

LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NO. T-34755

LOUISIANA PUBLIC SERVICE COMMISSION

VS.

ESQUIRE LIMO, LLC (BATON ROUGE, LOUISIANA)

Docket No. T-34755, In Re: Alleged violation of R.S. 45:161 through 180.1 and General Order dated April 25, 2012, by operating intrastate without LPSC authority on 20 counts, allegedly having occurred on or about July 27, 2017 through February 10, 2018.

(Decided at the May 16, 2018 Business and Executive Session)

I. Background

The Louisiana Public Service Commission (“LPSC” or “Commission”) Staff issued a citation to Esquire Limo, LLC (Baton Rouge, LA) (“Esquire”) for operating intrastate prior to complying with the rules and regulations of the Commission relative to common carriers of passengers.

In response to a complaint, Staff opened an investigation regarding Esquire and its business activities. As a result of this investigation, Staff found evidence that Esquire operated as an intrastate common carrier of passengers without LPSC authority on 20 counts occurring on or about July 27, 2017 through February 10, 2018. Staff subsequently issued a citation to Esquire in the present docket.

II. Jurisdiction

The Commission exercises jurisdiction over common carriers and public utilities in Louisiana pursuant to Article IV, Section 21(B) of the Louisiana Constitution, which states:

“The commission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations, and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.”

Pursuant to this authority, the Commission has issued General Order dated April 25, 2012, which provides for the requirements a common carrier of passengers must satisfy to operate within the State of Louisiana.

III. Stipulation

In response to the citation, Esquire signed an Affidavit and Stipulation admitting to the violation and agreed to the imposition of a fine of \$20,000.00, with \$13,000.00 of the fine suspended conditioned on Esquire not being found guilty, entering a plea of guilty, or entering a plea of no contest to any additional violations related to passenger carrier activities in Louisiana occurring one year from the date of the executed stipulated agreement, for a total fine of \$7,000.00,

with a \$25 citation fee. The fine will be paid in eight monthly payments of \$875.00. The \$25.00 citation fee will be paid with the first monthly fine payment.

Esquire also agreed in the Affidavit and Stipulation to the following:

- That it understands that all remaining fine amounts, including the \$13,000 suspended portion of the fine, will become due immediately if Esquire fails to make timely payments under the payment schedule;
- To cease operations as a common carrier of passengers in Louisiana until such time that Esquire obtains a Common Carrier Certificate from the Louisiana Public Service Commission authorizing passenger carrier operations in Louisiana intrastate commerce; and,
- To remit all payments due in certified funds.

IV. Commission Action

On motion of Commissioner Boissiere, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to assert its original and primary jurisdiction and take the matter up pursuant to Rule 57.

On motion of Chairman Skrmetta, seconded by Commissioner Greene, and unanimously adopted, the Commission voted to accept the Affidavit and Stipulation executed by the Carrier.

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IT IS THEREFORE ORDERED THAT:

1. The Affidavit and Stipulation executed May 10, 2018, for fines and fees totaling \$7,025.00 is accepted; and
2. This Order is effective immediately.

**BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA**

June 13, 2018



**DISTRICT I
CHAIRMAN ERIC F. SKRMETTA**

**DISTRICT III
VICE CHAIRMAN MIKE FRANCIS**

**DISTRICT V
COMMISSIONER FOSTER L. CAMPBELL**

**DISTRICT IV
COMMISSIONER LAMBERT C. BOISSIERE, III**

**BRANDON M. FREY
SECRETARY**

**DISTRICT II
COMMISSIONER CRAIG GREENE**