

**DOCKET NUMBER T-37132 - LOUISIANA PUBLIC SERVICE COMMISSION VS. I-12 BODY & COLLISION CENTER LLC DBA I-12 TOWING & RECOVERY. IN RE: CANCELLATION OF COMMON CARRIER CERTIFICATE NUMBER 8528 FOR FAILURE TO MAINTAIN THE REQUIRED INSURANCE COVERAGE ON FILE WITH THE COMMISSION PURSUANT TO COMMISSION'S GENERAL ORDER DATED OCTOBER 13, 2023.**

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**DATE OF HEARING: May 9, 2024**

**ADMINISTRATIVE LAW JUDGE MELISSA FREY**

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1 **DOCKET NUMBER T-37132 - LOUISIANA PUBLIC SERVICE**  
2 **COMMISSION VS. I-12 BODY & COLLISION CENTER LLC DBA I-12**  
3 **TOWING & RECOVERY. IN RE: CANCELLATION OF COMMON**  
4 **CARRIER CERTIFICATE NUMBER 8528 FOR FAILURE TO MAINTAIN**  
5 **THE REQUIRED INSURANCE COVERAGE ON FILE WITH THE**  
6 **COMMISSION PURSUANT TO COMMISSION'S GENERAL ORDER**  
7 **DATED OCTOBER 13, 2023.**

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8 **ADMINISTRATIVE LAW JUDGE MELISSA FREY:** The next matter on the  
9 docket this morning is Docket Number T-37132 - Louisiana Public Service  
10 Commission versus I-12 Body & Collision Center LLC dba I-12 Towing &  
11 Recovery. In re: Cancellation of Common Carrier Certificate Number 8528 for  
12 failure to maintain the required insurance coverage on file with the Commission  
13 pursuant to the Commission's General Order dated October 13, 2023. How does  
14 the Staff plan to move forward this morning?

15 **MR. PAUL RACHAL:** We are moving forward, Your Honor.

16 **JUDGE FREY:** Thank you, Mr. Rachal. You may proceed.

17 **MR. RACHAL:** Your Honor, Commission Staff is prepared to prove through both  
18 documentary and testimonial evidence that the carrier cited in this docket, I-12  
19 Towing & Recovery, violated the Commission rules and regulations by failing to  
20 maintain the required insurance coverage on file with the Commission as required  
21 by Commission's General Order dated October 13, 2023. Your Honor, as a result  
22 of that violation, at the conclusion of this hearing the Commission is going to  
23 request that the carrier be found guilty and the cancellation of the carrier Common

1 Carrier Certificate Number 8528. Your Honor, at this time we'd like to call our  
2 first and only witness, Transportation Administrator, Ms. Tammy Burl.

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

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

5 **MR. RACHAL:** Good morning, Ms. Burl.

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

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

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

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

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

11 **MR. RACHAL:** And what is your position at the Transportation Division?

12 **MS. BURL:** I'm the Transportation Administrator.

13 **MR. RACHAL:** And can you describe some of your duties as Transportation  
14 Administrator?

15 **MS. BURL:** Yes. I oversee the day-to-day operations of the division, which  
16 includes regulation of the motor carriers that have to register with our office, which  
17 includes insurance, violations, citations.

18 **MR. RACHAL:** And what documents are usually submitted to evidence  
19 insurance?

20 **MS. BURL:** All carriers are required to file a Form E, whereas household good  
21 movers are also required to provide workman's comp, a surety bond, and cargo  
22 insurance.

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

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

4 **MR. RACHAL:** And how was the Commission notified of the cancellation or  
5 expiration of a carrier's insurance?

6 **MS. BURL:** For a Form E, we receive a cancellation notice of a Form K.

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

10 **MS. BURL:** No. All insurance is received and reviewed by my Staff.

11 **MR. RACHAL:** And are you familiar with the carrier cited in this docket, I-12  
12 Towing & Recovery?

13 **MS. BURL:** Yes.

14 **MR. RACHAL:** And is this company a registered carrier with the LPSC?

15 **MS. BURL:** Yes. They are a tow company.

16 **MR. RACHAL:** Has the Commission Transportation Division received  
17 correspondence associated with this carrier's commercial automobile insurance  
18 policy?

19 **MS. BURL:** Yes. We received a Form K notice of cancellation.

20 **MR. RACHAL:** You have in front of you a document marked as Staff Exhibit A.  
21 Can you identify this document?

22 **MS. BURL:** Yes. This is a copy of the Form K.

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

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

2 **MR. RACHAL:** And who sent this document to the Transportation Division of

3 the Commission?

4 **MS. BURL:** The underwriting company, National Indemnity Company.

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

6 **MS. BURL:** It was not marked with a received date.

7 **MR. RACHAL:** And do you know what the acronyms BI and PD at the top right

8 of the document mean?

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

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

11 **MS. BURL:** It indicates that I-12 Body & Collision Center LLC dba I-12 Towing

12 & Recovery's insurance would cancel on January 9, 2024. In a correction, it is

13 super faint, but there is a date. However, it looks like it says December 6, 2023,

14 but it's not completely clear.

15 **MR. RACHAL:** And what is the insurance policy cancellation date provided in

16 this document?

17 **MS. BURL:** January 9, 2024.

18 **MR. RACHAL:** And is this document electronically signed by an authorized

19 company representative?

20 **MS. BURL:** From the insurer, yes.

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

22 evidence the Form K for the respondent's commercial automobile insurance policy

23 as Staff Exhibit A.

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

2 **MR. RACHAL:** Thank you. And what did the Transportation Division do after  
3 receiving these documents?

4 **MS. BURL:** When the date of January 9<sup>th</sup> rolled around and we had not received  
5 a replacement coverage, we sent a notice of cancellation letter.

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

8 **MS. BURL:** Mine is marked as B.

9 **MR. RACHAL:** B, I'm sorry. B, my apologies.

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

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

12 **MS. BURL:** I-12 Body & Collision Center LLC dba I-12 Towing & Recovery.

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

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

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

16 **MS. BURL:** It indicates that on December 5, 2023 we received a notice of  
17 cancellation for the carrier's insurance.

18 **MR. RACHAL:** And did this letter provide instruction to the carrier on how to  
19 remedy the issue?

20 **MS. BURL:** Yes.

21 **MR. RACHAL:** And does the letter state that they cease operations due to this  
22 cancellation?

23 **MS. BURL:** Yes.

1 **MR. RACHAL:** And did the letter provide any consequences if the carrier failed  
2 to provide proof of insurance?

3 **MS. BURL:** Yes. It advised that a citation could be issued for cancellation of their  
4 authority.

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

7 **MS. BURL:** Yes. 38151 Summerwood Avenue, Prairieville, Louisiana 70769.

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

10 **MS. BURL:** No.

11 **MR. RACHAL:** Did you prepare this notice of cancellation letter for mailing and  
12 mail it to the carrier by means of U.S. mail?

13 **MS. BURL:** No. This letter was prepared by Mr. Paul Amy, who worked under  
14 my direction. However, he is no longer with the LPSC.

15 **MR. RACHAL:** And whose signature is on the notice of cancellation letter?

16 **MS. BURL:** That's my signature.

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

19 **MS. BURL:** Yes.

20 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence  
21 as Staff Exhibit B, the notice of cancellation letter for I-12 Body's commercial  
22 automobile insurance policy.

23 **JUDGE FREY:** Staff Exhibit B is admitted.

1 **MR. RACHAL:** Thank you. After the carrier was notified -- after the notice of  
2 cancellation letter being sent, did the carrier submit a Form E for proof of  
3 insurance?  
4 **MS. BURL:** No, they did not.  
5 **MR. RACHAL:** And what did the Transportation Division do next?  
6 **MS. BURL:** Proceeded to issue a tentative hearing letter.  
7 **MR. RACHAL:** You have a document marked before you as Staff Exhibit C, in  
8 globo. Can you identify this document?  
9 **MS. BURL:** Yes. This is a copy of the tentative hearing letter.  
10 **MR. RACHAL:** And what does this document indicate?  
11 **MS. BURL:** It indicates that I-12 Body & Collision Center dba I-12 Towing &  
12 Recovery, that their account had been flagged for failure to maintain insurance on  
13 LPSC 8528. It indicated when we received a Form K, the date that the policy  
14 cancelled, and that a previous letter was mailed on January 12<sup>th</sup> requesting the  
15 required insurance.  
16 **MR. RACHAL:** And was this letter also sent by email?  
17 **MS. BURL:** Yes.  
18 **MR. RACHAL:** And what's the email address?  
19 **MS. BURL:** alex@i12bcc.com.  
20 **MR. RACHAL:** And did you personally prepare this letter?  
21 **MS. BURL:** No. This letter was prepared for my previous Staff, Mr. Amy.  
22 **MR. RACHAL:** And did that employee prepare this notice of cancellation letter  
23 for mailing and mail it to the carrier by means of United States mail?

1 **MS. BURL:** Yes.

2 **MR. RACHAL:** And when was it put into the mail?

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

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

5 **MS. BURL:** Mr. Paul Amy.

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

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

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

9 as Staff Exhibit C, in globo, the tentative hearing letter with attachments.

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

11 **MR. RACHAL:** Thank you. Did the U.S. Postal Service return the tentative

12 hearing letter admitted into evidence as Staff Exhibit C, in globo, as undeliverable

13 for any reason, Ms. Burl?

14 **MS. BURL:** No.

15 **MR. RACHAL:** After the tentative hearing letter was sent to the carrier, did the

16 carrier submit a Form E indicating required insurance coverage?

17 **MS. BURL:** No. The insurer did not submit a Form E.

18 **MR. RACHAL:** After receiving no response from the carrier, what action did the

19 Transportation Division take next?

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

21 **MR. RACHAL:** You have a document before you marked as Staff Exhibit D, in

22 globo. Could you identify this document?

23 **MS. BURL:** Yes. This is a copy of the citation.

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

2 **MS. BURL:** I-12 Body & Collision Center LLC dba I-12 Towing & Recovery.

3 **MR. RACHAL:** And according to the second page, what date did the Commission

4 send this document?

5 **MS. BURL:** It was mailed on March 14, 2024.

6 **MR. RACHAL:** And is the carrier address on the document sent the same as the

7 address on file with the Commission for the particular carrier?

8 **MS. BURL:** Yes.

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

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

11 **MR. RACHAL:** And were there any documents attached to the citation?

12 **MS. BURL:** Yes. A copy of the tentative hearing letter as well as a copy of the

13 notice of cancellation letter.

14 **MR. RACHAL:** Did the citation provide the carrier notice that a citation fee in

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

16 **MS. BURL:** Yes.

17 **MR. RACHAL:** And did the citation also provide the carrier notice that an order

18 may be issued by the Commission cancelling the carrier's common carrier

19 certificate number for failure to maintain the required insurance coverage?

20 **MS. BURL:** Yes.

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

22 the citation?

1 **MS. BURL:** Today, Thursday, May 9, 2024 at 9:30 A.M. in the Galvez Building  
2 of the Public Service Commission.

3 **MR. RACHAL:** And was notice of the citation published and available to the  
4 general public in the Commission's Official Bulletin Number 1319, dated March  
5 15, 2024?

6 **MS. BURL:** Yes.

7 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence  
8 the citation with its attachments as Staff Exhibit D, in globo.

9 **JUDGE FREY:** Staff Exhibit D, in globo, is admitted.

10 **MR. RACHAL:** Thank you. Once you executed the citation, introduced as Staff  
11 Exhibit D, in globo, who mailed the citation to the carrier?

12 **MS. BURL:** After I signed it, Mr. Paul Amy mailed it to the carrier.

13 **MR. RACHAL:** And was the citation sent by certified mail with a return receipt  
14 request as well as regular mail?

15 **MS. BURL:** Yes.

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

17 **MS. BURL:** No.

18 **MR. RACHAL:** Was the citation claimed? Have you received a return receipt  
19 from the certified mailing?

20 **MS. BURL:** No, it was not claimed.

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

1 **MS. BURL:** Yes. This is a copy of the envelope that was returned -- the certified  
2 envelope that was returned to the Commission, the front and back.

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

4 **MS. BURL:** 38151 Summerwood Avenue, Prairieville, Louisiana 70769.

5 **MR. RACHAL:** Is it 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 indicates that -- in the bottom-right corner, it indicates that return  
9 to sender, unclaimed.

10 **MR. RACHAL:** And does the tracking number on this document ending in 5445  
11 match the last four numbers of the certified mail receipt shown on the citation?

12 **MS. BURL:** Yes.

13 **MR. RACHAL:** Your Honor, Staff moves to offer, file, introduce into evidence  
14 Staff Exhibit E, the certified mailing envelope, and I believe you have the original  
15 copy for your inspection as well.

16 **JUDGE FREY:** I do have the original. It is a certified mail envelope with certified  
17 mail receipt ending in 5445 and I have the copies offered as Staff Exhibit E and the  
18 copies offered as Staff Exhibit E match the front and back of the original envelope.  
19 Staff Exhibit E is admitted.

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

22 **MS. BURL:** No.

1 **MR. RACHAL:** As of today, has the carrier filed proof of insurance or a Form E  
2 with the Commission?  
3 **MS. BURL:** No.  
4 **MR. RACHAL:** Is Staff seeking that the carrier be found guilty of failing to  
5 maintain insurance filings and that Common Carrier Certificate Number 8528 be  
6 cancelled?  
7 **MS. BURL:** Yes.  
8 **MR. RACHAL:** And does the Staff also seek that the carrier pay a \$25 citation  
9 fee as authorized by the June 7, 2006 General Order?  
10 **MS. BURL:** Yes.  
11 **MR. RACHAL:** No further questions, Your Honor.  
12 **JUDGE FREY:** Ms. Burl, do you have what was marked and admitted as Staff  
13 Exhibit E in front of you?  
14 **MS. BURL:** Yes.  
15 **JUDGE FREY:** Just to make sure we have it clear for the record, Staff Exhibit E,  
16 what is it exactly?  
17 **MS. BURL:** It is a copy of the return envelope that contained the citation.  
18 **JUDGE FREY:** And the entire envelope was returned to the Commission intact;  
19 is that correct?  
20 **MS. BURL:** That is correct.  
21 **JUDGE FREY:** And what date did the Commission receive the envelope?  
22 **MS. BURL:** April 22, 2024.

1     **JUDGE FREY:** And there is a yellow label in the bottom right hand corner of the  
2     front of the envelope. Can you tell me what this is?  
3     **MS. BURL:** This is a label placed by the United States Postal Service.  
4     **JUDGE FREY:** And what does it say?  
5     **MS. BURL:** Return to sender, unclaimed, unable to forward.  
6     **JUDGE FREY:** Thank you. I have no further questions for Ms. Burl -- wait, let  
7     me go back and check. On the Form K, I know you -- what was admitted as Staff  
8     Exhibit A, I know you went back to address the received stamp. I believe you  
9     testified that it looked like it said December 6, 2023. What can you make out from  
10    the stamp for clarity of the record?  
11    **MS. BURL:** Received December 05 or 06, it's a little blurry, 2023.  
12    **JUDGE FREY:** Thank you. And is the carrier cited in this Commission operating  
13    under Common Carrier Certificate Number 8528?  
14    **MS. BURL:** Yes.  
15    **JUDGE FREY:** And what type of carrier are they?  
16    **MS. BURL:** They are a tow company.  
17    **JUDGE FREY:** Thank you. On the tentative hearing letter that was admitted as  
18    part of Staff Exhibit 3, in globo, I believe you testified that it was issued via email  
19    to alex@i12bcc.com; is that correct?  
20    **MS. BURL:** Yes.  
21    **JUDGE FREY:** Do you know where the Staff would -- where this email address  
22    comes from?

1 **MS. BURL:** This email address comes from other documents filed with the  
2 Commission with that email address on it. Usually, it's either the application or  
3 renewal forms or an annual report.

4 **JUDGE FREY:** Thank you. I have no further questions. Do you have any  
5 redirect, Mr. Rachal?

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

7 **JUDGE FREY:** Thank you. If there is nothing further from Ms. Burl, she may  
8 step down.

9 **MR. RACHAL:** In closing, Your Honor, Commission Staff submits that it has  
10 borne the burden of proving by documentary and testimonial evidence that I-12  
11 Recovering & Towing violated Commission General Order dated October 13, 2023  
12 by failing to maintain the required insurance coverage on file with the Commission.  
13 As Ms. Burl indicated, Staff is seeking that the company be found guilty of this  
14 violation and that the Common Carrier Certificate Number 8528 be cancelled and  
15 that the carrier be ordered to pay a citation fee of \$25.

16 **JUDGE FREY:** Thank you. If there is nothing further from the Staff on this  
17 matter, this matter is adjourned.

18

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

20

1 I hereby certify that the foregoing pages 1 through 14 are true and correct to the best  
2 of my knowledge of the Hearing held on May 9, 2024 in Baton Rouge, Louisiana.

3

4 **Rough Draft by:**


5 

May 14, 2024

6 **Clarisa Findley,**  
7 **Court Reporter**

**Date**

8 **Proofed by:**

9 

May 14, 2024

10 **Beth Boozer,**  
11 **Court Reporter**

**Date**

12 **Finalized by:**

13 

May 15, 2024

14 **Clarisa Findley,**  
15 **Court Reporter**

**Date**