

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
Bureau of Investigation and Enforcement	:	
	:	
v.	:	C-2022-3036995
	:	
Silk Road Transport, Inc.	:	

**ERRATA NOTICE**

This Errata Notice is to advise all parties of record that Administrative Law Judge Chad L. Allensworth's Initial Decision served on August 14, 2023 contains 2 typographical errors.

- 1) Page 13, Conclusions of Law, Numbered Paragraph 11, the two civil penalty amounts add up to \$900, not \$1,555 as stated.
- 2) Page 14-15, in Ordering Paragraphs 3-4, the amount of \$1,555 that Silk Road Transport is directed to pay is comprised of the civil penalty and past due assessment amount.

Please find the corrected pages attached to this Errata.

The Initial Decision on the PA PUC website will be corrected as indicated above. This correction will not affect the exceptions dates established by the Secretary Letter dated August 14, 2023.

7. A public utility is required to pay the Commission's assessment invoices within thirty days of having received notice from the Commission of the amounts assessed or challenge its assessment within fifteen days after receiving notice of the assessment. 66 Pa.C.S. § 510(c).

8. Respondent's failure to pay the FY Assessment Invoices for 2020-2021, 2021-2022 and 2022-2023 are violations of 66 Pa.C.S. § 510(c).

9. If any regulated entity fails to comply with any Commission regulation it shall forfeit and pay to the Commonwealth a sum not exceeding \$1,000.00 per day of violation. 66 Pa.C.S. § 3301.

10. A civil penalty for failing to pay an outstanding assessment is based on a review of multiple factors that include: (1) a respondent's compliance history for the three-year period prior to the date I&E files its formal complaint; (2) the need to deter future violations; and (3) prior Commission decision in similar situations pursuant to 52 Pa. Code §§ 69.1201(c)(6), (8), and (9). *Pa. Pub. Util. Comm'n v. Moore Family Holdings, LLC*, Docket No. C-2021-3029489 (Opinion and Order entered Apr. 14, 2022).

11. A civil penalty in the amount of \$750 for three violations of 66 Pa.C.S. § 510(b) plus \$150 for three violations of 66 Pa.C.S. § 510(c), totaling a civil penalty of \$900, is reasonable and appropriate. *Pa. Pub. Util. Comm'n v. Moore Family Holdings, LLC*, Docket No. C-2021-3029489 (Opinion and Order entered Apr. 14, 2022).

12. Respondent is obligated to promptly apprise the Commission of changes to its current address pursuant to Section 1.53(d) of the Commission's regulations. 52 Pa. Code § 1.53(d).

13. Respondent is required to file an application with the Commission to terminate its Certificate of Public Convenience before ceasing to provide its service. 66 Pa.C.S. § 1102(a)(2); *Pa. Pub. Util. Comm'n v. John F. Fluehr Jr, John F. Fluehr III & Theodore*

*Fluehr, t/a John F. Fluehr & Sons*, Docket No. C-2019-3008807 (Opinion and Order entered Dec. 19, 2019).

14. A respondent who fails to file an Answer to an Amended Complaint within the 20-day response period may be deemed in default, and the relevant facts stated in the complaint may be deemed admitted. 52 Pa. Code § 5.61(c).

15. The Commission has authority to sustain Complaints that are not answered within twenty days. *See Fusaro v. Pa. Pub. Util. Comm'n*, 382 A.2d 794 (Pa. Cmwlth. 1978).

### ORDER

THEREFORE,

IT IS ORDERED:

1. That the Motion for Default Judgment filed by the Commission's Bureau of Investigation and Enforcement against Silk Road Transport, Inc at Docket No. C-2022-3036995 is granted.
2. That the Amended Complaint filed by the Commission's Bureau of Investigation and Enforcement against Silk Road Transport, Inc. at Docket No. C-2022-3036995 is sustained.
3. That Silk Road Transport is directed to pay a total of \$1,555 (\$900 civil penalty and \$655 in past due assessment amounts) by sending a certified check or money order payable to the Commonwealth of Pennsylvania within thirty (30) days from the entry date of the Final Commission Order to:

