



Advisory Opinion & Cease and Desist Request Form

An interested party may request a cease and desist order as part of its request for an advisory opinion from the Chief Counsel on matters regarding specific factual events. Please print out the form below and submit to docket FTA-2007-0023 at <http://www.regulations.gov>. Failure to submit to the docket will mean FTA cannot consider your request.

1. The undersigned submits this request for an advisory opinion from the FTA Chief Counsel with respect to:

Please briefly enter here what the nature of the requested opinion is. Beyonce/Jay-Z at Camping World Stadium Shuttle

2. Please give a full statement of all facts and legal points relevant to the request in the area provided below. If you need more room please attach a separate sheet of paper with the additional information.

On August 23rd 2018 LYNX (Central Florida Regional Transportation Authority) submitted notice of intent to provide a charter service for a customer. The notice received via email failed to provide the required information such as the customer name and contact information. I, Eddie Serrano, responded to the email advising that our company was willing and able to provide the services requested in the email. Additionally we requested that LYNX provide the customer contact information so that we may provide a written quote for the requested services. To this moment LYNX has failed to respond to any communication regarding this request to provide charter service. The charter request is for service to be performed on August 29th 2018 beginning after 3:00pm and we believe if action is not taken immediately we will lose this opportunity for revenue. Empire Coach Line can meet all of the needs listed on the charter request for this service. We kindly request a Cease and Desist be ordered to LYNX.

We do not believe that LYNX is able to provide this service under any of existing exceptions. LYNX has not confirmed what the intended cost of this service would be to the customer, however, in all past services provided between this customer and Lynx, there has always been a charge. We request that you confirm this service does meet the definition of a charter and issue a Cease and Desist.

3. Do you affirm that the undersigned swears, to the best of his/her knowledge and belief, this request includes all data, information, and views relevant to the matter, whether favorable or unfavorable to the position of the undersigned, which is the subject of the request?

☒ Yes

☐ No

4. Please certify the following: "I hereby certify that I have this day served the foregoing document on the following addresses and e-mail or facsimile numbers (if also served by e-mail or facsimile) by

specify method of service	:	list persons, addresses, and e-mail or facsimile numbers "
email		cliff satter at csatter@golynx.com Rey Quinones Jr at rquinones@golynx.com

Proceed to page 2

*** Please keep in mind that ALL fields are required. Failure to provide the requested information could result in a delay in the processing time of your request.

5. Please describe why a cease and desist order is needed. Include a detailed description of the lost business opportunity the interested party is likely to suffer if the recipient performs the charter service in question, and how the public interest will be served by avoiding or ameliorating the lost business opportunity. A registered charter provider must distinguish its loss from that of other registered charter providers in the geographic service area. If you need more room please attached a separate sheet of paper with the additional information.

Enter information here.

Empire Coach Line requests a Cease and Desist order be issued for the proposed service to prevent loss of revenue. It is projected that my company will suffer a loss of revenue of \$16,000-38,000.00. In the interest of the public, Empire Coach Line, and our employees, LYNX should not be using buses that are federally funded to compete with private a private bus operator.

6. Please describe the efforts made to notify the recipient of the potential violation of the charter service regulations. Please include names, titles, phone numbers or e-mail addresses of persons contacted, date and times contact was made , and the response received, if any. If you need more room please attached a separate sheet of paper with the additional information.

Enter information here.

Please see attached email sent to LYNX Employees: Cliff Satter and Rey Quinones.

Sign Here



signature

2018/August/24 12:41pm

2016-02-01 11:56:56

Name	Eddie Serrano
Title	VP
Mailing Address Line 1	1161 Spruce Avenue
Mailing Address Line 2	Orlando, FL 32824
Telephone	407-888-2624 x.301
E-mail	eddie@empirecoachline.com

*** Please keep in mind that ALL field are required. Failure to provide the requested information could result in a delay in the processing time of your request.



Private Charter Operator Registration	Submit New	Search Existing	Qualified Human Service Registration	Submit New	Search Existing
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Private Charter Operator Registration Search Results

Criteria: empire coach line



There is 1 result.

Company Name	State	City	Email Address	Phone Number
Empire Coach Line, Inc	FL	Orlando	eddie@empirecoachline.com	407-888-2624

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Eddie Serrano

From: Cliff Satter [csatter@golynx.com]
Sent: Thursday, August 23, 2018 2:25 PM
To: 'mcastro@corporatecoachesfla.com'; 'reservations@excellentdctours.com'; 'mikek@willmarbus.com'; 'info@ectjax.com'; 'tom@beachbumtrolley.com'; 'getonthebus@goodtimetours.com'; 'cavaliercoach@mindspring.com'; 'BESTCHARTERS@AOL.COM'; 'glebron@rideparadise.net'; 'sales@rideroyal.com'; 'admin@candiesmotorcoaches.com'; 'maurice@spacetoursbus.com'; 'COMPASS@WMIS.NET'; 'rich@discoverycharters.com'; 'trvlrs@earthlink.net'; 'gatensadventures@aol.com'; 'charters@goodtimetours.com'; 'Leisuretimebus@bellsouth.net'; 'info@echotransportation.com'; 'brian@escotbuslines.com'; 'MCastro@academybus.com'; 'rob@bemidjibus.com'; 'personnel-safety@annettbuslines.com'; 'sales@redcarpetcharters.com'; 'spencer@atchisontransport.com'; 'darlene@venturebustours.com'; 'mhcs@centurytel.net'; 'christy@southerncoaches.com'; 'WRIGHTTRAVEL65@YAHOO.COM'; 'john@samsontailways.com'; 'ccornwell@karststage.com'; 'akh@horizonmotorcoach.com'; 'akh@horizonmotorcoach.com'; 'mail@agofflimo.com'; 'visionexpress22@yahoo.com'; 'jmf@capitaltrailways.com'; 'jmf@capitaltrailways.com'; 'sales@kelleytransit.com'; 'reservations@afchouston.com'; 'Jared@goldstartours.com'; 'ajk@greatdaytours.com'; 'john@millertransportation.com'; 'charters@arrowtrailways.com'; 'charters@allaroundbus.com'; Eddie Serrano; 'jason@fullingtontours.com'; 'Sales@kayote outfitters.com'; 'membersexecutive@gmail.com'; 'kellytours@kellytours.com'
Subject: FTA Private Charter Operators

LYNX has been requested to provide service for the Beyoncé/Jay-Z concert on Wednesday, August 29, 2018. This information was provided to us today. The needs for the event are shown below. If you are a willing and able provider, please contact Cliff Satter, Service Planner, at csatter@golynx.com or (407) 254-6133. The deadline for responding to this request is Monday, August 27, 2018 by 12:00 PM.

LYNX Shuttle Request				
Date	Time	Event	Type of Event	Type of Equipm
Wednesday, August 29, 2018	Estimated 03:30 PM - 02:00 AM	Beyoncé/Jay-Z	Employees	15 - Transit - 2 Door 40' l
Wednesday, August 29, 2018	Estimated 04:30 PM - 01:00 AM	Beyoncé/Jay-Z	Concert	22 - Transit - 2 Door 40' l

Pursuant to Charter Service Rule in the FTA Code of Federal Regulations, this notice announces an intent of the Central Florida Regional Transportation Authority ("LYNX") to provide potential shuttle service during its normal operating hours in the areas of Orange, Osceola, and Seminole counties for the event above. LYNX shall not provide any charter service using FTA funded equipment or facilities, unless qualified to do so in exceptions listed under the Charter Rule. In order to take advantage of the Charter Rule's provisions, private charter operators must be registered on FTA's Private Charter Operator Registration website: <http://ftawebprod.fta.dot.gov/CharterRegistration>

Thank you,

Cliff Satter
Service Planner
Central Florida Regional Transportation Authority
455 N Garland Ave
Orlando, FL 32801
(407) 254-6133
csatter@golynx.com



"We enhance people's lives everyday through passion, pride, and performance."



"This communication is intended only for the individual or entity addressed within. If you are not the intended recipient, you are not authorized to read, disclose, copy or otherwise use or transmit the information or make any dissemination, distribution or copying of this information. Please note: Florida has a very broad public records law. Most written communications to or from local officials regarding organization business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure. If you received this in error, please contact the sender and delete the material from any computer."



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Like us: <https://mobile.twitter.com/lynxbusorlando>

Eddie Serrano

From: Eddie Serrano
Sent: Thursday, August 23, 2018 2:44 PM
To: 'Cliff Satter'
Subject: RE: FTA Private Charter Operators

We are able to provide this service. Per FTA Charter Service regulations, please refer these customers to us and anyone else in the private sector who can and will provide this service along with the clients full contact information.

Thanks,

Eddie Serrano

VP/General Manager

Empire Coach Line, Inc.

1161 Spruce Avenue

Orlando, FL 32824

(407) 888-2624 x.301

(407) 888-2817 Fax

www.empirecoachline.com

READ ABOUT US IN METRO MAGAZINE:

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Thank you,

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Eddie Serrano

From: Eddie Serrano
Sent: Friday, August 24, 2018 12:14 PM
To: 'Cliff Satter'
Cc: 'ombudsman.charterservice@dot.gov'; 'Rey Quinones'
Subject: RE: FTA Private Charter Operators

Cliff/Rey,

I am following up on my email below for the request for Charter Service for Orlando Venues upcoming event.

I would like to remind Lynx that per FTA regulations a public transit agency is required to abide by the following regulations:

Upon receiving a request for charter service, a recipient may:

1. Decline to provide the service, with or without referring the requestor to FTA's charter registration Web site (<http://www.fta.dot.gov/laws/leglregl179.html>);
2. Provide the service under an exception provided in subpart B of this part; or
3. Provide notice to registered charter providers as provided in this section and provide the service pursuant to §604.9.

If a recipient is interested in providing charter service under the exception contained in §604.9, then upon receipt of a request for charter service, the recipient shall provide e-mail notice to registered charter providers in the recipient's geographic service area in the following manner:

1. E-mail notice of the request shall be sent by the close of business on the day the recipient receives the request unless the recipient received the request after 2 p.m., in which case the recipient shall send the notice by the close of business the next business day;
2. E-mail notice sent to the list of registered charter providers shall include:
 - A. Customer name, address, phone number, and e-mail address (if available);
 - B. Requested date of service;
 - C. Approximate number of passengers;
 - D. Whether the type of equipment requested is (are) bus(es) or van(s); and
 - E. Trip itinerary and approximate duration; and

If the recipient intends to provide service that meets the definition of charter service under §604.3(c)(2), the email notice must include the fare the recipient intends to charge for the service.

At this moment, LYNX, has failed to provide the required information for the request received below. You have failed to provide the Customer name or contact information both in your original email and following my request in response to yesterdays email.

Additionally, I have responded to your email advising that our company, Empire Coach Line, is willing and able to provide the services requested. **At this point you shall refrain from any further contact with this clients after you provide them with notice that you may not service them. You are not the client nor the decision maker for this event and further negotiations is not relevant to your responsibility.**

Any questions please refer to:

<https://www.transit.dot.gov/regulations-and-guidance/access/charter-bus-service/charter-bus-service-regulations-0>

Please be advised a Cease and Desist request will be submitted to FTA's Office of the Chief Counsel.

I will be attentive to your prompt response.

Thanks,

Eddie Serrano

VP/General Manager

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Cliff Satter

Service Planner

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