE FREY:** The next matter on the docket is Docket Number T-37281 -
16 Louisiana Public Service Commission versus MFT Transport, Inc. In re:
17 Cancellation of Common Carrier Certificate Numbers 8361 and 8360 for failure to
18 file an annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee
19 of \$25 as required by General Order 2 dated July 1, 1921 and General Order dated
20 March 18, 2021. Would the parties present please make your appearances for the
21 record?

22 **MR. RACHAL:** Paul Rachal on behalf of Staff.

1 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
2 MFT Transport, Inc. And how does Staff plan to move forward this morning?

3 **MR. RACHAL:** Your Honor, Staff plans to move forward with this docket.

4 **JUDGE FREY:** You may proceed, Mr. Rachal.

5 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared through both
6 documentary and testimonial evidence that the carrier cited in this docket, MFT
7 Transport, Inc., failed to file an annual report for the year 2023 as required by
8 General Order 2 dated July 1, 1921 and General Order dated March 18, 2021. As
9 a result of that failure and at the conclusion of this hearing, Staff will request that
10 the carrier be found guilty of the aforementioned violation, and that its Common
11 Carrier Certificate Numbers 8361 and 8360 be cancelled, that a \$500 late fee be
12 assessed to the carrier as well as a \$25 citation fee. We would like to call our only
13 witness, Ms. Tammy Burl.

14 **Tammy Burl, after having been previously duly sworn, testified as follows:**

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

16 **MR. RACHAL:** Can you please state your name and business address for the
17 record?

18 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

19 **MR. RACHAL:** And by whom are you employed?

20 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
21 as the Transportation Administrator.

22 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

1 **MS. BURL:** I oversee the day-to-day operations of the Transportation Division,
2 and the employees that oversee compliance for regulated motor carriers for their
3 annual reports, insurance, inspection/supervision fees, and renewals.

4 **MR. RACHAL:** And what LPSC orders require carriers to file annual reports?

5 **MS. BURL:** General Order Number 2 dated July 1, 1921 and General Order dated
6 March 18, 2021.

7 **MR. RACHAL:** And which Commission order authorizes the assessment of a
8 \$500 late filing fee when carriers do not file annual reports timely?

9 **MS. BURL:** General Order March 18, 2021.

10 **MR. RACHAL:** And which Commission order authorizes assessing of a \$25
11 citation fee?

12 **MS. BURL:** General Order June 7, 2006.

13 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
14 motor carrier's authority?

15 **MS. BURL:** Title 45:166.

16 **MR. RACHAL:** And when are carriers required to file annual reports with the
17 Commission?

18 **MS. BURL:** If a carrier operates on a calendar year basis, it's due April 30th each
19 year. If they operate on a fiscal year end, it's 120 days after the last day of their
20 fiscal year.

21 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
22 reports with the Commission?

1 **MS. BURL:** The carrier is sent a cover letter when they're granted their authority
2 explaining that they do need to file annual reports each year, and then again, in
3 November, we send out a courtesy packet that includes a blank annual report as
4 well as the instructions in order to file it.

5 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** Is the carrier regulated by the LPSC under the Common Carrier
8 Certificate Numbers 8361 and 8360?

9 **MS. BURL:** Yes.

10 **MR. RACHAL:** And does this carrier file annual reports on a calendar year basis?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** So when would this particular carrier's annual report be due?

13 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

14 **MR. RACHAL:** And was this carrier mailed an annual compliance notice
15 detailing how and by when to file annual reports with the Commission?

16 **MS. BURL:** Yes.

17 **MR. RACHAL:** Did this carrier timely submit an annual report for 2023?

18 **MS. BURL:** No.

19 **MR. RACHAL:** Okay. You have a document before you, which has been marked
20 as Staff Exhibit 1. Do you recognize this document?

21 **MS. BURL:** Yes. This is the tentative hearing letter sent to MFT Transport, Inc.
22 on May 15, 2024.

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

1 **MS. BURL:** 242B Keyser Avenue, Number 110, Natchitoches, Louisiana 71457.

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

3 **MS. BURL:** Yes.

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

5 **MS. BURL:** It notifies the carrier that the Commission did not receive their 2023

6 annual report by the due date of April 30th, and that a \$500 late fee had assessed to

7 their account, and that if both the annual report and the \$500 late fee are not

8 received by July 14, 2024, the Commission would proceed to issue a citation to the

9 carrier.

10 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And did you prepare this tentative hearing letter and mail it to

13 the carrier?

14 **MS. BURL:** It was prepared by my previous Staff. This letter comes out of our

15 database with my signature, but it was mailed under my direction.

16 **MR. RACHAL:** And did the U.S. Postal Service return the letter as undeliverable

17 for any reason?

18 **MS. BURL:** No.

19 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into

20 evidence Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

22 **MR. RACHAL:** Thank you, Your Honor. And after the tentative hearing letter

23 was sent, did the carrier timely file its annual report for the year 2023?

1 **MS. BURL:** No.

2 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
3 did the Transportation Division take next?

4 **MS. BURL:** We proceeded to issue a citation to MFT Transport, Inc.

5 **MR. RACHAL:** Okay. You have a document before you, which has been marked
6 as Staff Exhibit 2, in globo. Do you recognize this document?

7 **MS. BURL:** Yes, this is a copy of the citation.

8 **MR. RACHAL:** And when did the Commission send this document?

9 **MS. BURL:** It was mailed July 3, 2024.

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

11 **MS. BURL:** 242B Keyser Avenue, Number110, Natchitoches, Louisiana 71457.

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

13 **MS. BURL:** Yes.

14 **MR. RACHAL:** And is this your signature on the citation?

15 **MS. BURL:** Yes.

16 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the
17 carrier?

18 **MS. BURL:** It was prepared by my Staff for my signature and mailed under my
19 direction.

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

21 **MS. BURL:** Yes, the March 15, 2024 tentative hearing letter.

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

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
3 be issued by the Commission cancelling the carrier's common carrier certificate for
4 failure to file an annual report for 2023 and/or requiring to pay a late filing fee of
5 \$500?

6 **MS. BURL:** Yes.

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

9 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
10 Service Commission in the Galvez Building.

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

13 **MS. BURL:** Yes.

14 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
15 Staff Exhibit 2, in globo, the citation to the carrier with the tentative hearing letter
16 as an attachment.

17 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

18 **MR. RACHAL:** Thank you, Your Honor. Was the citation sent by certified mail
19 with a return receipt requested as well as by regular U.S. mail?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** And was the regular mail returned for any reason?

22 **MS. BURL:** No.

1 **MR. RACHAL:** And have you received a returned receipt from the certified
2 mailing?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** You have in front of you a document that's been marked as Staff
5 Exhibit 3. Do you recognize this document?

6 **MS. BURL:** Yes. This is a copy of the green card received back by the
7 Commission.

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

9 **MS. BURL:** It is 242B Keyser Avenue, 110, Natchitoches, Louisiana 71457.

10 **MR. RACHAL:** And is there a signature on this document?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And is there a date, delivery?

13 **MS. BURL:** Yes. July 10, '24.

14 **MR. RACHAL:** And is there a docket number on the bottom?

15 **MS. BURL:** Yes, T-37281.

16 **MR. RACHAL:** And is there a date the Commission received the green card back?

17 **MS. BURL:** Yes, July 17, 2024.

18 **MR. RACHAL:** And does the tracking number on this document, ending in 0072
19 match the last four numbers of the certified mail receipt shown on the citation?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
22 evidence Staff Exhibit 3, the green card, and you have the original for your
23 inspection as well.

1 **JUDGE FREY:** I have what's been offered and marked by Commission Staff as
2 Staff Exhibit 3, copies of the front and back of the certified mail return receipt and
3 the original to compare. And the original matches the copies and vice versa. Staff
4 Exhibit 3 is admitted.

5 **MR. RACHAL:** Thank you. At any point during the citation process, has the
6 carrier filed the appropriate documents to change its address on file with the
7 Commission?

8 **MS. BURL:** No.

9 **MR. RACHAL:** Have you been in contact with anyone representing the carrier
10 since the citation was mailed?

11 **MS. BURL:** No.

12 **MR. RACHAL:** And as of today, has the carrier filed with the Commission its
13 annual report for the year 2023?

14 **MS. BURL:** No.

15 **MR. RACHAL:** And as of today, has a representative of the carrier filed the
16 appropriate documents to close its authority granted by the Commission?

17 **MS. BURL:** No.

18 **MR. RACHAL:** And is Staff seeking that the carrier be found guilty of failing to
19 file its 2023 annual report, and that Common Carrier Certificate Numbers 8361 and
20 8360 be cancelled?

21 **MS. BURL:** Yes.

22 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
23 to pay a late filing fee in the amount of \$500?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
3 to pay a citation fee in the amount of \$25?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** That is all the questions I have, Your Honor.

6 **JUDGE FREY:** I have no questions for Ms. Burl.

7 **MR. RACHAL:** In closing, Your Honor, Staff submits that it's borne the burden
8 of proving by documentary and testimonial evidence that MFT Transport, Inc.
9 violated Commission General Order 2 dated July 1, 1921 and General Order dated
10 March 18, 2021 by failing to submit an annual report. As Ms. Burl indicated, Staff
11 is seeking that the company be found guilty of this violation, and that Common
12 Carrier Certificate Numbers 8361 and 8360 be cancelled, and that the carrier be
13 ordered to pay \$500 late fee and a citation fee of \$25.

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

15

16 **DOCKET NO. T-37282**

17 **JUDGE FREY:** The next matter on the docket is Docket Number T-37282 -
18 Louisiana Public Service Commission versus Minor Roadside & Towing LLC. In
19 re: Cancellation of Common Carrier Certificate Number 8399 for failure to file an
20 annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25
21 as required by General Order 2 dated July 1, 1921 and General Order dated March
22 18, 2021. Would the parties present please make your appearances for the record?

23 **MR. RACHAL:** Paul Rachal on behalf of Staff.

1 **JUDGE FREY:** Let the record reflect that there is no one present in the Courtroom
2 this morning on behalf of Minor Roadside & Towing LLC. How does the Staff
3 plan to move forward?

4 **MR. RACHAL:** We plan to move forward with this docket, Your Honor.

5 **JUDGE FREY:** You may proceed, Mr. Rachal.

6 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to prove through both
7 documentary and testimonial evidence that the carrier cited in this docket, Minor
8 Roadside & Towing LLC, failed to file its annual report for the year 2023, as
9 required by General Order 2 dated July 1, 1921 and General Order dated March 18,
10 2021. As a result of that failure and at the conclusion of this hearing, Staff will
11 request that the carrier be found guilty of the aforementioned violation, that its
12 Common Carrier Certificate Number 8399 be cancelled, that a \$500 late fee be
13 assessed to the carrier as well as a \$25 citation fee. We would like to call our only
14 witness, Ms. Tammy Burl.

15 **Tammy Burl, after having been previously duly sworn, testified as follows:**

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

17 **MR. RACHAL:** Can you please state your name and business address for the
18 record?

19 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

20 **MR. RACHAL:** And by whom are you employed?

21 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
22 as the Transportation Administrator.

23 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

1 **MS. BURL:** I oversee the day-to-day operations of the division as well as the
2 employees who monitor regulated motor carriers for compliance, on annual reports,
3 insurance, inspection/ supervision fees, and renewals.

4 **MR. RACHAL:** And which LPSC orders require carriers to file annual reports?

5 **MS. BURL:** General Order Number 2 of July 1, 1921 and General Order dated
6 March 18, 2021.

7 **MR. RACHAL:** And which Commission order authorizes the assessment of a
8 \$500 late filing fee when carriers do not timely file annual reports?

9 **MS. BURL:** General Order dated March 18, 2021.

10 **MR. RACHAL:** And which Commission order authorizes the assessing of a \$25
11 citation fee?

12 **MS. BURL:** General Order dated June 7, 2006.

13 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
14 motor carrier's authority?

15 **MS. BURL:** Title 45:166.

16 **MR. RACHAL:** And when are carriers required to file annual reports with the
17 Commission?

18 **MS. BURL:** For a carrier who operates on a calendar year end, their annual report
19 is due April 30th each year. For those carriers that operate on a fiscal year end, it's
20 due 120 days after their last fiscal year.

21 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
22 reports for the Commission?

1 **MS. BURL:** When they're granted their authority, they're given a cover letter
2 indicating that they must file annual reports each year, and then again, in November
3 we send a courtesy packet that includes a blank annual report and instructions on
4 how to to file these annual reports.

5 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** Is this carrier regulated by the LPSC under the Common Carrier
8 Certificate Number 8399?

9 **MS. BURL:** Yes.

10 **MR. RACHAL:** And does this carrier file annual reports on a calendar year basis?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** So when would this particular carrier's annual report be due?

13 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

14 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
15 detailing how and by when to file its annual report with the Commission?

16 **MS. BURL:** Yes.

17 **MR. RACHAL:** And did this carrier timely file its annual report for 2023?

18 **MS. BURL:** No.

19 **MR. RACHAL:** Okay. You have a document before you, which has been marked
20 as Staff Exhibit 1. Do you recognize this document?

21 **MS. BURL:** Yes. This is the tentative hearing letter that was sent to Minor
22 Roadside & Towing LLC on May 15, 2024.

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

1 **MS. BURL:** 10805 Dawncrest Drive, Baton Rouge, Louisiana 70811.

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

3 **MS. BURL:** Yes.

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

5 **MS. BURL:** It notifies the carrier that we had not received their 2023 annual

6 report, which was due by April 30th, and that a late fee of \$500 had been assessed

7 to their account, and that if both the annual report and the \$500 late fee were not

8 received by July 14, 2024, the Commission would proceed to issue a citation to the

9 carrier.

10 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and

13 it to the carrier?

14 **MS. BURL:** It was prepared by my Staff. This letter is automatically generated

15 with my signature out of our database, but it was mailed under my direction.

16 **MR. RACHAL:** And did the U.S. Postal Service return the letter as undeliverable

17 for any reason?

18 **MS. BURL:** No.

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

20 Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

22 **MR. RACHAL:** Thank you. After the tentative hearing letter was sent, did the

23 carrier timely file its annual report for the year 2023?

1 **MS. BURL:** No.

2 **MR. RACHAL:** And after the carrier's failure to file its annual report, which
3 action did the Transportation Division take next?

4 **MS. BURL:** The Commission proceeded to issue a citation to Minor Roadside &
5 Towing LLC.

6 **MR. RACHAL:** You have a document before you, which has been marked as
7 Staff Exhibit 2, in globo. Do you recognize this document?

8 **MS. BURL:** Yes, this is a copy of the citation.

9 **MR. RACHAL:** And when did the Commission send this document?

10 **MS. BURL:** It was mailed July 3, 2024.

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

12 **MS. BURL:** 10805 Dawncrest Drive, Baton Rouge, Louisiana 70811.

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

14 **MS. BURL:** Yes.

15 **MR. RACHAL:** And is this your signature on the citation?

16 **MS. BURL:** Yes.

17 **MR. RACHAL:** And did you prepare this citation for mailing, and mail it to the
18 carrier?

19 **MS. BURL:** It was prepared by my Staff for my signature and mailed per my
20 direction.

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

22 **MS. BURL:** Yes, the May 15, 2024 tentative hearing 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 provide the carrier notice that an order may
5 be issued by the Commission cancelling the carrier's common carrier certificate for
6 failure to file an annual report for 2023 and/or requiring the carrier to pay a late
7 filing fee of \$500?

8 **MS. BURL:** Yes.

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

11 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
12 Service Commission in the Galvez Building.

13 **MR. RACHAL:** And was this notice -- I'm sorry. Was notice of the citation
14 published and available to the general public in the Commission's Official Bulletin?

15 **MS. BURL:** Yes.

16 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
17 evidence Staff Exhibit 2, in globo, the citation to the carrier with the tentative
18 hearing letter as an attachment.

19 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

20 **MR. RACHAL:** Thank you, Your Honor. Was the citation sent by certified mail
21 with a return receipt requested as well as by regular U.S. mail?

22 **MS. BURL:** Yes.

23 **MR. RACHAL:** And was the regular mail returned for any reason?

1 **MS. BURL:** No.

2 **MR. RACHAL:** And have you received a return receipt from the certified
3 mailing?

4 **MS. BURL:** Yes -- no. Sorry.

5 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 3.
6 Do you recognize this document?

7 **MS. BURL:** Yes. This is a copy of the returned certified envelope that came back
8 to the Commission.

9 **MR. RACHAL:** And what did the return receipt for the certified mailing of this
10 citation to the cited carrier indicate?

11 **MS. BURL:** It indicated return to sender, unclaimed, unable to forward.

12 **MR. RACHAL:** And is there any notations on the envelope -- on the front of the
13 envelope at all?

14 **MS. BURL:** Yes. On the right side, there is a note or not 7-10. And then on the
15 left side, there is the date stamped by the Commission, received August 6, 2024.

16 **MR. RACHAL:** And is there a docket number on the back side on the bottom?

17 **MS. BURL:** Yes, T-37282.

18 **MR. RACHAL:** And does the tracking number at the bottom of that, ending in
19 0089, match the ending numbers on the citation?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
22 Staff Exhibit 3, the returned certified envelope, and you have the original for your
23 inspection as well.

1 **JUDGE FREY:** I have what has been offered and identified by the Commission
2 Staff as Exhibit 3, as well as the original certified mail envelope. The copies of the
3 front and back of the envelope match the original. Staff Exhibit 3, is admitted.

4 **MR. RACHAL:** Thank you. At any point during the citation process, has the
5 carrier filed the appropriate documents to change its address on file with the
6 Commission?

7 **MS. BURL:** No.

8 **MR. RACHAL:** Have you been in contact with anyone representing the carrier
9 since the citation was mailed?

10 **MS. BURL:** No.

11 **MR. RACHAL:** And as of today, has the carrier filed with the Commission its
12 annual report for the year 2023?

13 **MS. BURL:** No.

14 **MR. RACHAL:** And as of today, has a representative of the carrier filed the
15 appropriate documents to close its authority granted by the Commission?

16 **MS. BURL:** No.

17 **MR. RACHAL:** Is Staff seeking that the carrier be found guilty of failing to file
18 its 2023 annual report and that Common Carrier Certificate Number 8399 be
19 cancelled?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
22 to pay a late filing fee in the amount of \$500?

23 **MS. BURL:** Yes.

1 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
2 to pay a citation fee in the amount of \$25?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** That's all the questions I have, Your Honor.

5 **JUDGE FREY:** I have no questions for Ms. Burl.

6 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits that it has
7 borne the burden of proving by documentary and testimonial evidence that Minor
8 Roadside & Towing LLC violated Commission's General Order 2 dated July 1,
9 1921 and General Order dated March 18, 2021 by failing to submit an annual report.
10 As Ms. Burl indicated, Staff is seeking that the company be found guilty of this
11 violation, and that Common Carrier Certificate Number 8399 be cancelled, and that
12 the carrier be ordered to pay \$500 late fee and a \$25 citation fee.

13 **JUDGE FREY:** Thank you. If there is nothing further, this docket is adjourned.

14

15 **DOCKET NO. T-37283**

16 **JUDGE FREY:** The next matter on the docket is Docket Number T-37283 -
17 Louisiana Public Service Commission versus MTS Transportation LLC. In re:
18 Cancellation of Common Carrier Certificate Number 8478 for failure to file an
19 annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25
20 as required by General Order 2 dated July 1, 1921 and General Order dated March
21 18, 2021. Would the parties present please make their appearances for the record?

22 **MR. RACHAL:** Paul Rachal on behalf of Staff.

1 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
2 MTS Transportation LLC. How does the Staff plan to move forward this morning?

3 **MR. RACHAL:** We plan to move forward with this docket, Your Honor.

4 **JUDGE FREY:** You may proceed, Mr. Rachal.

5 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to prove through both
6 documentary and testimonial evidence that the carrier cited in this docket, MTS
7 Transportation LLC, failed to file an annual report for the year 2023 as required by
8 General Order 2 dated July 1 1921 and General Order dated March 18, 2021. As a
9 result of that failure and at the conclusion of this hearing, Staff will request that the
10 carrier be found guilty of the aforementioned violation and that its Common Carrier
11 Certificate Number 8478 be cancelled and that a \$500 late fee be assessed to the
12 carrier as well as a \$25 citation fee. We would like to call our only witness, Ms.
13 Tammy Burl.

14 **Tammy Burl, after having been previously duly sworn, testified as follows:**

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

16 **MR. RACHAL:** Can you please state your name and business address for the
17 record?

18 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

19 **MR. RACHAL:** And by whom are you employed?

20 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
21 as the Transportation Administrator.

22 **MR. RACHAL:** And what are your duties as Transportation Administrator?

1 **MS. BURL:** I oversee the day-to-day operations of the division as well as the
2 employees who monitor compliance for regulated motor carriers, which includes
3 annual reports, insurance, inspection/supervision fees, as well as renewals.

4 **MR. RACHAL:** And which LPSC orders require carriers to file annual reports?

5 **MS. BURL:** General Order Number 2 dated July 1, 1921 and General Order dated
6 March 18, 2021.

7 **MR. RACHAL:** And which Commission order authorizes the assessment of a
8 \$500 late filing fee when carriers do not timely submit annual reports?

9 **MS. BURL:** General Order dated March 18, 2021.

10 **MR. RACHAL:** And which Commission order authorizes assessing a \$25 citation
11 fee?

12 **MS. BURL:** General Order dated June 7, 2006.

13 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
14 motor carrier's authority?

15 **MS. BURL:** Title 45:166.

16 **MR. RACHAL:** When are carriers required to file annual reports with the
17 Commission?

18 **MS. BURL:** A carrier who operates on a calendar year end, they're due April 30th
19 each year. For a carrier who operates on a fiscal year end, they're due 120 days
20 after the last day of their year-end.

21 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
22 reports with the Commission?

1 **MS. BURL:** When the carrier's granted their authority, a cover letter is sent with
2 their certificate indicating that annual reports are required each year. Then again,
3 in November, we send a courtesy packet to the carriers, which includes an annual
4 report for filing and instructions to do so.

5 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** And is this carrier regulated by the LPSC under the Common
8 Carrier Certificate Number 8478?

9 **MS. BURL:** Yes.

10 **MR. RACHAL:** And does this carrier file an annual report on a calendar year
11 basis?

12 **MS. BURL:** Yes.

13 **MR. RACHAL:** So when would this particular carrier's annual report be due?

14 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

15 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
16 detailing how and by when to file its annual report with the Commission?

17 **MS. BURL:** Yes.

18 **MR. RACHAL:** And did this carrier timely submit an annual report for the year
19 2023?

20 **MS. BURL:** No.

21 **MR. RACHAL:** You have a document before you, which has been marked as
22 Staff Exhibit 1. Do you recognize this document?

1 **MS. BURL:** Yes. This is a copy of the tentative hearing letter sent to MTS
2 Transportation LLC on May 15, 2024.

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

4 **MS. BURL:** 3509 Lake Trails Drive, Kenner, Louisiana 70065.

5 **MR. RACHAL:** And this is the same -- is this the same address on file with the
6 Commission?

7 **MS. BURL:** Yes.

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

9 **MS. BURL:** It notifies the carrier that the Commission did not receive their 2023
10 annual report by the April 30th deadline, that a late fee of \$500 had been assessed
11 to their account, and if both the annual report and \$500 late fee are not received by
12 July 14th, the Commission would proceed to issue a citation to the carrier.

13 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

14 **MS. BURL:** Yes.

15 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
16 mail it to the carrier?

17 **MS. BURL:** It was prepared by my Staff. This letter comes out of our database,
18 it's generated automatically, and then it was mailed by my Staff, under my
19 direction.

20 **MR. RACHAL:** And did the U.S. Postal Service return the letter as undeliverable
21 for any reason?

22 **MS. BURL:** No.

1 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
2 evidence as Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

4 **MR. RACHAL:** Thank you. And after the tentative hearing letter was sent, did
5 the carrier timely file its annual report for the year 2023?

6 **MS. BURL:** No.

7 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
8 did the Transportation Division take next?

9 **MS. BURL:** We proceeded to issue a citation to MTS Transportation LLC.

10 **MR. RACHAL:** You have a document before you, which has been marked as
11 Staff Exhibit 2, in globo. Do you recognize this document?

12 **MS. BURL:** Yes, this is a copy of the citation.

13 **MR. RACHAL:** And when did the Commission send this document?

14 **MS. BURL:** It was mailed July 3, 2024.

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

16 **MS. BURL:** 3509 Lake Trails Drive, Kenner, Louisiana 70065.

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

18 **MS. BURL:** Yes.

19 **MR. RACHAL:** And is this your signature on the citation?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the
22 carrier?

1 **MS. BURL:** It was prepared by my Staff for my signature and then mailed by my
2 Staff under my direction.

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

4 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.

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

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
9 be issued by the Commission cancelling the carrier's common carrier certificate for
10 failure to file an annual report for 2023 and/or requiring the carrier to pay a late
11 filing fee of \$500?

12 **MS. BURL:** Yes.

13 **MR. RACHAL:** And what was the hearing date, time, and location provided in
14 this citation?

15 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
16 Service Commission in the Galvez Building.

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

19 **MS. BURL:** Yes.

20 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
21 Staff Exhibit 2, in globo, the citation to the carrier with the tentative hearing letter
22 attached.

23 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

1 **MR. RACHAL:** Thank you, Your Honor. Was the citation sent by certified mail
2 with a return receipt requested as well as by regular U.S. mail?
3 **MS. BURL:** Yes.
4 **MR. RACHAL:** And was the regular mail returned for any reason?
5 **MS. BURL:** No.
6 **MR. RACHAL:** And have you received a return receipt from the certified
7 mailing?
8 **MS. BURL:** Yes.
9 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 3.
10 Do you recognize this document?
11 **MS. BURL:** Yes, this is a copy of the green card.
12 **MR. RACHAL:** And what is the carrier's address on that document?
13 **MS. BURL:** 3509 Lake Trails Drive, Kenner, Louisiana 70065.
14 **MR. RACHAL:** And is that the same address that's on file with the Commission?
15 **MS. BURL:** Yes.
16 **MR. RACHAL:** And is there a signature?
17 **MS. BURL:** Yes.
18 **MR. RACHAL:** Is there a signature in the signature block and another signature
19 where it's supposed to be a printed name? I can't really make out what that is.
20 **MS. BURL:** Yes. There is a signature and what appears to be a signature in both
21 boxes.
22 **MR. RACHAL:** And is there a date of delivery?
23 **MS. BURL:** 7/10/24.

1 **MR. RACHAL:** And is there a docket number on the bottom of this document?

2 **MS. BURL:** T-37283.

3 **MR. RACHAL:** And when was this document received back by the Commission?

4 **MS. BURL:** July 17, 2024.

5 **MR. RACHAL:** And does the tracking number on this document, ending in 0096,
6 match the last four numbers of the certified mail receipt shown on the citation?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
9 Staff Exhibit 3, the green card, and you have the original for your inspection as
10 well.

11 **JUDGE FREY:** I have what has been marked and offered by the Commission
12 Staff as Exhibit 3, copies of the front and back of the certified mail receipt, as well
13 as the original to compare. And the copies of the front and back, offered by the
14 Staff, match the original. Staff Exhibit 3 is admitted.

15 **MR. RACHAL:** Thank you, Your Honor. At any point during this citation
16 process, has the carrier filed the appropriate documents to change its address on file
17 with the Commission?

18 **MS. BURL:** No.

19 **MR. RACHAL:** And have you been in contact with anyone representing the
20 carrier since the citation was mailed?

21 **MS. BURL:** No.

22 **MR. RACHAL:** As of today, has the carrier filed with the Commission its annual
23 report for the year 2023?

1 **MS. BURL:** No.

2 **MR. RACHAL:** As of today, has a representative of the carrier filed the
3 appropriate documents to close its authority granted by the Commission?

4 **MS. BURL:** No.

5 **MR. RACHAL:** And is Staff seeking that the carrier be found guilty of failing to
6 file its 2023 annual report and that Common Carrier Certificate Number 8478 be
7 cancelled?

8 **MS. BURL:** Yes.

9 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
10 to pay a late filing fee in the amount of \$500?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
13 to pay a citation fee in the amount of \$25?

14 **MS. BURL:** Yes.

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

16 **JUDGE FREY:** I have no questions for Ms. Burl.

17 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits that it has
18 borne the burden of proving by documentary and testimonial evidence that MTS
19 Transportation LLC violated Commission's General Order 2 dated July 1, 1921 and
20 General Order dated March 18, 2021 by failing to submit an annual report. As Ms.
21 Burl indicated, Staff is seeking that the company be found guilty of this violation
22 and that Common Carrier Certificate Number 8478 be cancelled and that the carrier
23 be ordered to pay \$500 late fee and a citation fee of \$25.

1 **JUDGE FREY:** Thank you. If there's nothing further, this matter is adjourned.

2

3 **DOCKET NO. T-37285**

4 **JUDGE FREY:** The next matter is Docket Number T-37285 - Louisiana Public
5 Service Commission versus New Sivad Logistics 2 LLC. In re: Cancellation of
6 Registration & Insurance Number 1612 for failure to file an annual report for 2023
7 and/or pay a late filing fee of \$500 and a citation fee of \$25 as required by General
8 Order 2 dated July 1, 1921 and General Order dated March 18, 2021. Would the
9 parties present please make their appearances for the record?

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

11 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
12 New Sivad Logistics 2 LLC. How does the Staff plan to move forward this
13 morning?

14 **MR. RACHAL:** We plan to move forward with this docket, Your Honor.

15 **JUDGE FREY:** You may proceed, Mr. Rachal.

16 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to move through both
17 documentary and testimonial evidence that the carrier cited in this docket, New
18 Sivad Logistics 2 LLC, failed to file an annual report for the year 2023, as required
19 by General Order 2 dated July 1, 1921 and General Order dated March 18, 2021.
20 As a result of that failure and at the conclusion of this hearing, Staff will request
21 that the carrier be found guilty of the aforementioned violation and that its Common
22 Carrier Certificate Number 1612 be cancelled and that a \$500 late fee be assessed

1 to the carrier as well as a \$25 citation fee. We would like to call our only witness,
2 Ms. Tammy Burl.

3 **JUDGE FREY:** All right. For clarification, is it a Registration and Insurance
4 Number 1612?

5 **MR. RACHAL:** My apologies, Your Honor. Yes.

6 **JUDGE FREY:** All right. You may proceed, Mr. Rachal.

7 **MR. RACHAL:** Thank you. Can you please state your name and business address
8 for the record?

9 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

10 **JUDGE FREY:** I do need to remind her of being sworn in.

11 **Tammy Burl, after having been previously duly sworn, testified as follows:**

12 **JUDGE FREY:** And the testimony you've given in this matter is also under oath?

13 **MS. BURL:** Yes.

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

15 **MR. RACHAL:** Sorry about that. By whom are you employed, Ms. Burl?

16 **MS. BURL:** The Louisiana Public Service Commission Transportation Division
17 as the Transportation Administrator.

18 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

19 **MS. BURL:** I oversee the day-to-day operations of the division as well as the
20 employees who maintain compliance for regulated motor carriers for items such as
21 annual reports, inspection/supervision fees, insurance, and renewals.

22 **MR. RACHAL:** And which LPSC order require carriers to file annual reports?

1 **MS. BURL:** General Order Number 2 dated July 1, 1921 and General Order dated
2 March 18, 2021.

3 **MR. RACHAL:** And which Commission order authorizes the assessment of a
4 \$500 late filing fee when carriers do not timely file annual reports?

5 **MS. BURL:** General Order dated March 18, 2021.

6 **MR. RACHAL:** And which Commission order authorizes the assessing of a \$25
7 citation fee?

8 **MS. BURL:** General Order dated June 7, 2006.

9 **MR. RACHAL:** And when are carriers required to file annual reports with the
10 Commission?

11 **MS. BURL:** For a carrier operating on a calendar year end, it is April 30th each
12 year. And for those on a fiscal year basis, they're due 120 days after the last day
13 of their fiscal year.

14 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
15 reports for the Commission?

16 **MS. BURL:** When their authority is granted, they're sent a cover letter that
17 indicates annual reports should be filed each year. Then again, in November we
18 send a courtesy packet to the carrier, which also includes a blank annual report for
19 filing and instructions on how to do so.

20 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
21 motor carrier's authority?

22 **MS. BURL:** Title 45:166.

23 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And is this carrier regulated by the LPSC under the Registration
3 and Insurance Number 1612?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And does this carrier file annual reports on a calendar year basis?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** So when would this particular carrier's annual report be due?

8 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

9 **MR. RACHAL:** And was the carrier mailed a courtesy annual compliance notice
10 detailing how and by when to file annual reports with the Commission?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** Did the carrier timely submit an annual report for the year 2023?

13 **MS. BURL:** No.

14 **MR. RACHAL:** You have a document before you, which has been marked as
15 Staff Exhibit 1. Do you recognize this document?

16 **MS. BURL:** Yes. This is the tentative hearing letter that was sent to New Sivad
17 Logistics 2 LLC on May 15, 2024.

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

19 **MS. BURL:** 409 Kline Street, Westwego, Louisiana 70094.

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

21 **MS. BURL:** Yes.

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

1 **MS. BURL:** It notifies the carrier that the we had not received their 2023 annual
2 report that was due on April 30th, and that a late fee of \$500 had been assessed to
3 their account, and if both the annual report and the \$500 late fee were not received
4 by June 14, 2024, the Commission would proceed to issue a citation to the carrier.

5 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
8 mail it to the carrier?

9 **MS. BURL:** No, it was prepared by my Staff. This letter is automatically
10 generated from the database with my signature, but it was mailed under my
11 direction.

12 **MR. RACHAL:** And did the United States Postal Service return the letter as
13 undeliverable for any reason?

14 **MS. BURL:** No.

15 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
16 Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

18 **MR. RACHAL:** Thank you. After the tentative hearing letter was sent, did the
19 carrier timely file its annual report for the year 2023?

20 **MS. BURL:** No.

21 **MR. RACHAL:** And after the carrier's failure to file its annual report, which
22 action did the Transportation Division take next?

23 **MS. BURL:** A citation was issued to New Sivad Logistics 2 LLC.

1 **MR. RACHAL:** You have a document before you, which has been marked as
2 Staff Exhibit 2, in globo. Do you recognize this document?
3 **MS. BURL:** Yes, this is the citation.
4 **MR. RACHAL:** And when did the Commission send this document?
5 **MS. BURL:** It was mailed July 3, 2024.
6 **MR. RACHAL:** And what is the carrier's address on that document?
7 **MS. BURL:** 409 Kline Street, Westwego, Louisiana 70094.
8 **MR. RACHAL:** And is this the same address that's on file with the Commission?
9 **MS. BURL:** Yes.
10 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the
11 carrier?
12 **MS. BURL:** It was prepared by my Staff for my signature and it was mailed under
13 my direction by my Staff.
14 **MR. RACHAL:** And were any documents attached to this citation?
15 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.
16 **MR. RACHAL:** And did the citation provide the carrier notice that a citation fee
17 in the amount of \$25 had been assessed to their account?
18 **MS. BURL:** Yes.
19 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
20 be issued by the Commission cancelling the carrier's registration and insurance
21 number for failure to file an annual report for 2023 and/or requiring the carrier to
22 pay a late filing fee of \$500?
23 **MS. BURL:** Yes.

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

3 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
4 Service Commission in the Galvez Building.

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

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
9 evidence Staff Exhibit 2, in globo, the citation to the carrier with the tentative
10 hearing letter attached.

11 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

12 **MR. RACHAL:** Thank you. Was the citation sent by certified mail with a return
13 receipt requested as well as by regular U.S. mail?

14 **MS. BURL:** Yes.

15 **MR. RACHAL:** And was the regular mail returned for any reason?

16 **MS. BURL:** No.

17 **MR. RACHAL:** And have you received a return receipt from the certified
18 mailing?

19 **MS. BURL:** No.

20 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 3.
21 Do you recognize this document?

22 **MS. BURL:** Yes, this is the USPS tracking from their website.

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

1 **MS. BURL:** It indicates that the certified mail was delivered, left with an
2 individual in Westwego, Louisiana 70094, on July 11, 2024 at 1:29 PM.

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

4 **MS. BURL:** The same city and state, yes.

5 **MR. RACHAL:** And when was this document printed out?

6 **MS. BURL:** It was printed on August 13, 2024.

7 **MR. RACHAL:** And does the tracking number at the top, ending in 0119, match
8 the ending numbers on the citation?

9 **MS. BURL:** Yes.

10 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
11 evidence Staff Exhibit 3, the USPS tracking sheet.

12 **JUDGE FREY:** Staff Exhibit 3, a printout from USPS tracking for the certified
13 mail, ending in 0119, is admitted.

14 **MR. RACHAL:** Thank you, Your Honor. At any point during the citation process,
15 has the carrier filed the appropriate documents to change its address on file with the
16 Commission?

17 **MS. BURL:** No.

18 **MR. RACHAL:** And have you been in contact with anyone representing the
19 carrier since the citation was mailed?

20 **MS. BURL:** No.

21 **MR. RACHAL:** And as of today, has the carrier filed the Commission its annual
22 report for the year 2023?

23 **MS. BURL:** No.

1 **MR. RACHAL:** And as of today, has a representative of the carrier filed the
2 appropriate documents to close its authority granted by the Commission?

3 **MS. BURL:** No.

4 **MR. RACHAL:** And is Staff seeking that the carrier be found guilty of failing to
5 file its 2023 annual report and that Registration and Insurance Number 1612 be
6 cancelled?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
9 to pay a late filing fee in the amount of \$500?

10 **MS. BURL:** Yes.

11 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
12 to pay a citation fee in the amount of \$25?

13 **MS. BURL:** Yes.

14 **MR. RACHAL:** That's all the questions I have, Your Honor.

15 **JUDGE FREY:** Thank you. Do you have what was marked Staff Exhibit 3 and
16 admitted as Staff Exhibit 3?

17 **MS. BURL:** I do.

18 **JUDGE FREY:** All right. So did the Commission Staff receive the -- did it receive
19 the certified mail receipt or the envelope or anything back for the certified mail?

20 **MS. BURL:** No.

21 **JUDGE FREY:** And then what happened next?

22 **MS. BURL:** I proceeded to go to their website to track the certified mail to see if
23 it had been delivered or what the status was.

1 **JUDGE FREY:** When you say their website, who do you mean?

2 **MS. BURL:** The United States Postal Service.

3 **JUDGE FREY:** Okay. So you went and entered the tracking number for the
4 certified mail mailed to the carrier?

5 **MS. BURL:** Yes.

6 **JUDGE FREY:** All right. And did you print those results that is offered and
7 admitted as Staff Exhibit 3?

8 **MS. BURL:** Yes.

9 **JUDGE FREY:** And the certified mail, ending in 0119, was sent to the carrier's
10 address on file with the Commission, which is the 401 Kline Street in Westwego,
11 70094?

12 **MS. BURL:** Yes.

13 **JUDGE FREY:** And that's the same address that the tentative hearing letter and
14 citation, sent by certified mail, was sent to the regular USPS mail?

15 **MS. BURL:** Yes.

16 **JUDGE FREY:** And neither one of those mailings were returned to the
17 Commission?

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

19 **JUDGE FREY:** I have no further questions for Ms. Burl. Do you have any follow
20 up, Mr. Rachal?

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

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

1 **MR. RACHAL:** Thank you. In closing, Your Honor, Commission Staff submits
2 that it has borne the burden of proving by documentary and testimonial evidence
3 that New Sivad Logistics 2 LLC violated Commission's General Order 2 dated July
4 1, 1921 and General Order dated March 18, 2021 by failing to submit its annual
5 report. As Ms. Burl indicated, Staff is seeking that the company be found guilty of
6 this violation and that the Registration and Insurance Number 1612 be cancelled
7 and that the carrier be ordered to pay \$500 late fee and a citation fee of \$25.

8 **JUDGE FREY:** Thank you. If there's nothing further, this matter is adjourned.

9

10 **DOCKET NO. T-37286**

11 **JUDGE FREY:** The next matter on the docket this morning is Docket Number T-
12 37286 - Louisiana Public Service Commission versus NOLA Fleet, LLC dba
13 NOLA Black Car. In re: Cancellation of Common Carrier Certificate Number
14 8549 for failure to file an annual report for 2023 and/or pay a late filing fee of \$500
15 and a citation fee of \$25 as required by General Order 2 dated July 1, 1921 and
16 General Order dated March 18, 2021. Would the parties present please make their
17 appearances for the record?

18 **MR. RACHAL:** Paul Rachal on behalf of Staff.

19 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
20 NOLA Fleet, LLC. How does the Staff plan to move forward this morning?

21 **MR. RACHAL:** Your Honor, Staff plans to move forward with this docket.

22 **JUDGE FREY:** All right. You may proceed, Mr. Rachal.

1 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to prove through both
2 documentary and testimonial evidence that the carrier cited in this docket, NOLA
3 Fleet, LLC, failed to file an annual report for the year 2023 as required by General
4 Order 2 dated July 1 1921 and General Order dated March 18, 2021. As a result of
5 that failure and at the conclusion of this hearing, Staff will request that the carrier
6 be found guilty of the aforementioned violation, and that its Common Carrier
7 Certificate Number 8549 be cancelled, that a \$500 late fee be assessed to the carrier
8 as well as a \$25 citation fee. We would like to call our only witness, Ms. Tammy
9 Burl.

10 **Tammy Burl, after having been previously duly sworn, testified as follows:**

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

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

13 **MR. RACHAL:** Thank you. Can you please state your name and business address
14 for the record?

15 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

16 **MR. RACHAL:** And by whom are you employed?

17 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
18 as the Transportation Administrator.

19 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

20 **MS. BURL:** I oversee the day-to-day operations of the division as well as the
21 employees who maintain compliance for regulated motor carriers such as annual
22 reports, insurance, inspection/supervision fees, and renewals.

23 **MR. RACHAL:** And which LPSC orders require carriers to file annual reports?

1 **MS. BURL:** General Order Number 2 dated July 1, 1921 and General Order dated
2 March 18, 2021.

3 **MR. RACHAL:** And which Commission order authorizes the assessment of a
4 \$500 late filing fee when carriers do not timely file annual reports?

5 **MS. BURL:** General Order dated March 18, 2021.

6 **MR. RACHAL:** And which Commission order authorizes assessing of a \$25
7 citation fee?

8 **MS. BURL:** General Order dated June 7, 2006.

9 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
10 motor carrier's authority?

11 **MS. BURL:** Title 45:166.

12 **MR. RACHAL:** And when are carriers required to file annual reports with the
13 Commission?

14 **MS. BURL:** If the carrier operates on a calendar year end, they're due April 30th
15 each year. If they operate on a fiscal year end, it's due 120 days after their close of
16 their fiscal year.

17 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
18 reports with the Commission?

19 **MS. BURL:** When their authority is granted, they are sent a cover letter indicating
20 they have to file annual reports each year. Then again, in November, a courtesy
21 packet is mailed to the carrier, which includes a blank annual report and instructions
22 on how to make that filing.

23 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And is the carrier regulated by the LPSC under Common Carrier
3 Certificate Number 8549?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And does this carrier file annual reports on a calendar year basis?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** So when would this particular carrier's annual report be due?

8 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

9 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
10 detailing how and by when to file annual reports with the Commission?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And did the carrier timely file an annual report for 2023?

13 **MS. BURL:** No.

14 **MR. RACHAL:** You have a document before you, which has been marked as
15 Staff Exhibit 1. Do you recognize this document?

16 **MS. BURL:** Yes. This is the tentative hearing letter that was sent to NOLA Fleet,
17 LLC on May 15, 2024.

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

19 **MS. BURL:** 500 Jefferson Highway, Jefferson, Louisiana 70121.

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

21 **MS. BURL:** Yes.

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

1 **MS. BURL:** It notifies the carrier that their 2023 annual report that was due April
2 30th had not been received by the Commission, and that a late fee of \$500 had
3 assessed to their account, and if both the annual report and \$500 late fee were not
4 received by June 14, 2024, the Commission would proceed to issue a citation to the
5 carrier.

6 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
9 mail it to the carrier?

10 **MS. BURL:** No, it was prepared by my previous Staff. This letter comes out of
11 our database generated with my signature, but it was mailed under my direction.

12 **MR. RACHAL:** And did the United States Postal Service return the letter as
13 undeliverable for any reason?

14 **MS. BURL:** No.

15 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
16 Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

18 **MR. RACHAL:** Thank you. And after the tentative hearing letter was sent, did
19 the carrier timely file its annual report for the year 2023?

20 **MS. BURL:** No.

21 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
22 did the Transportation Division take next?

23 **MS. BURL:** We proceeded to issue a citation to NOLA Fleet, LLC.

1 **MR. RACHAL:** You have a document before you, which has been marked as
2 Staff Exhibit 2, in globo. Do you recognize this document?
3 **MS. BURL:** Yes, this is a copy of the citation.
4 **MR. RACHAL:** And when did the Commission send this document?
5 **MS. BURL:** It was mailed July 3, 2024.
6 **MR. RACHAL:** And what is the carrier's address on this document?
7 **MS. BURL:** 500 Jefferson Highway, Jefferson, Louisiana 70121.
8 **MR. RACHAL:** And is it the same address that's on file with the Commission?
9 **MS. BURL:** Yes.
10 **MR. RACHAL:** And is this your signature on the citation?
11 **MS. BURL:** Yes.
12 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the
13 carrier?
14 **MS. BURL:** It was prepared by my Staff for my signature and then it was mailed
15 under my direction to the carrier by my Staff.
16 **MR. RACHAL:** And were there any documents attached to this citation?
17 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.
18 **MR. RACHAL:** And did the citation provide the carrier notice that a citation fee
19 in the amount of \$25 had been assessed to the carrier's account?
20 **MS. BURL:** Yes.
21 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
22 be issued by the Commission cancelling the carrier's common carrier certificate for

1 failure to file an annual report for 2023 and/or requiring the carrier to pay a late
2 filing fee of \$500?

3 **MS. BURL:** Yes.

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

6 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
7 Service Commission in the Galvez Building.

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

10 **MS. BURL:** Yes.

11 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
12 Staff Exhibit 2, in globo, which is the citation sent to the carrier with the tentative
13 hearing letter as an attachment.

14 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

15 **MR. RACHAL:** Thank you. Was the citation sent by certified mail with a return
16 receipt requested as well as by regular U.S. mail?

17 **MS. BURL:** Yes.

18 **MR. RACHAL:** And was the regular mail returned for any reason?

19 **MS. BURL:** No.

20 **MR. RACHAL:** And have you received a return receipt from the certified
21 mailing?

22 **MS. BURL:** Yes.

1 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 3.
2 Do you recognize this document?
3 **MS. BURL:** Yes, this is a copy of the green card.
4 **MR. RACHAL:** And what is the address of the carrier on this document?
5 **MS. BURL:** 500 Jefferson Highway, Jefferson, Louisiana 50121.
6 **MR. RACHAL:** And is this the same address that's on file with the Commission?
7 **MS. BURL:** Yes.
8 **MR. RACHAL:** And is there a signature on this document?
9 **MS. BURL:** Yes.
10 **MR. RACHAL:** Is there a printed name also on this document?
11 **MS. BURL:** Yes.
12 **MR. RACHAL:** And is there a date of delivery?
13 **MS. BURL:** Yes, 7/10/24.
14 **MR. RACHAL:** Is there any of these boxes that are checked on this document?
15 **MS. BURL:** Yes. Under Section D, it says if delivery address different from Item
16 Number 1, and it's marked as no.
17 **MR. RACHAL:** And is there another box that's checked on the top next to the
18 signature?
19 **MS. BURL:** Yes, agent.
20 **MR. RACHAL:** And is there a docket number on the bottom?
21 **MS. BURL:** Yes, T-37286.
22 **MR. RACHAL:** And when did the Commission receive this document back?
23 **MS. BURL:** July 15, 2024.

1 **MR. RACHAL:** And does the tracking number on this document, ending in 0126,
2 match the last four numbers of the certified mail receipt shown on the citation?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
5 Staff Exhibit 3, the green card, and you also have the original for your inspection.

6 **JUDGE FREY:** I have what has been offered and marked by Staff as Exhibit 3,
7 the front and back copies of the certified mail return receipt. I have the original for
8 comparison and the copies match the original. Staff Exhibit Number 3 is admitted.

9 **MR. RACHAL:** Thank you, Your Honor. Just one more question about the green
10 card. Are there any boxes shaded in underneath the signature box, right above the
11 docket number?

12 **MS. BURL:** Yes, certified mail return receipt for merchandise.

13 **MR. RACHAL:** And at any point during the citation process, has the carrier filed
14 the appropriate documents to change its address on file with the Commission?

15 **MS. BURL:** No.

16 **MR. RACHAL:** And have you been in contact with anyone representing the
17 carrier since the citation was mailed?

18 **MS. BURL:** No.

19 **MR. RACHAL:** And as of today, has the carrier filed with the Commission its
20 annual report for the year 2023?

21 **MS. BURL:** No.

22 **MR. RACHAL:** And as of today, has a representative of the carrier filed the
23 appropriate documents to close its authority granted by the Commission?

1 **MS. BURL:** No.

2 **MR. RACHAL:** And is Staff seeking that the carrier be found guilty of failing to
3 file its 2023 annual report and that Common Carrier Certificate Number 8549 be
4 cancelled?

5 **MS. BURL:** Yes.

6 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
7 to pay a late filing fee in the amount of \$500?

8 **MS. BURL:** Yes.

9 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
10 to pay a citation fee in the amount of \$25?

11 **MS. BURL:** Yes.

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

13 **JUDGE FREY:** Thank you. Ms. Burl, I just have a few clarifying questions and
14 I may have misheard a couple of things you said, but I want to make sure for the
15 record. So what is the zip code for the carrier on the certified mail return receipt?

16 **MS. BURL:** 70121.

17 **JUDGE FREY:** And when did the Commission receive the certified mail receipt
18 back?

19 **MS. BURL:** July 15, 2024.

20 **JUDGE FREY:** I have no further questions for Ms. Burl. Do you have any follow
21 up?

22 **MR. RACHAL:** No, Your Honor. In closing, Your Honor, Commission Staff
23 submits that it's borne the burden of proving -- borne the burden of proving by

1 documentary and testimonial evidence that NOLA Fleet, LLC violated
2 Commission's General Order 2 dated July 1, 1921 and General Order dated March
3 18, 2021 by failing to submit an annual report. As Ms. Burl indicated, Staff is
4 seeking that the company be found guilty of this violation and that Common Carrier
5 Certificate Number 8549 be cancelled and that the carrier be ordered to pay a \$500
6 late fee and a citation fee of \$25.

7 **JUDGE FREY:** Thank you. If there is nothing further, this matter is adjourned.

8

9 **DOCKET NO. T-37288**

10 **JUDGE FREY:** The next matter on the docket this morning is Docket Number T-
11 37288 - Louisiana Public Service Commission versus Port City Towing, Recovery
12 & Automotive Care LLC. In re: Cancellation of Common Carrier Certificate
13 Number 8525 for failure to file an annual report for 2023 and/or pay a late filing
14 fee of \$500 and a citation fee of \$25 as required by General Order 2 dated July 01,
15 1921 and General Order dated March 18, 2021. Would the parties present please
16 make your appearances for the record?

17 **MR. RACHAL:** Paul Rachal on behalf of Staff.

18 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of Port
19 City Towing, Recovery & Automotive Care LLC. How does the Staff plan to move
20 forward this morning?

21 **MR. RACHAL:** Your Honor, Staff requests a motion to dismiss with prejudice.
22 All issues have been resolved.

23 **JUDGE FREY:** An order of dismissal with prejudice will be issued accordingly.

1 **DOCKET NO. T-37289**

2 **JUDGE FREY:** The next matter is Docket Number T-37289 - Louisiana Public
3 Service Commission versus POSH Transportation of New Orleans, LLC. In re:
4 Cancellation of Common Carrier Certificate Number 8418 for failure to file an
5 annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25
6 as required by General Order 2 dated July 1, 1921 and General Order dated March
7 18, 2021. Would the parties present please make your appearances for the record?

8 **MR. RACHAL:** Paul Rachal on behalf of Staff.

9 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
10 POSH Transportation of New Orleans, LLC. How does the Staff plan to move
11 forward this morning?

12 **MR. RACHAL:** Your Honor, Staff requests a motion to dismiss with prejudice.
13 All issues have been resolved.

14 **JUDGE FREY:** An order to dismiss with prejudice will be issued accordingly.
15

16 **DOCKET NO. T-37291**

17 **JUDGE FREY:** The next matter is Docket Number T-37291 - Louisiana Public
18 Service Commission versus PSC Industrial Outsourcing, LP dba Philip Services/
19 Louisiana. In re: Cancellation of Common Carrier Certificate Number 5732-H for
20 failure to file an annual report for 2023 and/or pay a late filing fee, \$500, and a
21 citation fee of \$25 as required by General Order 2 dated July 01, 1921 and General
22 Order dated March 18, 2021. Would the parties present please make your
23 appearances for the record?

1 **MR. RACHAL:** Paul Rachal on behalf of Staff.

2 **JUDGE FREY:** Let the record reflect that there is no one present in the Courtroom
3 this morning on behalf of PSC Industrial Outsourcing, LP. How does the Staff plan
4 to move forward this morning?

5 **MR. RACHAL:** We plan to move forward with this docket, Your Honor.

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

7 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to move through both
8 documentary and testimonial evidence that the carrier cited in this docket, PSC
9 Industrial Outsourcing, LP, failed to file an annual report for the year 2023 as
10 required by General Order 2 dated July 1 1921 and General Order dated March 18,
11 2021. As a result of that failure and at the conclusion of this hearing, Staff will
12 request that the carrier be found guilty of the aforementioned violation and that its
13 Common Carrier Certificate Number 5732-H be cancelled, that a \$500 late fee be
14 assessed to the carrier as well as a \$25 citation fee. We would like to call our only
15 witness, Ms. Tammy Burl.

16 **Tammy Burl, after having been previously duly sworn, testified as follows:**

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

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

19 **MR. RACHAL:** Thank you. Can you please state your name and business address
20 for the record?

21 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

22 **MR. RACHAL:** And by whom are you employed?

1 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
2 as the Transportation Administrator.

3 **MR. RACHAL:** And what are your jobs as Transportation Administrator?

4 **MS. BURL:** I oversee the day-to-day operations of the division as well as the
5 employees who monitor for compliance for those regulated motor carriers such as
6 annual reports, insurance, inspection/supervision fees, and renewals.

7 **MR. RACHAL:** And which LPSC orders require carriers to file annual reports?

8 **MS. BURL:** General Order Number dated July 1, 1921 and General Order dated
9 March 18, 2021.

10 **MR. RACHAL:** And which Commission order authorizes the assessment of a
11 \$500 late filing fee for when carriers do not timely file annual reports?

12 **MS. BURL:** General Order dated March 18, 2021.

13 **MR. RACHAL:** And which Commission order authorizes the assessing of a \$25
14 citation fee?

15 **MS. BURL:** General Order dated June 7, 2006.

16 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
17 motor carrier's authority?

18 **MS. BURL:** Title 45:166.

19 **MR. RACHAL:** When are carriers required to file annual reports with the
20 Commission?

21 **MS. BURL:** If they operate on a calendar basis, they're due April 30th each year.

22 If they operate on a fiscal year end, it's due 120 days after their fiscal year ends.

1 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
2 reports with the Commission?

3 **MS. BURL:** When they're granted authority, they're given a cover letter that
4 indicates they must file annual reports every year. Then again, in November, a
5 courtesy packet is mailed to the carrier with a blank annual report and instructions
6 on how to file it.

7 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

8 **MS. BURL:** Yes.

9 **MR. RACHAL:** And is the carrier regulated by the LPSC under Common Carrier
10 Certificate Number 5732-H?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And does this carrier file annual reports on a calendar year basis?

13 **MS. BURL:** Yes.

14 **MR. RACHAL:** So when would this particular carrier's annual report be due?

15 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

16 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
17 detailing how and by when to file its annual reports with the Commission?

18 **MS. BURL:** Yes.

19 **MR. RACHAL:** And did the carrier timely submit an annual report for the year
20 2023?

21 **MS. BURL:** No.

22 **MR. RACHAL:** You have a document before you that's been marked as Staff
23 Exhibit 1. Do you recognize this document?

1 **MS. BURL:** Yes. This is the tentative hearing letter sent to PSC Industrial
2 Outsourcing, LP on May 15, 2024.

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

4 **MS. BURL:** 42 Longwater Drive, Norwell, Maine 02061.

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

6 **MS. BURL:** Yes.

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

8 **MS. BURL:** It notifies the carrier that the 2023 annual report, that was due April
9 30th, had not been received, that a late fee of \$500 had been assessed to their
10 account, and if both the annual report and \$500 late fee were not received by June
11 14, 2024, the Commission would proceed to issue a citation to appear at a hearing.

12 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

13 **MS. BURL:** Yes.

14 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
15 mail it to the carrier?

16 **MS. BURL:** It was prepared by my previous Staff. This letter is generated
17 automatically out of our database, but it was mailed to the carrier by my Staff under
18 my direction.

19 **MR. RACHAL:** And did the U.S. Postal Service return the letter as undeliverable
20 for any reason?

21 **MS. BURL:** No.

22 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
23 Staff Exhibit 1, the tentative hearing letter sent to the carrier.

1 **JUDGE FREY:** Staff Exhibit 1 is admitted. And I will note that the address is
2 Norwell, MA 02061, and I will take judicial notice that MA is the state abbreviation
3 for Massachusetts.

4 **MR. RACHAL:** Thank you, Your Honor. After the tentative hearing letter was
5 sent, did the carrier timely file its annual report?

6 **MS. BURL:** No.

7 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
8 did the Transportation Division take next?

9 **MS. BURL:** The Commission proceeded to issue a citation to PSC Industrial
10 Outsourcing, LP dba Philip Services/ Louisiana.

11 **MR. RACHAL:** You have a document before you, which has been marked as
12 Staff Exhibit 2, in globo. Do you recognize this document?

13 **MS. BURL:** Yes, this is a copy of the citation.

14 **MR. RACHAL:** And when did the Commission send this document to the carrier?

15 **MS. BURL:** It was mailed July 3, 2024.

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

17 **MS. BURL:** It is 42 Longwater Drive, Norwell, MA 02061.

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

19 **MS. BURL:** Yes.

20 **MR. RACHAL:** And is this your signature on the citation?

21 **MS. BURL:** Yes.

22 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the
23 carrier?

1 **MS. BURL:** It was prepared by my Staff for my signature and then it was mailed
2 by my Staff under my direction.

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

4 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.

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

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
9 be issued by the Commission cancelling the carrier's common carrier certificate for
10 failure to file an annual report for 2023 and/or requiring the carrier to pay a late
11 filing fee of \$500?

12 **MS. BURL:** Yes.

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

15 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
16 Service Commission in the Galvez Building.

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

19 **MS. BURL:** Yes.

20 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
21 evidence Staff Exhibit 2, in globo, which includes the citation to the carrier and the
22 tentative hearing letter as an attachment.

23 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

1 **MR. RACHAL:** Thank you. Was the citation sent by certified mail with a return
2 receipt requested as well as by regular U.S. mail?
3 **MS. BURL:** Yes.
4 **MR. RACHAL:** And was the regular mail returned for any reason?
5 **MS. BURL:** No.
6 **MR. RACHAL:** And have you received a return receipt from the certified
7 mailing?
8 **MS. BURL:** Yes.
9 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 3.
10 Do you recognize this document?
11 **MS. BURL:** Yes, this is a copy of the green card.
12 **MR. RACHAL:** And what is the address on this document?
13 **MS. BURL:** 42 Longwater Drive, Norwell, MA. 02061.
14 **MR. RACHAL:** And is this the same address that's on file with the Commission?
15 **MS. BURL:** Yes.
16 **MR. RACHAL:** And is there a signature on this document?
17 **MS. BURL:** Yes.
18 **MR. RACHAL:** Is there also a printed name in the printed section?
19 **MS. BURL:** Yes.
20 **MR. RACHAL:** And is there a date of delivery on there?
21 **MS. BURL:** Yes, 7/19/24.
22 **MR. RACHAL:** And are any of those in Box Number 3 [INAUDIBLE] those box
23 shaded in?

1 **MS. BURL:** Yes, certified mail and returned receipt for merchandise.

2 **MR. RACHAL:** And is there a docket number on the bottom of this document?

3 **MS. BURL:** Yes, T-37291.

4 **MR. RACHAL:** And what day did the Commission receive this document back?

5 **MS. BURL:** July 23, 2024.

6 **MR. RACHAL:** And does the tracking number on this document, ending in 0171,
7 match the last four numbers of the certified mail receipt shown on the citation?

8 **MS. BURL:** Yes.

9 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
10 evidence Staff Exhibit 3, the green card. You also have the original for your
11 inspection.

12 **JUDGE FREY:** I do have what has been marked and offered by the Commission
13 Staff as Exhibit 3, copies of the front and back of the certified mail receipt. And I
14 do have the original in front of me and can confirm that the copies offered as Staff
15 Exhibit 5 match the original. Staff Exhibit 3 is admitted.

16 **MR. RACHAL:** Thank you, Your Honor. At any point during the citation process,
17 has the carrier filed the appropriate documents to change its address on file with the
18 Commission?

19 **MS. BURL:** No.

20 **MR. RACHAL:** And have you been in contact with anyone representing the
21 carrier since the citation was mailed?

22 **MS. BURL:** No.

1 **MR. RACHAL:** And as of today, has the carrier filed with the Commission its
2 annual report for the year 2023?

3 **MS. BURL:** No.

4 **MR. RACHAL:** And as of today, has a representative of the carrier filed the
5 appropriate documents to close its authority granted by the Commission?

6 **MS. BURL:** No.

7 **MR. RACHAL:** Is Staff seeking that the carrier be found guilty of failing to file
8 its 2023 annual report and that Common Carrier Certificate Number 5732-H be
9 cancelled?

10 **MS. BURL:** Yes.

11 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
12 to pay a late filing fee in the amount of \$500?

13 **MS. BURL:** Yes.

14 **MR. RACHAL:** Is Staff also seeking that the carrier be assessed and ordered to
15 pay a citation fee in the amount of \$25?

16 **MS. BURL:** Yes.

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

18 **JUDGE FREY:** I have no questions for Ms. Burl.

19 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits that it's borne
20 the burden of proving by documentary and testimonial evidence that PSC Industrial
21 Outsourcing, LP violated Commission's General Order 2 dated July 1, 1921 and
22 General Order dated March 18, 2021 by failing to submit an annual report. As Ms.
23 Burl indicated, Staff is seeking that the company be found guilty of this violation

1 and that Common Carrier Certificate Number 5732-H be cancelled and that the
2 carrier be ordered to pay \$500 late fee and a citation fee of \$25.

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

4

5 **DOCKET NO. T-37292**

6 **JUDGE FREY:** The next matter on the docket is Docket Number T-37292 -
7 Louisiana Public Service Commission versus PWS Energy Services LLC. In re:
8 Cancellation of Common Carrier Certificate Numbers 8535 and 8377-A for failure
9 to file an annual report for 2023 and/or pay a late filing fee of \$500 and a citation
10 fee of \$25 as required by General Order 2 dated July 1, 1921 and General Order
11 dated March 18, 2021. Would the parties present please make your appearances
12 for the record?

13 **MR. RACHAL:** Paul Rachal on behalf of Staff.

14 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
15 PWS Energy Services LLC. How does the Staff plan to move forward this
16 morning?

17 **MR. RACHAL:** Staff plans to move forward with this docket, Your Honor.

18 **JUDGE FREY:** You may proceed, Mr. Rachal.

19 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to prove through both
20 documentary and testimonial evidence that the carrier cited in this docket, PWS
21 Energy Services LLC, failed to file an annual report for the year 2023 as required
22 by General Order 2 dated July 1 1921 and General Order dated March 18, 2021.
23 As a result of that failure and at the conclusion of this hearing, Staff will request

1 that the carrier be found guilty of the aforementioned violation and that its Common
2 Carrier Certificate Numbers 8535 and 8377-A be cancelled and that a \$500 late fee
3 be assessed to the carrier as well as a \$25 citation fee. We would like to call our
4 only witness, Ms. Tammy Burl.

5 **Tammy Burl, after having been previously duly sworn, testified as follows:**

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

7 **MR. RACHAL:** Can you please state your name and business address for the
8 record?

9 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

10 **MR. RACHAL:** And by whom are you employed?

11 **MS. BURL:** The Louisiana Public Service Commission in the Transportation
12 Division as the Transportation Administrator.

13 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

14 **MS. BURL:** I oversee the day-to-day operations of the division as well as the
15 employees that monitor compliance for regulated motor carriers such as annual
16 reports, insurance, inspection/supervision fees, and renewals.

17 **MR. RACHAL:** And which LPSC orders require carriers to file annual reports?

18 **MS. BURL:** General Order Number 2 dated July 1, 1921 and General Order dated
19 March 18, 2021.

20 **MR. RACHAL:** And which Commission order authorizes the assessment of a
21 \$500 late filing fee when carriers do not timely file annual reports?

22 **MS. BURL:** The General Order dated March 18, 2021.

1 **MR. RACHAL:** And which Commission order authorizes the assessing of a \$25
2 citation fee?

3 **MS. BURL:** General Order dated June 7, 2006.

4 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
5 motor carrier's authority?

6 **MS. BURL:** Title 45:166.

7 **MR. RACHAL:** When are carriers required to file annual reports with the
8 Commission?

9 **MS. BURL:** If they report on a calendar year, it's due April 30th. If they report on
10 a fiscal year end, it's due 120 days after the last day of their fiscal year.

11 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
12 reports with the Commission?

13 **MS. BURL:** When they are granted authority, a cover letter is mailed with the
14 certificates indicating that annual reports are due each year. Then again, in
15 November, we send a courtesy packet with a blank annual report as well as the
16 instructions on how to file that annual report.

17 **MR. RACHAL:** Are you familiar with the carrier cited in this docket?

18 **MS. BURL:** Yes.

19 **MR. RACHAL:** Is the carrier regulated by the LPSC under Common Carrier
20 Certificate Numbers 8535 and 8377-A?

21 **MS. BURL:** Yes.

22 **MR. RACHAL:** And does this carrier file an annual report on a calendar year
23 basis?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** So when would this particular carrier's annual report be due?

3 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

4 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice

5 detailing how and by when to file annual reports with the Commission?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** And did this carrier timely file an annual report for the year 2023?

8 **MS. BURL:** No.

9 **MR. RACHAL:** You have a document before you, which has been marked as

10 Staff Exhibit 1. Do you recognize this document?

11 **MS. BURL:** Yes. This is the tentative hearing letter sent to PWS Energy Services

12 LLC on May 15, 2024.

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

14 **MS. BURL:** 139 Myrtle Lane, Converse, Louisiana 71419.

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

16 **MS. BURL:** Yes.

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

18 **MS. BURL:** It notifies the carrier that the 2023 annual report, that was due April

19 30th, had not been received, and that a late fee of \$500 had been assessed to their

20 account, and if both the annual report and \$500 late fee were not received by June

21 14, 2024, the Commission would proceed to issue a citation to the carrier.

22 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

23 **MS. BURL:** Yes.

1 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
2 mail it to the carrier?

3 **MS. BURL:** No, it was prepared by my Staff. This letter comes out of our database
4 automatically generated with my signature, but it was mailed under my direction.

5 **MR. RACHAL:** And did the U.S. Postal Service return it as undeliverable for any
6 reason?

7 **MS. BURL:** No.

8 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
9 evidence Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

11 **MR. RACHAL:** Thank you. And after the tentative hearing letter was sent, did
12 the carrier timely file its annual report for the year 2023?

13 **MS. BURL:** No.

14 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
15 did the Transportation Division take next?

16 **MS. BURL:** We proceeded to issue a citation to PWS Energy Services LLC.

17 **MR. RACHAL:** You have a document before you, which has been marked as
18 Staff Exhibit 2, in globo. Do you recognize this document?

19 **MS. BURL:** Yes, this is a copy of the citation.

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

21 **MS. BURL:** It was mailed July 3, 2024.

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

23 **MS. BURL:** 139 Myrtle Lane, Converse, Louisiana 71419.

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

2 **MS. BURL:** Yes.

3 **MR. RACHAL:** And is this your signature on the citation?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the

6 carrier?

7 **MS. BURL:** It was prepared by my previous Staff for my signature and then it was

8 mailed by that Staff member under my direction.

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

10 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.

11 **MR. RACHAL:** And did the citation provide the carrier notice that a citation fee

12 in the amount of \$25 had been assessed to the carrier's account?

13 **MS. BURL:** Yes.

14 **MR. RACHAL:** And did the citation provide the carrier notice that an order may

15 be issued by the Commission cancelling the carrier's common carrier certificate for

16 failure to file an annual report for 2023 and/or requiring the carrier to pay a late

17 filing fee of \$500?

18 **MS. BURL:** Yes.

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

20 the citation?

21 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public

22 Service Commission Galvez Building.

1 **MR. RACHAL:** And was notice of the citation published and made available to
2 the general public in the Commission's Official Bulletin?
3 **MS. BURL:** Yes.
4 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce evidence
5 Staff Exhibit 2, in globo, the citation with the tentative hearing letter as an
6 attachment.
7 **JUDGE FREY:** Staff Exhibit 2 is admitted.
8 **MR. RACHAL:** Thank you. Was the citation sent by certified mail with a return
9 receipt requested as well as by regular U.S. mail?
10 **MS. BURL:** Yes.
11 **MR. RACHAL:** And was the regular mail returned for any reason?
12 **MS. BURL:** No.
13 **MR. RACHAL:** And have you received a returned receipt from the certified
14 mailing?
15 **MS. BURL:** Yes.
16 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 3.
17 Do you recognize this document?
18 **MS. BURL:** Yes, this is a copy of the green card.
19 **MR. RACHAL:** And what is the carrier's address on this document?
20 **MS. BURL:** 139 Myrtle Lane, Converse, Louisiana 71419.
21 **MR. RACHAL:** And is that the same address that's on file with the Commission?
22 **MS. BURL:** Yes.
23 **MR. RACHAL:** Is there a signature on this document?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** Is there also a printed name on this document?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** And what is the date of delivery?

5 **MS. BURL:** 7/10/2024.

6 **MR. RACHAL:** And is the -- where the signature is, is there a box checked or x-

7 ed on?

8 **MS. BURL:** Yes, agent.

9 **MR. RACHAL:** And underneath that, are there any boxes shaded?

10 **MS. BURL:** Yes, certified mail and return receipt for merchandise.

11 **MR. RACHAL:** And is there a docket number on the bottom?

12 **MS. BURL:** Yes, T-37292.

13 **MR. RACHAL:** And is there a date where the -- is there a date on here where it

14 says the Commission receive this by?

15 **MS. BURL:** No.

16 **MR. RACHAL:** And does the tracking number on this document, ending in 0188,

17 match the last four numbers of the certified mail receipt shown on the citation?

18 **MS. BURL:** Yes.

19 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into

20 evidence Staff Exhibit 3, the green card, and you have the original copy for your

21 inspection.

22 **JUDGE FREY:** I do have what has been marked and offered by the Commission

23 Staff as Exhibit 3, the front and back copies of the certified mail return receipt

1 received by the Commission. I also have the original for comparison and can
2 confirm that the copies offered as Staff Exhibit 3 match the original. Staff Exhibit
3 3 is admitted.

4 **MR. RACHAL:** Thank you, Your Honor. At any point during this citation
5 process, has the carrier filed the appropriate documents to change its address on file
6 with the Commission?

7 **MS. BURL:** No.

8 **MR. RACHAL:** Have you been in contact with anyone representing the carrier
9 since the citation was mailed?

10 **MS. BURL:** No.

11 **MR. RACHAL:** And as of today, has the carrier filed with the Commission its
12 annual report for the year 2023?

13 **MS. BURL:** No.

14 **MR. RACHAL:** As of today, has a representative of the carrier filed the
15 appropriate documents to close its authority granted by the Commission?

16 **MS. BURL:** No.

17 **MR. RACHAL:** Is Staff seeking that the carrier be found guilty of failing to file
18 its 2023 annual report and that Common Carrier Certificate Numbers 8535 and
19 8377-A be cancelled?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
22 to pay a late filing fee in the amount of \$500?

23 **MS. BURL:** Yes.

1 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
2 to pay a citation fee in the amount of \$25?

3 **MS. BURL:** Yes.

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

5 **JUDGE FREY:** I have no questions for Ms. Burl.

6 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits that it has
7 borne the burden of proving by documentary and testimonial evidence that PWS
8 Energy Services LLC violated Commission's General Order 2 dated July 1, 1921
9 and General Order dated March 18, 2021 by failing to submit an annual report. As
10 Ms. Burl indicated, Staff is seeking that the company be found guilty of this
11 violation and that Common Carrier Certificate Numbers 8535 and 8377-A be
12 cancelled and that the carrier be ordered to pay a \$500 late fee and a citation fee of
13 \$25.

14 **JUDGE FREY:** Thank you. If there is nothing further, this matter is adjourned.

15

16 **DOCKET NO. T-37293**

17 **JUDGE FREY:** The next matter on the docket is Louisiana Public Service
18 Commission versus QOR Industrial Services LLC. In re: Cancellation of Common
19 Carrier Certificate Number 8420 for failure to file an annual report for 2023 and/or
20 pay a late filing fee of \$500 and a citation fee of \$25 as required by General Order
21 2 dated July 1, 1921 and General Order dated March 18, 2021. Would the parties
22 present please make your appearances for the record?

23 **MR. RACHAL:** Paul Rachal on behalf of Staff.

1 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
2 QOR Industrial Services LLC. How do you plan to move forward this morning,
3 Mr. Rachal?

4 **MR. RACHAL:** Your Honor, Staff requests a motion to continue to October 3,
5 2024.

6 **JUDGE FREY:** A ruling on the motion to continue and a notice of rescheduling
7 the hearing to October 3 will be issued accordingly.

8

9 **DOCKET NO. T-37294**

10 **JUDGE FREY:** The next matter is Docket Number T-37294 - Louisiana Public
11 Service Commission versus QuickSilver Transportation, LLC. In re: Cancellation
12 of Registration & Insurance Number 1588 for failure to file an annual report for
13 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25 as required by
14 General Order 2 dated July 1, 1921 and General Order dated March 18, 2021.
15 Would the parties present please make their appearances for the record?

16 **MR. RACHAL:** Paul Rachal on behalf of Staff.

17 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
18 QuickSilver Transportation, LLC. How do you plan to move forward this morning,
19 Mr. Rachal?

20 **MR. RACHAL:** Your Honor, Staff plans to move forward with this docket.

21 **JUDGE FREY:** All right. You may proceed.

22 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to prove through both
23 documentary and testimonial evidence that the carrier cited in this docket,

1 QuickSilver Transportation, LLC, failed to file an annual report for the year 2023,
2 as required by General Order 2 dated July 1 1921 and General Order dated March
3 18, 2021. As a result of that failure and at the conclusion of this hearing, Staff will
4 request that the carrier be found guilty of the aforementioned violation and that its
5 Registration and Insurance Number 1588 be cancelled and that a \$500 late fee be
6 assessed to the carrier as well as a \$25 citation fee. We would like to call our only
7 witness, Ms. Tammy Burl.

8 **Tammy Burl, after having been previously duly sworn, testified as follows:**

9 **JUDGE FREY:** You may proceed, Mr. Rachal.

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

11 **MR. RACHAL:** Thank you. Can you please state your name and business address
12 for the record?

13 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

14 **MR. RACHAL:** And by whom are you employed?

15 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
16 as the Transportation Administrator.

17 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

18 **MS. BURL:** I oversee the day-to-day operations of the Transportation Division as
19 well as the employees who monitor compliance for regulated carriers, which
20 includes annual reports, insurance, inspection/supervision fees, and renewals.

21 **MR. RACHAL:** And which LPSC orders require carriers to file annual reports?

22 **MS. BURL:** General Order Number 2 dated July 1, 1921 and General Order dated
23 March 18, 2021.

1 **MR. RACHAL:** And which Commission order authorizes the assessment of a
2 \$500 late filing fee when carriers do not timely file annual reports?

3 **MS. BURL:** General Order dated March 18, 2021.

4 **MR. RACHAL:** And which Commission order authorizes the assessing of a \$25
5 citation fee?

6 **MS. BURL:** General Order dated June 7, 2006.

7 **MR. RACHAL:** And what statute gives the Commission authority to cancel a
8 motor carrier's authority?

9 **MS. BURL:** Title 45:166.

10 **MR. RACHAL:** And when are carriers required to file annual reports with the
11 Commission?

12 **MS. BURL:** If they operate on a calendar year end, it's due April 30th each year.
13 If they operate on a fiscal year end, it's due 120 days after the last year of their
14 fiscal end.

15 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
16 reports with the Commission?

17 **MS. BURL:** When they're granted authority, they're given a cover letter attached
18 to their certificates indicating that annual reports are due to the Commission each
19 year. Then again, in November, we send a courtesy packet to the carrier, which
20 includes an annual report and instructions on how to file it.

21 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

22 **MS. BURL:** Yes.

1 **MR. RACHAL:** Is the carrier regulated by the LPSC under Registration and
2 Insurance Number 1588?
3 **MS. BURL:** Yes.
4 **MR. RACHAL:** And does this carrier file an annual report on a calendar year
5 basis?
6 **MS. BURL:** Yes.
7 **MR. RACHAL:** So when would the annual report -- when would this particular
8 carrier's annual report be due?
9 **MS. BURL:** Their 2023 annual report was due April 30, 2024.
10 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
11 detailing how and by when to file annual reports with the Commission?
12 **MS. BURL:** Yes.
13 **MR. RACHAL:** And did this carrier timely submit an annual report for the year
14 2023?
15 **MS. BURL:** No.
16 **MR. RACHAL:** You have a document before you, which has been marked as
17 Staff Exhibit 1. Do you recognize this document?
18 **MS. BURL:** Yes. This is a copy of the tentative hearing letter sent to QuickSilver
19 Transportation, LLC on May 15, 2024.
20 **MR. RACHAL:** And what is the carrier's address on this document?
21 **MS. BURL:** 5004 Radcliff Street, Marrero, Louisiana 70072.
22 **MR. RACHAL:** And is this the same address on file with the Commission?
23 **MS. BURL:** Yes.

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

2 **MS. BURL:** It notifies the carrier that their 2023 annual report was not received
3 by the April 30th due date, that a late fee of \$500 had assessed to their account, and
4 if both the annual report and \$500 late fee were not received by June 14, 2024, the
5 Commission would proceed to issue a citation to the carrier.

6 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
9 mail it to the carrier?

10 **MS. BURL:** It was prepared by my Staff. This letter is automatically generated
11 out of the database, but it was mailed by my Staff under my direction.

12 **MR. RACHAL:** And did the U.S. Postal Service return the letter as undeliverable
13 for any reason?

14 **MS. BURL:** No.

15 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
16 evidence Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

18 **MR. RACHAL:** Thank you. After the tentative hearing letter was sent, did the
19 carrier timely file its annual report for the year 2023?

20 **MS. BURL:** No.

21 **MR. RACHAL:** After the carrier's failure to file its annual report, what action did
22 the Transportation Division take next?

23 **MS. BURL:** We proceeded to issue a citation to QuickSilver Transportation, LLC.

1 **MR. RACHAL:** You have a document before you, which has been marked as
2 Staff Exhibit 2, in globo. Do you recognize this document?
3 **MS. BURL:** Yes, this is a copy of the citation.
4 **MR. RACHAL:** And when did the Commission send this document?
5 **MS. BURL:** It was mailed to the carrier on July 3, 2024.
6 **MR. RACHAL:** And what is the carrier's address on this document?
7 **MS. BURL:** 5004 Radcliff Street, Marrero, Louisiana 70072.
8 **MR. RACHAL:** And is this the same address that's on file with the Commission?
9 **MS. BURL:** Yes.
10 **MR. RACHAL:** And is this your signature on the citation?
11 **MS. BURL:** Yes.
12 **MR. RACHAL:** And did you prepare this citation for mailing, and mail it to the
13 carrier?
14 **MS. BURL:** No. It was prepared by my Staff for my signature and then it was
15 mailed by my Staff to the carrier under my direction.
16 **MR. RACHAL:** And were there any documents attached to this citation?
17 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.
18 **MR. RACHAL:** And did the citation provide the carrier notice that a citation fee
19 in the amount of \$25 had been assessed to the carrier's account?
20 **MS. BURL:** Yes.
21 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
22 be issued with the Commission cancelling the carrier's registration and insurance

1 for failure to file an annual report for 2023 and/or requiring the carrier to pay a late
2 filing fee of \$500?

3 **MS. BURL:** Yes.

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

6 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
7 Service Commission in the Galvez Building.

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

10 **MS. BURL:** Yes.

11 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
12 evidence Staff Exhibit 2, in globo, the citation with the tentative hearing letter as
13 an attachment.

14 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

15 **MR. RACHAL:** Thank you. Was the citation sent by certified mail with a return
16 receipt requested as well as by regular U.S. mail?

17 **MS. BURL:** Yes.

18 **MR. RACHAL:** And was the regular mail returned for any reason?

19 **MS. BURL:** No.

20 **MR. RACHAL:** And have you received a return receipt from the certified
21 mailing?

22 **MS. BURL:** Yes.

1 **MR. RACHAL:** You have a document in front of you marked as Staff Exhibit 3.
2 Do you recognize this document?
3 **MS. BURL:** Yes, this is a copy of the green card.
4 **MR. RACHAL:** And what is the carrier's address on this document?
5 **MS. BURL:** 5004 Radcliff Street, Marrero, Louisiana 70072.
6 **MR. RACHAL:** And is this the same address that's on file with the Commission?
7 **MS. BURL:** Yes.
8 **MR. RACHAL:** And is there a signature on this document?
9 **MS. BURL:** Yes.
10 **MR. RACHAL:** And is there also a printed name on this document?
11 **MS. BURL:** Yes.
12 **MR. RACHAL:** And are there any shaded boxes on the bottom of this document?
13 **MS. BURL:** Certified mail and return receipt for merchandise.
14 **MR. RACHAL:** And is there a docket number on the bottom of this document?
15 **MS. BURL:** Yes, T-37294.
16 **MR. RACHAL:** And when did the Commission receive this document?
17 **MS. BURL:** July 25, 2024.
18 **MR. RACHAL:** And does the tracking number on this document, ending in 0201,
19 match the last four numbers of the certified mail receipt shown on the citation?
20 **MS. BURL:** Yes.
21 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
22 evidence Staff Exhibit 3, the green card. You also have the original copy for your
23 inspection.

1 **JUDGE FREY:** I have what has been marked and offered by Commission Staff
2 as Exhibit 3, copies of the front and back of the certified mail receipt. I also have
3 the original, and I can state that the copies offered as Staff Exhibit 3 match the
4 original. Staff Exhibit 3 is admitted.

5 **MR. RACHAL:** Thank you. At any point during this citation process, has the
6 carrier filed the appropriate documents to change its address on file with the
7 Commission?

8 **MS. BURL:** No.

9 **MR. RACHAL:** Have you been in contact with anyone representing the carrier
10 since the citation was mailed?

11 **MS. BURL:** No.

12 **MR. RACHAL:** As of today, has the carrier filed with the Commission an annual
13 report for 2023?

14 **MS. BURL:** No.

15 **MR. RACHAL:** As of today, has a representative of the carrier filed the
16 appropriate documents to close its authority granted by the Commission?

17 **MS. BURL:** No.

18 **MR. RACHAL:** Is Staff seeking that the carrier be found guilty of failing to file
19 its 2023 annual report and that Registration and Insurance Number 1588 be
20 cancelled?

21 **MS. BURL:** Yes.

22 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
23 to pay a late filing fee in the amount of \$500?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and order to
3 pay a citation fee in the amount of \$25?

4 **MS. BURL:** Yes.

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

6 **JUDGE FREY:** Thank you. I have no questions for Ms. Burl.

7 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits that it's borne
8 the burden of proving by documentary and testimonial evidence that QuickSilver
9 Transportation, LLC violated Commission's General Order 2 dated July 1, 1921
10 and General Order dated March 18, 2021 by failing to submit an annual report. As
11 Ms. Burl indicated, Staff is seeking that the company be found guilty of this
12 violation and that the Registration and Insurance Number 1588 be cancelled and
13 that the carrier be ordered to pay \$500 late fee and a citation fee of \$25.

14 **JUDGE FREY:** Thank you. If there is nothing further, this matter is adjourned.

15

16 **DOCKET NO. T-37295**

17 **JUDGE FREY:** The next matter on the docket is Docket Number T-37295 -
18 Louisiana Public Service Commission versus R&W Towing Inc. In re:
19 Cancellation of Common Carrier Certificate Number 8546 for failure to file an
20 annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25
21 as required by General Order 2 dated July 1, 1921 and General Order dated March
22 18, 2021. Would the parties present please make their appearances for the record?

23 **MR. RACHAL:** Paul Rachal on behalf of Staff.

1 **JUDGE FREY:** Let the record reflect that there is no one present in the Courtroom
2 this morning on behalf of R&W Towing Inc. How does the Staff plan to move
3 forward?

4 **MR. RACHAL:** Your Honor, Staff requests a motion to dismiss. The account
5 was closed by Special Order 61-2024.

6 **JUDGE FREY:** All right. With Special Order Number 61-2024 dated August 15,
7 2024?

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

9 **JUDGE FREY:** All right. And that cancelled R&W Towing Certificate Number
10 8546?

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

12 **JUDGE FREY:** An order of dismissal with prejudice cancelling -- I mean,
13 granting the dismissal will be issued accordingly.

14

15 **DOCKET NO. T-37296**

16 **JUDGE FREY:** The next matter on the docket, is Docket Number T-37296 -
17 Louisiana Public Service Commission versus Riverbend Charters & Tours, LLC.
18 In re: Cancellation of Common Carrier Certificate Number 7788 for failure to file
19 an annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee of
20 \$25 as required by General Order 2 dated July 1, 1921 and General Order dated
21 March 18, 2021. Would the parties present please make their appearances for the
22 record?

23 **MR. RACHAL:** Paul Rachal on behalf of Staff.

1 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
2 Riverbend Charters & Tours, LLC. How does the Staff plan to move forward this
3 morning?

4 **MR. RACHAL:** Your Honor, Staff requests a motion to dismiss with prejudice.
5 All issues have been resolved.

6 **JUDGE FREY:** An order of dismissal with prejudice will be issued accordingly.

7 **MR. RACHAL:** Your Honor, can we take a break?

8 **JUDGE FREY:** I was going to suggest we might want to think about that. Okay.
9 Let's come back at 25 after. Is that enough time?

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

11 **JUDGE FREY:** Okay. All right. We will recess until 25 after.

12 **[OFF THE RECORD]**

13 **[BACK ON THE RECORD]**

14 **JUDGE FREY:** We are back on the record for transportation citation hearings this
15 morning after a brief recess.

16

17 **DOCKET NO. T-37299**

18 **JUDGE FREY:** The next matter on the docket is Docket Number T-37299 -
19 Louisiana Public Service Commission versus Smith's 3rd Generation Towing, Inc.
20 dba Smith's Towing & Recovery. In re: Cancellation of Common Carrier
21 Certificate Number 7750 for failure to file an annual report for 2023 and/or pay a
22 late filing fee of \$500 and a citation fee of \$25 as required by General Order 2 dated

1 July 1, 1921 and General Order dated March 18, 2021. Would the parties present
2 please make their appearances for the record?

3 **MR. RACHAL:** Paul Rachal on behalf of Staff.

4 **JUDGE FREY:** Let the record reflect there is no one present on behalf of Smith's
5 3rd Generation Towing, Inc. How does the Staff plan to move forward this
6 morning?

7 **MR. RACHAL:** Your Honor, Staff requests a motion to continue to October 3,
8 2024.

9 **JUDGE FREY:** A ruling on the motion to continue and a notice of rescheduling
10 this matter to October 3rd will be issued accordingly.

11

12 **DOCKET NO. T-37302**

13 **JUDGE FREY:** The next matter on the docket is Docket Number T-37302 -
14 Louisiana Public Service Commission versus Spartan Recovery, LLC. In re:
15 Cancellation of Common Carrier Certificate Number 8460 for failure to file an
16 annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25
17 as required by General Order 2 dated July 1, 1921 and General Order dated March
18 18, 2021. Would the parties present please make your appearances for the record?

19 **MR. RACHAL:** Paul Rachal on behalf of Staff.

20 **JUDGE FREY:** Let the record reflect there is no one present on behalf of Spartan
21 Recovery, LLC. How does the Staff plan to move forward this morning?

22 **MR. RACHAL:** Staff plans to move forward with this docket, Your Honor.

23 **JUDGE FREY:** You may proceed, Mr. Rachal.

1 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to prove through both
2 documentary and testimonial evidence that the carrier cited in this docket, Spartan
3 Recovery, LLC, failed to file an annual report for the year 2023 as required by
4 General Order 2 dated July 1, 1921 and General Order dated March 18, 2021. As
5 a result of that failure and at the conclusion of this hearing, Staff will request that
6 the carrier be found guilty of the aforementioned violation and that its Common
7 Carrier Certificate Number 8460 be cancelled, that a \$500 late fee be assessed to
8 the carrier as well as a \$25 citation fee. We would like to call our only witness,
9 Ms. Tammy Burl.

10 **Tammy Burl, after having been previously duly sworn, testified as follows:**

11 **JUDGE FREY:** You may proceed, Mr. Rachal.

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

13 **MR. RACHAL:** Thank you. Can you please state your name and business address
14 for the record?

15 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

16 **MR. RACHAL:** And by whom are you employed?

17 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
18 as the Transportation Administrator.

19 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

20 **MS. BURL:** I oversee the day-to-day operations of the division, including the
21 employees that monitor for compliance for LPSC regulated motor carriers such as
22 for annual reports, insurance, inspection/supervision fees, and renewals.

23 **MR. RACHAL:** And which LPSC orders requires carriers to file annual reports?

1 **MS. BURL:** General Order 2 dated July 1, 1921 and General Order dated March
2 18, 2021.

3 **MR. RACHAL:** And which Commission order authorizes the assessment of a
4 \$500 late filing fee when carriers do not timely file annual reports?

5 **MS. BURL:** General Order dated March 18, 2021.

6 **MR. RACHAL:** And which Commission order authorizes the assessing of a \$25
7 citation fee?

8 **MS. BURL:** General Order dated June 7, 2006.

9 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
10 motor carrier's authority?

11 **MS. BURL:** Title 45:166.

12 **MR. RACHAL:** And when are carriers required to file annual reports with the
13 Commission?

14 **MS. BURL:** If they operate on a calendar year end, they're due April 30th each
15 year. If they operate on a fiscal year end, it's 120 days after the last day of their
16 fiscal year.

17 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
18 reports with the Commission?

19 **MS. BURL:** When they are granted authority, they're given a cover letter with
20 their certificate indicating that annual reports shall be filed each year. Then again,
21 in November, we send a courtesy packet to the carrier that includes a blank annual
22 report with instructions on how to make those filings.

23 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** Is the carrier regulated by LPSC under the Common Carrier
3 Certificate Number 8460?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And does this carrier file annual reports on a calendar year basis?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** So when would this particular carrier's annual report be due?

8 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

9 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
10 detailing how and by when to file annual reports with the Commission?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And did this carrier timely submit an annual report for the year
13 2023?

14 **MS. BURL:** No.

15 **MR. RACHAL:** You have a document before you, which has been marked as
16 Staff Exhibit 1. Do you recognize this document?

17 **MS. BURL:** Yes. This is the tentative hearing letter sent to Spartan Recovery,
18 LLC on May 15, 2024.

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

20 **MS. BURL:** 110 Industrial Drive, Slidell, Louisiana 70460.

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

22 **MS. BURL:** Yes.

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

1 **MS. BURL:** It notifies the carrier that the 2023 annual report, that was due April
2 30th, had not been received, a late fee of \$500 had assessed to their account, and
3 that if both the annual report and the \$500 late fee were not received by the
4 Commission by June 14, 2024, the Commission would proceed to issue a citation
5 to the carrier.

6 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
9 mail it to the carrier?

10 **MS. BURL:** It was prepared by my previous Staff members. This letter comes out
11 of the database. It's generated automatically through our database with my
12 signature, but it was mailed under my direction by my Staff.

13 **MR. RACHAL:** And did the U.S. Postal Service return the letter as undeliverable
14 for any reason?

15 **MS. BURL:** No.

16 **MR. RACHAL:** Your Honor, Staff moves to offer, and file, introduce into
17 evidence Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

19 **MR. RACHAL:** Thank you. After the tentative hearing letter was sent, did the
20 carrier timely file its annual report for the year 2023?

21 **MS. BURL:** No.

22 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
23 did the Transportation Division take next?

1 **MS. BURL:** Commission proceeded to issue a citation to Spartan Recovery, LLC.

2 **MR. RACHAL:** You have a document before you, which has been marked as

3 Staff Exhibit 2, in globo. Do you recognize this document?

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

5 **MR. RACHAL:** And when did the Commission send out this document?

6 **MS. BURL:** It was mailed July 3, 2024.

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

8 **MS. BURL:** 110 Industrial Drive, Slidell, Louisiana 70460.

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

10 **MS. BURL:** Yes.

11 **MR. RACHAL:** And is this your signature on the citation?

12 **MS. BURL:** Yes.

13 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the

14 carrier?

15 **MS. BURL:** It was prepared by my Staff for my signature, and then under my

16 direction, my Staff mailed it to the carrier.

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

18 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.

19 **MR. RACHAL:** And did the citation provide the carrier notice that a citation fee

20 in the amount of \$25 had been assessed to the carrier's account?

21 **MS. BURL:** Yes.

22 **MR. RACHAL:** And did the citation provide the carrier notice that an order may

23 be issued by the Commission cancelling the carrier's common carrier certificate for

1 failure to file annual report for 2023 and/or requiring the carrier to pay a late filing
2 fee of \$500?

3 **MS. BURL:** Yes.

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

6 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
7 Service Commission in the Galvez Building.

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

10 **MS. BURL:** Yes.

11 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
12 evidence Staff Exhibit 2, in globo, the citation with the tentative hearing letter as
13 an attachment.

14 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

15 **MR. RACHAL:** Thank you. Was the citation sent by certified mail with a return
16 receipt requested as well as by regular U.S. mail?

17 **MS. BURL:** Yes.

18 **MR. RACHAL:** And was the regular mail returned for any reason?

19 **MS. BURL:** No.

20 **MR. RACHAL:** And have you received a return receipt from the certified
21 mailing?

22 **MS. BURL:** Yes.

1 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 3.
2 Do you recognize this document?
3 **MS. BURL:** Yes, this is a copy of the green card.
4 **MR. RACHAL:** And what's the carrier's address on this document?
5 **MS. BURL:** 110 Industrial Drive, Slidell, Louisiana 70460.
6 **MR. RACHAL:** And is this the same address on file with the Commission?
7 **MS. BURL:** Yes.
8 **MR. RACHAL:** And is there a signature on this document?
9 **MS. BURL:** Yes.
10 **MR. RACHAL:** And is there also a printed name on this document?
11 **MS. BURL:** Yes.
12 **MR. RACHAL:** And when was the date of delivery?
13 **MS. BURL:** 7/10.
14 **MR. RACHAL:** And are there any shaded boxes on the bottom?
15 **MS. BURL:** Yes, certified mail and return receipt for merchandise.
16 **MR. RACHAL:** And is there a docket number on the bottom?
17 **MS. BURL:** Yes, T-37302.
18 **MR. RACHAL:** And what date did the Commission receive this green card?
19 **MS. BURL:** July 15, 2024.
20 **MR. RACHAL:** And does the tracking number on this document, ending in 0287,
21 match the last four numbers of the certified mail receipt shown on the citation?
22 **MS. BURL:** Yes.

1 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
2 Staff Exhibit 3, the green card, and you also have the original copy for your
3 inspection.

4 **JUDGE FREY:** I have what has been identified and offered by Staff as Staff
5 Exhibit 3, which is copies of the front and back of the certified mail return receipt,
6 and the original for comparison. And the copies offered by Staff as Exhibit 3 match
7 the original. Staff Exhibit 3 is admitted.

8 **MR. RACHAL:** Thank you, Your Honor. At any point during this citation
9 process, has the carrier filed the appropriate documents to change its address on file
10 with the Commission?

11 **MS. BURL:** No.

12 **MR. RACHAL:** And have you been in contact with anyone representing the
13 carrier since the citation was mailed?

14 **MS. BURL:** No.

15 **MR. RACHAL:** As of today, has the carrier filed with the Commission its annual
16 report for 2023?

17 **MS. BURL:** No.

18 **MR. RACHAL:** And as of today, has a representative of the carrier filed the
19 appropriate documents to close its authority granted by the Commission?

20 **MS. BURL:** No.

21 **MR. RACHAL:** And is Staff seeking that the carrier be found guilty of failing to
22 file its 2023 annual report and that Common Carrier Certificate Number 8460 be
23 cancelled?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
3 to pay a late filing fee in the amount of \$500?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
6 to pay a citation fee in the amount of \$25?

7 **MS. BURL:** Yes.

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

9 **JUDGE FREY:** Ms. Burl, do you have what was admitted as Staff Exhibit 3 in
10 front of you?

11 **MS. BURL:** Yes.

12 **JUDGE FREY:** And for purposes of these questions, I'll present Ms. Burl with
13 the original certified mail receipt for her inspection. In the received stamp by the
14 Commission, does there appear to be handwriting over the stamp?

15 **MS. BURL:** Yes.

16 **JUDGE FREY:** Can you explain that, please?

17 **MS. BURL:** Yes. My Staff has been directed that if for some reason the date
18 stamp is not clear, to make sure that they write in the actual date that it was received
19 back at the Commission.

20 **JUDGE FREY:** All right. Thank you. And just to confirm, what is that date
21 received?

22 **MS. BURL:** July 15, 2024.

1 **JUDGE FREY:** Thank you. I have no further questions. Do you have any follow
2 up, Mr. Rachal?

3 **MR. RACHAL:** I do not, Your Honor. In closing, Your Honor, Commission Staff
4 submits that it has borne the burden of proving by documentary and testimonial
5 evidence that Spartan Recovery, LLC violated Commission's General Order 2
6 dated July 1, 1921 and General Order dated March 18, 2021 by failing to submit an
7 annual report. As Ms. Burl indicated, Staff is seeking that the company be found
8 guilty of this violation and that Common Carrier Certificate Number 8460 be
9 cancelled and that the carrier be ordered to pay a \$500 fine and a citation fee of
10 \$25.

11 **JUDGE FREY:** Is that a \$500 late fee?

12 **MR. RACHAL:** Late fee. Yes, Your Honor.

13 **JUDGE FREY:** All right. If there is nothing further in this matter, it is adjourned.

14

15 **DOCKET NO. T-37304**

16 **JUDGE FREY:** The next matter on the docket is Docket Number T-37304 -
17 Louisiana Public Service Commission versus Sulari PVT LLC. In re: Cancellation
18 of Common Carrier Certificate Number 8511 for failure to file an annual report for
19 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25 as required by
20 General Order 2 dated July 1, 1921 and General Order dated March 18, 2021.

21 Would the parties present please make their appearances for the record?

22 **MR. RACHAL:** Paul Rachal on behalf of Staff.

1 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
2 Sulari PVT LLC. How does the Staff plan to move forward this morning?

3 **MR. RACHAL:** Staff requests a motion to continue to October 3, 2024.

4 **JUDGE FREY:** A ruling on the motion to continue and a notice of rescheduling
5 this matter to October 3rd will be issued accordingly.

6

7 **DOCKET NO. T-37309**

8 **JUDGE FREY:** The next matter on the docket is Docket Number T-37309 -
9 Louisiana Public Service Commission versus Tony Cook Construction, LLC. In
10 re: Cancellation of Common Carrier Certificate Numbers 8456 and 8446 for failure
11 to file an annual report for 2023 and/or pay a late filing fee of \$500 and a citation
12 fee of \$25 as required by General Order 2 dated July 1, 1921 and General Order
13 dated March 18, 2021. Would the parties present please make their appearances
14 for the record?

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

16 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
17 Tony Cook Construction, LLC. How does the Staff plan to move forward this
18 morning?

19 **MR. RACHAL:** Staff plans to move forward with this docket, Your Honor.

20 **JUDGE FREY:** You may proceed, Mr. Rachal.

21 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to move through both
22 documentary and testimonial evidence that the carrier cited in this docket, Tony
23 Cook Construction, LLC, failed to file an annual report for the year 2023 as

1 required by General Order 2 dated July 1, 1921 and General Order dated March 18,
2 2021. As a result of that failure and at the conclusion of this hearing, Staff will
3 request that the carrier be found guilty of the aforementioned violation and that its
4 Common Carrier Certificate Numbers 8456 and 8446 be cancelled and that a \$500
5 late fee be assessed to the carrier as well as a \$25 citation fee. We would like to
6 call our only witness, Ms. Tammy Burl.

7 **Tammy Burl, after having been previously duly sworn, testified as follows:**

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

9 **MR. RACHAL:** Can you please state your name and business address for the
10 record?

11 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

12 **MR. RACHAL:** And by whom are you employed?

13 **MS. BURL:** The Louisiana Public Service Commission's Transportation Division
14 as the Transportation Administrator.

15 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

16 **MS. BURL:** I oversee the day-to-day operations of the division and the employees
17 who monitor for compliance for regulated motor carrier's such as annual reports,
18 insurance, inspection/supervision fees, and renewals.

19 **MR. RACHAL:** And what LPSC orders require carriers to file annual reports?

20 **MS. BURL:** General Order Number 2 dated July 1, 1921 and General Order dated
21 March 18, 2021.

22 **MR. RACHAL:** And which Commission order authorizes the assessment of a
23 \$500 late filing fee when carriers do not timely file annual reports?

1 **MS. BURL:** General Order dated March 18, 2021.

2 **MR. RACHAL:** And which Commission order authorizes the assessing of a \$25
3 citation fee?

4 **MS. BURL:** General Order dated June 7, 2006.

5 **MR. RACHAL:** And what statute gives the Commission authority to cancel a
6 motor carrier's authority?

7 **MS. BURL:** Title 45:166.

8 **MR. RACHAL:** And when are carriers required to file annual reports with the
9 Commission?

10 **MS. BURL:** If they operate on a calendar year end, it's due by April 30th each year.
11 If they operate on a fiscal year end, it's due 120 days after the last day of their fiscal
12 year.

13 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
14 reports with the Commission?

15 **MS. BURL:** When they are granted their authority, a cover letter is sent with their
16 certificate. It outlines that annual reports shall be filed each year. Then again, in
17 November, we send a courtesy packet to the carrier with a blank annual report and
18 instructions on how to make those filings.

19 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** And is the carrier regulated by the LPSC under Common Carrier
22 Certificate Numbers 8456 and 8446?

23 **MS. BURL:** Yes.

1 **MR. RACHAL:** And does this carrier file an annual report on a calendar year
2 basis?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** So when would this particular carrier's annual report be due?

5 **MS. BURL:** Their 2023 annual report was due April 30th of this year.

6 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
7 detailing how and by when to file annual reports with the Commission?

8 **MS. BURL:** Yes.

9 **MR. RACHAL:** And did this carrier timely submit an annual report for the year
10 2023?

11 **MS. BURL:** They did not.

12 **MR. RACHAL:** You have a document before you, which has been marked as
13 Staff Exhibit 1. Do you recognize this document?

14 **MS. BURL:** Yes. This is a copy of the tentative hearing letter sent to Tony Cook
15 Construction, LLC on May 15, 2024.

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

17 **MS. BURL:** 402 Service Road, Rayne, Louisiana 70578.

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

19 **MS. BURL:** Yes.

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

21 **MS. BURL:** It notifies the carrier that their 2023 annual report was not received
22 by the April 30th due date, and that a late fee of \$500 had been assessed to their

1 account, and if both the annual report and \$500 were not received by June 14, 2024,
2 the Commission would proceed to issue a citation to the carrier.

3 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
6 mail it to the carrier?

7 **MS. BURL:** It was prepared by my Staff. This letter comes out of -- is generated
8 out of our database automatically, but this letter was mailed by my Staff under my
9 direction.

10 **MR. RACHAL:** Did the U.S. Postal Service return the letter as undeliverable for
11 any reason?

12 **MS. BURL:** No.

13 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
14 evidence Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

16 **MR. RACHAL:** Thank you. After the tentative hearing letter was sent, did the
17 carrier timely file its annual report for the year 2023?

18 **MS. BURL:** No.

19 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
20 did the Transportation Division take next?

21 **MS. BURL:** We proceeded to issue a citation to Tony Cook Construction, LLC.

22 **MR. RACHAL:** You have a document before you, marked as Staff Exhibit 2, in
23 globo. Do you recognize this document?

1 **MS. BURL:** Yes, this is a copy of the citation.

2 **MR. RACHAL:** And when did the Commission send out this document?

3 **MS. BURL:** It was mailed July 3, 2024.

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

5 **MS. BURL:** 402 Service Road, Rayne, Louisiana 70578.

6 **MR. RACHAL:** Is that the same address that's on file with the Commission?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And is your signature on the citation?

9 **MS. BURL:** Yes.

10 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the
11 carrier?

12 **MS. BURL:** It was prepared by my Staff for my signature and it was mailed by
13 my Staff under my direction.

14 **MR. RACHAL:** And were there any documents attached to this letter -- or to the
15 citation?

16 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.

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

19 **MS. BURL:** Yes.

20 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
21 be issued by the Commission cancelling the carrier's common carrier certificate for
22 failure to file an annual report for 2023 and/or requiring the carrier to pay a late
23 filing fee of \$500?

1 **MS. BURL:** Yes.

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

4 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
5 Service Commission in the Galvez Building.

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

8 **MS. BURL:** Yes.

9 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
10 evidence Staff Exhibit 2, in globo, the citation with the tentative hearing letter as
11 an attachment.

12 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

13 **MR. RACHAL:** Thank you. Once the citation was sent by -- was the citation sent
14 by certified mail with a return receipt requested as well as by regular U.S. mail?

15 **MS. BURL:** Yes.

16 **MR. RACHAL:** And was the regular mail returned for any reason?

17 **MS. BURL:** No.

18 **MR. RACHAL:** And have you received a return receipt from the certified
19 mailing?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** You have a document in front of you marked as Staff Exhibit 3.
22 Do you recognize this document?

23 **MS. BURL:** Yes, this is a copy of the green card.

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

2 **MS. BURL:** 402 Service Road, Rayne, Louisiana 70578.

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

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And is there a signature on this document?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** And is there also a printed name?

8 **MS. BURL:** Yes.

9 **MR. RACHAL:** And a date of delivery?

10 **MS. BURL:** 7/10, and it appears to be cut off, 7/10/2.

11 **MR. RACHAL:** And is there a docket number on the bottom?

12 **MS. BURL:** Yes, T-37309.

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

14 **MS. BURL:** August 2, 2024.

15 **MR. RACHAL:** And is there anything shaded on the bottom, below the signature?

16 **MS. BURL:** Certified mail, and there's another shading, but it appears that this

17 document must have gotten caught in the mail delivery because it's ripped off.

18 **MR. RACHAL:** And does the tracking number on this document, ending in 0331,

19 match the last four numbers of the certified mail receipt shown on the citation?

20 **MS. BURL:** Yes.

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

22 Staff Exhibit 3, the green card, and you have the original copy for your inspection.

1 **JUDGE FREY:** I do. I have what has been marked and offered as Staff Exhibit
2 3, which is a copy of the front and back of the certified mail return receipt. And I
3 have the original for comparison, and I can confirm that the copies offered as Staff
4 Exhibit 3 match the original. And I will take judicial notice that the very bottom
5 right hand corner, if you're looking at the signature side, is torn. Staff Exhibit 3 is
6 admitted.

7 **MR. RACHAL:** Thank you, Your Honor. At any point during this citation
8 process, has the carrier filed the appropriate documents to change its address on file
9 with the Commission?

10 **MS. BURL:** No.

11 **MR. RACHAL:** And have you been in contact with anyone representing the
12 carrier since the citation was mailed?

13 **MS. BURL:** No.

14 **MR. RACHAL:** And as of today, has the carrier filed with the Commission an
15 annual report for 2023?

16 **MS. BURL:** No.

17 **MR. RACHAL:** And as of today, has a representative of the carrier filed the
18 appropriate documents to close its authority granted by the Commission?

19 **MS. BURL:** No.

20 **MR. RACHAL:** And is Staff seeking that the carrier be found guilty of failing to
21 file its 2023 annual report and that Common Carrier Certificate Numbers 8456 and
22 8446 be cancelled?

23 **MS. BURL:** Yes.

1 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
2 to pay a late filing fee in the amount of \$500?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and ordered
5 to pay a citation fee in the amount of \$25?

6 **MS. BURL:** Yes.

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

8 **JUDGE FREY:** I have no questions for Ms. Burl.

9 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits that it's borne
10 the burden of proving by documentary and testimonial evidence that Tony Cook
11 Construction, LLC violated Commission's General Order 2 dated July 1, 1921 and
12 General Order dated March 18, 2021 by failing to submit an annual report. As Ms.
13 Burl indicated, Staff is seeking that the company be found guilty of this violation,
14 and that Common Carrier Certificate Numbers 8456 and 8446 be cancelled and that
15 the carrier be ordered to pay a \$500 late fine and a citation fee of \$25.

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

17

18 **DOCKET NO. T-37310**

19 **JUDGE FREY:** The next matter on the docket is Docket Number T-37310 -
20 Louisiana Public Service Commission versus Touchdown Towing LLC. In re:
21 Cancellation of Common Carrier Certificate Number 8436 for failure to file an
22 annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25

1 as required by General Order 2 dated July 1, 1921 and General Order dated March
2 18, 2021. Would the parties present please make your appearances for the record?

3 **MR. RACHAL:** Paul Rachal on behalf of Staff.

4 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
5 Touchdown Towing LLC. How does the Staff plan to proceed this morning?

6 **MR. RACHAL:** Your Honor, Staff plans to move forward with this docket.

7 **JUDGE FREY:** You may proceed, Mr. Rachal.

8 **MR. RACHAL:** Thank you. Your Honor, Staff is prepared to prove through both
9 documentary and testimonial evidence that the carrier cited in this docket,
10 Touchdown Towing LLC, failed to file its annual report for the year 2023, as
11 required by General Order 2 dated July 1 1921 and General Order dated March 18,
12 2021. As a result of that failure and at the conclusion of this hearing, Staff will
13 request that the carrier be found guilty of the aforementioned violation, and that its
14 Common Carrier Certificate Number 8436 be cancelled, that a \$500 late fee be
15 assessed to the carrier as well as a \$25 citation fee. We would like to call our only
16 witness, Ms. Tammy Burl.

17 **Tammy Burl, after having been previously duly sworn, testified as follows:**

18 **JUDGE FREY:** You may proceed, Mr. Rachal.

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

20 **MR. RACHAL:** Thank you. Can you please state your name and business address
21 for the record?

22 **MS. BURL:** Tammy Burl. 602 North 5th Street, Baton Rouge, Louisiana 70802.

23 **MR. RACHAL:** And by whom are you employed?

1 **MS. BURL:** The Louisiana Public Service Commission’s Transportation Division
2 as the Transportation Administrator.

3 **MR. RACHAL:** And what are your job duties as Transportation Administrator?

4 **MS. BURL:** I oversee the day-to-day operations of the division as well as the
5 employees who monitor compliance for regulated motor carriers such as annual
6 reports, insurance, inspection/supervision fees, and renewals.

7 **MR. RACHAL:** And what LPSC orders require carriers to file annual reports?

8 **MS. BURL:** The General Order Number 2 dated July 1, 1921 and then General
9 Order dated March 18, 2021.

10 **MR. RACHAL:** And which Commission order authorizes the assessment of a
11 \$500 late filing fee when carriers do not timely file annual reports?

12 **MS. BURL:** General Order dated March 18, 2021.

13 **MR. RACHAL:** And which Commission order authorizes assessing a \$25 citation
14 fee?

15 **MS. BURL:** General Order dated June 7, 2006.

16 **MR. RACHAL:** And which statute gives the Commission authority to cancel a
17 motor carrier’s authority?

18 **MS. BURL:** Title 45:166.

19 **MR. RACHAL:** When are carriers required to file annual reports with the
20 Commission?

21 **MS. BURL:** If they report on a calendar year end, it’s due April 30th each year. If
22 they report on a fiscal year end, it’s due 120 days after the last day of their fiscal
23 year.

1 **MR. RACHAL:** And how are carriers notified of the requirement to file annual
2 reports with the Commission?

3 **MS. BURL:** When they are granted authority -- when they are granted authority,
4 a cover letter is attached to their certificate that outlines that annual reports must be
5 filed each year. And then also, we send them a courtesy packet in November each
6 year that includes a blank annual report and instructions on making that filing.

7 **MR. RACHAL:** And are you familiar with the carrier cited in this docket?

8 **MS. BURL:** Yes.

9 **MR. RACHAL:** And is the carrier regulated by LPSC under Common Carrier
10 Certificate Number 8436?

11 **MS. BURL:** Yes.

12 **MR. RACHAL:** And does this carrier file an annual report on a calendar year
13 basis?

14 **MS. BURL:** Yes.

15 **MR. RACHAL:** So when would this particular carrier's annual report be due?

16 **MS. BURL:** Their 2023 annual report was due April 30, 2024.

17 **MR. RACHAL:** And was this carrier mailed a courtesy annual compliance notice
18 detailing how and by when to file annual reports with the Commission?

19 **MS. BURL:** Yes.

20 **MR. RACHAL:** Did this carrier timely submit an annual report for the year 2023?

21 **MS. BURL:** No.

22 **MR. RACHAL:** You have a document before you, which has been marked as
23 Staff Exhibit 1. Do you recognize this document?

1 **MS. BURL:** Yes. This is the tentative hearing letter sent to Touchdown Towing
2 LLC on May 15, 2024.

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

4 **MS. BURL:** 1112 Melody Lane, Mamou, Louisiana 70554.

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

6 **MS. BURL:** Yes.

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

8 **MS. BURL:** It notifies the carrier that their 2023 annual report had not received
9 by the April 30, 2024 due date, that a late filing fee had been assessed -- of \$500
10 had assessed to their account, and if both the annual report and the \$500 late fee
11 were not received by June 14, 2024, the Commission would proceed to issue a
12 citation to the carrier.

13 **MR. RACHAL:** And is this your signature on the tentative hearing letter?

14 **MS. BURL:** Yes.

15 **MR. RACHAL:** And did you prepare this tentative hearing letter for mailing and
16 mail it to the carrier?

17 **MS. BURL:** No, it was prepared by my Staff. This letter is automatically
18 generated out of our database with my signature, but it was mailed to the carrier by
19 my Staff under my direction.

20 **MR. RACHAL:** And did the U.S. Postal Service return the letter as undeliverable
21 for any reason?

22 **MS. BURL:** No.

1 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
2 Staff Exhibit 1, the tentative hearing letter sent to the carrier.

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

4 **MR. RACHAL:** Thank you. And after the tentative hearing letter was sent, did
5 the carrier timely file its annual report with the Commission for 2023?

6 **MS. BURL:** No.

7 **MR. RACHAL:** And after the carrier's failure to file its annual report, what action
8 did the Transportation Division take next?

9 **MS. BURL:** We proceeded to issue a citation to Touchdown Towing LLC.

10 **MR. RACHAL:** You have a document before you that has been marked as Staff
11 Exhibit 2, in globo. Do you recognize this document?

12 **MS. BURL:** Yes, this is a copy of the citation.

13 **MR. RACHAL:** And when did the Commission send out this document?

14 **MS. BURL:** It was mailed July 3, 2024.

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

16 **MS. BURL:** 1112 Melody Lane, Mamou, Louisiana 70554.

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

18 **MS. BURL:** Yes.

19 **MR. RACHAL:** And is this your signature on the citation?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** And did you prepare this citation for mailing and mail it to the
22 carrier?

1 **MS. BURL:** No. It was prepared by my Staff for my signature and then my Staff
2 mailed it to the carrier under my direction.

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

4 **MS. BURL:** Yes, the May 15, 2024 tentative hearing letter.

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

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And did the citation provide the carrier notice that an order may
9 be issued by the Commission cancelling the carrier's common carrier certificate for
10 failure to file an annual report for 2023 and/or requiring the carrier to pay a late
11 filing fee of \$500?

12 **MS. BURL:** Yes.

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

15 **MS. BURL:** Thursday, August 22, 2024 at 9:30 A.M. here at the Louisiana Public
16 Service Commission in the Galvez Building.

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

19 **MS. BURL:** Yes.

20 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence
21 Staff Exhibit 2, in globo, the citation with the tentative hearing letter as an
22 attachment.

23 **JUDGE FREY:** Staff Exhibit 2, in globo, is admitted.

1 **MR. RACHAL:** Thank you. Was the citation sent by certified mail with a return
2 receipt requested as well as by regular U.S. mail?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** And was the regular mail returned for any reason?

5 **MS. BURL:** No.

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

8 **MS. BURL:** No.

9 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit 3.
10 Do you recognize this document?

11 **MS. BURL:** Yes. This is a copy of the front and back of the certified mail envelope
12 that was returned to the Commission.

13 **MR. RACHAL:** And what is the address of the carrier on this?

14 **MS. BURL:** 1112 Melody Lane, Mamou, Louisiana 70554.

15 **MR. RACHAL:** Is that the same address that's on file with the Commission?

16 **MS. BURL:** Yes.

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

18 **MS. BURL:** It indicates return to sender, unclaimed, unable to forward.

19 **MR. RACHAL:** And are there any notes on the envelope?

20 **MS. BURL:** Yes. On the right side, there's a note of 7/10/24 TD, 7-15, 7-25, and
21 it appears to be some initials next to that.

22 **MR. RACHAL:** And when did the Commission receive this envelope back?

23 **MS. BURL:** It was received back on August 5, 2024.

1 **MR. RACHAL:** And does the tracking number, ending in 0348, match the ending
2 numbers on the citation?

3 **MS. BURL:** Yes.

4 **MR. RACHAL:** Your Honor, Staff moves to offer, file, and introduce into
5 evidence Staff Exhibit 3, the returned certified envelope.

6 **JUDGE FREY:** I have what has been offered and marked by Commission Staff
7 as Exhibit 3, copies of the front and back of the certified mailing envelope for the
8 citation. I also have the original envelope for comparison, and can confirm that the
9 copies offered by the Commission Staff match that on the original. Staff Exhibit 3
10 is admitted.

11 **MR. RACHAL:** Thank you, Your Honor. At any point during this citation
12 process, has the carrier filed the appropriate documents to change its address on file
13 with the Commission?

14 **MS. BURL:** No.

15 **MR. RACHAL:** Have you been in contact with anyone representing the carrier
16 since the citation was mailed?

17 **MS. BURL:** No.

18 **MR. RACHAL:** And as of today, has the carrier filed with the Commission its
19 annual report for the year 2023?

20 **MS. BURL:** No.

21 **MR. RACHAL:** As of today, has a representative of the carrier filed the
22 appropriate documents to close its authority granted by the Commission?

23 **MS. BURL:** No.

1 **MR. RACHAL:** Is Staff seeking that the carrier be found guilty of failing to file
2 its 2023 annual report and that Common Carrier Certificate Number 8436 be
3 cancelled?

4 **MS. BURL:** Yes.

5 **MR. RACHAL:** And does Staff also seek that the carrier be assessed and ordered
6 to pay a late filing fee in the amount of \$500?

7 **MS. BURL:** Yes.

8 **MR. RACHAL:** And is Staff also seeking that the carrier be assessed and order to
9 pay a citation fee in the amount of \$25?

10 **MS. BURL:** Yes.

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

12 **JUDGE FREY:** Thank you. Just a few questions, Ms. Burl. Do you have what
13 was admitted as Staff Exhibit 3?

14 **MS. BURL:** Yes.

15 **JUDGE FREY:** To the best of your knowledge, the marking you identified,
16 7/10/24 TD, 7/15, and 7/25 with what may be initials out the side of it. To the best
17 of your knowledge, do you know what these markings are?

18 **MS. BURL:** Typically, whenever the mail carrier, in my experience, when they
19 try to notify the recipient that they have a certified mail package, they will make
20 notations. Sometimes there's a stamp there that has notified dates. I would assume,
21 even without the stamp, that that's what this means.

1 **JUDGE FREY:** And the address to which the certified mail was sent, 1112
2 Melody Lane, Mamou, Louisiana 70554, that is the address that's on file with the
3 Commission, correct?

4 **MS. BURL:** Correct.

5 **JUDGE FREY:** And the citation and tentative hearing letter were also sent by
6 USPS regular mail to the same address; is that correct?

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

8 **JUDGE FREY:** And the regular mail for this citation and the tentative hearing
9 letter was not returned to the Commission as undeliverable or for any reason; is that
10 correct?

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

12 **JUDGE FREY:** And just in case this was not covered, on the certified mail
13 envelope, you know, it has the certified mail return receipt intact on the back,
14 correct?

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

16 **JUDGE FREY:** And does it have the docket number on the bottom?

17 **MS. BURL:** Yes, T-37310.

18 **JUDGE FREY:** And is that placed there by you or your Staff before you mail it?

19 **MS. BURL:** Yes.

20 **JUDGE FREY:** I have no further questions. Do you have any follow up for Ms.
21 Burl?

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

23 **JUDGE FREY:** You may proceed, Mr. Rachal.

1 **MR. RACHAL:** Thank you. In closing, Your Honor, Commission Staff submits
2 that it has borne the burden of proving by documentary and testimonial evidence
3 that Touchdown Towing LLC violated Commission’s General Order 2 dated July
4 1, 1921 and General Order dated March 18, 2021 by failing to submit an annual
5 report. As Ms. Burl indicated, Staff is seeking that the company be found guilty of
6 this violation and that the Common Carrier Certificate Number 8436 be cancelled
7 and that the carrier be ordered to pay \$500 late fee and a citation fee of \$25.

8 **JUDGE FREY:** Thank you. If there is nothing further, this matter is adjourned.

9

10 **DOCKET NO. T-37312**

11 **JUDGE FREY:** The next matter on the docket, is Docket Number T-37312 -
12 Louisiana Public Service Commission versus Twin City Towing, LLC. In re:
13 Cancellation of Common Carrier Certificate Number 7274 for failure to file an
14 annual report for 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25
15 as required by General Order 2 dated July 1, 1921 and General Order dated March
16 18, 2021. Would the parties present please make your appearances for the record?

17 **MR. RACHAL:** Paul Rachal on behalf of Staff.

18 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
19 Twin City Towing, LLC. How do you plan to move forward this morning, Mr.
20 Rachal?

21 **MR. RACHAL:** Your Honor, Staff requests a motion to continue to October 3,
22 2024.

1 **JUDGE FREY:** A ruling on the motion to continue and a notice of rescheduling
2 this matter to October 3rd will be issued accordingly.

3

4 **DOCKET NO. T-37314**

5 **JUDGE FREY:** The next matter is Docket Number T-37314 - Louisiana Public
6 Service Commission versus Voodoo Energy Services, LLC. In re: Cancellation of
7 Common Carrier Certificate Number 8430 for failure to file an annual report for
8 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25 as required by
9 General Order 2 dated July 1, 1921 and General Order dated March 18, 2021.
10 Would the parties present please make their appearances for the record?

11 **MR. RACHAL:** Paul Rachal on behalf of Staff.

12 **JUDGE FREY:** Let the record reflect that there is no one present in the Courtroom
13 this morning on behalf of Voodoo Energy Services, LLC. How does the Staff plan
14 to move forward?

15 **MR. RACHAL:** Your Honor, Staff requests a motion to dismiss with prejudice.
16 All issues have been resolved.

17 **JUDGE FREY:** An order dismissing this matter with prejudice will be issued
18 accordingly.

19

20 **DOCKET NO. T-37315**

21 **JUDGE FREY:** The next matter on the docket is Docket Number T-37315 -
22 Louisiana Public Service Commission versus Warrich LLC. In re: Cancellation of
23 Common Carrier Certificate Number 8494 for failure to file an annual report for

1 2023 and/or pay a late filing fee of \$500 and a citation fee of \$25 as required by
2 General Order 2 dated July 1, 1921 and General Order dated March 18, 2021.

3 Would the parties present please make your appearances for the record?

4 **MR. RACHAL:** Paul Rachal on behalf of Staff.

5 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
6 Warrich LLC. How does the Staff plan to move forward this morning?

7 **MR. RACHAL:** Your Honor, Staff requests a motion to continue to October 3,
8 2024.

9 **JUDGE FREY:** A ruling on the motion to continue and a notice of rescheduling
10 this matter to October 3, 2024 will be issued accordingly.

11

12 **DOCKET NO. T-37316**

13 **JUDGE FREY:** The next matter on the docket is Docket Number T-37316 -
14 Louisiana Public Service Commission versus Westbank-Marrero Cab Company
15 dba Parish Cab. In re: Cancellation of Common Carrier Certificate Number 8451
16 for failure to file an annual report for 2023 and/or pay a late filing fee of \$500 and
17 a citation fee of \$25 as required by General Order 2 dated July 1, 1921, General
18 Order dated March 18, 2021. Would the parties present please make their
19 appearances for the record?

20 **MR. RACHAL:** Paul Rachal on behalf of Staff.

21 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
22 Westbank-Marrero Cab Company dba Parish Cab. How does you plan to move
23 forward, Mr. Rachal?

1 **MR. RACHAL:** Your Honor, Staff requests a motion to continue to October 3rd.

2 **JUDGE FREY:** A ruling on the motion to continue and a notice of rescheduling
3 this hearing to October 3, 2024 will be issued accordingly.

4

5 **DOCKET NO. T-37317**

6 **JUDGE FREY:** The last matter I have on the docket is Docket Number T-37317
7 - Louisiana Public Service Commission versus Veterans Energy Services, LLC. In
8 re: Cancellation of Common Carrier Certificate Numbers 8562 and 8543 for failure
9 to file an annual report for 2023 and/or pay a late filing fee of \$500 and a citation
10 fee of \$25 as required by General Order 2 dated July 1, 1921 and General Order
11 dated March 18, 2021. Would the parties present please make their appearances
12 for the record?

13 **MR. RACHAL:** Paul Rachal on behalf of Staff.

14 **JUDGE FREY:** Let the record reflect that there is no one present on behalf of
15 Veterans Energy Services, LLC. How does the Staff plan to move forward this
16 morning?

17 **MR. RACHAL:** Your Honor, Staff requests a motion to dismiss with prejudice.
18 All issues have been resolved.

19 **JUDGE FREY:** An order dismissing this matter with prejudice will be issued
20 accordingly. That concludes all the matters I have on the docket this morning. Is
21 there anything else we need to address before we conclude these citation hearings?

22 **MR. RACHAL:** Nothing from Staff, Your Honor.

1 **JUDGE FREY:** All right. Thank you. Before we go off the record, I just want to
2 note October 3rd is shaping up to be, you know, somewhat lengthy. I know we've
3 got time before then, but we had matters scheduled already, then everything that
4 Staff has continued from this section has rolled over. So just noting that for the
5 record. All right. If there is nothing further, these matters are adjourned.

6

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

8

1 I hereby certify that the foregoing pages 1 through 127 are true and correct to
2 the best of my knowledge of the Transportation Citation Hearings held on
3 August 22, 2024.

4 *****

5 **Rough Draft by:**

6 

September 5, 2024

7 **Beth Boozer,**
8 **Court Reporter**

Date

9 **Proofed by:**

10 

September 18, 2024

11 **Clarisa Findley,**
12 **Court Reporter**

Date

13 **Finalized by:**

14 

September 18, 2024

15 **Clarisa Findley,**
16 **Court Reporter**

Date

17