## Louisiana Public Service Commission



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

Telephone: (225) 342-4439

COMMISSIONERS

District II

Davante Lewis

Foster L. Campbell, Chairman District V Mike Francis, Vice Chairman District IV Eric F. Skrmetta District I Craig Greene BRANDON M. FREY Executive Secretary

KATHRYN H. BOWMAN Executive Counsel

JOHNNY E. SNELLGROVE, JR
Deputy Undersecretary

Certified Mail Receipt # 7002 2030 0002 6570 5254

District III
LOUISIANA PUBLIC SERVICE COMMISSION

VS

**DOCKET NO. T-37009** 

### AMERICA'S TOWING, LLC

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.

To:

America's Towing, LLC

2310 3rd Street

Lake Charles, LA 70601

#### GREETINGS:

YOU ARE HEREBY NOTIFIED, COMMANDED AND REQUIRED to appear at a hearing on Thursday, December 7, 2023 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, 11<sup>th</sup> Floor, 602 North 5<sup>th</sup> Street, Baton Rouge, Louisiana, 70802. Parking is available in the Galvez Parking Garage across from the Galvez Building on North Street.

TO SHOW CAUSE, if any, why you should not be found guilty by the Commission of Alleged violation of General Order dated February 17, 2022 while operating under LPSC authority 8035, for exceeding state prescribed rates, 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 and for further order or orders as the Commission may deem necessary in the premises.

No later than fifteen (15) days before the date of the scheduled hearing, any party to this proceeding may request a status conference to discuss the issues herein. The request must be in writing and filed in the same manner as a request for continuance. 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 Commission Staff's witness(es) and to present evidence and testimony in your defense. You will need to bring an original and four (4) copies of each document you wish to place into evidence.

DOCKET NO. T-37009 LOUISIANA PUBLIC SERVICE COMMISSION VS. AMERICA'S TOWING, LLC MAIL OUT DATE: OCTOBER 27, 2023 PUBLISHED IN BULLETIN #1309 ON OCTOBER 27, 2023

**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:

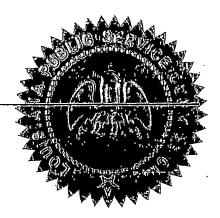
Louisiana Public Service Commission Records and Recording Division 602 North Fifth Street Galvez Building, 12<sup>th</sup> Floor Baton Rouge, Louisiana

#### Fax<sup>1</sup>:

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 27, 2023

TAMMY BURL

TRANSPORTATION ADMINISTRATOR LOUISIANA PUBLIC SERVICE COMMISSION

SERVICE LIST

<sup>&</sup>lt;sup>1</sup> 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 <a href="https://lpsc.louisiana.gov/">https://lpsc.louisiana.gov/</a>.

DOCKET NO. T-37009 LOUISIANA PUBLIC SERVICE COMMISSION VS. AMERICA'S TOWING, LLC MAIL OUT DATE: OCTOBER 27, 2023 PUBLISHED IN BULLETIN #1309 ON OCTOBER 27, 2023

> America's Towing, LLC 2310 3rd Street Lake Charles, LA 70601

> > Certified Mail Receipt #7002 2030 0002 6570 5254

Staff Attorney

Transportation Staff

Commissioner Francis

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Complaints may be addressed to the Louisiana Public Service Commission Attention: Transportation Division, P.O. Box 91154. Baton Rouge, La 70821

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We cannot be responsible for damages caused by faulty tires, bumper brackets, etc. This company assumes no responsibility for loss or damage by theft, fire or any other cause beyond or control, to any vehicle placed with them for storage or repair.

Complaints may be addressed to the Louisiana Public Service Commission Attention: Transportation Division, P.O. Box 91154, Baton Rouge, La 70821



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Complaints may be addressed to the Louisiana Public Service Commission Attention: Transportation Division, P.O. Box 91154, Baton Rouge, La 70821

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AMERICA'S TOWING, LLC  2310 3" St. Lake Charles, LA 70601 (337) 429-5485  Fax: (337) 429-5485  Fax: (337) 429-5485  CONTROL  RELEASES  LOCATION OF VEHICLE/DESCRIPTION OF TOW  HAVA LA  ALL OF TOWNER  RELEASES  LOCATION OF VEHICLE/DESCRIPTION OF TOW  HAVA LA  RELEASES  LOCATION OF VEHICLE/DESCRIPTION OF TOW  RELEASES  LOCATION OF VEHICLE/DESCRIPTION OF TOW  RELEASES  LOCATION OF VEHICLE/DESCRIPTION OF TOW  REASON FOR TOW  OWNER  REASON FOR TOW  CONTROL  REASON FOR TOW  TOWED PER CROSER  SPECIAL EQUIPMENT USED  DELOTE  DELO				A . *	775000			
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Lake Charles, LA 70601  (337) 540-8349  Office: (337) 429-5485  Fax: (337) 429-5485  CITY  STATE  SONVE  STATE  SONVE  STATE  STATE  STATE  SONVE  STATE  STATE  SONVE  SONVE  STATE  SONVE  SONVE  STATE  SONVE  STATE  SONVE  SONVE  SONVE  STATE  SONVE  SONVE  STATE  SONVE  STATE  SONVE  SONVE  SONVE  STATE  SONVE  STATE  SONVE  STATE  SONVE  STATE  SONVE  SONVE  STATE  SONVE  STATE  SONVE  SONVE  SONVE  STATE  SONVE  SONVE  SONVE  SONVE  STATE  SONVE  SO	WW HIVI		uui, Li	all .	955		d clia	-
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Complaints may be addressed to the Louisiana Public Service Commission Attention: Transportation Division, P.O. Box 91154, Baton Rouge, La 70821	Complaints may be add	ressed to the Louisiana Public	Service Cor	nmission Attention: T	ransportation Division, P.O. Box	91154, Baton Rouge.	La 70821	

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<b>30.</b> -1	Office: (337) 429-5	485	ADDRESS		STATE		1
	Fax: (337) 429-54	85	CITYLAKE	Charles	UT	70cea	-
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Complaints may be addressed to the Louisiana Public Service Commission Attention: Transportation Division, P.O. Box 91154, Baton Rouge, La 70821

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	We cannot our by the	or to the Louisiana Public Service	e Conmission	orackets, etc. This company a rackets, etc. This company a vehicle placed with them for an		
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AMERICA'S TOWING	, LLC	en periodical de la constante	3086
2310 3 <sup>rd</sup> St.	105-12-23	REQUESTED BY	1995 274-19NS
Lake Charles, LA 7060 (337) 540-8349	NAME TOS	hoarti Vin	0. M
(337) 340-8349 Office: (337) 429-5485	ADDRESS	riodia VIII	
Fax: (337) 425-5485	CITY	- Cla	STATE   ZEP ad 1
	YEAR - I MAK	CEMODEL	[18] TILLOT
	12015 M	ISSAN ALLIYY	A LSTATE -
START TIME FINISHED TIME	- Brown		8-GOK LAZO
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0 01005 00 10-11- 9/73	Owner Col	1 10.13.23	100 /M Destinger
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(Y) N	VEHICLE STORAGE:	IN/COVERED OR OUT	DAYS 5 1105-00
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DRIVER'S LICENSE#: AUTHORIZED SIGNATURE  DATE	oparty	Mond	ar
DRIVERS SIGNATURE DATE			
- Company of the Comp	SPECIAL INSTRUCTION	INOShaw	to eggnts of
DRIVER# TRUCK# LOT# ACCOUNTING	tion human back	le ata This company occum	ec no responsibility for
We cannot be responsible for damages caused by faulty loss or damage by theft, fire or any other cause beyond of	or country, to any von		tugo of repuir.
Complaints may be addressed to the Louisiana Public Service Commi	ssion Attention: Transport	ation Division, P.O. Box 91154, Ba	aton Rouge, La 70821

A-3459

AMERICA'S TOWING, LLC	3087
2310 3rd St. PATE 1-23 REQUESTED BY	33754053d
Lake Charles, LA 70601 NAME Paul Jones (	
Office: (337) 429-5485 ADDRESS 3   23 Country	TCUB Rd L
Fax: (337) 429-5485 CITY Lake Charles	SIAIL 60
2019 MARENODA EXPLOY	
START TIME FINISHED TIME ODOMETER PLAT	37900 PATOZS
520 (M) 7:35 (M) VIN#	11000
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DILIKering: (351)414-08-49	2000 lenx
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loss or damage by theft, fire or any other cause ocyone of control of the state of	

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#### LOUISIANA PUBLIC SERVICE COMMISSION

# Transportation Division Post Office Box 91154 Baton Rouge, LA 70821-9154

Telephone: (888) 342-5717 or (225) 342-4439 LPSC Website: www.lpsc.louisiana.gov

07/06/2023

604677

LPSC # 8035

America's Towing, LLC 2310 3rd Street Lake Charles LA 70601

RE: CANCELLATION OF INSURANCE FILING WITH THE COMMISSION

Policy Number:

CA 967209200

Form:

 $\mathbf{E}$ 

Policy Reference:

Blue Hill Specialty Insurance Company

Cancel Effective Date:

07/04/2023

Cancel Notice Received:

06/01/2023

This is to advise you that we are in receipt of a notice canceling your insurance filing with the Commission. No replacement coverage has been received to date, therefore, we suggest that you contact your insurance company and have them file the required FORM above with this office. The replacement filing should be effective on the same day as the cancellation date of the previous coverage and be filed in the exact name and address as listed on heading of this letter. **FAXED FILINGS WILL NOT BE ACCEPTED.** 

It will be necessary that you <u>cease operations immediately</u> under your Louisiana intrastate operating authority and you are hereby so directed until replacement coverage is properly filed. Should the filing not be made in order to continue your insurance coverage, proceedings may be instituted against you for cancellation of your intrastate operating authority or for such further order or orders as the Commission may deem necessary. For any questions or more information, you may contact our insurance desk at (225) 342-1424.

Sincerely,

Tammy Burl

Transportation Administrator

Louisiana Public Service

Commission<sup>®</sup>

STATE OF LOUISIANA . PUBLIC SERVICE COMMISSION MC: VIOLATION TICKET Address Operator's Name Operator License/State Vehicle Unit No. Year Model Make License No. Type Trailer Unit No. Year Model Make License No. Туре Logation Roga In re: Motor Carrier Operations (LA Revised Statutes Title 45) 1. 
Operating Interstate without I.C.C./FMCSA authority (LRS 45:163.1 & 194) 3. Operating intrastate without L.P.S.C. authority (LRS 45:164) 4. Failure to register I.C.C./FMCSA Exempt (LRS 45:163.1) 5. No valid SSRS, Identification Stamp, or Trip Permit in vehicle (LRS 45:163.1,169, & 194) 6. No lease in vehicle (LPSC Order No. 9901 (Amd) & G.O. Sept. 7, 1972 (Amd)) O 7. X Failure to maintain required filings (tariff, insurance) (Intra-Inter) (LRS 45:163/163.1)  ${f N}$  8.  $\square$  Failure to identify vehicles with carriers name & address (LRS 45:167) 9. Party to Violation Ticket No. V-\_ (LRS 45:163) 10. 🗌 Origin Destination Commodity Bond Posted By: Bond Amount Method of Payment Badge No. You may request a hearing on this citation by applying in writing within 15 days LOUISIANA PUBLIC SERVICE COMMISSION POST OFFICE BOX 91154

BATON ROUGE, LOUISIANA 70821-9154

Failure to so apply in writing will result in forfeiture of sums posted as bond; and, if no bond has been posted, may result in a fine.