

Public Utilities Commission STATE OF CALIFORNIA

CITATION FOR VIOLATION OF PUBLIC UTILITIES CODE

Го:	LL Services Principe LLC	File: Activ	ve .	
	DBA Advantage Chater			
	ATTN: Rolond Kelley	Date: Apr	il 15, 2	2024
	6906 Miramar Rd. STE C-130	Citation	#:	T.24-04-002
	San Diego, CA 92121	Case #: <u>C</u>	SE-39	

VIOLATIONS

You are hereby cited with having violated section(s) of the Public Utilities Code (P.U. Code) and California Public Utilities Commission (CPUC) General Order (G.O.) as described below. These violations occurred from October 1, 2023, through December 31, 2023.

- (1) LL Services operated as a charter-party carrier without evidence of Workers' Compensation Insurance coverage in effect and on file with the Commission in violation of Pub. Util. Code section 5378.1. [1 count]
- (2) LL Services Operating without an active DMV/EPN account, and non-casual driver enrollment or current driver records in violation of Pub. Util. Code section 5374(a)(l)(D), and G.O. 157-E, Part 5.02. [1 count]
- (3) LL Services Operating without proper enrollment of all drivers in a drug and alcohol program in violation of Pub. Util. Code section 5374(a)(l)(l), and G.O. 157-E, Part 10. [1 count]
- (4) LL Services underreported Public Utilities Commission Transportation Reimbursement Account (PUCTRA) fees in violation of Publ. Util. Code Section 5378(a)(9) [1 count]

STATEMENT OF FACTS

The above violations are 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 May 5, 2024. By way of such answer, you may either:

- (1) Pay a fine of \$4,000 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 May 5, 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.

Rahmon Momoh Digitally signed by Rahmon Momoh Date: 2024.04.12 16:13:46 -07'00'

Rahmon Momoh

Consumer Protection and Enforcement Division

Transportation Enforcement Branch

Telephone number: (415) 703-1725

E-mail address Rahmon.Momoh@cpuc.ca.gov

INVESTIGATION REPORT

Case: CSE-000039

CARRIER: LL Services Principe LLC DBA Advantage Chater

OFFICERS: Ron Doss, Owner, Rolond Kelley, Owner, &

Anthony Jones, Owner

AUTHORITY: TCP- 26884 Active

PHYSICAL ADDRESS: 10620 Treena St #230

San Diego, CA 92131

MAILING ADDRESS: 6906 Miramar Rd. STE C-130

San Diego, CA 92121

PHONE/EMAIL:

VEHICLES: 2 buses

EMPLOYEE-DRIVERS:

PL&PD National Liability & Fire Insurance Company

INSURANCE: Policy Number

Effective Date:

WORKERS' State Compensation Insurance Fund

COMPENSATION Policy Number: INSURANCE: Canceled Date:

DRUG

CONSORTIUM: Express Labs

REVENUE: Year Revenue

INTRODUCTION

On December 15, 2023, I was assigned to investigate LL Services Principe LLC DBA Advantage Chater (hereinafter referred to as LL Services) because LL Services was observed operating with a bus (license plate) without TCP number displayed on the vehicle on November 11, 2023, in Temecula. After interviewing driver Lamont Charles Coleman, it was discovered that LL Services engaged one employee driver without Workers' Compensation Insurance. [Attachment 1].

VIOLATIONS

December 15, 2023, investigation disclosed violations of the following provisions of the Public Utilities (Pub. Util.) Code and Commission General Orders (G.O.):

• LL Services operated as a charter-party carrier without evidence of Workers'
Compensation Insurance coverage in effect and on file with the Commission in violation
of Pub. Util. Code section 5378.1. [1 count]

According to Transportation Licensing and Analysis Branch (TLAB) records, LL Services' Workers' Compensation Insurance coverage with State Compensation Insurance Fund, policy number , was terminated on February 7, 2020 [Attachment 2]. LL Services claimed they did not need Workers' Compensation Insurance because they only had one owner-driver, Rolond Kelley [Attachment 3]. On November 11, 2023, LL Services' bus with license number was observed in operation, driven by employee Lamont Charles Coleman, California DL: in Temecula [Attachment 1].

• LL Services operating without an active DMV/EPN account and non-casual driver enrollment or current driver records in violation of Pub. Util. Code section 5374(a)(l)(D), and G.O. 157-E, Part 5.02. [1 count]

A search of the DMV online database shows that LL Services enrolled in the Employer Pull Notice program (EPN) under requestor code. Kelley Rolond Baylor was the only driver listed under requestor code [Attachment 6]. Employee driver Lamont Charles Coleman, who operated in Temecula on November 11, 2023, was not listed in the LL Services' EPN Account.

• LL Services Operating without proper enrollment of all drivers in a drug and alcohol program in violation of Pub. Util. Code section 5374(a)(l)(l), and G.O. 157-E, Part 10. [1 count]

LL Services' drug consortium, Express Labs, showed Roland Kelly as the only driver in its program [Attachment 4]. Employee driver Lamont Charles Coleman, who operated in Temecula on 11/11/2023, was not enrolled in the program.

• LL Services underreported Public Utilities Commission Transportation Reimbursement Account (PUCTRA) fees in violation of Publ. Util. Code Section 5378(a)(9) [1 count].

TLAB records indicate that LL Services reported revenues of \$925 for the third quarter of 2023 [Attachment 7]. However, LL Services submitted waybills that generated \$2,972.25 revenue for the third quarter of 2023 [Attachment 5]. LL Services underreported \$2,047.25 of revenue for the third quarter of 2023.

Table 1 – Waybills vs. Revenue Reported

LL Service's Waybill Revenues	Revenue Reported to CPUC	Difference
\$2,972.25	\$925	\$2,047.25

DECLARATION

I have read the foregoing and know the contents thereof and I declare 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 April 10, 2024, in San Francisco, California.

Mingfeng Li
Mingfeng Li, TEB Enforcement Analyst

List of Attachments

Attachment 1. After Action Report

Attachment 2. TCP Portal Insurance Tab

Attachment 3. LL Services' email response

Attachment 4. Express Lab's email response

Attachment 5. LL Services Waybills

Attachment 6. LL Services EPN

Attachment 7. TCP Portal Reported 2023 Quarter 3 Revenue

TRANSPORTATION ENFORCEMENT BRANCH Field Operation After Action Report

Operation Name:	Temecula Obser	vation		Date of Report:	11/11/23
Operation Location:		Baron's 1 92592	Market 31939 Rancho	California Road, Te	mecula, CA
Lead Enforcement Analyst	::				
Vehicle(s) Used:					
Personnel Title (Non- CPUC)	Name (First and	d Last) *	Title/Affiliation	Description of Partic hours in the field	ripation & Approx.
CPUC Personnel Title	Name (First an	ıd Last)	Date (One Date Per Row)	Time Starting Operation**	Time Ending Operation**
Program and Project Supervisor	Rahmon Momol	h	11/11/2023	11:00 AM	4:00 PM
Lead Enforcement Analyst	Steve Esguerra		11/11/2023	11:00 AM	4:00 PM
Senior Enforcement Analyst	Shirley Lei		11/11/2023	11:00 AM	4:00 PM
Enforcement Analyst	Yueting Sun		11/11/2023	11:00 AM	4:00 PM
Enforcement Analyst	Ming Li		11/11/2023	11:00 AM	4:00 PM
Enforcement Analyst	Mary Sekyi-App	oiah	11/11/2023	11:00 AM	4:00 PM
Enforcement Analyst	Shawndra Miles		11/11/2023	11:00 AM	4:00 PM
* Contact information for ex	ternal participants is l	isted on the p	ore-operation report		
** Do not include travel tim	e				

				OPERATION SU	MMARY	Y *			
If Join	t Operation (lis	st external agen	icies)						
Opera	tion Mode (Foo	ot, Vehicle, On-	Site):	On-Site		Operation Local	tion:	Tem	ecula
TCP#	of Carrier Ob	servations:				TCP # of Probal	ble Vio	lations:	
PSC#	of Carrier Obs	servations:				PSC # of Probab	ole Vio	lations:	
TNC #	of Carrier Ob	servations:				TNC # of Proba	ble Vic	olations:	0
Prob.	Viols. Issued Ex	xternal Author	ities:			# Impounds			0
# Cita	tions Issued in 1	Field: (future r	ef)			# C&D's Issued	in the	Field:	0
		OPERATI	ON DE	AIL – Probable Viola	tions (as	verified in TCP P	ortal)		
Obs. #	TNC/TCP/ PSC #	Plate # and VIN And if listed		r Name, Name, Class	(inclu	iolations de all TNC Viols. also)	C & D	Observation Report	d Impoun
J							2		
,I									
5	TCP36684		LL Ser	vices Principe LLC	on the Emplo withou Ins. D	number not listed e side of the bus. byee driver ut workers comp river out of class C only)	No	Yes	No
									No

LEGEND:

Plate #, VIN #, & Listed: License Plate number and is the vehicle listed on the equipment list?

W/C = Workers' Compensation coverage? (Yes or No)

List Violations = OWOP, Ads, PLPD, WKCP, DMV Pull, Drug & Alcohol, GO157, Airport Auth., Fees, Subs, DA Investigation Prob. Viol.

C&D = Issued Cease and Desist in the field

Relationship with Carrier (RWC) = Owner, Employee, Sub-carrier, other

Impound = Yes or No

Note: If you need more room on the table above to enter data related to probable violations, please expand the table to meet your needs. The table does not reflect all relevant documents you may collect or verify on TCP/Case Tracker. You may collect additional relevant data not listed in the table above that is necessary for an Investigative Report (please include all relevant data in this After-Action Report).

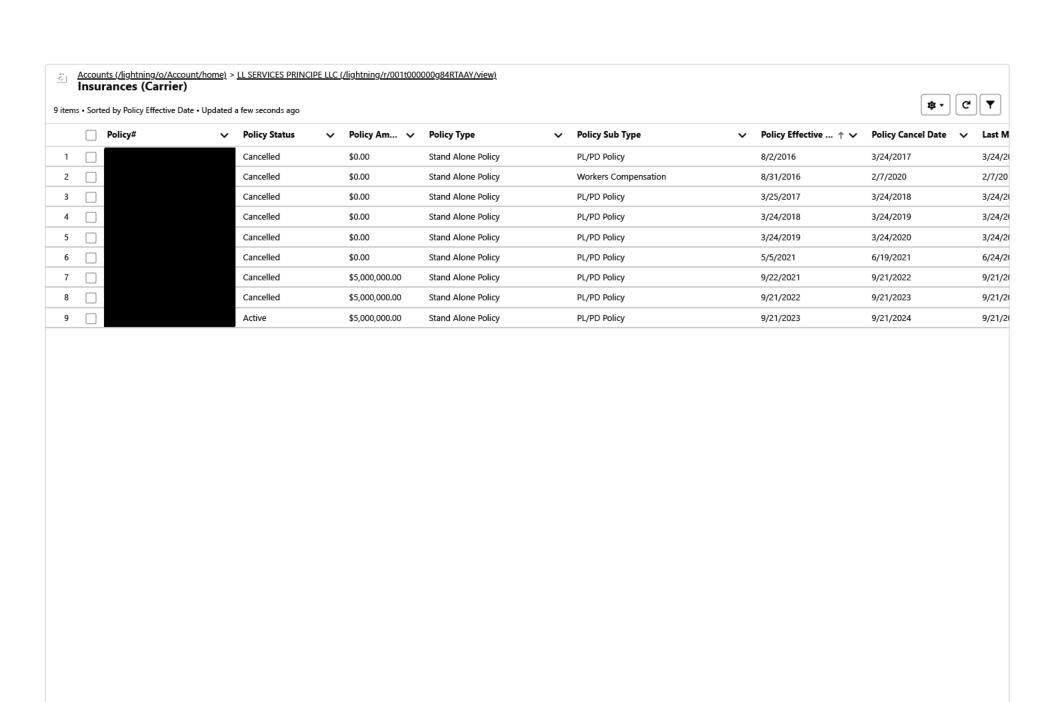
CONCLUSIONS/RECOMMENDATIONS
Please summarize the overall operation and provide conclusions and recommendations for action items (items for
continuous improvement) going forward and list any notes of interest. If need more room, can add an attachment.
Summary:
Recommendations:
Assigned the following ages to enforcement analyst for further investigations:
Assigned the following cases to enforcement analyst for further investigations:
5. TCP 36684 LL Services Principe LLC – TCP number not displayed on the side of the bus. Employee driver
without worker comp and driving out of class (Class C with no passenger endorsement).
ATTACHMENTS / PHOTOS / C&D LETTERS / ETC.
Attach and label all photographs, copies of documents issued in the field, any other documents of interest collected in the field such as waybills, insurance documents, CHP reports, etc. Be sure to title each attachment, so the reader
knows which (carrier/vehicle) observation it is associated with. Please also attach the pre-operation report.]
List of Attachments
1
2
3
4
5 TCP 36684 LL Services Principe LLC
6

Attachment 5 -- TCP 36684 LL Services Principe LLC









Li, Mingfeng

From: LL Services Principe >

Sent: Monday, January 15, 2024 10:15 PM

To: Li, Mingfeng

Subject: [EXTERNAL] Fwd: Investigation Info request: LL SERVICES PRINCIPE LLC

Attachments: TCP (1).jpg; TCP (2).jpg; TCP (3).jpg; TCP (4).jpg; TCP (5).jpg; TCP (6).jpg; TCP (7).jpg; TCP

(8).jpg; TCP (9).jpg; TCP12.jpg

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,

We only have 1 Active Driver (Rolond Kelley) who is on the LLC Board. No Workers Comp is required.

The company was shut down in 2020 due to the pandemic.

t

We did not resume business till 2022, and Taxes will be filed in April 2024.

We do not have any sub-carriers.

On Mon, 15 Jan 2024 at 21:59, LL Services Principe

wrote:

On Fri, 29 Dec 2023 at 10:58, Li, Mingfeng < Mingfeng.Li@cpuc.ca.gov wrote:

Dear Mr. Ron Doss,

My name is Ming, and I serve as a Regulatory Analyst with the California Public Utility Commission, Transportation Enforcement Branch. During our recent operations, we have identified a vehicle associated with your organization that is in violation of public utility codes. Specifically, the vehicle in question lacks the prominently displayed TCP number on the side of the bus, the employee driver operated without workers' compensation insurance, and the driver was found to be operating out of class (class C only).

It has been assigned to me to conduct a comprehensive follow-up investigation into this matter. To expedite this process, I kindly request your immediate cooperation in furnishing all requisite information, as detailed in the attached document. We expect to receive all pertinent documentation by January 15, 2024. These documents are integral to our assessment of your organization's adherence to regulatory standards.

Should you have any queries or require further clarification, I encourage you to reach out to me directly via email at Mingfeng.li@cpuc.ca.gov or by phone at (415) 696-7320.

Your expeditious attention to this matter is of utmost importance and greatly appreciated.

Thank you,



Ming Li – Public Utilities Regulatory Analyst I

Transportation Enforcement Branch

Consumer Protection and Enforcement Division

California Public Utilities Commission

2 (415) 696-7320 (ext 5-7320)

Mingfeng.li@cpuc.ca.gov

↑ www.cpuc.ca.gov

Li, Mingfeng

From:

Sent: Thursday, January 18, 2024 10:01 AM

To: Li, Mingfeng Cc: compliance

Subject: [EXTERNAL] Re: Request for Information - Drug Consortium Service Usage - LL Services

Principe LLC: DOT

Attachments: Drug Consortium Data Request (LL Service Principe).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.

Hello Ming Li,

LL Services Principe LLC Enrolled on November 8, 2021 and they are currently Active.

Rolond Kelley is the only Active Driver for LL Services Principe LLC and is currently Active.

There have been no other Drivers for LL Services Principe LLC.

Please feel free to contact me with any questions or if you need anything else.

Thank you,

Express Labs

FMCSA Drug & Alcohol Consortium

Mike Youngelman National Compliance Manager

www.expresslabs.com

Customer Service: 800-341-1185

From: Li, Mingfeng < Mingfeng.Li@cpuc.ca.gov > Sent: Wednesday, January 17, 2024 7:56 PM

To: info

Subject: Request for Information - Drug Consortium Service Usage

Dear Express Labs,

I hope this email finds you well. My name is Ming Li, and I serve as a Regulatory Analyst at the California Public Utilities Commission Transportation Enforcement Branch.

Enclosed, please find an Information Request document outlining the details of the information we seek.

Thank you for your understanding and cooperation. I anticipate receiving the requested information at your earliest convenience.

Best regards,



Ming Li – Public Utilities Regulatory Analyst I
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission

2 (415) 696-7320 (ext 5-7320)



Ming Li – Public Utilities Regulatory Analyst I
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission

2 (415) 696-7320 (ext 5-7320)

Advantage Charter

10620 Treena St San Diego, CA 92131 United States of America

Pick-up Date: 09/15/2023 - Fi Pick-up Time: 08:00 AM

Drop-off Time:05:00 PM

Reservation#

TCP 36684

Bill To:	Primary	Passenger:	Booked On: 01/15/ Arr. By: Not Sp PO/Client #: N/A	2024 08:40 AM ecified
# of Pax	Vehicle Type	Car(s)	Dri	iver(s)
32	Unassigned	Unassigned	R	olond
Passenger & Ro	uting Information		Pmt Type Not Specified	Status Paid
PU: : ST: DO: :			Per Hour 9 x 175,00 Total Due (USD): Payments/Deposits (USD): Total Outstanding (USD)	
Notes/Comment	ts			
Special Request	s:			

Reservation Agreement

^{1.} Reservation deposits are NON refundable. 2. Every vehicle is gone through a vigorous inspection prior to dispatch to ensure all components a properly functioning. However unforeseen things do happen which we have no control over. We reserve the right to exchange vehicles for unusu-circumstances out of our control. We will not be liable for mechanical breakdown or components not functioning while in charter. There will be refunds. We will only be responsible for making up lost time at a mutually agreed date. The Driver must be paid in full prior to Vehicle departing There are no exceptions! The client assumes full financial liability for any damages caused during the duration of the rental by them or any members of their party. A fee of 100.00 for each carpet or seat burn. Sanitation fee is 250.00. Drug use is prohibited by law. Any fines will be paid for by the customer. The driver has the right to terminate run without refund (if there is blatant indiscretion on the part of the client(s)). It is Illegal to stand through the sunroof. Smoking is not permitted. Not responsible for delays or the termination in winter caused by unsafe road conditions (ie. not salted, accidents, etc.). 6. Not responsible for articles left in Vehicles . 7. Balances to be paid to the driver on the run date before the beginning of the run. 8. Vehicles cannot be loaded beyond seating capacity.

Advantage Charter

10620 Treena St San Diego, CA 92131 United States of America

Tel: (619) 272-6555

Email: info@advantagebuscharter.com

Pick-up Date: 09/23/2023 - Sat Pick-up Time: 03:30 PM Drop-off Time: 07:00 PM

Reservation#

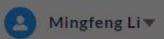
TCP 36684

sill To:	Primary Pass	enger:	Booked On: 09/21/2023	08:07 AM
			Arr. By: Not Specifie PO/Client #:	d
# of Pax	Vehicle Type	Car(s)	Dr	iver(s)
30	Unassigned	Unassigned		Roland
Passenger & Routing Infor	rmation		Pmt Type	Status
Passenger:			Not Specified	Paid
PÚ: :			Charges & F	loos
ST; :			Flat Rate	ces
DO::			Extra Grat STC Surch 3.50% Total Due (USD): Payments/Deposits (USD): Total Outstanding (USD):	
Notes/Comments				
Special Requests:				

Reservation Agreement

1. Reservation deposits are NON refundable. 2. Every vehicle is gone through a vigorous inspection prior to dispatch to ensure all components are properly functioning. However unforeseen things do happen which we have no control over. We reserve the right to exchange vehicles for unusual circumstances out of our control. We will not be liable for mechanical breakdown or components not functioning while in charter. There will be no refunds. We will not be responsible for making up lost time at a mutually agreed date. The Driver must be paid in full prior to Vehicle departing. There are no exceptional The client assumes full financial liability for any damages caused during the duration of the rental by them or any members of their party. A fee of 100.00 for each carpet or seat burn. Senitation fee is 250.00. Drug use is prohibited by law. Any fines will be paid for by the customer. The criver has the right to terminate run without refund (if there is blatant indiscretion on the part of the client(s)). It is Illegal to stand through the sunroof. Smoking is not permitted. Not responsible for delays or the termination in winter caused by





Drivers Employers

EMPLOYER SEARCH



KELLEY ROLOND BAYLOR

REQUESTER CODE:

EMPLOYER NAME: LL SERVICES PRINCIPE LLC

DBA NAME: ADVANTAGE CHARTER

DELETION DATE:

PENDING DATE:

ADD DATE: 02/13/2020

PURGE DATE:

PURGE CODE: 99

REASON CODE: 4
INFO CODE: 2

COMMENTS:

STATUS: Enrolled

CONDITION CODE: 35

LAST ANNUAL PULL NOTICE DATE: 01/08/2024

DL NUMBER:

ADDRESS: 6906 MIRAMAR RD C130, SAN DIEGO, CA 92121

======NOTICE INFORMATION======

---DATE--- TYPE/USR

01/30/2021 15

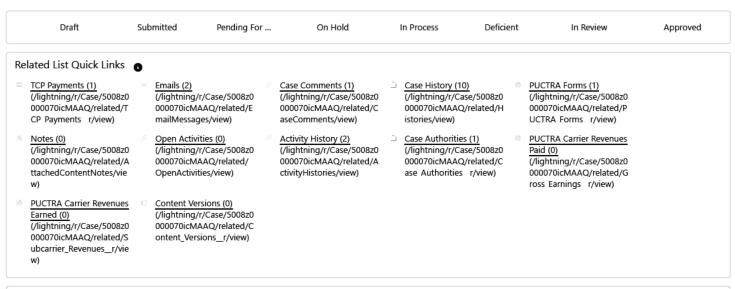
01/22/2022 15

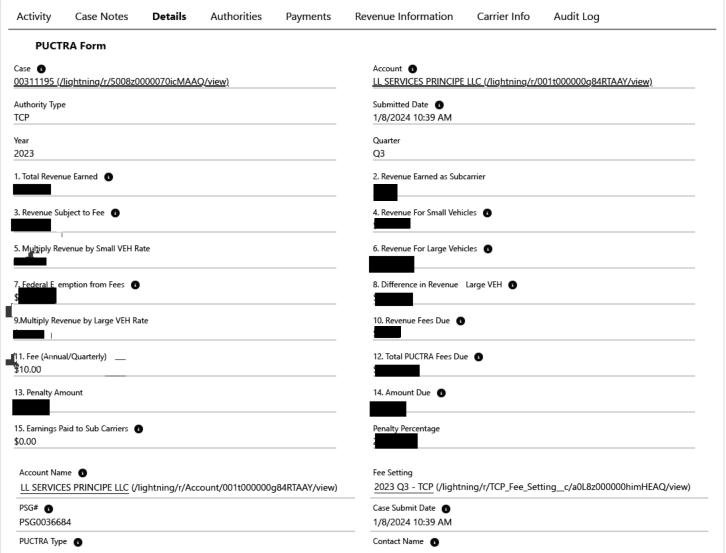
01/14/2023 15 12MO NOTICE Laura Chavez

01/08/2024 15 12MO NOTICE Suzy Wong

LAST UPDATE: 01/09/2024 BY: Release Admin







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