

Public Utilities Commission STATE OF CALIFORNIA

CITATION FOR VIOLATION OF PUBLIC UTILITIES CODE

To: Wine Tasting Driver LLC Attn: Gary Thompson

File: TCP 38791 (Revoked)

Date: May 24, 2023

Citation#: T.23-05-004

Case #: PSG-5839

VIOLATION

You are hereby cited with having violated Section 5414.5 of the Public Utilities Code (PU Code) as described below. This violation occurred during the period from January 21, 2023, through May 18, 2023.

(1) Wine Tasting Driver LLC (WTD) is willfully advertising charter-party carrier services without a valid charter-party carrier permit (TCP) in violation of PU Code Section 5414.5 [4 counts].

STATEMENT OF FACTS

The above violation is documented in the attached Investigation Report, which consists of substantiating

documents.

RESPONSE

Transportation Enforcement Branch (TEB) used the Penalty Assessment Methodology adopted in

Resolution M-4846 and considered mitigating and exacerbating factors in setting the fine.

You are hereby called upon to answer this citation on or before June 13, 2023. By way of such answer,

you may either:

(1) Pay a fine of \$6,000.00 pursuant to P.U. Code Section 5378. (Submit your check or money order

payable to California Public Utilities Commission using the attached *Citation Agreement*.

Upon payment, the fine will be deposited in the State Treasury to the credit of the General

Fund and the Commission staff will deem the matter closed, or

(2) Contact the Supervisor below to make payment arrangements, or

(3) Contest this Citation by filing an Appeal. See attached document "How to File an Appeal and

Instructions for Filing a Notice of Appeal and Certificate of Service for a Citation Appeal."

If you fail to respond by June 13, 2023, you will be in default and will have forfeited your right to

appeal the citation. The Commission may also act through a civil or criminal proceeding to recover any

unpaid fine and ensure compliance with applicable statutes and Commission orders.

Rahmon Momoh

Rahmon Momoh

Program and Project Supervisor

Transportation Enforcement Branch

Consumer Protection and Enforcement Division

(415) 816-5754

Rahmon.Momoh@cpuc.ca.gov

Attachments

2



Public Utilities Commission STATE OF CALIFORNIA

File No.: TCP 38791 (Revoked)

Citation #: T.23-05-004

Date: May 24, 2023

Case #: PSG-5839

CITATION COMPLIANCE AGREEMENT

I hereby agree to comply with this citation dated May 24, 2023, and herewith pay the fine of \$6,000.

wille Tasting	Driver LLC
(0)	(T) i
(Signature)	(Title)

Payment (cashier check or money order) should be made payable to *California Public Utilities Commission* and sent to:

California Public Utilities Commission Attn: Fiscal Office 505 Van Ness Avenue San Francisco, CA 94102-3298 Automatic credit and debit card payments are also available. To arrange for autopay, fill out the attached <u>CREDIT OR DEBIT CARD AUTHORIZATION</u> form and email to California Public Utilities Commission Fiscal Office at <u>FiscalOffice-.TECitations@cpuc.ca.gov</u>.

CALIFORNIA PUBLIC UTILITIES COMMISSION



Carrier: Wine Tasting Driver LLC File: TCP 38791 (Revoked)

Citation #: T.23-05-004

Case #: PSG-5839

Date: May 24, 2023

AUTO-PAY CREDIT OR DEBIT CARD AUTHORIZATION

I (we),		
business as Wine Tasting Driver LLC, hereby autho	rize the California Public Utilities Commission to	
educt \$ from my VISA or Mastercard in one installment, or each month, on the		
date, until Citation T.23-05-004 is paid in full.		
Card Number	Expiration Date	
Cardholder Authorized Signature	Date	
Attachments:		
Photocopy of Credit or Debit Card		
Photocopy of Cardholder's Driver's License		

INVESTIGATION REPORT

CARRIER:	Wine Tasting Driver, Limited Liability Corp. DBA Wine Tasting Driver LLC California Secretary of State Entity Number 201627710187- FTB Suspended 5/3/2021
AUTHORITY:	TCP-38791 (Revoked)
MAILING ADDRESS:	
PHONE	
EMAIL:	
VEHICLES:	2 SUVs
PL&PD INSURANCE:	None
WKCP INSURANCE:	None
DRUG CONSORTIUM:	None

CASE: PSG-5839

INTRODUCTION

On January 30, 2023, I was assigned to investigate the operations and practices of Wine Tasting Driver, LLC (hereinafter referred to as WTD) for alleged operation without authority after a WTD vehicle was seen parked during the California Public Utilities Commission's (CPUC) Transportation Enforcement Branch's (TEB) Napa Joint Operation on January 21, 2023.

HISTORY OF ENFORCEMENT

On June 28, 2021, the CPUC's Transportation Licensing and Analysis Branch (TLAB) sent WTD an Order of Suspension, effective April 19, 2021 (Transportation Carrier Permit (TCP)-38791), for failure to pay PUC Transportation Reimbursement Account (PUCTRA) quarterly fees [Attachment 1].

On October 20, 2021, TLAB sent WTD an Order of Revocation, effective October 20, 2021 (TCP-38791), for failure to pay PUC Transportation Reimbursement Account (PUCTRA) quarterly fees [Attachment 2].

In Case PSG-5554, TEB Enforcement Analyst Migdalia Martin investigated WTD and issued citation number T.21-07-001 on July 14, 2021, for WTD to pay \$8,000 in penalty for [Attachment 3]:

- Operating on a suspended permit in violation of Public Utilities Code (PU Code) Section 5379,
- Engaging employees without evidence of worker's compensation insurance in violation of PU Code Section 5378.1,
- Failure to enroll in the Department of Motor Vehicles (DMV) Employer Pull Notice Program in violation of PU Code Section 5374(a)(1)(D); General Order (GO) 157-E, Part 5.02; and the California Vehicle Code (CVC) Section 1808.1,
- Advertising as a charter-party carrier without a valid operating authority in violation of PU Code Section 5414.5, and
- Advertising as a designated driver service using clients' rental vehicles in violation of PU Code Section 5360.

CPUC's Financial Payment Tracker database shows WTD fully paid the penalty on February 13, 2022.

In PSG-4675, on May 25, 2018, TEB Enforcement Analyst Leticia Ramirez informed Gary Thompson, owner of WTD, to stop transporting passengers using clients' rental vehicles without a valid TCP in violation of PU Code Section 5360. Gary Thompson revised WTD's website to read WTD will drive clients' personal vehicles.

In PSG-4324, TEB Enforcement Analyst Leticia Ramirez investigated and served WTD an Official Notice on May 10, 2017, for operating and advertising as a charter-party carrier without permit in violation of PU Code Sections 5371 and 5414.5, respectively [Attachment 4].

VIOLATIONS

The investigation of WTD for the period of January 21, 2023, through May 18, 2023, found the following violation of the PU Code provision:

• WTD is willfully advertising charter-party carrier services without a valid charterparty carrier permit (TCP) in violation of PU Code Section 5414.5. (4 Counts)

PU Code Section 5414.5 states: "Every corporation or person who knowingly and willfully issues, publishes, or affixes, or causes or permits the issuance, publishing, or affixing, of any oral or written advertisement, broadcast, or other holding out to the public, or any portion thereof, that the corporation or person is in operation as a charter-party carrier of passengers without having a valid certificate or permit issued under this chapter is guilty of a misdemeanor punishable, if an individual, by a fine of not more than one thousand dollars (\$1,000) or by imprisonment in the county jail for not more than six months, or by both, or, if a corporation, by a fine of not more than five thousand dollars (\$5,000)."

Business and Professions (B&P) Code Sections 17200 and 17500 state that unfair competition shall mean and include an unfair or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising and any act prohibited by Chapter 1 of the B&P Code.

On January 21, 2023, TEB Enforcement Analyst Alexander Nera observed WTD's vehicle, a 2019 Ford SUV, California license plate number , Vehicle Identification Number , parked at Farmstead Restaurant [Attachment 5 & 6].

TLAB's database shows WTD was issued a TCP on October 4, 2019. The database records indicate TLAB issued WTD a Notice of Suspension effective April 19, 2021, and revoked WTD's TCP-38791 on October 20, 2021 [Attachment 1 & 2]. All notices were sent to WTD's email, . WTD's operating authority is still in revoked status [Attachment 7].

On February 9, 2023, I emailed () and mailed () and mailed () a Cease-and-Desist Letter (C&D Letter) to WTD [Attachment 8]. On February 24, 2023, Gary Thompson, owner of WTD, in an email, acknowledged receipt of the C&D Letter and said he will remove WTD's website and cease operation until he receives a new

WTD maintains a website, <u>www.wine-tasting-driver.com</u>, that advertises WTD's transportation services without a valid TCP [Attachment 10]. The website provides WTD's contact information for passenger clients to schedule transportation services for compensation: phone number, (707) 681-7050; email, <u>info@wine-tasting-driver.com</u>; and address,

TCP [Attachment 9].

WTD's website advertises "Designated Driver Service" and "Car Service" transportation services for compensation without a valid TCP [Attachment 10]. Designated drivers drive clients' personal or rented vehicles [Attachment 11], while "Car Service" offers the services of WTD's two vehicles: Ford Explorer Sport and Ford Expedition Limited [Attachment 12].

On February 22, 2023, I observed WTD advertising without a valid TCP on Yelp and Facebook [Attachment 13]. Both advertisements listed WTD's phone number, (707) 681-7050, and website, www.wine-tasting-driver.com. Facebook lists WTD email address, info@wine-tasting-driver.com. In addition, On February 28, 23 and April 13, 2023, I observed WTD advertising on TripAdvisor with links to WTD's email, info@wine-tasting-driver.com; phone number, (707) 681-7050; and website, www.wine-tasting-driver.com. [Attachment 13].

I emailed Gary Thompson, owner of WTD, on March 1, 2023, directing him to deactivate WTD's website and to remove all online advertisements including those on Yelp, Facebook, and TripAdvisor [Attachment 14]. On March 3, 2023, Gary Thompson's email response said he

will resolve the issue by March 6, 2023 [Attachment 14]. On March 16, 2023, WTD's website and webpages were deactivated with a message "[t]hank you for being patient. We are doing some work on the site and will be back shortly" [Attachment 15]. However, on April 13, 2023, WTD's website was active and advertising transportation services for compensation [Attachment 16]. TLAB's database shows WTD's TCP status is still revoked [Attachment 7].

On April 13, 2023, I emailed Gary Thompson asking if WTD has a valid TCP since the carrier's website is active [Attachment 19]. Gary Thompson's response on April 16, 2023, states that WTD now provides "Designated Driver Service" and "Concierge Service" only and he will have the "Car Service" advertisement removed from WTD's website [Attachment 19]. However, on May 18, 2023, WTD's website remained unchanged and was still advertising passenger transportation services: offering car services and drivers to drive client's rental vehicles [Attachment 20].

I observed WTD advertising charter-party carrier services on the following dates and online platforms:

Count	Observation Date	Advertising Platform	Evidence
1	February 22, 2023	WTD website	Attachment 10
2	February 24, 2023	WTD website	Attachment 17
3	February 28, 2023	WTD website	Attachment 18
4	April 13, 2023	WTD website	Attachment 16
5	February 22, 2023	Yelp	Attachment 13
6	February 28, 2023	Yelp	Attachment 13
7	February 22, 2023	Facebook	Attachment 13
8	February 28, 2023	Facebook	Attachment 13
9	February 28, 2023	TripAdvisor	Attachment 13
10	April 13, 2023	TripAdvisor	Attachment 13
11	May 18, 2023	WTD website	Attachment 20

As narrated in the "History of Enforcement" section, WTD was previously cited for advertising without authority and was directed multiple times by TEB staff to stop advertising without a valid TCP and to remove all advertisements from online platforms. During the current

investigation, I directed Gary Thompson, owner of WTD, to remove all advertisements and to stop advertising before obtaining a valid TCP. Despite the citation and TEB staff directions, WTD continues to willfully advertise passenger transportation services without a valid TCP.

DECLARATION

I have read the foregoing and know the contents thereof and I declare under penalty of perjury that the foregoing is true and correct, except as to those matters stated on information and belief, and to those matters, I believe to be true.

Executed on 5/24/2023 at San Francisco, California.

Bezawit Dilgassa, Enforcement Analyst

Bezawit Dilgassa

INDEX OF ATTACHMENTS

- 1. TLAB's Order of Suspension dated 6/28/2021.
- 2. TLAB's Order of Revocation dated 10/20/2021.
- 3. Citation number T.21-07-001 issued on 7/14/2021.
- **4.** Official Notice served on WTD on 5/10/2017.
- Picture from Napa Joint Operation on 1/21/2023 showing WTD's vehicle, California license plate number.
- Information from the California Department of Motor Vehicles on California license plate number.
- **7.** WTD's TLAB database profile on 5/2/2023 indicated that WTD's TCP-38791 is revoked.
- **8.** C&D Letter issued on 2/9/2023.
- 9. 2/24/2023 Email from Gary Thompson acknowledging receipt of the C&D Letter and stating WTD will cease operation.
- **10.** Screenshots of WTD Website on 2/22/2023.
- 11. WTD Designated Driver Service webpage screenshot on 2/22/2023.
- **12.** WTD Car Service webpage screenshot on 2/22/23.
- **13.** WTD's Yelp, Facebook, and TripAdvisor profile webpages.
- **14.** 3/3/2023 Email from Gary Thompson stating he will deactivate WTD's website by 3/6/2023.
- **15.** WTD's website screenshot on 3/16/2023 indicating the website had been deactivated.
- **16.** WTD's website screenshots on 4/13/2023 indicating the website is active.
- 17. WTD's website screenshot on 2/24/2023.
- **18.** WTD's website screenshots on 2/28/2023.
- 19. 4/16/2023 Email from Gary Thompson stating WTD offers designated driver and concierge services only and will remove the car service from WTD's website.
- **20.** WTD's website screenshots on 5/18/2023.

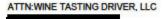
TLAB's Order of Suspension dated 6/28/2021

PUBLIC UTILITIES COMMISSION 505 Van Ness Avenue San Francisco, CA 94102-3298



DBA: WINE TASTING DRIVER, LLC

PSG0038791



TCP CLASS B CERTIFICATE

CPUC Order of Suspension

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter is suspended effective April 19, 2021.

Failure to pay quarterly fees (PUCTRA)

Unless the suspension was requested voluntarily, if the reason(s) for the suspension are not resolved within 180 days, on October 16, 2021, the operating authority will be revoked. Voluntary suspensions may stay in effect without becoming revoked until the operating authority expires.

After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a Passenger Stage Corporation (PSC) or a Transportation Charter-Party carrier (TCP) of passengers to conduct any operations as a carrier. (California Public Utilities Code §§ 1045, 5379). Unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code and may include permanent revocation of your operating authority or being permanently barred from receiving an operating authority.

A carrier whose certificate or permit is suspended due to failing to pass a vehicle inspection by the California Highway Patrol (CHP) (California Public Utilities Code § 5378.5, Commission Resolution TL-18336) may obtain a reinspection of its terminal and vehicles by the CHP by submitting a written request for reinstatement to CPUC and paying a reinstatement fee of one thousand dollars (\$1,000). (California Public Utilities Code § 5378.5(b)). Upon receipt of a written recommendation from CHP to suspend a carrier's operating authority, a carrier may request a hearing of the suspension by making a written request to CPUC and the CHP showing cause why the suspension should not be continued.

If your suspension is due to failing to maintain adequate insurance, you must contact your insurance provider to reinstate your policy on-file with the CPUC.

Date: Jun 28, 2021

PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA

licensing@cpuc.ca.gov

TLAB's Order of Revocation dated 10/20/2021

PUBLIC UTILITIES COMMISSION 505 Van Ness Avenue San Francisco, CA 94102-3298



DBA: WINE TASTING DRIVER, LLC

PSG0038791

ATTN:WINE TASTING DRIVER, LLC

TCP CLASS B CERTIFICATE

Order of Revocation

This is notice from the California Public Utilities Commission (CPUC) that the operating authority listed on this letter is revoked effective October 20, 2021.

Failure to pay quarterly fees (PUCTRA)

After the cancellation or revocation of a permit or certificate, or during the period of its suspension, or after the expiration of its permit or certificate, it is unlawful for a Passenger Stage Corporation (PSC) or a Transportation Charter-Party carrier (TCP) of passengers to conduct any operations as a carrier. (California Public Utilities Code §§ 1045, 5379). Unlawful operations are subject to fines and penalties as set forth in the California Public Utilities Code and may include permanent revocation of your operating authority or being permanently barred from receiving an operating authority.

There is a ninety (90) day period in which a revoked carrier may apply to reinstate the revoked operating authority unless it was permanently revoked.

Date: Oct 20, 2021

PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA

licensing@cpuc.ca.gov

Citation no. T.21-07-001 Issued on 7/14/2021



Public Utilities Commission

STATE OF CALIFORNIA

CITATION FOR VIOLATION OF PUBLIC UTILITIES CODE

To: Wine Tasting Driver, LLC

File: TCP 38791 B

Date: July 14, 2021

Citation #: T.21-07-001

Case #: PSG - 5554

VIOLATIONS

You are hereby cited with having violated sections of the Public Utilities Code (Pub. Util. Code) and California Public Utilities Commission (Commission) General Order (G.O.) as described below. These violations occurred during the period March 1, 2021 to present date:

- Operated as a charter-party carrier during a period of suspension in violation of Pub. Util. Code Section 5379 [4 counts];
- (2) Engaged eight (8) employee-drivers without evidence of workers compensation insurance in effect and on file with the Commission in violation of Pub. Util. Code Section 5378.1 [8 counts];
- (3) Failed to enroll eight (8) drivers in the Department of Motor Vehicle (DMV) Employer Pull Notice (EPN) Program in violation of Pub. Util. Code Section 5374(a)(1)(D), G.O. 157-E Part 5.02, and the California Vehicle Code (CVC) Section 1808.1 [8 counts];
- (4) Failed to enroll eight (8) drivers in a mandatory Controlled Substance and Alcohol Testing Certification Program for Pre-Employment Testing in violation of Pub. Util. Code Section 5374 (a)(1)(I) and G.O. 157-E [8 counts]; and
- (5) Advertised as a charter-party carrier without having a valid operating authority in violation of Pub. Util. Code Section 5414.5 and pursuant to Pub. Util. Code 5360 continued to advertise as a designated driver service using client's rental vehicles [2 counts].

CIT-LIC

STATEMENT OF FACTS

The above violations are documented in the attached investigator's summary report, which consists of carrier's records and substantiating documents obtained from other sources.

RESPONSE

You are hereby called upon to answer this citation on or before <u>August 3, 2021</u>. By way of such answer you may either:

- (1) Pay a fine of \$8,000 pursuant to Pub. Util. Code section 5378. (Submit your check or money order payable to California Public Utilities Commission using the attached Citation Compliance Agreement. Upon payment, the fine will be deposited in the State Treasury to the credit of the General Fund and the Commission staff will deem the matter closed.) or
- (2) Contest this citation by filing an appeal. See attached document "How to File an Appeal and Instructions for Filing a Notice of Appeal and Certificate of Service for a Citation Appeal."

If you fail to respond within the 20 calendar days, you will be in default of the citation and will have forfeited your right to appeal the citation. In addition, your operating authority will be immediately suspended and subsequently revoked, pursuant to Resolution ALJ-187. The Commission may also take action through a civil or criminal proceeding to recover any unpaid fine and ensure compliance with applicable statutes and Commission orders.

Rahmon Momoh

Rahmon Momoh Interim Program and Project Supervisor Transportation Enforcement Branch Consumer Protection and Enforcement Division e-mail: rahmom.momoh@cpuc.ca.gov

Attachments

CIT-LIC



Public Utilities Commission

STATE OF CALIFORNIA

File: TCP 38791 B Date: July 14, 2021

Citation #: T.21-07-001

Case #: PSG - 5554

CITATION COMPLIANCE AGREEMENT

! (We) hereby agree to comply with this citation dated <u>July 14, 2021</u>, and herewith pay the fine of \$8,000.

Gary Thompson, Manager Member, and William Miller Jr., Manager Member Wine Tasting Driver, LLC

(Signature) (Title)

(Date)

Payment should be made payable to California Public Utilities Commission and sent to:

California Public Utilities Commission Attention: Fiscal Office 505 Van Ness Avenue San Francisco, CA 94102-3298

CIT-LIC



Public Utilities Commission

STATE OF CALIFORNIA

File No.: TCP 38791 B Citation #: T.21-07-001 Case #: PSG - 5554

CITATION SERVICE

On <u>July 14, 2021</u>, I was served with <u>Citation T.21-07-001</u>, and I understand that I have 20 calendar days from the date of service to answer the citation by <u>August 3, 2021</u>. I have also been provided with the following forms:

[X] A copy of the Case Summary

[X] How to File An Appeal of a Citation (rev 08/13/2020) which includes instructions on how to Request for an Interpreter

[X] CPUC Instructions For Filing a Notice of Appeal and Certificate of Service which includes a Notice of Appeal form

(Signature)	(Title)
(Date)	

CIT-LIC (REV 3/17)

CERTIFICATE OF SERVICE

I certify that I have this day served the following documents on

Wine Tasting Driver, LLC

- 1. Citation number <u>T.21-07-001</u> dated <u>July 14, 2021</u>
- 2. Investigator's report.
- 3. How to file an Appeal.
- CPUC Instructions for filing a Notice of appeal and Certificate of Service for a Citation Appeal.

Date: 07/14/2021 Migdalia Martin

Investigator's signature

Migdalia Martin, Badge #68
Investigator's name and badge #

Official Notice Served on WTD on 5/10/2017



Public Utilities Commission

State of California

OFFICIAL NOTICE

File #: Unlicensed Case #: PSG-4324

On May 10, 2017, Leticia Ramirez, Investigator, of the Transportation Enforcement Section, Consumer Protection and Enforcement Division, admonished:

GARY THOMPSON, owner,

an individual doing business as (dba) Wine Tasting Driver providing transportation services in Napa, CA, for the violations listed below, and also placed on notice that if similar violations are disclosed in the future, penalties as provided in the Public Utilities ("Pub. Util.") Code may be incurred:

REFERENCE	VIOLATION		
Pub. Util. Code section 5371	Operating as a charter party carrier without a permit		
Pub. Util. Code section 5414.5	Advertising as a charter party carrier without a permit		
You are also placed on notice that a	re-examination of the transportation services of		
	Wine Tasting Driver		
provided in the Public Utilities Code	I have read the above statement and have been furnished a copy.		
Leticia Ramirez Investigator, Badge #46	Dated		
Gary Thompson, Owner	Dated		
	1		

Wine Tasting Driver, LLC, TCP-38791 (revoked), California license plate number at the staurant on January 21, 2023, at 12:31 p.m.



California Department of Motor Vehicles' report on California license plate number

DATE: 04/25/23 TIME: 15:17

INSURANCE INFORMATION ON FILE REG VALID FROM: 04/30/23 TO 04/30/24

LIC#: YRMD:19 MAKE:FORD BTM :UT VIN :

R/O: WINE TASTING DRIVER LLC,

ZIP#:

SOLD:00/00/19 RCID:02/13/23 OCID:01/22/21 LOCD:8

L/O:GARY ALAN THOMPSON,

TYPE:31 POWR:G AXLE:2 WGHT:05560 VEH :32 BODY:0 CLAS:MN *-YR:20

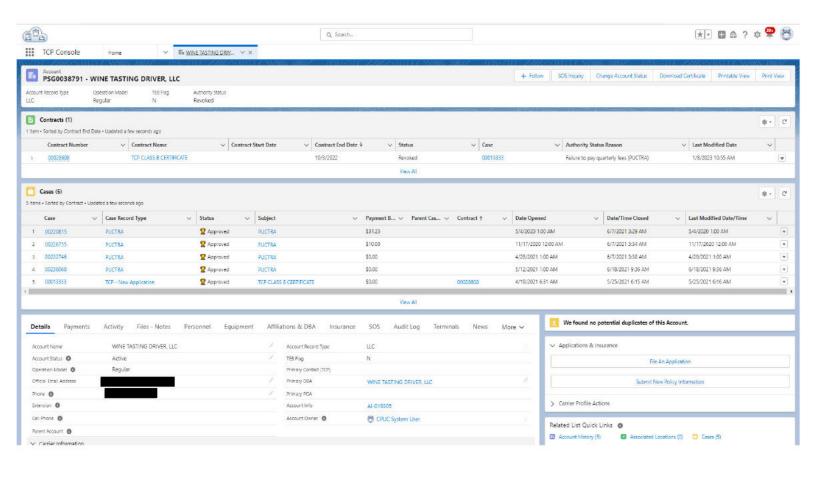
REC STATUS:

06/04/21 SMOG DUE 04/30/27

NO MAILING ADDRESS

01/22/21 PREV LIC

WTD's TLAB database profile on 5/2/2023 indicated that WTD's TCP-38791 is revoked.



C&D Letter Issued on 2/9/2023



February 9, 2023

Wine Tasting Driver LLC Attn: Gary Thompson TCP: 38791 (Revoked) Case No.: PSG-5839

NOTICE TO CEASE AND DESIST

Dear Gary Thompson:

On October 20, 2021, your charter-party carrier of passengers (TCP) operating authority was revoked for failure to pay the required quarterly Public Utilities Commission Transportation Reimbursement Account (PUCTRA) fees. However, on January 21, 2023, a vehicle with license plate number bearing TCP number 38791 was observed operating at Farmstead in St. Helena. California.

This letter places you on notice to cease and desist immediately all advertisements and operations as a charter-party carrier of passengers without valid authority in force with the Commission. Continued violations may result in criminal prosecutions and termination of telephone service.

The Commission regulates and licenses charter-party carriers of passengers within California pursuant to the California Constitution. Public Utilities Code (P.U. Code) Sections 5411, 5414.5 and 5415 state that any carrier which operates and/or advertises without authority is guilty of a misdemeanor which is punishable by a fine of up to \$1,000 or by imprisonment in the county jail for up to three months, or both. Each day of continued violations is a separate and distinct offense.

P.U. Code Section 5379 states that it is unlawful for any carrier to operate after suspension or revocation of its operating authority. This letter places your firm on notice that continued violations of law without the required permit may result in criminal prosecutions and possible termination of telephone service. There will be no further warnings.

Please call me at 415-792-3269 if you have any questions regarding this letter. Your cooperation in this matter is appreciated.

Very truly yours,

Bezawit Dilgassa, Senior Enforcement Analyst California Public Utilities Commission Consumer Protection and Enforcement Division Transportation Enforcement Branch

Began & Make

Email: bezawit.dilgassa@cpuc.ca.gov

Telephone: 415-792-3269

Rahmon O. Momoh, Program and Project Supervisor cc:

2/24/2023 Email from Gary Thompson acknowledging receipt of the C&D Letter and stating WTD will cease operation.

[EXTERNAL] Re: California Public Utilities Commission Notice To Cease and Desist Operating without Authority (TCP #38791 Revoked)
Friday, February 24, 2023 11:27:47 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning.

My apologies for missing this email. I've pulled the website.

I won't operate until I get my new TCP license - hopefully soon

Gary Thompson

On Thu, Feb 9, 2023 at 12:10 PM Dilgassa, Bezawit < bezawit dilgassa@cpuc.ca.gov> wrote: Dear Gary Thompson,

Please refer to the attached Notice to Cease and Desist letter from the California Public Utilities Commission's Transportation Enforcement Branch regarding your revoked TCP

Please email or call me if you have any questions.

Sincerely,

Bezawit Dilgassa

Senior Regulatory Analyst

Transportation Enforcement Branch

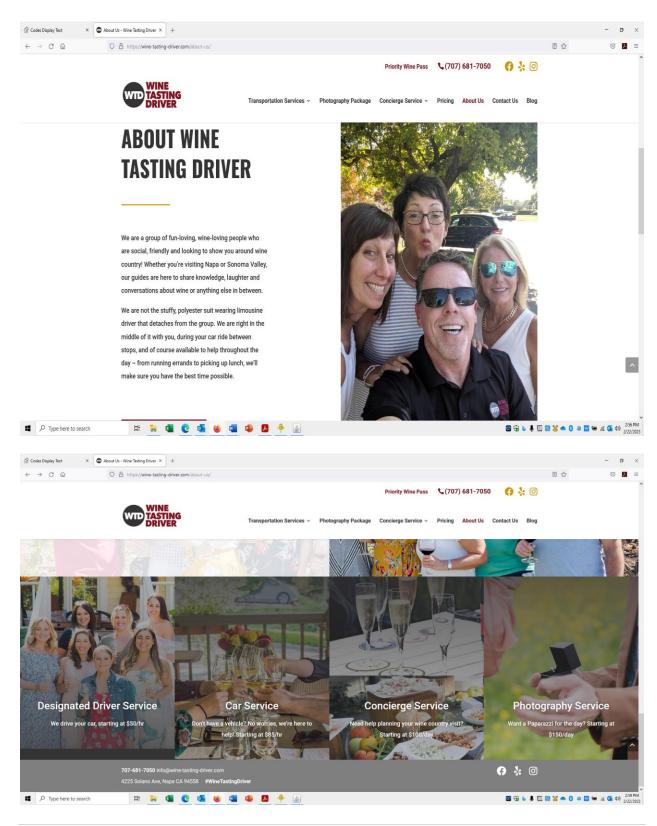
Consumer Protection and Enforcement Division

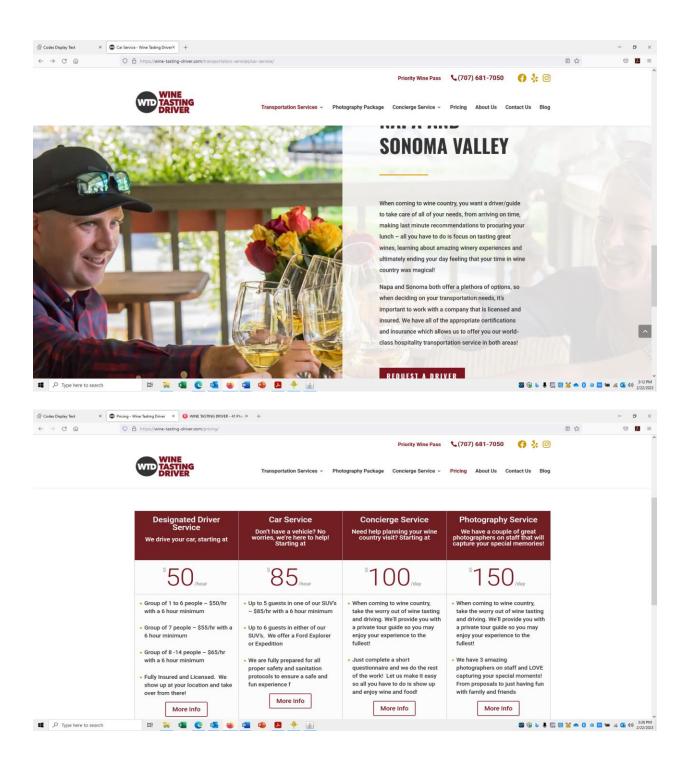
California Public Utilities Commission

Office: (415) 703-5269 I Mobile: (415) 792-3269

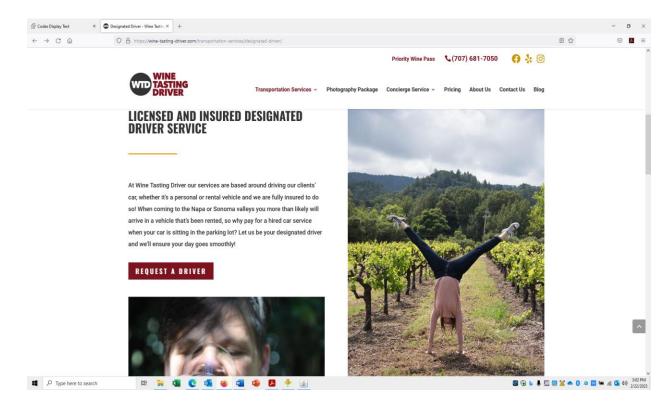
Email: bezawit.dilgassa@cpuc.ca.gov

Screenshots of WTD Website on 2/22/2023

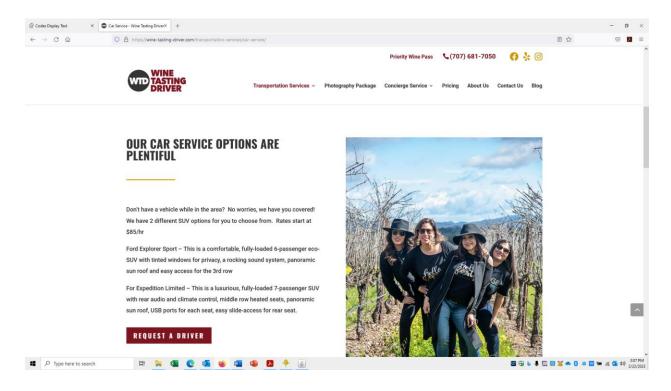




WTD Designated Driver Service (Screenshot on 2/22/2023)

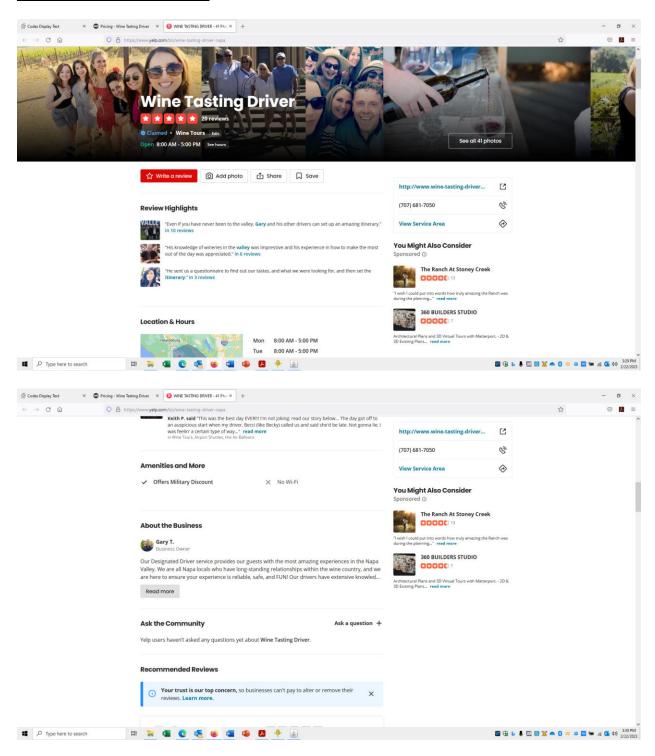


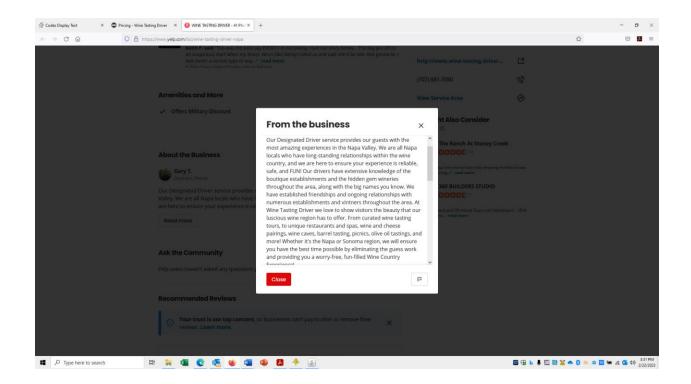
WTD Car Service (Screenshot on 2/22/23)



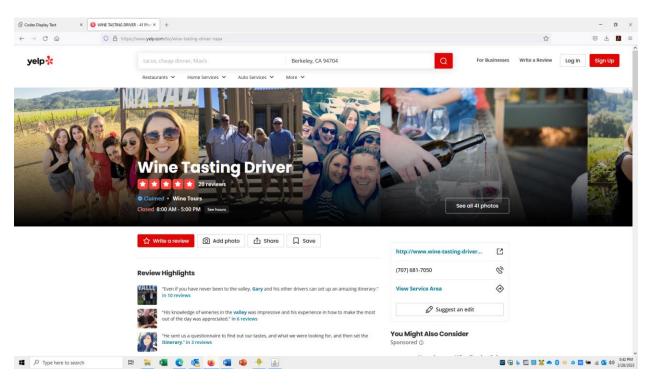
WTD's Yelp, Facebook, and TripAdvisor Profile Webpages

Yelp screenshots on 2/22/23.

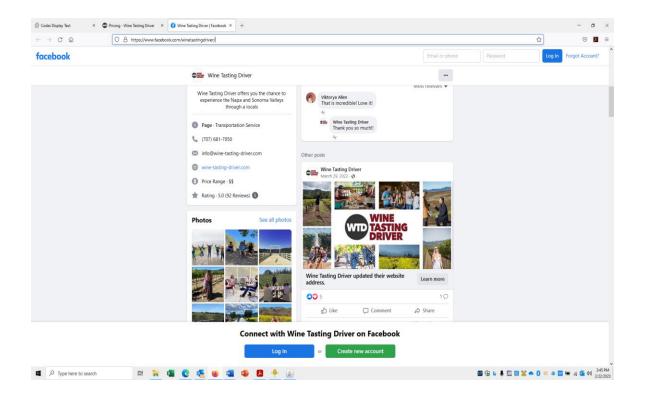




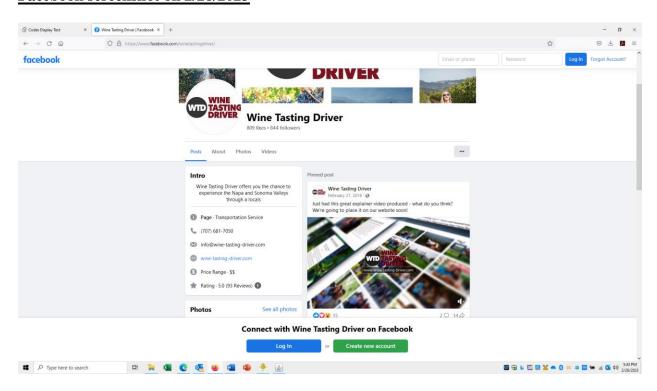
Yelp screenshot on 2/28/23.



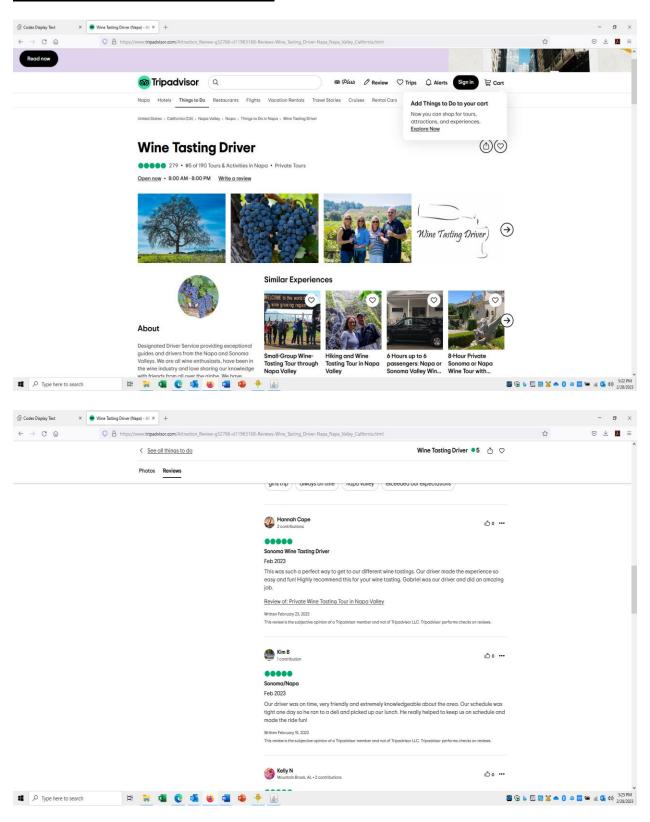
Facebook screenshot on 2/22/2023.

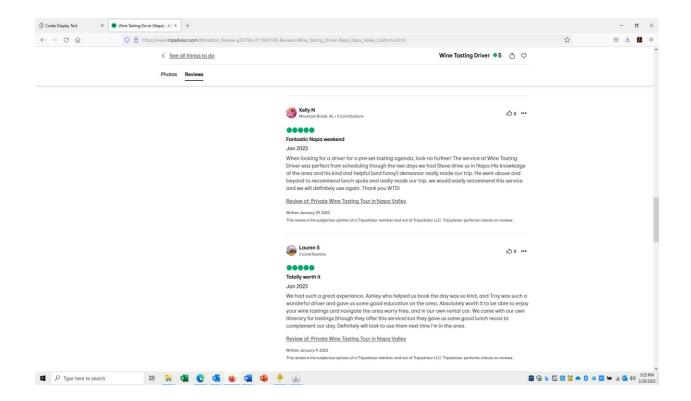


Facebook screenshot on 2/28/2023

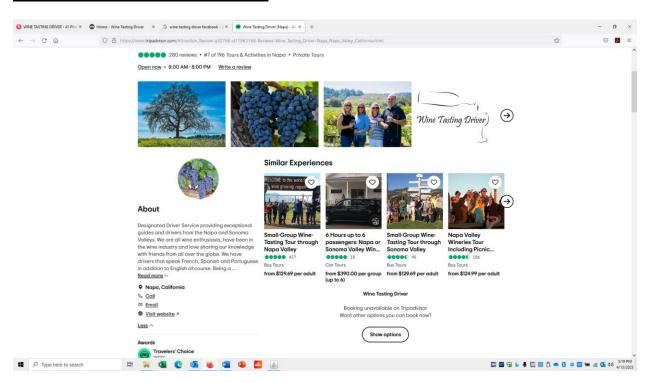


TripAdvisor screenshots on 2/28/2023.





TripAdvisor screenshot on 4/13/2023.



3/3/2023 Email from Gary Thompson, Owner of WTD

From: Gary Thompson
To: Dilgassa, Bezawi

Subject: [EXTERNAL] Re: Deactivate Wine Tasting Driver Website and Remove all Online Advertisements

Date: Friday, March 03, 2023 12:36:35 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi there -

I wanted to acknowledge receipt - I have limited data reception currently as I'm in Oregon with no wifi currently. I'll be home on Monday and will deactivate the social accounts. My developer is out of office until Monday as well - honestly, I'm not sure why he did what he did, but I'll have it resolved asap

Thank you and have a great weekend!

Gary Thompson

On Wed, Mar 1, 2023 at 4:51 PM Dilgassa, Bezawit < bezawit dilgassa@cpuc.ca.gov> wrote:

Good afternoon Mr. Thompson,

Thank you for removing information form your website https://wine-tasting-driver.com/; however, your company name is still on display and other links to your company's website are still active such as:

https://wine-tasting-driver.com/pricing/

https://wine-tasting-driver.com/transportation-services/car-service/

https://wine-tasting-driver.com/about-us/

https://wine-tasting-driver.com/transportation-services/designated-driver/

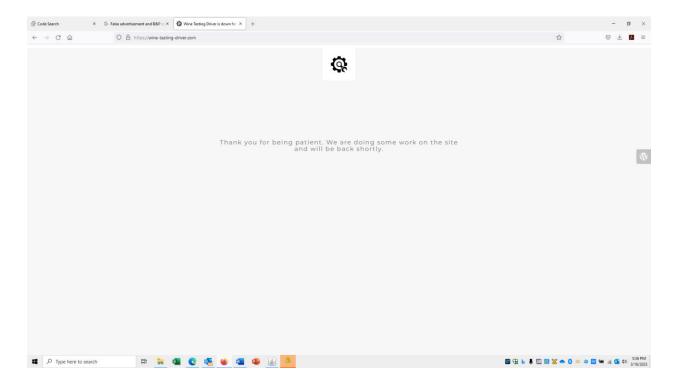
https://wine-tasting-driver.com/contact-us/

https://wine-tasting-driver.com/blog/author/gary-thompson/

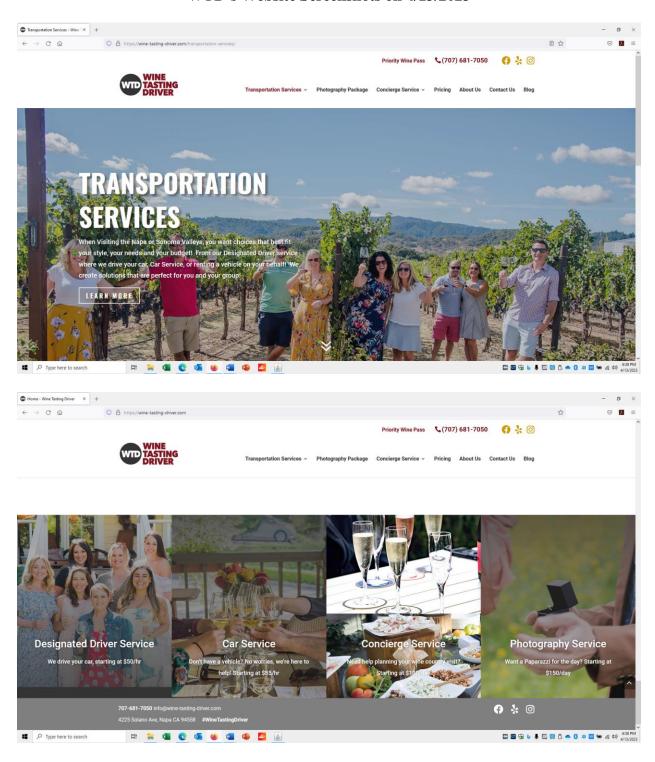
Since your charter party carrier authority is revoked, you are not allowed to advertise and operate your passenger transportation service. Please completely deactivate all links to your website and remove all online advertisements (Facebook, Yelp, TripAdvisor) as soon as possible!

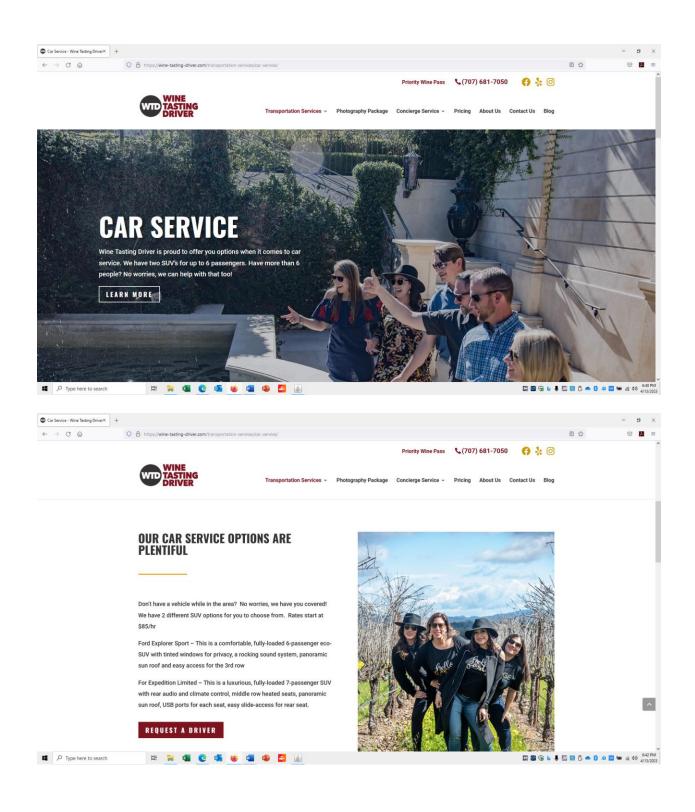
Thank you!

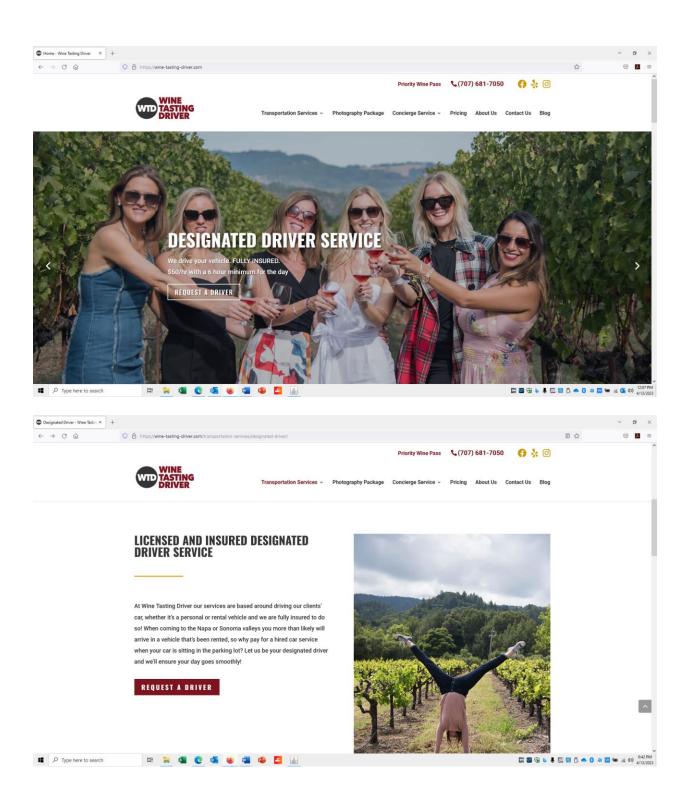
WTD's Website Screenshot on 3/16/2023

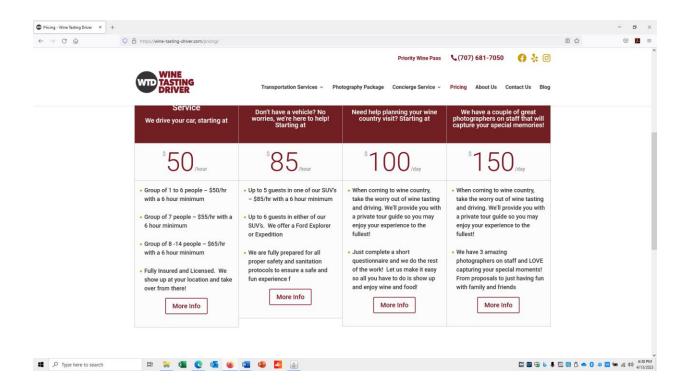


WTD's Website Screenshots on 4/13/2023

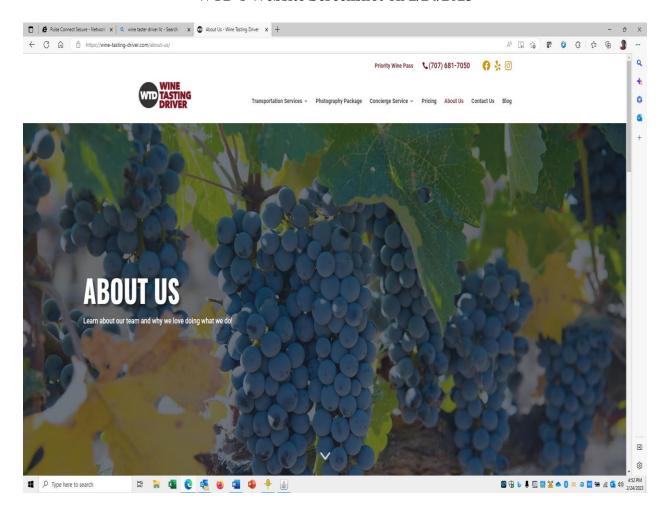




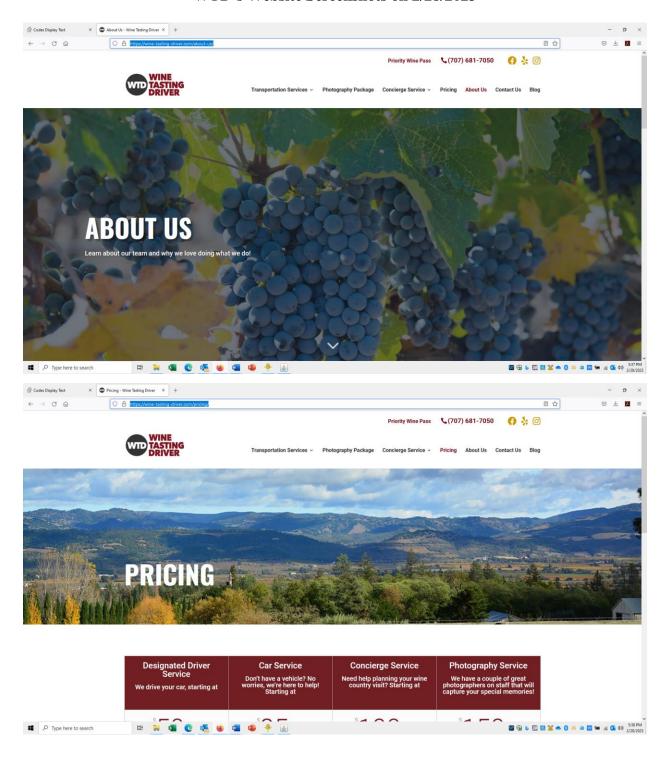


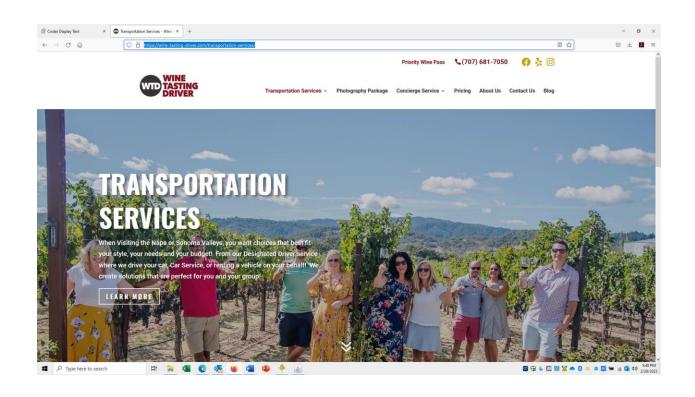


WTD's Website Screenshot on 2/24/2023



WTD's Website Screenshots on 2/28/2023





4/16/2023 Email from Gary Thompson, Owner of WTD

From: Gary Thompson
To: Diloassa, Bezawi

Subject: Re: [EXTERNAL] Re: Deactivate Wine Tasting Driver Website and Remove all Online Advertisements

e: Sunday, April 16, 2023 10:34:13 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello there -

We have joined forces with HS Wine Tours - until we're able to transfer WTD cars into HS Wine Tours name, we're only providing designated driver service, and concierge service. Any wine tours done with car service will be operated through HS Wine Tours. The website went live Monday, but I see that car service is still listed - I'll have that removed ASAP

The updated branding and all information should be live in the next few days.

Thank you so much

Apologies on the delay - I'm in Europe until May 29th with limited access to email at times.

Gary Thompson

On Thu, Apr 13, 2023 at 12:04 PM Dilgassa, Bezawit Spezawit dilgassa@cpuc.ca.gov> wrote:

Good morning Mr. Thompson,

I see your website is active again. Did you get your CPUC permit?

From: Gary Thompson <

Sent: Friday, March 03, 2023 12:33 PM

To: Dilgassa, Bezawit

bezawit dilgassa@cpuc.ca.gov

Subject: [EXTERNAL] Re: Deactivate Wine Tasting Driver Website and Remove all

Online Advertisements

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi there -

WTD's Website Screenshots on 5/18/2023

