

PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120

PUC, Bureau of Transportation and
Safety (BTS)

v.

Harry Williams, T/A Eagle Taxi

Public Meeting June 9, 2011

2134394-OSA

Docket No. C-2010-2134394

**JOINT DISSENTING STATEMENT OF
CHAIRMAN ROBERT F. POWELSON AND
VICE CHAIRMAN JOHN F. COLEMAN, JR.**

Before the Commission for consideration and disposition is the Settlement Agreement (Settlement) filed on February 10, 2011, by the Commission's Law Bureau Prosecutory Staff (LBPS or Staff) and Harry Williams, t/a Eagle Taxi (Eagle) (jointly, the Parties), for resolution of allegations regarding Eagle's violations of the Public Utility Code (Code), 66 Pa C. S. §§101, *et seq.*, and the Commission's Regulations, 52 Pa. Code §§1.1, *et seq.* The Majority recommends adoption of the proposed Settlement Agreement. We respectfully disagree.

Eagle has been a certificated carrier since 1981. In that time, Eagle has had 14 violations, five which were for failure to maintain evidence of insurance on file with the Commission. The most recent violation, which is the subject of the Settlement Agreement, is for a lapse of insurance coverage. During that lapse, Eagle provided service 162 times, with no insurance coverage thus placing the public in danger. Further, Eagle failed to file an Answer to the Complaint in a timely manner which was 314 days after the Complaint was filed. In the Order, Staff states that the violations, which Eagle admits to, were serious in nature; and further, finds it most troubling that Eagle's only vehicle was not taken out of service during the time its insurance had lapsed. We agree and object to the Settlement. We find it hard to believe that a carrier that has been operating since 1981 did not know that its only vehicle was being operated by a driver while having no insurance in place. This is unacceptable.

Operating a taxi service without the requisite insurance is a serious violation and jeopardizes the safety of the travelling public. This Commission's mission is to provide safe, adequate and reliable service. For the reasons stated above, we dissent from the Majority's decision to adopt the Settlement Agreement.

Date: June 9, 2011



ROBERT F. POWELSON, CHAIRMAN



JOHN F. COLEMAN, JR. VICE CHAIRMAN.