



Louisiana Public Service Commission

POST OFFICE BOX 91154
BATON ROUGE, LOUISIANA 70821-9154
lpsc.louisiana.gov

Telephone: (225) 342-4439

COMMISSIONERS

Mike Francis, Chairman
District IV
Davante Lewis, Vice Chairman
District III
Foster L. Campbell,
District V
Eric F. Skrmetta
District I
Craig Greene
District II

BRANDON M. FREY
Executive Secretary

KATHRYN H. BOWMAN
Executive Counsel

JOHNNY E. SNELLGROVE, JR
Deputy Undersecretary

**Certified Mail Receipt # 7022 3330 0001 8583 0652
and Regular USPS Mail**

LOUISIANA PUBLIC SERVICE COMMISSION

VS

DOCKET NO. T-37397

XCEL TRANSPORTATION LLC

In re: Cancellation of Common Carrier Certificate No. 8476 for failure to maintain the required insurance coverage on file with the Commission pursuant to Commission's General Order dated October 13, 2023.

To: Xcel Transportation LLC
21180 Beau Chateau Blvd.
Ponchatoula, LA 70454

GREETINGS:

YOU ARE HEREBY NOTIFIED, COMMANDED AND REQUIRED to appear at a hearing on Thursday, December 5, 2024 at 9:30 a.m., before a Louisiana Public Service Commission Administrative Law Judge. The hearing will be held at the Louisiana Public Service Commission, Galvez Building, 11th Floor, 602 North 5th Street, Baton Rouge, Louisiana, 70802. Parking is available in the Galvez Parking Garage across from the Galvez Building on North Street. *Furthermore, a citation fee in the amount of \$25.00 has been assessed to your LPSC account.*

TO SHOW CAUSE, if any you have or can, why an order should not be issued by the Commission canceling your **Common Carrier Certificate No. 8476** for failure to maintain the required insurance coverage on file with the Commission pursuant to Commission's General Order dated October 13, 2023 and for further order or orders as the Commission may deem necessary in the premises.

At the hearing, the Commission Staff will present testimony and evidence in support of its allegations against you. You will be provided an opportunity to cross-examine the Commission Staff's witness(es) and to present evidence and testimony in your defense. You will need to bring an original and two (2) copies of each document you wish to place into evidence.

DOCKET NO. T- 37397
LOUISIANA PUBLIC SERVICE COMMISSION VS.
XCEL TRANSPORTATION LLC
MAIL OUT DATE: OCTOBER 9, 2024
PUBLISHED IN BULLETIN #1334 ON OCTOBER 11, 2024

PLEASE BE ADVISED that any requests to reschedule this hearing will be considered if the request meets the following four (4) requirements:

1. One original and two copies of the request must be mailed, hand delivered or faxed to the Commission's Records and Recordings Division at the following address:

Mail:

Louisiana Public Service Commission
Records and Recording Division
P.O. Box 91154
Baton Rouge, Louisiana 70821-9154

Hand Delivery:

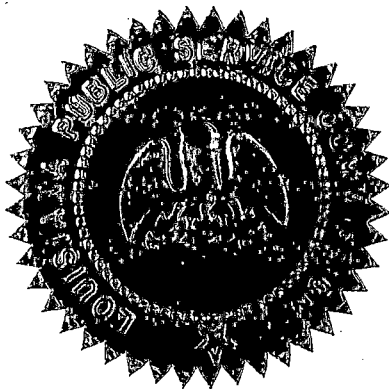
Louisiana Public Service Commission
Records and Recording Division
602 North Fifth Street
Galvez Building, 12th Floor
Baton Rouge, Louisiana

Fax¹:

Louisiana Public Service Commission
Records and Recording Division
(225) 342-0877

2. The Records and Recordings Division must receive the request at least five (5) business days prior to the hearing date;
3. The request must contain the proceeding's docket number and the name of the party requesting the continuance; and
4. The request must also contain good cause for the requested continuance.

If you have questions concerning the scheduled hearing, you may contact the Administrative Hearings Division at (225) 219-9417. Also, if you are disabled and need special accommodation at the hearing, please notify the Administrative Hearings Division at least five (5) days prior to the hearing date.



BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
OCTOBER 8, 2024

A handwritten signature in cursive script, reading "Tammy Burl", written over a horizontal line.

TAMMY BURL
TRANSPORTATION ADMINISTRATOR
LOUISIANA PUBLIC SERVICE COMMISSION

¹ Filings of twenty-five (25) pages or less by facsimile are now allowed provided that they are in compliance with the procedures detailed in Rule 3 of the Commission's Rules of Practice and Procedure. A filing is complete only upon receipt of a confirmation from the Records Division confirming complete transmission, and the receipt by the Records Division, within five days of the transmission, of the original signed document accompanied by a \$25 filing fee. Facsimile must be received by 4:30 on a business day to be considered filed that day. If a party fails to comply with the rules regarding facsimile filings, the filing shall have no force and effect. For further information contact the Louisiana Public Service Commission at 1-800-256-2397 and request the Records and Recordings Division. You may access the Commission Rules of Practice and Procedure on our website at <https://lpsc.louisiana.gov/>.

SERVICE LIST

DOCKET NO. T- 37397

LOUISIANA PUBLIC SERVICE COMMISSION VS.

XCEL TRANSPORTATION LLC

MAIL OUT DATE: OCTOBER 9, 2024

PUBLISHED IN BULLETIN #1334 ON OCTOBER 11, 2024

Xcel Transportation LLC
21180 Beau Chateau Blvd.
Ponchatoula, LA 70454

**Certified Mail Receipt # 7022 3330 0001 8583 0652
and Regular USPS mail**

Staff Attorney

Transportation Staff

Commissioner Skrmetta



Louisiana Public Service Commission

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Telephone: (888) 342-5717

BRANDON M. FREY
Executive Secretary

KATHRYN H. BOWMAN
Executive Counsel

JOHNNY E. SNELLGROVE, JR.
Deputy Undersecretary

September 17, 2024

**Xcel Transportation LLC
21180 Beau Chateau Blvd.
Ponchatoula, LA 70454**

also via email: xceltransport2022@yahoo.com

RE: Insurance

Your **Common Carrier Certificate Number 8476** has been flagged for failure to maintain the required insurance coverage on file with the Commission. In accordance with the Commission's General Order dated January 12, 1976, intrastate carriers must maintain proof of the required insurance coverage on file at the Commission at all times. Should the carrier fail to maintain such filings, the Commission may pursuant to La. R.S. 45:166, revoke the carrier's certificate.

- On July 11, 2024 the Commission received a Form K showing a cancellation date of August 12, 2024 for your Commercial Auto Liability Insurance. A letter was mailed to your company on August 16, 2024, requesting a new Form E filing. On August 16, 2024 a Form E was filed with an effective date of August 16, 2024. The Form E was unacceptable due to the lapse that occurred from **August 12, 2024 to August 16, 2024**. We must have a **notarized affidavit** stating the dates of the lapse in coverage, the reason for the lapse in insurance coverage and that you were not operating or had proper insurance during this period. You may use the attached blank Sample Insurance Affidavit.

You have tentatively been scheduled to appear at a hearing on Thursday, December 5, 2024 at 9:30 a.m., before a Louisiana Public Service Commission Administrative Law Judge to show cause why an order should not be issued by the Commission canceling your **Common Carrier Certificate Number 8476** for failure to maintain the required insurance coverage on file with the Commission; and for further order or orders as the Commission may deem necessary in the premises.

If the required affidavit for the lapse in insurance coverage is not received by **October 2, 2024**, the Commission will proceed to issue a citation where Commission Staff will present testimony and evidence in support of its allegations against you. Once your company is cited a **TWENTY FIVE DOLLAR (\$25.00)** citation fee will be assessed. If you have any questions regarding this matter, please contact our office at (225) 342-1424.

Sincerely,

Maegan Hood
Enforcement Agent

ENCLOSURES

Mailed by USPS postal mail



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Executive Secretary

KATHRYN H. BOWMAN
Executive Counsel

JOHNNY E. SNELLGROVE, JR.
Deputy Undersecretary

August 16, 2024

LPSC# 8476
FILE# 605182

Also via email to: xceltransport2022@yahoo.com

Xcel Transportation LLC
21180 Beau Chateau Blvd.
Ponchatoula, LA 70454

Re: Unacceptable Insurance Filings

Dear Sir or Madame,

We are in receipt of a Form E filing received on August 16, 2024, which has been **REJECTED** for the following reason(s):

- On July 11, 2024 the Commission received a Form K showing a cancellation date of August 12, 2024 for your Commercial Auto Liability Insurance. On August 16, 2024 a Form E was filed with an effective date of August 16, 2024. The Form E was unacceptable due to the lapse that occurred from ***August 12, 2024 to August 16, 2024***. We must have a **notarized affidavit** stating the dates of the lapse in coverage, the reason for the lapse in insurance coverage and that you were not operating or had proper insurance during this period. You may use the attached blank Sample Insurance Affidavit.

There is a flag on your account which could lead to the cancellation of your authority. Please have your insurance underwriting company submit a corrected Form E to LPSC – Transportation Division, P.O. Box 91154, Baton Rouge, LA 70821, by email to ins@la.gov or in the NIC online filing system. The corrected form E must be received in our office no later than **September 16, 2024** to avoid citation.

Any questions pertaining to your insurance filings should be directed to me at the telephone number above

Sincerely,

Maegan Hood
Enforcement Agent