

## **Public Utilities Commission**

STATE OF CALIFORNIA

# CITATION FOR VIOLATION OF PUBLIC UTILITIES CODE

To: Luca's Luxury Limousine LLC
Attn: Luca Allegretta

File: TCP 40276 B
Date: February 15, 2024
Citation #: T.24.02-001
Case #: CSE-000047

# **VIOLATIONS**

You are hereby cited with having violated section(s) of the Public Utilities (Pub. Util.) Code and a Commission General Order (G.O.) as described below. These violations occurred during the period December 27, 2023, through January 29, 2024.

(1) Advertised as a charter-party carrier without a valid authority, in violation of Pub. Util. Code section 5414.5. [1 count]

## STATEMENT OF FACTS

The above violations are documented in the attached Investigation Report, which consists of 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 March 8, 2024. By way of such answer, you may either:

- (1) Pay a fine of \$2,000 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 March 8, 2024, 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.

Maria C. Solis

Maria C. Solis, P.E. Program and Project Supervisor Consumer Protection and Enforcement Division Transportation Enforcement Branch Telephone number: (916) 928-2534

E-mail address: maria.solis@cpuc.ca.gov

Attachments

# INVESTIGATIVE REPORT

Luca's Luxury Limousine LLC CARRIER:

A California Limited Liability Company,

**OFFICERS:** Angela Renteria, Chief Executive Officer

Luca Allegretta, Manager

ADDRESS:

PHONE/EMAIL:

**AUTHORITY:** TCP 40276 B - Suspended as of January 3, 2022

2 **EMPLOYEES:** 

1 Limousine **VEHICLES:** 

Berkshire Hataway Insurance Companies PL&PD INSURANCE:

None

Cancelled as of December 18, 2023

WORKERS'

COMPENSATION

**INSURANCE:** 

DRUG CONSORTIUM: Test on Time

## **NARRATIVE**

On January 10, 2024, I was assigned to investigate Luca's Luxury Limousine LLC (hereafter referred to as Luca's Luxury Limousine) for operating and advertising without authority.

### VIOLATIONS

The investigation disclosed Luca's Luxury Limousine violated the following provisions of the Public Utilities Code (Pub. Util. Code) and Commission General Orders (GO) from December 27, 2023 through January 29, 2024.

• Advertised as a charter-party carrier without a valid authority in violation of Pub. Util. Code Section 5414.5. [1 count]

Limousine's website is currently active and continues to advertise passenger service.

# **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 as to those matters, I believe to be true.

Executed on January 29, 2024 at Los Angeles, California

Ronald Truss Public Utilities Regulatory Analyst I

Ronald Truss

# INDEX OF ATTACHMENTS

- 1. CIU # 20220079
- 2. TLAB database screenshot and Suspension Letter
- 3. <u>Luca's Luxury Limousine (lucasluxurylimousine.com)</u> website advertisement screen shots January 29, 2024
- 4. January 11, 2023 Notice to Cease and Desist
- 5. January 22, 2023 Notice to Cease and Desist

## Attachment 1: CIU # 20220079

California Public Utilities Commission Transportation Informal Complaint Tracking System Printed as of 26-DEC-2023 16:55:23

Case #..... 20230100 Inquiry Type..... Written
Carrier Type..... Passenger Carrier Received by Area Office Area Office Assigned... San Francisco District Office..... Transfered To..... Representative..... Destiny Graham Received Date...... 26-DEC-2023 Closed Date..... 26-DEC-2023 Closed Date..... Transfer Date..... COMPLAINANT: MTR/PSG/CA#.. DBA....TLAB Address..... City/St/Zip... Phone..... DEFENDANT: MTR/PSG/CA#.. DBA..... LUCAS LUXURY LIMOUSINE INC

#### COMPLAINT DESCRIPTION:

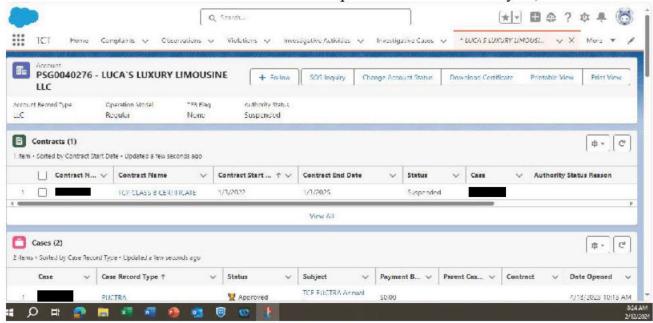
Carrier failed random drug test, and account has been suspended but TLAB suspects carrier may still be operating

#### DISPOSITION DESCRIPTION:

Referred to enforcement

Name..... Address.... City/ST/Zip.. Phone....

# Attachment 2: TLAB Database Screen Shot and Suspension Letter on February 12, 2024



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



DBA: PSG0040276

ATTN:LUCA'S LUXURY LIMOUSINE LLC

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 {Suspension\_Date}.

#### {Suspension\_Reasons} {Quarter} {Year}

Unless the suspension was requested voluntarily, if the reason(s) for the suspension are not resolved within 90 days, on {Future\_Revoke}, 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.

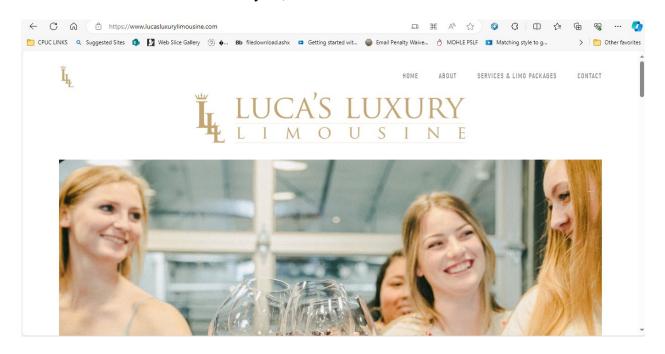
If your suspension is due to failing to maintain adequate insurance, you must contact your insurance provider to reinstate your policy on-file with the CPUC.

Date: Dec 27, 2023

PUBLIC UTILITIES COMMISSION STATE OF CALIFORNIA

licensing@cpuc.ca.gov

**Attachment 3**: Lucas's Luxury Limousine's website, <a href="https://www.lucasluxurylimousine.com/">https://www.lucasluxurylimousine.com/</a>, advertisement screenshots on January 29, 2024



# Services & Limousine Packages







Airport & Corporate Transportation



Wine Tours

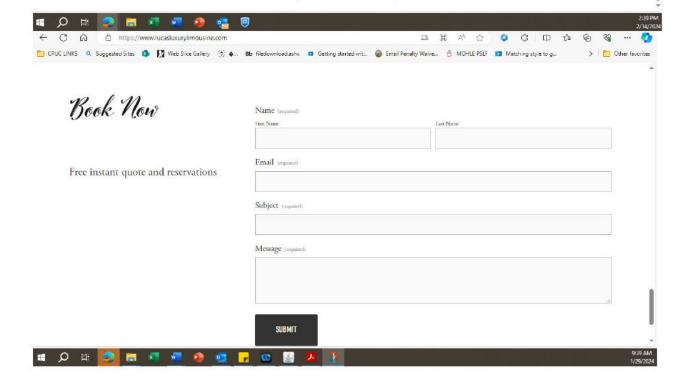
limousines for all of your Prom limo needs. Whether you require a grand entrance to your Prom, Formal or Graduation we offer the most reliable and affordable limousine for you and all of your friends, you can count on us to get you there safely and in total luxury.

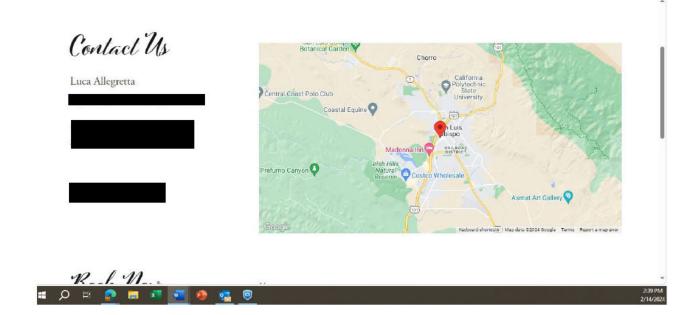
last night out is no EXCEPTION! Wherever you want to go, Luca's Luxury Limousine has you covered! We provide the best Limousine services for bachelor and bachelorette parties. We offer competitive pricing and we'll take you to the best clubs, bars, events and local hotspots in town for a memorable night.

transportation for any occasion. Whether it is a Night out on the town, a special anniversary, concerts, brewery tours, or a sporting event, we can provide hourly packages to fit your budget.



INSTAGRAM FACEBOOK TUMBLE TWITTER





STATE OF CALIFORNIA GAVIN NEWSOM, Governor

# PUBLIC UTILITIES COMMISSION

505 Van Ness Ave San Francisco, CA 94102



January 11, 2024 TCP: 40276 B (Suspended)

Case No.: CSE-000047

Luca Allegretta

Luca's Luxury Limousine LLC

## NOTICE TO CEASE AND DESIST

Dear Luca Allegretta:

The California Public Utilities Commission (CPUC) became aware that you are operating and advertising while suspended.

Public Utilities Code (P.U. Code) Sections 1031 and 5371 state that it is unlawful for a Passenger Stage Corporation and a charter-party carrier of passengers to conduct any operations while suspended. P.U. Code Sections 1034.5 and 5414.5 state that it is unlawful to publish or advertise without holding a valid permit. Advertisements include but are not limited to advertising in local directories or yellow pages, business cards, internet websites, and any other form of advertisements.

YOUR COMPANY MUST IMMEDIATELY CEASE AND DESIST FROM ANY AND ALL UNLAWFUL OPERATIONS INCLUDING ADVERTISING.

P.U. CODE SECTION 1037 STATES THAT ANY CARRIER WHICH OPERATES WITHOUT AUTHORITY IS GUILTY OF A MISDEMEANOR AND, IF A PERSON, IS PUNISHABLE BY A FINE NOT TO EXCEED \$1,000 OR BY IMPRISONMENT IN A COUNTY JAIL NOT TO EXCEED SIX MONTHS, OR BY BOTH SUCH FINE AND IMPRISONMENT, OR, IF A CORPORATION, SHALL BE PUNISHED BY A FINE NOT TO EXCEED \$1,000.

P.U. CODE SECTION 5411 STATES THAT ANY CARRIER WHICH OPERATES WITHOUT A VALID AUTHORITY IS GUILTY OF A MISDEMEANOR WHICH IS PUNISHABLE BY A FINE OF NOT LESS THAN \$1,000 AND NOT MORE THAN

\$5,000 OR BY IMPRISONMENT IN A COUNTY JAIL FOR NOT MORE THAN THREE MONTHS, OR BOTH THAT FINE AND IMPRISONMENT.

This letter places your company on notice that continued violations of the law without the required certificate may result in criminal prosecutions and possible termination of telephone service. There will be no further warnings.

For information on obtaining a permit or certificate, go to <u>Transportation Licensing and Analysis</u> <u>Branch (ca.gov)</u>.

If you have questions, please do not hesitate to call me at

Sincerely,

Ronald Truss

Ronald Truss, Public Utilities Regulatory Analyst I

California Public Utilities Commission

Consumer Protection and Enforcement Division

Transportation Enforcement Branch

Email: Ronald.Truss@cpuc.ca.gov

Telephone:

STATE OF CALIFORNIA GAVIN NEWSOM, Governor

## **PUBLIC UTILITIES COMMISSION**

505 Van Ness Ave San Francisco, CA 94102



January 22, 2024

TCP: 40276 B (Suspended) Case No.: CSE-000047

Luca Allegretta
Luca's Luxury Limousine LLC

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If you have questions, please do not hesitate to call me at



Sincerely,

## Ronald Truss

Ronald Truss, Public Utilities Regulatory Analyst I California Public Utilities Commission Consumer Protection and Enforcement Division Transportation Enforcement Branch Email: Ronald.Truss@cpuc.ca.gov

Telephone: