

LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NUMBER T-37009

LOUISIANA PUBLIC SERVICE COMMISSION
VERSUS
AMERICA'S TOWING, LLC

Docket No. T-37009, In re: Alleged violation of 1) General Order dated February 17, 2022, for exceeding state prescribed rates on twelve (12) counts while operating under Common Carrier Certificate No. 8035, allegedly having occurred on or between September 22, 2023 through October 23, 2023 and 2) General Order dated October 13, 2023 for operating with no proof of insurance on twelve (12) counts while operating under Common Carrier Certificate No. 8035 allegedly having occurred on or between September 22, 2023 through October 23, 2023 pursuant to La. R.S. 45:161 through 180.1.

(Decided December 22, 2023.)

ORDER OF DISMISSAL

The Louisiana Public Service Commission ("Commission") issued a citation to America's Towing, LLC ("Carrier") dated October 27, 2023 directing the Carrier to appear at a show cause hearing on December 7, 2023. Notice of the proceeding was published in the Commission's *Official Bulletin* on October 27, 2023. When the matter was called on December 7, 2023, the Commission Staff orally moved to continue this matter to February 7, 2024. The motion was granted and a ruling was issued on that date. On December 22, 2023, Commission Staff filed a *Motion to Dismiss* requesting to dismiss this matter with prejudice advising that Commission Staff and the Carrier entered into a stipulated settlement filed into the record on December 18, 2023.

This dismissal is prepared in accordance with Rule 56(d) of the Rules of Practice and Procedure of the Commission, which provides:

Except at the discretion of the administrative law judge, the procedures contained within subpart (a) of this Rule shall not apply to a motion to dismiss jointly filed by all parties of record, a motion to dismiss with prejudice filed by the party who instituted the proceeding, or a motion to dismiss without prejudice filed by a party who instituted the proceeding but prior to the filing of any other party's filing of a responsive pleading. Upon the filing of such a motion to dismiss, the administrative law judge may forego all recommendation procedures and prepare an appropriate order of dismissal for issuance by the Commission.

IT IS THEREFORE ORDERED:

That Docket Number T-37009 be, and hereby is, DISMISSED with prejudice.

BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
December 27, 2023



A handwritten signature in blue ink, appearing to read "Brandon M. Frey".

BRANDON M. FREY
SECRETARY

/S/ FOSTER L. CAMPBELL

DISTRICT V
CHAIRMAN FOSTER L. CAMPBELL

/S/ MIKE FRANCIS

DISTRICT IV
VICE CHAIRMAN MIKE FRANCIS

/S/ ERIC F. SKRMETTA

DISTRICT I
COMMISSIONER ERIC F. SKRMETTA

/S/ CRAIG GREENE

DISTRICT II
COMMISSIONER CRAIG GREENE

/S/ DAVANTE LEWIS

DISTRICT III
COMMISSIONER DAVANTE LEWIS