

LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NO. T-33955

LOUISIANA PUBLIC SERVICE COMMISSION VERSUS SUPERIOR VACUUM SERVICES, LLC (CLEVELAND, TEXAS)

In re: Alleged violation of La. R.S. 45:161 through 180.1, by operating intrastate without LPSC authority on seventeen (17) counts; allegedly occurring on or about October 20, 2015 through November 19, 2015.

(Decided at the April 28, 2016 Business and Executive Meeting)

Background

In response to a complaint, the Louisiana Public Service Commission (“LPSC” or “Commission”) Staff investigated manifests from the MBO, Inc. Lacassine disposal facility. During that investigation Staff determined that Superior Vacuum Services, LLC (“Superior”) had transported seventeen loads of non-hazardous oilfield waste. Since, Superior is a Texas company that is not authorized by the LPSC to transport oilfield waste in Louisiana for disposal, Staff issued a citation.

Jurisdiction

The Commission exercises jurisdiction over common carriers 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.

Staff Recommendation

In response to the citation, Superior signed an Affidavit and Stipulation admitting to the violations and agreeing to a fine of \$2,000 per count with \$1,000 suspended contingent on Superior not committing any more violations for a year. Superior agreed to pay the fine and \$25 citation fee according to the following payment schedule:

March 29, 2016	\$5,691.00
April 29, 2016	\$5,667.00
May 27, 2016	\$5,667.00

This is Superior’s first violation of any kind with the Commission.

Commission Action

On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, with Vice Chairman Angelle concurring, Commissioner Campbell temporarily absent and Chairman Holloway absent, the Commission voted to assert its original and primary jurisdiction and take this matter up pursuant to Rule 57.

On motion of Commissioner Skrmetta, seconded by Commissioner Boissiere, with Vice Chairman Angelle concurring, Commissioner Campbell temporarily absent and Chairman Holloway absent, the Commission voted to accept the Staff Recommendation to approve the Affidavit and Stipulation signed on March 15, 2016.

IT IS THEREFORE ORDERED:

That the Affidavit and Stipulation executed on March 15, 2016, is accepted. Accordingly, all conditions of the Affidavit and Stipulation are given effect.

This order is effective immediately.

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

May 12, 2016

/S/ CLYDE C. HOLLOWAY
DISTRICT IV
CHAIRMAN CLYDE C. HOLLOWAY

/S/ SCOTT A. ANGELLE
DISTRICT II
VICE CHAIRMAN SCOTT A. ANGELLE

/S/ FOSTER L. CAMPBELL
DISTRICT V
COMMISSIONER FOSTER L. CAMPBELL

/S/ LAMBERT C. BOISSIERE
DISTRICT III
COMMISSIONER LAMBERT C. BOISSIERE, III



EVE KAHAO GONZALEZ
SECRETARY

/S/ ERIC F. SKRMETTA
DISTRICT I
COMMISSIONER ERIC F. SKRMETTA