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July 23, 2025

VIA E-FILING

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Jael Hernandez v. Rasier – PA LLC
Docket No. C-2025-3053091


Dear Secretary Homsher:

Enclosed for filing please find Rasier-PA LLC's Motion to Dismiss the Complaint of Jael Hernandez in the above-captioned proceeding. Please note that a Notice to Plead is included in this filing. A copy of the filing is being served as indicated in the attached Certificate of Service.

Please contact me if you should have any questions. Thank you for your consideration of this matter.

Sincerely,

BUCHANAN INGERSOLL & ROONEY PC

By: 

Alan M. Seltzer, Esquire

AMS/jls
Enclosure
cc: Jael Hernandez

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jael Hernandez	:	
Complainant	:	
	:	Docket No. C-2025-3053091
v.	:	
Rasier-PA, LLC	:	
Respondent	:	

NOTICE TO PLEAD

TO: Jael HERNANDEZ

You are hereby notified that RASIER-PA, LLC (“RASIER”) has filed the attached Motion to Dismiss (“Motion”) with the Pennsylvania Public Utility Commission (“Commission”) in the above-captioned matter. An Answer to the Motion is due within twenty (20) days. If you do not file a timely written answer/response to the attached Motion, the presiding Administrative Law Judge may rule on this Motion without further input.


File with:

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
P.O. Box 3265
Harrisburg, PA 17105-3265

With a copy to:

Alan M. Seltzer
John F. Povilaitis
Buchanan Ingersoll & Rooney, PC
409 North Second Street, Suite 500
Harrisburg, PA 17101

Dated: July 23, 2025



Alan M. Seltzer, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jael Hernandez	:	
Complainant	:	
	:	Docket No. C-2025-3053091
v.	:	
Rasier-PA, LLC	:	
Respondent	:	

**MOTION TO DISMISS OF RASIER-PA, LLC TO COMPLAINT OF
Jael Hernandez**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, Rasier-Pa, LLC. (“Rasier” or the “Company”), by and through its counsel, Alan M. Seltzer, John F. Povilaitis and Buchanan Ingersoll & Rooney PC, hereby files this Motion to Dismiss the Formal Complaint of Jael Hernandez (“Complainant”) pursuant to Section 5.103 of the Pennsylvania Public Utility Commission (“Commission”) regulations at 52 Pa. Code § 5.103 as follows:

I. Introduction and Procedural History

1. On February 12, 2025, Rasier was served the Formal Complaint of Jael Hernandez alleging a lack of transparency in driver payment calculations (“Complaint”). The Complainant implies he is an existing driver for Rasier who is not getting clear or timely answers to his questions about potential issues associated with fares and his ultimate compensation. The Complainant seeks the disclosure of “the exact rates per mile and per minute” used “to calculate driver payment.” Complaint, ¶5. He claims a need for this information to “assess if Uber is paying me fair wages ...” Complaint, ¶5.

2. On February 27, 2025, Rasier filed with the Commission its Answer and New Matter, which denied the material allegations of the Complaint.

3. On February 27, 2025, Rasier also filed with the Commission Preliminary Objections alleging that the Commission lacks jurisdiction to grant the relief requested in the Complaint.

4. The Complainant did not file any response to Rasier’s New Matter or Preliminary Objections.

5. In an Interim Order Regarding Preliminary Objections dated May 14, 2025 from Administrative Law Judge (“ALJ”) Marta Guhl, the Complainant was directed, among other things, to file and serve on the ALJ and Rasier an Amended Complaint “. . . which sets forth additional facts, consistent with the instructions provided on the Commission’s formal complaint form, in support of the Complainant’s allegations against Rasier-PA LLC **on or before June 5, 2025.**” Interim Order Regarding Preliminary Objections, Ordering Paragraph 2, p. 5.

6. The Complainant has not filed with the Commission and served an Amended Complaint upon Rasier and the ALJ as directed by the Order Regarding Preliminary Objections dated May 14, 2025.

II. Requested Relief

7. Rasier incorporates the preceding paragraphs as if set forth fully herein.

8. The Commission’s regulations specifically allow for motions to be filed “for relief desired . . .” 52 Pa. Code §5.103(a).

9. Here, the Complainant has failed to file and serve an Amended Complaint as directed by the ALJ in the Interim Order Regarding Preliminary Objections dated May 14, 2025.

10. The Complainant was specifically directed to file an Amended Complaint “which includes more details regarding the nature of the dispute with the Respondent [Rasier-PA] and states with specificity what they would like the Commission to do to resolve the dispute. The

Complainant must specify the violation of the Public Utility Code, Commission’s regulations or a Commission order that the Respondent [Rasier-PA] has committed in this matter. In the event that the Complainant fails to comply with this order, the Respondent [Rasier-PA] may file an appropriate motion to seek dismissal of the Complaint.” Interim Order Regarding Preliminary Objections dated May 14, 2025, pp. 4-5.

11. The Complainant has failed to follow the clear directives in the Interim Order Regarding Preliminary Objections dated May 14, 2025 by the required date of June 5, 2025 and, accordingly, Rasier-PA is filing this Motion as permitted by said Order.

WHEREFORE, Rasier-PA hereby requests that the Commission (i) grant this Motion to Dismiss, (ii) dismiss with prejudice the Complaint filed by Jael Hernandez, and (iii) grant Rasier-PA such other relief as may be just and reasonable under the circumstances.

Respectfully submitted,



Alan M. Seltzer, Esq.
John F. Povilaitis, Esq.
BUCHANAN INGERSOLL & ROONEY PC
409 North Second Street, Suite 500
Harrisburg, PA 17101-1357
(717) 237-4862

Attorneys for Rasier-PA LLC

Dated: July 23, 2025

VERIFICATION

I, Rachel Perl of Rasier-PA LLC., have read the foregoing document and verify that the facts set forth therein are true and correct to the best of my knowledge, information and belief.

I understand that any false statements made herein are subject to the penalties of 18 Pa. C.S.A. § 4904, relating to unsworn falsification to authorities.

By:  _____

Name: Rachel Perl,
Title: Manager, Northeast Operations
Rasier-PA LLC

Date: July 23, 2025

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jael Hernandez	:	
Complainant	:	
	:	Docket No. C-2025-3053091
v.	:	
Raiser-PA LLC	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the Motion to Dismiss to the Complaint of Jael Hernandez upon the parties listed below via First Class Mail:

Jael Hernandez
6214 Charles Street
Philadelphia, PA 19135

Dated: July 23, 2025



Alan M. Seltzer