

Decision 00-01-010 January 6, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion
into the operations and practices of
Deborah Ann Scarcelli, doing business as
SCARCELLI LIMOUSINES,

Respondent.

Investigation 93-04-008
(Filed April 7, 1993)

O P I N I O N

Background

The Commission began an Order Instituting Investigation (OII) into the operations of Deborah Ann Scarcelli, dba SCARCELLI LIMOUSINE (Scarcelli) on April 7, 1993. The OII was instituted to determine whether Scarcelli violated numerous regulations, including using employees without filing evidence of workers compensation insurance and use of vehicles in excess of 25 feet in length without the proper certificate. A prehearing conference (PHC) was held on July 2, 1993.

Discussion

Records maintained by the Rail Safety and Carriers Division show that Scarcelli's charter-party permit expired on May 4, 1993 and was not renewed. The Commission has no record of Scarcelli conducting business in recent years.

Because of the time that has elapsed since the OII was opened and the fact that Scarcelli is no longer operating, we will now close this investigation.

Respondent is placed on notice that should she apply in the future for a new permit or certificate, the application may be set for hearing to determine her

fitness to hold operating authority from the Commission. Such a hearing, whether held in response to a protest by the staff or on the Commission's own initiative, may include an examination of the issues involved in this proceeding as well as any other matters relevant to respondent's fitness to serve the public as a for-hire carrier of passengers.

Comments on Draft Decision

The draft decision of the Administrative Law Judge in this matter was mailed to the parties in accordance with Pub. Util. Code Section 311(g) and Rule 77.1 of the Rules of Practice and Procedure. No comments were filed.

Findings of Fact

1. I.93-04-008 was instituted to determine whether Scarcelli violated numerous regulations, including using employees without filing evidence of workers compensation insurance and use of vehicles in excess of 25 feet in length without the proper certificate.

2. Deborah Ann Scarcelli, dba SCARCELLI LIMOUSINES is no longer operating.

Conclusion of Law

Because of the time that has elapsed since I.93-04-008 was opened and the fact that Scarcelli is no longer operating, this investigation should be closed.

O R D E R

IT IS ORDERED that Investigation 93-04-008 is closed.

This order is effective today.

Dated January 6, 2000, at San Francisco, California.

RICHARD A. BILAS

President

HENRY M. DUQUE

JOSIAH L. NEEPER

CARL W. WOOD

Commissioners

I abstain.

/s/ LORETTA M. LYNCH

Commissioner