

# LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NUMBER T-37728

LOUISIANA PUBLIC SERVICE COMMISSION

VERSUS

JAMIE DUFF'S BODY & FRAME, INC.

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*Docket No. T-37728, Cancellation of Common Carrier Certificate No. 7057 for failure to maintain the required insurance coverage on file with the Commission pursuant to General Order dated October 13, 2023.*

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(Decided November 14, 2025.)

## ORDER

### ***Background***

The Louisiana Public Service Commission (“Commission”) issued a citation to Jamie Duff’s Body & Frame, Inc. (“Carrier” or “Jamie Duff’s”) dated September 15, 2025, directing the Carrier to show cause at a hearing why its Common Carrier Certificate No. 7057 should not be canceled due to the Carrier’s failure to maintain the required insurance coverage on file with the Commission as required by the *General Order* dated October 13, 2023<sup>1</sup> (“2023 General Order”). Notice of the proceeding was published in the Commission’s *Official Bulletin* dated September 26, 2025. When the hearing was convened on November 5, 2025, the Commission Staff appeared and presented testimonial and documentary evidence in support of its allegations. The Carrier did not appear at the hearing.

### ***Applicable Law***

The Commission’s jurisdiction over common carriers and public utilities is established by Article 4, Section 21 of the Louisiana Constitution of 1974, which provides in pertinent part:

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.

Louisiana statutes more specifically describe the powers of the Commission over motor carriers operating intrastate for hire in the transportation of persons, household goods, waste, or any other classification of carriers, other than a contract carrier by bus, over the public highways and bridges of Louisiana. The business of operating motor vehicles for hire is a “business affected with a public interest”;<sup>2</sup> and, “[t]he [C]ommission has the power and authority necessary to supervise, govern,

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<sup>1</sup> Louisiana Public Service Commission *General Order* dated October 13, 2023, Louisiana Public Service Commission, ex parte (*Docket No. R-36830, In re: Possible amendments to General Order dated January 12, 1976 as it pertains to intrastate insurance filings for motor carriers.*).

<sup>2</sup> La. R.S. 45:161.

regulate, and control motor carriers . . . which transport household goods, passengers, or waste intrastate and to fix reasonable and just rates, fares, tolls, or charges for the commodities furnished or services rendered by such motor carriers.”<sup>3</sup> Motor carriers include tow trucks.<sup>4</sup> Companies engaged in the intrastate business of transporting household goods, passengers, or certain kinds of waste intrastate – non-hazardous oilfield wastes, non-hazardous industrial solid wastes, and hazardous wastes – are classified as “common carriers” subject to the Commission’s regulation.<sup>5</sup> The Commission shall require insurance and indemnity bonds, including public liability and property damage insurance, written by companies qualified to do business in Louisiana.<sup>6</sup>

The 2023 General Order provides the Commission’s rules and regulations regarding required insurance filings for motor carriers, including that public liability and property damage insurance filings shall be made on a *Form E, Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance* (“Form E”).<sup>7</sup> The 2023 General Order specifies that when a lapse of insurance coverage occurs, motor carriers are subject to citation and fine at an open hearing.<sup>8</sup> A carrier’s certificate may be revoked after notice and hearing for failing to comply with applicable law or Commission order.<sup>9</sup> Additionally, the Commission’s *General Order* dated June 7, 2006 (“2006 General Order”) authorizes the imposition of a \$25 citation fee when a citation is issued to a Commission-jurisdictional motor carrier.<sup>10</sup>

### ***The Commission Staff’s Case***

The Commission Staff alleges that the Carrier failed to maintain proof of its bodily injury and property damage (“BI & PD”) insurance on file with the Commission in violation of the 2023 General Order.<sup>11</sup> Commission Staff requests that the Carrier be found guilty as alleged, that the Carrier’s Common Carrier Certificate No. 7057 be canceled pursuant to La. R.S. 45:166(A), and that the Carrier be assessed a \$25 citation fee per the 2006 General Order. In support of its allegations, the Commission Staff presented the testimony of Maegan Hood.

### **Testimony of Maegan Hood**

Ms. Hood testified that she is an Enforcement Agent in the Commission’s Transportation Division, whose duties include receiving and overseeing insurance-related filings for regulated

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<sup>3</sup> La. R.S. 45:163(A).

<sup>4</sup> La. R.S. 45:162 (12).

<sup>5</sup> See La. R.S. 45:162(5)(a).

<sup>6</sup> La. R.S. 45:163 (D).

<sup>7</sup> 2023 General Order at ordering paragraph (1)(2).

<sup>8</sup> *Id.* at ordering paragraph (1)(14).

<sup>9</sup> La. R.S. 45:166(A).

<sup>10</sup> Louisiana Public Service Commission *General Order* dated June 7, 2006, *In re: Revisions to the Transportation Bond Schedule and Transportation Fee Schedule*.

<sup>11</sup> Citing ordering paragraph 1(2).

motor carriers. Ms. Hood stated that she is familiar with Jamie Duff's which is a towing carrier regulated by the LPSC. Ms. Hood attested that, on June 20, 2025, the Commission's Transportation Division received a Form K<sup>12</sup> from National Indemnity Company indicating that the Carrier's BI & PD insurance policy would be canceled effective July 23, 2025. On July 25, 2025, Ms. Hood prepared and mailed a notice of cancellation letter to the Carrier bearing the signature of Transportation Administrator Tammy Burl. The letter notified the Carrier to have its insurer submit a current Form E, to cease operations until the required Form E was filed, and the consequences for non-compliance. Ms. Hood mailed the letter to the Carrier at its address on file with the Commission via United States Postal Service ("USPS") regular mail.

Ms. Hood stated that the Carrier did not submit a Form E following the notices of cancellation. Therefore, she prepared a tentative hearing letter to the Carrier on August 27, 2025, regarding the Form E. The tentative hearing letter advised the Carrier that a hearing had been tentatively set for November 5, 2025, and if Jamie Duff's did not submit a Form E by September 11, 2025, the Commission would issue a citation and assess a \$25 citation fee. Ms. Hood mailed the letter to the Carrier's address on file with the Commission and emailed the letter to Jamie Duff's email addresses on file with the Commission. Attached to the tentative hearing letter was the notice of cancellation letter sent July 25, 2025.

Ms. Hood explained that the Commission did not receive a Form E, the USPS did not return the tentative hearing letter as undeliverable, and did she receive any contact from the Carrier following the notice of cancellation or tentative hearing letter. Consequently, she mailed a citation to the Carrier advising Jamie Duff's that it must appear at a hearing on November 5, 2025, that an order may be issued canceling its authority, and that a \$25 citation fee had been assessed to its account. Attached to the citation was the tentative hearing letter dated August 27, 2025 and the notice of cancellation dated July 25, 2025.

Ms. Hood testified that she mailed the citation via USPS regular mail and certified mail return receipt requested to the Carrier's address on file with the Commission. Ms. Hood confirmed that notice of the proceeding was published in the Commission's *Official Bulletin* dated September 26, 2025. Ms. Hood stated that the certified mail was accepted and identified the signed return receipt for the certified mail, which was received by the Commission on October 2, 2025. She indicated that the last four digits of the receipt number match that on the citation. She also stated

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<sup>12</sup> The Commission is notified of the cancellation or expiration of a carrier's insurance through the receipt of a *Form K Uniform Notice of Cancellation of Motor Carrier Insurance Policies* ("Form K").

that, although there was no date delivered listed on the return receipt, it had a stamp dated September 23, 2025 from the Columbia, Louisiana post office with zip code 71418, which matches zip code of Jamie Duff's address on file with the Commission.

Ms. Hood testified that, as of the hearing, the Carrier did not have an updated Form E on file with the Commission, and it had not filed the appropriate documents to close its LPSC certificate. Ms. Hood stated that the Commission Staff seeks a finding that the Carrier is guilty of failure to maintain required insurance filings, that Common Carrier Certificate No. 7057 be canceled, and that the Carrier be required to pay the \$25 citation fee.

In connection with her testimony, Ms. Hood identified the following documents, which were admitted:

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| Staff Exhibit 1                  | The Form K received by the Commission on June 20, 2025, issued by National Indemnity Company with an effective cancellation date of July 23, 2025, for a BI & PD insurance policy issued to the Carrier.  |
| Staff Exhibit 2                  | Correspondence on Commission Transportation Division letterhead dated July 25, 2025, bearing the signature of Tammy Burl, Transportation Administrator, addressed to the Carrier with the subject line "RE: CANCELLATION OF INSURANCE FILING WITH THE COMMISSION."                      |
| Staff Exhibit 3, <i>in globo</i> | Correspondence on Commission letterhead dated August 27, 2025, bearing the signature of Maegan Hood, Enforcement Agent, addressed to the Carrier with the subject line "RE: Insurance" with a copy of the correspondence dated July 27, 2025 (Staff Exhibit 2).                         |
| Staff Exhibit 4, <i>in globo</i> | The citation issued to the Carrier marked with certified mail return receipt number 7022 3330 0001 8583 1734 with a mailout date of September 16, 2025, and attached thereto copies of the documents admitted as Staff Exhibit 2, and Staff Exhibit 3, <i>in globo</i> .                |
| Staff Exhibit 5,                 | The front and back of a certified mail return receipt (receipt number 7022 3330 0001 8583 1734) addressed to the Carrier bearing a signature in the section titled "Complete this Section on Delivery" stamped received by the Commission's Transportation Division on October 2, 2025. |

***Findings of Fact and Conclusions of Law***

From the evidence presented at the hearing, we make the following findings of fact and conclusions of law:

Findings of Fact

1. The Carrier is an LPSC-regulated towing carrier that currently holds Common Carrier Certificate No. 7057.

2. On June 20, 2025, the Commission received a Form K from National Indemnity Company advising that the Carrier's BI & PD insurance would be canceled effective July 23, 2025.
3. On July 27, 2025, the Commission's Transportation Division mailed a letter via USPS regular mail to the Carrier at its address on file with the Commission advising that the Carrier's BI & PD insurance was canceled effective July 23, 2025. The letter instructs the Carrier to cease operations until replacement insurance is filed.
4. Jamie Duff's did not submit a replacement Form E. On August 27, 2025, Maegan Hood, Enforcement Agent, mailed the Carrier a letter via USPS regular mail to the address on file with the Commission advising that the Carrier's common carrier certificate had been flagged for failure to maintain the required insurance coverage on file with the Commission (a Form E). The letter states that if proof of replacement insurance is not filed by September 11, 2025, the Commission would issue a citation and that a hearing on the matter had been tentatively scheduled for November 5, 2025. The July 25, 2025 notice of cancellation letter was attached. Ms. Hood also emailed the letter to Jamie Duff's two email addresses on file.
5. The Commission did not receive a replacement Form E for the Carrier. On September 16, 2025, Ms. Hood mailed a citation via USPS regular mail and certified mail return receipt requested (receipt number 7022 3330 0001 8583 1734) to the Carrier's address on file with the Commission, directing the Carrier to appear at a hearing on November 5, 2025. Attached to the citation were the letters dated July 25, and August 27, 2025.
6. Notice of the proceeding was published in the Commission's *Official Bulletin* on September 26, 2025.
7. The Commission received the signed certified mail receipt for the citation (receipt number 7022 3330 0001 8583 1734) on October 2, 2025.
8. The Carrier did not appear at the hearing.
9. As of the hearing, the Commission had not received a replacement Form E, or any documents to close the Carrier's LPSC account.

### Conclusions of Law

1. At the hearing, the Commission Staff had the burden of proving its allegations against the Carrier. Because the Carrier did not appear, the Commission Staff also had the burden of demonstrating that the Carrier was provided fair notice of the hearing and the opportunity to present a defense. La. R.S. 45:166(A) provides that a permit may be revoked "after notice and hearing for failure to comply with any provision of R.S. 45:161 through 45:172, or with any lawful order, rule or regulation of the [C]ommission . . . ."
2. Pursuant to its constitutional and statutory authority, the Commission adopted the *Rules of Practice and Procedure*. Commission Rules 7 and 19 provide for notice of non-criminal proceedings through publication in the Commission's *Official Bulletin*, as well as by service "through any means whereby proof of receipt or unclaimed status can be shown" to "the last known place of address of the person entitled to receive such notice . . . ." <sup>13</sup>
3. Pursuant to constitutional and legislative mandate, and Commission orders adopted pursuant thereto, the Commission has the authority to regulate motor carriers and to ensure that they maintain levels of insurance required by statute and by Commission General Orders. The 2023 General Order provides that liability insurance shall be made on a Form E. La. R.S. 45:166(A) states the Commission may revoke a carrier's authority for failure to comply with Commission rules.

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<sup>13</sup> *Special Order Number 72-2021* dated November 22, 2001, Louisiana Public Service Commission, ex parte, *In re: Possible implementation of Interim Rule 7 of the Commission's Rules of Practice and Procedure (Service of Process) and possible revision to the Commission's Rules.*

4. The Commission Staff demonstrated through testimonial and documentary evidence, chiefly the signed certified mail return receipt (receipt number 7022 3330 0001 8583 1734), that the Carrier received notice of the hearing and Commission Staff's allegations. Thus, the Carrier had the opportunity to appear and present a defense.
5. The Commission Staff established through testimonial and documentary evidence that the Carrier failed to provide a Form E indicating that its BI & PD liability insurance coverage had been extended beyond the July 23, 2025 cancellation date stated in the Form K.
6. We find that the Carrier failed to maintain the required proof of insurance coverage filing (a Form E) on file with the Commission as required by the 2023 General Order. Accordingly, we find that the Carrier is guilty of violating the 2023 General Order.
7. We conclude that the Carrier's failure to maintain proof of effective insurance coverage through a Form E constitutes a failure to comply with applicable law and Commission orders. Therefore, cancellation of the Carrier's Common Carrier Certificate is warranted pursuant to La. R.S. 45:166(A).
8. The 2006 General Order allows for the imposition of a \$25 fee for the issuance of a citation by the Commission. Therefore, it is appropriate to require the Carrier to pay the \$25 citation fee.

**Conclusion**

In accordance with the findings of fact and conclusions of law stated above:

**IT IS ORDERED** that Common Carrier Certificate No. 7057, currently issued to Jamie Duff's Body & Frame, Inc. is CANCELED due to the failure of Jamie Duff's Body & Frame, Inc. to maintain proof of insurance coverage on file with the Commission.

**IT IS FURTHER ORDERED** that Jamie Duff's Body & Frame, Inc. pay a \$25 citation fee to the Commission.

**BY ORDER OF THE COMMISSION**  
**BATON ROUGE, LOUISIANA**  
 November 17, 2025



*Brandon M. Frey*  
**BRANDON M. FREY**  
**SECRETARY**

*Mike Francis*  
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