

PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Harrisburg, Pennsylvania 17105-3265

Pennsylvania Public Utility Commission  
Bureau of Investigation and Enforcement

Public Meeting held September 1, 2016  
2422723-OSA

v.

Docket No. C-2014-2422723

Uber Technologies, Inc., Gegen, LLC  
Rasier LLC, and Rasier-PA, LLC

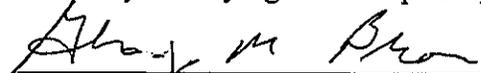
**STATEMENT OF CHAIRMAN GLADYS M. BROWN  
AND VICE CHAIRMAN ANDREW G. PLACE**

The PUC's number one priority with regard to motor carriers for hire is public safety. By operating without proper authority, this Commission was unable to verify critical safety standards such as Uber's drivers' backgrounds, vehicle integrity, and validity of insurance. When a regulated entity is given notice that it is violating the law, given numerous opportunities to comply with the law, and ignores those notices, it does so to its own detriment.

We do not take lightly the fact that the civil penalty imposed in this case is the largest in this Commission's history. However, the reason the penalty is so large is because we were faced with an unprecedented number of violations committed by Uber. In the instant Petition, Uber argues that the civil penalty imposed is inconsistent with penalties imposed on other jurisdictional entities. In fact, the \$7 per violation imposed for Uber's actions that occurred prior to our Cease and Desist Orders are some of the smallest per violation amounts we have ever imposed. The \$250 per violation amounts imposed for the period during which Uber continued to operate after we issued our Cease and Desist Orders are consistent with our treatment of other carriers found violating the Public Utility Code and the Commission's Regulations.<sup>1</sup>

We reiterate and emphasize that this Commission supports the innovative TNC business model. TNCs provide a much needed service that the travelling public has embraced and TNC companies contribute to the economic growth of the Commonwealth. This is why we granted Uber and its competitors, certificates of temporary authority. It is also why we continue to work with the General Assembly as it drafts legislation that will allow TNC's to operate under permanent certificates of public convenience.

We are voting to deny Uber's Petition for Reconsideration because Uber has not met the standard established in *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553 (1982), which requires a petitioner to raise new and novel arguments, not previously heard by the Commission. The crux of Uber's Petition is a reiteration of issues considered at the Complaint and Exception stages of the proceeding and does not persuade us that the public interest would be served by modifying the civil penalty imposed upon the company.

  
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Gladys M. Brown, Chairman

  
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Andrew G. Place, Vice Chairman

Date: September 1, 2016

<sup>1</sup> *Newcomer Trucking, Inc. v. Pa. PUC*, 531 A.2d 85, 87 (Pa. Cmwlth. 1987), *Kviatkovsky v. Pa. PUC*, 618 A. 2d 1209 (Pa. Cmwlth. 1992).