



Public Utilities Commission

STATE OF CALIFORNIA

CITATION FOR VIOLATION OF PUBLIC UTILITIES CODE

To: ABC Exclusive, LLC
Attn: Nabil Fahmy
[REDACTED]

File: TCP 42516-B
Citation #: T.2025-08-011
Date: August 21, 2025
Case #: CSE-000419

VIOLATIONS

You are hereby cited as having violated sections of the Public Utilities (Pub. Util.) Code and a Commission General Order (G.O.) as described below. The violations occurred from February 8, 2025, to June 16, 2025.

- (1) Failed to produce records upon request, in violation of Pub. Util. Code Sections 425 and 5389 as well as G.O. 157-E, Part 6.02. **[3 counts]**.

STATEMENT OF FACTS

The above violation is documented in the attached Investigation Report, which consists of the carrier's records and substantiating documents obtained from other sources.

RESPONSE

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 September 11, 2025. By way of such an answer, you may either:

- (1) Pay a fine of \$3,000 pursuant to Pub. Util. P.U. Code Section 5378. Submit your check or money order payable to CPUC 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 September 11, 2025, you will be in default and will have forfeited your right to appeal the Citation. In addition, your operating authority will be immediately suspended and may be subsequently revoked pursuant to Resolution ALJ-187. 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.



Eric Hooks
Program and Project Supervisor
Transportation Enforcement Branch
Telephone number (415) 703-2302
E-mail address: eric.hooks@cpuc.ca.gov

Attachments



Public Utilities Commission

STATE OF CALIFORNIA

CITATION COMPLIANCE AGREEMENT

File No.: TCP 42516-B
Citation #: T.2025-08-011
Date: August 21, 2025
Case #: CSE-000419

I (we) hereby agree to comply with this citation dated August 21, 2025, and herewith pay the fine of \$3,000.

ABC Exclusive, LLC
Attn: Nabil Fahmy



(Signature)

(Title)

(Date)

Payment (cashier's 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

INVESTIGATION REPORT

CARRIER: ABC Exclusive, LLC
Limited Liability Company
Entity ID: 202252615876

MEMBERS: Nabil B Fahmy: Member
Mohammad A Hoque: Member
Hossam E Ahmed: Member
Rafaqat Hussain Qureshi: Member
Mustafa H Hasan: Member
Shazmil S Sadiq: Member
Ayo M Ajisebutu: Member
Tareq M Qudah: Member
Md A Rahman: Member
Pishoy S Habashy: Member
Kazi S Ahmmad: Member
Mary M Astasy: Chief Executive Officer

AUTHORITY: TCP 42516-B (Active)

MAILING ADDRESS: [REDACTED]

PHONE / EMAIL: [REDACTED]

VEHICLES: [REDACTED]

EMPLOYEE-DRIVERS: [REDACTED] (accessed through [REDACTED])

PL&PD
[REDACTED] [REDACTED]

WORKERS'
[REDACTED] [REDACTED]

DRUG CONSORTIUM: [REDACTED]

REVENUE:

<u>Year</u>	<u>Revenue</u>
[REDACTED]	[REDACTED]

INTRODUCTION

On February 24, 2025, I was assigned to investigate the operations and practices of ABC Exclusive, LLC (hereinafter referred to as ABC Exclusive) because Transportation Enforcement Branch's Senior Enforcement Analyst, Shirley Lei, observed that a [REDACTED] [REDACTED] was not listed on the carrier's equipment list during a joint operation at Ports America on February 8, 2025 [Attachment 1].

VIOLATIONS

I investigated ABC Exclusive for the period of February 8, 2025, until June 16, 2025, and found violations of the following provisions of the Public Utilities (Pub. Util.) Code and Commission General Order (G.O.):

- **ABC Exclusive failed to produce records upon request, in violation of Pub. Util. Code Sections 425 and 5389 as well as G.O. 157-E, Part 6.02. [3 counts]**

On March 28, 2025, I called ABC Exclusive member Nabil Fahmy at [REDACTED]. During our conversation, Mr. Fahmy stated that he no longer used [REDACTED] for his business, and that [REDACTED] had, at some point, been a "contractor" of ABC Exclusive.

Later that day, I emailed Mr. Fahmy at [REDACTED] a recapitulation of this, requesting the following records by not later than April 4, 2025 [Attachment 2]:

1. The date on which ABC Exclusive [REDACTED],
2. The date on which [REDACTED], and
3. [REDACTED] contact information, including [REDACTED] telephone number as well as [REDACTED] mailing and email addresses.

On April 4, 2025, a proxy of ABC Exclusive, identifying himself as Mr. Fahmy's son, emailed me from [REDACTED]. Mr. Fahmy's proxy stated that Mr. Fahmy "cancelled...adding [REDACTED] to [Mr. Fahmy's] fleet and took [REDACTED] vehicle out of [Mr. Fahmy's] commercial insurance policy" [Attachment 3]. Mr. Fahmy and his proxy have, to this day, failed to produce the records that I requested on March 28, 2025.

On April 21, 2025, I emailed a data request of seven specified items to Mr. Fahmy due not later than May 8, 2025 [Attachment 4]. On May 8, 2025, Mr. Fahmy emailed me in

response, stating that he did not have any [REDACTED] He also emailed me four records in the same response at [REDACTED]

[REDACTED] Mr. Fahmy failed to provide me with two requested records, constituting the second count of this violation:

1. "A list of all drivers enrolled in the drug consortium showing dates added or deleted from January 1, 2025, to April 1, 2025", and
2. "All waybills for trips conducted in California between January 1, 2025, and April 1, 2025."

On April 21, 2025, I emailed [REDACTED] at [REDACTED] a data request regarding ABC Exclusive's Worker's Compensation (WKCP) insurance policy [REDACTED] [Attachment 6]. [REDACTED] emailed me in response that day, stating that ABC Exclusive "submitted as [REDACTED] payroll", and that "no drivers", at any time, had been "added or removed from" their WCKP insurance policy [Attachment 7].

To reconcile information provided regarding ABC Exclusive's WKCP insurance policy and to ascertain that ABC Exclusive and [REDACTED] had no business affiliation, I emailed Mr. Fahmy on June 9, 2025. I requested that Mr. Fahmy email me "all of the following"

[Attachment 8]:

1. Photographs of the [REDACTED] that show the removal of both ABC Exclusive's TCP number 42516 and undeclared FBN "PickUpRide",
2. Proof that [REDACTED] removed his "DBA ABC Exclusive" affiliation from [REDACTED] registered ownership of [REDACTED] title "if [REDACTED] no longer worked for" ABC Exclusive, and
3. ABC Exclusive's current WKCP policy in which all active drivers are covered.

On June 16, 2025, Mr. Fahmy emailed me in response. He did not produce the first two of the three above-requested records, stating he had been "unable to see [REDACTED] [Attachment 9]. Mr. Fahmy, in the same email, claimed that he "[would be] able to reach him" at an unspecified time in the future, at which point he "would provide" me with the requested records [See Attachment 9]. I have allowed six weeks for Mr. Fahmy to do so, and he has not; therefore, this constitutes the third count of this violation of failure to produce records.

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 August 21, 2025, at Los Angeles, California.

Evan Schwartz, TEB Enforcement Analyst

List of Attachments

- **Attachment 1** – [REDACTED] Displaying “PickUpRide” and TCP 42516 (02/08/25)
- **Attachment 2** – Initial Request for Records of ABC Exclusive (03/28/25)
- **Attachment 3** – Initial Response by ABC Exclusive (04/04/25)
- **Attachment 4** – Official Data Request of ABC Exclusive (04/21/25)
- **Attachment 5** – Official Data Request Response by ABC Exclusive (04/28/25)
- **Attachment 6** – Official Data Request to WKCP (04/21/25)
- **Attachment 7** – Official Data Request Response by WKCP (04/21/25)
- **Attachment 8** – Final Request for Records of ABC Exclusive (06/09/25)
- **Attachment 9** – Final Response by ABC Exclusive (06/16/25)

Attachment 1

██████ Displaying “PickUpRide” and TCP 42516 (02/08/25)



Attachment 2
Initial Request for Records of ABC Exclusive (03/28/25)

From: Schwartz, Evan

Sent: Friday, March 28, 2025 11:44 AM

Subject: RE: Due 4/4/2025 - CSE 419 - Questions Related to Telephone Conversation

Dear Mr. Fahmy,

Thank you for speaking with me this morning. You mentioned to me that the driver, [REDACTED] [REDACTED] was never your employee, but [REDACTED] occasionally contracted with your business. [REDACTED] contract ended, but you couldn't remember the time at which it ended. Your TCP number is on the vehicle with license plate [REDACTED] but it is not any longer in your direct possession.

By 4/4/2025, close of business, please do all of the following:

1. Provide me with the contact information of [REDACTED] including telephone number, physical and mailing address, and email address.
2. Identify when [REDACTED] contract ended with ABC EXCLUSIVE, LLC.
3. Identify when the vehicle with license plate [REDACTED] was sold or transferred to [REDACTED]
4. Explain why [REDACTED] was hired as not your employee but rather an independent contractor. [REDACTED]

Evan Schwartz
Public Utilities Regulatory Analyst I
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
Cell: 213-831-6636

Attachment 3
Initial Response by ABC Exclusive (04/04/25)

[EXTERNAL]

From Nabil Fahmy [REDACTED]
Date Fri 4/4/2025 10:34 PM
To Schwartz, Evan <Evan.Schwartz@cpuc.ca.gov>

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.

Dear Mr. Schwartz Evan,

Sorry my dad misunderstood your question [REDACTED] my dad was planning to add [REDACTED] vehicle to his company fleet, but that couldn't happen because uber and lyft refused to deal with us because they couldn't see the vehicles vin number as a passenger vehicle, so my dad cancelled the whole idea of adding [REDACTED] to his fleet and took [REDACTED] vehicle out of [REDACTED] commercial Insurance policy. My dad has not heard or seen [REDACTED] again after that. Please if there is any additional questions feel free to contact my dad.
Sorry for the delayed response im very busy with work and didnt get the chance to help him until now.

Thank you,

[REDACTED]

Attachment 4
Official Data Request of ABC Exclusive (04/21/25)

STATE OF CALIFORNIA

GAVIN NEWSOM, Governor

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

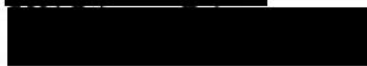


TCP: 42516-B – Active

Case No.: CSE-419

ABC Exclusive, LLC

Attn: Nabil B. Fahmy



Subject: Data Request

Dear ABC Exclusive LLC:

The California Public Utilities Commission's (Commission) Consumer Protection and Enforcement Division (CPED) Transportation Enforcement Branch (TEB) is currently reviewing the Commission's records for intrastate transportation carriers that are regulated by the Commission.

Public Utilities Code Section 5389 authorizes the Commission and its staff to have access at any time to the land, buildings, or equipment of a charter-party carrier of passengers used in connection with the operation of its business and may inspect the accounts, books, papers, and documents of the carrier.

General Order (G.O.) 157-E, Part 6.01 specifically states in part that every carrier shall institute and maintain in its offices a set of records which reflect information as to the transportation services performed, including waybills, driver records, and safety and maintenance records including copies of all lease and sub-carrier agreements. Such records shall be maintained for a minimum period of three years.

Pursuant to Public Utilities Code Section 5389, the TEB is requesting a review of the Charter-Party intrastate transportation records for ABC Exclusive, LLC. Failure to provide access to records is a misdemeanor punishable by a maximum of \$5,000, where each violation is a separate and distinct offense (Public Utilities Code Section 2110).

We request that you present your documents listed below in electronic form. Please scan the following documents and email a copy to me at Evan.Schwartz@cpuc.ca.gov by May 8, 2025.

1. Your current personal liability and property damage insurance policy showing schedule of vehicles and drivers insured,
2. Your current workers' compensation insurance policy,
3. List of all current sub-carriers and agreements from January 1, 2025, to April 1, 2025, that provide for the utilization of transportation services, including vehicles, of any other business or person,
4. Current service agreement with your drug consortium and a list of all drivers enrolled in the drug consortium showing dates added or deleted from January 1, 2025, to April 1, 2025,
5. All waybills for trips conducted in California between January 1, 2025, and April 1, 2025,
6. List of all vehicles used for your business between January 1, 2025, and April 1, 2025, and
7. Other Fictitious Business Names (FBN) doing business as (dba).

TEB reserves the right to amend, add to or revise this Data Request in the future if necessary.

Any responsive records provided by you that have been properly labeled and submitted as confidential will be treated as such under Public Utilities Code Section 583 (see also General Order 66-D). Confidential documents will not be released to the public except as required by law following a Public Records Request and redaction of confidential material.

If you have any questions, please do not hesitate to call me at 213-831-6636 or e-mail Evan.Schwartz@cpuc.ca.gov.

Sincerely,

Evan Schwartz
Enforcement Analyst
California Public Utilities Commission
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
Telephone: 213-831-6636

Attachment 5
Official Data Request Response by ABC Exclusive (04/28/25)

 Outlook

[EXTERNAL] Documents required

From Nabil Fahmy <[REDACTED]>
Date Mon 4/28/2025 6:40 PM
To Schwartz, Evan <Evan.Schwartz@cpuc.ca.gov>

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.

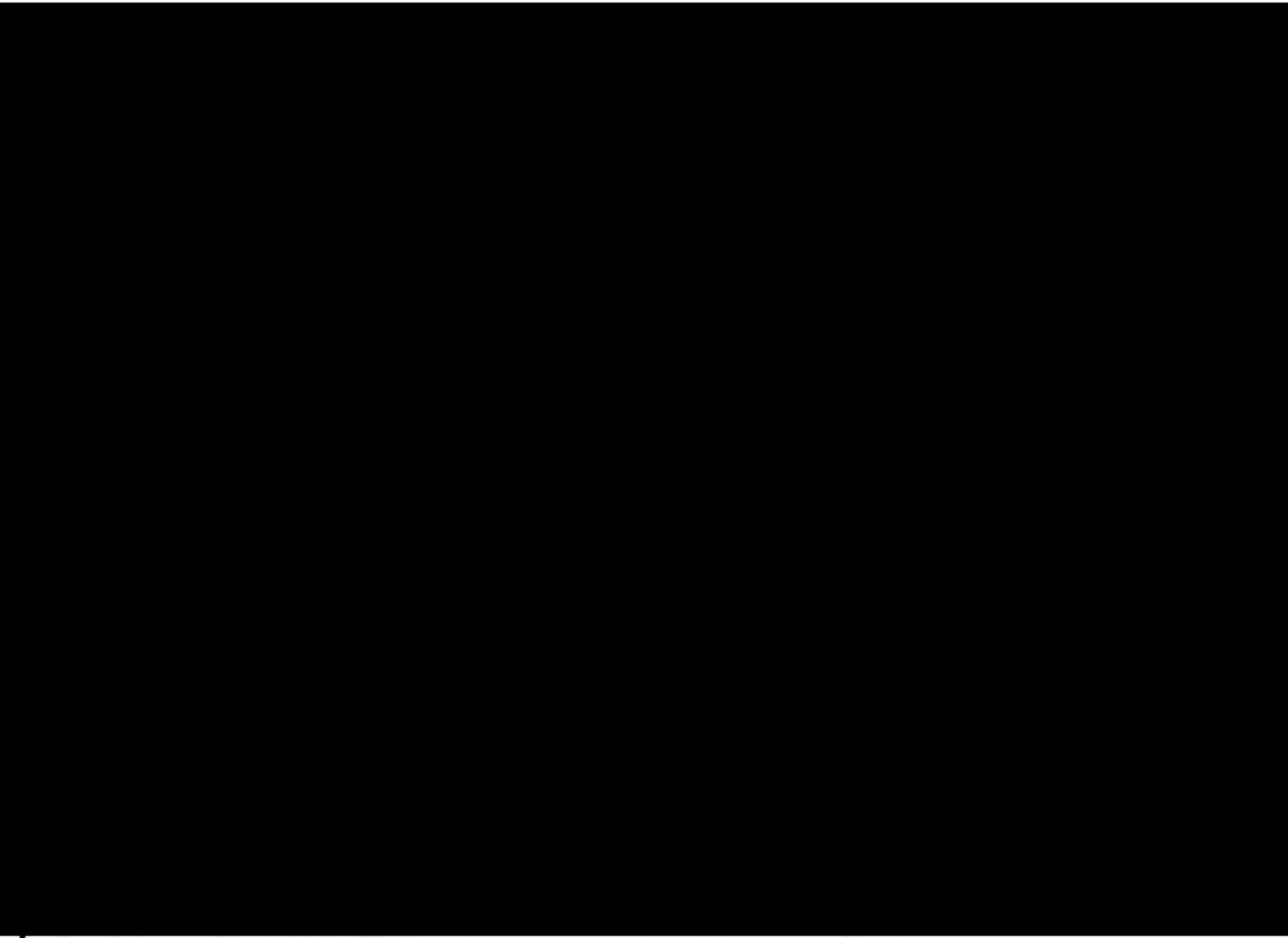
Hello,

[REDACTED]

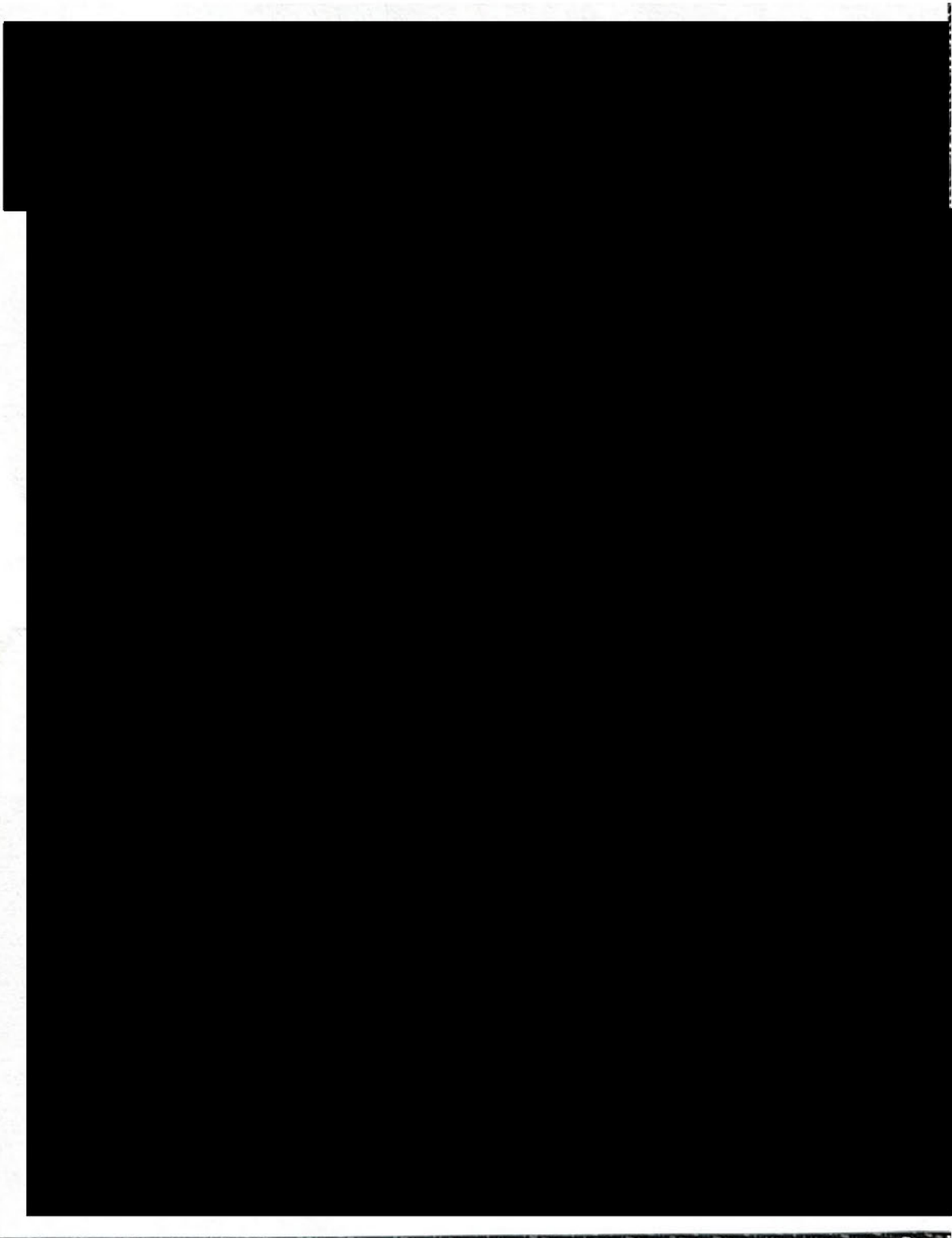
Attached are the documents that you requested, [REDACTED]
[REDACTED] Rest is attached to this email. If you have any
questions please let me know.

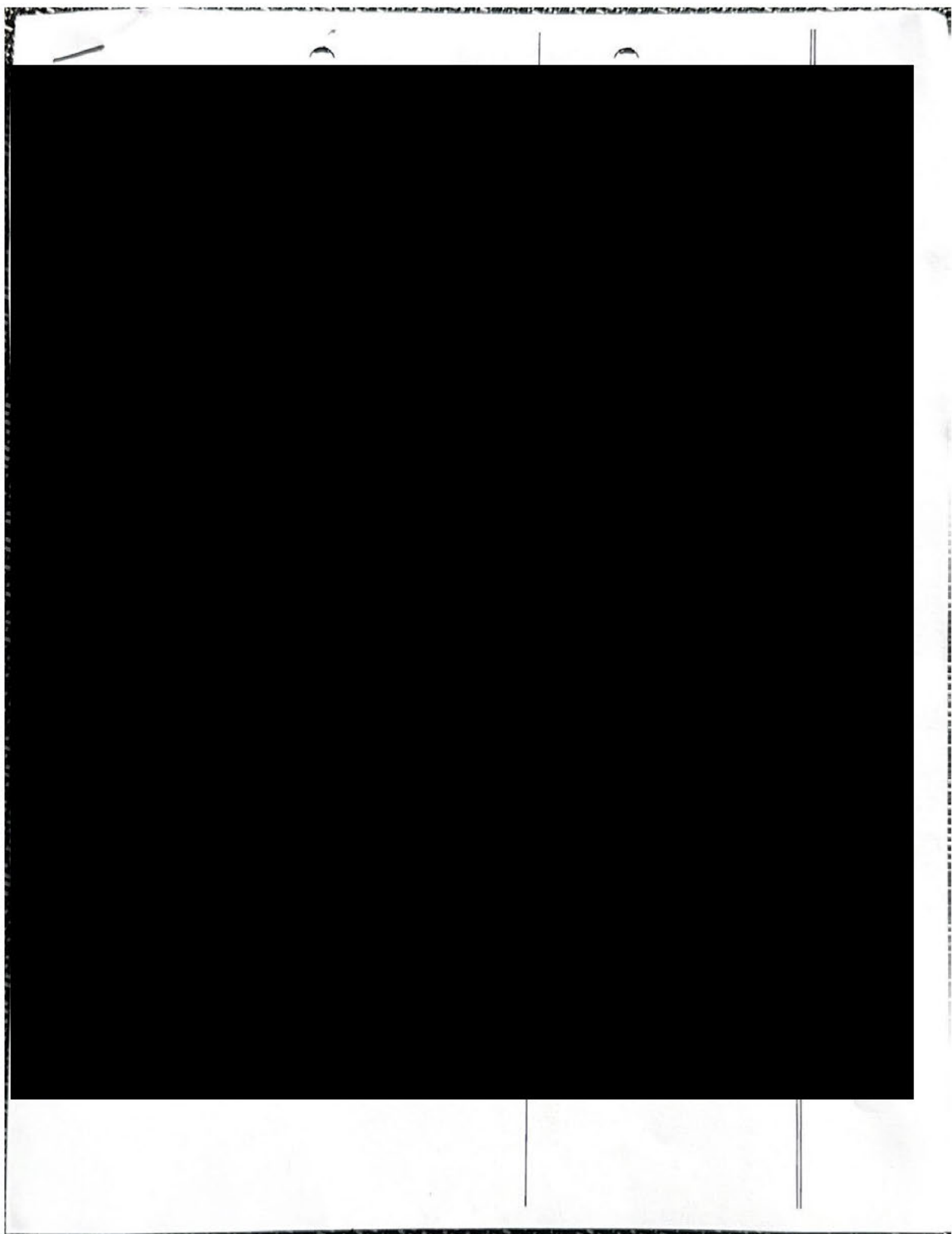
Thank you,

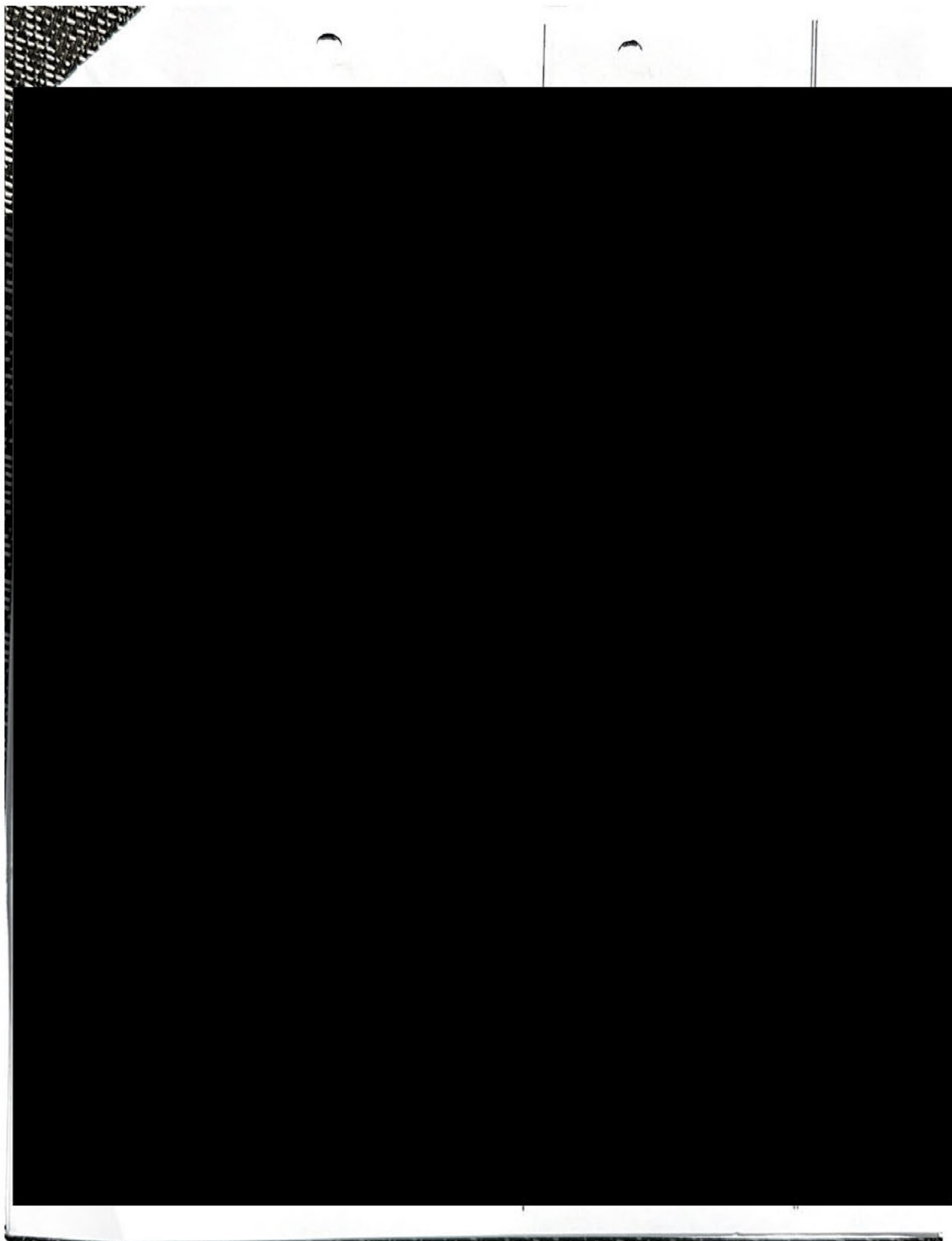
[REDACTED]

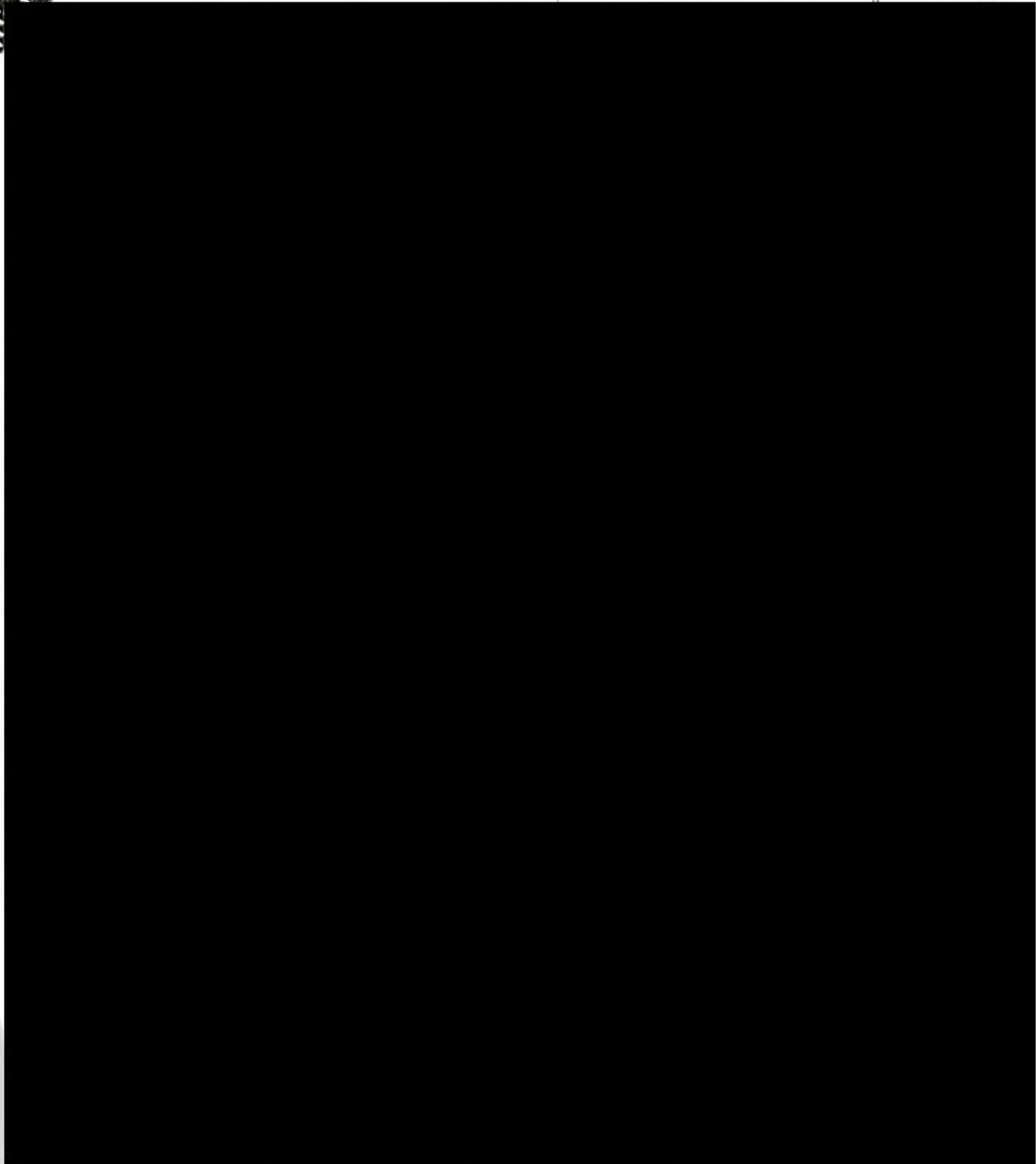


2025 RELEASE UNDER E.O. 14176









Attachment 6
Official Data Request to WKCP (04/21/25)

STATE OF CALIFORNIA

GAVIN NEWSOM, *Governor*

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



April 21, 2025



File: TCP 42516-B
Case: CSE-419

Sent via email: [REDACTED]

SUBJECT: Policy # [REDACTED] and ABC Exclusive, LLC

Please provide the following information for Workers Compensation Insurance policy number [REDACTED] under ABC Exclusive, LLC, from January 1, 2025, to April 1, 2025.

- A list of all drivers including the dates the driver(s) were added and/or deleted from the policy.
- The amount of coverage for the policy.
- Annual Premium amount.

Please provide the documents listed above in electronic form and email to Evan.Schwartz@cpuc.ca.gov by April 30, 2025.

If you have any questions regarding this letter, I can be reached at 213-831-6636.

Thank you for your assistance.

Sincerely,

Evan Schwartz, Public Utilities Regulatory Analyst I
Consumer Protection and Enforcement Division
Transportation Enforcement Branch

Attachment 7
Response by WKCP (04/21/25)

[EXTERNAL] FW: Data Request - Worker's Compensation Insurance for ABC Exclusive, LLC

From: [REDACTED]
Date: Mon 4/21/2025 3:22 PM
To: Schwartz, Evan <Evan.Schwartz@cpuc.ca.gov>
Cc: Lei, Shirley <shirley.lei@cpuc.ca.gov>; [REDACTED]

1 attachment (29 KB)

Data Request -- ABC Exclusive Worker's Compensation -- CSE-419.docx

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:

- A list of all drivers including the dates the driver(s) were added and/or deleted from the policy - NO DRIVERS SUBMITTED AS \$0 PAYROLL

N.J. Taxpayer Identification No. (if applicable): [REDACTED]

1. The Insured: ABC EXCLUSIVE LLC

Entity Type: Limited Liability Company

Other workplaces not shown above: See attached Item 1 Named Insured & Workplaces Schedule

2. [REDACTED]

3. A. Workers Compensation Insurance: Part One of the policy applies to the Workers Compensation Law of the states listed here: CA

B. Employers Liability Insurance: Part Two of the policy applies to work in each state listed in Item 3A.

The limits of our liability under Part Two are: [REDACTED]

C. Other State Insurance: Part Three of the policy applies to the states, if any, listed here:
All states except ND, OH, WA, WY and states designated in item 3A

D. This policy includes these endorsements and schedules: See attached Item 3D Endorsement Schedule

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates, and Rating Plans. All information required below is subject to verification and change by audit.

Classifications	Code	Premium Basis Estimated Total	Rate Per \$100 of	Estimated
[REDACTED]				

Minimum Premium: [REDACTED]

Total Estimated Annual Premium
Deposit Premium
Expense Constant [REDACTED]

If indicated here, interim adjustments to:

Premium will be made ☐ Monthly ☐ Quarterly ☐ Semi-Annually

Attachment 8
Final Request for Records of ABC Exclusive (06/09/25)

From: Schwartz, Evan <Evan.Schwartz@cpuc.ca.gov>
Sent: Monday, June 9, 2025 11:56 AM

To: Nabil Fahmy [REDACTED]
Subject: Re: [EXTERNAL] Re: Remove TCP and DBA; Add Worker's Compensation (ABC Exclusive LLC CSE-419)

Hello Mr. Fahmy,

By 6/11, please do **all** of the following.

1. Send me four unique photographs (front, sides, back) of the vehicle with license plate [REDACTED] with your TCP number [REDACTED] **removed from both the front and rear**, if you do not operate that vehicle.
2. Please also **remove "PickUp Ride" from that vehicle** before sending those photographs.
3. Send me your worker's compensation policy **with all active drivers enrolled**.
4. Inform me whether [REDACTED] has removed [REDACTED] **"DBA" ABC Exclusive affiliation**.

Thank you.

Evan Schwartz
Public Utilities Regulatory Analyst I
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
Cell: 213-831-6636

Attachment 9
Final Response by ABC Exclusive (06/16/25)

Re: [EXTERNAL] Re: Remove TCP and DBA; Add Worker's Compensation (ABC Exclusive LLC CSE-419)

From Nabil Fahmy [REDACTED]
Date Mon 6/16/2025 12:05 PM
To Schwartz, Evan <Evan.Schwartz@cpuc.ca.gov>

📎 2 attachments (773 KB)
COI (7).pdf; ABC DL.pdf;

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 Evening,

Thank you reaching out about your request, For number 2 and 4 I am unable to do it because that is not my vehicle and im unable to see [REDACTED] When im able to reach [REDACTED] will provide you with what you requested.

And regarding request number 3 everything is attached to this email.

Also I have already taken the TCP number off from the front and rear of the vehicle as I've mentioned before.

Thank you!

On Thu, Jun 12, 2025, 2:46 PM Schwartz, Evan <Evan.Schwartz@cpuc.ca.gov> wrote:
Hello Mr. Fahmy,

Please submit to me proof of these tasks below by the close of business on June 13, 2025. If you have questions, please let me know.

Thank you.

Evan Schwartz
Public Utilities Regulatory Analyst I
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
Cell: 213-831-6636
