



Public Utilities Commission
STATE OF CALIFORNIA

CITATION FOR VIOLATION
OF PUBLIC UTILITIES CODE

To: Mexicoach Inc.
ATTN: [REDACTED]
[REDACTED]
[REDACTED]

File: TCP- 36804 (Active)
Date: May 23, 2024
Citation #: T.24-05-007
Case #: PSG-5956

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 September 6, 2023, through May 7, 2024.

- (1) Mexicoach operated as a Passenger Stage Corporations (PSC) carrier with Charter-Party Carrier (TCP) A Certificate in violation of Pub. Util. Code section 5383. **[1 count]**
- (2) Mexicoach provided incomplete Waybills in violation of Pub. Util. Code section 5381.5 and G.O. 157-E, Part 3.01 (TCP). **[55 count]**
- (3) Mexicoach operated without Workers' Compensation Insurance coverage for all employees in violation of Pub. Util. Code section 5378.1. **[19 count]**
- (4) Mexicoach operated vehicles but did not file with the commission in violation of G.O. 157-E, Part 4.01 (TCP). **[11 count]**
- (5) Mexicoach has failed to display the correct TCP number on Mexicoach's website, in violation of General Order 157-E Part 3.07. **[1 count]**
- (6) Mexicoach has underreported Public Utilities Commission Transportation Reimbursement Account (PUCTRA) fees in violation of Publ. Util. Code Section 5378(a)(9). **[1 count]**
- (7) Mexicoach has failed to produce records upon request, in violation of Pub. Util. Code Section 425 and 5389. **[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 June 12, 2024. By way of such answer, you may either:

- (1) Pay a fine of \$20,000 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 June 12, 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

Rahmon Momoh
Consumer Protection and Enforcement Division
Transportation Enforcement Branch
Telephone number: (415) 703-1725
E-mail address Rahmon.Momoh@cpuc.ca.gov

File No.: TCP- 36804 (Active)
Citation #: T.24-05-007
Date: May 23, 2024
Case #: PSG-5956

CITATION COMPLIANCE AGREEMENT

I (we) hereby agree to comply with this citation dated June 12, 2024, and herewith pay the fine of \$20,000.

Mexicoach Inc.
Brian Hunt

(Signature) (Title)

(Date)

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 auto-pay, fill out the attached CREDIT OR DEBIT CARD AUTHORIZATION form and email to our Fiscal Office at FiscalOffice-.TECitations@cpuc.ca.gov.

INVESTIGATION REPORT

CARRIER: Mexiocach, Inc.

OFFICERS: [REDACTED], Owner
[REDACTED], Owner
[REDACTED], Owner

AUTHORITY: TCP- 36804 Active

PHYSICAL ADDRESS: [REDACTED]

MAILING ADDRESS: [REDACTED]

PHONE/EMAIL: [REDACTED]

VEHICLES: 9 Buses, 4 Vans

EMPLOYEE-DRIVERS: Attached, Employee-Driver list.

PL&PD INSURANCE: [REDACTED] Insurance Company
Policy Number: [REDACTED]
Effective Date: [REDACTED]

WORKERS' COMPENSATION INSURANCE: [REDACTED]
Policy Number: [REDACTED]
Canceled Date: [REDACTED]

DRUG CONSORTIUM: [REDACTED], Inc.

REVENUE:

Year	Revenue
2021	[REDACTED]
2022	[REDACTED]
2023	[REDACTED]

INTRODUCTION

On September 6, 2023, I was assigned to investigate Mexicocoach, Inc. (hereinafter referred to as Mexicocoach) following a complaint from Associate General Counsel [REDACTED] of the San Diego County Regional Airport Authority. The complaint alleged that Mexicocoach was operating outside the scope of its authority **[Attachment 1]**. Specifically, Mexicocoach is operating as a Passenger Stage Corporation (PSC) while only holding a Charter-Party Carrier (TCP) - A certificate.

VIOLATIONS

During my investigation, from September 6, 2023, to May 7, 2024, I found alleged violations of the following provisions of the Public Utilities (Pub. Util.) Code and Commission General Orders (G.O.):

- **Mexicocoach operated as a Passenger Stage Corporations (PSC) carrier with a Charter-Party Carrier (TCP) A Certificate in violation of Pub. Util. Code section 5383. [1 count]**

The primary distinction between PSC and TCP lies in their operational scope and service offerings within the transportation industry. PSCs specialize in providing transportation services to the public, operating fixed routes or scheduled services such as airport shuttles, and charging fares on a per-passenger basis. In contrast, TCPs offer charter services tailored to the specific needs of individuals or groups, such as round-trip sightseeing or transportation for events like weddings, charging fees based on mileage, time of use, or agreed-upon terms. A TCP offers the entire vehicle to transport one person or a group of people, while a PSC is open to the public. Additionally, PSC fares must be approved by the Commission and subject to formal tariff filings. However, TCP charges are not regulated by the Commission. Additionally, PSCs require formal procedures to obtain Commission approval, while TCPs do not.

Furthermore, it has been discovered that Mexicocoach previously initiated the PSC application process but voluntarily withdrew from it on November 14, 2022 **[Attachment 2]**.

This indicates that Mexicocoach is aware of the requirement for a PSC license but chose not to pursue it.

Currently, Mexicocoach possesses a TCP-A certificate, permitting Mexicocoach to conduct charter-party services within California. However, Mexicocoach's business practices have far exceeded the TCP certificate's limitations because the company has also operated within the defining characteristics of a PSC carrier in Public Utility Code section 1035.

On December 8, 2023, TEB received a letter from Mexicocoach's legal counsel, which included a traffic study and a route map. The information showed that Mexicocoach is currently operating fixed schedules and routes with designated pick-up and drop-off points within California's borders and charges fares individually [Attachment 3]. Currently, passengers can purchase tickets through the CBX website for travel to and from the CBX terminal from various stopping points within California [Attachment 4]. Additionally, Mexicocoach has provided individual ticket sales data for the period October 1, 2023, to December 31, 2023 [Attachment 5]. We found that nearly █% of revenue and greater than █% of ticket sales are generated by intrastate travel to and from the CBX terminal [Attachment 6]. More notably, Mexicocoach previously facilitated direct sales of individual tickets to customers via its website but has suspended this practice upon the commencement of this investigation [Attachment 7].

- **Mexicocoach provided incomplete Waybills in violation of Pub. Util. Code section 5381.5 and G.O. 157-E, Part 3.01 (TCP) [55 counts]**

Based on the documents submitted by Mexicocoach on March 21, 2024, in response to the second data request issued on March 5, 2023, it has been observed that all █ Waybills provided for the period spanning from October 1, 2023, to December 31, 2023, lack essential information mandated by the Public Utilities Code and General Order [Attachment 8]. Public Utilities Code Section 5381.5 and GO 157-E, Part 3.01, requires the drivers for all TCP carriers to possess "Waybills" that must include specified information. When reviewing the carrier's waybills, it was discovered that the driver names and license plate numbers were missing on all 52 waybills. During the recent CBX Operation on May 1, 2024, TEB discovered three Mexicocoach

vehicles, with license plate numbers [REDACTED], that operated without Waybills [Attachment 9].

- **Mexicoach operated without Workers' Compensation Insurance coverage for all employees in violation of Pub. Util. Code section 5378.1 [19 count].**

Public Utilities Code section 5378.1 requires all TCP carriers with employees to either submit a "certificate of workers' compensation coverage for its employees" or a "certificate of consent to self-insure" that was issued by the Director of Industrial Relations.

Mexicoach has [REDACTED] employee drivers, according to the Personal Liability and Property Damage (PL/PD) policy driver list in the TCP Portal [Attachment 10]. However, on February 14, 2024, a report by the State Compensation Insurance Fund showed that Mexicoach's Worker's Compensation Insurance policy (policy number [REDACTED]) only covers [REDACTED] employees, consisting of [REDACTED] full-time employees and [REDACTED] part-time employees [Attachment 11]. As a result, only [REDACTED] of Mexicoach's employees are covered by workers' compensation, and [REDACTED] are not covered.

- **Mexicoach operated vehicles but did not file with the commission in violation of Public Utilities Code section 5374.5 and G.O. 157-E, Part 4.01 (TCP) [11 count].**

According to the TCP Portal equipment list, Mexicoach has 13 active vehicles and 2 inactive vehicles [Attachment 12]. However, Mexicoach's Personal Liability and Property Damage (PL/PD) insurance policy (policy number [REDACTED]), emailed to the TEB from Lancer Insurance Company on February 14, 2024, shows coverage for a total of 25 vehicles [Attachment 13]. As a result, Mexicoach has underreported 11 vehicles that are not included on its TPC Portal equipment list or inactive status. Enforcement Analysts Steve Esguerra and Shirley Lei have observed these unreported vehicles on two occasions: September 22, 2023, at the Otay Mesa Joint Operation, and March 13, 2024, at the CBX terminal [Attachment 14]. Although I informed the CEO of Mexicoach, Brian Hunt, at [REDACTED] on November 14, 2023, that it is required to include all 25 vehicles on its equipment list, Mexicoach is only reporting 13 active and 2 inactive vehicles [Attachment 15].

Table 1 – Vehicles List (PL/PD vs. TCP Portal)

No.	PL/PD Vehicle List (VIN)	TCP Equipment List (VIN)
1	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]
5	[REDACTED]	
6	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]
12	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]
15	[REDACTED]	[REDACTED]
16	[REDACTED]	[REDACTED]
17	[REDACTED]	[REDACTED]
18	[REDACTED]	[REDACTED]
19	[REDACTED]	[REDACTED]
20	[REDACTED]	[REDACTED]
21	[REDACTED]	[REDACTED]
22	[REDACTED]	[REDACTED]
23	[REDACTED]	[REDACTED]
24	[REDACTED]	[REDACTED]
25	[REDACTED]	[REDACTED]

- **Mexicoach has failed to display the correct TCP number on Mexicoach’s website, in violation of General Order 157-E Part 3.07. [1 count]**

Mexicoach currently displays an invalid TCP number, “TCP-A 652-P,” on its website. However, its correct TCP number is 36804A. On November 14, 2023, I emailed Brian Hunt at [REDACTED] regarding this issue. On November 22, 2023, Brian Hunt claimed that the website was updated with the correct TCP number [Attachment 16]. As of May 21, 2024, Mexicoach continues to display the incorrect TCP number of “TCP-A 652-P” on its website [Attachment 17].

- **Mexicoach has underreported Public Utilities Commission Transportation Reimbursement Account (PUCTRA) fees in violation of Publ. Util. Code Section 5378(a)(9) [1 count].**

TCP portal records indicate Mexicoach has reported [REDACTED] of revenue during the fourth quarter of 2023 [Attachment 18]. However, upon reviewing the [REDACTED] waybills and [REDACTED] individual interstate ticket sales records submitted by Mexicoach from October 1, 2023, to December 31, 2023, the total revenue amounts to [REDACTED] [Attachment 5 & 8]. As a result, Mexicoach failed to report [REDACTED] of revenue for the fourth quarter of 2023 (Table 2) [Attachment 6].

Table 2 – Waybills/Ticket Sales Revenue vs. Reported Revenue

	Calculated Revenue	Revenue Reported to CPUC	Unreported Revenue
Ticket Sales (Interstate)	\$ [REDACTED]		
Waybills	\$ [REDACTED]		
Total	\$ [REDACTED]	\$ [REDACTED]	\$ [REDACTED]

- **Mexicoach has failed to produce records upon request, in violation of Pub. Util. Code Section 425 and 5389. [1 count]**

Public Utilities Code Section 425 requires licensed PSCs, and Section 5389 requires charter-party carriers (with TCP numbers) to allow the Commission's staff members to "inspect and examine" the company's records. On March 5, 2023, I sent a second data request to CEO [REDACTED] [Attachment 19]. However, on March 21, 2024, Mexicoach only provided a partial response and declined to provide any tax information. To date, Mexicoach has not provided the requested tax return information to the commission.

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 May 23, 2024, in San Francisco, California.

Mingfeng Li
Mingfeng Li, TEB Enforcement Analyst

List of Attachments

Attachment 1	Case Complaint
Attachment 2	Mexicoach's application and withdrawal from the PSC process
Attachment 3	Legal Briefing with traffic study and route map
Attachment 4	Screenshot of the CBX website
Attachment 5	Individual Ticket Sales Data
Attachment 6	Sample: Analysis of the Individual Ticket Sales Data
Attachment 7	Screenshot of Mexicoach's old website
Attachment 8	■ Sample: Waybills
Attachment 9	May 1, 2024, CBX AA report
Attachment 10	Personal Liability and Property Damage (PL/PD) policy's driver list
Attachment 11	Email: Worker Compensation Insurance information
Attachment 12	TCP portal Equipment List
Attachment 13	Personal Liability and Property Damage (PL/PD) policy's vehicle list
Attachment 14	Photos of Mexicoach's unreported vehicles
Attachment 15	Email: regarding vehicle information uploaded into TCP Portal
Attachment 16	Email: Brian claim resolved the TCP number displayed on website
Attachment 17	issue Screenshot of Mexicoach's website with incorrect TCP number
Attachment 18	Screen Shot TCP portal quarter 4 2023 revenue
Attachment 19	Email: Mexicoach denied producing records

List of Drivers

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]
6. [REDACTED]
7. [REDACTED]
8. [REDACTED]
9. [REDACTED]
10. [REDACTED]
11. [REDACTED]
12. [REDACTED]
13. [REDACTED]
14. [REDACTED]
15. [REDACTED]
16. [REDACTED]
17. [REDACTED]

ATTACHMENT 1

California Public Utilities Commission
Transportation Informal Complaint Tracking System
Printed as of 04-AUG-2023 13:39:11

Case #..... 20230074
Inquiry Type..... Written
Carrier Type..... Passenger Carrier
Received by Area Office San Francisco
Area Office Assigned... Consumer Int.
District Office.....
Transferred To.....
Representative..... [REDACTED]
Received Date..... 04-AUG-2023
Closed Date..... 04-AUG-2023
Update Date.....
Transfer Date.....

COMPLAINANT:

MTR/PSG/CA#..
DBA.....
Name.....
Address.....
City/St/Zip..
Phone.....
Email.....

[REDACTED]

DEFENDANT:

MTR/PSG/CA#.. PSG0036804
DBA..... MEXICOACH INC
Name..... MEXICOACH INC
Address.....
City/ST/Zip..
Phone.....

[REDACTED]

COMPLAINT DESCRIPTION:

Transporting passengers without the proper permit

DISPOSITION DESCRIPTION:

Referred to Enforcement

California Public Utilities Commission
Transportation Informal Complaint Tracking System
Passenger Carrier Violation(s)
Printed as of 04-AUG-2023 13:39:11

Failure to insure all equipment
Failure to register interstate operations
GO 157/158
Loss or Damage
No operating authority
No worker's compensation
Operations while suspended
Other
Service
Unlicensed sub-carriers
Advertising without a permit

ATTACHMENT 2



FILED
10/18/22
04:59 PM
A2210014

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Mexicoach, Inc. for authority to operate as a scheduled passenger stage carrier between in San Diego County, Riverside County, Orange County, Los Angeles County and San Bernardino County, For interim authority and to establish a zone of Rate Freedom (ZORF) fare structure.

Application Number _____

APPLICATION

The application of Mexicoach, Inc., a corporation, hereinafter referred to as applicant, respectfully states:

The exact name of the applicant is Mexicoach, Inc. PSG0036804, formed and active under the laws of California. <https://mexicoach.com>

The principal place of business is located at 4635 Border Village Road, Suite G, San Diego CA 92173.

The names, titles and address of the various officers of the company or owners or partners, and their interests are as follows:

[REDACTED] President, [REDACTED]
[REDACTED]

Communications regarding this application are to be addressed to:

[REDACTED]
[REDACTED]

Pursuant to Public Utilities Code Section 1031, applicant requests a certificate of public convenience and necessity to establish and operate as a scheduled passenger state corporation, for the transportation of passengers in San Diego County, Riverside County, Orange County, Los Angeles County and San Bernardino County. This service is provided under contract and to service Cross Border Xpress Airport in Otay Mesa (CBX), California. <https://www.crossborderxpress.com>

Mexicoach request a ZORF with leeway of \$15 above or below fares. Applicant will compete in their operations with other PCS's, taxicabs, transportation network companies, charter party carriers, public transit and private automobiles. This highly competitive environment will result in applicant pricing its services a reasonable level.

Subject to staff's informal decision, Mexicoach requests an interim certificate as all CBX service is stopped at this time after cancellation of the previous contractor.

The proposed fares to be assessed for this service, and rules and regulations governing the same, are as set forth in **Exhibit A** attached hereto. Applicant is requesting a ZORF fare structure. Some fares are set by CBX airport in San Diego and subject to change any time. Other fares are set according to competitive services and there will be no free (\$0) fares.

The proposed schedule between points to be served is as set forth in **Exhibit B** attached hereto.

A map showing the proposed route of operations is attached as **Exhibit C**.

A description of equipment to be operated in the proposed service is as shown in **Exhibit D** attached hereto.

A financial statement of applicant is attached hereto as **Exhibit E**. Mexicocoach, a California corporation, is owned by Transportes Baja SA de CV, a Mexico corporation with sales near 50 million.

Public convenience and necessity require a grant of authority requested for the following reasons:

Mexicocoach presently operates as a passenger stage corporation between San Diego and Tijuana under an exemption of section 203 (b) 8 of the Interstate Commerce Act and a charter party with certificate CA PUC PSG0036804.

Mexicocoach proposes shuttle buses and motor coaches operated by professional and bilingual drivers to provide the transportation, providing a convenience and necessity for the riding public. The riding public include those without a personal vehicle, do not wish to operate a personal vehicle due to parking and traffic, is not convenient for friends or family to provide the transportation, find public transit too slow, and find taxi or uber not available on time or cost prohibitive.

In business continuously since the 1960's, Mexicocoach has 42 or more years' experience in the transportation which attest to its fitness, willingness and ability to perform service. Currently Mexicocoach is operating with a TCP certificate and meets all requirements of the PUC.

Mexicocoach is entering into a contract with CBX Airport for nonexclusive passenger stage service. The contract establishes safety and operational requirements and requires service to the SD Airport, CBX Airport and Santa Fe Station which currently is without service, and with other destinations in San Diego County, Riverside County, Orange County, Los Angeles County and San Bernardino County. The contract requires a high degree of responsibility including insurance, condition of vehicles, driver requirements and passenger convenience.

The PSC certificate is required by the PUC and San Diego County Regional Airport Authority before permits to service the airport are issued. Although Mexicocoach engages in interstate travel, the CBX routes are separate from the cross border operation and Mexicocoach believes the PSC certificate is required.

Currently passenger desiring to ride between the SD Airport, CBX Airport and Santa Fe Station (Amtrak) may do so by public bus, taxi and uber. Uber does not serve CBX Airport. For these single vehicle modes of transportation, cost is more expensive and emit more toxic emissions than group travel in a bus.

Mexicocoach proposes express service, that is, without multiple stops between major destinations, adding the convenience and necessity for passengers who wish to avoid multi-stop services such as Greyhound.

The service would increase access and connections between the SD Airport, CBX and Amtrak and points north, increasing passenger travel options and traffic using Amtrak, CBX and SD Airport. The service would divert travelers from the automobile and other forms of single passenger carriers, reducing the number of toxic emissions. The frequency of the schedule provides a dependable service which aids travel planning by the traveling public.

Mexicocoach is adding four shuttle buses to its current fleet of five, to accommodate the service. Since the previous contractor has stopped serving CBX and has more than four vehicles, there is little possibility the activity will have an adverse effect on the environment. Since the service will divert single vehicle service to multi-passenger buses, granting the PSC certificate will have a positive effect on the environment.

Mexicocoach is requesting an interim PSC certificate to service the CBX airport due to the long lead times to receive authority. (3 months). This long lead time will leave passengers without service from CBX to other destinations as described in this filing. Mexicocoach has a PUC Charter Party

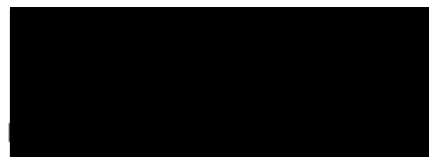
certificate and provides the required insurances, drug testing requirements, pull notice agreement, CHP inspections, reports and fees. A PSC interim certificate will not endanger the public as the requirements are generally the same. In addition, the CBX contract has extensive standards for operation and has selected Mexicoach based on our qualifications and history with the airport.

The names of all county and city governmental entities, regional transportation, planning agencies and public transit operators whose boundaries passengers will be loaded are attached hereto as **Exhibit F**.

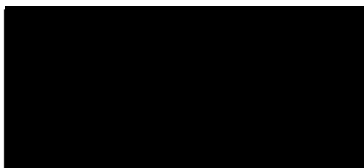
Wherefore, Applicant prays that certificate be granted authorizing the operation of the service , ZORF fare structure, and an interim certificate be issued, hereinabove described and for such further order as may be proper.

Dated San Ysidro California, this 7 day of October, 2022

Respectfully Submitted,



President
Mexicoach Inc.



Corporate Seal

Attachments:

- A. Notice
- B. Certificate of Service
- C. Verification
- D. Scoping Memo Information

Exhibit A

Proposed Fares for Mexicoach		
From	To	Fare
San Diego County		
CBX Airport	Santa Fe Station (Amtrak)	\$20
Santa Fe Station (Amtrak)	SDCRAA (SD Airport)	\$20
SDCRAA (San Diego Airport)	CBX Airport	\$20
Round Trip		\$40
San Diego, Los Angeles, San Bernardino		
CBX Airport	Los Angeles County, CA	\$38
CBX Airport	San Bernardino County, CA	\$38
Round Trip		\$65

ZORF – plus or minus \$20

Returns are identical fare

There is no discount for child, senior or roundtrip fares

Exhibit B

SCHEDULE

DEPARTURE	ARRIVING	ROUTE	STOPS/ROUTING
8:00 AM	8:15 AM	SAN YSIDRO	San Ysidro Transportation Center
10:00 AM	10:15 AM	SAN YSIDRO	San Ysidro Transportation Center
12:00 PM	12:15 PM	SAN YSIDRO	San Ysidro Transportation Center
2:00 PM	2:15 PM	SAN YSIDRO	San Ysidro Transportation Center
4:00 PM	4:15 PM	SAN YSIDRO	San Ysidro Transportation Center
6:00 PM	6:15 PM	SAN YSIDRO	San Ysidro Transportation Center
8:30 AM	9:00 AM	SAN DIEGO	SAN T1, SAN T2, Santa Fe Depot
10:30 AM	11:00 AM	SAN DIEGO	SAN T1, SAN T2, Santa Fe Depot
12:30 PM	1:05 PM	SAN DIEGO	SAN T1, SAN T2, Santa Fe Depot
2:30 PM	3:05 PM	SAN DIEGO	SAN T1, SAN T2, Santa Fe Depot
4:30 PM	5:05 PM	SAN DIEGO	SAN T1, SAN T2, Santa Fe Depot
6:30 PM	7:05 PM	SAN DIEGO	SAN T1, SAN T2, Santa Fe Depot
8:30 PM	9:05 PM	SAN DIEGO	SAN T1, SAN T2, Santa Fe Depot
8:00 AM	10:30 AM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
9:30 AM	12:30 PM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
11:30 AM	2:30 PM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
12:30 PM	3:00 PM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
1:30 PM	4:30 PM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
3:30 PM	6:30 PM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
5:30 PM	8:30 PM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
8:30 PM	11:30 PM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
9:30 PM	12:30 AM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA
12:30 AM	3:30 AM	LOS ANGELES	Santa Ana, Anaheim , Huntington Park, Downtown LA

Exhibit C

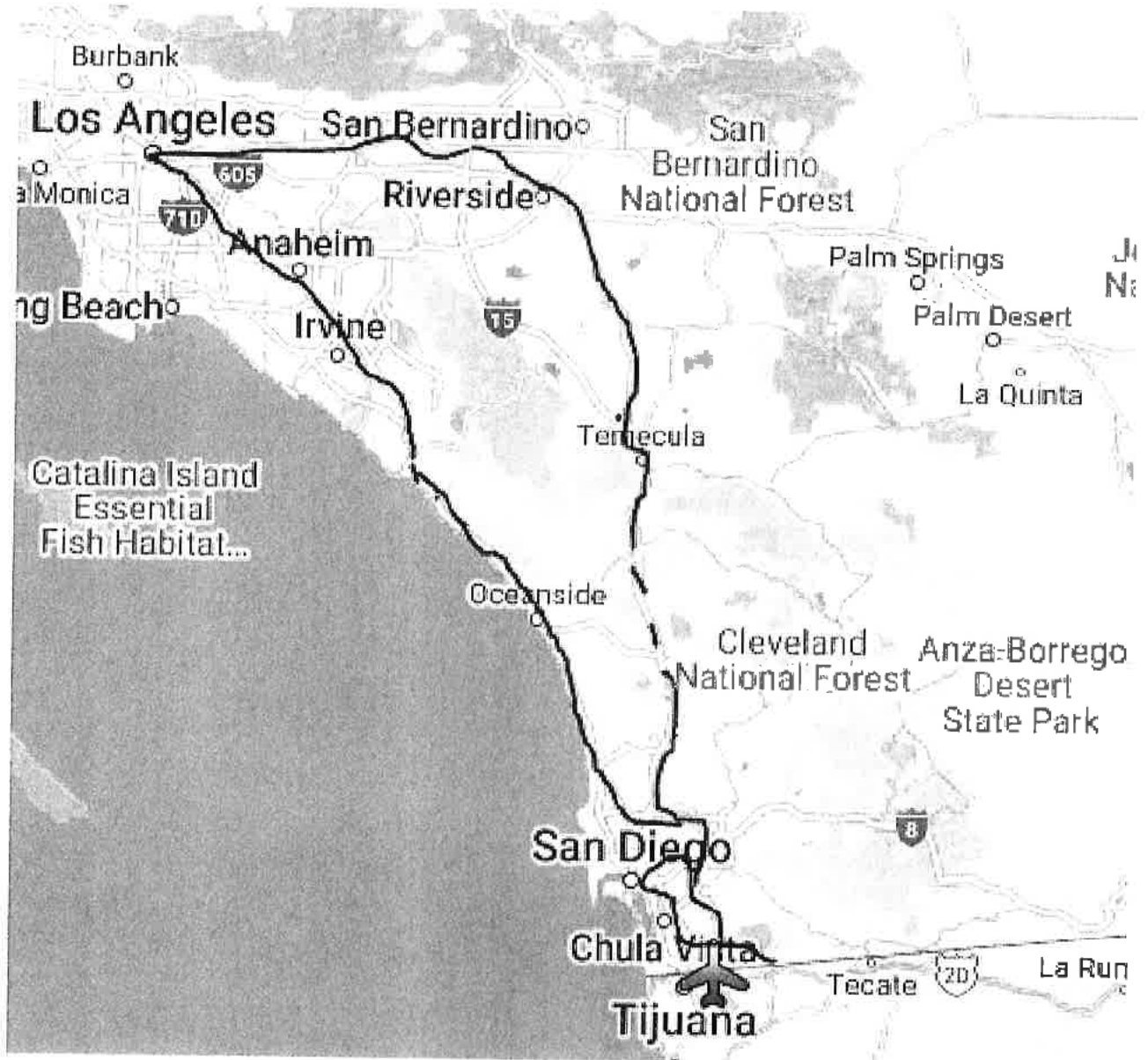


Exhibit D

Fleet

Bus #	Make	Model	NO. SERIE	Year	Plates	Capacity
█	Ford E450	Bus	█	2010	█	25
█	Ford E450	Bus	█	2010	█	25
█	Ford F550	Bus	█	2012	█	28
█	Ford F550	Bus	█	2013	█	28
█	Irizar Coach	Bus	█	2016	█	43

Exhibit E

MEXICOACH	
INCOME STATEMENT AS OF DECEMBER 31st 2021	
INCOME	
CHARTERS	
CHARGED	
EL CORRE CAMINOS	55 493 59
FRONTERAS DEL NORTE	109 516 93
NOT CHARGED	
EL CORRE CAMINOS	
FRONTERAS DEL NORTE	
TICKETS ON BOARD INCOME	435 674 73
SPECIAL TRIP	
OTHER INCOME JANUARY - OCTOBER	
TOTAL INCOME	
EXPENSES	
OPERATING EXPENSES	
FUEL	17 000
SALARIES	1 000 000
VARIOUS	50
REPAIRS MAINTENANCE EXPENSES	250 000
AMORTIZACION EXPENSES	80 000 000
DEPRECIATION EXPENSES	100 000
ADMINISTRATION EXPENSES	
EXPENSES	10 000 000
VARIOUS	10 000 000
OTHER EXPENSES	10 000 000
FINANCIAL EXPENSES	
TOTAL EXPENSES	
RESULT	
LEGAL REPRESENTATIVE	

Exhibit F

Agencies receiving notices of proposed PSC certificate

San Diego Metropolitan Transit System
1255 Imperial Avenue Suite 1000 San Diego, CA 92101

SANDAG
401 B St #800, San Diego, CA 92101

San Diego County Regional Airport Authority
3225 N Harbor Dr, San Diego, CA 92101

Los Angeles County Metropolitan Transportation Authority and Planning Agency
1 Gateway Plaza, Los Angeles, CA 90012

Los Angeles Department of Transportation
100 S Main St, 10th Floor, Los Angeles CA 90012

City of Los Angeles
200 North Spring Street, City Hall - Room 395. Los Angeles, CA 90012

Los Angeles World Airport
1 World Way, Los Angeles, CA 90045

Foothill Transit and Planning Agency
100 S. Vincent Ave., Suite 200, West Covina, CA 91790

Riverside Transit Agency and Planning Agency
1825 Third Street, Riverside 92507

OMNITRANS and Planning Agency
1700 W. 5th Street, San Bernardino, CA 92411.

Ontario International Airport
Ontario, CA 91761

John Wayne Airport (Orange County)
18601 Airport Way, Santa Ana, CA 92707

OCTA Orange County and Planning Agency
550 S. Main Street Orange, CA 92868.

Exhibit F

City of San Bernardino

300 North D Street, San Bernardino CA 92418

City of Huntington Park

6550 Miles Ave, Huntington Park, CA 90255

City of Santa Ana

20 Civic Center Plaza, Santa Ana, CA, 92701

City of San Diego

202 C Street, San Diego, CA 92101

City of Anaheim

200 S Anaheim Blvd, Anaheim, CA 92805

City of Fontana


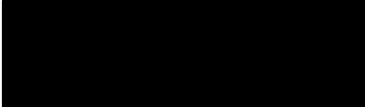
8353 Siera Avenue, Fontana, CA 92325

Attachment A

NOTICE

On Oct 3rd 2022, the Application Mexicocoach, Inc (no dba) was filed with the California Public Utilities Commission seeking a passenger stage corporation certificate to perform scheduled service in San Diego County, Riverside County, Orange County, Los Angeles County and San Bernardino County. Additionally, the applicant has filed for a Zone of Rate Freedom fare structure and interim certificate.

Please direct any comments or questions to the PUC or to:


President, Mexicocoach


Attachment B

CERTIFICATE OF SERVICE

I hereby certify that I have served the within application on the following named public transit operators and Notices of said filing, a copy of which is attached herto, on all named city and county governmental agencies, regional planning agencies and airports by mailing a copy via first-class mail with postage preparid.

Executed on Oct 3rd 2022 at San Ysidro California.

A solid black rectangular box redacting the signature of the person signing the certificate.

Signature of person signing certificate

Attachment C

VERIFICATION

I AM AN OFFICER OF THE Applicant corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing documents are true of my own knowledge , except as to matters which are therein stated based on information or belief, and as to those matters I believe them to be true

I declare under penalty of perjury that the forewgoing is ture and correct.

Executed on Sept 30, 2022 at El Paso, Texas

[Redacted Signature]

(Applicant)

Oath of Applicant

I solemnly swear or affirm that the infomration I have given in the affidavit is true and correct.

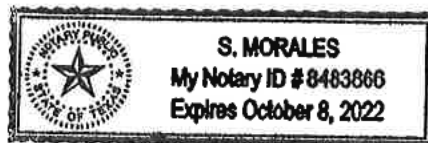
[Redacted Signature]

Signature of Applicant

Subscribed and sworn to before me this 30th day of September 2022.

[Handwritten Signature]

Notary Public, State of Texas





FILED

11/14/22

08:00 AM

A2210014

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Mexicocoach, Inc. for authority to operate as a scheduled passenger stage carrier between in San Diego County, Riverside County, Orange County, Los Angeles County and San Bernardino County, For interim authority and to establish a zone of Rate Freedom (ZORF) fare structure.

Proceeding_A2210014

MOTION TO WITHDRAW THE PETITION FOR PASSENGER STAGE CORPORATION FOR MEXICOACH, INC.

Mexicocoach, Inc, the applicant in proceeding A2210014, a request for authority to operate as a PSC carrier, respectfully states the applicant wishes to withdraw the application at this time. We reserve the right to refile at a future date if needed.

Respectfully Submitted *November 8, 2022*

██████████
President
Mexicocoach, Inc

██

██

██

██

ATTACHMENT 3

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

MEXICOACH, INC.'s Brief Supporting
Authority to Provide Intrastate Service
in California Pursuant to the Bus
Regulatory Reform Act of 1982.

BRIEF OF MEXICOACH, INC. SUPPORTING MEXICOACH'S AUTHORITY TO PROVIDE INTRASTATE SERVICE IN CALIFORNIA PURSUANT TO THE BUS REGULATORY REFORM ACT OF 1982

Mexicoach, Inc. submits this Brief to the California Public Utilities Commission ("Commission") in support of Mexicoach's authority to provide intrastate regular route service in California over its interstate routes pursuant to the Bus Regulatory Reform Act of 1982.

I. BACKGROUND

On November 8, 2023, a Commission enforcement analyst, Mingfeng Li, informed Mexicoach via e-mail that the Commission had received reports that Mexicoach was operating without the necessary Passenger Stage Corporation ("PSC") authority, and the Commission deemed those reports credible. Mexicoach promptly responded by contacting Mr. Li over the telephone and advising that Mexicoach is not a regulated PSC as an interstate carrier that only provides intrastate service over its interstate routes. Mexicoach nevertheless agreed to take measures that may be helpful to Commission enforcement in avoiding confusion regarding Mexicoach's authority to provide intrastate service in California in the future. On November 20th,

2023, the Commission e-mailed Mexicoach by taking the position, “it is evident that [Mexicoach] falls within the scope of requiring a PSC license.” In support, the Commission attached Cal. Pub. Util. Code § 1035, which the Commission incorrectly claimed to be the definition of a “Passenger Stage Corporation”. The Commission requested a response from Mexicoach by November 28, 2023.

In response, on November 22, 2023, Mexicoach cited the actual definition of “Passenger Stage Corporation” under Cal. Pub. Util. Code § 226 supporting the position that Mexicoach is not a regulated PSC. In addition, Mexicoach offered to provide the Commission with hard evidence that it is not a regulated PSC, but given the tremendous burden required to gather that information, requested a deadline extension through the month of December. On November 27, 2023, the Commission responded by amending the deadline to December 8, 2023, and Mexicoach has diligently worked since that time to gather the legal evidence necessary to show that it holds the necessary authority to provide its intrastate regular route service in California.

II. MEXICOACH IS NOT A REGULATED PSC BECAUSE ITS INTRASTATE SERVICE IN CALIFORNIA IS AUTHORIZED BY THE BUS REGULATORY REFORM ACT OF 1982.

Federal law expressly authorizes a passenger motor carrier registered by the Federal Motor Carrier Safety Administration (“FMCSA”) to provide regular route transportation entirely in one state if such intrastate transportation is to be provided on a route over which the carrier provides interstate transportation of passengers. 49 U.S.C. § 13902(b)(3). That statute “preempts States from regulating intrastate

service provided by interstate regular route passenger carriers over interstate routes. If a regular-route passenger carrier obtains operating authority from FMCSA, a State is prohibited from requiring the carrier to obtain operating authority to provide intrastate service on an interstate route operated by the carrier.” *See, e.g., Elimination of Route Designation Requirement for Motor Carriers Transporting Passengers Over Regular Routes*, 74 Fed. Reg. 2895, 2898 (Jan. 16, 2009).

Consistent with that federal authorization and preemption, California expressly excludes from its definition, and thus regulation, of “Passenger stage corporation” any “intrastate passenger transportation service conducted pursuant to federal operating authority to the extent that regulation of these intrastate operations by the commission is preempted by the federal Bus Regulatory Reform Act of 1982, as amended.” Cal. Pub. Util. Code § 226(g) (internal citation omitted). Section 13902(b)(3) is a codification of section 6 of the Bus Regulatory Reform Act of 1982, which Section 6 preempted States from regulating intrastate service provided by interstate regular route passenger carriers over interstate routes. *Elimination of Route Designation Requirement for Motor Carriers Transporting Passengers Over Regular Routes*, 73 Fed. Reg. 45929, 45931 (proposed Aug. 7, 2008). Therefore, pursuant to Cal. Pub. Util. Code § 226(g), California does not regulate intrastate service provided by interstate regular route passenger carriers over interstate routes.

The test to determine whether a regular route carrier’s intrastate service is authorized under its interstate regular route passenger motor carrier authority pursuant to 49 U.S.C. § 13902(b)(3) was originally set forth under *Funbus Sys., Inc.*,

No. MC-C-10917, 1987 WL 100200 (I.C.C. Dec. 30, 1987). Federal courts and the FMCSA have since further clarified the *Funbus* requirements. See, e.g., *E. W. Resort Transp., LLC v. Binz*, 494 F. Supp. 2d 1197, 1200 (D. Colo. 2007); *Petition for Declaratory Order by Fullington Trailways, LLC*, 75 Fed Reg. 4443 (Jan. 2010). To meet the requirements of 49 U.S.C. § 13902(b)(3), “it is not enough for the carrier merely to offer interstate transportation on the route over which it conducts intrastate service.” *E. W. Resort Transp.*, 494 F. Supp. 2d at 1200. The interstate service must: (1) be active; (2) not operate independently of the intrastate service, but instead the intrastate service must be conducted as a part of existing interstate services; (3) be an actual, regularly scheduled service; (4) be bona fide and involve service in more than one state; and (5) be substantial.”¹ *Id.*

Mexicoach’s intrastate regular route service in California clearly satisfies the *Funbus* test. First, Mexicoach actively provides interstate service pursuant to its federal regular route passenger motor carrier authority. Mexicoach holds interstate passenger carrier authority with the FMCSA under MC-139343² and USDOT #12660. Pursuant to this authority and 49 U.S.C. § 13501(1)(D) which grants the FMCSA jurisdiction over transportation between the United States and a foreign country, Mexicoach operates a regular route network with three stops in Mexico and

¹ In *Fullington Trailways*, 75 Fed Reg. at 4445-45, the court noted an existing conflict in precedent regarding whether the substantial element is even necessary following the Surface Transportation and Uniform Relocation Assistance Act, Public Law 100-17, § 340 (1987). Nevertheless, in this case, like *Fullington*, it is unnecessary to address this conflict because Mexicoach’s interstate service is clearly substantial.

² By virtue of and following the above-referenced 2009 FMCSA Final Rule (“Elimination of Route Designation Requirement for Motor Carriers Transporting Passengers Over Regular Routes”), any carrier possessing route-specific federal regular route passenger motor carrier authority deemed by the FMCSA to hold national regular route interstate passenger motor carrier authority.

twelve stops in California. As more fully explained below, a traffic study analyzing the intrastate versus interstate tickets issued by Mexicocoach between January 1, 2022 and November 1, 2023 shows that Mexicocoach transported more than 46,423 passengers who had an origin in California and an ultimate destination in Mexico, or an origin in Mexico and ultimate destination inside California (approximately 59.24 percent of Mexicocoach's total traffic in California) during this period. *See Exhibit A, Mexicocoach Traffic Study Jan. 1, 2022 through November. 1 2023.* Therefore, there is no question that Mexicocoach is actively providing interstate service.

Second, Mexicocoach's interstate service does not operate independently of its intrastate service. Mexicocoach operates an integrated network of intercity bus routes serving three bus stops in Mexico and twelve bus stops in California. Passengers can purchase tickets at Mexicocoach's staffed stations and travel from any of the stations serviced by Mexicocoach in either California or Mexico. Mexicocoach operates three intrastate routes in California: 1) between San Ysidro and CBX, 2) between CBX and San Diego (with the final run of the day terminating at San Ysidro), and 3) between CBX and Fontana. *See Exhibit B, Mexicocoach Schedule.* However, interstate passengers travel over all of these routes. Specifically, all Mexicocoach's passengers crossing the U.S.-Mexico border from Tijuana first stop at San Ysidro. From San Ysidro, passengers either proceed along Mexicocoach's Los Angeles route or, more commonly, to CBX. From CBX, the passengers either proceed along Mexicocoach's San Diego or San Bernardino route. Mexicocoach passengers can also depart from a stop along the Los Angeles, San Diego, or San Bernardino route destined to Tijuana. In

that case, Mexicoach passengers along the San Diego and San Bernardino route will stop at CBX then San Ysidro before crossing into Tijuana. Passengers departing from Los Angeles will stop at San Ysidro before crossing into Tijuana. Exhibit C provides a high-level overview of Mexicoach's intercity network. *See Exhibit C, Mexicoach Intercity Network.*

Mexicoach does not offer any regularly scheduled service in California (or any other state) outside this integrated network. Any passenger, whether traveling intrastate or to an interstate destination, may purchase a ticket and board any bus traveling on Mexicoach's network. Indeed, Mexicoach's operations across the U.S.-Mexico border is the core of Mexicoach's business model. In some cases, Mexicoach passengers switch buses at San Ysidro or CBX en route to their final destination. Nevertheless, it has long been settled that such transfers do not disrupt the continuation of an interstate trip, especially when the same carrier is providing the transportation service. *See, e.g., Salem Transportation Co., 1990 WL 287591 at *2 (March 1990) (finding interstate service where passengers could travel from one end of the system to the other by transferring vehicles and purchasing multiple tickets from the same carrier at different segments of the trip).* Therefore, even when passengers are required to switch Mexicoach buses, this does not disrupt the

interstate nature of the trip, leaving no question that Mexicocoach's interstate service does not operate independently of its intrastate service.³

Third, Mexicocoach's interstate transportation is an actual, regularly scheduled service. Exhibit B provides a list of regularly scheduled routes that Mexicocoach operates in California on a daily basis. Each of the runs identified in Exhibit B lists the origin and destination of each route and intermediary stops, if any. Trips depart and arrive at particular pre-designated times. Exhibit B also provides the origin departure time for each regularly scheduled route. There is no question that Mexicocoach's interstate transportation is a regularly scheduled service. *See, e.g., E. W. Resort Transp.*, 494 F. Supp. 2d at 1200-01 (rejecting defendant's contention that service must be based on a reliable, chronological schedule and finding plaintiff operated a regularly scheduled service even where plaintiff would cancel routes when there were no guests in either direction).

Fourth, Mexicocoach's interstate service is bona fide and involves service in more than one state. This element is generally only an issue when a carrier's operations are entirely within state lines. *See, e.g., Funbus*, 1987 WL 100200 (arguing respondent, a common carrier of passengers between LAX and Anaheim, did not have a bona fide through ticket arrangement with Mexicocoach and therefore did not provide

³ *See, e.g., Fullington Trailways, LLC*, 75 Fed Reg. at 4444 ("Fullington's interstate service does not operate independently of its intrastate service . . . it is undisputed that after Fullington obtained Federal authority in late 2006, any passenger, whether traveling intrastate or to an interstate destination or origin, could purchase tickets and board any bus traveling on the State College-Lewiston-Harrisburg route. Although the evidence presented indicates that certain runs on this route are more heavily used by commuters, nothing presented in either forum suggests that Fullington operates these runs as a separate operation. To the contrary, all evidence and comments point to the opposite conclusion: that all runs on the route are part of the same integrated operations regardless of whether made during peak or off-peak commuting times").

a bona fide interstate service). Between January 1, 2022 and November 1, 2023, Mexicoach physically transported at least 46,423 passengers across state lines on a Mexicoach bus between a station in California and Mexico. Mexicoach's physical transportation of passengers across state lines leaves no question that Mexicoach's interstate service is bona fide and involves service in more than one state. *See, e.g., Holland Indus., Inc.*, 1989 WL 238007 at *4 (I.C.C. Feb. 16, 1989) (finding bona fide interstate service where petitioner transported passengers between Illinois and Missouri).

Fifth and finally, Mexicoach's interstate service is substantial. To show interstate service is substantial, a carrier must submit evidence that over a reasonable period of time it has carried a substantial number of passengers in interstate commerce in relation to the intrastate passengers transported in that same operation. *Funbus*, 1987 WL 100200 at *9. The court's evaluation should not be limited to individual runs but rather should consider the traffic on all routes authorized under the carrier's federal operating authority. *See Fullington Trailways*, 75 Fed. Reg. at 4445. The carrier may rely on traffic studies or data of a similarly specific nature to show the number of interstate passengers, and the information should include intrastate traffic figures by which to establish the substantiality of such interstate traffic. *Funbus*, 1987 WL 100200 at *9. Data addressing the overall level of bus passengers in the area may also be relevant. *Id.*

In *E. W. Resort Transp.*, the plaintiff operated as a common carrier of passengers exclusively in Colorado providing transportation to and from Denver

International Airport and Eagle Airport, on the one hand, and to and from various Colorado ski resorts, on the other hand. 494 F. Supp. 2d at 1198-99. To prove its interstate service was substantial, the plaintiff produced a 2003 traffic study showing approximately 63,394 of the passengers were transported interstate, and approximately 199,503 of the passengers were transported intrastate. *Id.* at 1205. Therefore, based on the traffic study, 24.1% of the plaintiff's overall service was interstate. *Id.* The court ruled that such a showing of interstate service in relation to intrastate service was sufficient to satisfy the substantial requirement. *Id.* (recognizing established precedent that the 24 to 28 percent range constitutes substantial interstate service, but rejecting defendant's contention that precedent has established this range as a minimum threshold (*citing Collins Coaches Ltd. Common Carrier Application*, 1989 WL 246961 (I.C.C. Dec. 5, 1989))). The court also awarded plaintiff attorney fees pursuant to 42 U.S.C. § 1988. *Id.* at 1208-09.

In *Fullington Trailways*, the court found that plaintiff, a common carrier operating various regular routes within the state of Pennsylvania, provided substantial interstate service notwithstanding the limited evidence plaintiff provided of its interstate operations. 75 Fed. Reg. at 4443. In that case, the plaintiff contended its operations were interstate because it transported a number of through-ticketed passengers to Harrisburg that would connect with a third-party carrier to be transported to a destination outside of Pennsylvania. *Id.* at 4444. However, the plaintiff did not track the final destination of its passengers and therefore was unable to provide complete data on the total number of interstate passengers. *See* Brief for

Petitioner at 139, *Fullington Trailways*, 75 Fed. Reg. 4443 (No. FMCSA-2009-0106) (see Attachment 4 of brief). Rather, the plaintiff offered testimony estimating the total percentage of interstate passengers. *Id.* In addition, for a brief period of time between July 1, 2006 through December 2006, the plaintiff tracked the frequency of through-ticketed passengers on a single run. *Id.* This traffic study revealed that 39.86% of passengers were travelling interstate. *Id.* This six-month traffic study of a single run was sufficient for the court to conclude the plaintiff's interstate service was substantial. *Fullington Trailways*, 75 Fed. Reg. at 4445. In particular, while noting the absence of a bright line test to determine what proportion of interstate travel constitutes "substantial", the court concluded that 40% falls within the generally accepted range. *Id.* (citing *E. W. Resort Transp.*, 494 F. Supp. 2d. at 1205).

Here, Mexicoach is able to provide a comprehensive traffic study of all tickets involving transportation in California sold between January 1, 2022 and November 1, 2023 that clearly shows Mexicoach's interstate service in California is substantial in relation to its intrastate service. Specifically, Exhibit A contains a chart reflecting the number of tickets sold for all the trips performed by Mexicoach between January 1, 2022 and November 1, 2023. The chart is separated by interstate and intrastate trips, with the intrastate calculation encompassing trips that both originated and terminated in California, and the interstate calculation encompassing trips that

either (1) originated in Mexico and terminated in California, or (2) originated in California and terminated in Mexico.⁴

The data provided in Exhibit A clearly shows Mexicocoach's interstate service in California is substantial. From January 1, 2022 through November 1, 2023, [REDACTED] [REDACTED] trips performed by Mexicocoach (approximately [REDACTED]%) were interstate. In other words, over half of Mexicocoach's service provided in California during this period was unquestionably interstate in nature because it involved Mexicocoach physically carrying passengers across state lines. This proportion of interstate service in relation to intrastate service far exceeds the 24-28% range recognized as "substantial" under established precedent. *See, e.g., E. W. Resort Transp.*, 494 F.Supp.2d 1197; *Fullington Trailways*, 75 Fed. Reg. 4443.

In addition to the proportion of interstate service being greater, Mexicocoach's data is more comprehensive and reliable than the data provided by either plaintiffs

⁴ Moreover, the data in Exhibit A assumes, in our opinion inaccurately, passengers transported by Mexicocoach between CBX to or from another point in California are travelling intrastate because Mexicocoach does not have a through ticket arrangement with the airline providing prior or subsequent interstate travel at CBX. However, federal courts have repeatedly found subsequent or prior ground service entirely within state lines to nevertheless be interstate even without a through ticket arrangement with an interstate carrier. *See, e.g., E. W. Resort Transp.*, 494 F. Supp. 2d 1197 (D. Colo. 2007) (deciding in favor of plaintiff because plaintiff was able to cite "several federal court cases finding airport limousine services that lack either a common arrangement with an interstate carrier or through ticketing to nevertheless be interstate" and noting that "the world has changed since the *Yellow Cab* decision in 1947, and even since the *FUNBUS* litigation of the 1980s. . . . As a practical matter, an individual arranges an airline ticket, transportation to a lodge and accommodations all as part of a single interstate trip, even where the various pieces are not part of a single reservation"). Because Mexicocoach's CBX passengers are transported exclusively with prior or subsequent interstate air travel at CBX, Mexicocoach is actually providing interstate service for CBX passengers travelling to or from a point in California. Nevertheless, it is unnecessary to classify those CBX passengers' trips as interstate to prove Mexicocoach's interstate service is substantial. The CBX passengers travel on the same Mexicocoach buses as Mexicocoach passengers travelling between Tijuana to or from another point in California serviced Mexicocoach, and the proportion of the non-CBX passengers is sufficient to show Mexicocoach's interstate service is substantial. Therefore, to avoid any doubt, our data classifies the CBX travelling to or from a point in California as intrastate.

in *E. W. Resort Transp.* or *Fullington Trailways*. For example, in *E. W. Resort Transp.*, the court only relied upon data from a single year. 494 F.Supp.2d at 1206. Moreover, the court was required to conclude that each of the diverse types of third-party bookings involved interstate service even when the plaintiff providing the intrastate transportation did not have a common arrangement or through ticket with the interstate carrier. *Id.* at 1201-04. Here, Mexicoach provided a traffic study for nearly two years, and Mexicoach only classified a trip as interstate if the passenger physically crossed states lines in a Mexicoach bus. In *Fullington Trailways*, on the other hand, the plaintiff was only able to provide data identifying its interstate passengers limited to a six-month period from a single run. The plaintiff in that case was forced to offer only an estimate as to the total proportion of interstate passengers it transported on all of its other runs. Here, again, Mexicoach is providing data over a much longer period than the *Fullington Trailways* plaintiff. Moreover, Mexicoach's data is not limited to a single run within California; rather, Mexicoach's data encompasses all of the regular routes operated by Mexicoach in California. Not only is Mexicoach's data more reliable, but it also reflects that Mexicoach transported a greater proportion of interstate passengers than the data provided in *E. W. Resort Transp.* and *Fullington Trailways*.

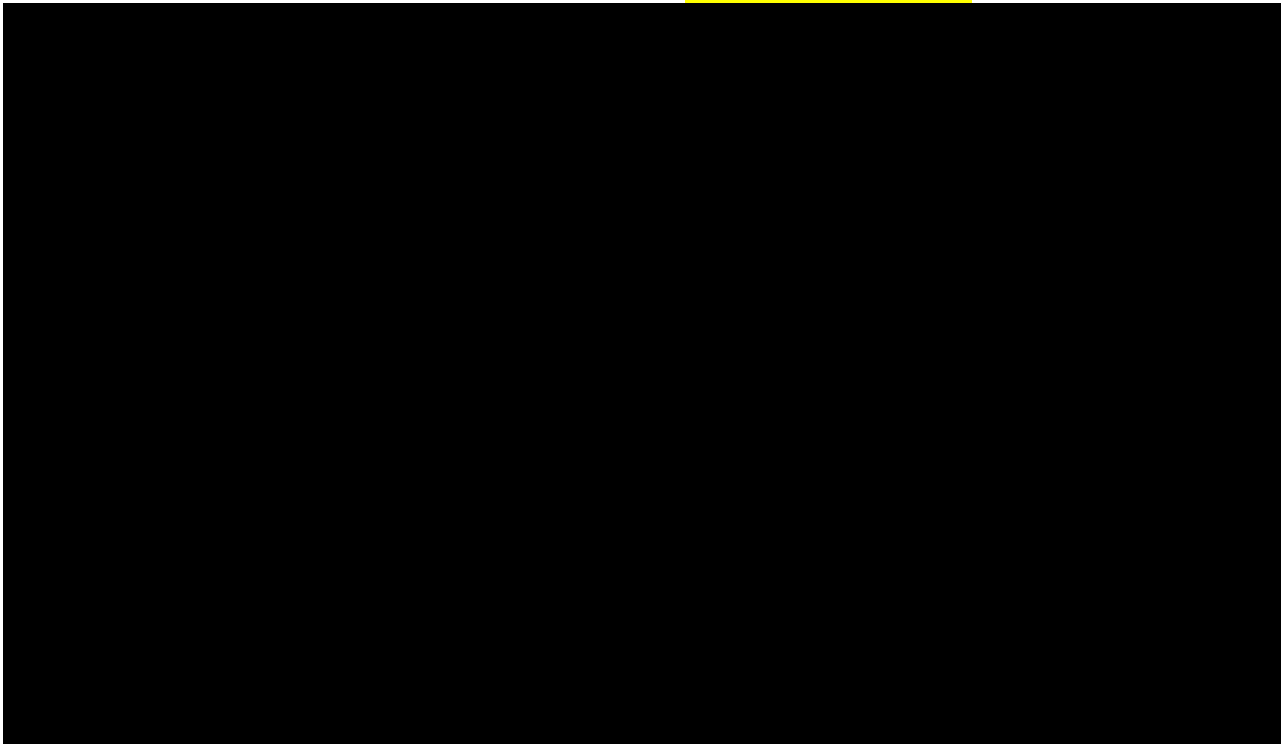
Moreover, the sheer number of passengers Mexicoach transported in interstate commerce (46,423 between January 1, 2022 and November 1, 2023) is also relevant. *See Funbus*, 1987 WL 100200 at *9 (data addressing the overall level of bus passengers in the area may also be relevant). Based upon the foregoing, Mexicoach's

interstate service is substantial in relation to its intrastate service under the *Funbus* test.

Because Mexicocoach's intrastate regular route operations in California satisfy the *Funbus* test, such operations fall within the scope of its federal regular route passenger motor carrier authority under 49 U.S.C. § 13902(b)(3). *See also, e.g., E. W. Resort Transp.*, 494 F. Supp. 2d 1197; *Salem Transportation Co. of New Jersey, Inc. v. Princeton Airporter, Inc.*, No. MC-C-30165, 1990 WL 287591 (I.C.C. Mar. 20, 1990); *Holland Indus., Inc.*, 1989 WL 238007. Accordingly, federal law preempts the state of California from regulating Mexicocoach's intrastate regular route operations, including requiring Mexicocoach to obtain passenger stage corporation authority to provide intrastate regular route service in California.⁵ However, the Commission need not go so far as to find that any or all of Pub. Util. Code Section 854 is preempted or otherwise unenforceable, or to refuse to enforce that statute, in order to reach the conclusion that the Commission lacks jurisdiction to require Mexicocoach to hold PSC authority. To the contrary, the Commission must reach this conclusion *by enforcing* Cal. Pub. Util. Code § 226(g), because the California legislature, by excluding intrastate service conducted pursuant to federal operating authority under 49 U.S.C. § 13902 from the definition of "passenger stage corporation" in Section 226(g), intended to so limit the Commission's jurisdiction.

⁵ Furthermore, federal law expressly preempts any scoping memo and Standard Review Process requirement to the extent it relates to the scheduling of Mexicocoach's interstate *or intrastate* transportation (including discontinuance or reduction in the level of service) or any change in Mexicocoach's rates for such transportation. 49 U.S.C. § 14501(a).

Respectfully submitted December 8, 2023.



4867-3347-1890, v. 2

Interstate Routes

Origin	Destination	Time	Trip	Origin	Destination	Time	Trip
Tijuana	San Ysidro	5:00	Tijuana - San Ysidro Transit Center	Tijuana	San Ysidro	12:00	Tijuana - San Ysidro Transit Center
San Ysidro	Tijuana	5:30	San Ysidro Transit Center- Tijuana	San Ysidro	Tijuana	12:00	San Ysidro Transit Center- Tijuana
Tijuana	San Ysidro	6:00	Tijuana - San Ysidro Transit Center	San Ysidro	Tijuana	12:30	San Ysidro Transit Center- Tijuana
Tijuana	San Ysidro	6:00	Tijuana - San Ysidro Transit Center	Tijuana	San Ysidro	13:00	Tijuana - San Ysidro Transit Center
San Ysidro	Tijuana	6:30	San Ysidro Transit Center- Tijuana	San Ysidro	Tijuana	13:30	San Ysidro Transit Center- Tijuana
San Ysidro	Tijuana	7:00	San Ysidro Transit Center- Tijuana	Tijuana	San Ysidro	14:00	Tijuana - San Ysidro Transit Center
Tijuana	San Ysidro	7:00	Tijuana - San Ysidro Transit Center	Tijuana	San Ysidro	14:00	Tijuana - San Ysidro Transit Center
San Ysidro	Tijuana	7:30	San Ysidro Transit Center- Tijuana	San Ysidro	Tijuana	14:30	San Ysidro Transit Center- Tijuana
Tijuana	San Ysidro	8:00	Tijuana - San Ysidro Transit Center	Tijuana	San Ysidro	15:00	Tijuana - San Ysidro Transit Center
San Ysidro	Tijuana	8:30	San Ysidro Transit Center- Tijuana	San Ysidro	Tijuana	15:00	San Ysidro Transit Center- Tijuana
Tijuana	San Ysidro	9:00	Tijuana - San Ysidro Transit Center	San Ysidro	Tijuana	15:30	San Ysidro Transit Center- Tijuana
Tijuana	San Ysidro	9:00	Tijuana - San Ysidro Transit Center	Tijuana	San Ysidro	16:00	Tijuana - San Ysidro Transit Center
San Ysidro	Tijuana	9:30	San Ysidro Transit Center- Tijuana	San Ysidro	Tijuana	16:30	San Ysidro Transit Center- Tijuana
Tijuana	San Ysidro	10:00	Tijuana - San Ysidro Transit Center	Tijuana	San Ysidro	17:00	Tijuana - San Ysidro Transit Center
San Ysidro	Tijuana	10:00	San Ysidro Transit Center- Tijuana	Tijuana	San Ysidro	17:00	Tijuana - San Ysidro Transit Center
San Ysidro	Tijuana	10:30	San Ysidro Transit Center- Tijuana	San Ysidro	Tijuana	17:30	San Ysidro Transit Center- Tijuana
Tijuana	San Ysidro	11:00	Tijuana - San Ysidro Transit Center	Tijuana	San Ysidro	18:00	Tijuana - San Ysidro Transit Center
Tijuana	San Ysidro	11:00	Tijuana - San Ysidro Transit Center	San Ysidro	Tijuana	18:00	San Ysidro Transit Center- Tijuana
San Ysidro	Tijuana	11:30	San Ysidro Transit Center- Tijuana	San Ysidro	Tijuana	18:30	San Ysidro Transit Center- Tijuana
				Tijuana	San Ysidro	20:00	Tijuana - San Ysidro Transit Center
				San Ysidro	Tijuana	21:00	San Ysidro Transit Center- Tijuana

Origin	Destination	Time	Trip
Huntington Park	Tijuana	8:00	Los Angeles - Huntington Park - Anaheim - Santa Ana - CBX - San Ysidro - Tijuana

Origin	Destination	Time	Trip
Tijuana	Los Angeles	9:00	Tijuana - San Ysidro - CBX - Santa Ana - Anaheim - Huntington Park - Los Angeles
Los Angeles	Tijuana	17:30	Los Angeles - Huntington Park - Anaheim - Santa Ana - CBX - San Ysidro - Tijuana

Intrastate Routes

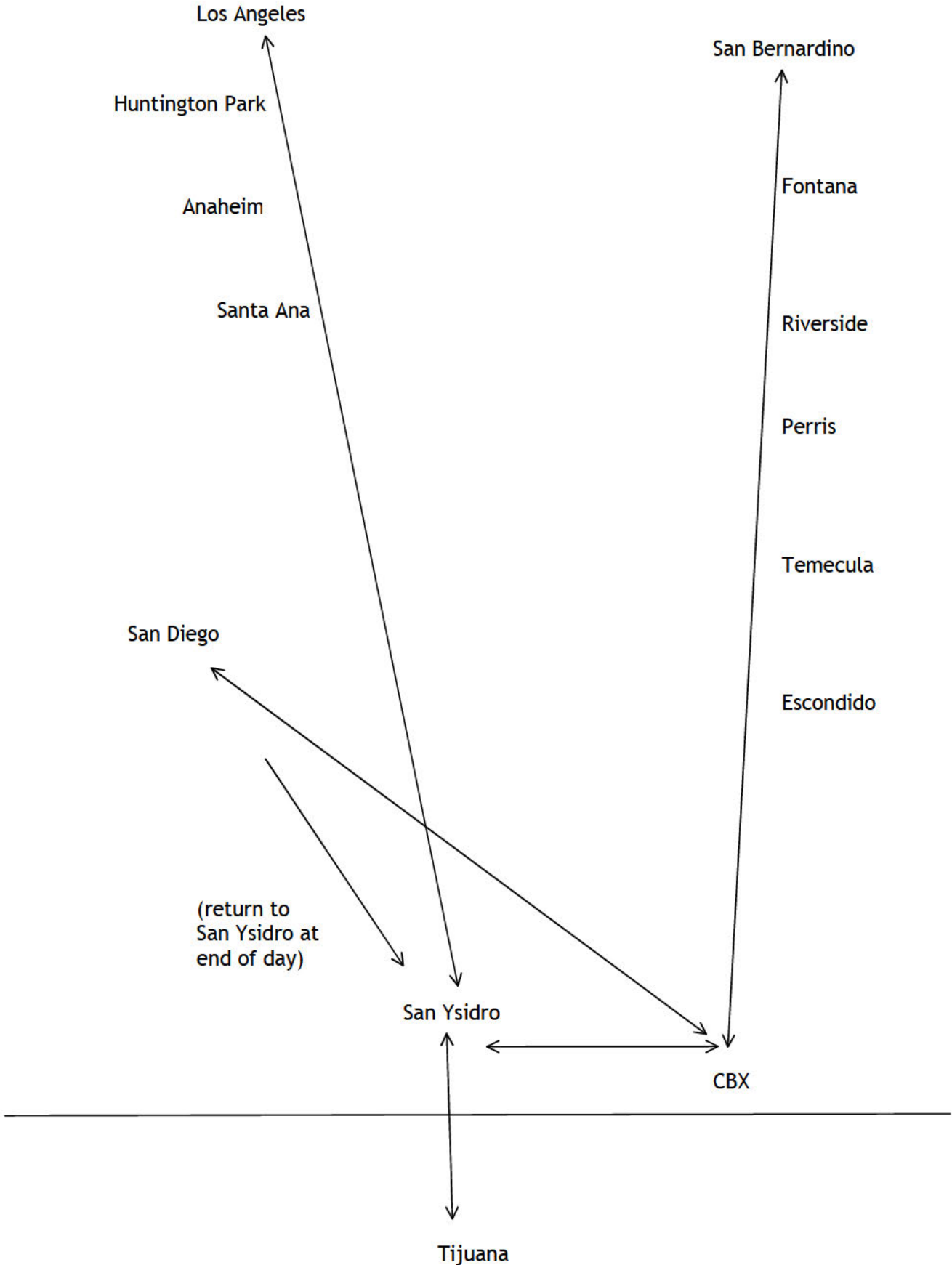
Service	Origin	Destination	Time	Trip
Mexicoach	CBX	San Ysidro	8:30	CBX - San Ysidro
Mexicoach	San Ysidro	CBX	9:00	San Ysidro - CBX
Mexicoach	CBX	San Ysidro	10:30	CBX - San Ysidro
Mexicoach	San Ysidro	CBX	11:00	San Ysidro - CBX
Mexicoach	CBX	San Ysidro	12:30	CBX - San Ysidro
Mexicoach	San Ysidro	CBX	13:00	San Ysidro - CBX
Mexicoach	CBX	San Ysidro	14:30	CBX - San Ysidro
Mexicoach	San Ysidro	CBX	15:00	San Ysidro - CBX
Mexicoach	CBX	San Ysidro	16:30	CBX - San Ysidro
Mexicoach	San Ysidro	CBX	17:00	San Ysidro - CBX
Mexicoach	CBX	San Ysidro	18:30	CBX - San Ysidro

Service	Origin	Destination	Time	Trip
Mexicoach	CBX	San Diego	9:30	CBX - San Diego Downtown
Mexicoach	San Diego	CBX	10:00	San Diego Downtown - CBX
Mexicoach	CBX	San Diego	11:30	CBX - San Diego Downtown
Mexicoach	San Diego	CBX	12:00	San Diego Downtown - CBX
Mexicoach	CBX	San Diego	13:30	CBX - San Diego Downtown
Mexicoach	San Diego	CBX	14:00	San Diego Downtown - CBX
Mexicoach	CBX	San Diego	15:30	CBX - San Diego Downtown
Mexicoach	San Diego	CBX	16:00	San Diego Downtown - CBX
Mexicoach	CBX	San Diego	17:30	CBX - San Diego Downtown
Mexicoach	San Diego	CBX	18:00	San Diego Downtown - CBX
Mexicoach	CBX	San Diego	19:30	CBX - San Diego Downtown - San Ysidro

Service	Origin	Destination	Time	Trip
Mexicoach	CBX	Fontana	10:30	CBX - Escondido - Temecula - Perris - Riverside - Fontana - San Bernardino
Mexicoach	Fontana	CBX	10:00	San Bernardino - Fontana - Riverside - Perris - Temecula - Escondido - CBX
Mexicoach	CBX	Fontana	16:30	CBX - Escondido - Temecula - Perris - Riverside - Fontana - San Bernardino
Mexicoach	Fontana	CBX	12:00	San Bernardino - Fontana - Riverside - Perris - Temecula - Escondido - CBX

Addresses

City	Address
CBX Cross Broder Xpress	2745 Otay Pacific Dr, San Diego, CA 92154, United States
Escondido	700 W Valley Pkwy, Escondido, CA 92025
Fontana	16803 Valley Blvd, Fontana, CA 92335, United States
Huntington Park	2521 E Florence Ave k9, Huntington Park, CA 90255, United States
Los Angeles	260 E 6th St, Los Angeles, CA 90014, United States
Perris	500 E 4th St, Perris, CA 92570
Riverside	3659 Central Ave. Riverside, CA 92506
San Bernardino	3303, 620 W Mill St A, San Bernardino, CA 92410, United States
San Ysidro Transit Center	725 E San Ysidro Blvd, San Diego, CA 92173, United States
Santa Ana	1000 E Santa Ana Blvd, Santa Ana, CA 92701, United States
San Diego	1065 Kettner Blvd, San Diego, CA 92101, USA
Temecula	28266 Old Town Front St., Temecula, CA 92590
Tijuana "SIIT" Puerta Mexico Station	Rampa Xicoténcatl 229, Cuauhtemoc, 22400 Tijuana, B.C.
Tijuana Bus Station	Central Camionera, Chapultepec Alamar, 22110 Tijuana, B.C.
Tijuana International Airport	Aeropuerto S/N, Nueva Tijuana, 22435 Tijuana, B.C.



ATTACHMENT 4



STOP 10 (Barstow)	2856 Lendwood Rd, Barstow, CA 92311	\$70.00	CBX - LA - LAS	LAS - LA - CBX	17:55	15:40
STOP 11 (Las Vegas)	1100 S Main St, Las Vegas, NV 89104	\$84.00	CBX - LA - LAS	LAS - LA - CBX	20:25	13:00



Mexicoach



EL MONTE

SAN YSIDRO

SAN DIEGO

Location	Address	Price	NB Schedule	SB Schedule	NB Times	SB Times
CROSS BORDER XPRESS	2745 OTAY PACIFIC DRIVE SAN DIEGO, CA 92154	-	-	-	10:30, 16:30	20:20, 0:40
STOP 1 (Escondido)	700 W Valley Pkwy, Escondido, CA 92025	\$43.00	CBX - ELM	ELM - CBX	11:30, 17:30	19:20, 23:40
STOP 2 (Temecula)	28266 Old Town Front St, Temecula, CA 92590	\$43.00	CBX - ELM	ELM - CBX	12:00, 18:00	18:50, 23:10
STOP 3 (Perris)	500 E 4th St, Perris, CA 92570	\$43.00	CBX - ELM	ELM - CBX	12:30, 18:30	18:20, 22:40
STOP 4 (Riverside)	3659 Central Ave, Riverside, CA 92506	\$43.00	CBX - ELM	ELM - CBX	13:00, 19:00	17:20, 22:20
STOP 5 (San Bernardino)	620 W Mill St Suite A, San Bernardino, CA 92410	\$43.00	CBX - ELM	ELM - CBX	13:15, 19:15	16:50, 21:50
STOP 6 (Fontana)	16803 Valley Blvd, Fontana, CA 92335	\$43.00	CBX - ELM	ELM - CBX	13:30, 19:30	16:30, 21:30
STOP 7 (Ontario)	2000 E Convention Center Way, Ontario, CA 91764	\$43.00	CBX - ELM	ELM - CBX	13:50, 19:50	16:00, 21:00
STOP 8 (El Monte)	11850 Valley Blvd #306, El Monte, CA 91732	\$43.00	CBX - ELM	ELM - CBX	14:20, 20:20	15:00, 20:30





STOP 10 (Barstow)	2856 Lendwood Rd, Barstow, CA 92311	\$70.00	CBX - LA - LAS	LAS - LA - CBX	17:55	15:40
STOP 11 (Las Vegas)	1100 S Main St, Las Vegas, NV 89104	\$84.00	CBX - LA - LAS	LAS - LA - CBX	20:25	13:00



Mexicoach



EL MONTE

SAN YSIDRO

SAN DIEGO

Location	Address	Price	NB Schedule	SB Schedule	NB Times	SB Times
CROSS BORDER XPRESS	2745 OTAY PACIFIC DRIVE SAN DIEGO, CA 92154	-	-	-	8:00, 10:00, 12:00, 14:00, 16:00, 18:00, 20:00	9:00, 11:00, 13:00, 15:00, 17:00, 19:00, 21:00
STOP 1 (Las Americas)	4211 Camino De La Plaza, San Diego, CA 92173	\$9.00	CBX - SY	SY - CBX	8:15, 10:15, 12:15, 14:15, 16:15, 18:15, 20:15	8:15, 10:15, 12:15, 14:15, 16:15, 18:15, 20:15
STOP 2 (San Ysidro)	725 E San Ysidro Blvd, San Diego, CA 92173	\$9.00	CBX - SY	SY - CBX	8:30, 10:30, 12:30, 14:30, 16:30, 18:30, 20:30	8:30, 10:30, 12:30, 14:30, 16:30, 18:30, 20:30



STOP 10 (Barstow)	2856 Lendwood Rd, Barstow, CA 92311	\$70.00	CBX - LA - LAS	LAS - LA - CBX	17:55	15:40
STOP 11 (Las Vegas)	1100 S Main St, Las Vegas, NV 89104	\$84.00	CBX - LA - LAS	LAS - LA - CBX	20:25	13:00



Mexicoach

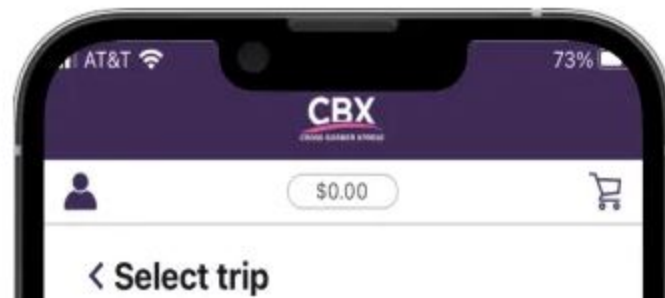


EL MONTE

SAN YSIDRO

SAN DIEGO

Location	Address	Price	NB Schedule	SB Schedule	NB Times	SB Times
CROSS BORDER XPRESS	2745 OTAY PACIFIC DRIVE SAN DIEGO, CA 92154	-	-	-	8:30, 10:30, 12:30, 14:30, 16:30, 18:30, 20:30	9:55, 11:55, 13:55, 15:55, 17:55, 19:55, 21:55
STOP 1 (SAN T1)	3225 N Harbor Dr, San Diego, CA 92101	\$14.00	CBX - SAN	SAN - CBX	9:05, 10:05, 13:05, 15:05, 17:05, 19:05, 21:05	9:05, 11:05, 13:05, 15:05, 17:05, 19:05, 21:05
STOP 2 (Santa Fe Depot)	1050 Kettner Blvd, San Diego, CA 92101	\$14.00	CBX - SAN	SAN - CBX	9:20, 11:15, 14:15, 16:15, 18:15, 20:15, 21:20	9:20, 11:20, 13:20, 15:20, 17:20, 19:20, 21:20



Streamline your trip with the Cross Border Xpress App

Buy your tickets, reserve your parking and more from your cell phone.

ATTACHMENT 5

ATTACHMENT 6

	Interstate	Intrastate	Total
Revenue			
Ticket Sales			

ATTACHMENT 7



La forma más inteligente de viajar sin fronteras,
CBX Y MEXICOACH



📍 From

📍 To

📅 2023-11-09

👤 1



🔍 Search



One way



Round trip

Welcome to Mexicoach.
safe, affordable cross border travel & more.

Your fun has never been so easy

JUST FOLLOW 3 STEPS



1. Search your destination

2. Choose your seat

3. Payment method



📞 Phone:
619.354.3654



Email:

info@mexicoach.com

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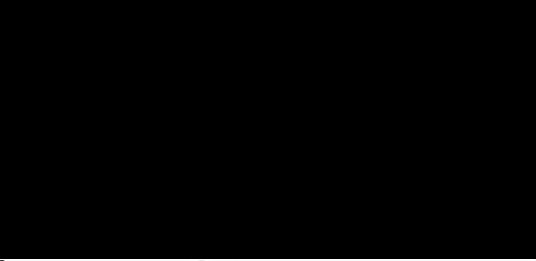
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ATTACHMENT 8

MEXICOACH

Mexicoach Waybill

Mexicoach, Inc.



Date of Travel:

15-nov-23

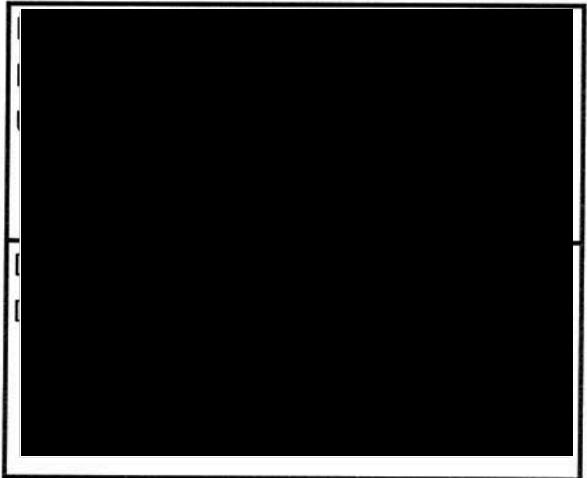
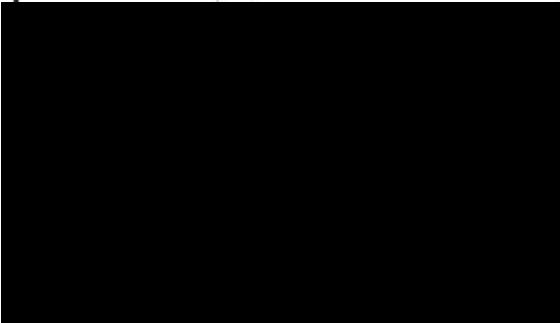
CPUC TCP 652-P

DOT 012660

MC 139343

CA 16245

Passenger Name (1 name only):



Time and Date of Booking:

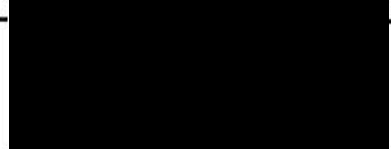
05:00 A.M. 11/14/23

Additional Information for LAX

Airline:

Which Terminal?

Charges:



MEXICOACH

Mexicoach Waybill	
Mexicoach, Inc. [REDACTED]	Date of Travel: 07-dic-23
	CPUC TCP 652-P DOT 012660 MC 139343 CA 16245

Passenger Name (1 name only): [REDACTED]
Number of Persons in Group: [REDACTED]
Booked by Telephone or Contract? [REDACTED]
Time and Date of Booking: 05:00 A.M. 12/05/23

[REDACTED]

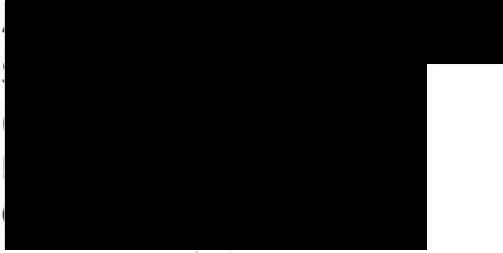
Additional Information for LAX Airline: Which Terminal?

Charges: [REDACTED]

MEXICOACH

Mexicoach Waybill

Mexicoach, Inc.



Date of Travel:

11-dic-23

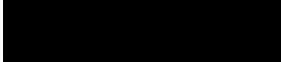
CPUC TCP 652-P

DOT 012660

MC 139343

CA 16245

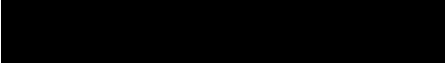
Passenger Name (1 name only):



Number of Persons in Group:



Booked by Telephone or Contract?



Time and Date of Booking:

05:00 A.M. 12/05/23



Additional Information for LAX


Airline:

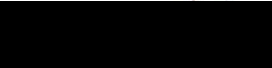


Which Terminal?

Charges:



MEXICOACH

Mexicoach Waybill	
Mexicoach, Inc. 	Date of Travel: 10-dic-23
	CPUC TCP 652-P DOT 012660 MC 139343 CA 16245

Passenger Name (1 name only): 
Number of Persons in Group: 
Booked by Telephone or Contract? 
Time and Date of Booking: 05:00 A.M. 12/05/23



Additional Information for LAX Airline: Which Terminal?

Charges: 
--

MEXICOACH

Mexicoach Waybill	
Mexicoach, Inc. [REDACTED]	Date of Travel: 12-dic-23
	CPUC TCP 652-P DOT 012660 MC 139343 CA 16245

Passenger Name (1 name only): [REDACTED]
Number of Persons in Group: 42
Booked by Telephone or Contract? [REDACTED]
Time and Date of Booking: 05:00 A.M. 12/05/23

Pick Up: [REDACTED]
Destination: [REDACTED]

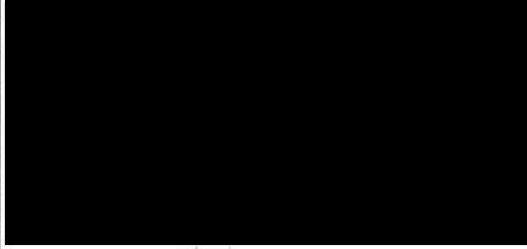
Additional Information for LAX Airline: Which Terminal?

Charges: [REDACTED]

MEXICOACH

Mexicoach Waybill

Mexicoach, Inc.



Date of Travel:

18-dic-24

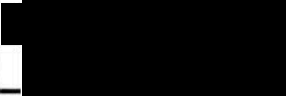
CPUC TCP 652-P

DOT 012660

MC 139343

CA 16245

Passenger Name (1 name only):



Number of Persons in Group:



Booked by Telephone or Contract?

+1 [Redacted]

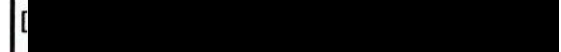
Time and Date of Booking:

05:00 A.M. 12/12/23

Pick Up:



Destination



Additional Information for LAX

Airline:

Which Terminal?

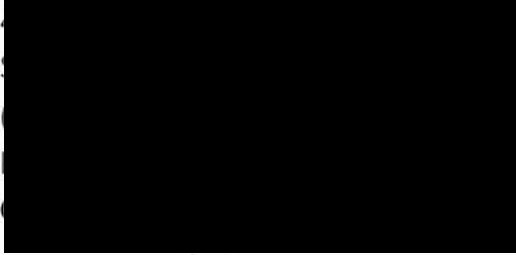
Charges:



MEXICOACH

Mexicoach Waybill

Mexicoach, Inc.



Date of Travel:

17-dic-24

CPUC TCP 652-P

DOT 012660

MC 139343

CA 16245

Passenger Name (1 name only):



Number of Persons in Group:



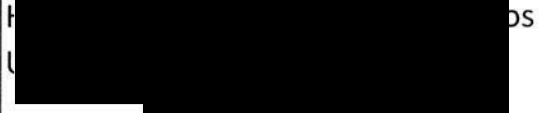
Booked by Telephone or Contract?

+1

Time and Date of Booking:

05:00 A.M. 12/12/23

Pick Up:



Destination:



Additional Information for LAX

Airline:

Which Terminal?

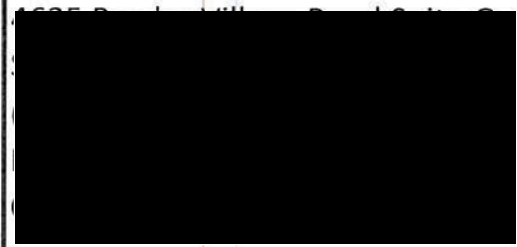
Charges:



MEXICOACH

Mexicoach Waybill

Mexicoach, Inc.



Date of Travel:

16-dic-24

CPUC TCP 652-P

DOT 012660

MC 139343

CA 16245

Passenger Name (1 name only):



Number of Persons in Group:



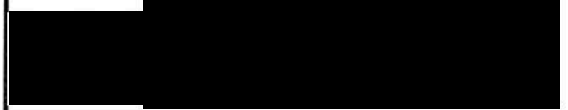
Booked by Telephone or Contract?



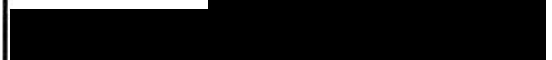
Time and Date of Booking:



Pick Up:



Destination:



Additional Information for LAX

Airline:

Which Terminal?

Charges:



MEXICOACH

Mexicoach Waybill	
Mexicoach, Inc. [REDACTED]	Date of Travel: 15-dic-24
	CPUC TCP 652-P DOT 012660 MC 139343 CA 16245

Passenger Name (1 name only): [REDACTED]
Number of Persons in Group: [REDACTED]
Booked by Telephone or Contract? [REDACTED]
Time and Date of Booking: 05:00 A.M. 12/12/23

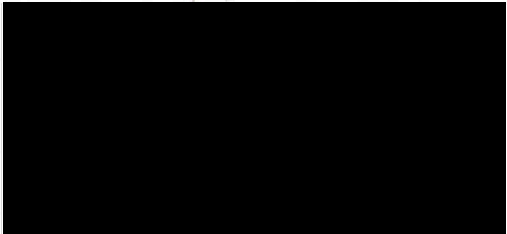
[REDACTED]
Destination: 2010 E. P... Blvd. S... [REDACTED]



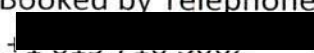

Additional Information for LAX Airline: Which Terminal?

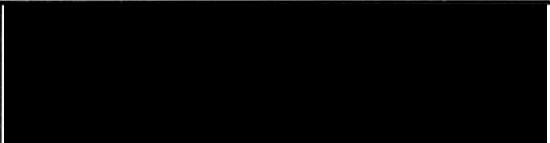

Charges: [REDACTED]

MEXICOACH

Mexicoach Waybill

Mexicoach, Inc. 	Date of Travel: 14-dic-24
	CPUC TCP 652-P DOT 012660 MC 139343 CA 16245

Passenger Name (1 name only): 
Number of Persons in Group: 
Booked by Telephone or Contract?  +1 619 710 3002
Time and Date of Booking:  12/19/23


Destination:  n

Additional Information for LAX Airline: Which Terminal?

Charges: 
--

MEXICOACH

Mexicoach Waybill

Mexicoach, Inc. [REDACTED] Mexicoach.com [REDACTED]	Date of Travel: 13-dic-24 CPUC TCP 652-P DOT 012660 MC 139343 CA 16245
--	---

Passenger Name (1 name only): [REDACTED]
Number of Persons in Group: [REDACTED]
Booked by Telephone or Contract? [REDACTED]
Time and Date of Booking: 05:00 A.M. 12/12/23

Pick Up: 2 [REDACTED] [REDACTED] [REDACTED]
Destination: [REDACTED] [REDACTED]

Additional Information for LAX Airline: Which Terminal?

Charges: \$ [REDACTED]

ATTACHMENT 9

**TRANSPORTATION ENFORCEMENT BRANCH
Field Operation After Action Report**

Operation Name:	Cross Border Xpress Terminal (CBX) Joint Operation	Date of Report:	05.01.2024	
Operation Location:	San Diego			
Lead Investigator Name, Badge #:	[REDACTED]			
Vehicle(s) Used:	Rentals			
Personnel Title (Non-CPUC)	Name (First and Last)*	Title/Affiliation	Description of Participation & Approx. hours in the field	
[REDACTED]	[REDACTED]	[REDACTED]	TNC Observation & 4 Hours	
[REDACTED]	[REDACTED]	[REDACTED]	TNC Observation & 4 Hours	
[REDACTED]	[REDACTED]	[REDACTED]	TNC Observation & 4 Hours	
[REDACTED]	[REDACTED]	[REDACTED]	TNC Observation & 2 Hours	
CPUC Personnel Title	Name	Date (One Date Per Row)	Time Starting Operation**	Time Ending Operation**
Supervisor	[REDACTED]	05.01.2024	[REDACTED]	[REDACTED]
Lead Enforcement Analyst	[REDACTED]	05.01.2024	[REDACTED]	[REDACTED]
Enforcement Analyst	[REDACTED]	05.01.2024	[REDACTED]	[REDACTED]
Enforcement Analyst	[REDACTED]	05.01.2024	[REDACTED]	[REDACTED]
Enforcement Analyst	[REDACTED]	05.01.2024	[REDACTED]	[REDACTED]
* Contact information for external participants is listed on the pre-operation report				
** Do not include travel time				

OPERATION SUMMARY							
If Joint Operation (list external agencies)		CBX					
Operation Mode (Foot, Vehicle, On-Site):		Foot		Operation Location:		San Diego	
TCP # of Carrier Observations:				TCP # of Probable Violations:			
PSC # of Carrier Observations:				PSC # of Probable Violations:			
TNC # of Carrier Observations:				TNC # of Probable Violations:			
Prob. Viols. Issued External Authorities:				# Impounds			
# Citations Issued in Field: (future ref)				# C&D's Issued in the Field:			
OPERATION DETAIL – Probable Violations (as verified in TCP Portal)							
Obs. #	TNC/ TCP/ PSC #	Plate # and VIN And If Listed (Y or N)	Carrier Name, Driver Name, DL# & Class	List Violations (include all TNC Prob. Viols. also)	C&D	RWC	Impound
Refer to MS Form Spreadsheet titled "05.01.24 CBX Joint Operation Vehicles Observed" attached.							

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

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.

On Wednesday, May 1, 2024, the Airport Enforcement Unit (AEU) conducted an operation at CBX. The focus of the operation was to observe TCP carriers and TNC drivers operating at CBX. During the operation, we observed █ TCPs with █ probable violations and █ TNCs with █ probable violations. The TCP probable violations are for vehicle not on equipment list, no waybill, and no TCP number displayed, while the TNC probable violations are for either not displaying or displaying outdated trade dress.

█ Notice to Cease and Desist and █ Observation Reports were written by AEU staff.

Below are positive and negative feedback on the operation:

(Positive)

- Weather was a cool temperature throughout the operation.
- TNC Drivers thanked us for doing our compliance check of vehicles, to negate illegal operation from occurring.
- All TNC trade dress violations were photographed and addressed directly with the driver.
- LAZ Parking personnel were quick to pick up on what to observe and assisted with taking photos.

(Negative)

- Operation was held on a low traffic day and not within a peak time.
- A few confrontational drivers were observed, but AEU staff were able to de-escalate the situations.

(Future Events)

- █
- █

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	Pre-operation Report
2	Photos
3	█
█	█

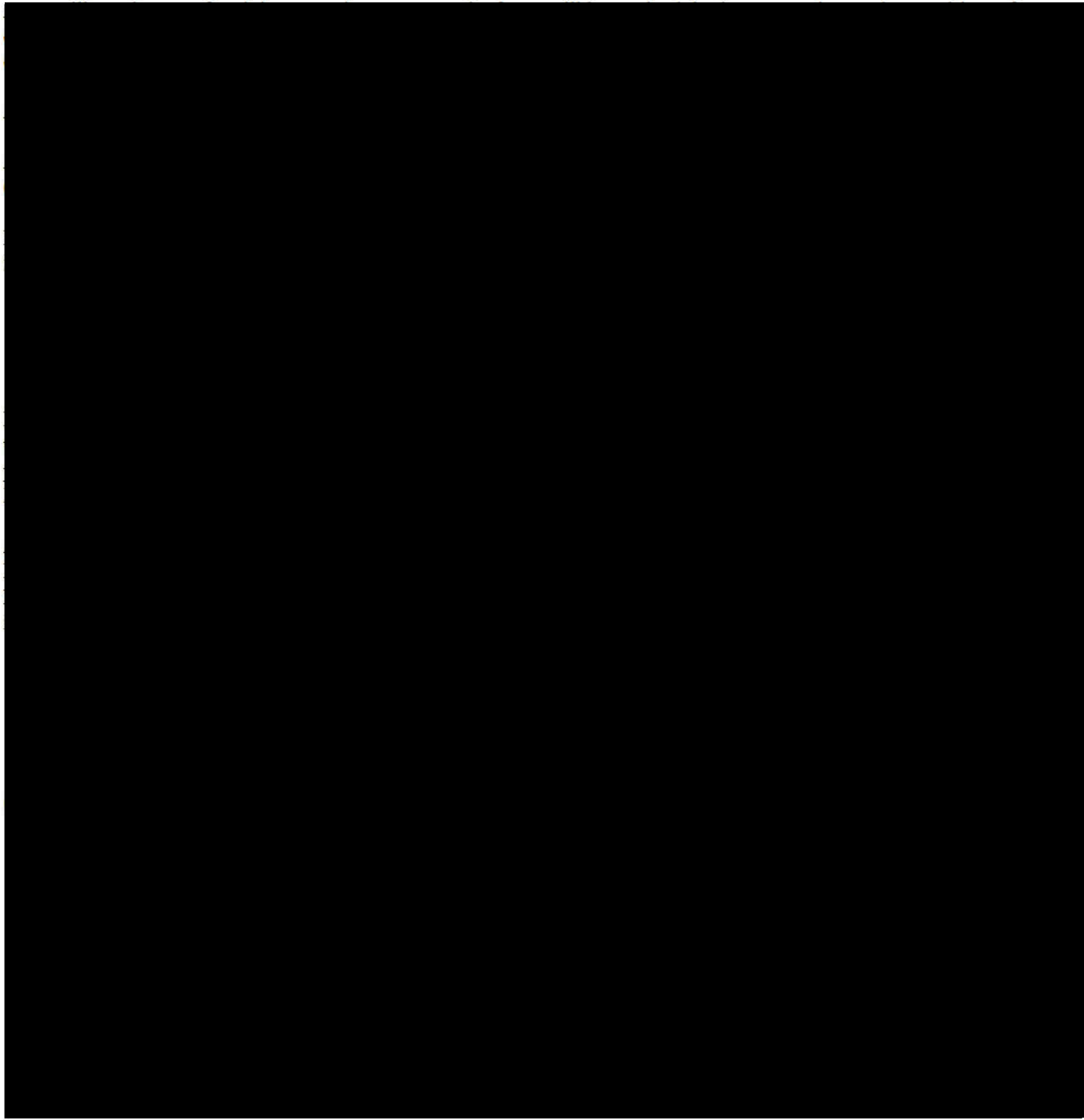
**TRANSPORTATION ENFORCEMENT BRANCH
FIELD OPERATION PLAN**

OPERATION NAME	Cross Border Xpress Terminal (CBX) Joint Operation Plan		DATE OF OPERATION	05/01/2024	
ADDRESS	[REDACTED]				
OPERATION TYPE	Passenger Carrier Operation				
SUBJECT(S)	Transportation Charter Party Carriers (TCPs) & Transportation Network Carriers (TNCs)				
PHOTOS	iPad or Cell Phone		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
VEHICLE(S)	Rentals				
PERSONNEL (NON-CPUC) TITLE	NAME	ID #	UNIT	PHONE #	
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]		[REDACTED]	[REDACTED]	
PERSONNEL CPUC TITLE	NAME	ID #	UNIT	ASSIGNMENT / CELL # / ON OR OFF-SITE	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
COMMUNICATION TYPE (CELL/RADIO)	Cell Phones		EMERGENCY CONTACT	911	
CRITICAL STAGING LOCATION	Curbside, Rideshare Queuing, and Rideshare Pick-up/Drop-off				
NEAREST HOSPITAL	Kaiser Permanente Otay Mesa – 4650 Palm Avenue, San Diego, CA 92154			(310) 823 - 8911	
CHECK OFF LIST	Cell/Radio	X	Laptop		Printer
					Violation Forms
					X
					iPad
					X
DIAGRAM AND DESCRIPTION ON BACK SIDE OF THIS FORM					
MANAGEMENT APPROVAL (PRIOR TO OPERATION)	[REDACTED]			DATE:	04/26/2024

DESCRIPTION OF AREA AND DESCRIPTION OF OPERATION:

START TIME OF OPERATION: [REDACTED] END TIME OF OPERATION: [REDACTED]
*****(Operation start or end time is subject to change)*****

Description:



What Operation	Carrier	Carrier Type	Authority Status	TCP/PSC Number	Carrier Name (DBA)	Workers Comp	TCP Number Displayed	Equipment Verified in TCP Portal	PL&PD	Waybill	Select All Actions Performed During the Field Operation	Vehicle Make and Model	VIN (Last 5 digits)	License Plate	Driver's License	Driver's Name	Driver's Phone Number	Driver's Address	Registered Owner	Relationship with Carrier	Notes	Picture
05-01-2024 - Cross Border Xpress Terminal Joint Operation	TCP/PSC	TCP	Active		Mexicoach Inc.	Yes	No	Yes	Yes	Yes	Inspection Observation Report.	Ford							Mexicoach	Employee		Yes
05-01-2024 - Cross Border Xpress Terminal Joint Operation	TCP/PSC	TCP	Active		Mexicoach Inc.	Yes	Yes	Yes	Yes	No	Inspection Observation Report.	Ford XLT							Mexicoach Inc.	Employee		Yes
05-01-2024 - Cross Border Xpress Terminal Joint Operation	TCP/PSC	TCP	Active		Mexicoach Inc.	Yes	Yes	No	Yes	No	Inspection Observation Report.	GMC							Mexicoach Inc.	Employee		Yes
05-01-2024 - Cross Border Xpress Terminal Joint Operation	TCP/PSC	TCP	Active		Mexicoach	Yes	No	No	Yes		Inspection Observation Report.								Mexicoach Inc.	Employee		Yes

**CALIFORNIA PUBLIC UTILITIES COMMISSION
INSPECTION OBSERVATION REPORT**

Location: Airport/Other: CBX (Circle one) PSC/TCP/TNC: 36804 Investigator: [Redacted] Date: 5/1/24

Prime Carrier: MexiCoach Inc. Phone#: [Redacted]
Address: [Redacted] City: [Redacted] Zip: [Redacted]

Driver: [Redacted] CDL#: [Redacted] State: [Redacted] Class: [Redacted]

Address: [Redacted] City: [Redacted] Zip: [Redacted]

Phone: [Redacted] Years w/company: 1.2 mo Prime Carrier: _____

Relationship with Carrier: Owner/Employee/ Sub-carrier/ Other: _____
(Circle one)

Comments: _____

License Plate #: [Redacted]

Registered Owner: MexiCoach Inc Leased/Owned
(Circle one)

Address: Same as above

City: _____ Zip: _____ Phone: _____

Violation(s):

- Vehicle:**
- TCP # Not shown on rear/front bumper
 - Vehicle not listed with PUC
 - No Trade Dress
 - Front
 - Rear
 - PSC/TCP # not on side of vehicle*
 - Carrier's name not on side of vehicle*
- *Exempt for vehicles < 15 passengers incl. driver or leased < 30 days
- Waybill:**
- No waybill
 - Carrier Name /TCP#
 - Vehicle License Plate #
 - Driver's Name
 - Time/Date Charter arranged
 - Origin/Destination
 - No. of person in group
 - Name/address of persons arranging charter
 - Transportation arranged by phone or written contract
 - Name of at least 1 passenger in traveling party or identification of traveling party's affiliation
- TNC OPS:**
- No Trade Dress
 - Front
 - Rear
 - Profile Non-Match
 - Lack Proof of Prearranged Ride
 - Non-State CDL
 - No Airport Permit

Violation(s): Yes, as noted above and in comments below No Violation

Law Enforcement Citation No.: N/A

Comments: _____

[Redacted Signature]
Signature and Title

Note: Failure to take corrective action may result in enforcement action including imposition of fines

CALIFORNIA PUBLIC UTILITIES COMMISSION
INSPECTION OBSERVATION REPORT

Location: Airport/Other: CBX (Circle one) PSC/TCP/TNC: _____ Investigator: _____ Date: 5/1/24
Prime Carrier: Mexicoach Inc Phone# _____
Address: _____ City: _____ Zip: 92473
Driver: _____ CDL#: _____ State: _____ Class: _____
Address: _____ City: _____ Zip: _____
Phone: _____ Years w/company: _____ Prime Carrier: _____
Relationship with Carrier: Owner/ (Circle one) Employee/ Sub-carrier/ Other: _____
Comments: _____

License Plate #: _____ VIN #: _____ Registration Exp.: _____ Seats: _____
Registered Owner: Same as above Leased/Owned (Circle one)
Address: _____
City: _____ Zip: _____ Phone: _____

- Violation(s):
- Vehicle:
- TCP # Not shown on rear/front bumper
 - Vehicle not listed with PUC
 - No Trade Dress
 - Front
 - Rear
 - PSC/TCP # not on side of vehicle*
 - Carrier's name not on side of vehicle*
- *Exempt for vehicles < 15 passengers incl. driver or leased < 30 days
- Waybill:
- No waybill
 - Driver's Name
 - No. of person in group
 - Transportation arranged by phone or written contract
 - Name of at least 1 passenger in traveling party or identification of traveling party's affiliation
 - Carrier Name /TCP#
 - Time/Date Charter arranged
 - Name/address of persons arranging charter
 - Vehicle License Plate #
 - Origin/Destination
- TNC OPS:
- No Trade Dress
 - Front
 - Rear
 - Profile Non-Match
 - Lack Proof of Prearranged Ride
 - Non-State CDL
 - No Airport Permit

Violation(s): Yes, as noted above and in comments below No Violation
Law Enforcement Citation No.: N/A
Comments: _____

Note: Failure to take corrective action may result in enforcement action including imposition of fines

**CALIFORNIA PUBLIC UTILITIES COMMISSION
INSPECTION OBSERVATION REPORT**

Date: 5/1/24

Location: Airport/Other: CBX PSC/TCP/TNC: 36804 Investigator: [Redacted]

Prime Carrier: Mexicoach Inc Phone#: [Redacted]
Address: [Redacted] City: [Redacted] Zip: [Redacted]

Driver: [Redacted] CDL#: [Redacted] State: [Redacted] Class: [Redacted]
Address: [Redacted] City: [Redacted] Zip: [Redacted]

Phone: [Redacted] Years w/company: 1yr Prime Carrier: _____

Relationship with Carrier: Owner/ Employee / Sub-carrier/ Other: _____
(Circle one)

Comments: _____

License Plate #: [Redacted]

Registered Owner: Same as above Leased/Owned
(Circle one)

Address: _____

City: _____ Zip: _____ Phone: _____

Violation(s):

- Vehicle:**
- TCP # Not shown on rear/front bumper
 - Vehicle not listed with PUC
 - No Trade Dress
 - Front
 - Rear
 - PSC/TCP # not on side of vehicle*
 - Carrier's name not on side of vehicle*
- *Exempt for vehicles < 15 passengers incl. driver or leased < 30 days
- Waybill:**
- No waybill
 - Carrier Name /TCP#
 - Vehicle License Plate #
 - Driver's Name
 - Time/Date Charter arranged
 - Origin/Destination
 - No. of person in group
 - Name/address of persons arranging charter
 - Transportation arranged by phone or written contract
 - Name of at least 1 passenger in traveling party or identification of traveling party's affiliation
- TNC OPS:**
- No Trade Dress
 - Front
 - Rear
 - Profile Non-Match
 - Lack Proof of Prearranged Ride
 - Non-State CDL
 - No Airport Permit

Violation(s): Yes, as noted above and in comments below No Violation

Law Enforcement Citation No.: N/A

Comments: [Redacted]

Signature and Title

Note: Failure to take corrective action may result in enforcement action including imposition of fines

CALIFORNIA PUBLIC UTILITIES COMMISSION
INSPECTION OBSERVATION REPORT

Date: 9/2/24

Location: Airport/Other: CBX PSC/TCP/TNC: 36804 Investigator: [Redacted]

Prime Carrier: Mexicoach Inc Phone#: [Redacted]
Address: [Redacted] City: [Redacted] Zip: [Redacted]

Driver: [Redacted] CDL#: [Redacted] State: [Redacted] Class: [Redacted]

Address: [Redacted] City: [Redacted] Zip: [Redacted]

Phone: [Redacted] Years w/company: 2yrs Prime Carrier: _____

Relationship with Carrier: Owner/Employee/Sub-carrier/Other: _____
(Circle one)

Comments: _____

License Plate #: [Redacted] Registration Exp.: _____ Seats: [Redacted]

Registered Owner: Mexicoach Inc Leased/Owned
(Circle one)

Address: Same as above

City: _____ Zip: _____ Phone: _____

Violation(s):

- Vehicle:
- TCP # Not shown on rear/front bumper
 - Vehicle not listed with PUC
 - No Trade Dress
 - Front
 - Rear
 - PSC/TCP # not on side of vehicle*
 - Carrier's name not on side of vehicle*
- *Exempt for vehicles < 15 passengers incl. driver or leased < 30 days
- Waybill:
- No waybill
 - Driver's Name
 - No. of person in group
 - Transportation arranged by phone or written contract
 - Name of at least 1 passenger in traveling party or identification of traveling party's affiliation
 - Carrier Name /TCP#
 - Time/Date Charter arranged
 - Name/address of persons arranging charter
 - Vehicle License Plate #
 - Origin/Destination
- TNC OPS:
- No Trade Dress
 - Front
 - Rear
 - Profile Non-Match
 - Lack Proof of Prearranged Ride
 - Non-State CDL
 - No Airport Permit

Violation(s): Yes, as noted above and in comments below No Violation

Law Enforcement Citation No.: N/A

Comments: _____

[Redacted]

Note: Failure to take corrective action may result in enforcement action including imposition of fines

ATTACHMENT 10

From: [REDACTED]
To: [Li, Mingfeng](#)
Subject: FW: [EXTERNAL] RE: Request for Insurance Documentation - Mexicocoach, INC.
Date: Thursday, February 22, 2024 9:20:58 AM
Attachments: [image002.png](#)
[image003.png](#)

Attached is the Application and Policy (declaration included within, according to Heather).
Below is the list of drivers.

[REDACTED] on

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.

From: [REDACTED]
Sent: Thursday, February 15, 2024 8:41 AM
To: Li, Mingfeng <Mingfeng.Li@cpuc.ca.gov>
Cc: [REDACTED]
Subject: RE: [EXTERNAL] RE: Request for Insurance Documentation - Mexicocoach, INC.

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 Ming,

Attached is the information you requested including policy (declaration pages included within), application and driver list. Any driver with [REDACTED] next to name signifies deleted. Thank you.
Heather

-----[Pg 1 of 3]-o

POLICY #:	[REDACTED]	# Inforce Units:	[REDACTED]
INSURED :	[REDACTED] Mexicocoach, Inc.	# Inforce Drivers:	[REDACTED]
	Status		
Dri #	Short-Name	Pol Dri	DOB St License Dri-Id

[REDACTED]



From: Li, Mingfeng <Mingfeng.Li@cpuc.ca.gov>

Sent: Wednesday, February 14, 2024 4:39 PM

To: [REDACTED]

Cc: Lei, Shirley <shirley.lei@cpuc.ca.gov>; Esguerra, Steve <steve.esguerra@cpuc.ca.gov>

Subject: RE: [EXTERNAL] RE: Request for Insurance Documentation - Mexicoach, INC.

Hi [REDACTED],

Thank you for the swift response. Please request permission to release the policy, declaration page, applications for insurance and list of [REDACTED] drivers.

Thank you,

Ming Li – Public Utilities Regulatory Analyst I



Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
☎ (415) 696-7320 (ext 5-7320)
✉ Mingfeng.li@cpuc.ca.gov 🌐 www.cpuc.ca.gov

From: [REDACTED]
Sent: Wednesday, February 14, 2024 12:52 PM
To: Li, Mingfeng <Mingfeng.Li@cpuc.ca.gov>
Cc: [REDACTED]
Subject: [EXTERNAL] RE: Request for Insurance Documentation - Mexicocoach, INC.

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 afternoon Ming,

The policy is currently in effect [REDACTED] and in good standing. [REDACTED]
We've just received a request to bind the [REDACTED] renewal. I've included copy of current vehicle listing. There are currently [REDACTED] drivers listed. Loss runs for past [REDACTED] years attached. We do not typically receive requests from PUC for copies of applications, policy itself...if this is something you really require, I'll have to run past my legal department to see if I can release. Let me know. Thank you.

Heather

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Li, Mingfeng <Mingfeng.Li@cpuc.ca.gov>

Sent: Wednesday, February 14, 2024 2:21 PM

To: [REDACTED]

Cc: Lei, Shirley <shirley.lei@cpuc.ca.gov>; Esguerra, Steve <steve.esguerra@cpuc.ca.gov>

Subject: Request for Insurance Documentation - Mexicoach, INC.

Hi,

My name is Ming Li, and I am an Investigation Analyst at the California Public Utilities Commission. I am reaching out to request essential documentation related to the insurance coverage of Mexicoach, INC. PL/PD Policy: [REDACTED]

Could you please provide me with a comprehensive set of documents including:

1. Insurance application and declaration page reflecting effective dates.
2. A complete list of all drivers and vehicles covered.
3. Details regarding liability limits.
4. The Insurance Policy itself.
5. Loss Run documentation.
6. Any other pertinent information related to the policy.

Moreover, I am interested in understanding the current status of the policy. Specifically:

1. Is the policy currently in force?
2. How are the vehicles covered under the policy?
3. Could you provide information on the number of employees listed under the policy?

Your prompt attention to this matter would be greatly appreciated. Please feel free to reach out if you require any additional information or clarification.

Thank you for your cooperation, and I look forward to receiving the requested documentation 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
☎ (415) 696-7320 (ext 5-7320)
✉ Mingfeng.li@cpuc.ca.gov 🌐 www.cpuc.ca.gov



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ATTACHMENT 11

From: [REDACTED]
To: Li, Mingfeng
Cc: [REDACTED]
Subject: [EXTERNAL] RE: Information Request: MEXICOACH INC. TCP-36804 (Policy Period 2-14-24 thru 2-14-25)
Date: Wednesday, February 14, 2024 2:59:22 PM
Sensitivity: Confidential

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.

Data Classification: Confidential

Good Afternoon Ming Feng LI:

I have researched and am also carbon-copying your PUC colleague Steve Esguerra in this correspondence.

1. The subject-named employer has an **active inforce policy** with [REDACTED] the 2024 policy [REDACTED]
2. This policyholder - ER is reporting a [REDACTED] e [REDACTED]
3. There are six [REDACTED] employees at this time = [REDACTED] full time and [REDACTED] part time.

One small modification, as **highlighted** below - this company is a **CORPORATION** (abbreviated as INC). They are not set up as a Limited Liability Company (LLC) as you have typed it below.

I hope this information is helpful to the PUC.

Regards,

[REDACTED]
[REDACTED]
[REDACTED]

From: Li, Mingfeng <Mingfeng.Li@cpuc.ca.gov>
Sent: Wednesday, February 14, 2024 1:46 PM
To: [REDACTED]
Cc: Lei, Shirley <shirley.lei@cpuc.ca.gov>; Esguerra, Steve <steve.esguerra@cpuc.ca.gov>
Subject: Information Request: Mexicoach **LLC** TCP-36804

[CAUTION] -

Hi [REDACTED],

My name is Ming Li, and I am a Regulatory Analyst at the California Public Utilities Commission. I am reaching out to request essential documentation related to the workers compensation insurance coverage for Mexicoach, **INC.**

- Is State Fund policy [REDACTED] currently active/in force?

How many employees and how much payroll are Mexicoach **LLC** reporting to [REDACTED]?

Thank you.

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



California Public Utilities Commission

☎ (415) 696-7320 (ext 5-7320)

✉ Mingfeng.li@cpuc.ca.gov www.cpuc.ca.gov

This e-mail message from State Compensation Insurance Fund and all attachments transmitted with it may be privileged or confidential and protected from disclosure.

If you are not the intended recipient, you are hereby notified that any dissemination, distribution, copying, or taking any action based on it is strictly prohibited and may have legal consequences.

If you have received this e-mail in error, please notify the sender by reply e-mail and destroy the original message and all copies.

ATTACHMENT 12


Accounts (/lightning/o/Account/home) > MEXICOACH, INC. (/lightning/r/001t000000g84ZhAAI/view)
Assets

15 items • Sorted by Status • Updated a few seconds ago



<input type="checkbox"/>	Asset Name	Status	Seats (Incl...)	License Plate	VIN Number	Body Type
1	[REDACTED]	Active	33	[REDACTED]	[REDACTED]	Bus
2	[REDACTED]	Active	20	[REDACTED]	[REDACTED]	Bus
3	[REDACTED]	Active	29	[REDACTED]	[REDACTED]	Bus
4	[REDACTED]	Active	10	[REDACTED]	[REDACTED]	Standard
5	[REDACTED]	Active	29	[REDACTED]	[REDACTED]	Bus
6	[REDACTED]	Active	20	[REDACTED]	[REDACTED]	Bus
7	[REDACTED]	Active	10	[REDACTED]	[REDACTED]	Standard
8	[REDACTED]	Active	8	[REDACTED]	[REDACTED]	Standard
9	[REDACTED]	Active	8	[REDACTED]	[REDACTED]	Standard
10	[REDACTED]	Active	39	[REDACTED]	[REDACTED]	Bus
11	[REDACTED]	Active	43	[REDACTED]	[REDACTED]	Bus
12	[REDACTED]	Active	43	[REDACTED]	[REDACTED]	Bus
13	[REDACTED]	Active	24	[REDACTED]	[REDACTED]	Bus
14	[REDACTED]	Inactive	32	[REDACTED]	[REDACTED]	Bus
15	[REDACTED]	Inactive	56	[REDACTED]	[REDACTED]	Bus

 MEXICOACH, INC...

 Contacts (...)

 **Assets (/l...**

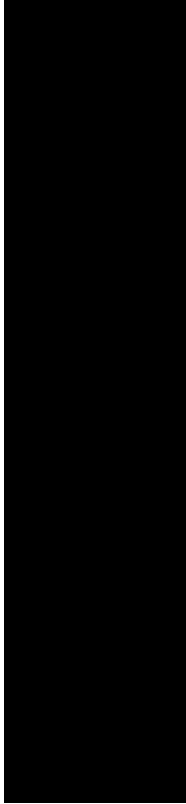
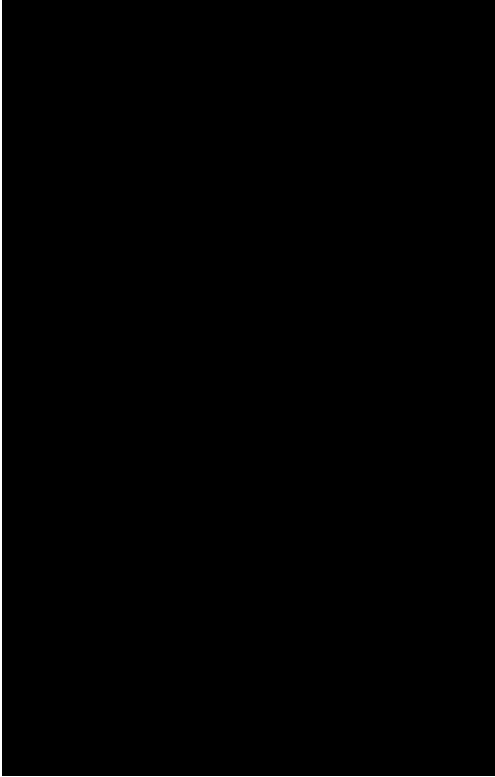
ATTACHMENT 13

Commercial Auto Current Vehicle Listing
 Product Group: B,L,PT,NS,DS
 Policy Number: BA169758#9, Include Deleted Units: N
 February 14, 2024

Vehicle #	Vehicle Eff Date	Vehicle Exp Date	Vehicle Year	Vehicle Make	Seating Capacity	Class Code	VIN	ID Card	Garage Loc	Garage Addr 1
1			2010	FORD				ACORD	1	
2			2010	FORD				ACORD	1	
3			2016	IRIZ				ACORD	1	
4			2012	FORD				ACORD	1	
5			2013	GLAV				ACORD	1	
6			2016	FORD				ACORD	1	
7			2018	FORD				ACORD	1	
8			2013	GLAV				ACORD	1	
9			2016	GLAV				ACORD	1	
10			2023	MEX				NA	1	
11			2018	FORD				ACORD	1	
12			2021	CHEV				ACORD	1	
13			2022	CHEV				ACORD	1	
14			2023	VOLV				ACORD	1	
15			2023	VOLV				ACORD	1	
17			2018	FORD				ACORD	1	
18			2018	FORD				ACORD	1	
19			2018	FORD				ACORD	1	
20			2023	FORD				ACORD	1	
21			2023	CHEV				ACORD	1	
22			2020	GMC				ACORD	1	
23			2022	TOYT				ACORD	1	
24			2022	TOYT				ACORD	1	
25			2022	TOYT				ACORD	1	
26			2022	TOYT				ACORD	1	
27			2022	TOYT				ACORD	1	

Garage Garage

Value



ATTACHMENT 14



SUBURBAN

PREMIER

APR California 2024

TCP 0036804



TCP 0036804

AVALON

XLE

CHEVROLET

TCP



NO PARKING
EXCEPT FOR
ACTIVE
LOADING AND
UNLOADING
NO WAITING

SUBURBAN

PREMIER

TCP 0036804

ATTACHMENT 15

From: [Li, Mingfeng](#)
To: [REDACTED]
Subject: RE: [EXTERNAL] Mexicoach Enforcement Action
Date: Tuesday, November 14, 2023 4:03:00 PM
Attachments: [PUBLIC UTILITIES CODE Article 2 Section 1035 \(PSC\).docx](#)

Dear Mr. Hunt,

I appreciate your prompt response and the steps you've taken to address the issues discussed during our conversation. However, after reviewing the updates you mentioned, I still have some concerns that require clarification and further action.

TCP Number on Website:

I visited Mexicoach.com today (11/24/2023) as per your information, but I was unable to locate the TCP number on the first page. Could you please specify the location on the website or provide a screenshot for clarification?

Vehicle Registration:

Upon checking our server for Mexicoach registered vehicles today (11/24/2023), it appears that some vehicles are still missing from our system. It is crucial that all vehicles are accurately reflected in our database. Kindly ensure that all the vehicles promptly added to our system.

TCP Numbers on Vehicles:

I appreciate your commitment to affixing TCP numbers on your vehicles. This is a critical step in ensuring compliance. As part of our verification process, could you please provide photographic evidence of the TCP numbers prominently displayed on each vehicle? This documentation will assist in further validating adherence to regulatory requirements.

PSC License Requirement:

In reference to your disagreement regarding the PSC license requirement, I have attached the relevant section from the Public Utilities Code (PUC) that defines a Passenger Stage Corporation (PSC). Based on the information provided and our understanding of your business operation model, it is evident that your company falls within the scope of requiring a PSC license. I strongly recommend initiating the [application process](#) at the earliest convenience.

Please review the attached document for further details on the PSC regulation and visit our [CPUC website](#) for the necessary steps for PSC application. If you have any questions or require additional clarification, do not hesitate to reach out to me via email at Mingfeng.li@cpuc.ca.gov or by phone at (415) 696-7320.

Thank you for your cooperation in addressing these matters promptly. I look forward to receiving the necessary documentation and updates.

Best Regards,



Ming Li – Public Utilities Regulatory Analyst
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
☎ (415) 696-7320 (ext 5-7320)
✉ Mingfeng.li@cpuc.ca.gov 🌐 www.cpuc.ca.gov

From: [REDACTED]
Sent: Thursday, November 9, 2023 2:27 PM
To: Li, Mingfeng <Mingfeng.Li@cpuc.ca.gov>
Subject: RE: [EXTERNAL] Mexicocoach Enforcement Action

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.

Mr. Li,

Thank you for your time today and I appreciate your involvement to straighten out any issues. Mexicocoach takes pride in complying with all local, state and federal regulations for over 60 years.

Regarding the web site, we have added the TCP number to the first page and it should be visible now at Mexicocoach.com.

Regarding equipment added to the TCP list, this was held up for some documents required and we resolved that today. This list should be updated today.

Regarding the TCP numbers on the vehicles, we will have the decals on by next Mon or Tuesday as we have to order the decals.

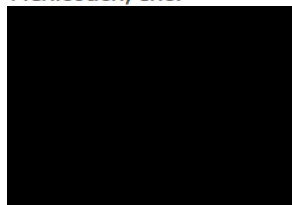
And lastly, regarding the CPUC requirement we have a PSC license, as expressed, we respectfully disagree as we are in interstate carrier, originating and returning to Mexico. My understanding is you are going to gather more information from CPUC staff and return documentation or explanation and/or request for more information about our operation.

Please let me know if the above is accurate and please do not hesitate to contact me anytime.

Thank You,

Brian

Brian Hunt
President
Mexicocoach, Inc.



----- Original Message -----

Subject: RE: [EXTERNAL] Mexicoach Enforcement Action

From: "Li, Mingfeng" <Mingfeng.Li@cpuc.ca.gov>

Date: Thu, November 09, 2023 1:51 pm

To: [REDACTED]
<[REDACTED]>

Hi Brian,

I am open to talk anytime until 3PM today. Please give me call at your convenience.

Regards,



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

☎ (415) 696-7320 (ext 5-7320)
✉ Mingfeng.Li@cpuc.ca.gov 🌐 www.cpuc.ca.gov

From: [REDACTED]
Sent: Thursday, November 9, 2023 12:23 PM
To: [REDACTED]; Li, Mingfeng <Mingfeng.Li@cpuc.ca.gov>
Subject: [EXTERNAL] Mexicoach Enforcement Action

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 Ming Li,

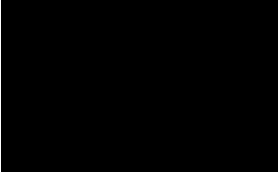
Please allow me to introduce myself as I have recently been appointed as President of Mexicoach. I hope to call you a little later today but wanted to let you know we received your letter.

Will you be available later this afternoon?

Thank You,

[REDACTED]

President
Mexicoach



ATTACHMENT 16

From: [REDACTED]
To: [Li, Mingfeng](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Mexicocoach, Inc - compliance with CPUC regulations
Date: Wednesday, November 22, 2023 11:41:23 AM
Attachments: [Screenshot Mexicocoach Web Site 11 20 23.png](#)
[226 Passenger stage corporation \(1\).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.

Mr. Ming Li,

To ensure I have clearly responded to each of the issues raised in your email below, I have responded directly to each issue in red font. Importantly, I would like to highlight my response to the PSC issue and our request for an extended deadline beyond the November 28 deadline initially proposed. For the reasons explained below, we believe it would be quite unrealistic to expect us to provide the data necessary to show why our federal authority authorizes our intrastate regular route service by November 28. If you could please respond to our request for an extended deadline as soon as possible, that would be tremendously appreciated.

I hope you have a wonderful holiday weekend.

Thanks,

Brian

[REDACTED]
President
Mexicocoach, Inc.

[REDACTED]
Available [24/7](#)

----- Original Message -----

Subject: RE: [EXTERNAL] Mexicocoach Enforcement Action
Date: Mon Nov 20 2023 14:55:17 GMT-0700 (Mountain Standard Time)
From: "Li, Mingfeng" <mingfeng.li@cpuc.ca.gov>
To: [REDACTED]

Dear Mr. [REDACTED]

I trust this email finds you well. I appreciate your prompt

attention to my previous correspondence and the steps you've taken to address the concerns raised during our recent conversation.

I have reviewed the updates you provided, and while progress has been made, there are still some lingering concerns that require clarification and additional action. To expedite the resolution process, I kindly request your response [before November 28, 2023](#). Your cooperation in addressing these matters promptly is crucial for ensuring compliance with regulatory requirements.

TCP Number on Website:

Despite visiting Mexicoach.com as instructed [on November 24, 2023](#), I was unable to locate the TCP number on the first page. Could you please specify its location on the website or provide a screenshot for clarity? **The TCP number is identified in two places on the homepage of our website. See the attached screenshot of a portion of Mexicoach's website. I had to delete my cache to see the new page, so maybe that is a reason you are having difficulty seeing the TCP number.**

Vehicle Registration:

After checking our server for Mexicoach registered vehicles [on November 24, 2023](#), it appears that some vehicles are still missing from our system. It is imperative that all vehicles are accurately reflected in our database. Please ensure the prompt addition of all relevant vehicles to our system. **When you wrote this email, we were still in the process of uploading the additional vehicles to the system. Hopefully, all vehicles have now been uploaded to the system, but if not, they will be shortly. I'll note again that the vehicles we are uploading the system are in fact *not required by law* to be uploaded. Rather, we are just doing this as a gesture to your field regulators that mistakenly assume these vehicles are providing intrastate charter service in California. In fact, any charter service provided in these vehicles crosses state lines into Mexico. Therefore, the charter service provided in these vehicles is authorized under Mexicoach's interstate operating authority under MC-139343. See, e.g., 49 U.S.C. § 13501(1) (granting the FMCSA jurisdiction over transportation between two or more states as well as between the United States and a foreign country).**

TCP Numbers on Vehicles:

Your commitment to affixing TCP numbers on your vehicles is appreciated. To further validate compliance, could you please provide photographic evidence of the TCP numbers prominently displayed on each vehicle? **We do not have all the decals on until**

we receive them from the vendor. They are ordered and will be added likely next week. As stated earlier, since CPUC cannot regulate interstate charter routes, we did not have TCP number on the route buses, but to make things easier for your field regulators, we will add numbers to all the buses.

PSC License Requirement:

Regarding the disagreement on the PSC license requirement, I have attached the relevant section from the Public Utilities Code (PUC) defining a Passenger Stage Corporation (PSC). It is evident, based on the information provided and our understanding of your business model, that your company falls within the scope of requiring a PSC license. I strongly recommend initiating the application process at your earliest convenience. You state that you have attached the section of the Public Utilities Code defining a "Passenger Stage Corporation". In fact, you have not. "Passenger Stage Corporation" is defined under Cal. Pub. Util. Code § 226 (attached). If you review the definition of "Passenger Stage Corporation" under Cal. Pub. Util. Code § 226, you will see the definition expressly excludes "intrastate passenger transportation service conducted pursuant to federal operating authority to the extent that regulation of these intrastate operations by the commission is preempted by the federal Bus Regulatory Reform Act of 1982." The Bus Regulatory Reform Act of 1982 - specifically, 49 U.S.C. § 13902(b)(3) - expressly authorizes a passenger motor carrier registered by the Federal Motor Carrier Safety Administration ("FMCSA") to provide regular route transportation entirely in one state *if such intrastate transportation is to be provided on a route over which the carrier provides interstate transportation of passengers (emphasis added)*.

I presume you are unfamiliar with the Bus Regulatory Reform Act of 1982. Mexicocoach is willing to provide the CPUC with hard evidence that the intrastate routes Mexicocoach operates in California are authorized under its federal certificate pursuant to the Bus Regulatory Reform Act of 1982, but we would only politely request that you allow more time than the November 28, 2023 deadline set forth below. Compiling the necessary evidence is going to place a tremendous burden on Mexicocoach, including compiling an entire traffic study of all tickets sold by Mexicocoach over the past two years, among many other requirements. Realistically, it would be appreciated if could give us through December to provide you with this data.

Please review the attached document for details on the PSC regulation and visit our CPUC website for the necessary application steps. Should you have any questions or require

additional clarification, feel free to contact me via email at Mingfeng.li@cpuc.ca.gov or by phone at [\(415\) 696-7320](tel:(415)696-7320).

Thank you for your continued cooperation in addressing these matters promptly. I look forward to receiving the necessary documentation and updates by [November 28, 2023](#).

Best Regards,

Ming Li – Public Utilities Regulatory Analyst I
Transportation Enforcement Branch
Consumer Protection and Enforcement Division
California Public Utilities Commission
**([\(415\) 696-7320](tel:(415)696-7320) (ext 5-
[7320](tel:(415)696-7320)) * Mingfeng.li@cpuc.ca.gov 8 www.cpuc.ca.gov**

ATTACHMENT 17

[Quote a service](#) [Mexicocoach, Inc. Terms and Conditions](#)

[TCP A 652-P, MC 139343, DOT 102660](#) [CBX Transportation](#)

:: MEXICOACH ::

[To get a quote, please click here.](#)

Mexicoach has served the public since 1955 by providing bus service from San Ysidro locations to locations in Tijuana such as downtown and the Central Bus Station

- TRAVEL FROM SAN YSIDRO TO REVOLUTION STREET AND CENTRAL DE CAMIONETAS –
- MEXICOACH GETS YOU ACROSS THE BORDER FASTER –
- DON'T WAIT IN LINE TO CROSS, WAIT IN AN AIR CONDITIONED BUS –
- LOOP EVERY HOUR –
- ONLY \$7 –
- PRIVATE CHARTER SERVICE AVAILABLE FOR GROUPS –

Call (619) 354-3654 for more information.

Funciona con WordPress

Inspiro WordPress Theme por WPZOOM

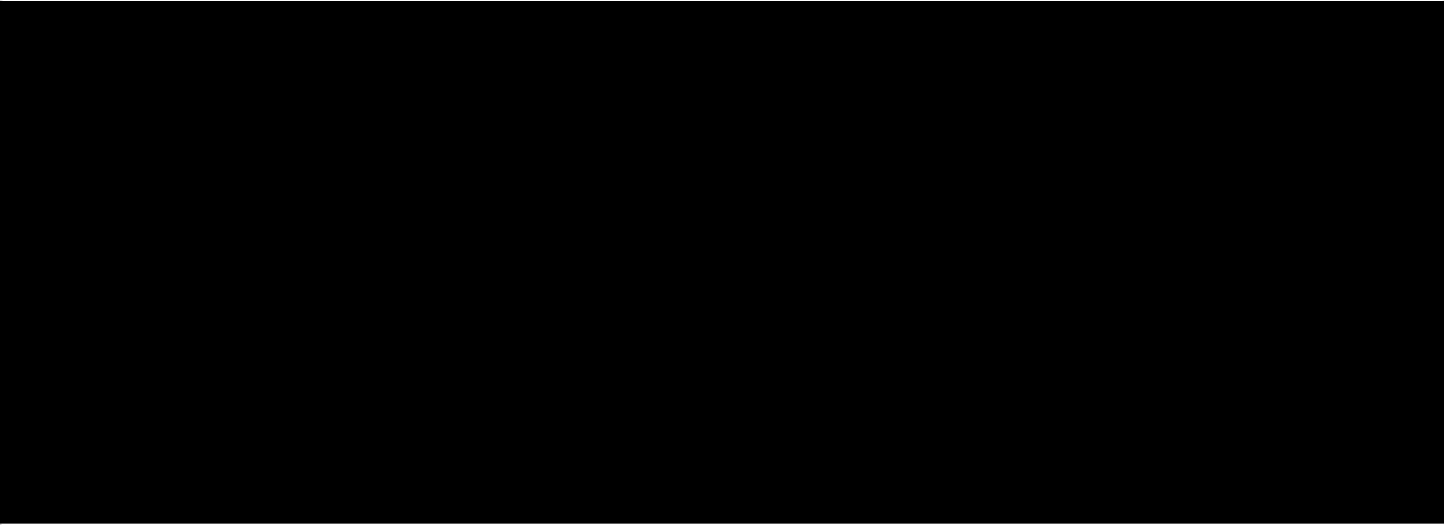
ATTACHMENT 18

MEXICOACH, INC... 0031694...

Case **PUCTRA** + Follow PUCTRA Amend Printable View

Account Name	PUCTRA Type	Year	Quarter	Status	Authority Status
MEXICOACH, IN...	TCP - PUCTRA Quarterly	2023	Q4	Approved	Active

- Draft
- Submitted
- Pending F...
- On Hold
- In Process
- Deficient
- In Review
- Approved



- Activity
- Case Notes
- Details**
- Authorities
- Payments
- Revenue Information
- Carrier Info
- Audit Log

PUCTRA Form

Case **00316942** (/lightning/r/5008z000007KTtbAAG/view)

Account **MEXICOACH, INC.** (/lightning/r/001t000000g84ZhAAI/view)

Authority Type
TCP

Submitted Date
2/24/2024 3:58 PM

Year
2023

Quarter
Q4

1. Total Revenue Earned

2. Revenue Earned as Subcarrier

3. Revenue Subject to Fee

4. Revenue For Small Vehicles

5. Multiply Revenue by Small VEH Rate

6. Revenue For Large Vehicles

7. Federal Exemption from Fees

8. Difference in Revenue - Large VEH

9. Multiply Revenue by Large VEH Rate

10. Revenue Fees Due

11. Fee (Annual/Quarterly)

12. Total PUCTRA Fees Due

13. Penalty Amount

14. Amount Due

15. Farninos Paid to Sub Carriers

Penalty Percentage

Earnings Paid to Sub Carriers
\$0.00

Commission Percentage
25.00%

Account Name

MEXICOACH, INC. (/lightning/r/Account/001t000000g84ZhaAI/view)

MEXICOACH, INC... 0031694...

Fee Setting

2023 Q4 - TCP

(/lightning/r/TCP_Fee_Setting_c/a0L8z000000sV7QEAU/view)

PSG#

PSG0036804

Case Submit Date

2/24/2024 3:58 PM

PUCTRA Type

TCP - PUCTRA Quarterly

Contact Name

Hector Fernandez (/lightning/r/Contact/003t000000pAQqjAAG/view)

Is PUCTRA Amended

PUCTRA Carrier Revenue Paid

[Redacted]

File by Date and Time

1/15/2024 12:00 PM

Case Owner

Others

PUCTRA Carrier Revenue Earned

[Redacted]

Additional Information

Status

Approved

Case Origin

Web

Priority

Medium

Payment Information

Payment Balance

\$ [Redacted]

Wallet Balance

[Redacted]

Payments (Submitted)

\$ [Redacted]

Payments (Verified)

[Redacted]

Subject

TCP PUCTRA Quarterly Fee

Description

Web Email

System Information

Created By

Hector Fernandez (/lightning/r/User/005t0000008JFyhAAG/view),
2/24/2024 3:49 PM

Last Modified By

Marilyn Bernaldo (/lightning/r/User/005t0000008lx0wAAC/view),
3/7/2024 3:24 PM

Additional Information

Case

00316942 (/lightning/r/5008z000007KTtbAAG/view)

Is Submitted Portal

Drug Consultant Consortium

Deficiency Code

Deficiency (Initial)

Extend Timeline

Created By

Hector Fernandez (/lightning/r/005t0000008JFyhAAG/view)

Created By

2/24/2024 3:49 PM

Last Modified By

Marilyn Bernaldo (/lightning/r/005t0000008lx0wAAC/view)

Last Modified By

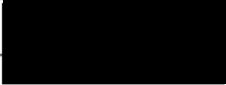
3/7/2024 3:24 PM

Is Drug Consultant Update



Available Actions

MEXICOACH, INC...



ATTACHMENT 19

From: [REDACTED]
To: [Li, Mingfeng](#)
Cc: [REDACTED]
Subject: [EXTERNAL] Email 1 of 6 - Waybills and Ticket Sales
Date: Thursday, March 21, 2024 8:50:12 PM
Attachments: [Waybills Summary 3 19 24.pdf](#)
[CONFIDENTIAL-BOLETOS MEXICOACH OCTUBRE A DICIEMBRE 2023 3 19 24 PDF A.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.

Ms. Li,

As requested, I am providing documents per your email and providing before the 22nd March.

Due to the size of the documents, I am breaking out into six emails to make sure they go through.

I have been advised by our attorney that Tax Returns are not related to Safety and need not be disclosed. There is ninth circuit law on the subject. Please let me know if you have a different opinion and law to support it.

Thank You,

[REDACTED]
President
Mexicoach