



April 10, 2018

Embassy Transportation Inc.  
3013 – 2560 Shell Road,  
Richmond, BC V6X 0B8

## **Embassy Transportation Inc. (CTC Decision No. 09/2018) – Decision Notice**

In Embassy Transportation Inc. (CTC Decision No. 09/2018) (the “Original Decision”), I determined that Embassy Transportation Inc. (“Embassy”) failed to pay its Independent Operators (“I/O’s”) the correct fuel surcharge required under the *Container Trucking Act* (the “Act”) and *Container Trucking Regulation* (the “Regulation”) between October 1, 2014 and March 30, 2018. The audit found that adjustments totaling \$3,354.49 were owed to three I/O’s.

In the Original Decision I concluded that this was an appropriate case to issue a penalty for the reasons set out in paragraphs 13-15 of the Original Decision. In that regard, I proposed to impose an administrative fine against Embassy in the amount of \$500.00. Consistent with s. 34(2) of the Act I advised Embassy that I would consider its written response to the proposed penalty if it was received within 7 days.

Embassy has not provided a written response within the time specified in the notice.

In the result, I hereby order Embassy to pay an administrative fine in the amount of \$500.00. Section 35(2) of the Act requires that this fine be paid within 30 days of the issuance of this Notice. Payment should be made by delivering to the Office of the BC Container Trucking Commissioner (“OBCCTC”) a cheque in the amount of \$500.00 payable to the Minister of Finance.

Finally, I note that Embassy may request a reconsideration of the Commissioner’s Decision by filing a Notice of Reconsideration with the Commissioner not more than 30 days after Embassy’s receipt of this Decision Notice. A Notice of Reconsideration must be:

- a. made in writing,
- b. identify the decision for which a reconsideration is requested,
- c. state why the decision should be changed,
- d. state the outcome requested,
- e. include the name, an address for delivery, and telephone number of the applicant and, if the applicant is represented by counsel, include the full name, address for delivery and telephone number of the applicant’s counsel,
- f. signed by the applicant or the applicant’s counsel.

Despite the filing of a Notice of Reconsideration, the above orders remain in effect until the reconsideration application is determined. This Order will be published on the Commissioner's website.

Dated at Vancouver, B.C., this 10th day of April, 2018.

A handwritten signature in black ink, appearing to read 'Michael Crawford', written in a cursive style.

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Michael Crawford, Commissioner