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October 3, 2011

Silvan B. Lutkewitte, III
Chairman
Independent Regulatory Review Commission
14th Floor
333 Market Street
Harrisburg, PA 17101

Dear Chairman Lutkewitte:

The following is a response to **PPA Comments on Final Form Regulations** pg. 74-75. We have excerpted their comment below in order to provide context.

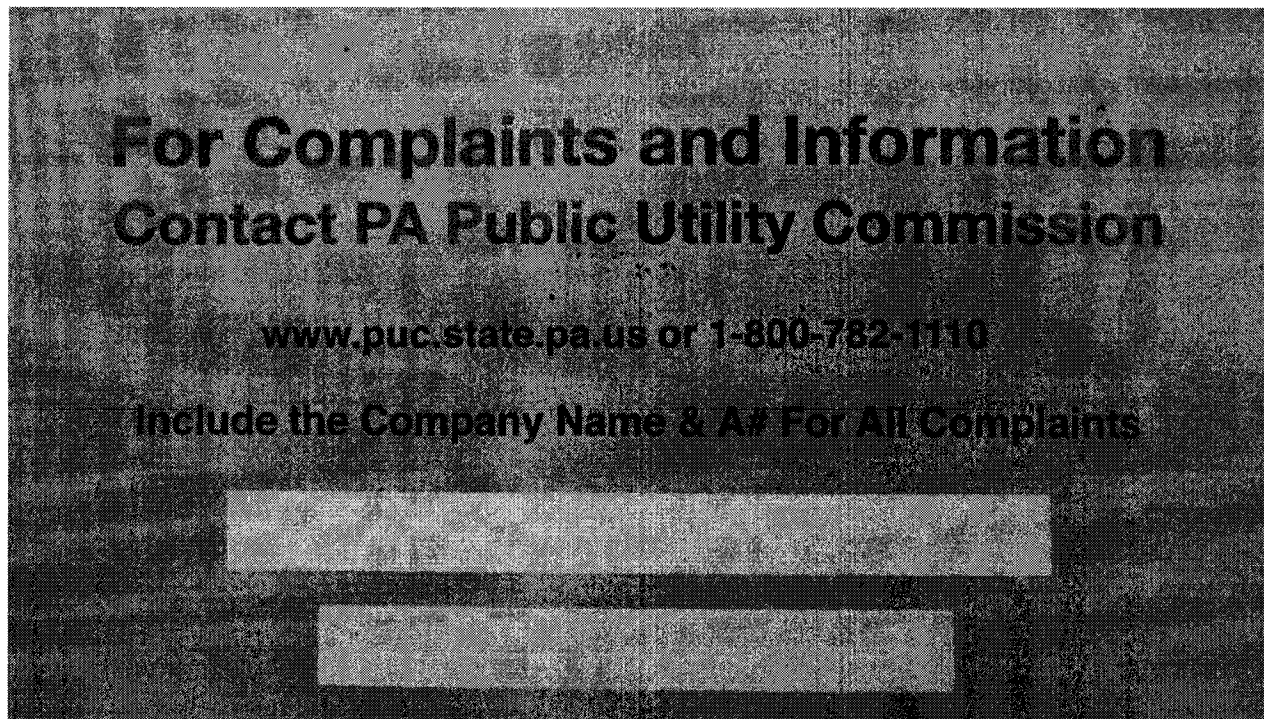
“By way of example, because of the overlapping nature of the jurisdictions of medallion and partial-rights taxicabs, an individual can walk out of the front door of their Philadelphia home in the morning and hail a taxicab for a ride to work in Philadelphia without knowing if the taxicab is a partial-rights taxicab or a medallion taxicab. It is certainly reasonable to presume that this scenario plays out everyday. If different regulatory agencies regulated these Philadelphia taxicabs based solely on the medallion/partial rights distinction, as some have suggested, passengers will not know which rules or rates will be followed by the taxicab that responds to the hail. Nor will passengers be certain as to which regulating agency to report complaints about taxicab service. A regulatory scheme of that nature would needlessly confuse the public and be patently inconsistent with the Authority's mandate to develop "a clean, safe, reliable, and well regulated taxicab and limousine industry" in Philadelphia. 53 Pa.C.S. § 5701.1 (2).”

The PPA submitted the public comments above regarding public confusion that justifies its desire to be the only regulating agency over our operations. These comments are blatantly untrue and misleading. The PPA is falsely claiming that they are solving confusion, but they are in fact taking a very clear situation and creating a conflict. As you will see below, our vehicles are very clearly marked (in two places) as being regulated by the PUC. The public is provided with very clear information as to the agency that regulates the vehicle, and to who shall be contacted with complaints.

Regardless of the PPA's proposed regulations, we are required to comply with PUC Chapter 29. Under Chapter 29 it is required that we post a sticker in our vehicles that is issued by the PUC. The purpose of this sticker is to “provide passengers with the necessary information to file a complaint” according to Chapter 29.318 of the PUC regulations. The regulations go on to say

that “taxicabs **must display** a commission-issued complaint decal which lists the telephone number and website to be used to lodge a complaint. The decal shall be posted on the inside of the right rear window of the vehicle, along the bottom edge.”

If we were to be regulated by the PPA, we would be forced to place a second decal with different information on the partition. The conflicting information would confuse the passenger and would actually create a situation where they would not know “which regulating agency to report complaints about taxicab service,” the very problem the PPA is seeking to eliminate with their regulations.



The sticker above is clear and unambiguous. The customer cannot be confused if this sticker is prominently placed as the PUC requires. I could not solve this issue by taking the PUC sticker off of my car because they require it and would cite my vehicles for lacking their sticker. The PUC rigorously enforces the requirement that this bright yellow sticker is prominent and clear in every vehicle in my fleet.

The PUC requires further visual identifiers on our vehicles as seen below (example below):

§ 29.71. Marking of vehicles.

(a) *Identification.* A common carrier shall paint or affix on each side of each motor vehicle operated in certificated service by him in letters of at least 2 inches in height and at least 1/2 inch in width, the name or registered insignia, if approved by the Commission, of the carrier and the number of the certificate of public convenience as follows:

“Pa.P.U.C. No. A—”



Our territory is a unified area that covers Montgomery County and a small portion of Philadelphia. Our vehicles operate in both areas, so the issue of clear markings as to who regulates us is important for our customers. Clarity is an utmost concern, and we believe that the PPA's proposed regulation creates confusion rather than eliminating it.

For these reasons, and all others we have submitted, we respectfully request that you deny the proposed regulations.

Sincerely,

Joseph Gabbay

Germantown Cab Company