

PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120

PUC Investigation & Enforcement

Public Meeting September 1, 2016

vs

2422723-OSA

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

Docket No. C-2014-2422723

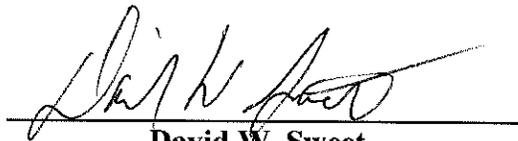
STATEMENT OF
COMMISSIONER DAVID W. SWEET

Had I been a Public Utility Commissioner when this motion was adjudicated through an Opinion and Order on May 10, 2016, my approach to the case may have varied from the conclusion reached by the majority in the 3-2 vote. However, the assignment today is different. The issue before us is to determine whether a reconsideration is merited, based on the legal standards applicable to such a request. There has been no change in law, or any compelling new evidence unearthed that was unavailable during the proceeding.

While the May 2016 Order may seem harsh to some, and even unwise public policy to others, the applicable legal standards for the imposition of a fine and civil penalty were met. No legal or factual error was made by the Commission's action. Since there is no clear legal argument compelling a reconsideration I must vote to deny the request and support the conclusions set forth in the Proposed Order on pages 76 and 77.

And, as an aside, the entire legal and regulatory framework under which Uber, Lyft, and others are operating, both in Philadelphia and throughout the state, still requires the focused attention of the General Assembly. While the law must be obeyed – as highlighted by the May 2016 case – it also must be modernized to address new realities. Otherwise we will again be in this room trying to figure out how to put the proverbial square peg into a round hole.

DATE: September 1, 2016



David W. Sweet
Commissioner